

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

Common Council Chambers
Tuesday, August 9, 2022
6:00 PM

I. CALL TO ORDER

II. APPROVAL OF MEETING MINUTES

1. APPROVAL OF JULY 12, 2022 MINUTES

III. PUBLIC HEARINGS & DELIBERATIONS

1. 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

2. 45 READE PLACE: AREA VARIANCE

Application for area variances relative to the proposed placement 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 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 #2022-007B

3. 117 NORTH HAMILTON STREET AREA VARIANCES

Application for area variances relative to the proposed construction of a wholesale storage, warehousing, manufacturing, creative, retail, contracting business. Variances are requested of Section 19- 3.29(4)(d) which requires a 25 foot landscape buffer to allow a fence on the north boundary, and Section 19-4.14(3)(a) which prohibits a fence within 10 feet of a wall containing legal windows to allow a fence within 10 feet of the wall of the building to the north. Owner: 117 N Hamilton, LLC/North Hamilton Parcel LLC; Applicant: Baxter Development Corp.; Consultant: Rohde, Soyka & Andrews, Consulting Engineers, PC; Grid #6162-63-271278/266293; Zoning District: Light Industrial (I-1) District; ZBA #2022-018



**CITY OF POUGHKEEPSIE
ZONING BOARD OF APPEALS
DRAFT MEETING MINUTES FOR TUESDAY, JULY 12, 2022
3RD FLOOR CITY HALL, 62 CIVIC CENTER PLAZA**

Present

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

Excused

Rob Page

Staff

Natalie Quinn, Director of Development
Lori Garcia, Board Administrative Assistant

CALL TO ORDER:

The meeting was called to order at 6:03 pm with the pledge of allegiance.

APPROVAL OF JUNE 14, 2022 MINUTES

Motion: Thomas Klug
Second: Jessica Vinall
Carried: 5:0:0

PUBLIC HEARINGS & DELIBERATIONS

**1. 135 MAIN STREET: AREA VARIANCES:
PUBLIC HEARING POSTPONED TO AUGUST**

2. 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

Presenter: Dan Leary, attorney and Marc, ab arkitekten

Dan stated that they have been in contact with the city planner and attorney and have reviewed the concerns for the project. They would be agreeable to a number of conditions as conditions of approval. These were listed in the draft.

- Provide onsite parking on a first come first served basis.
- A fee will be charged, addressed in the lease and will be available for the duration of the lease with no separate agreement.
- The rental agreement for on premise parking will be limited to no more than one space per apartment.
- An area of the street will be striped as a designated area for loading and unloading for tenants.

Another look was taken at the municipal parking available in the area. There were a number of municipal parking lots identified that were not shown on the initial plans. There are municipal spots within 600ft at Winnikee Avenue with 9 spaces available. There's also the South Clinton and the little Smith lots, which are 50 and 45 spaces respectively that are not within not 600 feet, but probably about 800 feet away. As a proposed condition of the approval, the tenants will be encouraged to use these and written literature will be produced for any tenant that's not eligible for onsite parking to sign.

Natalie noted the literature would include other things like bus routes and bus stops, potentially where to garner zip cars and that kind of information within the area. It wasn't spelled out exactly what has to be in that literature, but that it would guide tenants to alternative options besides onsite parking and car ownership. Also pointed out that the municipal lots mentioned are not close to being maxed out in terms of permits. Also that we are not dedicating these spaces to this development, but they would have access to them as residents within the area.

Dan agreed and further mentioned that there would be another provision allowing the city the right for an ongoing review to ensure compliance.

Discussion continued regarding the agreements that would be signed by the residents along with their lease deterring those that did not have onsite parking from using the Main Street corridor. Natalie mentioned the City wants to have the first draft of that before the certificate of occupancy can be issued. And then for review no more than once annually of that material as well.

Motion to Open Public Hearing: John Gildard

Second: Thomas Klug

Carried: 5:0:0

Speaking Chaim Hirsch, the Owner/Applicant

NYC developer for 30 some years now developing in Poughkeepsie. Excited about the project. Regarding parking, commented that it does not matter for renting, if it's a nice project and it's appealing, people will rent it and will be satisfied. Continued to speak on the parking, development of this property and potentially others in the area.

Motion to Close Public Hearing: Thomas Klug

Second: Steve Reifler

Carried: 5:0:0

Natalie spoke to the board regarding car ownership data taken from census data etc. and the fact that about half the population in Poughkeepsie in fact don't own cars. Other locations were discussed that are similar projects to this one.

No other questions were presented.

Reading of the resolutions that were received in print and reviewed before the meeting:

In the matter of the appeal of Chaim Hirsch, regarding the property at 15 North Cherry Street, Poughkeepsie, New York:

At a Regular Meeting of the Zoning Board of Appeals held in the Common Council Chambers, 3rd Floor, City Hall, 62 Civic Center Plaza, on the 12th day of July, 2022, at 6:03pm:

Present

Scott Parker, Chair

Jessica Vinall

John Gildard

Thomas Klug

Steven Reifler

Excused

Rob Page

WHEREAS, the Zoning Board of Appeals has received an application for area variances from Chaim Hirsh, 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. 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 and accessory uses in the front yard to allow front yard parking and the refuse area to be located within the front yard, Section 19-4.18(2)(a) which prohibits uses within 30 feet of the Fall Kill Creek to allow a refuse area within that distance; and,

WHEREAS, the application was accompanied by supporting documentation including site plan set prepared by ab architekten, with a revision date of 5/24/2022; and,

WHEREAS, this application is considered to be a Type 2 Action under SEQRA requiring no further environmental review; and,

WHEREAS, a public hearing was held on April 8, 2022, May 10, 2022, June 14, 2022, and July 12, 2022; and,

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. The applicant has demonstrated that there is no other feasible method to achieve compliance as the building is existing with little room to accommodate accessory uses in any location other than the front yard or additional parking on site; and,
2. The applicant has demonstrated that the variance requested is not substantial with regard to the location of accessory uses in the front yard, or within thirty (30) feet of the banks of the Fall Kill Creek. Relative to the variance for the number of off-street parking spaces, the number may appear substantial but the applicant has presented that the number of required spaces is an overestimate for what will likely be required by tenants; and,
3. The applicant has demonstrated the granting of the variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood, in that the front yard has been utilized for parking, whether formally or not, for some period of time and is at least partially paved; The refuse area has been situated in the most practicable location possible at the farthest distance possible from the banks of the creek; and units will be marketed to households with lower rates of car ownership, bicycle parking and storage space for personal electronic transportation devices will be provided on site, and a tenant brochure will be provided identifying alternative transportation opportunities and off-site parking; and,
4. The applicant has demonstrated that the need for the variances is not necessarily self-created, due to the location of the building on the lot dictating the location of accessory uses such as off-street parking and the refuse area, while maintaining green space along the Fall Kill Creek.

NOW THEREFORE BE IT FURTHER RESOLVED that the City of Poughkeepsie Zoning Board of Appeals hereby grants the variances as outlined above, with the following conditions as agreed to by the applicant:

- The proposed building will have a total of 22 parking spaces. The privilege of on-site parking for tenants shall be on a first-come, first-served basis, with a fee charged for each on-site space. On-site parking, including the fee, shall be addressed in the lease, and shall be available for the duration of the lease, with no separate lease or rental agreement for parking on the premises. On-site parking shall be limited to not more than one space per apartment.
- For tenant loading and unloading, there shall be a designated, striped loading area,

·For any tenant who is interested in off-site parking when no on-site parking is available, applicant/management shall encourage those tenants to access the City of Poughkeepsie municipal parking lots within 1½-2 blocks of the site, and to pay the attendant permit fee to the City of Poughkeepsie to secure such parking, regardless of whether available municipal parking is short-term or long-term. This information shall be contained in written literature or brochures provided to tenants, receipt of which shall be acknowledged in writing by each tenant not eligible for on-site parking.

·Applicant/management shall discourage tenants from occupying/using on- street parking on Main Street in the vicinity of the site. This information shall be contained in written literature provided to tenants, receipt of which shall be acknowledged in writing by each tenant not eligible for on-site parking.”

· Applicant/Management shall provide a copy of the written literature to the Development Department (attention Director) prior to the issuance of a certificate of occupancy for the Project.

·The City shall have the right to request and review the written literature no more than annually to verify ongoing compliance with this condition.

Motion: Jessica Vinall

Second: Thomas Klug

Carried: 4:1:0

The motion to grant the variances as outlined herein carried.

3) 117 NORTH HAMILTON STREET AREA VARIANCES

Application for area variances relative to the proposed construction of a wholesale storage, warehousing, manufacturing, creative, retail, contracting business. Variances are requested of Section 19- 3.29(4)(d) which requires a 25 foot landscape buffer to allow a fence on the north boundary, and Section 19- 4.14(3)(a) which prohibits a fence within 10 feet of a wall containing legal windows to allow a fence within 10 feet of the wall of the building to the north. Owner: 117 N Hamilton, LLC/North Hamilton Parcel LLC; Applicant: Baxter Development Corp.; Consultant: Rohde, Soyka & Andrews, Consulting Engineers, PC; Grid #6162-63-271278/266293; Zoning District: Light Industrial (I-1) District; ZBA #2022-018

Presenting: John Andrews, Engineer from Rhode, Soyka & Andrews Consulting Engineers, PC.

John summarized the project. The variances requested would reduce the required 25 foot buffer on the north side of the property up to four feet and to allow a fence within 10 feet of a wall containing a legal window. He continued to say that the variance would

not produce an undesirable change in the character of the neighborhood. He outlined some of the ways they have addressed the issues such as having an eight foot opaque fence, and a three foot landscaping bed on the neighbors' side of that fence. It was agreed that this would make a better view for the residency than the other way around. He feels they have made an attractive transition between the neighborhood and rail trail. It was pointed out by the board that there are only 4 residential properties that abut the property and that they are quite a distance from the property line.

The property is on a flood plain which affected the structure and size of the building. It is not financially feasible to change size or shape of buildings. There is no financial documentation on file to show that but John will request that from the client.

The parking is more than required. It was indicated by the board that the parking at the north end of the property could then be removed in order to give the buffer. It was also suggested that the orientation of the parking spaces could be changed to parallel reducing the buffer variance requested.

Natalie asked if the applicant would be willing to arrange a site visit. John feels that the applicant would most likely not have a problem with that. The property is currently being used by a local contractor working on the street to store equipment and materials but if a time were arranged to make a safe visit, he is sure that would be fine.

Open Public Hearing Motion: Steve Reifler

Second: Thomas Klug

Carried: 5:0:0

Speaking Laurie Sandow from South Grand Avenue

- Disappointed that Baxter is not present this evening and continued to speak regarding this. Also disappointed the some of the Council members and the City Administrator is not present
- Spoke regarding current use of land, the fact that Baxter was present at the rezoning meetings and the fact that he is now asking for even more zoning variances.
- She continued to address her discontent with the current use, proposed use of and the past lack of maintenance of the property.
- In summary she is opposed to this project.

Motion to Adjourn the Public Hearing and Application Review to August 9th

Meeting: Steve Reifler

Second: Thomas Klug

Carried: 5:0:0

Motion to close the meeting 7:08pm: Thomas Klug

Second: Steve Reifler

Carried: 5:0:0



**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: 135 Main Street, Poughkeepsie, NY (Proposed Lots 1 & 2)

ZONING DISTRICT: Urban Density Residence District (R-6)

OWNER INFORMATION:

Name: Omni New York, LLC

Address: 909 Third Avenue, 21st Floor

New York City, New York 10022

Phone: (646)502-7200

Email: kspillberg@onyllc.com

APPLICANT INFORMATION:

Name: Tinkelman Architecture, PLLC

Address: 33 Arlington Avenue, Suite 8

Poughkeepsie, New York 12603

Phone: (845)473-0200 ext. 103

Email: tink@tinkarch.com

CONSULTANT INFORMATION:

Name: The LRC Group

Address: 85 Civic Center Plaza, Suite 104

Poughkeepsie, New York 12601

Phone: (845)243-2880

Email: kcasamento@lrconsult.com

SUBJECT OF APPEAL

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

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

Date of decision/determination/violation: August 24, 2021

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

ZONING BOARD OF APPEALS AREA VARIANCE APPLICATION
PROPERTY ADDRESS: 135 Main Street, Poughkeepsie, NY (Proposed Lots 1 & 2)

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
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Refer to the Analysis of the Statutory Balancing Test & Five Factors for Each of the Five Required Variances

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: 135 Main Street, Poughkeepsie, NY (Proposed Lots 1 & 2)

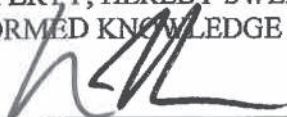
LIST OF REQUIRED ATTACHMENTS

1. Letter or communication which resulted in application to the ZBA.
2. Site or Plot Plan: Nine (9) copies.
3. Color photos of site conditions: Nine (9) copies
4. Complete Short EAF
5. Electronic file submission of the plot plan and color photos
6. Other attachments deemed pertinent by the applicant (please list):
7. Omni New York Authorization Letter
8. Refer to the Supplemental Documents_2022.07.26

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

July 26, 2022

DATE

Steven Tinkelman, Managing Member
Print Name

SUMMARY OF PROOF IN SUPPORT OF VARIANCES

This document provides an analysis of the statutory balancing test and the five (5) factors for each of the five (5) required variances. It includes a discussion about how the proof that has been offered addresses, and satisfies, the legal test for area variances established in the General City Law and the City of Poughkeepsie Code.

PROJECT DESCRIPTION:

OMNI New York LLC (Applicant) proposes to subdivide the Project site into two lots. Proposed Lot 1 will include the existing 13 story multifamily building (Admiral Halsey I), consisting of 119 income restricted senior units, 1 superintendent's unit and 35 off-street parking spaces. Proposed Lot 2 will include the proposed new 4-5 story multifamily building (Admiral Halsey II), consisting of 72 income restricted senior units and 33 off-street parking spaces.

With the addition of the new building and many site improvements, the Admiral Halsey Senior Village will become a campus where the integrated site plan has been designed to allow residents of both buildings use of all ground floor amenities, including the landscaped opens spaces, gazebo, raised gardening planters, and community rooms. From their offices in the new building, Hudson River Housing will coordinate services, such as a shuttle service to medical appointments or the grocery store as well as financial management and computer classes, which are available to all Admiral Halsey residents. The new building will also have a landscaped rooftop available to the residents of Admiral Halsey II.

The Project requires the following five (5) variances:

1. 19-3.17(4)(b) Lot Area Variance for Lot 1
2. 19-31.17(4)(e) Front Yard Setback for Lot 2
3. 19-3.17(4)(f)(1) North Side yard (Rear Yard) setback for Lot 1
4. 19-3.17(4)(i) Usable Open Space for Lot 1, including its location in the Front Yard
5. 19-4.3(11) Off Street Parking requirements for both Lots 1 and 2

Please note a § 19-4.13 Side/Rear Yard Setback for Lot 2 was initially required for the location of the proposed maintenance building. Through design changes discussed with the ZBA, the location of the maintenance building has been adjusted to remove the need for this variance, reducing the total number of variances required from six (6) to five (5). This change was made as part of the April 19, 2022 submission. Furthermore, prior to the ZBA's involvement, Lot 2 required a minimum lot area variance and a side yard setback variance. But through working with the Planning Board, the Applicant was able to adjust the interior lot line to remove the need for these two variances, as outlined in the Applicant's October 5, 2021 correspondence to the Planning Board. Lastly, the Applicant had initially proposed a 7-story building (Admiral Halsey II) that would have only required one variance for off-street parking. However, as noted herein, the City recommended the current 4-5 story design creating the need for the instant variance relief.

AREA VARIANCE # 1:

SECTION 19-3.17(4)(B) REQUIRES THAT A MINIMUM OF 95,200 SQUARE FEET OF LOT AREA BE PROVIDED FOR LOT 1: LOT 1 IS PROPOSED TO BE 40,663.84 SQUARE FEET:

Brief summary of facts and circumstances of this variance:

The proposed Project involves the construction of a new residential building that will include 72 senior housing apartments, common spaces and support service areas for the residents. To secure the necessary financing for the Project, the proposed building must be located on its own parcel. Accordingly, the Project calls for the existing 2.28-acre site to be subdivided so that both the existing Admiral Halsey building (Admiral Halsey I) and the proposed new 72-unit senior housing building (Admiral Halsey II) will each be located on their own lot.

*To support the required variance, attached as **Exhibit A** is the April 18, 2022 letter from Philip J. Bronzi, Chief Lending Officer, Rhinebeck Bank (previously submitted to the ZBA on April 19, 2022) which, in detail, explains why a lenders security interest must be in fee simple, as opposed to another method of ownership such as ground lease. This exhibit is discussed further below under area variance factor #2 (alternatives).*

Please also note that the proposed Lot 1 which contains the existing Admiral Halsey I building requires the lot area variance. However, no lot area variance is required for the proposed Lot 2/Admiral Halsey II building, which has been designed to meet the minimum lot area requirements.

The overall area variance balancing test:

(1) How does this variance benefit the applicant and the project?

The variance allows the Project to be financed. The proposed subdivision line was carefully designed to minimize the number of variances that would be required for the overall development. Appropriate cross easements, subject to Planning Board review, will be established so that the properties will operate in a unified manner.

(2) Does this variance cause a detriment to the community or neighborhood?

The proposed subdivision merely creates an invisible property line on a filed subdivision map that does not affect the physical conditions of the property or neighborhood. The location of the proposed dividing line has been carefully selected to minimize the number of variances required, and the Project has been designed so that Lot 1 and Lot 2 will operate in a unified manner and fit within the existing neighborhood. For example:

- *The site plan allows for adequate parking and cross parcel access for the peak demands of each building as outlined in the Parking Study prepared by Collier Engineering & Design. This will not necessitate the use of existing on-street parking. Parking is discussed further in variance #5.*

- *The new and carefully configured outdoor spaces maintains a park like appearance within the site for use of the residents of both buildings while mitigating off-site impacts by providing a tree lined & landscaped street scape along N. Perry Street.*
- *The new 4-5 story residential building provides a thoughtfully designed transition from the taller buildings along Main Street, thus integrating the Project into the surrounding neighborhood. Please note the Applicant initially proposed a 7-story building but implemented the shorter building design upon the request of the City Planning staff.*
- *The subdividing of the site has been done in a manner that conforms with the adjoining neighborhoods. The less dense “Area Compliant Lot” (Lot #2) adjoins the residential neighborhoods. This keeps it in character with the parcels to the north, west and east of Lot #2 relative to the scale of the structures and the density. The smaller and more dense “Non-compliant Lot” (Lot #1) occurs along Main Street where the higher density and larger scaled properties are located. This lot is in character with the parcels that are located along the Main Street corridor.*

Thus, the reduction in the Lot Area will not cause a detriment to the community or neighborhood.

- (3) Overall Balancing Test:** Taking into consideration the benefit to the applicant of the variance as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant, should the variance be granted?

This variance does not create any detriment to the health, safety and welfare of the neighborhood or community. As noted, the subdivision itself merely creates an invisible property line on a map, but by granting this variance, the necessary separate ownerships of the properties can be created, which is required for financing. This Project is then allowed to create new, quality affordable senior housing that is needed within the City of Poughkeepsie. Such additional housing is a worthwhile goal and is consistent with the City of Poughkeepsie’s draft 2022 Comprehensive Plan. Moreover, the development of new affordable apartments for Seniors helps fulfill a need identified in the “City of Poughkeepsie Housing Needs Assessment” released in March 2022, as it not only provides new apartments that will help relieve long wait lists for affordable senior housing but also provides right-sized homes for seniors thereby freeing up larger homes for families in the City.

The 5 additional factors to be considered as part of the Balancing test:

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

The subdivision merely creates an invisible property line on a filed subdivision map that does not affect the physical conditions of the property or neighborhood. In addition, proposed Lot 2 (new Admiral Halsey II) complies with the zoning district lot area requirements, and this zoning-compliant lot is the lot that is adjacent to the lower density residential properties along the adjoining side streets. The proposed non-compliant lot (proposed Lot 1) contains the existing Admiral Halsey I building that fronts on Main Street and the similarly larger-scale properties along Main Street. Furthermore, by complying with the City’s request to reduce the height of Admiral Halsey II to 4-5 stories, the Project provides a transition that did not previously exist from the

larger-scale Main Street development to the surrounding residential neighborhood. In addition, the proposed Admiral Halsey II is significantly shorter than the existing 13-story Admiral Halsey I, which was constructed in the 1970's and has defined the character of the neighborhood for nearly 50 years.

Lastly, the proposed density of the Project is consistent with that of the immediate neighborhood and the surrounding area. For example, the combined density of Admiral Halsey I and II is 83.7 dwelling units per acre. Across the street, the density of 140 Main Street is 101.2 dwelling units per acre. Similar or greater densities are also found at 66 Washington Street, 160 Academy Street, 113 Mill Street, 178-188 Main Street, 7-9 Clover Street, 197 Mill Street and 332 Main Street, as outlined in the Area Density Study, dated July 26, 2022, prepared by Tinkelman Architecture and included as part of this submission to the Board. Moreover, the Project is zoned R-6, "Urban Density Residence District" (emphasis supplied). The purpose of the district is to "provide areas for intense residential development . . ." Section 19-3.17(1) (emphasis supplied). Additionally, the district does not limit the maximum building height and permits 70% lot coverage, both metrics that encourage dense development. Based on the foregoing, the density of the proposed Project is in accordance with the existing development of the area and the explicit purposes of the R-6 District. Thus, it is respectfully submitted there will not be an undesirable change in the character of the neighborhood.

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

Included as **Exhibit B** is the April 19, 2022 Cuddy & Feder, LLP letter (previously submitted to the ZBA on April 19, 2022) explaining why there is no viable alternative to the variance sought. As noted in the attached Exhibit:

The ground-lease/no subdivision option does not meet the standards required by Factor #2, because it would still require several area variances, including: a lot area variance, a usable open space variance, a parking variance, and a building separation variance. Factor #2 applies to alternatives that do not require variances. An alternative which requires one or more variances does not qualify as an alternative "other than an area variance" under this section. Corporation of Presiding Bishop of Church of Jesus Christ of Latter Day Saints v. ZBA of Town/Village of Harrison, 296 A.D.2d 460, 462 (2d Dept. 2002), (appellate court held that a proposed alternative that required a single variance did not qualify for consideration under Factor #2).

Even if the ground lease alternative did not require variances, it would not meet the standards in Factor #2 because it does not provide the benefit sought by the applicant. (See Latter Day Saints case, cited above, page 462). See also, Baker v. Brownlie, 248 A.D.2d 527 (2d Dept. 1998) where the applicant sought a variance to obtain a view of the water, and the court rejected a supposed "alternative" that provided no view of the water.

Additionally, at 72 apartments, the new building has been designed to fit in with the neighborhood as well as comply with NY State affordable housing programs and the Empire State Supportive Housing Initiative. A smaller building would not have been financially feasible with the State financing programs.

Accordingly, the benefit sought may not be achieved by some method, feasible for the applicant pursue, other than subdivision area variance approval.

- 3) Whether the requested area variance is substantial;

Substantiality is not simply a mathematical test, relating to the percentage of variation from the required standard. Salkin, 2 N.Y. Zoning Law & Prac. § 29:15 (4th Ed.); see also Lodge Hotel, Inc. v. Town of Erwin Zoning Bd. of Appeals, 21 Misc. 3d 1120(A) (Sup. Ct. Stuten County 2007), aff'd 43 A.D.3d 1447 (4th Dept 2007) (Reviewing a variance request in a mathematical vacuum is not an adequate indicator of substantiality). "Substantiality cannot be judged in the abstract; rather, the totality of relevant circumstances must be evaluated in determining whether the variance sought is, in actuality, a substantial one." Lodge Hotel, Inc., 21 Misc. 3d 1120(A) at 5. In other words, substantiality has to be judged based on the actual impact of the variance, rather than the mere mathematical extent of the variance. The context of the overall impact on the neighborhood can militate against a finding of substantiality.

As stated, the subdivision merely creates an invisible property line on a filed subdivision map that does not affect the physical conditions of the property or neighborhood. Given the lack of an impact of this variance, it is respectfully submitted the variance is not substantial. Should, however, the ZBA disagree, substantiality alone is not a valid reason to deny a variance. Lodge Hotel, Inc. v. Town of Erwin ZBA, 43 A.D.3d 1447 (4th Dept 2007) (substantiality alone is insufficient to deny a variance). This factor does not therefore weigh against the grant of the variance.

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

For the reasons outlined in detail above, the proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. Additionally, Lot 1 requires variance relief and this lot is already developed with the 13 story building. And overall, the proposed Project is scaled to complement its surroundings and provide a transition from the Main Street Corridor to the residential neighborhoods.

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

The variance it is a necessity of the financing for the new building. Regardless, NYS General City Law § 81-b(4)(b)(v)/City Code section 19-8.4 (d)(2)(e) states that the self-created nature of a variance "shall not necessarily preclude the granting of the area variance."

Is this the appropriate minimum variance to be necessary and adequate to provide the benefit sought by the applicant while at the same time preserve and protect the character of the neighborhood and the health safety and welfare of the community? City Code section 19-8.4 (d) (3)

Yes, the Applicant has considered alternative proposed property line configurations and the current location is the most appropriate. Prior to the ZBA's involvement, Lot 2 required a minimum lot area variance and a side yard setback variance. But through working with the Planning Board the Applicant was able to adjust the interior lot line to remove the need for these two variances,

as outlined in the Applicant's October 5, 2021 correspondence to the Planning Board. See **Exhibit C**. The variance is thus the minimum necessary.

AREA VARIANCE # 2:

SECTION 19-3.17(4)(E) REQUIRES THAT FRONT YARDS OF 20 FEET BE PROVIDED: WHILE THE BULK OF THE PROPOSED BUILDING ON LOT 2 IS 20 FEET FROM THE FRONT PROPERTY LINE, A PORTION OF THE BUILDING WITH A CANOPY OVER THE ENTRANCE IS SETBACK 0.55 FEET;

Brief summary of facts and circumstances of this variance:

*The proposed new building (Admiral Halsey II) is located over 20 feet from the front property line along N. Perry Street. This is in compliance with the requirement defined in the City of Poughkeepsie Zoning Ordinance. However, for the proper functioning of the building, a covered porte cochere is proposed for the western side of the building fronting on N. Perry Street. This will provide a safe and covered drop off and pick up location for all residents. This open-air structure is the only building component that is being constructed within the setback area. Additionally, the Planning Board's design consultant Mass Design appreciated this design element and advised that the scale and width of the porte cochere should be increased. See **Exhibit D**.*

The overall area variance balancing test:

(1) How does this variance benefit the applicant and the project?

The porte cochere is an open structure that will not be visually intrusive along the street line, yet it is an important component for successfully operating the building. Transport vans and other vehicles that will bring residents to medical appointments and grocery stores, for example, will pick up / drop off under the porte cochere. Considering the mobility of the residents, providing protection from the elements to go from the building to their transportation is a necessity.



Image: Rendering of the building and Porte Cochere along N. Perry Street

(2) Does this variance cause a detriment to the community or neighborhood?

No, the architectural style of the porte cochere will create visual interest to the neighborhood and also will perform its function as a welcoming element denoting the building's entry.

In addition, MASS Design, the Planning Board's Architectural Consultant, appreciated this amenity. In fact, MASS Design recommended the Applicant increase the scale and width of this structure to improve its function and to enhance this attractive visual element along the street. It is respectfully submitted there cannot be a detriment to the community or neighborhood when the City's design consultant appreciates the architectural amenity and even recommended expanding its size.

(3) Overall Balancing Test: Taking into consideration the benefit to the applicant of the variance as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant, should the variance be granted?

First and foremost, the variance provides for a building design that integrates the proposed structure with N. Perry Street, thus fostering a more intimate relationship with the neighborhood. Additionally, the variance provides an important amenity for the building's residents. The clear benefit to the Applicant and the building residents outweighs the lack of an impact to the neighborhood or community, particularly since the variance furthers an accepted design principle.

The 5 additional factors to be considered as part of the Balancing test:

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

The proposed building (Admiral Halsey II) is zoning compliant, located over 20 feet from the front property line. The variance is required because a limited architectural feature (the porte cochere, an open-air structure that will not visually intrude on N. Perry Street), extends into the front yard setback. The porte cochere is conveniently located near the urban sidewalk along N. Perry Street. It is designed as an open air, lightly structured extension of the building that is appropriately located and scaled to the neighborhood for use by the residents of the building.

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

This is the appropriate location and scale for this porte cochere and compliance with the Zoning Ordinance is not feasible. To reiterate, the porte cochere is a required design feature because of the age of the residents, and if the building and the porte cochere were to be moved 20 feet to the east to eliminate the need for the variance, this would place the building proper 40 feet from the property line. Moving the main building 40 feet back from N. Perry Street would be out of character with the neighborhood. By keeping the building located per the designed site plan, it mimics a similar condition that exists on the west side of N. Perry Street with the residential apartment buildings.

Based on the limited nature of the port cochere, it is respectfully submitted the variance requested is not substantial. As noted in the City of Poughkeepsie's March 2, 2022 Area Variance Review Analysis, Staff concurs this variance is not substantial.

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

No. The port cochere is 9'-2" deep x 34'-6" wide. The remainder of the 12,731.18 SF ground floor area of the building complies with the Zoning Ordinance setback.

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

This could be considered self-created but is an important architectural element that enhances the building and its relationship with N. Perry Street.

Is this the appropriate minimum variance to be necessary and adequate to provide the benefit sought by the applicant while at the same time preserve and protect the character of the neighborhood and the health safety and welfare of the community? City Code section 19-8.4 (d) (3)

Yes, even though it is small in scale, it is an important functional component for this building. Minimizing this variance would negatively affect other important design elements, such as the usable open space.

AREA VARIANCE # 3:

SECTION 19-3.17(4)(F)(1) REQUIRES A SIDE YARD SET-BACK OF 68.04 FEET FOR THE NORTH SIDE YARD OF LOT 1, WHILE 23.9 FEET IS PROVIDED;

Brief summary of facts and circumstances of this variance:

There are several mitigating factors associated with the variance request. The most important of which is that the newly proposed lot line on the north side of the existing Admiral Halsey I building is being created as an internal division line. As noted in Area Variance #1, separate parcels are a necessity for the financing of the new building. The non-compliant setback therefore only affects the Applicant's Lot 2, not a third party property owner. Additionally, the distance for the rear and side yard setbacks are based on a building's height. Admiral Halsey I is a 13-story building, so of course the setback for Admiral Halsey I is going to be greater than that of the other buildings within the neighborhood. It is also notable that per the Zoning Bulk information, the minimum allowed side & rear yard setbacks are 15 feet in the R-6 district, which is less than the 23.92 feet provided for on the proposed site plan. The proposed lot line placement complies with the setbacks minimally acceptable in the R-6 district, although a variance is still technically required given the height of Admiral Halsey I.

Surrounding zoning districts also provide for less strict side yard setbacks. For example, if the zoning regulations of the adjacent C-2 District are followed for Lot 1, this rear yard setback would be 20 feet, 8 feet or not at all depending the adjoining district. Similarly, the adjoining O-R district to the east of

Lot 1 has a minimum rear yard setback of 15 feet. The provided for setback of 23.92 feet is therefore not out of character with the zoning requirements of the immediate neighborhood.

The overall area variance balancing test:

(1) How does this variance benefit the applicant and the project?

As noted, subdivision approval is necessary to finance construction of the new building. The proposed lot line was also carefully considered to reduce the number of variances required. Adjustments to the interior lot line removed the need for two additional variances, as outlined in the Applicant's October 5, 2021 correspondence to the Planning Board.

Additionally, the current location of the lot line off the southern face of Admiral Halsey I was established to remove any limitations that would be imposed on the Admiral Halsey II building by the IBC 2020, NYS Building Code, Chapter 7, Fire & Smoke Protection Features regarding fire rated exterior walls and area of allowed window penetrations. The NYS Building Code reduces the allowable area for exterior wall penetrations for Buildings that are between 15 to 20 feet from a property line by 25%. As the distance between the building and the property line is reduced, the allowable area for the penetrations continues to be reduced, till no penetrations are allowed in the exterior wall. Accordingly, if the lot line were moved closer to the proposed Admiral Halsey II the size of the windows would be negatively impacted to the detriment of the building's future residents.

(2) Does this variance cause a detriment to the community or neighborhood?

No. The setback variance is interior to the site and in no way relates to exterior features of the Project nor adjacent properties.

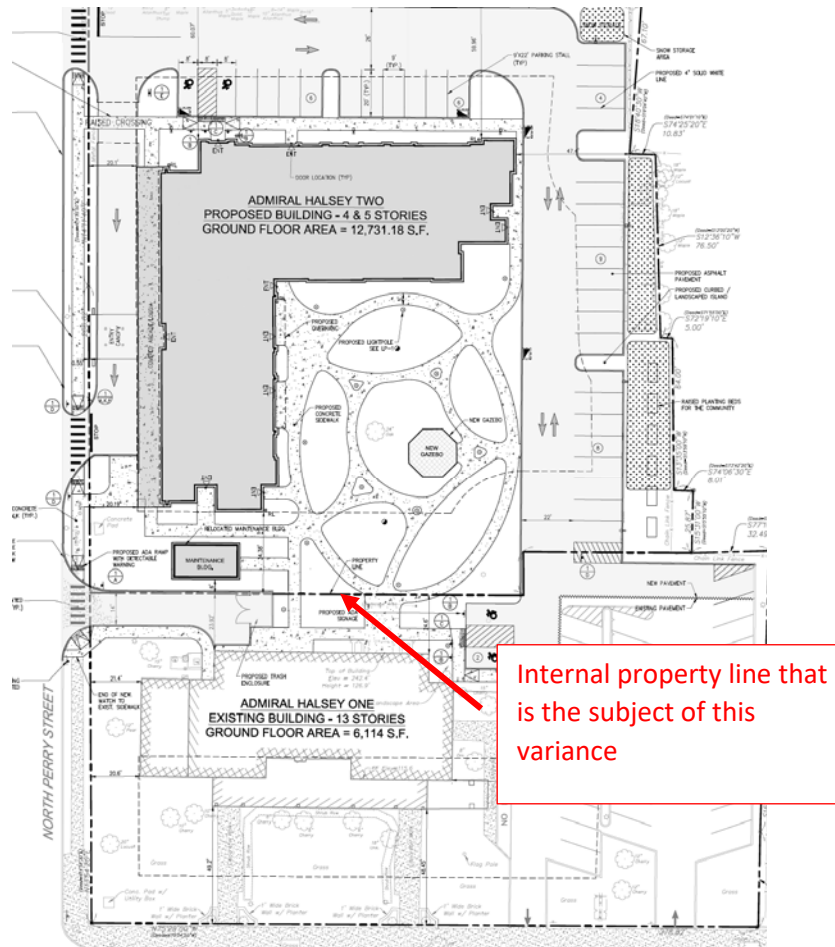
(3) Overall Balancing Test: Taking into consideration the benefit to the applicant of the variance as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant, should the variance be granted?

Yes. This variance is an internal site plan design feature that is strategically located so that the window size of the proposed Admiral Halsey II is not negatively impacted.

The 5 additional factors to be considered as part of the Balancing test:

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

No, on both accounts. The requested variance relates solely to a proposed property line that is internal to the site. The site has been designed so that the two buildings function in a unified manner sharing open space and site amenities as well as provide adequate on-site parking.



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

No, this is the only method that reduces the variances needed. Additional minimum lot area and side yard setback variances were required for Lot 2 before the current lot line configuration was proposed. Similarly, adjusting the lot line could negatively impact the window penetrations on Admiral Halsey II.

- 3) Whether the requested area variance is substantial;

As noted for Area Variance #1, the context of the impact of the variance determines its substantiality, as opposed to a pure mathematical deviation from the required standard. Again, the variance is internal to the site and does not impact the neighborhood. It is therefore respectfully submitted the variance is not substantial given this context.

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

As previously mentioned, this variance is created by placing an invisible line on the plan that will be filed as part of a subdivision map and will not have any impact on the physical or environmental conditions found in the neighborhood or district.

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

This is not a self-created hardship; the subdivision is required for the financing.

Is this the appropriate minimum variance to be necessary and adequate to provide the benefit sought by the applicant while at the same time preserve and protect the character of the neighborhood and the health safety and welfare of the community? City Code section 19-8.4 (d) (3)

Yes, this is a purely internal variance request that will have no impact in the character of the neighborhood and the health, safety and welfare of the community. Adjusting the degree of this variance will incur additional variances for Lot 2.

AREA VARIANCE # 4:

Section 19-3.17(4)(i) require that usable open space be provided for all multiple dwellings and Section 19-4.13 provides that accessory uses not be placed in the front yard: Lot 1 requires 35,700 square feet of useable open space. Lot 1 provides 16,026 square feet of usable open space and seeks a variance of 19,674 square feet as to area and a variance to allow 12,215 square feet of the provided open space to be located in the front yard;

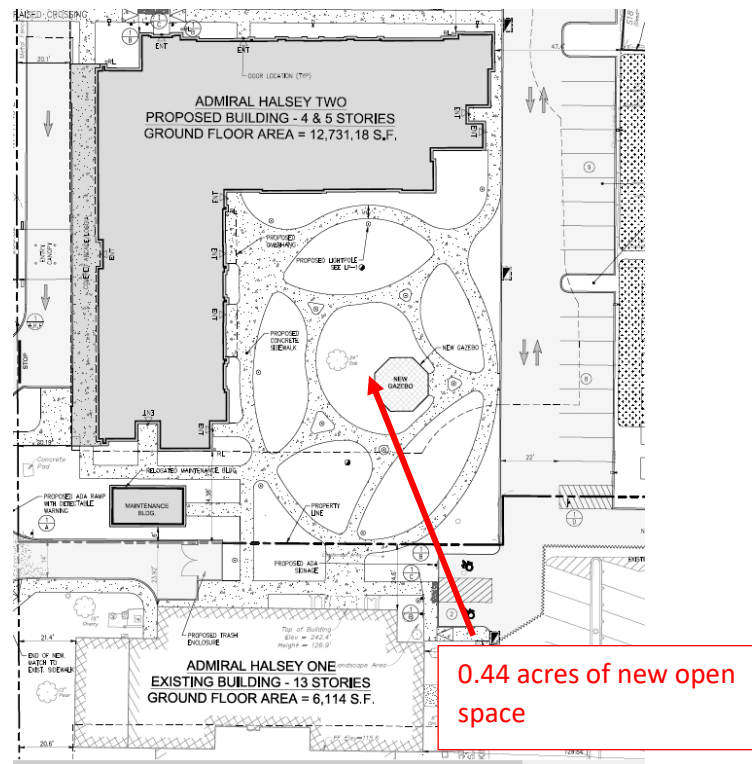
Brief summary of facts and circumstances of this variance:

Only Lot 1 requires area variance relief. The Applicant is providing 20,154 SF (0.46 acres) of usable open space on Lot 2 where 19,200 SF is required. Thus Lot 2 is fully zoning compliant. Furthermore, Lot 1 and 2 are designed as a single integrated development. The residents of Lot 1 will have equal access to the usable open space on Lot 2, and the site has a total of 0.82 acres of interconnected usable open space, inclusive the space available on Lot 1.

Additionally, Lot 1 is not devoid of all usable open space by providing 16,026 SF (0.36 acres). Although this open space is provided in the front of the building, it is still valuable usable open space with shade trees and benches for sitting that is actively used by the building residents today:

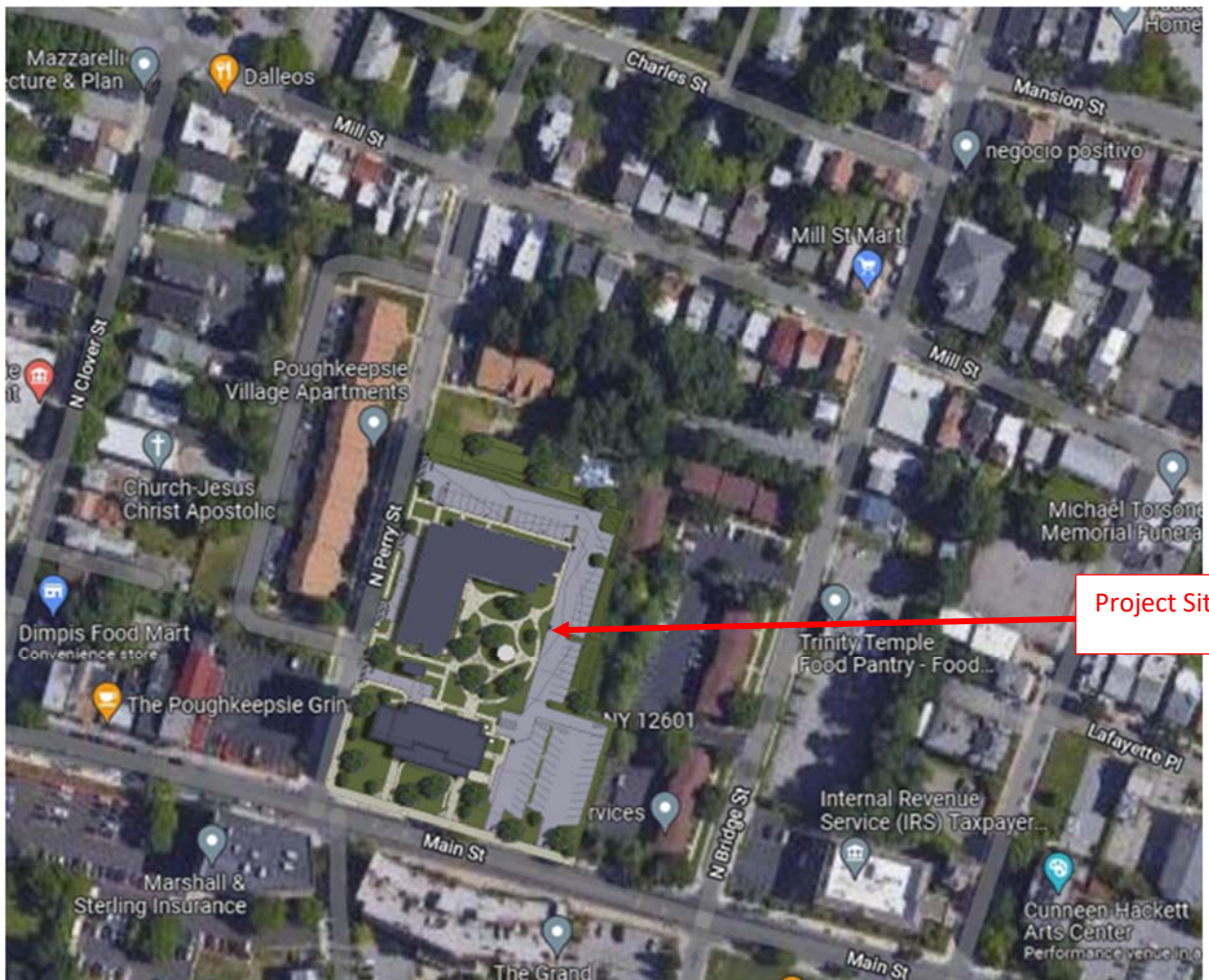


The 0.46 acres of new usable open space on Lot 2 will augment the existing 0.36 acres available on Lot 1 as a thoughtfully designed space for the proposed tenants of both buildings (elderly and disabled) that includes green space, walking paths and a gazebo, among others.



This significant open space is being provided just off Main Street in downtown Poughkeepsie (a city). As part of the 0.44 acres of open space on Lot 2, a proposed rooftop patio/Resident Lounge has been added to the plans of Admiral Halsey II to address the comments of the ZBA. In addition to the rooftop amenities, there are substantive interior spaces proposed for the ground floor of the building to accommodate community programs. All of these spaces will provide areas for passive activities for the residents.

No other property in the neighborhood appears to provide a similar amenity for its property:



In viewing the usable open space requirement for the other adjoining districts that make up the Main Street Corridor within the project area (i.e., C-2 and O-R), these districts do not require any usable open space. When considering Lot 1, which makes up part of the Main Street Corridor, the non-compliant usable open space is consistent with the other properties along Main Street.

Also, it should be noted that an earlier iteration of the site plan called for a 7-story tower which occupied a much smaller footprint than what is currently proposed. Under that design, the necessity for an open space variance would have been significantly reduced if not needed at all. But in an effort to create a better, more contextual site plan for the neighborhood, City Planning staff recommended a lower building with a larger footprint which requires the open space variance being sought here.

The overall area variance balancing test:

(1) How does this variance benefit the applicant and the project?

This variance benefits the Project by permitting the minimum density required to have a viable affordable senior housing Project while still providing the Project's residents with meaningful programmatic opportunities for active and passive recreation. The new green spaces that are

provided have been thoughtfully designed and are a significant upgrade to what currently exists on site for the residents of the existing Admiral Halsey I.

(2) Does this variance cause a detriment to the community or neighborhood?

No. The usable open space requirement is intended to be an internal recreational amenity for the residents of the site. It is not a public park requirement. The reduced on-site open space does not affect the community or neighborhood. Furthermore, the usable open space on Lot 1 in the front yard is an existing condition that will not be changed by the grant of the variance.

(3) Overall Balancing Test: Taking into consideration the benefit to the applicant of the variance as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant, should the variance be granted?

Yes, this Development involves the creation of both an attractive new building and a landscaped courtyard, internal and external program spaces as well as improved streetscapes that abut the property on Main Street as well as N. Perry Street.

The 5 additional factors to be considered as part of the Balancing test:

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

An undesirable change will not be produced. Usable open space is intended to provide a passive and active recreational amenity for the residents on-site. This is not a public park requirement.

USABLE OPEN SPACE: An unenclosed portion of the ground of a lot which is not devoted to driveways or parking spaces, which is free of structures of any kind, of which not more than 25% is roofed for shelter purposes only, the minimum dimension of which is 40 feet and which is available and accessible to all occupants of the building or buildings on said lot for purposes of active or passive outdoor recreation. Accessory building roof space may be substituted for ground space, provided that such space is available and accessible to all said occupants. (emphasis supplied)

Section 19-2.2.

The reduced on-site open space does not therefore affect the community or neighborhood. Furthermore, the current undeveloped site will be greatly improved with the construction of a new building and a thoughtfully designed shared courtyard that is well organized for social interaction and enjoyment of the outdoors that is landscaped for all seasons. Lastly, the existing usable open space in the front yard of Lot 1 will remain unaltered and can still be appreciated by the neighbors and community.

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

There is not another method that will increase the amount of usable open space that will be successful. The subject property as proposed provides more usable open space than the properties

that abut the project site. This is demonstrated simply by viewing the google photographic mapping of these adjacent properties on page 14 above. This shows large areas of asphalt parking lots and tightly situated buildings that provide little usable open space in districts with this requirement. Additionally, no adjacent undeveloped properties are available for purchase.

While the project does not meet the required amount of usable open space, this reduction has been mitigated through alternate means which still provide the residents locations that can meet the needs of both passive and active recreation. Examples of these are listed:

- 1. The existing usable open space along Main Street and N. Perry Street for the Admiral Halsey I building provides an attractive greensward space along these frontages to both soften the streetscape as well as to provide seating for the residents and neighbors.*
- 2. The same can be said for the proposed landscaped property edge along N. Perry Street. This continues the greenscape from Main Street along N. Perry softening the property edge in front of the new Admiral Halsey II building. In addition, there is the covered front porch that creates a protected and covered area where residents can sit and enjoy the streetscape.*
- 3. There also is an area along the east side of the property where raised planting beds will be located. This continues an activity that already exists as part of Admiral Halsey I. These will be used by the residents for meaningful gardening opportunities.*
- 4. The building interior includes an interior program space to be utilized by the residents for scheduled programs or other communal activities. Given the nature of the resident population, these important activity spaces are as valuable as the outdoor spaces, and they can be successfully used at all times where the weather outdoors does not allow for this possibility.*
- 5. Finally, as noted in the City of Poughkeepsie March 2, 2022 Area Variance Review Analysis, there is a City Park that adjoins the project site at 33 N. Perry Street that could benefit the residents of the development by augmenting the open space on-site.*

3) Whether the requested area variance is substantial;

We do not believe the proposed variance to be substantial when considering nearly an acre of usable open space (0.82 acres) is provided across both Lot 1 and 2 in the downtown Main Street area of the City of Poughkeepsie. In addition, the site plan proposes interior alternates that provide the residents with passive and active recreation that is crucial to a healthy life. There is also a City park that abuts the Property to the north as well as the substantial City of Poughkeepsie waterfront park system that is only several blocks away that can augment the open space opportunities on-site.

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

Granting of this variance will allow for the crafting of attractive green spaces for this site. These spaces include the courtyard as well as the new and enhanced existing open spaces for passive use along Main Street and N. Perry Street. The variance will not have an adverse effect or impact on the physical or environmental conditions in the surrounding neighborhood or district.

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

Effort was taken to maximize the open space by creating an interior courtyard of high quality that is integrated into the operation of the campus. It is difficult to provide substantial usable open space in higher density main street-downtown urban areas, such as where this project is located. Strict usable open space requirements are nearly impossible to satisfy given the generally small lot sizes and dense build environment of a downtown urban setting, which is evident by this requirement not existing in the C-2 and O-R Districts which make up the rest of the Main Street Corridor in the location of this project.

In addition, through conversations and meetings with the City of Poughkeepsie's Planning and Zoning Staff, the project was altered from an originally proposed 7 story structure to the current 4 and 5 story "L" shaped configuration. By lowering the building height from what was originally proposed, the exterior open space was thereby reduced as the building footprint of Admiral Halsey II was enlarged. By making these requested modifications to the new building's scale and configuration, additional effort was made to create an exterior courtyard of high quality that is integrated into the operation of both structures. Also, the new building forms are more appropriate with the surrounding neighborhood as well as creating a positive transition from the 13 story Admiral Halsey I building to the balance of the neighborhood.

Is this the appropriate minimum variance to be necessary and adequate to provide the benefit sought by the applicant while at the same time preserve and protect the character of the neighborhood and the health safety and welfare of the community? City Code section 19-8.4 (d) (3)

Yes, this request is the appropriate minimum variance for this undertaking. The usable open space needs are different for a senior's population than if the building was being rented by a population of all ages (i.e., no playgrounds required). In addition to the shared open space being created for use by both apartment buildings, the new structure has a significant program and activity space proposed within the ground floor. Valuable open space also already exists on the perimeter of the site, along both Main Street and North Perry Street as well as on the eastern edge of the project site.

AREA VARIANCE # 5:

SECTION 19-4.3(11) REQUIRES THAT 66 OFF-STREET PARKING SPACES BE PROVIDED FOR LOT 1, WHILE 35 ARE PROPOSED. 40 OFF-STREET PARKING SPACES ARE REQUIRED FOR LOT 2 WHILE 33 SPACES ARE PROPOSED. THE TOTAL REQUIREMENT FOR THE PROJECT IS 106 PARKING SPACES, WHILE THE TOTAL PROVIDED IS 68 SPACES;

Brief summary of facts and circumstances of this variance:

The Applicant studied the parking usage for the existing Admiral Halsey I building and determined that there is surplus parking available. The proposed new building will have a similar age-restricted, low-income population with similar parking needs. It is therefore apparent that the number of parking spaces required by the City of Poughkeepsie Zoning Ordinance is far greater than the practical needs of the existing and proposed Development. To avoid having to construct additional unneeded parking spaces that would encroach on the usable open space provided, the Applicant retained the services of

Colliers Engineering & Design to prepare an expert parking report, last revised July 20, 2022. The Report concludes that the proposed 68 parking spaces adequately accommodate the peak parking demand of the Project.

For additional context, 36 of the 72 units for the proposed Admiral Halsey II building will meet the State's criteria for "Frail Elderly/Senior" housing. Hudson River Housing (HRH) will be supporting these 36 units and in their experience, the traditional demand for parking is greatly diminished for these residents due to a higher propensity of eyesight and mobility issues as well as limited means to maintain a car and insurance. HRH will however be providing van service for the residents of BOTH buildings seven days a week. Furthermore, HRH's Care Manager will assist the residents with any daily activities they struggle to perform to keep the residents living independently. This is not an assisted living facility requiring outside aids. Any need for outside care could impact a resident's eligibility to continue as an ESSHI participant and likely indicate a need to move to an assisted living facility. To provide further details on the proposed frail elderly population and HRH's in-house services the Applicant has provided a letter from HRH, dated July 26, 2022, as part of this submission to the Board.

The overall area variance balancing test:

(1) How does this variance benefit the applicant and the project?

A parking study was prepared by Dr. Philip Greal, a highly regarded traffic engineer with Colliers Engineering and Design, and the results of this report validated the operating assumptions made by the owner and operators of Admiral Halsey Senior Village. The proposed 68 parking spaces adequately accommodate the peak parking demand of the Project.

This variance benefits not only the applicant, but also the community. No more than the necessary number of parking spaces will be being constructed – thus, the project site can be greener, more attractive and pedestrian friendly.

(2) Does this variance cause a detriment to the community or neighborhood?

The parking study confirms adequate on-site parking is proposed and no offsite parking impacts will occur.

(3) Overall Balancing Test: Taking into consideration the benefit to the applicant of the variance as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant, should the variance be granted?

As previously mentioned, there is no negative impact either to the neighborhood or community with this reduction in parking and asphalt. It will also be a benefit to the residents in that the site can now be more attractive and user friendly, while still not impacting the available on-street parking.

The 5 additional factors to be considered as part of the Balancing test:

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

The parking study confirms adequate on-site parking is proposed and no offsite parking impacts will occur.

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

There are no other methods to add parking without impacting the usable open space available on site. In fact, prior to the ZBA's involvement, the Applicant increased the degree of the parking variance to acquiesce to the Planning Board's request for more usable open space (see October 5, 2021 letter to the Planning Board).

- 3) Whether the requested area variance is substantial;

The variance is the minimum necessary to provide adequate on-site parking which preserves the usable open space available on site.

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

This variance improves the physical and environmental conditions of the neighborhood and district by reducing the amount of asphalt required while simultaneously preserving green space.

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

This requested reduction in the number of parking spaces to be provided comes from a detailed professional analysis in regard to creating a Development that is balanced and adequate in regard to its parking needs.

Is this the appropriate minimum variance to be necessary and adequate to provide the benefit sought by the applicant while at the same time preserve and protect the character of the neighborhood and the health safety and welfare of the community? City Code section 19-8.4 (d) (3)

The variance is appropriate minimum variance necessary to provide adequate parking on-site while preserving the usable open and other green spaces available.

EXHIBITS:

Exhibit A: *April 18, 2022 letter from Philip J. Bronzi, Chief Lending Officer, Rhinebeck Bank.*

Exhibit B: *April 19, 2022 Cuddy & Feder, LLP letter.*

Exhibit C: *October 5, 2021 Tinkelman Architecture letter to the Planning Board.*

Exhibit D: *December 16, 2021 MASS Design Group review letter.*

EXHIBIT A



Corporate Offices
2 Jefferson Plaza
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April 18th, 2022

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

Re: 135 Main Street, Poughkeepsie, New York

Dear Chairman Parker:

This letter is respectfully submitted to the City of Poughkeepsie Zoning Board of Appeals (ZBA), as requested, to confirm that a loan for new construction is easier to finance on a fee simple title subdivided lot than on a ground lease parcel. Typically, projects with a ground leasehold interest are considered much riskier than projects with a fee simple interest. Lending institutions often prefer not to finance them altogether and if they do, will place much more stringent requirements on those loans in order to offset the added risk associated with this type of structure. Some of the additional risks associated with a ground lease parcel are as follows:

1. The lender's collateral or security interest in a ground lease will be in the ground lease itself (rather than in the land). Therefore, if the ground lease is terminated, the lender is left with no collateral whatsoever. This is a dangerous position for a lender to be in.
2. In the event of foreclosure, the lender cannot foreclose on the land but must foreclose on the borrower's interest in the ground lease. So, in essence, the lender will foreclose on the ground lease and, upon foreclosure, the lender will be a tenant and thereby step into the shoes of the ground tenant under an already negotiated ground lease. As you can imagine, no foreclosing lender wants to foreclose and then be considered a tenant upon foreclosure and thereby have to deal with a ground lessor in administering its collateral/security interest the property.
3. With respect to foreclosure, the lender will need to negotiate with the ground lessor, who is not its borrower, to ensure that the ground lessor will agree that the ground lessor's fee simple interest in the property is subordinate to the lender's interest in the

ground lease. This often creates great difficulty as the parties involved might not truly appreciate the complexities and nuances of ground lease financing and the ground lessor might not agree to so subordinate its fee simple interest.

4. When financing a ground lease, the loan documents are often more complex and comprehensive in that a myriad of provisions needs to be drafted to ensure that the borrower does not amend the ground lease without the lender's consent and, in addition, the lender needs to negotiate an estoppel and other documents with the ground lessor to ensure that the ground lease has certain provisions that will enable the lender to be comfortable in financing the ground lease because again, if the ground lease is terminated, then the lender has no security and is left with an unsecured loan.
5. When negotiating the loan documents, the lender will need to bring the ground lessor into the mix of things as the ground lessor and the borrower are critical to ensuring that the lender's rights and interest are protected. This is clearly a more complex and precarious relationship rather than an outright conventional security interest in real property where its just lender and borrower.

Should you have any questions regarding the contents of this letter, please do not hesitate to contact me.

Very truly yours,

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

Philip J. Bronzi
Chief Lending Officer
Rhinebeck Bank

Office: 845.790.1558

Cell: 845.656.0070

pbronzi@rhinebeckbank.com

EXHIBIT B



300 Westage Business Center, Suite 380
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Jennifer L. Van Tuyl, Esq.
jvantuyl@cuddyfeder.com

April 19, 2022

Hon. Scott Parker, Chair
and Members of the Zoning Board of Appeals
City of Poughkeepsie
62 Civic Center Plaza, 3rd Floor
Poughkeepsie, New York 12601

RE: 135 Main Street: Area Variances (File #2021-023)
Admiral Halsey II
Parcel ID: 6062-76-911183

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

This letter is being submitted to supplement the letter from Philip J. Bronzi, Chief Lending Officer of Rhinebeck Bank, dated April 18, 2022, by noting several other relevant considerations based upon the statutory standards for area variances.

Only one of the 5 Area Variance Factors relates directly to the consideration of alternatives to the applicant's requested relief. Factor #2 requires the ZBA to consider "whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue, other than an area variance." (General City Law § 81-b(4)(b)(ii); City Code section 19-8.4 (d) (2) (b)).

The ground-lease/no subdivision option does not meet the standards required by Factor #2, because it would still require several area variances, including: a lot area variance, a usable open space variance, a parking variance, and a building separation variance. Factor #2 applies to alternatives that do not require variances. An alternative which requires one or more variances does not qualify as an alternative "other than an area variance" under this section. *Corporation of Presiding Bishop of Church of Jesus Christ of Latter Day Saints v. ZBA of Town/Village of Harrison*, 296 A.D.2d 460, 462 (2d Dept. 2002), (appellate court held that a proposed alternative that required a single variance did not qualify for consideration under Factor #2).

Even if the ground lease alternative did not require variances, it would not meet the standards in Factor #2 because it does not provide the benefit sought by the applicant. (See *Latter Day Saints* case, cited above, page 462). See also, *Baker v. Brownlie*, 248 A.D.2d 527 (2d Dept. 1998) where the applicant sought a variance to obtain a view of the water, and the court rejected a supposed "alternative" that provided no view of the water.

5175600.v4



April 19, 2022

Page 2

Finally, we note that, as a practical matter, the subdivision itself merely creates an invisible property line on a filed subdivision map. That invisible line does not change the appearance or functioning of the two buildings.

Conclusion

Based on the foregoing, it is respectfully requested that the Board move forward with consideration of the variance requests.

Very truly yours,

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

Jennifer L. Van Tuyl

cc: Natalie Quinn, Director of Development
Judith Knauss Deputy Building Inspector
Rebecca Valk, Corporation Counsel

EXHIBIT C



October 5, 2021

Chairman Levine
Honorable Members of the City of Poughkeepsie Planning Board
City of Poughkeepsie
62 Civic Center Plaza
3rd Floor
Poughkeepsie, NY 12601

**RE: Admiral Halsey II
 135 Main Street
 Parcel # 131300-6062-76-911183-0000
 Poughkeepsie, NY 12601**

Dear Chairman Levine and Members of the Planning Board,

I hope this letter finds you well.

This letter, together with the attached revised Site Plan drawing and Zoning Analysis, constitutes our current submittal to the City of Poughkeepsie Planning Board. We are submitting this amended application for Site Plan, Architectural, and Special Use Permit approval for the above referenced parcel at 135 Main Street.

At the previous Planning Board presentation held on September 21, 2021, the Applicant proposed to subdivide the Project Site into two lots. Proposed Lot 2 will include the existing multifamily building (Admiral Halsey I), consisting of 118 income restricted senior units, 1 superintendent's unit and 46 off-street parking spaces. Proposed Lot 1 will include the new multifamily building (Admiral Halsey II), consisting of 71 income restricted senior units, 1 superintendent's unit and 58 off-street parking spaces. As stated in the previous Planning Board presentation, the Applicant has indicated that the proposed property subdivision is necessary for successful Project financing and will result in the need for additional site variances. Importantly, the Project has been designed to ensure that the existing structure and new structure are coordinated, and new open spaces have been provided between the buildings for use by the residents of both facilities.

At the Planning Board meeting the Planning Board members requested that the Applicant consider increasing the amount of open/green space around the Project and perhaps revisit the site design to reduce the number of variances that might be ultimately required for the Project. Also discussed at the meeting was the fact that the amount of parking required by the City of Poughkeepsie Zoning Code could be reduced given the fact that the building occupants are senior and elderly/frail residents and many of them would not and do not have cars.



Given that information, the Planning Board members were amenable to the idea of exchanging the quantity of required parking spaces for more open space on the site.

Therefore, we present to you and the Board for consideration the revised site plan enclosed. The originally proposed new property line presented to the Planning Board on September 21, 2021, that would subdivide the original lot, has been redefined and moved. The distance between the existing Admiral Halsey I building and the proposed Admiral Halsey II building has also been increased. This was accomplished by the adjustment of the proposed property line and slightly moving the Admiral Halsey II building northward. These design decisions create several opportunities for the project. When considering the original site design that was presented, we were able to eliminate the need for 2 of the requested variances in the original submission. The variances that were eliminated from the original variance request list are as follows: an overall lot area variance for Admiral Halsey II and a side yard variance for Admiral Halsey II.

However, because of the considerations that we gave to the request of the Planning Board members for more open green space around the proposed Admiral Halsey II, it became necessary for us to add back into the list of requested variances, a new variance for the Admiral Halsey II portion of the project. The variance that we added to the requested variance list is for the required number of parking spaces at the Admiral Halsey II building. We redesigned the parking layout on the north side of Admiral Halsey II to address the board's desire for more open greenspace around the perimeter of the building and site. In addition to this, as discussed in the Planning Board meeting, we have eliminated the parking spaces on the east side of the newly created open green space that was presented in the site plan. The resultant parking count for Admiral Halsey II will be 37 parking spaces, and not the required 40 parking spaces. We have also reduced the number of parking spaces and re-arranged the layout of the remaining parking spaces. The changes to the new lot line likewise reduce the parking space count at Admiral Halsey I to 35 spaces. The combined parking count for the two buildings is now proposed to be 72 parking spaces. The Applicant feels that a combined parking space count of 72 spaces is adequate for both buildings, given the resident population. All of these design decisions created more green/open space throughout the site and even though we still need a variance for the open space requirement at Admiral Halsey II, these moves have increased the open/green space around the project. Ultimately, with the new revised site plan, we have reduced the number of required variances from 8 to 7.

The revisions and design changes indicated above are depicted in drawing sheets G-100 (Zoning Information) and PZ-100 (Site Plan) and are dated October 19, 2021, and indicated as Revision 1. For expediency's sake the Civil Engineering drawings have not been updated yet. The Civil Engineering drawings that will need updating include SUB-1, SG-1, SD-1, UT-1, EC-1, and TT-1. The engineering drawings shall be revised after the scheduled October 19, 2021 Planning Board meeting.

Based on the above, we respectfully submit that the proposed Project is consistent with the neighborhood and is compliant with the City's site plan review considerations. We submit that the Planning Board should declare its intent to be the lead agency pursuant to SEQRA and commence coordinated review of the Project.



Once we obtain additional feedback from the Planning Board, the City's consultants, and involved/interested agencies, we will supplement our application. We look forward to working with the city in furtherance of the Project.

Respectfully,

TINKELMAN ARCHITECTURE

Anthony Juliano, Assoc. AIA
Director of Architectural Services

cc. Steven Tinkelman, Tinkelman Architecture
Natalie Quinn, Planning Director, City of Poughkeepsie

EXHIBIT D

December 16, 2021

City of Poughkeepsie Planning Board
Attn: Robert Levine, Chairman
63 Civic Center Plz
Poughkeepsie, NY 12601

cc: Natalie Quinn, Planning Director

RE: 2021-037 and 2021-038: 135 Main Street

MASS DESIGN GROUP

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Dear City of Poughkeepsie Planning Board,

On December 6, 2021, the applicant and design team convened with Chris Kroner and Natalie Quinn to discuss their proposed project at 135 Main Street. Attendees from the design team included: Ken Spillberg, Steve Tinkelman, Paul Shevchuck (Omni), Ken Casamento (LRC), and Anthony Juliano. The discussion was a preliminary workshop in nature, and Mr. Tinkelman gave an introduction to the project, its intent and constraints to which MASS elevated some clarifying questions for further consideration.

We understand from the Developer that the project requires 72 units. Considered to be an extension to the seven story "Admiral 1" Housing tower on Main Street, we also understand that "Admiral 2" will continue to serve as senior housing, and the design is intended to mediate between the large tower and the lowrise neighbors immediately across the street to the west. No immediate details are being borrowed from the two story neighbors.

The building is four stories towards Main Street and currently steps up to become five stories at the north side of the building. The building as presented is clad in cementitious panels in a gridded layout, with large panels that is contributing to an institutional aesthetic to the building massing. Part of the discussion addressed whether cementitious boards (in lieu of panels) running horizontally or vertically might help give the building a more residential character, while maintaining the proposed bulk and massing. The team offered that they previously considered boards, but were intending for a more updated aesthetic, to which we began discussing additional details around the building. **One possible compromise we offered is for the design team to consider incorporating additional panel sizes to help create a proportional grid logic. We feel the design team may want to consider these options in order to help alleviate the larger five story massing. In any event, the design team should offer material color photos of the proposed brick and panels.**

The ground floor colonnade is articulated with brick columns with cast stone belt capitals, which created a bit of curiosity and confusion about the intended style or vintage. **We encouraged the design team to consider cleaner, perhaps simpler rectangular piers.**

The proposed design has a moderate level of glazing. **Operation of the windows is currently unclear, and should be clarified for the planning board to review.** There are corner windows currently presented with vertically oriented "soldier course" brick infills, which are visually reading as heavy, and could be articulated more as a tying feature to the panel language (through material and/or color). We notice that the soldier course work is

also articulated as a series of layers on the facades with a precast concrete belt window head trims that striate the building at uneven intervals, which we would invite the design team to describe further.

One feature discussed at the meeting was the "port cochere" which was an appreciated amenity to offer protection for car arrivals and departures. In the proposed plans, it appears to be scaled for one vehicle, and we encouraged the applicant team to consider enlarging the scale to have a bit more presence in relation to the building massing and perhaps accommodate a second waiting vehicle. Additionally we briefly discussed the front archway detailing, which may need to be revisited after any other facade conversations.

The design team explained that the courtyard has been conceived differently than the streetscape, and therefore has been demarcated for passive recreation, but we encouraged creating more clear spots for benches as well as active programming (yard games such as cornhole, horseshoes, or bocci, for example were mentioned).

Extending projections over the window heads were also encouraged to offer shading as well as much protection over the courtyard sidewalks, but we were corrected that the sidewalks were not accurate in the renderings, and we should refer to the site plan oval. Planter boxes or other window depth articulations may help the scale of the larger building feel a bit more personal/residential.

We look forward to seeing this important anchor project for Main Street Poughkeepsie evolve through public participation.

MASS DESIGN GROUP

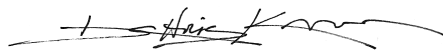
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Sincerely,
Chris Kroner



Principal
ckroner@mass-group.org

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July 26, 2022

Scott Parker, Chairman Zoning Board of Appeals
Honorable Members of the City of Poughkeepsie Zoning Board of Appeals
City of Poughkeepsie
62 Civic Center Plaza
3rd Floor
Poughkeepsie, NY 12601

RE: Admiral Halsey II
135 Main Street
Parcel # 131300-6062-76-911183-0000
Poughkeepsie, NY 12601

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

I hope this letter finds you well.

This letter, together with the attached Site Plan drawings and Application package, constitutes our current submission to the City of Poughkeepsie Zoning Board of Appeals. We have been working together with Judith Knauss, Deputy Zoning Administrator, to provide you with the following documents and drawings which further discuss the reasons for our request to receive relief for the variances that are outlined below.

I know that you are familiar with the Applicants request to the City of Poughkeepsie Planning Board to subdivide the property located at 135 Main Street into two parcels. One parcel will contain the existing Admiral Halsey Senior Village Building and the other parcel will contain a new 4 and 5 story building that will also provide senior housing. Both the existing and the new facility will create a campus setting that will share the amenities that are proposed for this project. It is through this need to subdivide the property, and modifications to the project design per discussions with the Planning Board, that created the necessary variances outlined within the submission package.

In order for the successful completion of the Project, the following area variances are required:

Lot 1 with the Admiral Halsey Senior Village requires (4) variances:

1. Section 19-3.17(4)(b): Minimum Lot Area
2. Section 19-3.17(4)(f)(1): Minimum Side Yard
3. Section 19-3.15(4)(i): Required Open Space
4. Section 19-4.3(11): Off Street Parking

Lot 2 with Admiral Halsey II requires (2) variances:

1. Section 19-3.17(4)(e): Minimum Front Yard
2. Section 19-4.3(11): Off Street Parking



In support of the listed variances, we present to you and the Members of the Zoning Board of Appeals the Project documents, drawings and exhibits for review and consideration as they pertain to the proposed project and the variances.

We look forward to meeting with you and being able to present at the August meeting of the Zoning Board of Appeals and to continue working with the City of Poughkeepsie in furtherance of the Project.

Respectfully,

TINKELMAN ARCHITECTURE

Robert E. Turner, RA
Project Architect

cc. Steven Tinkelman, Tinkelman Architecture

PROJECT TITLE:

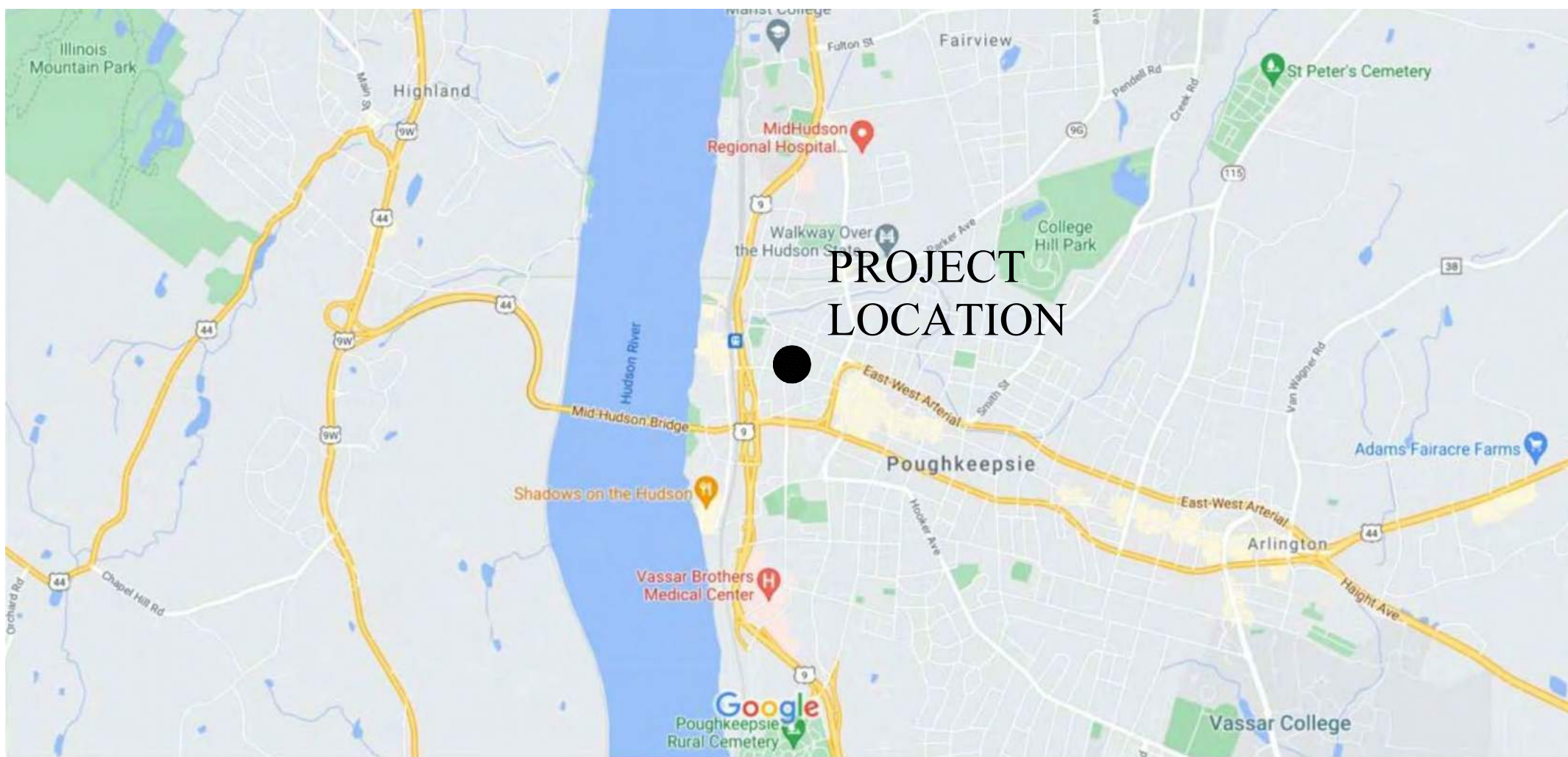
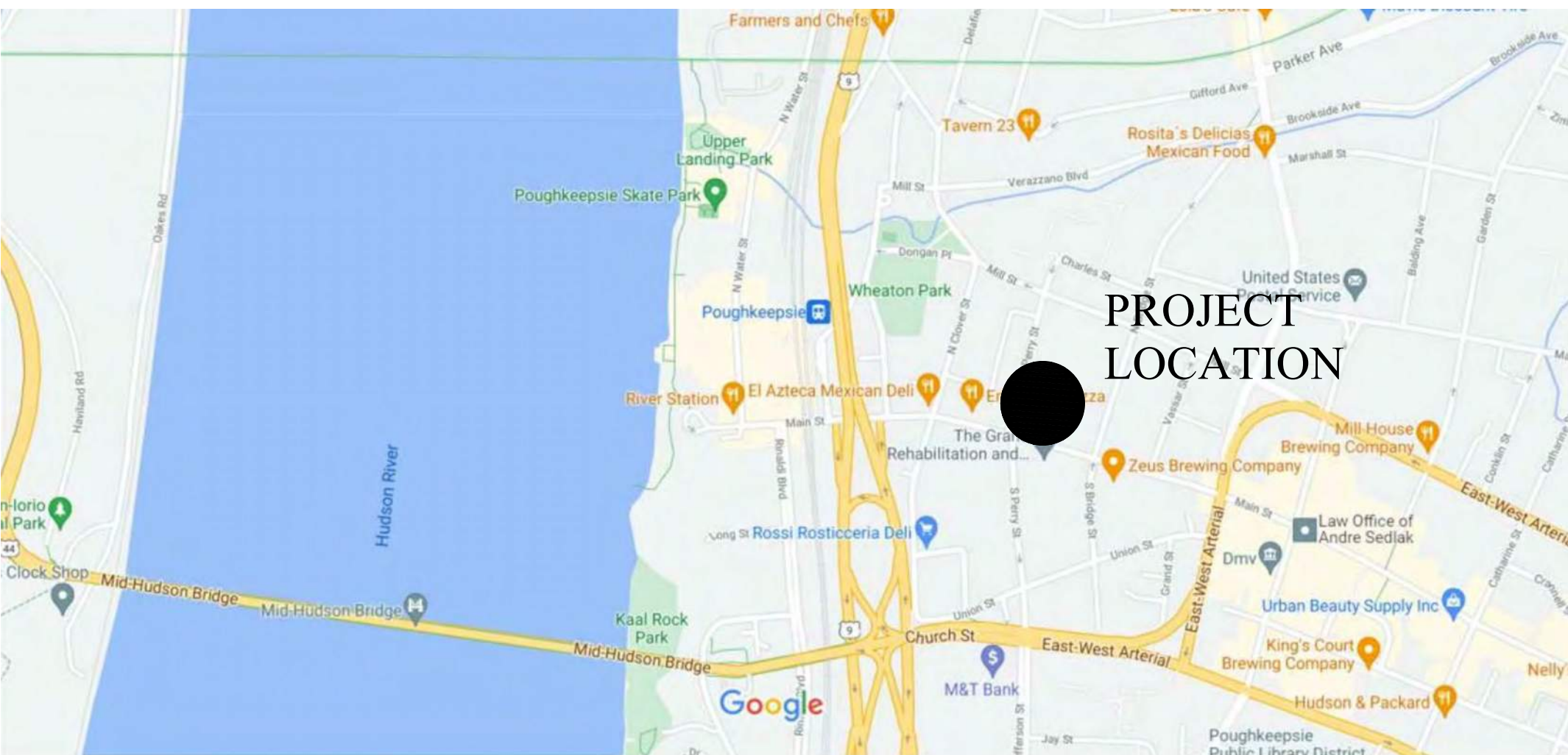
ADMIRAL HALSEY II

PROJECT ADDRESS:

135 MAIN STREET
POUGHKEEPSIE, NY 12601

CLIENT:

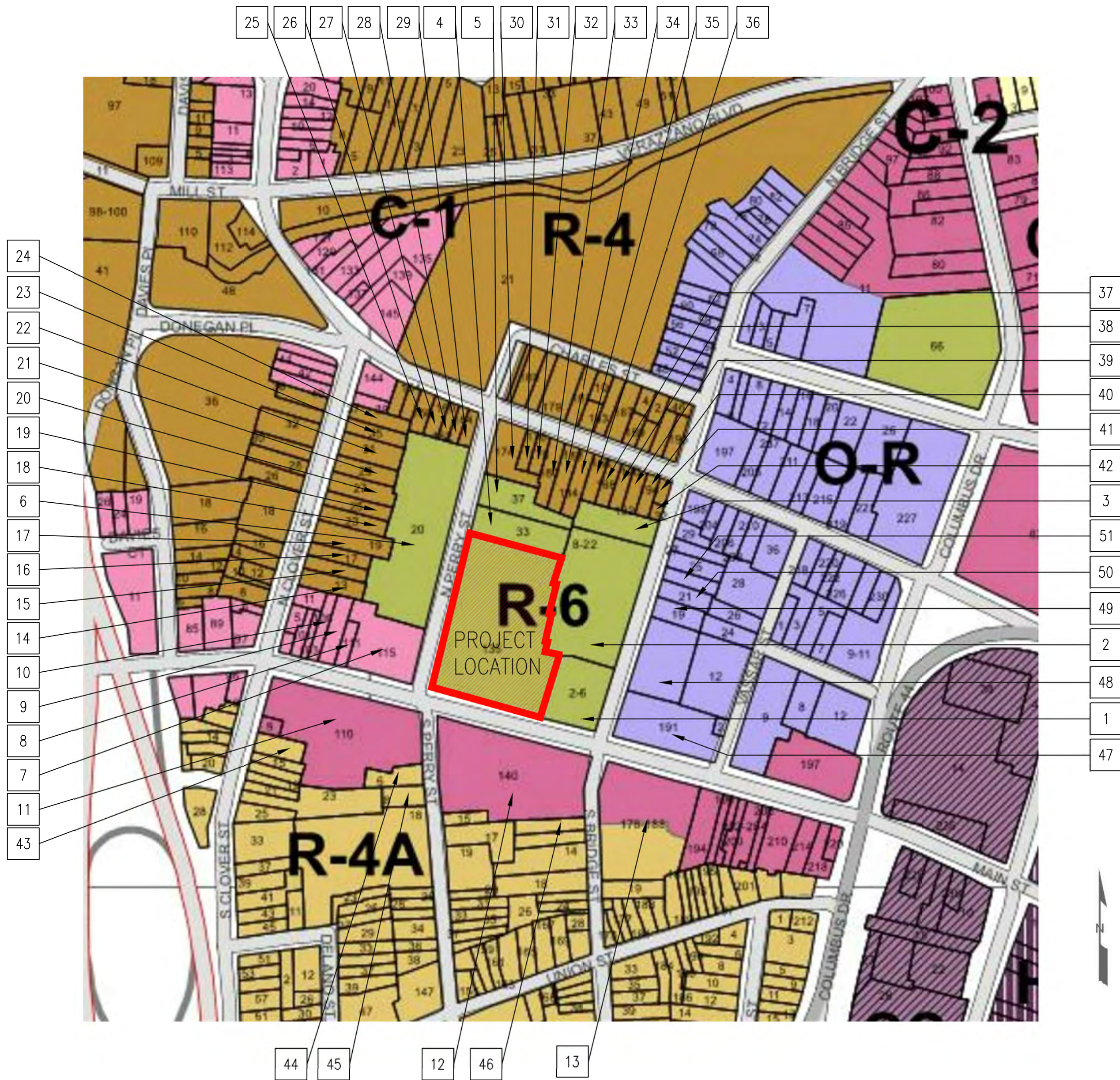
OMNI NEW YORK
909 THIRD AVE., 21ST FLOOR
NEW YORK CITY, NY 10022

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TINKELMAN ARCHITECTURE 25 Van Wagner Road, Poughkeepsie, New York 12603 www.tinkarch.com	CLIENT NAME: OMNI NEW YORK 909 THIRD AVE., 21st FLOOR NEW YORK CITY, NY 10022	PROJECT NAME: ADMIRAL HALSEY II 135 MAIN STREET POUGHKEEPSIE, NY 12603		TITLE SHEET
Date: 2022.03.22 Project number: Y1629.20				T-101

Date:
2022.03.22
Project number:
Y1629.20



① ADJOINING PROPERTY OWNER PLAN
NOT TO SCALE

ADJOINING PROPERTY OWNER LEGEND			
ZONE	ID No.	LOT No.	PRIMARY OWNER/ADDRESS
R-1	1	925155	JOACHIM KIEFERT NEWBURGH GmbH 35 MANCHESTER CIRCLE POUGHKEEPSIE, NY 12601
	2	931179	JOHN F. BAHRENBURG – TRUSTEE 248 OVERLOOK ROAD POUGHKEEPSIE, NY 12603
	3	935196	MILL STREET ESTATES LLC 39 HOOSE BLVD FISHKILL, NY 12524
	4	912195	CITY OF POUGHKEEPSIE P.O. BOX 300 POUGHKEEPSIE NY 12602
	5	910206	15037 VICTORY LLC 4530 E. THOUSAND OAKS BLVD WESTAGE VILLAGE, CA 91362
	6	888192	15037 VICTORY LLC 4530 E. THOUSAND OAKS BLVD WESTAGE VILLAGE, CA 91362
	7	840167	DANIEL MILANESE – TRUSTEE 115 MAIN STREET POUGHKEEPSIE, NY 12601
	8	871168	DANIEL MILANESE – TRUSTEE 115 MAIN STREET POUGHKEEPSIE, NY 12601
	9	868171	DANIEL MILANESE – TRUSTEE 115 MAIN STREET POUGHKEEPSIE, NY 12601
	10	865172	RODOLFO GUERRIERO LT 29 WORRALL AVENUE. POUGHKEEPSIE NY 12603
C-2	11	870147	MARSHALL & STERLING REALTY INC. 110 MAIN STREET POUGHKEEPSIE NY 12601
	12	906135	RIVER VALLEY REALTY CO. LP 143–10 20TH AVENUE WHITESTONE, NY 11357
	13	944121	QUEEN CITY LOFT HOUSING DEV. 34 CLAYTON BLVD. BALDWIN PLACE, NY 10505
R-4	14	867182	WILSON F. VILLA 13 NORTH CLOVER STREET POUGHKEEPSIE NY 12601
	15	868186	CAROL E. GUSTAFSON 649 NOXON ROAD POUGHKEEPSIE NY 12601
	16	869189	R.F. REYNOLDS PROPERTY & ACQUISITION CORP. 21 MARWILL STREET ALBANY, NY 12209
	17	873193	POUGHKEEPSIE APOSTOLIC CHURCH 19 N. CLOVER STREET POUGHKEEPSIE NY 12601
	18	872198	HEIDIN N. QUIJADA GUERRA 27 N. CLOVER STREET POUGHKEEPSIE, NY 12601
	19	873201	ELBIN ANTONIO QUIJADA GUERRA 25 N. CLOVER STREET POUGHKEEPSIE, NY 12601
	20	874205	ALEYDA JUDITH QUIJADA GUERRA 27 N. CLOVER STREET POUGHKEEPSIE, NY 12601
	21	875209	ANTAR CAPITAL LLC 3224 CHURCH STREET POUGHKEEPSIE NY 12601
	22	876214	GIULIO MAZZARELLI – TRUSTEE 32 SCHOOLHOUSE LANE POUGHKEEPSIE NY 12603
	23	877219	GIULIO MAZZARELLI – TRUSTEE 32 SCHOOLHOUSE LANE POUGHKEEPSIE NY 12603
	24	878222	GIULIO MAZZARELLI – TRUSTEE 32 SCHOOLHOUSE LANE POUGHKEEPSIE NY 12603
	25	889224	JOHN P. LEONARD 4 KEITH PLACE POUGHKEEPSIE NY 12603
	26	892222	JOHN P. LEONARD 4 KEITH PLACE POUGHKEEPSIE NY 12603
	27	895222	JOHN P. LEONARD 4 KEITH PLACE POUGHKEEPSIE NY 12603

ADJOINING PROPERTY OWNER LEGEND			
ZONE	ID No.	LOT No.	PRIMARY OWNER/ADDRESS
R-4	28	898221	3 GEMMS REALTY LLC 30 MANCHESTER ROAD POUGHKEEPSIE, NY 12603
	29	900220	JOHN LEONARD 4 KEITH PLACE POUGHKEEPSIE, NY 12603
	30	909213	JOHN P. LEONARD 4 KEITH PLACE POUGHKEEPSIE, NY 12603
	31	914214	LORY PROPERTIES CORP. P.O. BOX 235 STORMVILLE, NY 12582
	32	917213	333 MANSION LLC 35 MILE HILL ROAD HIGHLAND, NY 12528
	33	920209	SHANE BARTHOLOMEW 70 WHITTIER BLVD POUGHKEEPSIE, NY 12603
	34	923208	TURNOVER 2 LLC 117 EXECUTIVE DRIVE NEW WINDSOR, NY 12553
	35	927207	MICHAEL HOMAK 184 MILL STREET POUGHKEEPSIE, NY 12601
	36	931207	JAMES DOLFINGER 186 MILL STREET POUGHKEEPSIE, NY 12601
	37	934206	KMM PROPERTIES LLC 46 VASSAR ROAD POUGHKEEPSIE NY 12603
R-4A	38	937205	TONIO CAPIELLO 192 MILL STREET POUGHKEEPSIE NY 12601
	39	940204	TONIO CAPIELLO 192 MILL STREET POUGHKEEPSIE NY 12601
	40	943203	JOSHUA TAYLOR 194 MILL STREET POUGHKEEPSIE, NY 12601
	41	947204	VICTOR JOSEPH TROCINO 158 MORTON ROAD RHINRBECK, NY 12572
	42	945199	T.J. ASSOCIATES INC. P.O. BOX 5310 POUGHKEEPSIE NY 12602
	43	855143	MARSHALL & STERLING REALTY INC. 110 MAIN STREET POUGHKEEPSIE NY 12601
	44	881134	MARSHALL & STERLING REALTY INC. 110 MAIN STREET POUGHKEEPSIE NY 12601
	45	884129	BURTON GOLD PROPERTIES LLC 12 RAYMOND AVE NE POUGHKEEPSIE, NY 12603
	46	920123	NORTH EASTERN CONFERENCE CORP. 115–50 MERRICK BLVD. JAMAICA, NY 11434
	47	941153	CMRC LTD 4 BRIDGE STREET BROADALBIN, NY 12025
R-4A	48	947163	NORTH EASTERN CONFERENCE CORP. 115–50 MERRICK BLVD. JAMAICA, NY 11434
	49	951174	NORTH EASTERN CONFERENCE CORP. 115–50 MERRICK BLVD. JAMAICA, NY 11434
	50	952178	NORTH EASTERN CONFERENCE CORP. 115–50 MERRICK BLVD. JAMAICA, NY 11434
	51	954182	NORTH EASTERN CONFERENCE CORP. 115–50 MERRICK BLVD. JAMAICA, NY 11434
	52	955186	ANGELA LEMOS 25 N. BRIDGE STREET POUGHKEEPSIE NY 12601

*THIS DRAWING IS FOR SCHEMATIC DESIGN PURPOSES ONLY AND IS NOT INTENDED FOR CONSTRUCTION. ACTUAL CONSTRUCTION DRAWINGS, AND SUBSEQUENT CONSTRUCTION MAY DIFFER SIGNIFICANTLY FROM THIS REPRESENTATION.



TINKELMAN
ARCHITECTURE
25 Van Wagner Road,
Poughkeepsie,
New York 12603
www.tinkarch.com

CLIENT NAME:

OMNI NEW YORK

909 THIRD AVE., 21st FLR.
NEW YORK CITY, NY 10022

PROJECT NAME:

ADMIRAL HALSEY II

135 MAIN STREET
POUGHKEEPSIE, NY 12601



ADJOINING
PROPERTIES MAP

Date:
2021.12.21
Project number:
Y1629.20

G-100



*THIS DRAWING IS FOR SCHEMATIC DESIGN PURPOSES ONLY AND IS NOT INTENDED FOR CONSTRUCTION. ACTUAL CONSTRUCTION DRAWINGS, AND SUBSEQUENT CONSTRUCTION MAY DIFFER SIGNIFICANTLY FROM THIS REPRESENTATION.



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25 Van Wagner Road,
Poughkeepsie,
New York 12603
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CLIENT NAME:

OMNI NEW YORK

909 THIRD AVE; 21ST FL.
NEW YORK CITY, NY 10022

PROJECT NAME:

ADMIRAL HALSEY II

135 MAIN STREET
POUGHKEEPSIE, NY 12601



GROUND FLOOR PLAN

Date:
2022.03.01
Project number:
Y1629.20

PZ-100



*THIS DRAWING IS FOR SCHEMATIC DESIGN PURPOSES ONLY AND IS NOT INTENDED FOR CONSTRUCTION. ACTUAL CONSTRUCTION DRAWINGS, AND SUBSEQUENT CONSTRUCTION MAY DIFFER SIGNIFICANTLY FROM THIS REPRESENTATION.



TINKELMAN
ARCHITECTURE
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Poughkeepsie,
New York 12603
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CLIENT NAME:

OMNI NEW YORK

909 THIRD AVE; 21ST FL.
NEW YORK CITY, NY 10022

PROJECT NAME:

ADMIRAL HALSEY II

135 MAIN STREET
POUGHKEEPSIE, NY 12601



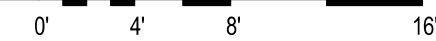
5TH FLOOR

Date:
2022.03.01
Project number:
Y1629.20

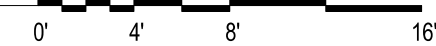
PZ-102



1 WEST ELEVATION
1/8" = 1'-0"



2 SOUTH ELEVATION
1/8" = 1'-0"



*THIS DRAWING IS FOR SCHEMATIC DESIGN PURPOSES ONLY AND IS NOT INTENDED FOR CONSTRUCTION. ACTUAL CONSTRUCTION DRAWINGS, AND SUBSEQUENT CONSTRUCTION MAY DIFFER SIGNIFICANTLY FROM THIS REPRESENTATION.



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ARCHITECTURE
25 Van Wagner Road,
Poughkeepsie,
New York 12603
www.tinkarch.com

CLIENT NAME:

OMNI NEW YORK

909 THIRD AVE; 21ST FL.
NEW YORK CITY, NY 10022

PROJECT NAME:

ADMIRAL HALSEY II

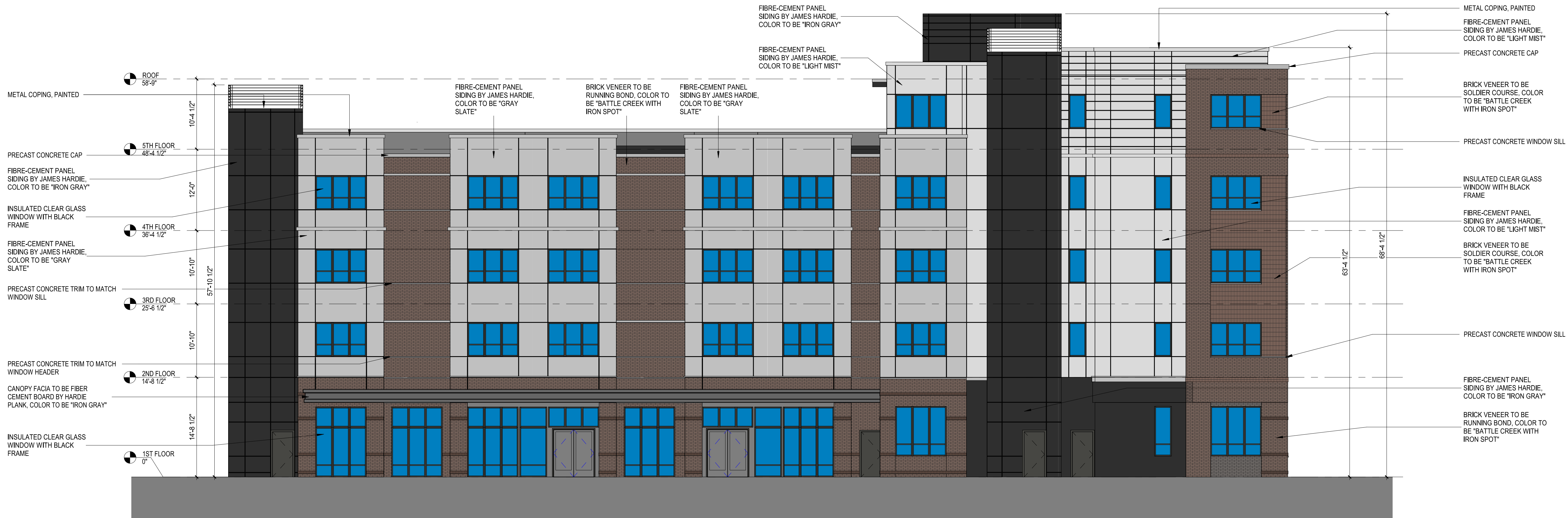
135 MAIN STREET
POUGHKEEPSIE, NY 12601



WEST ELEVATION
SOUTH ELEVATION

Date:
2022.03.01
Project number:
Y1629.20

PZ-103



① EAST ELEVATION
1/8" = 1'-0"



② NORTH ELEVATION
1/8" = 1'-0"

*THIS DRAWING IS FOR SCHEMATIC DESIGN PURPOSES ONLY AND IS NOT INTENDED FOR CONSTRUCTION. ACTUAL CONSTRUCTION DRAWINGS, AND SUBSEQUENT CONSTRUCTION MAY DIFFER SIGNIFICANTLY FROM THIS REPRESENTATION.



TINKELMAN
ARCHITECTURE
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Poughkeepsie,
New York 12603
www.tinkarch.com

CLIENT NAME:

OMNI NEW YORK

909 THIRD AVE; 21ST FL.
NEW YORK CITY, NY 10022

PROJECT NAME:

ADMIRAL HALSEY II

135 MAIN STREET
POUGHKEEPSIE, NY 12601



EAST ELEVATION
NORTH ELEVATION

Date:
2022.03.01
Project number:
Y1629.20

PZ-104



LOCATION MAP

SCALE: 1"=1,000'

SITE PLANNER / CIVIL ENGINEER:



160 West Street, Suite E
Cromwell, CT 06416
Tel: 860.635.2877
85 Civic Center Plaza, Suite 204
Poughkeepsie NY 12601
Tel: 845.243.2880
1 International Blvd, Suite 400
Mahwah, NJ 07495
Tel: 908.603.5730
www.lreconsult.com

- LAND PLANNING
- CIVIL ENGINEERING
- ENVIRONMENTAL SERVICES
- LAND SURVEYING
- LANDSCAPE ARCHITECTURE

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

ARCHITECT:

TINKELMAN ARCHITECTURE
33 ARLINGTON AVE., 2ND FLOOR
POUGHKEEPSIE, NEW YORK 12603
(845) 473-0200



OWNER / APPLICANT:

OMNI NEW YORK
909 THIRD AVENUE
21ST FLOOR
NEW YORK CITY, NEW YORK 10022
(646) 502-7200



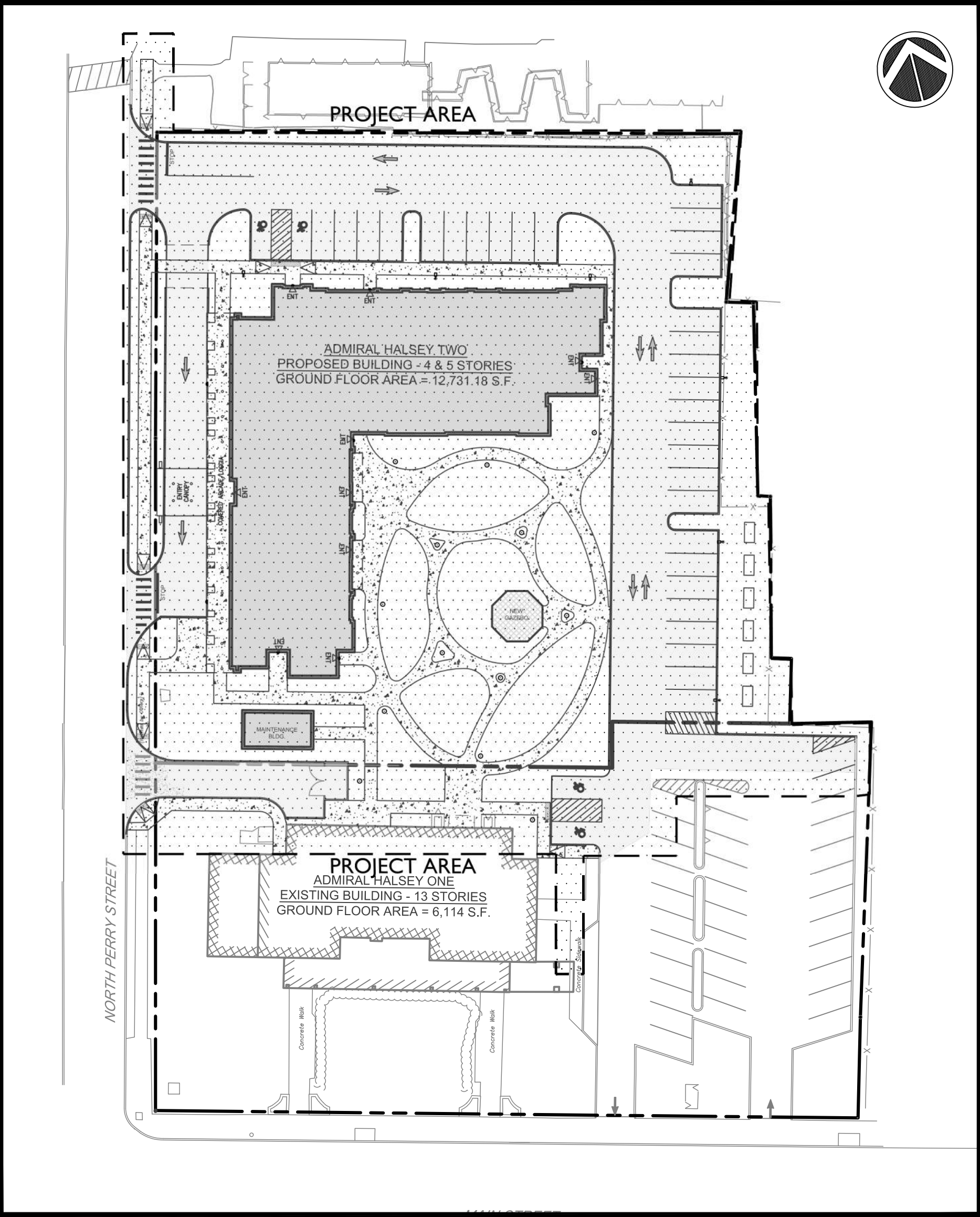
SITE PLAN SUBMISSION SET
FOR
ADMIRAL HALSEY II
135 MAIN STREET
CITY POUGHKEEPSIE, DUTCHESS COUNTY,
NEW YORK
TAX MAP #6062-76-911183

ORIGINALLY SUBMITTED: JUNE 15, 2021

REVISED: DECEMBER 21, 2021

REVISED: FEBRUARY 28, 2022

REVISED: MARCH 22, 2022



OVERALL SITE PLAN

SCALE: 1"=40'



VICINITY MAP

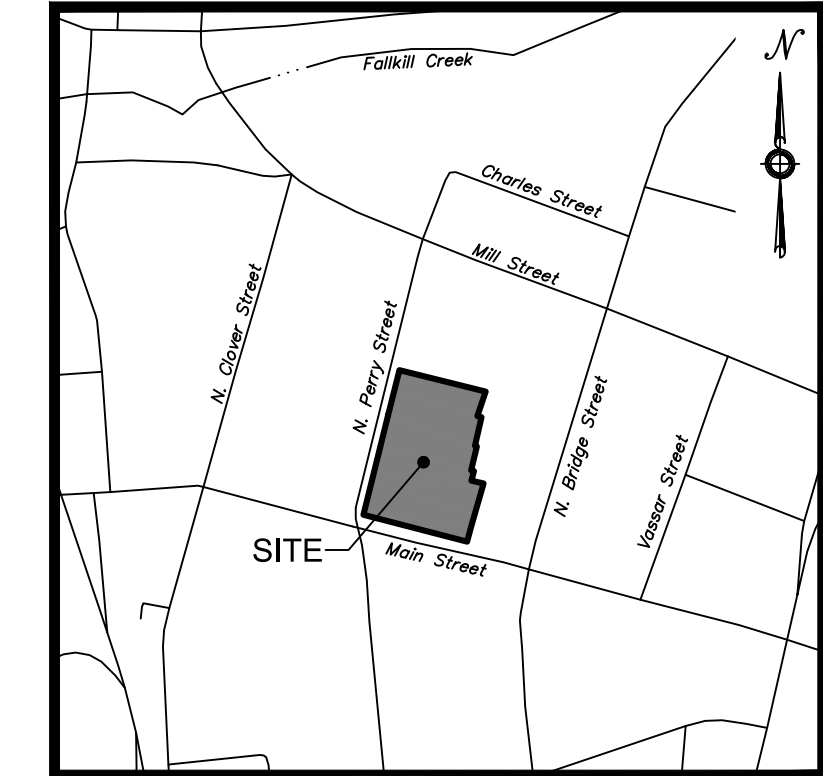
SCALE: 1"=200'

INDEX OF DRAWINGS

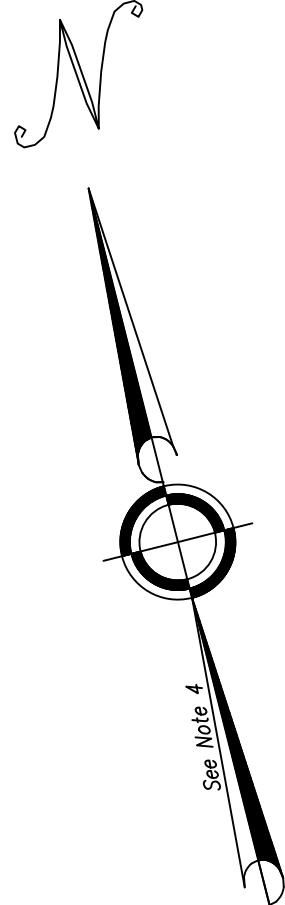
CV-1	COVER SHEET
EX-1	EXISTING CONDITIONS
SUB-1	SUBDIVISION PLAT
DM-1	DEMOLITION PLAN
SP-1	SITE PLAN
SG-1	SITE GRADING
SD-1	SITE DRAINAGE
UT-1	UTILITIES PLAN
EC-1	EROSION & SEDIMENTATION CONTROL PLAN
LL-1	LANDSCAPE PLAN
LP-1	SITE LIGHTING PLAN
TT-1	TRUCK TURNING PLAN
NS-1	NOTES SHEET
DN-1	SITE DETAILS
DN-2	SANITARY / WATER DETAILS
DN-3	STORMWATER DETAILS
DN-4	EROSION CONTROL DETAILS

CITY PLANNING BOARD
CITY OF POUGHKEEPSIE, NEW YORK
SITE PLAN APPROVAL
FILE NO:
PROJECT NAME:
PROJECT LOCATION:
APPLICANT:
OFFICIALLY APPROVED AT THE PLANNING BOARD
MEETING HELD THE _____ DAY OF _____, 20____
PLANNING CHAIR:
DESIGNEE:
DATE SIGNED:
CONDITION(S):

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



Vicinity Map
Scale: 1"=500'



Map Notes

- Unauthorized alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of section 7209, sub-division 2, of the New York State Education Law.
- Only copies from the original of this survey marked with an original of the land surveyor's seal shall be considered to be a true copy.
- The above certification shall run only to the person for whom the survey is prepared, and on his behalf to the title company, governmental agency and lending institution. Certifications are not transferable to additional institutions or subsequent owners.
- North Arrow & Bearings are referenced to the North American Datum of 1983 (NAD83) projected onto the New York State Plane East Zone based on field tie-in to map referenced in Note 7A.
- Elevations & Contours are referenced to the North American Vertical Datum of 1988 (NAVD88) based on field tie-in to map referenced in Note 7A.
- Field survey was completed on November 8, 2021.
- Reference is made to the following maps:
A. "ALTA/NSPS Land Title Survey Prepared for OMNI New York LLC, City of Poughkeepsie, County of Dutchess, New York", scale 1"=20', dated July 2, 2020, prepared by Chazen Engineering, Land Surveying & Landscape Architecture, Co., D.P.C.
- Parcel is identified as Tax Section 6062, Block 76, Lot 911183 on the City of Poughkeepsie Assessor's Map.
- Property is located in Zone "Other Areas - Zone X" (areas determined to be outside the 0.2% annual chance floodplain) as depicted on Flood Insurance Rate Map (FIRM) Panel 0358E, Dutchess County, New York, City of Poughkeepsie, Community Number 360222, Map Number 360270358E, effective date: May 2, 2012.
- The subsurface utilities depicted hereon conform to the following Utility Quality Levels, as defined by the American Society of Civil Engineers (ASCE) in Document C/ASCE 38-02 titled "Standard Guidelines for the Collection and Depiction of Existing Subsurface Utility Data":
 - Sanitary Sewer: QLC
 - Storm Sewer: QLC
 - Water: QLC and QLD
 - Natural Gas: QLC and QLD
 - Electric: QLC and QLD
 - Communications: QLC and QLD

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

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

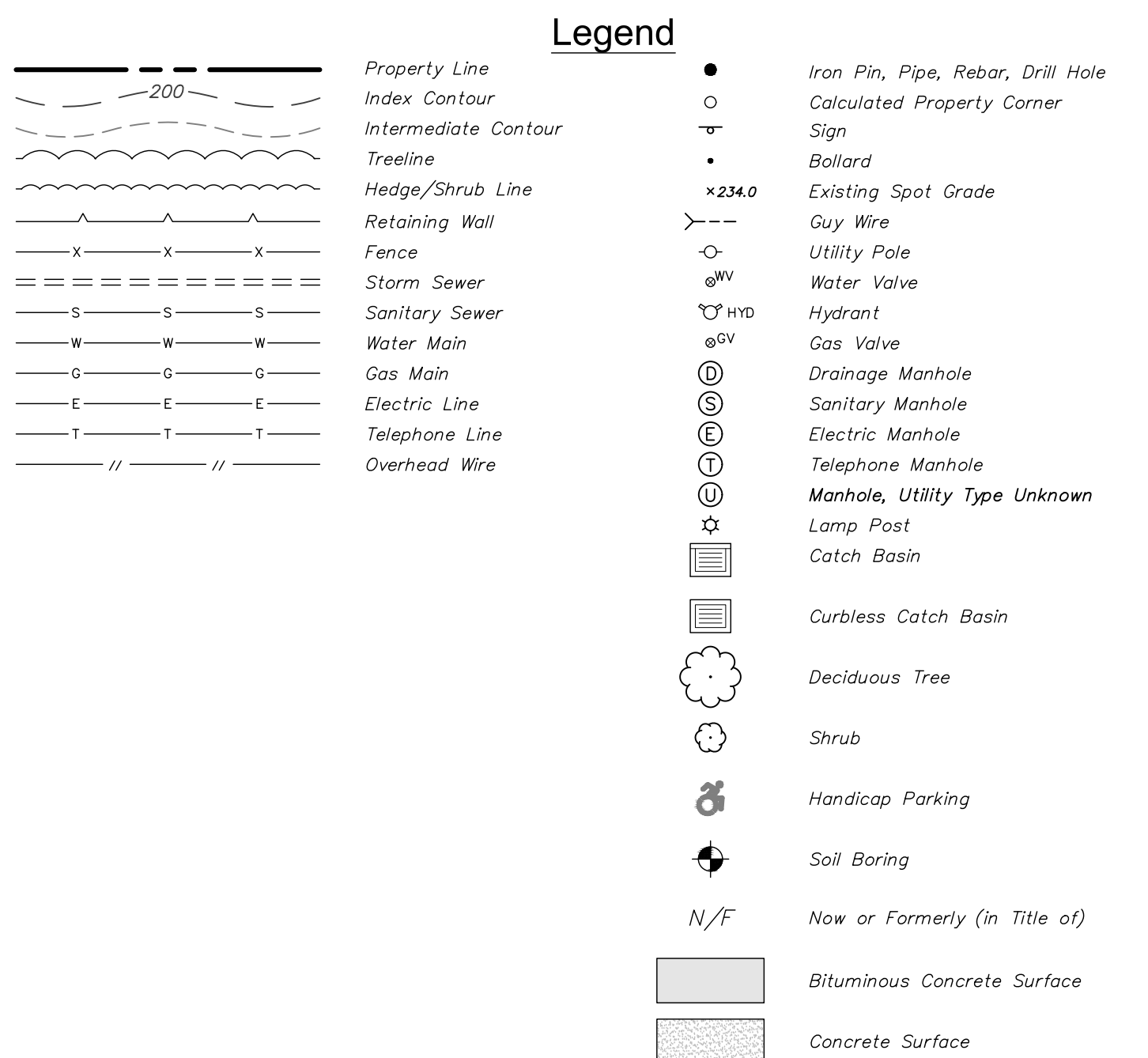
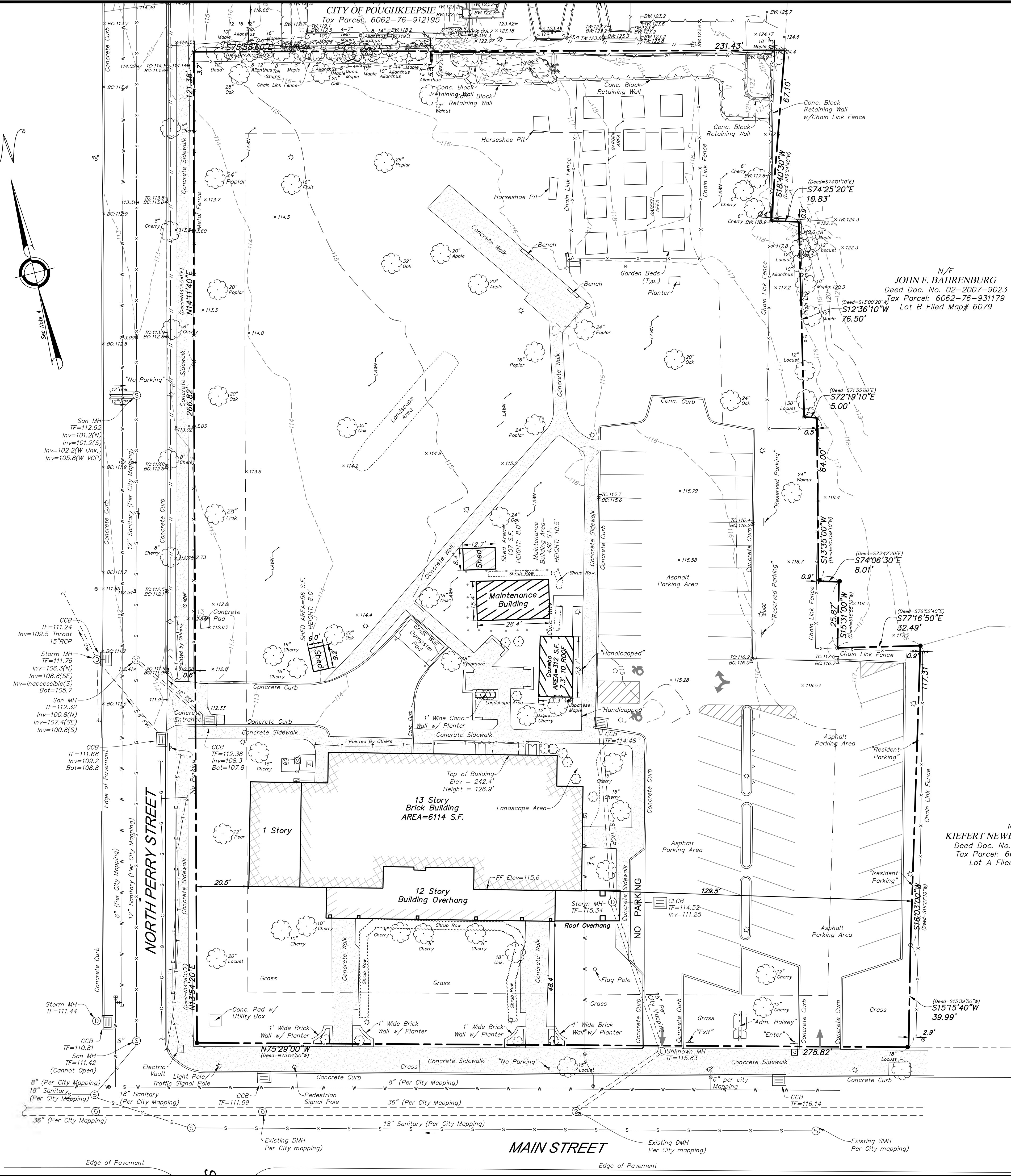
Certification

I hereby declare this map to be prepared in accordance with the Code of Practice of the New York State Association of Land Surveyors, adopted October, 1996 and revised through July 18, 1997.

John F. Wagenblatt
JOHN F. WAGENBLATT, L.S. Lic. No. 050,547



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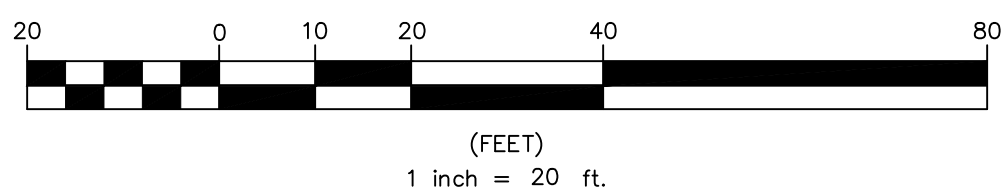
Deed References

Deed Doc. No.
02-2007-7084

Total Parcel Area

2.29 Acres

GRAPHIC SCALE



• Land Planning
• Civil Engineering
• Environmental Services
• Land Surveying
• Landscape Architecture
160 West Street, Suite E
Cromwell, CT 06416
Tel: 860.635.2877
85 Civic Center Plaza, Suite 103
Poughkeepsie, NY 12601
Tel: 845.243.2880
1 International Blvd, Suite 400
Mahwah, NJ 07495
Tel: 908.603.5730
www.lrcconsult.com
LRC Engineering & Surveying, DPC
LRC Engineering & Surveying, LLC
LRC Environmental Services, Inc.

MAP OF EXISTING CONDITIONS

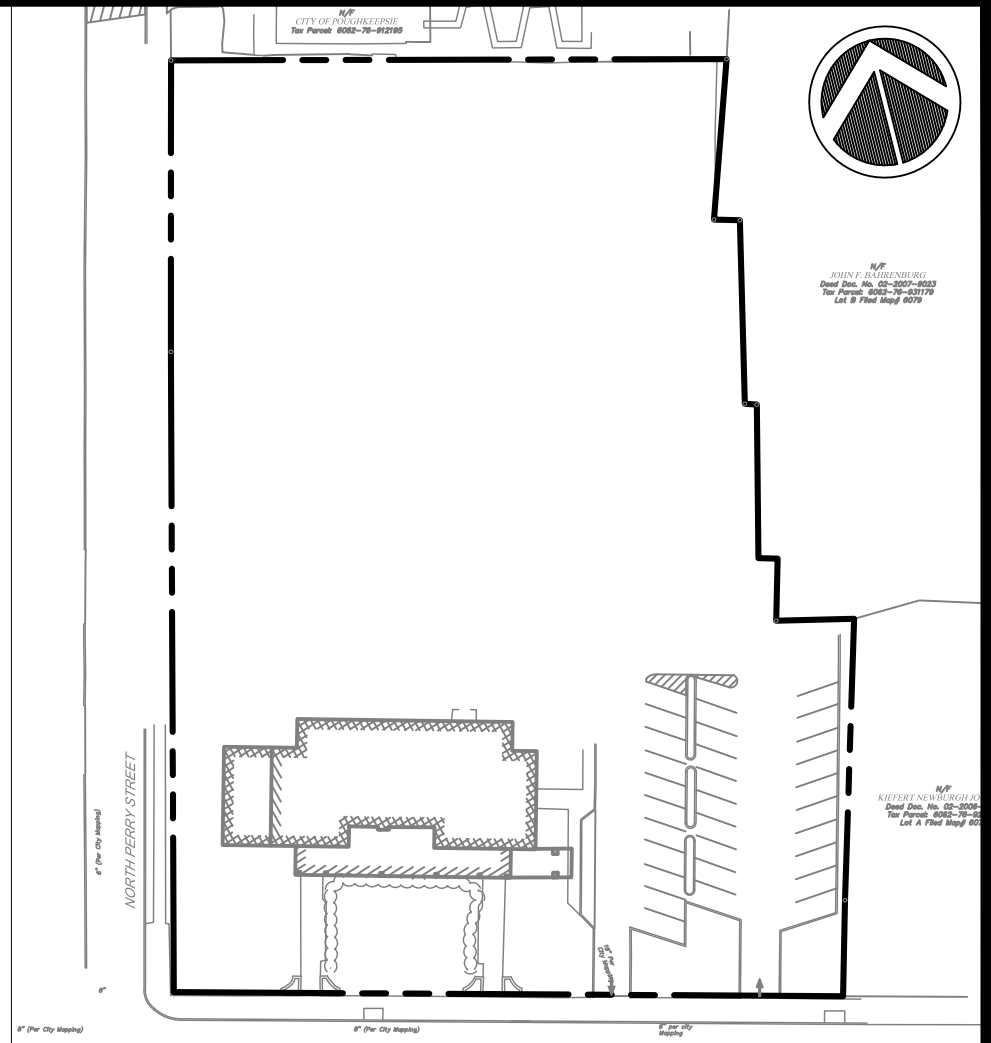
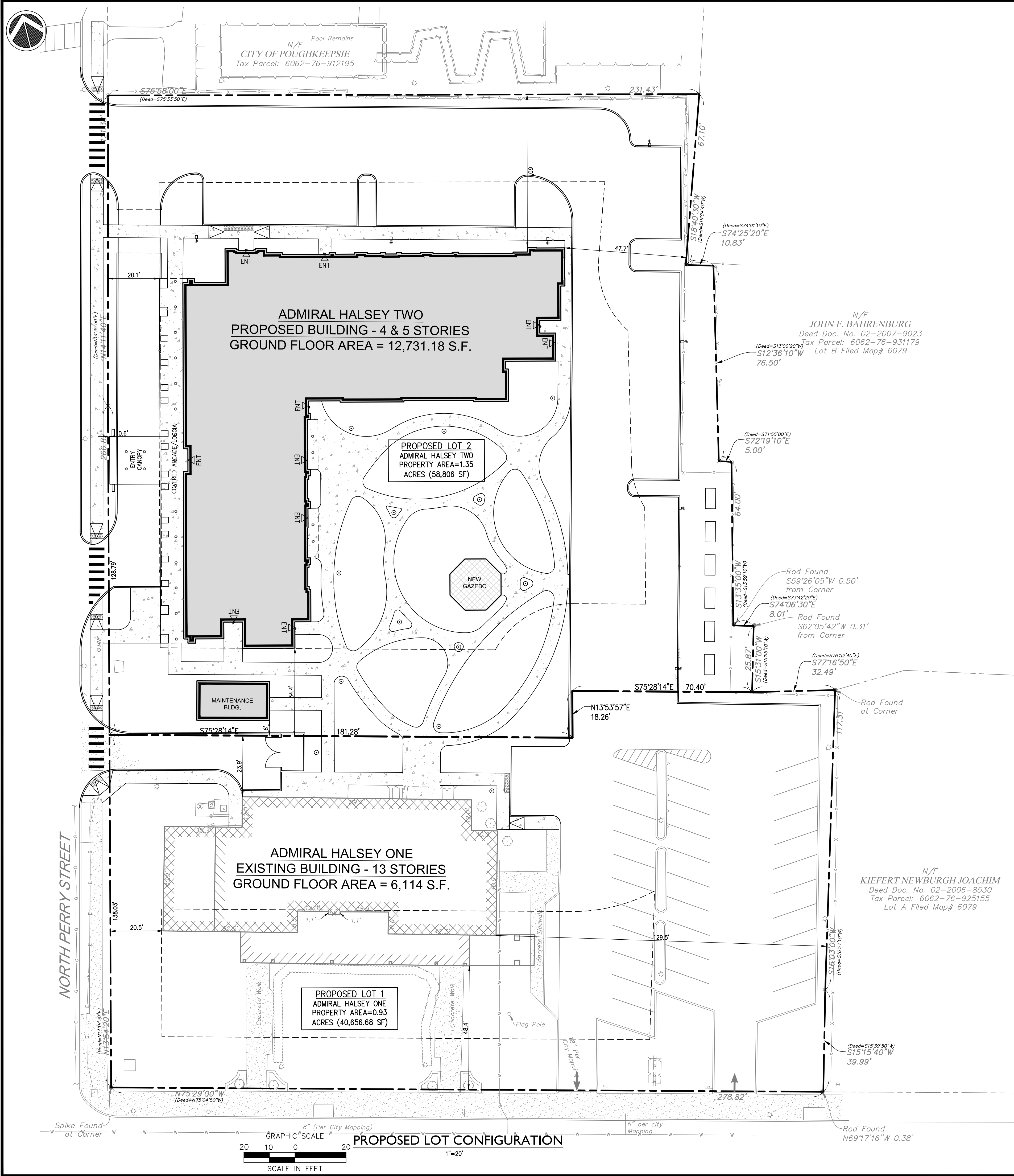
ADMIRAL HALSEY II

125 MAIN STREET
CITY OF POUGHKEEPSIE
DUTCHESS COUNTY, NEW YORK

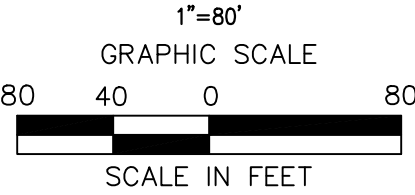
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Drawn	FMC	Project No.	20-2370	
Checked	JRM	Date	20/03/2022	
Approved	JRM	Scale	1"=20'	

EX-I

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EXISTING LOT CONFIGURATION



LOT AREA CHART

PROPOSED LOT #	AREA
1	40,656.68 SF OR 0.93 AC.
2	58,899.04 SF OR 1.35 AC.
TOTAL	99,555.72 SF OR 2.28 AC.

DUTCHESS COUNTY
DEPARTMENT OF HEALTH NOTE

THIS PLAN DOES NOT CONSTITUTE A REALTY SUBDIVISION AS DEFINED BY ARTICLE XI, TITLE II, SECTION 1115, OF THE PUBLIC HEALTH LAW OF THE STATE OF NEW YORK, AND ARTICLE XI OF THE DUTCHESS COUNTY SANITARY CODE.

PERMISSION IS HEREBY GRANTED FOR THE FILING OF THIS MAP WITH THE CLERK OF DUTCHESS COUNTY, APPROVAL FOR ARRANGEMENTS FOR WATER SUPPLY AND / OR SANITARY DISPOSAL IS NEITHER SOUGHT NOR GRANTED.

AUTHORIZED REPRESENTATIVE OF THE
COMMISSIONER OF HEALTH

DATE

OWNER / APPLICANT CERTIFICATION

THE UNDERSIGNED, OWNER/APPLICANT OF THIS PROPERTY SHOWN HEREON, AND THE APPLICANT, HEREBY CERTIFY THAT WE ARE FAMILIAR WITH THIS MAP, ITS CONTENTS AND DETAILS, AND HEREBY AGREE TO THE TERMS AND CONDITIONS EXPRESSED HEREON, AND TO FILING OF THIS MAP IN THE OFFICE OF THE DUTCHESS COUNTY CLERK.

OWNER/APPLICANT

DATE

ZONING R-6

SUBDIVISION PLAT

ADMIRAL HALSEY II

125 MAIN STREET
CITY OF POUGHKEEPSIE
DUTCHESS COUNTY, NEW YORK

Design/Colors	BS	CAD File	SUB21273001.dwg	Sheet No.
Drawn	SMC	Project No.	20-2370	
Checked	KFC	Date	2021-06-22	
Approved	REM	Scale	AS NOTED	

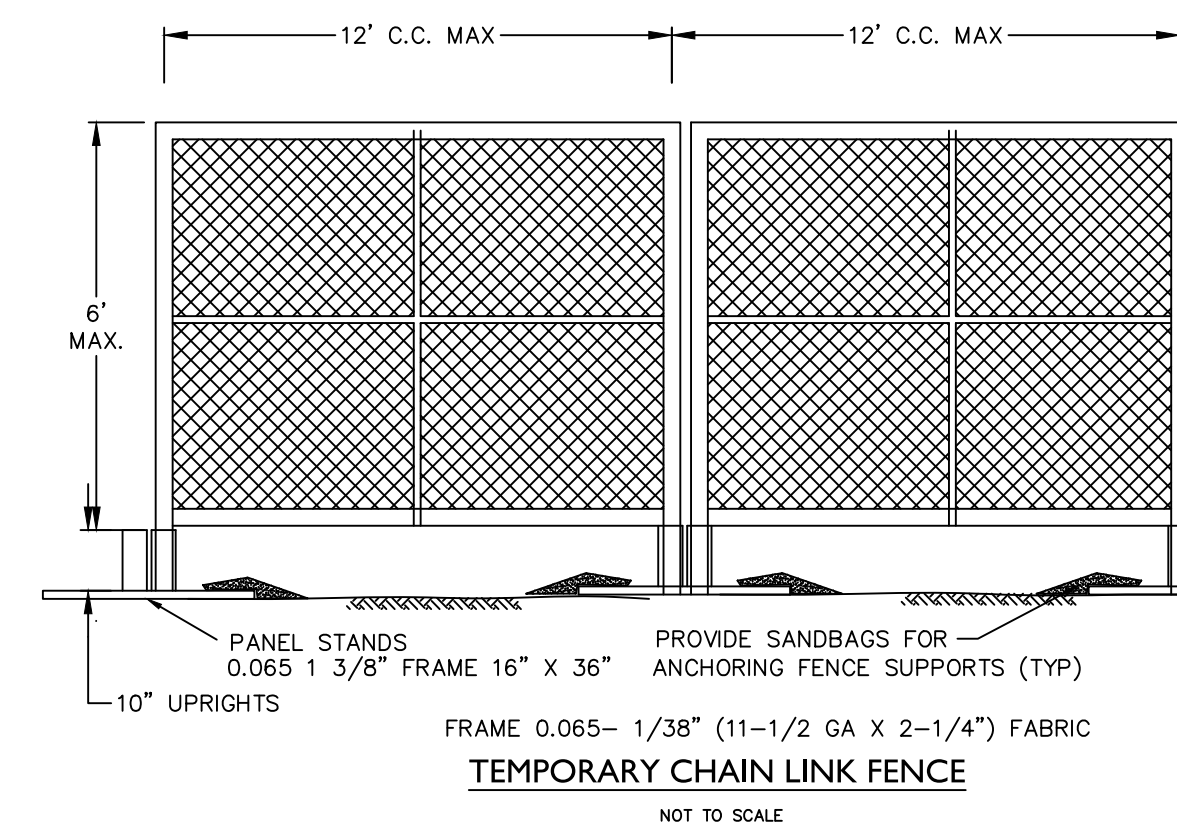
SUB-I



- Land Planning
 - Civil Engineering
 - Environmental Services
 - Land Surveying
 - Landscape Architecture
- 160 West Street, Suite E
Cromwell, CT 06416
Tel: 860.635.2877
- 85 Civic Center Plaza, Suite 103
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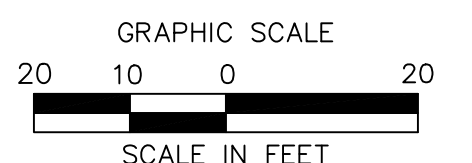
1. CONTRACTOR SHALL NOTIFY "DIG SAFELY NEW YORK" AT 1-800-962-7692 AT LEAST TWO FULL WORKING DAYS PRIOR TO COMMENCEMENT OF ANY WORK IN ACCORDANCE WITH UFDO CODE RULE 53, 16 NYCRR PART 753.
2. ANY ITEM THAT MAY CONFLICT WITH SITE DEVELOPMENT AND IS NOT IDENTIFIED ON THIS PLAN SHALL BE BROUGHT TO THE ATTENTION OF THE OWNER AND DESIGN ENGINEER AS SOON AS POSSIBLE.
3. ADDITIONAL UNDERGROUND FACILITIES MAY BE PRESENT WITHIN THE LIMITS OF THE PROPOSED WORK. THE CONTRACTOR SHALL CONTACT ANY AND ALL PERSONNEL RESPONSIBLE FOR DETERMINING THE LOCATIONS.
4. PRIOR TO DEMOLISHING ANY BUILDINGS/STRUCTURES, THE CONTRACTOR SHALL PERFORM A PRE-DEMOLITION SURVEY IN ACCORDANCE WITH STATE AND FEDERAL REGULATIONS. THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND APPROVALS BY THE AUTHORITY HAVING JURISDICTION.
5. CONFORM TO APPLICABLE CODE FOR DEMOLITION OF STRUCTURES, SAFETY OF ADJACENT STRUCTURES, DUST CONTROL, RUNOFF CONTROL, AND HAULING, DISPOSAL AND STORAGE OF DEBRIS.
6. PROVIDE, ERECT, AND MAINTAIN TEMPORARY BARRIERS AND SECURITY DEVICES.
7. MAINTAIN EXISTING UTILITIES TO REMAIN IN SERVICE AND PROTECT THEM AGAINST DAMAGE DURING SELECTIVE DEMOLITION OPERATIONS. DO NOT INTERRUPT EXISTING UTILITIES SERVING OPERATING FACILITIES, EXCEPT WHEN AUTHORIZED IN WRITING BY OWNER AND AUTHORITIES HAVING JURISDICTION.
8. WHEN DISTURBED, EXISTING FACILITIES SHALL BE REPAIRED OR REPLACED IN KIND AND IN ACCORDANCE WITH THE REQUIREMENTS OR THE DIRECTION OF THE AUTHORITY HAVING JURISDICTION. ASSOCIATED COSTS SHALL BE BORNE BY THE CONTRACTOR.
9. NOTIFY ADJACENT OWNERS OF WORK THAT MAY AFFECT THEIR PROPERTY, POTENTIAL NOISE, UTILITY OUTAGE, OR DISRUPTION. COORDINATE WITH OWNER.
10. PREVENT MOVEMENT OR SETTLEMENT OF ADJACENT STRUCTURES. PROVIDE BRACING AND SHORING.
11. LOCATE AND IDENTIFY ALL EXISTING UTILITIES WITHIN THE CONSTRUCTION AREA. DISCONNECT AND SEAL OR CAP OFF UTILITY SERVICES THAT WILL BE AFFECTED BY THIS PROJECT. NOTIFY AFFECTED UTILITY COMPANIES BEFORE STARTING WORK AND COMPLY WITH THEIR REQUIREMENTS. VERIFY THAT UTILITIES HAVE BEEN DISCONNECTED AND CAPPED.
12. DEMOLISH AND REMOVE COMPONENTS IN AN ORDERLY AND CAREFUL MANNER.
13. PROTECT EXISTING FEATURES THAT ARE NOT TO BE DEMOLISHED.
14. CONDUCT OPERATIONS WITH MINIMUM INTERFERENCE TO PUBLIC OR PRIVATE ACCESS WAY.
15. MAINTAIN EGRESS AND ACCESS AT ALL TIMES. DO NOT CLOSE OR OBSTRUCT ROADWAYS, OR SIDEWALKS WITHOUT PERMITS.
16. CEASE OPERATIONS IMMEDIATELY IF ADJACENT STRUCTURES APPEAR TO BE IN DANGER. NOTIFY AUTHORITY HAVING JURISDICTION.
17. ROUGH GRADE AND COMPACT AREAS AFFECTED BY DEMOLITION TO MAINTAIN SITE GRADES AND CONTOURS.
18. FIELD VERIFY EXISTING CONDITIONS AND CORRELATE WITH REQUIREMENTS INDICATED ON DEMOLITION PLAN TO DETERMINE EXTENT OF SELECTIVE DEMOLITION REQUIRED.
19. MAINTAIN EXISTING UTILITIES TO REMAIN IN SERVICE AND PROTECT THEM AGAINST DAMAGE DURING SELECTIVE DEMOLITION OPERATION.
20. CONDUCT SELECTIVE DEMOLITION OPERATIONS AND REMOVE DEBRIS TO ENSURE MINIMUM INTERFERENCE WITH WORK.
21. CONDUCT DEMOLITION OPERATIONS TO PREVENT INJURY TO PEOPLE AND DAMAGE TO ADJACENT BUILDINGS AND FACILITIES TO REMAIN. ENSURE SAFE PASSAGE OF PEOPLE AROUND SELECTIVE DEMOLITION AREA.
22. USE WATER MIT, TEMPORARY ENCLOSURES AND OTHER SUITABLE METHODS TO LIMIT THE SPREAD OF DUST AND DIRT. COMPLY WITH GOVERNING ENVIRONMENTAL PROTECTION REGULATIONS. DO NOT USE WATER WHEN IT MAY DAMAGE EXISTING CONSTRUCTION, SUCH AS ICE, FLOODING, OR POLLUTION.
23. REMOVE, TRANSPORT AND REMOVE DEBRIS IN A MANNER THAT WILL PREVENT SPILLAGE ON ADJACENT SURFACES AND AREAS AND MEET ALL APPROPRIATE DISPOSAL AND TRUCKING LAWS.
24. CLEAN ADJACENT STRUCTURES AND IMPROVEMENTS OF DUST, DIRT AND DEBRIS CAUSED BY SELECTIVE DEMOLITION OPERATIONS. RETURN ADJACENT AREAS TO CONDITION EXISTING BEFORE START OF SELECTIVE DEMOLITION.
25. PROMPTLY DISPOSE OF DEMOLISHED MATERIALS. ALL DEBRIS RESULTING FROM DEMOLITION ACTIVITIES SHALL BE DISPOSED OF OFF-SITE AT A FACILITY APPROVED TO RECEIVE THE DEBRIS. DO NOT ALLOW DEMOLISHED MATERIALS TO ACCUMULATE ON-SITE. DO NOT BURN DEMOLISHED MATERIALS ON-SITE.
26. NO BLASTING IS PROPOSED FOR THE PROJECT.
27. A MINIMUM OF TEN FEET OF EXISTING PIPE SHALL BE REMOVED AROUND ALL EXISTING MANHOLES, WHEN NEW PIPES ARE PROPOSED TO CONNECT.
28. IF ANY STORM DRYWELLS OR PREVIOUSLY UNIDENTIFIED UNDERGROUND STRUCTURES ARE IDENTIFIED AND EXHIBIT A SEWAGE/SEPTIC ODOR NOTIFY SITE ENGINEER AND TREAT AS SANITARY WASTE FOR DISPOSAL.

X X X X X X X ITEM(S) TO BE REMOVED

 BUILDING / STRUCTURE TO BE REMOVED

 PAVEMENT / CONCRETE WALK TO BE REMOVED

 APPROXIMATE SAWCUT LINE



ADMIRAL HALSEY II
125 MAIN STREET
CITY OF POUGHKEEPSIE
PUTCHESS COUNTY, NEW YORK

Design/Calcs	BS	CAD File	DM21273001.dwg	Sheet No. DN
Drawn	SMC	Project No.	20-2370	
Checked	KFC	Date	2021-06-22	
Approved	REM	Scale	1"=20'	

DM-1

#	Date	Description
1.	12/21/2021	REVISED PER COMMENTS
2.	2/28/2022	REVISED PER COMMENTS
3.	3/22/2022	REVISED PER COMMENTS

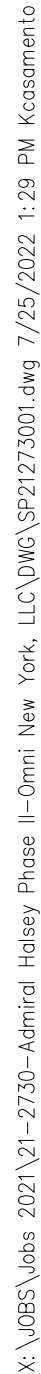
#	JDD/YYYY	Description
1		● Land Planning
		● Civil Engineering
		● Environmental Services
		● Land Surveying
		● Landscape Architecture
		160 West Street, Suite E
		Cromwell, CT 06416
		Tel. 860.635-2877
		85 Civic Center Plaza, Suite 103
		Houghville NY 12601
		Tel. 845.243.2800
		1 International Blvd., Suite 400
		Mahwah, NJ 07495
		Tel. 908.662.5730
		www.lrcconsoft.com

Revisions

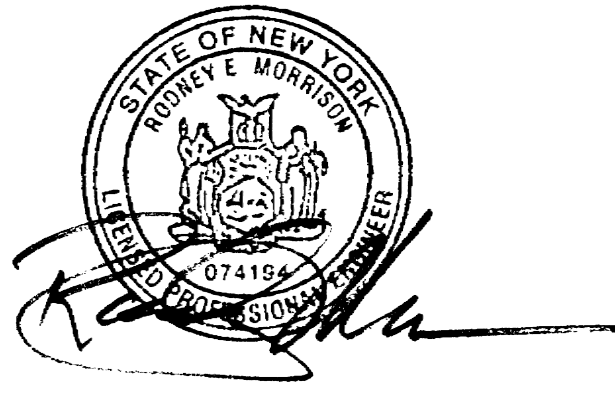
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LRC Engineering & Surveying, LLC
LRC Environmental & Services, Inc.

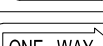
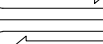






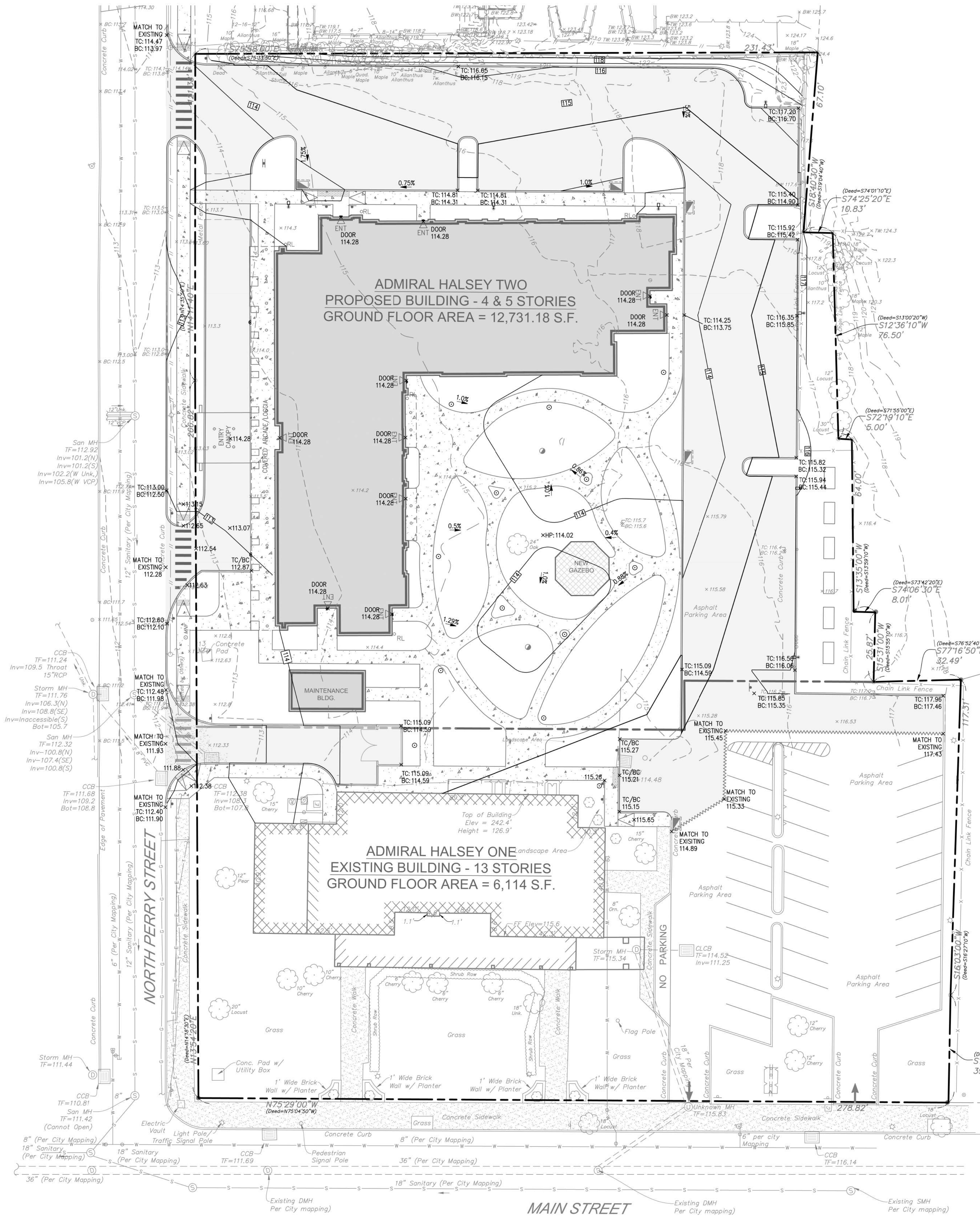
SEE SHEET DN-4 FOR OPEN SPACE PLAN



SIGN LEGEND		
NO.	LEGEND	QTY.
A		3
B		4
C		2
D		3
E		1
F		1
K		2

SP-1

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COMPACTION AND BACKFILL NOTES

UNLESS OTHERWISE SPECIFIED OR APPROVED BY THE SITE ENGINEER, ALL SITE SUBGRADE AND BACKFILL FOR ALL STRUCTURES INCLUDING, BUT NOT LIMITED TO, PARKING LOT SUBGRADE, ROAD SUBGRADE, CONCRETE PADS AND SIDEWALKS, WATER LINES AND STRUCTURES, SEWER LINES AND STRUCTURES, STORM LINES AND STRUCTURES, TRASH PADS/ENCLOSURES, AND SITE ELECTRICAL AND CONDUIT, SHALL BE COMPACTED IN ACCORDANCE WITH THE FOLLOWING STANDARD.

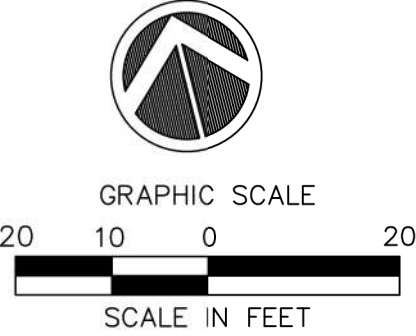
METHODS OF CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION (NYSDOT) STANDARD SPECIFICATIONS FOR CONSTRUCTION AND MATERIALS, DATED MAY 1, 2008, AND ALL ADDENDA THERETO

GRADING AND DRAINAGE NOTES

- ALL EXISTING STRUCTURES NOTED TO BE REMOVED, FENCING, TREES, ETC., WITHIN CONSTRUCTION AREA SHALL BE REMOVED & DISPOSED OF OFF SITE. ANY BURNING ON SITE SHALL BE SUBJECT TO LOCAL ORDINANCES.
- CONTRACTOR SHALL NOTIFY ALL UTILITY COMPANIES HAVING UNDERGROUND UTILITIES ON SITE OR IN RIGHT-OF-WAY PRIOR TO EXCAVATION. CONTRACTOR SHALL CONTACT UTILITY LOCATING COMPANY AND LOCATE ALL UTILITIES PRIOR TO GRADING START.
- SITE GRADING SHALL NOT PROCEED UNTIL EROSION CONTROL MEASURES HAVE BEEN INSTALLED.

LEGEND

- PROPOSED ASPHALT
- PROPOSED SPOT ELEVATION
- PROPOSED MINOR CONTOUR LINE
- PROPOSED MAJOR CONTOUR LINE



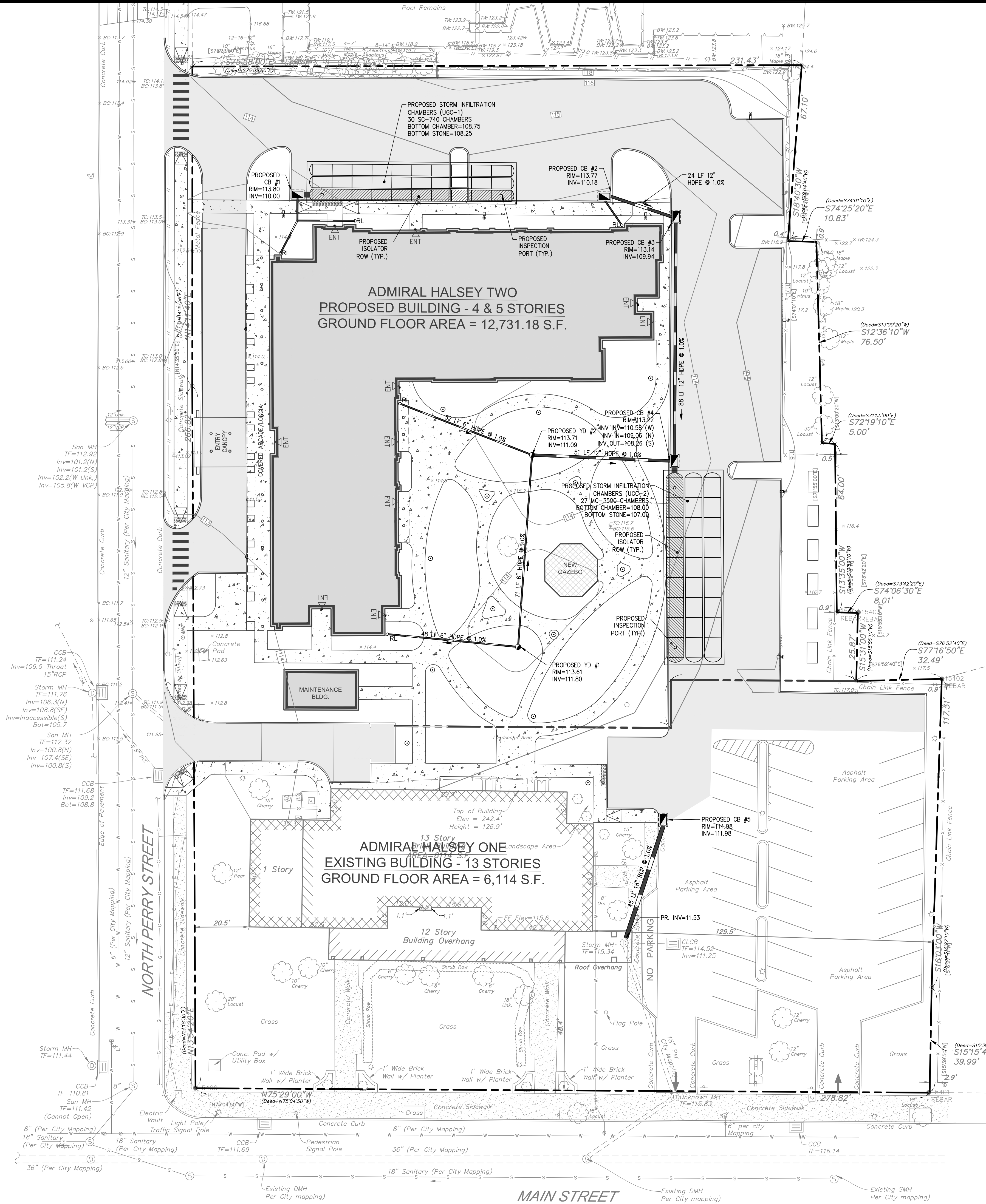
SITE GRADING PLAN

ADMIRAL HALSEY II
125 MAIN STREET
CITY OF POUGHKEEPSIE
DUTCH COUNTY, NEW YORK

Revisions	Date	Description	Revised Per	Comments
	12/27/2021	REVISED PER COMMENTS		
	2/28/2022	REVISED PER COMMENTS		
	3/7/2022	REVISED PER COMMENTS		
LRC GROUP • Land Planning • Civil Engineering • Environmental Services • Land Surveying • Landscape Architecture 160 West Street, Suite II Cromwell, CT 06416 Tel: 860.635.2877 85 Civic Center Plaza, Suite 103 Poughkeepsie, NY 12601 Tel: 845.243.2880 1 International Blvd, Suite 400 Maitland, NJ 07748 Tel: 908.603.5730 www.lrcconsult.com LRC Engineering & Surveying, DPC LRC Engineering & Surveying, LLC LRC Environmental Services, Inc.				
Design/Colors	BS	CAD File	SG21273001.dwg	Sheet No.
Drawn	SMC	Project No.	20-2370	
Checked	KFC	Date	2021-06-22	
Approved	REM	Scale	1"=20'	

SG-I

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LEGEND

- PROPOSED ASPHALT
- PROPOSED STORM PIPE



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SITE DRAINAGE PLAN

ADMIRAL HALSEY II

125 MAIN STREET
CITY OF POUGHKEEPSIE
DUTCH COUNTY, NEW YORK



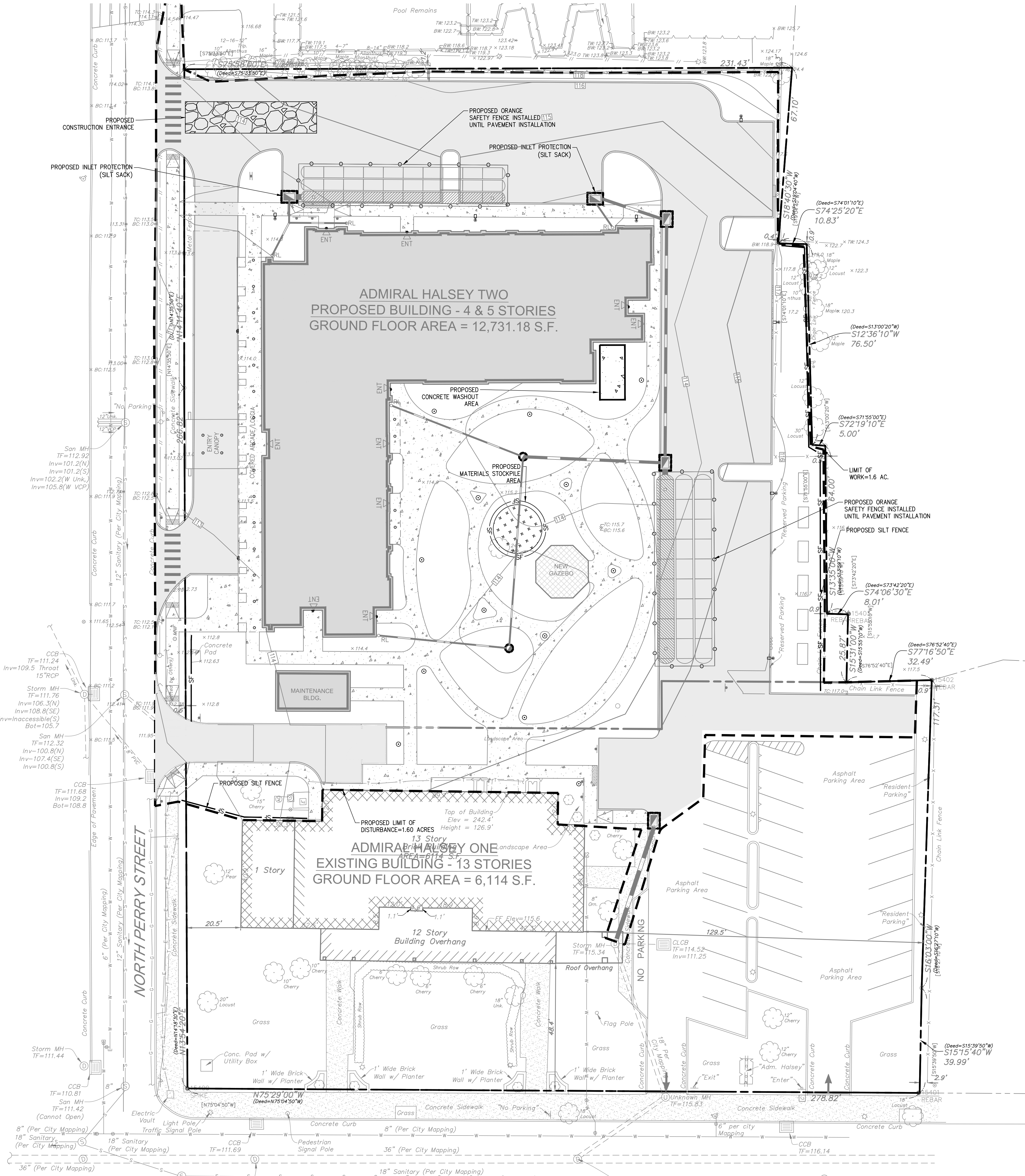
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LRC Engineering & Surveying, LLC
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12/28/2021	REVISED PER COMMENTS
1/27/2022	REVISED PER COMMENTS

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Drawn	SMC	Project No.	20-2370	
Checked	KFC	Date	2021-06-22	
Approved	REM	Scale	1"=20'	

SD-I





CITY OF POUGHKEEPSIE EROSION AND SILTATION CONTROL NOTES

- All unvegetated areas in excess of 10%, per direction of the Engineer, shall have temporary seeding of fast germinating rye, 10 to 15 #/s per 1,000 sq. ft.
- Graded areas - upper elevations: Provide temporary drainage swales, 1% grade min., to direct runoff away from construction sites. Discharge areas to be acceptable to the Engineer.
- Graded areas - lower elevations: Provide drainage swales, 1% min. grades, with staked and secured hay bale siltation. Location of hay bales and discharge areas per approval of Engineer.
- Permanent seeded areas for erosion control: Mixture of perennial rye and blue and red fescue grasses (50/50), 15 to 25 #/s per 1,000 sq. ft., mulching at 5#/s per 1,000 sq. ft., fertilizer - 5,10,5 at 5#/s per 1,000 sq. ft. (if determined necessary by Engineer), with pegging and netting for grades in excess of 15%.
- All permanent drainage interceptor swales to be seeded per Item 4 also.
- All erosion control shall be in accordance with the latest "Urban Erosion and Sediment Control Guidebook" of the Dutchess County Soil and Water Conservation District.
- All areas shall be seeded and mulched as soon as possible.
- Grade as needed and feasible to permit the use of conventional equipment for seed bed preparation, seeding and mulch application.
- Scarify all compacted soils prior to applying topsoil.
- Apply topsoil per Standard #6 Table 6.1 of the Soil Erosion Control Guide Book.
- Seed mix shall be as follows:
Ky. Blue grass 20 lbs/ac
Creeping Red Fescue 40 lbs/ac.

LEGEND

- SF PROPOSED SILT FENCE
- CE PROPOSED CONSTRUCTION ENTRANCE
- [] PROPOSED INLET PROTECTION (SILT SACKS)
- [] PROPOSED SOIL MATERIALS STOCKPILE AREA WITH SILT FENCE IN LANDSCAPED AREAS. STOCKPILE IN ASPHALT AREAS SHALL HAVE A TARP COVERING AND MUST BE ANCHORED PROPERLY TO NOT LET SEDIMENT ESCAPE.

EROSION AND SEDIMENT CONTROL PLAN

- LAND DISTURBANCE WILL BE KEPT TO A MINIMUM; RESTABILIZATION WILL BE SCHEDULED AS SOON AS PRACTICABLE.
- SILTATION FENCE WILL BE INSTALLED AT ALL CULVERT OUTLETS AND ALONG THE TOE OF ALL CRITICAL CUT AND FILL SLOPES.
- ALL EROSION AND SEDIMENTATION CONTROL MEASURES SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE STANDARDS AND SPECIFICATIONS OF THE NEW YORK STATE EROSION & SEDIMENT CONTROL "BLUE BOOK" 2005.
- EROSION AND SEDIMENT CONTROL MEASURES SHALL BE INSTALLED PRIOR TO CONSTRUCTION WHENEVER POSSIBLE.
- ALL CONTROL MEASURES SHALL BE MAINTAINED IN EFFECTIVE CONDITION THROUGHOUT THE CONSTRUCTION PERIOD.
- ADDITIONAL CONTROL MEASURES SHALL BE INSTALLED DURING THE CONSTRUCTION PERIOD, IF NECESSARY OR REQUIRED.
- SEDIMENT REMOVED FROM CONTROL STRUCTURES WILL BE DISPOSED OF IN A MANNER WHICH IS CONSISTENT WITH THE INTENT OF THE PLAN.
- DUST CONTROL AND ANTI-TRACKING MAINTENANCE TO BE ADDRESSED AND RESOLVED ON A DAILY BASIS.

INSTALLATION OF SEDIMENTATION AND EROSION CONTROL MEASURES

- SILTATION FENCE**
 - DIG A SIX INCH TRENCH ON THE UPHILL SIDE OF THE DESIGNATED FENCE LINE LOCATION.
 - POSITION THE POST AT THE BACK OF THE TRENCH (DOWNHILL SIDE), AND HAMMER THE POST AT LEAST 2.0 FEET INTO THE GROUND.
 - LAY THE BOTTOM SIX INCHES OF THE FABRIC INTO THE TRENCH TO PREVENT UNDERMINING BY STORM WATER RUN-OFF.
 - BACKFILL THE TRENCH AND COMPACT.

OPERATION AND MAINTENANCE OF SEDIMENTATION AND EROSION CONTROL MEASURES

- SILTATION FENCE**

ALL SILTATION FENCES SHALL BE INSPECTED ONCE EVERY SEVEN DAYS. ALL DETERIORATED FABRIC AND DAMAGED POSTS SHALL BE REPLACED AND PROPERLY REPOSITIONED IN ACCORDANCE WITH THIS PLAN.

SEDIMENT DEPOSITS SHALL BE REMOVED FROM BEHIND THE FENCE WHEN THEY EXCEED A HEIGHT OF ONE FOOT.
- INLET PROTECTION**

ALL INLET PROTECTION DEVICES SHALL BE INSPECTED DAILY BY THE QUALIFIED INSPECTOR TO ENSURE THAT SEDIMENT IS NOT ENTERING ANY STORM DRAIN INLETS. PROTECTION DEVICES ARE TO BE REPAIRED AND/OR REPLACED IF NOT FUNCTIONING AS DESIGNED.

TEMPORARY VEGETATIVE STABILIZATION

- ESTABLISHMENT OF TEMPORARY STANDS OF GRASS BY SEEDING AND MULCHING EXPOSED SOILS THAT WILL BE EXPOSED SEED BARE SOIL WITHIN SEVEN (7) DAYS OF EXPOSURE, UNLESS CONSTRUCTION WILL BEGIN WITHIN FOURTEEN (14) DAYS. IF CONSTRUCTION IS SUSPENDED, OR SECTIONS COMPLETED, AREAS SHOULD BE SEEDED DOWN OR MULCHED DOWN IMMEDIATELY. THIS WILL TEMPORARILY STABILIZE THE SOIL WITH A VEGETATIVE COVER THAT WILL PREVENT DAMAGE FROM WIND AND WATER EROSION AND SEDIMENTATION.
- INSTALLATION: FERTILIZING, SEEDING, AND MULCHING WILL BE USED AS A TEMPORARY E&S CONTROL MEASURE ON ALL NON-PAVED DISTURBED AREAS. EXPOSED SOILS NOT SUBJECT TO CONSTRUCTION TRAFFIC SHALL BE SEEDED OR COVERED BY MULCH WITHIN 7 DAYS, INCLUDING STOCKPILED SOIL MATERIALS. WITH REGARD TO THE TEMPORARY SEED MIX, REFER TO THE SEEDING MIXTURE TABLE PROVIDED ON THE E&S CONTROL PLAN DETAIL SHEET.
- OPERATIONS AND MAINTENANCE: INSPECT SEEDED AREA AT LEAST ONCE A WEEK FOR SEED AND MULCH MOVEMENT AND RILL EROSION. WHERE SEED HAS MOVED OR WHERE SOIL EROSION HAS OCCURRED, DETERMINE CAUSE OF THE FAILURE. BIRD FEEDING MAY BE A PROBLEM IF MULCH WAS APPLIED TOO THINLY TO PROTECT SEED. RE-SEED AND RE-MULCH. IF MOVEMENT WAS A RESULT OF WIND, REPAIR EROSION DAMAGE, REAPPLY SEED, MULCH AND APPLY MULCH ANCHORING. IF FAILURE WAS CAUSED BY CONCENTRATED RUNOFF, INSTALL ADDITIONAL MEASURES TO CONTROL WATER AND SEDIMENT MOVEMENT, REPAIR EROSION DAMAGE, RE-SEED AND RE-APPLY MULCH WITH ANCHORING OR USE EROSION CONTROL BLANKET.

SEEDING AND MULCHING

ANY DISTURBED AREAS THAT WILL BE LEFT EXPOSED FOR MORE THAN 7 DAYS AND NOT SUBJECT TO CONSTRUCTION TRAFFIC, SHALL IMMEDIATELY RECEIVE SEEDING AND MULCHING. DISTURBED AREAS SHALL BE LIMITED AND BE COVERED WITH A LAYER OF TOPSOIL PRIOR TO SEEDING. SEEDING WILL BE INSPECTED FOR BARE SPOTS, WASH OUTS, AND HEALTHY GROWTH. IF REQUIRED ADDITIONAL SEEDING SHALL BE PERFORMED. THE SEED MIX SPECIFIED FOR THIS SITE IS FROM THE NEW YORK STATE STANDARDS AND SPECIFICATIONS FOR EROSION AND SEDIMENT CONTROL, TABLE 3.2 (SITE CHOICE 1B) WHICH IS AS FOLLOWS:

SPECIES (% by weight)	Pure Live Seed Values lbs/1000SF	lbs/acre
15% fire fescue	2.0 - 2.6	85 - 114
20% perennial ryegrass	0.6 - 0.8	26 - 35
65% kentucky bluegrass blend	0.4 - 1.6	19 - 26
	3.0 - 4.0	130 - 175



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EROSION AND SEDIMENTATION CONTROL PLAN			
ADMIRAL HALSEY II			
125 MAIN STREET CITY OF POUGHKEEPSIE DUTCHESS COUNTY, NEW YORK			
Design/Calcs	BS	CAD File	EC21273001.dwg
Drawn	SMC	Project No.	20-2370
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Revisions

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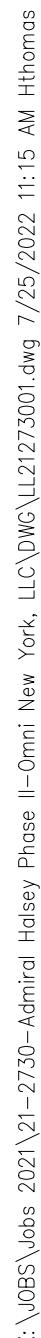
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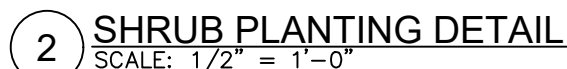
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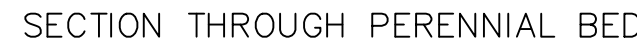
CODE	QTY.	BOTANICAL NAME	COMMON NAME	ROOT	SIZE INSTALLED	SIZE MATURE	COMMENTS
ARK	6	ACER RUBRUM 'KARPICK'	KARPICK RED MAPLE	B&B	2.5-3" cal.	20x40' ht.	Narrow Pyramidal Crown
CFP	7	CORNUS FLORIDA 'CHEROKEE PRINCESS'	CHEROKEE PRINCESS DOGWOOD	B&B	2-2.5" cal.	20-25' ht.	White
GBF	11	GINKGO BILOBA 'FASTIGIATA'	GINKGO TREE	B&B	3-3.5" cal.	40' ht.	Matched Form
GTM	2	GLEDITSIA T. INERMIS 'SHADEMASTER'	SHADEMASTER HONEYLOCUST	B&B	3-3.5" cal.	60' ht.	
PSK	4	PRUNUS SERRULATA 'KWANZAN'	KWANZAN CHERRY	B&B	2-2.5" cal.	20x30' ht.	
QR	1	QUERCUS RUBRA	NORTHERN RED OAK	B&B	2.5-3" cal.	75' ht.	
TCG	3	TILIA CORDATA 'GREENSPIRE'	GREENSPIRE LINDEN	B&B	3-3.5" cal.	40' ht.	
TOS	7	THUJA OCCIDENTALIS 'SMARAGD'	EMERALD AMERICAN ARBORVITAE	B&B	7-8" HT.	5'x15'	
AML	306	ARONIA MEL. LOW SCAPE MOUND	LOW SCAPE MOUND CHOKEBERRY	CONT.	#1	12-24" ht.	2' o.c.
HAI	15	HYD. ARBORESCENS INVINCIBLE SPIRIT II	SMOOTH HYDRANGEA	CONT.	24-30" ht.	3-4" ht.	Pink
HOP	17	HYDRANGEA QUERIFOLIA 'PEEWEE'	PEE WEE OAKLEAF HYDRANGEA	CONT.	24-30" ht.	3-5" ht.	White; Burgundy fall
HSA	7	HIBISCUS SYRIACUS 'ARDENS'	ROSE OF SHARON	B&B	36-42" ht.	8-10' ht.	Double Rosy Purple
IGD	2	ILEX GLABRA 'DENSIA'	INKBERRY	CONT.	24-30" ht.	6-8" ht.	
ISP	49	ILEX CRENATA 'SKY PENCIL'	SKY PENCIL JAPANESE HOLLY	CONT.	#5	8-10" ht.	Tall and Narrow
IVL	5	ITEA VIRGINICA 'LITTLE HENRY'	LITTLE HENRY SWEETSPICE	CONT.	24" ht. min.	3-6" ht.	
RK1	32	ROSA 'RADRAZZ'	KNOCK OUT ROSE	CONT.	24" ht. min.	3-4" ht.	30" o.c.; Red
RK2	27	ROSA 'RADCOR'	RAINBOW KNOCK OUT ROSE	CONT.	24" ht. min.	3-4" ht.	30" o.c.; Pink
RBB	8	RHOODODENDRON 'BLUE BARON'	BLUE BARON RHODODENDRON	CONT.	24" ht. min.	3-4" ht.	Blue-Lav
RPG	10	RHOODODENDRON 'PURPLE GEM'	PURPLE GEM RHODODENDRON	CONT.	18-24" ht.	3' x 3'	
TCG	10	TAXUS CUSPIDATA 'GREENWAVE'	GREENWAVE JAPANESE YEW	CONT.	24-30" ht.	3'x4'	
VCL	104	VIBURNUM CASSINOIDES 'LIL DITTY'	LIL DITTY WITHEROD VIBURNUM	CONT.	15" min.ht.	12-24" ht.	
NN	26	NIPPONANTHEMUM NIPPONICUM	MONTAUK DAISY	CONT.	#2 (2 Gal.)	30-36" ht.	
PVM	11	PANICUM VIRGATUM 'HEAVY METAL'	HEAVY METAL SWITCHGRASS	POT	#2	3-4" ht.	2' o.c.; Blue Green Blades
RFG	78	RUDBECKIA FUL. var. SULL. 'GOLDSTURM'	GOLDSTURM Black Eyed Susan	CONT.	#SP4	30-36" ht.	24" o.c.; Gold; June-Sept
VM	230	VINCA MINOR	PERIWINKLE	POT	SP-3/Pint		Plant at 9" o.c.

NOTE: IN AREAS OF MASS PLANTING, EXCAVATE BED AREA CONTINUOUSLY, BACKFILL BETWEEN SHRUBS WITH PLANTING SOIL MIX, AND APPLY MULCH TO THE SURFACE TO THE ENTIRE BED.



PRUNE TREES IN ACCORDANCE WITH APPROVED HORTICULTURAL STANDARDS (ANLA) IN ORDER TO PRESERVE THE NATURAL FORM OF THE SPECIFIC PLANTS

IF APPLICABLE & APPROVED BY THE LANDSCAPE ARCHITECT, ONE-FOURTH TO ONE-THIRD OF THE WOOD SHALL BE REMOVED BY THINNING OUT TO BALANCE ROOT LOSS DUE TO TRANSPLANTING.

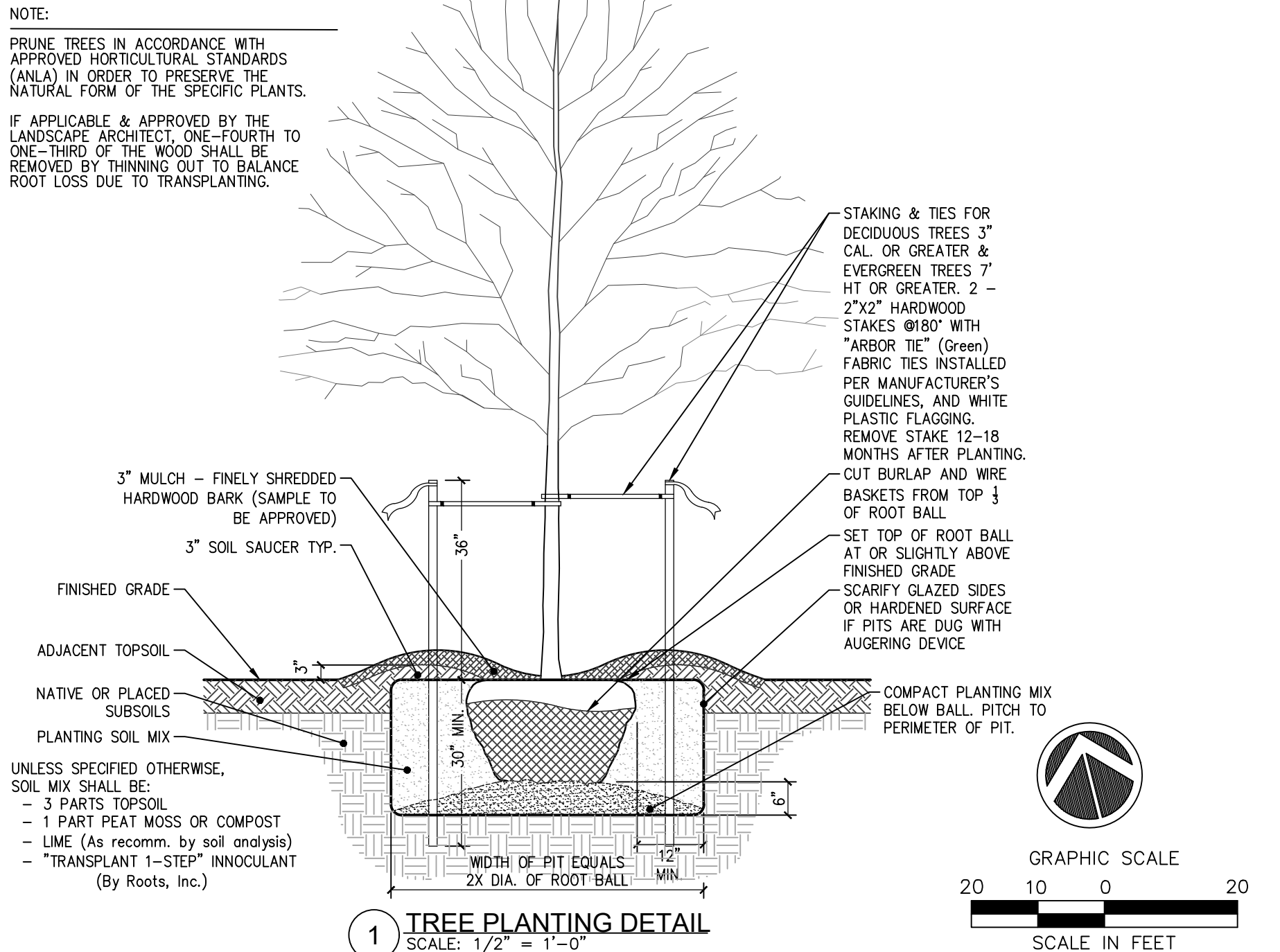


1. BULB/CORM PERENNIALS TO BE PLANTED IN FALL. POTTED PERENNIALS MAY BE PLANTED APRIL 15 TO OCTOBER 1.
2. ROTOTILL FERTILIZER AND LIME INTO SOIL PRIOR TO PLANTING AND IN ACCORDANCE TO SOIL ANALYSIS RECOMMENDATIONS.
3. DO NOT OVER COMPACT PLANTING BED. WATER THOROUGHLY AFTER PLANTING BULBS.
4. ADJUST PLANTING DEPTH AS RECOMMENDED BY BULB SUPPLIER.
5. PROVIDE DRAINAGE AS REQUIRED (PERF PIPE 4" ADS) WHEN SUBGRADE IS CLASSIFIED AS A HEAVY SOIL OR EXCESSIVELY COMPACTED.

UNLESS SPECIFIED OTHERWISE, PERENNIAL
BED SOIL MIX SHALL BE:

- 3 PARTS TOPSOIL
- 1 PART MANURE (WEED FREE)
- 1 PART PEAT MOSS OR COMPOST
- LIME (As recommended by soil analysis)
- "MILORGANITE"® AT 5 LBS. PER 100 SF.

3 ANNUAL/PERE
SCALE: 1/2" = 1'-0"



Design/Calcs	BS	CAD File	LL21273001.dwg	Sheet No. L
Drawn	SMC	Project No.	20-2370	
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3.	3/22/2022	REVISED PER COMMENTS
4.	7/6/2022	REVISED PER COMMENTS
5.	7/17/2022	REVISED PER COMMENTS



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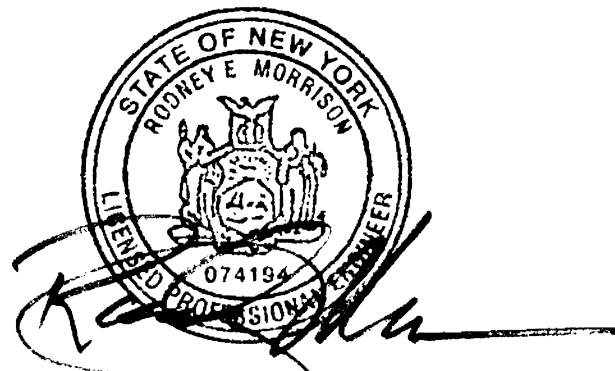
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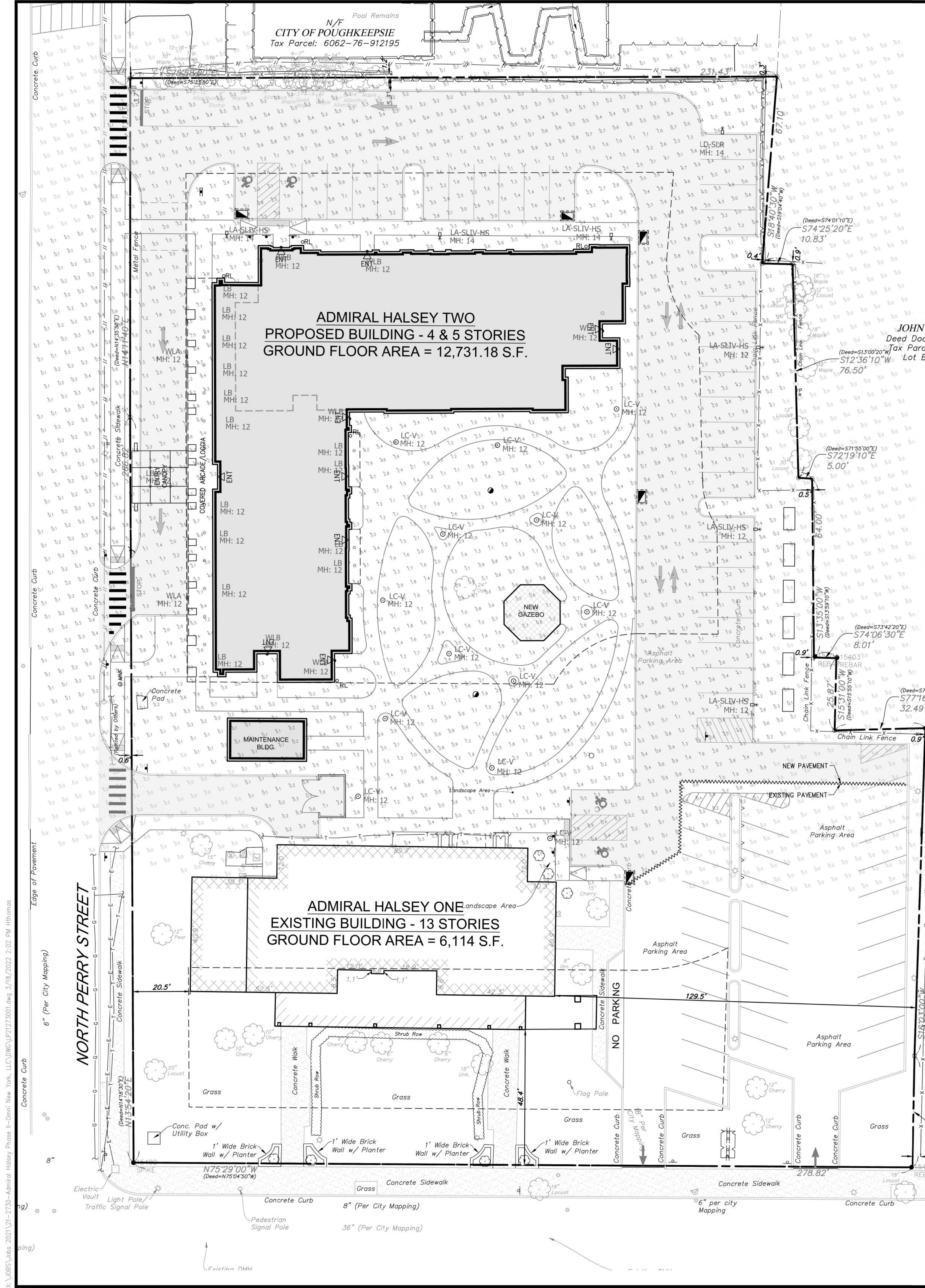
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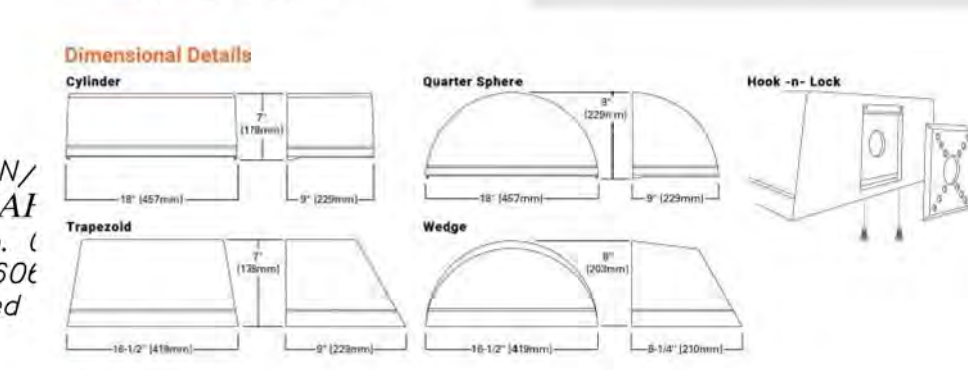
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LRC Engineering & Surveying, LLC
LRC Environmental Services, LLC





CANOPY MOUNTED WALL LIGHT (WLA):

McGraw-Edison Impact Elite LED Wall Mount Luminaire. Includes interactive menu, product certifications (UL, ENEC, etc.), and quick facts.



COOPER McGraw-Edison Impact Elite LED

Table with 10 columns: Product Name, Luminaire Type, Voltage, Distribution, Color, Mounting. Lists various luminaire models and their specifications.

Product Specifications for Cooper McGraw-Edison Impact Elite LED. Includes construction, electrical, optics, and warranty information.

WALL MOUNTED LIGHT (WLB):

POULYNOE LED WALL LIGHT. Includes product description and performance metrics.

Product Description and Performance for Poullynoe LED Wall Light. Includes electrical system details and specification table.

Ordering Information and Revisions for the Poullynoe LED Wall Light. Includes a table for ordering and a list of revisions.

PARKING AREA POST TOP LIGHTS (LA, LB, LD):

Table with 10 columns: Product Name, Luminaire Type, Voltage, Distribution, Color, Mounting. Lists various luminaire models and their specifications.

Product Specifications for Parking Area Post Top Lights. Includes construction, electrical, optics, and warranty information.

COOPER McGraw-Edison Impact Elite LED

Table with 10 columns: Product Name, Luminaire Type, Voltage, Distribution, Color, Mounting. Lists various luminaire models and their specifications.

Product Specifications for Cooper McGraw-Edison Impact Elite LED. Includes construction, electrical, optics, and warranty information.

LIGHTING SCHEDULE:

Table with 10 columns: Luminaire Schedule, Qty, Label, Arrangement, Lum. Lumens, Lum. Watts, Arr. Watts, Total Watts, LLD, LDD, LFL, BUG Rating, Description. Lists lighting schedule details.

Calculation Summary and Isoline Legend for the Lighting Schedule. Includes a table for calculations and a legend for isoline values.

Ordering Information and Revisions for the Lighting Schedule. Includes a table for ordering and a list of revisions.

PEDESTRIAN AREA POST TOP LIGHT (LC):

Specification Sheet for Pedestrian Area Post Top Light (LC). Includes a table with product details and a diagram of the luminaire.

Product Specifications for Pedestrian Area Post Top Light (LC). Includes construction, electrical, optics, and warranty information.

COOPER McGraw-Edison Impact Elite LED

Table with 10 columns: Product Name, Luminaire Type, Voltage, Distribution, Color, Mounting. Lists various luminaire models and their specifications.

Product Specifications for Cooper McGraw-Edison Impact Elite LED. Includes construction, electrical, optics, and warranty information.

LIGHTING SCHEDULE:

Table with 10 columns: Luminaire Schedule, Qty, Label, Arrangement, Lum. Lumens, Lum. Watts, Arr. Watts, Total Watts, LLD, LDD, LFL, BUG Rating, Description. Lists lighting schedule details.

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Ordering Information and Revisions for the Lighting Schedule. Includes a table for ordering and a list of revisions.

CITY OF POUGHKEEPSIE WATER NOTES

1. ALL WATER MAINS SHALL BE CEMENT LINED DUCTILE IRON PIPE, CLASS 52 PUSH-ON JOINT, UNLESS OTHERWISE SPECIFIED BY OR APPROVED BY THE CITY OF POUGHKEEPSIE WATER DEPARTMENT. JOINTING SHALL EMPLOY "MEGALUG" CONNECTIONS, FIELD LOCK GASKET, OR AS ALTERNATIVELY SPECIFIED BY THE CITY OF POUGHKEEPSIE WATER DEPARTMENT. ALL WATER PIPING CONSTRUCTION SHALL BE TO THE SPECIFICATIONS OF THE CITY OF POUGHKEEPSIE WATER DEPARTMENT. WET TAP OF PUBLIC WATER SYSTEM SHALL BE APPROVED AND SUPERVISED BY THE CITY OF POUGHKEEPSIE WATER DEPARTMENT. TAPPING SLEEVE SHALL BE STAINLESS STEEL OR APPROVED EQUAL. ALL MAINLINE VALVES SHALL BE RESILIENT WEDGE OR APPROVED EQUAL.
2. THE WATER LINE MAY BE FLEXED WITHIN PIPE SPECIFICATIONS OR LAID DEEPER IN AREAS WHERE A CROSSING WITH A SANITARY LINE OCCURS, TO ACHIEVE THE REQUIRED 1.5' VERTICAL SEPARATION DISTANCE. IF THIS DISTANCE CANNOT BE REASONABLY ACHIEVED, THE CONTRACTOR SHALL USE PRESSURE RATED SANITARY PIPE OF EQUAL OR GREATER RATING THAN THE PRESSURE CLASS FOR THE WATER LINE.
3. MINIMUM VERTICAL SEPARATION BETWEEN WATER MAINS AND SEWER PIPE SHALL BE 18 INCHES MEASURED FROM THE OUTSIDE OF THE PIPES AT THE POINT OF CROSSING. ONE FULL STANDARD LAYING LENGTH OF WATER MAIN SHALL BE CENTERED UNDER OR OVER THE SEWER SO THAT BOTH JOINTS WILL BE AS FAR FROM THE SEWER LINE AS POSSIBLE. IN ADDITION, WHEN THE WATER MAIN PASSES UNDER A SEWER, ADEQUATE STRUCTURAL SUPPORT (COMPACTED SELECT FILL) SHALL BE PROVIDED FOR THE SEWER TO PREVENT EXCESSIVE DEFLECTION OF JOINTS AND SETTLING OF THE SEWER PIPE ON THE WATER MAIN. MINIMUM HORIZONTAL SEPARATION BETWEEN PARALLEL WATER MAINS AND SEWER PIPES (INCLUDING MANHOLES AND VAULTS) SHALL BE 10 FEET MEASURED FROM THE OUTSIDE OF THE PIPES, MANHOLES, OR VAULTS.
4. ALL WATER MAINS SHALL HAVE A MINIMUM OF (5) FIVE FEET OF COVER FROM THE TOP OF THE MAIN TO FINISHED GRADE. THE CONTRACTOR SHALL CHECK ALL FINISHED GRADE STAKES BEFORE TRENCHING TO ENSURE THAT ALL INSTALLED WATER MAINS WILL HAVE THE REQUIRED COVER.
5. THE SUPPLIER OF WATER MUST RECEIVE AT LEAST 48-HOUR ADVANCE NOTIFICATION REQUESTING SAMPLING SERVICES. SAMPLING WILL NOT BE PERFORMED PRIOR TO RECEIPT FROM A NEW YORK STATE LICENSED OR REGISTERED DESIGN PROFESSIONAL (ENGINEER, ARCHITECT, OR LAND SURVEYOR WITH A SPECIAL EXEMPTION UNDER SECTION 7208(N) OF THE EDUCATION LAW) CERTIFYING THAT THE WATER SUPPLY IMPROVEMENTS, TESTING AND DISINFECTION PROCEDURES WERE COMPLETED IN ACCORDANCE WITH THE APPROVED PLANS, REPORTS, SPECIFICATIONS, AND ANY APPROVED AMENDMENTS. NYSDOH CERTIFIED LABORATORY WILL COLLECT SAMPLES FOR FREE CHLORINE RESIDUAL, TOTAL, AND FECAL COLIFORM AND 24-HOUR BACTERIAL PLATE COUNT. THE CERTIFICATE OF COMPLIANCE, TESTING, AND SAMPLING RESULTS SHALL BE PROVIDED TO THE CITY WATER MAINTENANCE SUPERVISOR AND DUTCHESS COUNTY DEPARTMENT OF HEALTH AS A CONDITION OF APPROVAL FOR OPERATION.
6. THE CONTRACTOR SHALL COORDINATE THE TESTING WITH THE WATER DEPARTMENT SO AS TO MAINTAIN THE AMOUNT OF SERVICE INTERRUPTION TO EXISTING USERS TO THE LEAST EXTENT PRACTICABLE. WATER MAIN INSTALLATION AND TESTING SHALL BE PERFORMED UNDER THE SUPERVISION OF THE PROJECT ENGINEER OR HIS DESIGNEE AS NECESSARY TO MEET CONDITIONS IN NOTE 5 ABOVE.
7. THE WATER MAIN SHALL BE PRESSURE LEAKAGE TESTED IN ACCORDANCE WITH THE MINIMUM REQUIREMENTS OF THE AWWA STANDARD C600 (LATEST REVISION) OR IN ACCORDANCE WITH MORE STRINGENT REQUIREMENTS IMPOSED BY THE SUPPLIER OF WATER. TEST TO FIRST VALVE WITHIN BUILDING.
8. THE WATER MAIN SHALL BE DISINFECTED EQUAL TO AWWA STANDARD FOR DISINFECTING WATER MAINS DESIGNATION C651 (LATEST REVISION). FOLLOWING DISINFECTION, THE WATER MAIN SHALL BE FLUSHED UNTIL THE CHLORINE CONCENTRATION IN THE WATER LEAVING THE MAIN IS NO HIGHER THAN THAT GENERALLY PREVAILING IN THE SYSTEM. THE PROJECT ENGINEER OR HIS DESIGNEE SHALL ALSO WITNESS DISINFECTION AND FLUSHING.
9. ALL WATER MAIN FITTINGS NOT RECEIVING 24-HOUR CHLORINE DISINFECTION CONTACT TIME MUST BE SWAB-DISINFECTED 30 MINUTES PRIOR TO INSTALLATION.
10. THE SAMPLING POINT(S) MUST BE DECONTAMINATED BY FLAMING.
11. FIRE HYDRANTS ARE NOT ACCEPTABLE SAMPLING POINTS, UNLESS OTHERWISE APPROVED BY SITE ENGINEER AND CITY OF POUGHKEEPSIE WATER DEPARTMENT.
12. FIRE HYDRANT WEEP HOLES (DRAINS) SHALL BE PLUGGED WHEN GROUND WATER IS ENCOUNTERED WITHIN SEVEN FEET OF THE FINISHED GRADE. WHEN DRAINS ARE PLUGGED, THE BARRELS MUST BE PUMPED DRY AFTER USE DURING FREEZING WEATHER. SUCH HYDRANTS SHALL BE IDENTIFIED BY MARKINGS AS APPROVED BY THE CITY OF POUGHKEEPSIE.
13. PROPOSED WATER METERS LOCATED WITHIN THE METER PIT OR BUILDING SHALL BE A COMPATIBLE REMOTE STATE TYPE (SENSUS), AND SHALL BE APPROVED BY THE CITY OF POUGHKEEPSIE WATER DEPARTMENT PRIOR TO INSTALLATION. WATER METER SHALL BE EQUIPPED WITH (RADIO TYPE REMOTE READER) TRANSCIEVER PROVIDED BY METER MANUFACTURER AND INSTALLED AND PROGRAMMED BY THE CITY OF POUGHKEEPSIE WATER DEPARTMENT.
14. THE WATER LINE SHALL BE INSTALLED AT A CONTINUOUS GRADE WITH NO ABRUPT HIGH POINTS OR LOW POINTS.
15. FINAL WATER DISTRIBUTION SYSTEM AND CERTIFICATION IS SUBJECT TO REVIEW, REVISION AND APPROVAL BY THE CITY OF POUGHKEEPSIE WATER DEPARTMENT AND THE DCDOH PRIOR TO APPROVAL TO OPERATE.
16. ALL WATER MAINS AND RELATED APPURTENANCES SHALL BE CONSTRUCTED TO THE LATEST STANDARDS AND SPECIFICATIONS OF THE CITY OF POUGHKEEPSIE.
17. THE WATER MAIN SHALL NOT BE PLACED INTO SERVICE UNTIL SO AUTHORIZED BY THE CITY OF POUGHKEEPSIE.
18. ALL WATER SERVICE CONSTRUCTION SHALL BE SUBJECT TO INSPECTION BY THE CITY WATER DEPARTMENT PRIOR TO BACKFILLING. BEDDING AND PIPE ZONE MATERIAL SHALL BE COMPOSED OF CRUSHED STONE OR LIGHT GRAVEL HAVING A GRADATION LIMIT OF 3/4" MINUS. AN ACCEPTABLE MATERIAL SHALL MEET THE FOLLOWING REQUIREMENT:
- | SIEVE DESIGNATION | % PASSING |
|-------------------|-----------|
| 3/4" | 100 |
| NO. 40 | 0-70 |
| NO. 200 | 0-10 |
19. TRENCH BACKFILL SHALL BE WELL-GRADED SOIL AND GRAVEL MATERIAL. ALL PARTICLES SHALL HAVE A GRADATION OF 2" OR LESS. AN ACCEPTABLE MATERIAL SHALL MEET THE FOLLOWING REQUIREMENT:
- | SIEVE DESIGNATION | % PASSING |
|-------------------|-----------|
| 2 INCH | 100 |
| 1/4 INCH | 30-65 |
| NO. 40 | 5-40 |
| NO. 200 | 0-15 |
20. BEDDING AND BACKFILL MATERIAL SHALL BE STOCKPILED IN AMOUNTS NECESSARY FOR REASONABLE BACKFILLING REQUIREMENTS. A SIEVE ANALYSIS OF BEDDING OR BACKFILL MAY BE REQUIRED AT THE REQUEST OF THE CITY OF POUGHKEEPSIE.
21. THE SITE UTILITY CONTRACTOR SHALL BE RESPONSIBLE FOR ALL BURIED PIPING TO THE LOCATION OF THE PROPOSED BUILDING CONNECTION POINT (I.E. INSIDE THE BUILDING). THIS INCLUDES THE TESTING AND CERTIFICATION OF ALL WATER SERVICE WORK FROM THE CITY WATER CONNECTION POINT TO THE PROPOSED BUILDINGS INTERIOR CONNECTION POINT.
22. INDICATOR TAPE SHALL BE PLACED 12" BELOW FINISHED GRADE DIRECTLY ABOVE ALL WATERLINES.
23. ALL COPPER WATER SERVICE PIPING INSTALLATION, BACKFILL AND TESTING SHALL BE REVIEWED AND APPROVED BY THE CITY OF POUGHKEEPSIE WATER MAINTENANCE SUPERVISOR OR HIS DESIGNEE. BEDDING, PIPE ZONE, AND BACKFILL MATERIAL MUST BE SAND ONLY.
24. THE PIPE SUPPORTS FOR THE METER PIT SHALL BE MADE OF GALVANIZED STEEL AND SHALL BE ADJUSTABLE. THE SUPPORTS ARE TO BE PLACED ONLY BENEATH SPOOL PIECES AND NOT UNDER CRITICAL EQUIPMENT, METERS, ETC.
25. THREE AS-BUILT DRAWINGS WHICH INCLUDE VERIFICATION OF THE WATER INFRASTRUCTURE WILL BE PROVIDED TO THE PLANNING DEPARTMENT FOR DISSEMINATION TO THE ENGINEERING AND WATER DEPARTMENTS PRIOR TO ANY EASEMENT DEDICATION TO THE CITY.

CITY OF POUGHKEEPSIE SANITARY SEWER NOTES

1. FLOOR DRAINS, IF CONSTRUCTED, SHALL BE CONNECTED TO THE SANITARY SEWER. FLOOR DRAINS DO NOT INCLUDE FOUNDATION/FOOTER DRAIN: ALL DISCHARGES TO THE SANITARY SEWER SHALL COMPLY WITH THE EFFLUENT LIMITS OF THE LOCAL AND/OR DUTCHESS COUNTY SANITARY CODE.
2. DEFLECTION TESTS SHALL BE PERFORMED ON ALL FLEXIBLE PIPES. THE TESTS SHALL BE CONDUCTED AFTER FINAL BACKFILL HAS BEEN IN PLACE AT LEAST 5 DAYS. NO PIPE SHALL EXCEED A DEFLECTION OF 5% IF THE DEFLECTION TEST IS TO BE RUN USING A RIGID BALL OR MANDREL, IT SHALL HAVE A DIAMETER EQUAL TO 95% OF THE INSIDE DIAMETER OF THE PIPE. THE TEST SHALL BE PERFORMED WITHOUT MECHANICAL PULLING DEVICES.
3. SANITARY SEWERS AND APPURTENANCES SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE LATEST STANDARDS AND SPECIFICATIONS OF THE CITY OF POUGHKEEPSIE. ALL SANITARY SEWER SYSTEM COMPONENTS SHALL BE INSTALLED BY OR UNDER THE SUPERVISION OF A CITY OF POUGHKEEPSIE LICENSED PLUMBER IN ACCORDANCE WITH THE CITY PLUMBING CODE.
4. MAJOR EARTHWORK SHALL BE COMPLETED PRIOR TO INSTALLATION OF ANY SANITARY SEWER MAINS AND APPURTENANCES. AIR CONNECTING SEWER LINES SHALL BE FLUSHED BEFORE TESTED.
5. MAXIMUM ALLOWABLE INFILTRATION OR EXFILTRATION SHALL NOT EXCEED 100 GALLONS PER INCH DIAMETER PER MILE OF PIPE PER DAY FOR THE SANITARY SEWER. IF AN AIR TEST IS USED, THE TEST, AS A MINIMUM, SHALL CONFORM TO THE PROCEDURE DESCRIBED IN THE ASTM -F-1417 (1992) ENTITLED "STANDARD PRACTICE FOR INSTALLATION ACCEPTANCE OF GRAVITY SEWER LINES USING LOW PRESSURE AIR" (RE-APPROVED 1998). SANITARY MANHOLES SHALL BE VISUALLY INSPECTED AND TESTED FOR LEAKAGE BY EXFILTRATION OR VACUUM. VACUUM TESTING OF MANHOLES SHALL COMPLY WITH THE METHOD OUTLINED IN THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION TECHNICAL INFORMATION PAMPHLET (TIP) NO.15 (REVISED).
6. SANITARY SEWER MAINS ARE TO BE POLYVINYL CHLORIDE (PVC) AND SANITARY LATERALS SHALL BE PVC, SDR-35, UNLESS OTHERWISE NOTED.
7. FINAL SEWER COLLECTION SYSTEM LAYOUT IS SUBJECT TO REVIEW, REVISION AND APPROVAL BY THE CITY OF POUGHKEEPSIE SEWER DEPARTMENT.
8. ALL SANITARY PIPE AND/OR MANHOLES SHALL BE A MINIMUM OF TEN (10) HORIZONTAL FEET FROM THE WATER MAIN. SANITARY PIPE SHALL HAVE A MINIMUM 18" SEPARATION FROM ANY WATER MAIN OR WATER SERVICE LINE. IF FOR SOME REASON THIS SEPARATION CANNOT BE ACHIEVED, SANITARY SEWER PIPE IN THE AREA SHALL BE SDR-26 PRESSURE RATED PIPE, (OR BE ENCASED PER THE DETAIL ON DN-3) AND ONE FULL LENGTH OF WATER MAIN SHALL BE CENTERED UNDER OR OVER THE SEWER. ALL SANITARY SEWER CONSTRUCTION SHALL BE TO SPECIFICATIONS OF THE CITY OF POUGHKEEPSIE SEWER DEPARTMENT.
9. ALL SANITARY TESTING SHALL BE PERFORMED UNDER THE SUPERVISION OF THE PROJECT ENGINEER, AND CERTIFICATES OF COMPLIANCE WITH THE INSTALLATION SPECIFICATIONS, TEST STANDARDS, APPROVED PLANS OR APPROVED AMENDMENTS SHALL BE PROVIDED TO THE APPROPRIATE SEWER AUTHORITY AND THE DCDOH AS A CONDITION OF APPROVAL FOR OPERATION.
10. ALL SANITARY SEWER CONSTRUCTION SHALL BE SUBJECT TO INSPECTION BY THE CITY SEWER SUPERINTENDENT PRIOR TO BACKFILLING. PIPE BEDDING AND PIPE ZONE MATERIAL SHALL BE COMPOSED OF CRUSHED STONE OR GRAVEL, FREE OF SOFT NONDURABLE PARTICLES WITH THE FOLLOWING GRADATION REQUIREMENTS:
- | SIEVE DESIGNATION | % PASSING |
|-------------------|-----------|
| 3/4" | 100 |
| NO. 40 | 0-70 |
| NO. 200 | 0-10 |
- ALL TRENCH BACKFILL MATERIAL SHALL BE APPROVED BY THE SUPERINTENDENT OF SEWERS AND MUST MEET THE FOLLOWING GRADATION REQUIREMENT:
- | SIEVE DESIGNATION | % PASSING |
|-------------------|-----------|
| 2 INCH | 100 |
| 1/4 INCH | 30-65 |
| NO. 40 | 5-40 |
| NO. 200 | 0-15 |
- BEDDING AND BACKFILL MATERIAL SHALL BE STOCKPILED IN AMOUNTS NECESSARY FOR REASONABLE BACKFILLING REQUIREMENTS. A SIEVE ANALYSIS OF BEDDING OR BACKFILL MAY BE REQUIRED AT THE REQUEST OF THE CITY OF POUGHKEEPSIE.
11. ALL NEW SANITARY SEWER MANHOLE COVERS SHALL BE NOMINAL 26" DIAMETER CAST IRON AND SHALL READ "SANITARY SEWER". FRAMES SHALL BE 8" IN HEIGHT AND THE FRAME AND COVER SHALL BE SYRACUSE CASTINGS NO.1 009 OR AN APPROVED EQUAL.
12. INDICATOR TAPE SHALL BE PLACED 12" BELOW FINISHED GRADE DIRECTLY ABOVE ALL SANITARY LINES.
13. LOCATION OF SEWER LATERAL CLEAN OUTS ARE TO BE PLACED AS SHOWN ON THE APPROVED SITE PLAN AND NOT TO EXCEED EVERY 75' MEASURED FROM THE SEWER MAIN CONNECTION OR AS DETERMINED BY THE CITY OF POUGHKEEPSIE SUPERINTENDENT OF SEWERS WHERE LOCATIONS ARE NOT SPECIFICALLY SHOWN.
14. EXTERNAL DROP MANHOLES SHALL BE USED FOR SEWERS ENTERING AT AN ELEVATION OF 24 INCHES OR HIGHER AT THE INLET OF A SEWER MANHOLE.
15. THREE AS-BUILT DRAWINGS WHICH INCLUDE VERIFICATION OF THE SEWER INFRASTRUCTURE INCLUDING RIMS AND INVERTS WILL BE PROVIDED TO THE PLANNING DEPARTMENT FOR DISSEMINATION TO THE ENGINEERING AND SEWER DEPARTMENTS PRIOR TO ANY EASEMENT DEDICATION TO THE CITY.

DECOMPACTION OF SOILS IN RECLAIMED AREAS:

- THESE PROCEDURES SHALL BE FOLLOWED PRIOR TO INSTALLATION OF TOP SOIL OR INFILTRATION PRACTICES IN ANY AREA PREVIOUSLY IMPERVIOUS OR COMPACTED BY COSTRUCTION EQUIPMENT. FOR ALL AREAS TO BE RECLAIMED FOR STORMWATER INFILTRATION, THE AREA SHALL BE MARKED OFF WITH ORANGE SAFETY FENCE AFTER DEMOLITION AND PRIOR TO DECOMPACTION TO PREVENT FURTHER COMPACTION OF THE UNDERLYING SOILS.
- AREAS RECLAIMED AS TOP SOIL:
- A. APPLY 3" OF COMPOST OVER SUBSOIL AFTER SUBGRADE LEVELS HAVE BEEN REACHED AND IMMEDIATELY PRIOR TO PLACING PLANTING SOILS.
- B. THE ENTIRE SUBGRADE AREA SHALL BE LOOSENEED TO A MINIMUM DEPTH OF 12 INCHES UTILIZING THE BUCKET OF A BACK HOE, CAT MOUNTED RIPPER, TILLER, OR EQUIVALENT EQUIPMENT. ROCK PICK UNTIL UPLIFTED STONE/ROCK MATERIAL OF FOUR INCHES AND LARGER SIZE HAVE BEEN CLEARED FROM THE SITE.
- C. ANY SUBGRADE AREAS WHICH HAVE BECOME HEAVILY COMPACTED (DEFINED AS EXCEEDING 86%-88% COMPACTION ASTM 698 STANDARD PROCTOR) INCLUDING, BUT NOT LIMITED TO, TEMPORARY PARKING AREAS, MATERIAL STOCKPILE AREAS, TEMPORARY ROADWAYS, CONSTRUCTION AREAS AND AREAS AROUND THE BUILDING, OTHER CONSTRUCTION AREAS, AREAS SHOWN ON THE PLANS, OR AREAS IDENTIFIED BY THE DESIGN PROFESSIONAL SHALL BE DEEP-SCARIFIED. IMMEDIATELY PRIOR TO PLACING SOILS, HEAVILY COMPACTED AREAS SHALL BE LOOSENEED TO A MINIMUM DEPTH OF 18 INCHES USING THE TEETH OF A BACK HOE OR OTHER SUITABLE EQUIPMENT. FREQUENCY OF COMPACTION TESTS SHALL BE ONE PER 500 SQUARE FEET.
- D. CONFIRM THAT THE SUBGRADE IS AT THE PROPER ELEVATION AND THAT NO FURTHER EARTHWORK IS REQUIRED TO BRING THE SUBGRADE TO PROPER ELEVATIONS. PROVIDE A REPORT TO THE DESIGN PROFESSIONAL THAT THE SUBGRADE HAS BEEN PLACED TO THE REQUIRED ELEVATIONS, HAS BEEN DECOMPACTIONED ACCORDING TO THE CONTRACT DOCUMENTS AND IS READY FOR INSPECTION AT LEAST 3 DAYS PRIOR TO PLACING PLANTING SOIL. PERFORM NO WORK OF PLACING AND SPREADING PLANTING MIXED UNTIL ELEVATIONS HAVE BEEN CONFIRMED AND THE AREA HAS BEEN ACCEPTED BY THE OWNER'S REPRESENTATIVE.
- E. AFTER THE SOILS HAVE BEEN LOOSENEED AND INSPECTED, TOPSOIL MAY BE SPREAD BY USING A WIDE-TRACK BULLDOZER SIZE D-5 OR SMALLER OR MAY BE DUMPED AND SPREAD WITH THE BUCKET OF A BACKHOE FROM THE EDGE OF THE LOOSENEED AREA. NO RUBBER-TIRED EQUIPMENT OR HEAVY EQUIPMENT EXCEPT FOR A SMALL BULLDOZER SHALL PASS OVER THE SUBSOILS (SUBGRADE) AFTER THEY HAVE BEEN LOOSENEED. IF THE CONTRACTOR PLANS TO UTILIZE SUCH AREAS FOR ANY USE OF HEAVY EQUIPMENT, THIS SHOULD BE CARRIED OUT PRIOR TO BEGINNING THE PROCESS OF LOOSENING SOILS OR FILLING IN THAT AREA, OR IT WILL HAVE TO BE RESCARIFIED AND MEET THIS SPECIFICATION REQUIREMENT.
- AREAS RECLAIMED FOR STORMWATER INFILTRATION PRACTICES:
- A. EXCAVATE AREA TO THE DEPTH OF THE PROPOSED BOTTOM OF THE INFILTRATION PRACTICE.
- B. THE ENTIRE SUBGRADE AREA SHALL BE LOOSENEED TO A MINIMUM DEPTH OF 12 INCHES BELOW PROPOSED SUBGRADE UTILIZING THE BUCKET OF A BACK HOE, CAT MOUNTED RIPPER, TILLER, OR EQUIVALENT EQUIPMENT. ROCK PICK UNTIL UPLIFTED STONE/ROCK MATERIAL OF FOUR INCHES AND LARGER SIZE HAVE BEEN CLEARED FROM THE SITE.
- C. ANY SUBGRADE AREAS WHICH REMAIN HEAVILY COMPACTED (DEFINED AS EXCEEDING 86%-88% COMPACTION ASTM 698 STANDARD PROCTOR), AS SHOWN ON THE PLANS, OR AREAS IDENTIFIED BY THE DESIGN PROFESSIONAL SHALL BE DEEP-SCARIFIED. IMMEDIATELY PRIOR TO PLACING SOILS, HEAVILY COMPACTED AREAS SHALL BE LOOSENEED TO A MINIMUM DEPTH OF 18 INCHES USING THE TEETH OF A BACK HOE OR OTHER SUITABLE EQUIPMENT. FREQUENCY OF COMPACTION TESTS SHALL BE ONE PER 500 SQUARE FEET.
- D. CONFIRM THAT THE SUBGRADE IS AT THE PROPER ELEVATION AND THAT NO FURTHER EARTHWORK IS REQUIRED TO BRING THE SUBGRADE TO PROPER ELEVATIONS. PROVIDE A REPORT TO THE DESIGN PROFESSIONAL THAT THE SUBGRADE HAS BEEN PLACED TO THE REQUIRED ELEVATIONS, HAS BEEN DECOMPACTIONED ACCORDING TO THE CONTRACT DOCUMENTS AND IS READY FOR INSPECTION AT LEAST 3 DAYS PRIOR TO PLACING INFILTRATION PRACTICES. PERFORM NO WORK UNTIL ELEVATIONS HAVE BEEN CONFIRMED AND THE AREA HAS BEEN ACCEPTED BY THE OWNER'S REPRESENTATIVE.
- E. AFTER THE SOILS HAVE BEEN LOOSENEED AND INSPECTED, INFILTRATION PRACTICES MAY BE INSTALLED USING A WIDE-TRACK BULLDOZER SIZE D-5 OR SMALLER OR MAY BE PLACED, DUMPED, OR SPREAD WITH THE BUCKET OF A BACKHOE FROM THE EDGE OF THE LOOSENEED AREA. NO RUBBER-TIRED EQUIPMENT OR HEAVY EQUIPMENT EXCEPT FOR A SMALL BULLDOZER SHALL PASS OVER THE SUBSOILS (SUBGRADE) AFTER THEY HAVE BEEN LOOSENEED. IF THE CONTRACTOR PLANS TO UTILIZE SUCH AREAS FOR ANY USE OF HEAVY EQUIPMENT, THIS SHOULD BE CARRIED OUT PRIOR TO BEGINNING THE PROCESS OF LOOSENING SOILS OR FILLING IN THAT AREA, OR IT WILL HAVE TO BE RESCARIFIED AND MEET THIS SPECIFICATION REQUIREMENT.
- F. WHEN INFILTRATION PRACTICES ARE LOCATED BELOW PAVEMENT THE AREA SHALL REMAIN FREE OF LARGE VEHICLES UNTIL THE PAVEMENT SUBBASE HAS BEEN INSTALLED.
- G. FOR REFERENCE OF DECOMPACTION NOTES, SEE NYS DESIGN MANUAL SECTION 5.1.6 FOR DEEP RIPPING AND DECOMPACTION OF EXISTING AREAS THAT ARE PROPOSED FOR RESTORATION.



Date

Description

12/21/2021

12/29/2021

3/22/2022

Revisions

REVIEWED PER COMMENTS

REVIEWED PER COMMENTS

REVIEWED PER COMMENTS



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

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

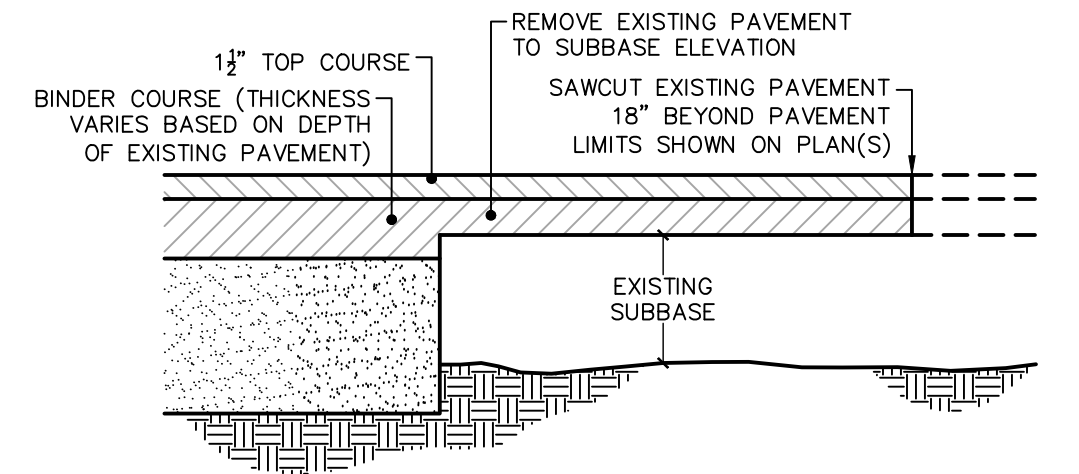
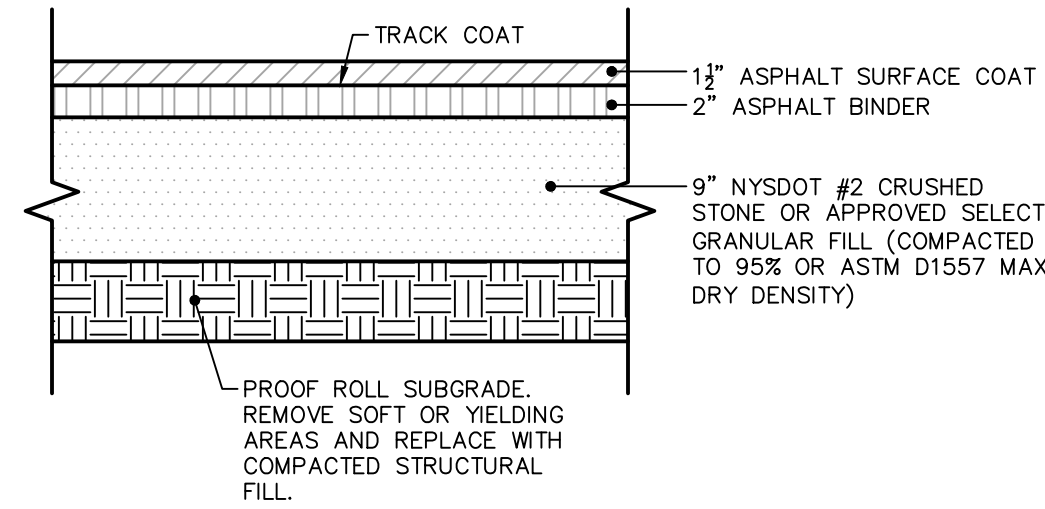
NOTE SHEET

ADMIRAL HALSEY II

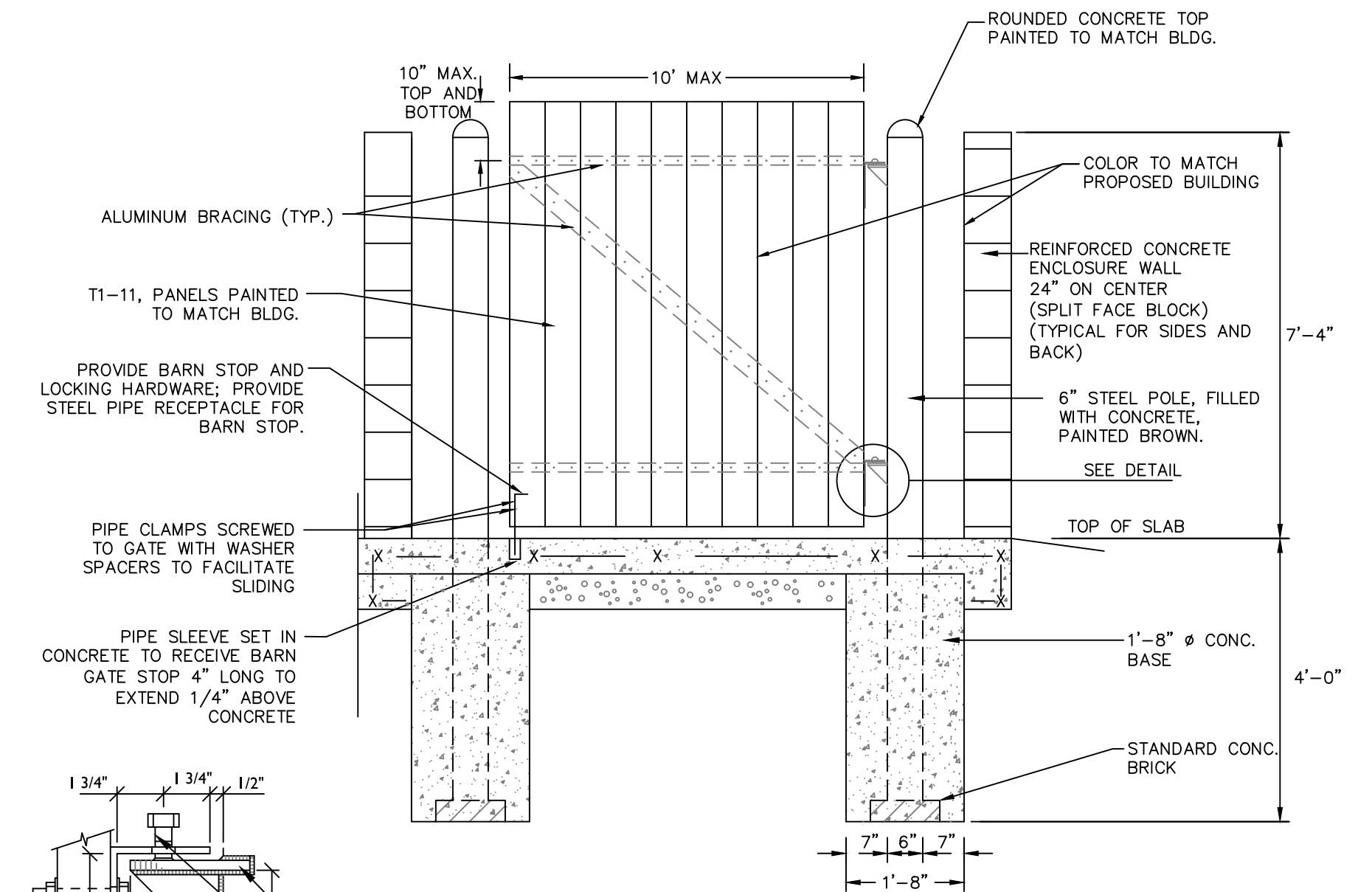
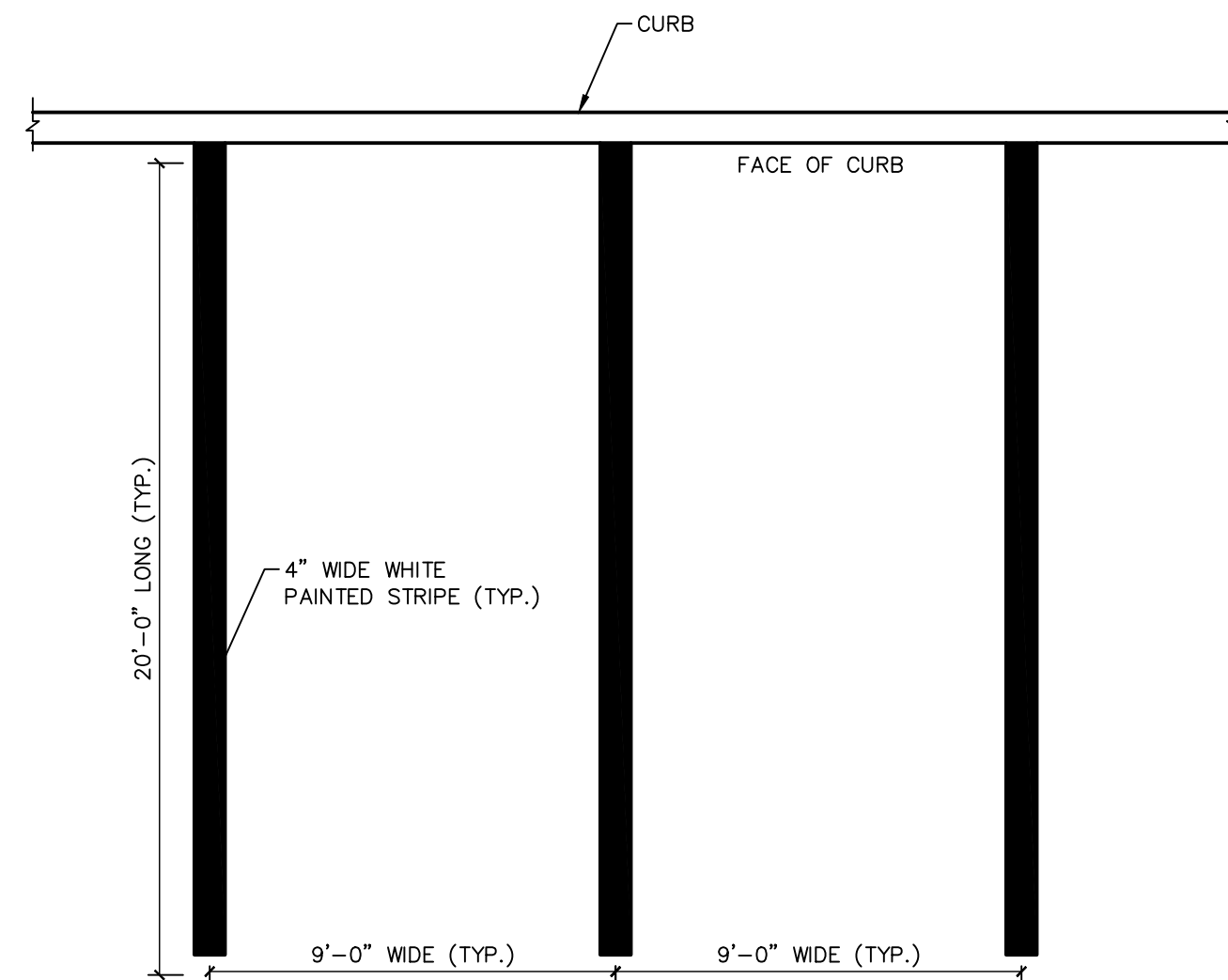
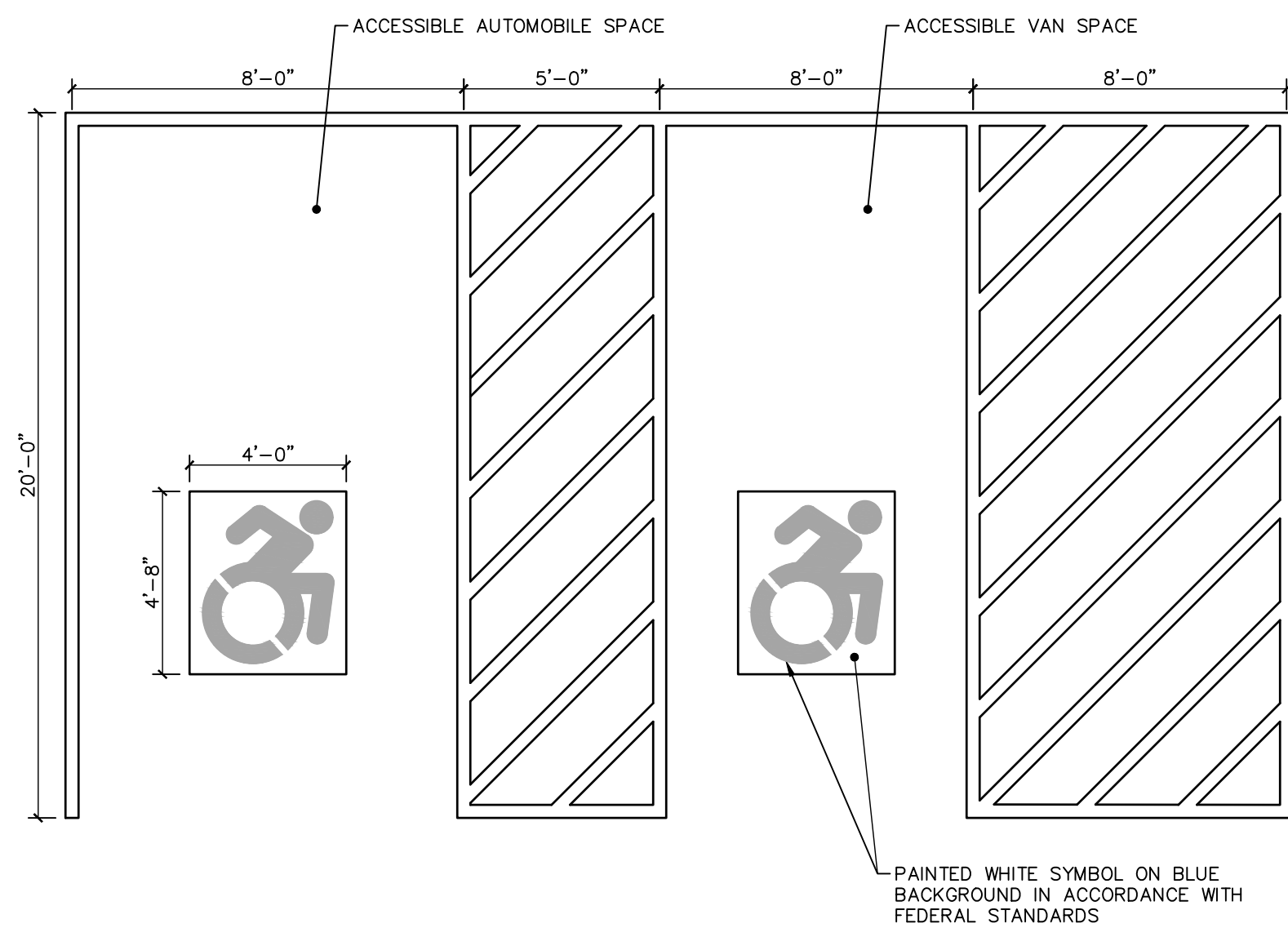
125 MAIN STREET
CITY OF POUGHKEEPSIE
DUTCHESS COUNTY, NEW YORK

Design/Calcs	BS	CAD File	NS21270301.dwg	Sheet No.
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Checked	KFC	Date	2021-06-22	
Approved	REM	Scale	AS NOTED	

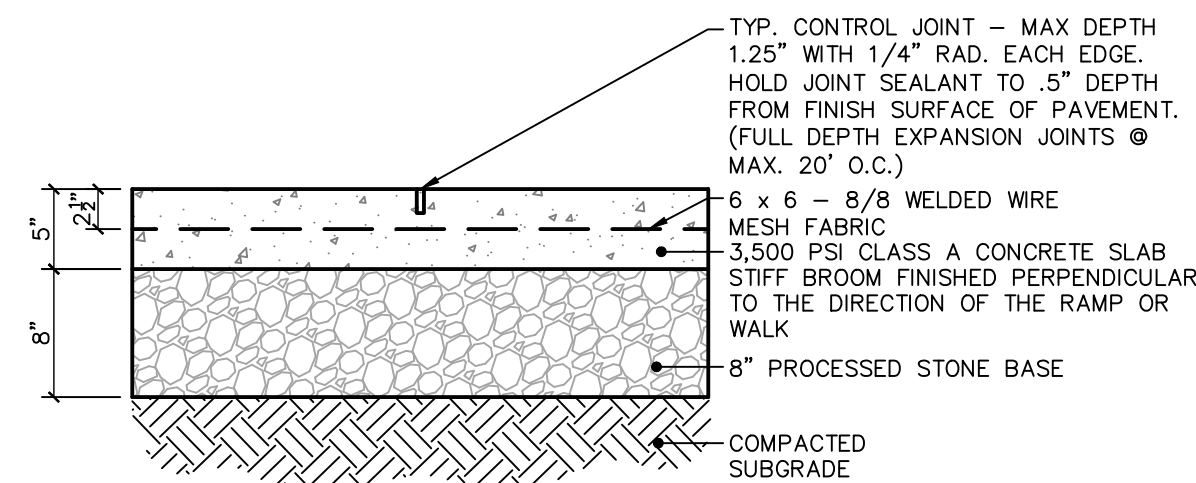
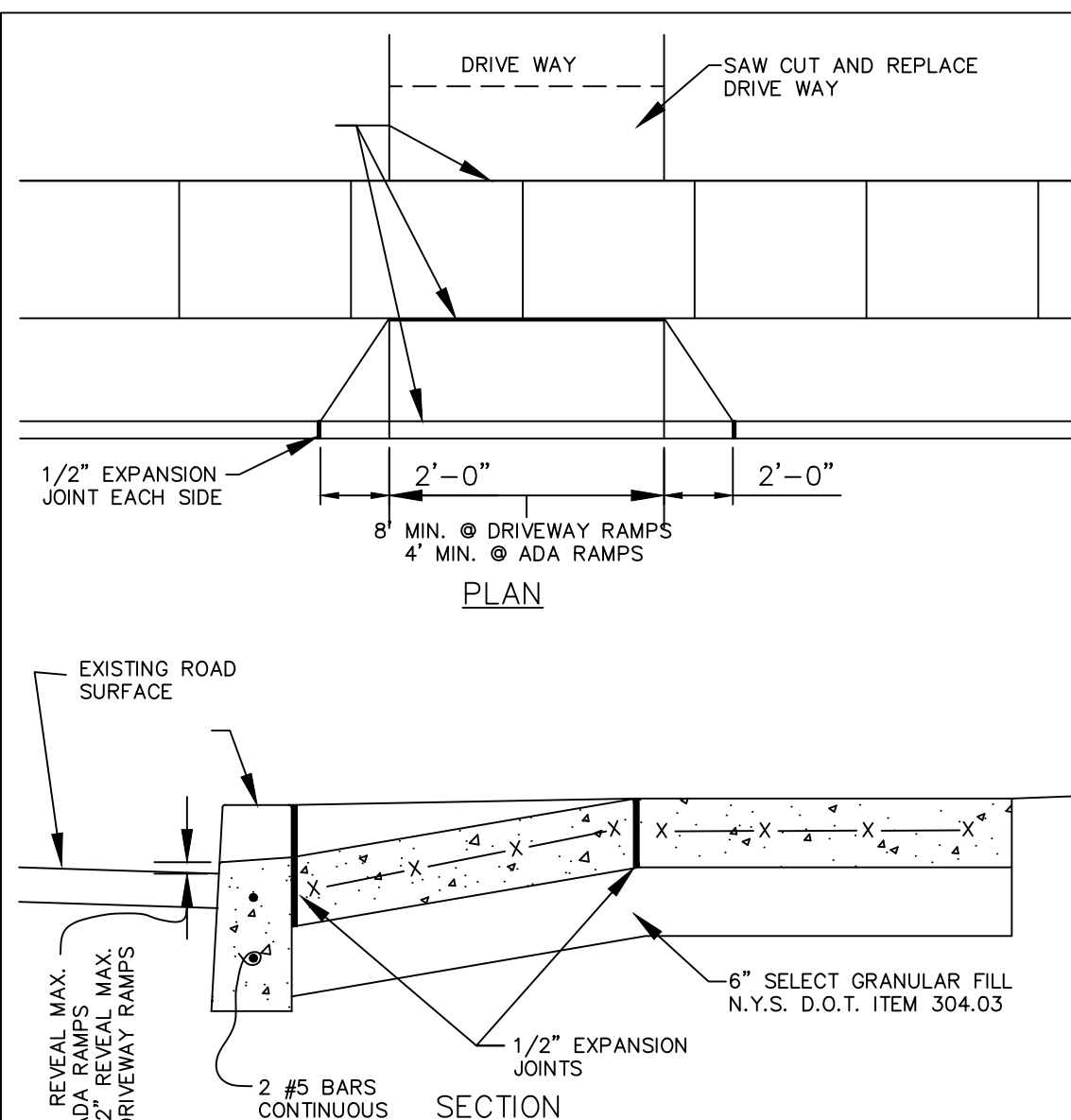
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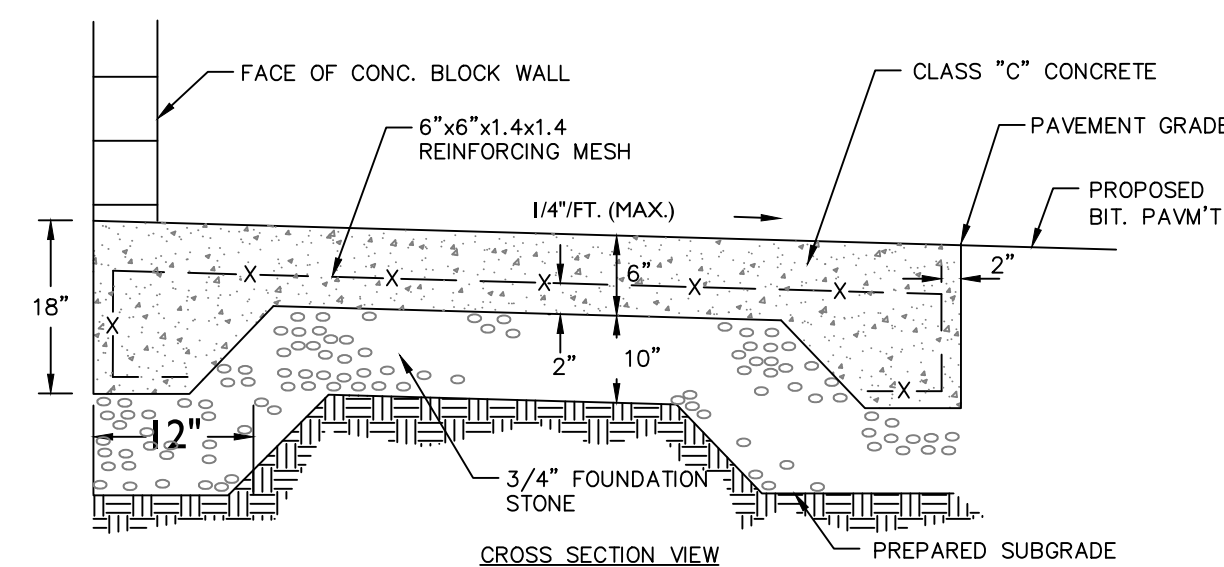
(X) PAVEMENT TRANSITION DETAIL
SCALE: 1" = 1'-0"



(X) PARKING SPACE STRIPE DETAIL
SCALE: 1/4" = 1'-0"



HEAVY DUTY CONCRETE PAVING AND DUMPSTER PAD DETAIL

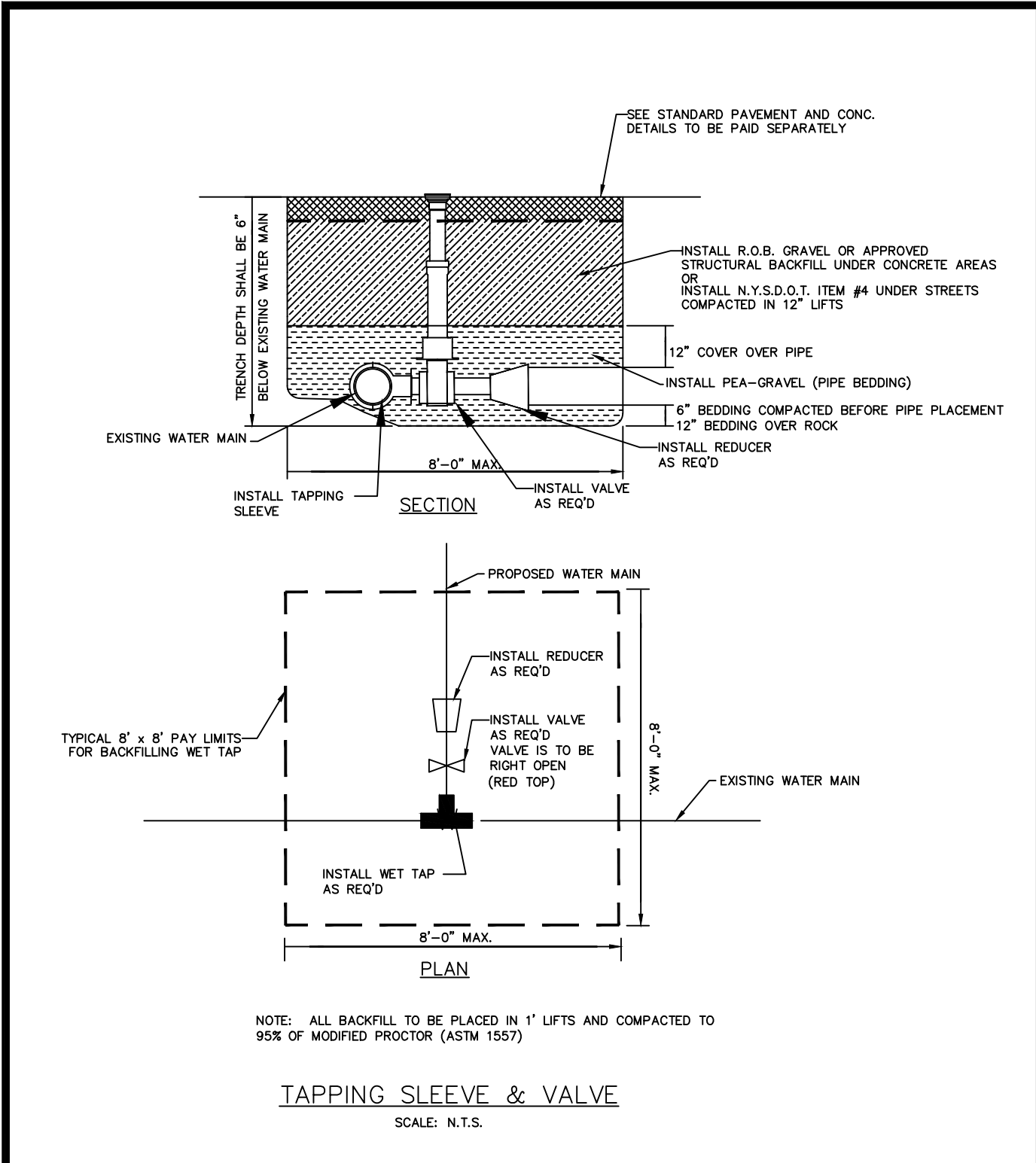


(X) CONCRETE SIDEWALK SECTION DETAIL
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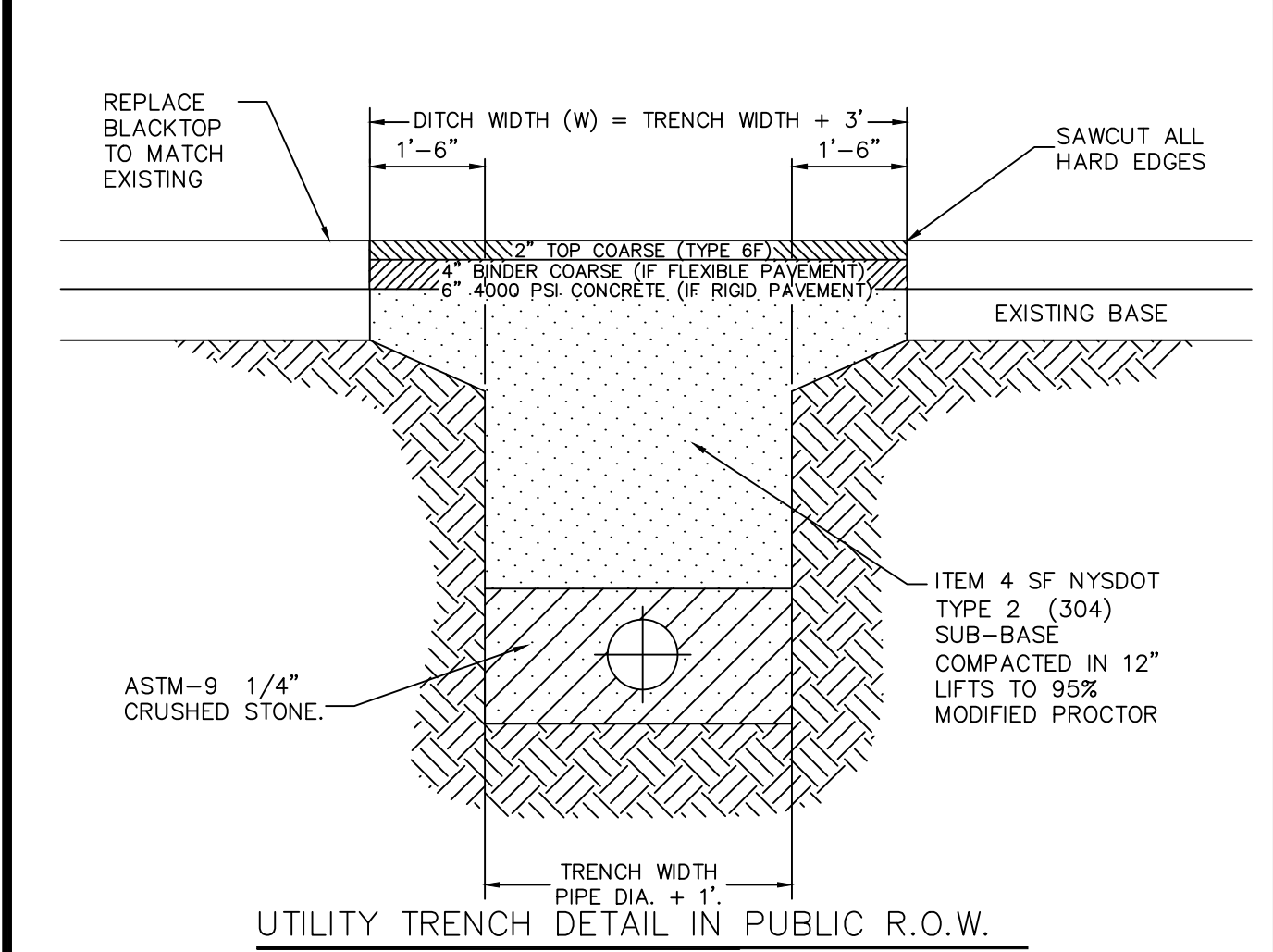
SIDEWALK DETAIL

CITY OF POUGHKEEPSIE ENGINEERING DEPARTMENT 62 CIVIC CENTER PLAZA POUGHKEEPSIE, NY 12602	FILE NO.: 001-DET	DRIVEWAY & ADA RAMP DETIAL	1
	DATE: 3-6-00		
	SCALE: AS NOTED		
	DRAWN BY: JP		

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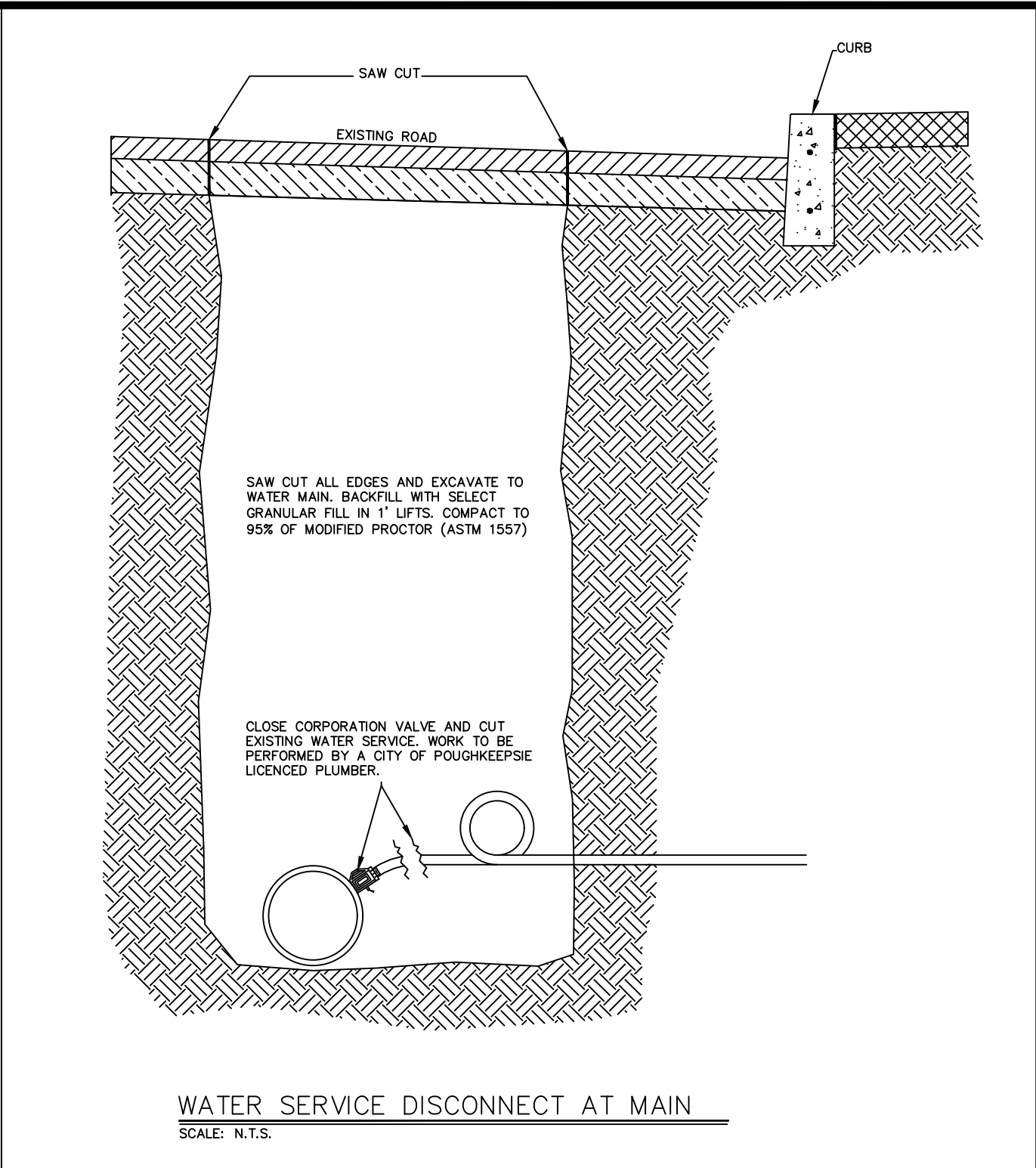
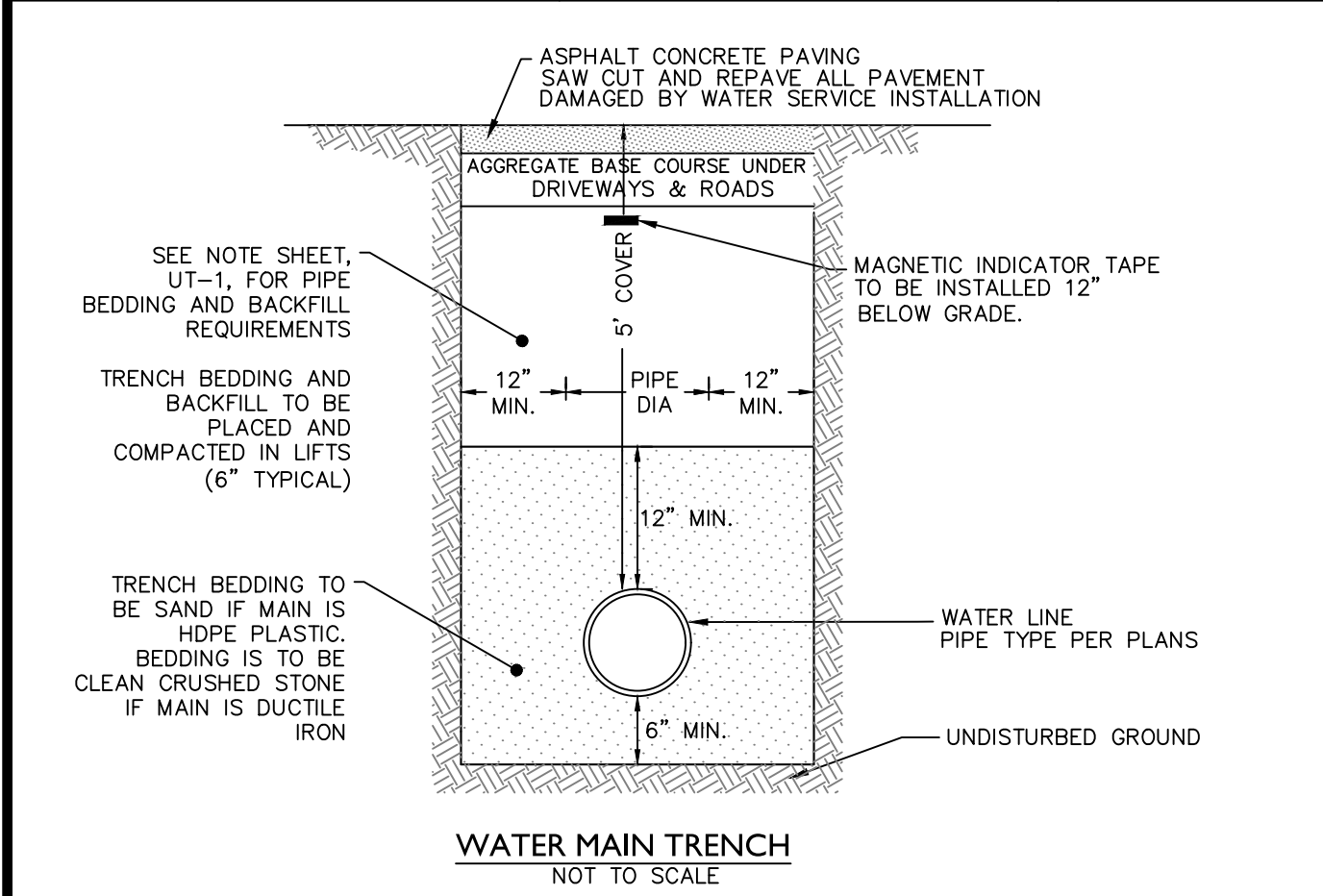


CITY OF Poughkeepsie ENGINEERING DEPARTMENT 80 WASHINGTON STREET POUGHKEEPSIE, NY 12602	FILE NO.:	3-6-00	TAPPING SLEEVE & VALVE	1
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	SCALE:	AS NOTED		
	DRAWN BY:	JP		

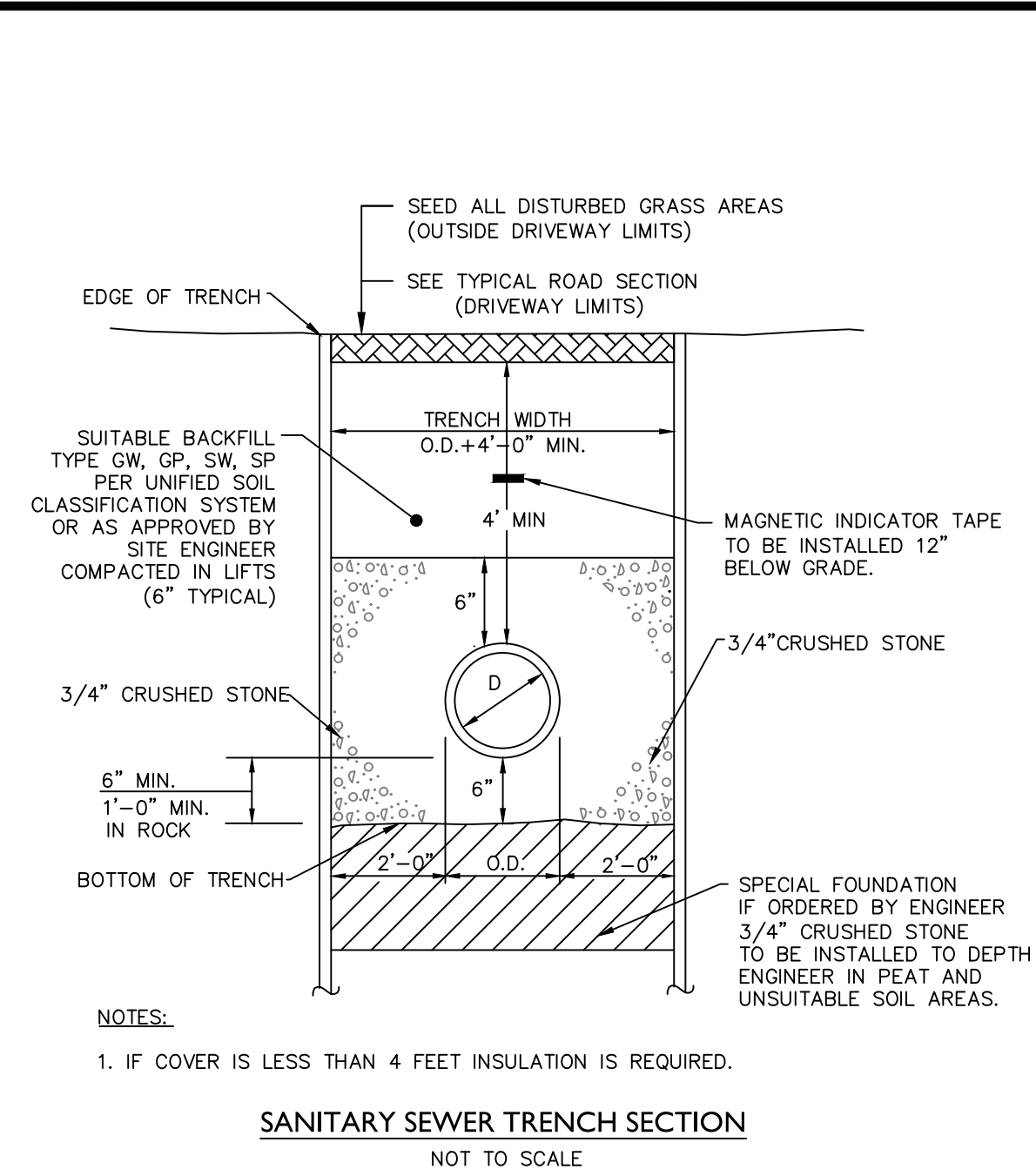
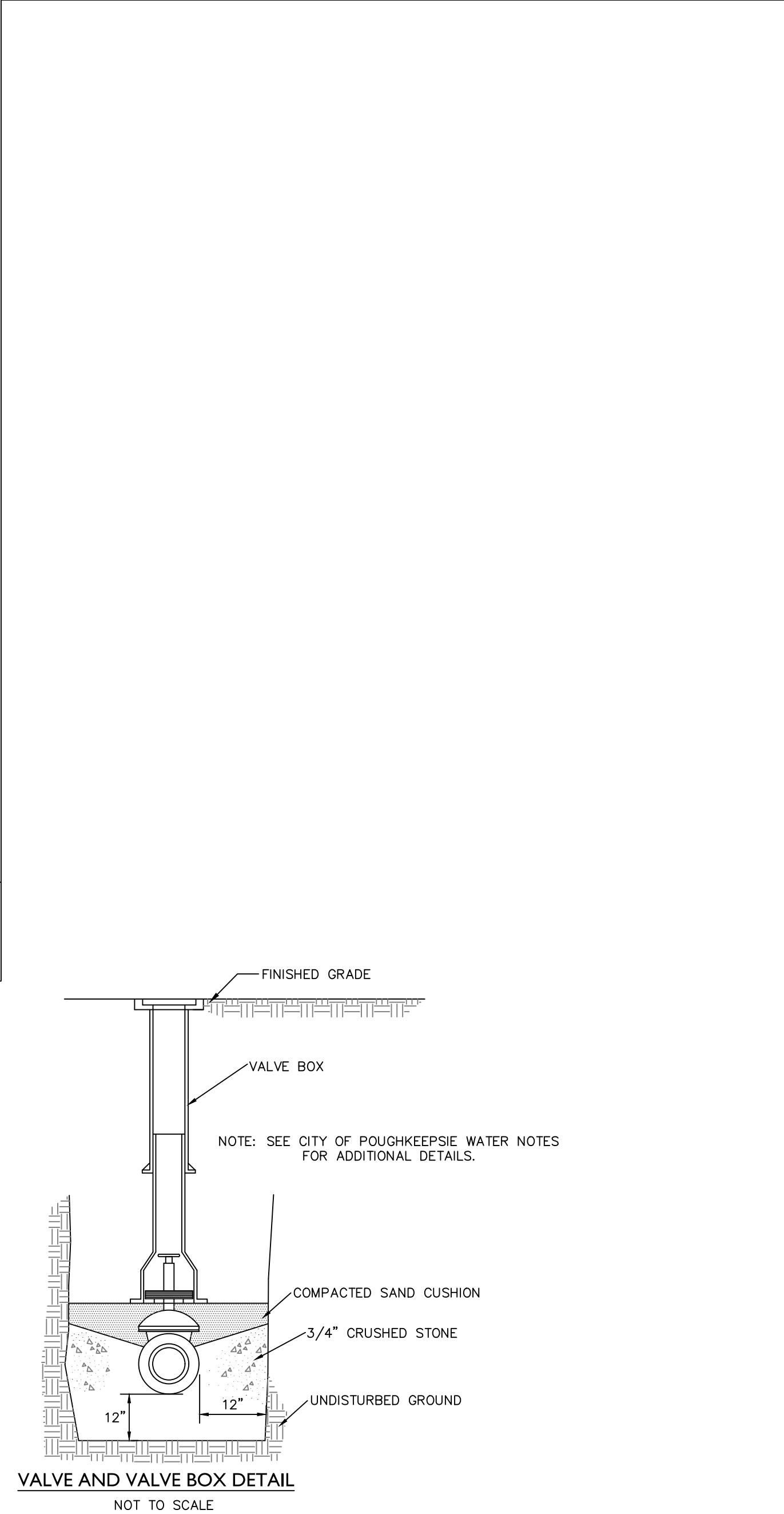


- NOTES:
1. DITCH WIDTH SHALL EXTEND A MINIMUM OF ONE AND ONE-HALF FT. FROM THE EDGES OF THE TRENCH.
 2. REPLACED BASE MATERIAL OVER TRENCH SHALL BE ITEM 4 COMPACTED IN 12\"/>

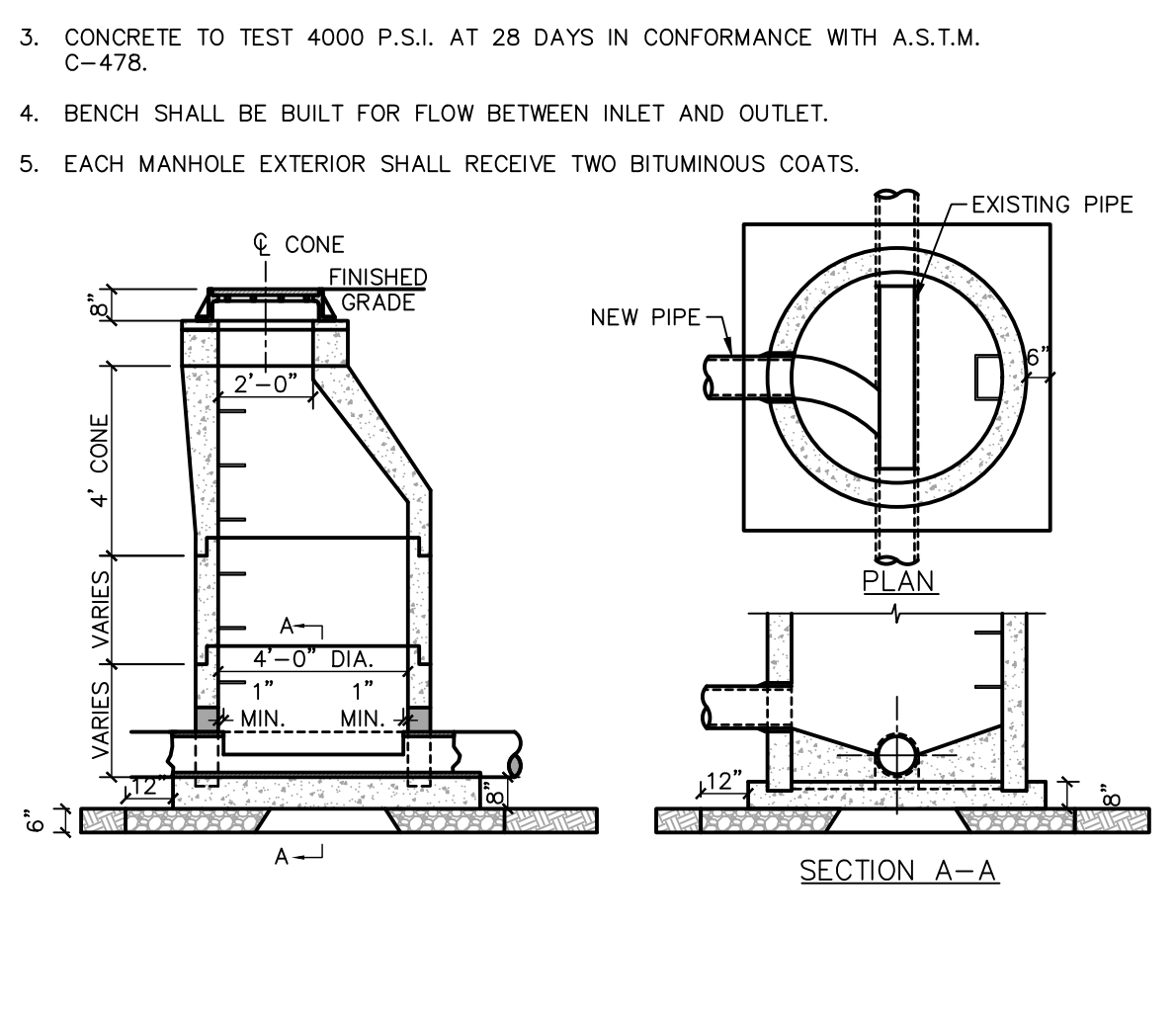
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	SCALE:	AS NOTED	
	DRAWN BY:	ENGINEERING	



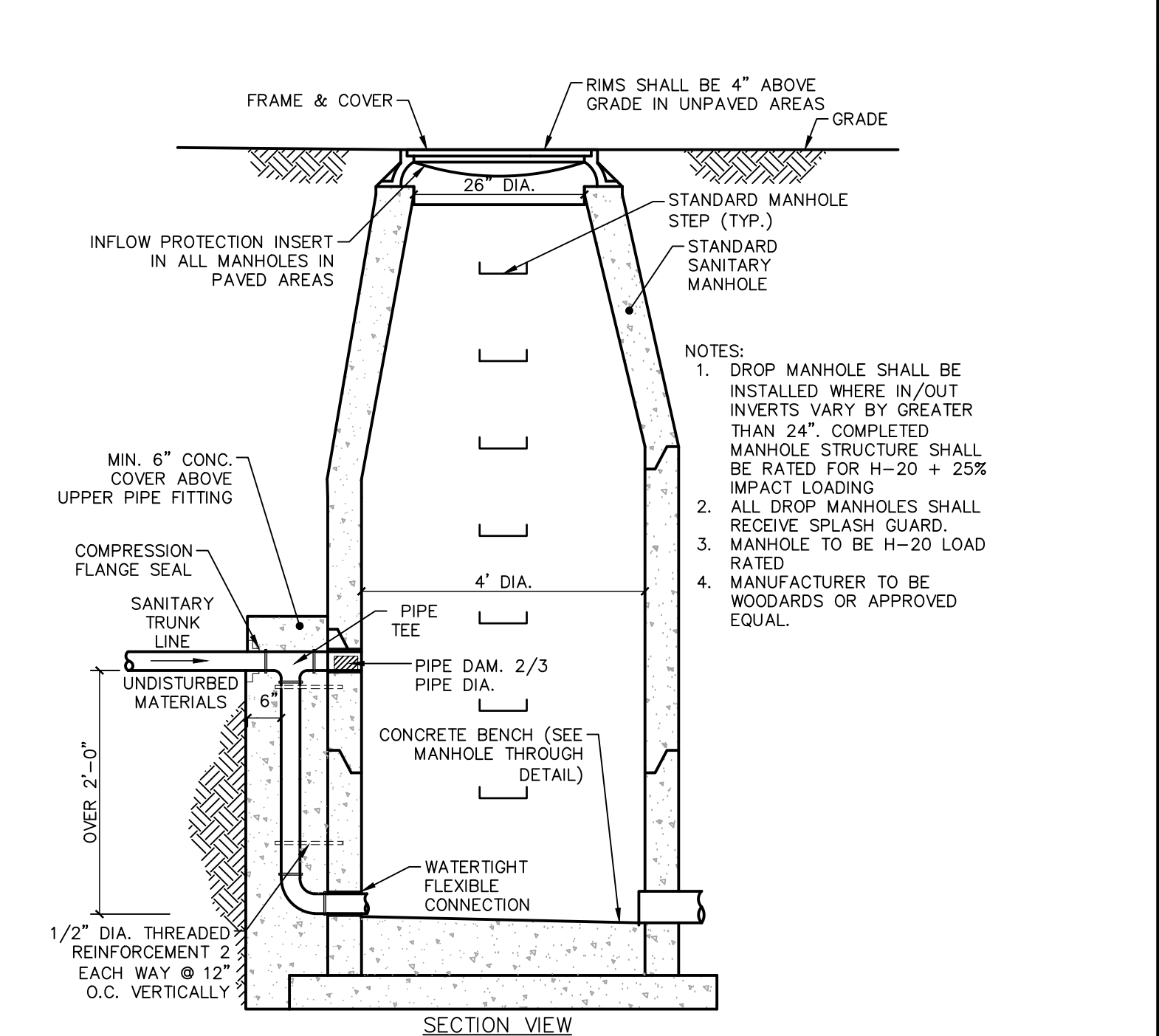
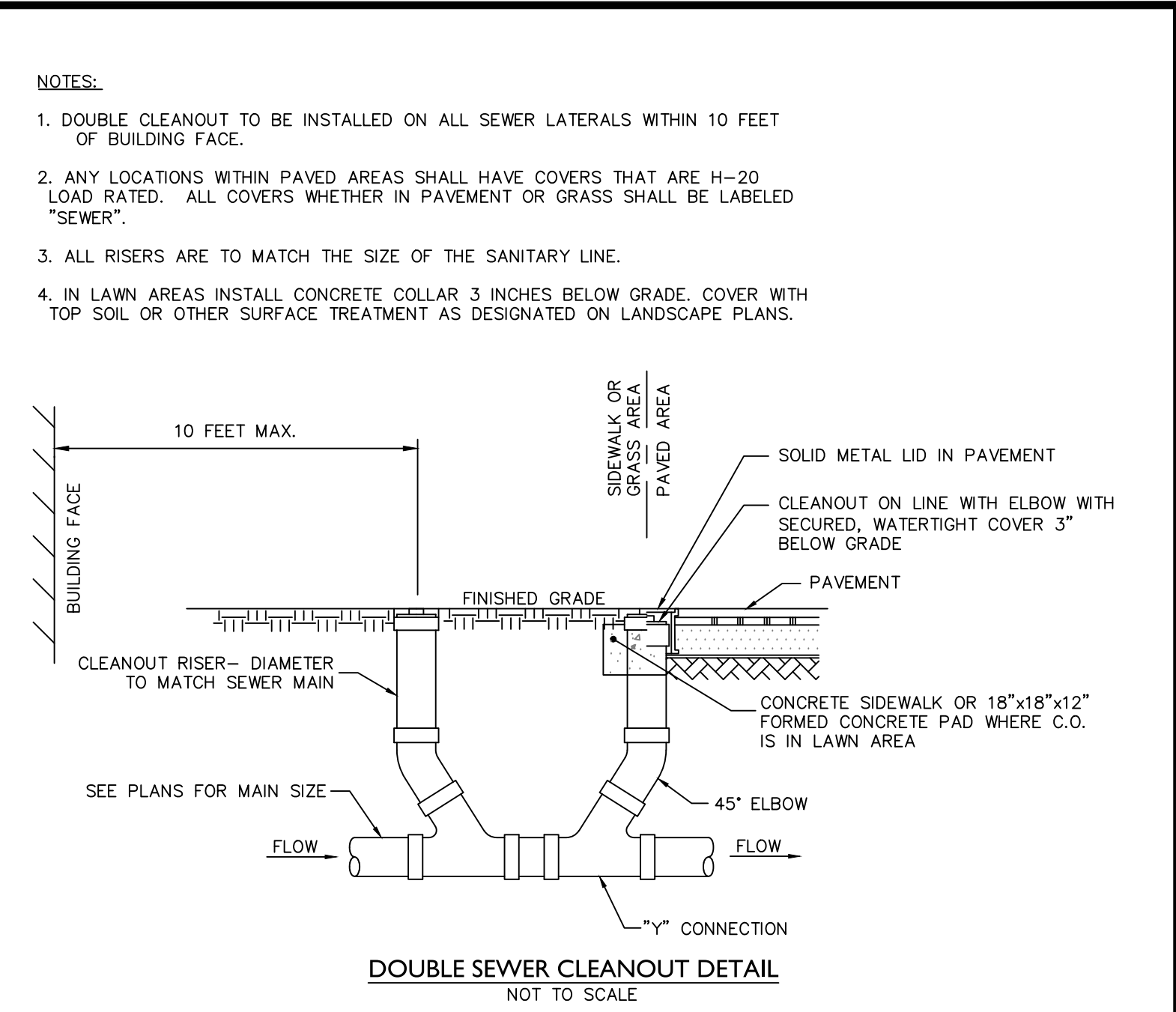
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	DRAWN BY:	JTK		



- NOTES:
1. IF COVER IS LESS THAN 4 FEET INSULATION IS REQUIRED.



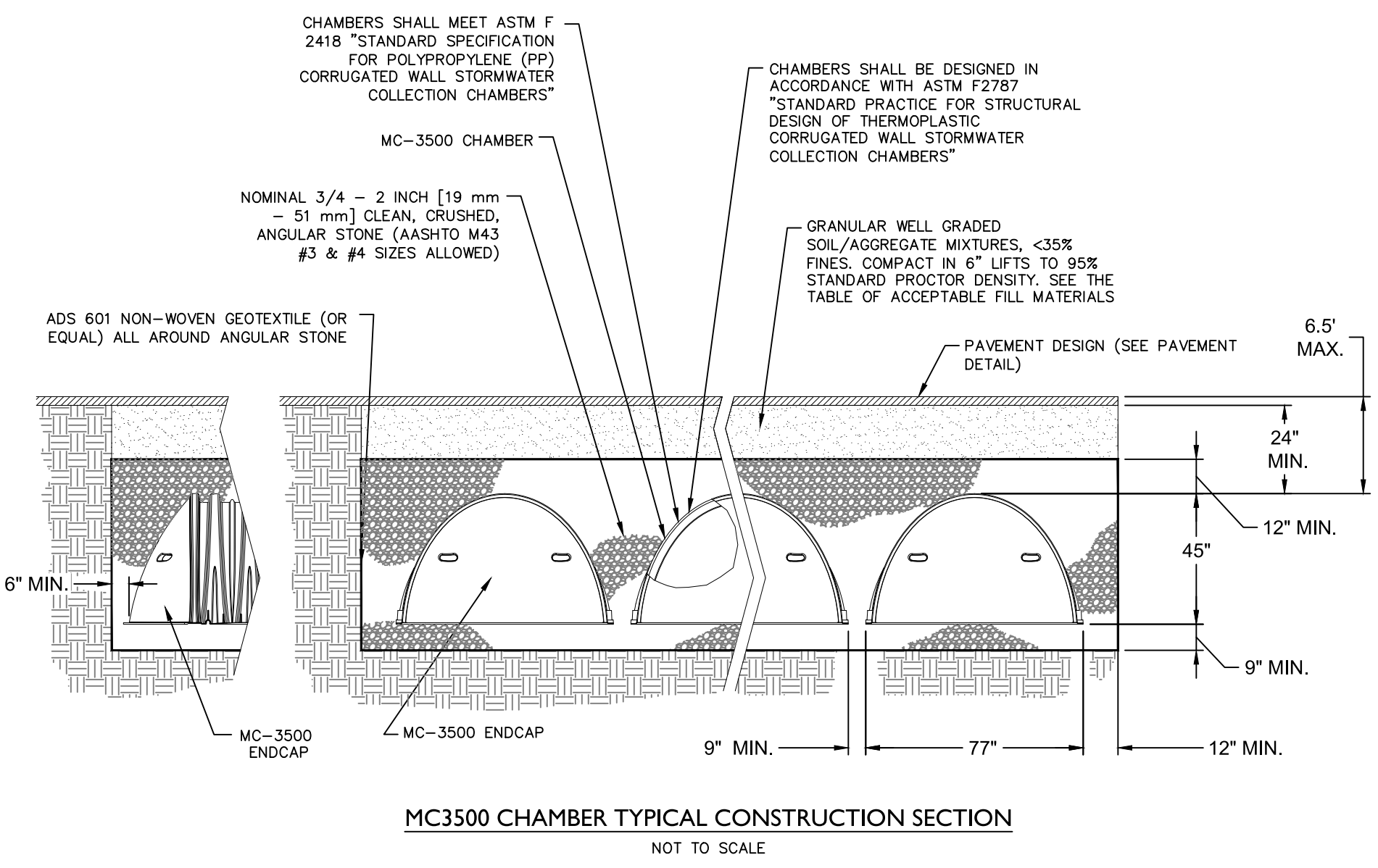
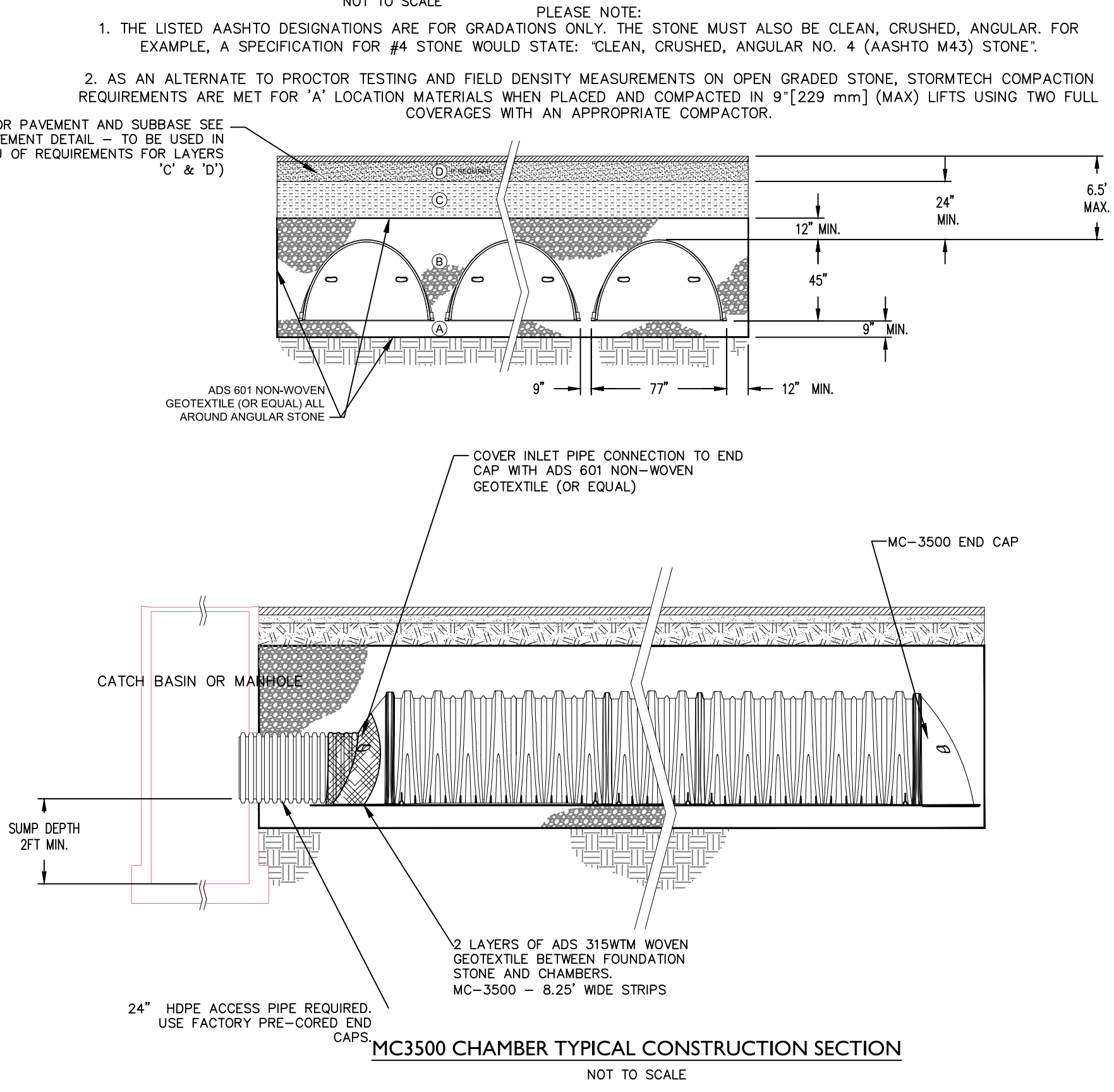
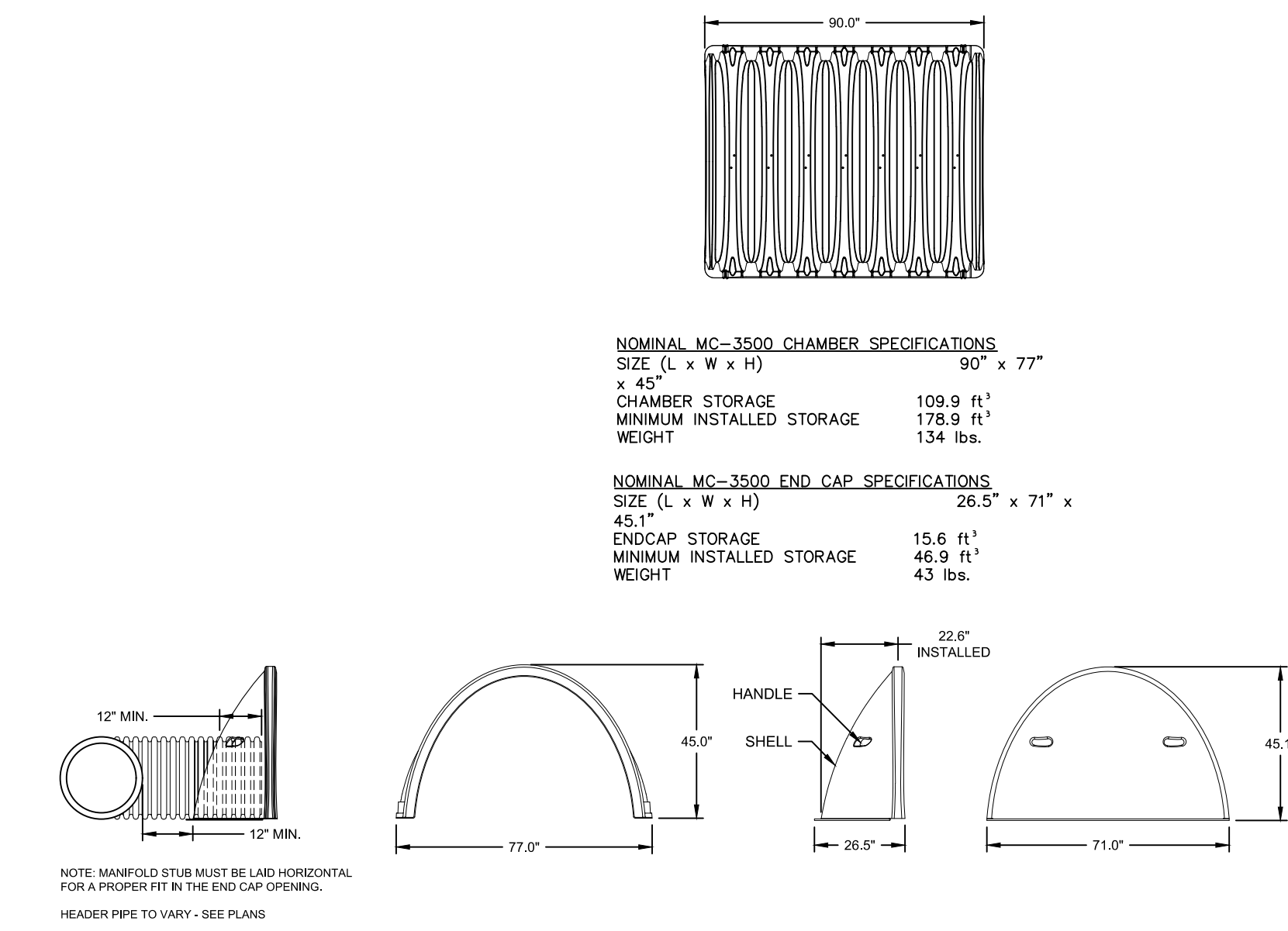
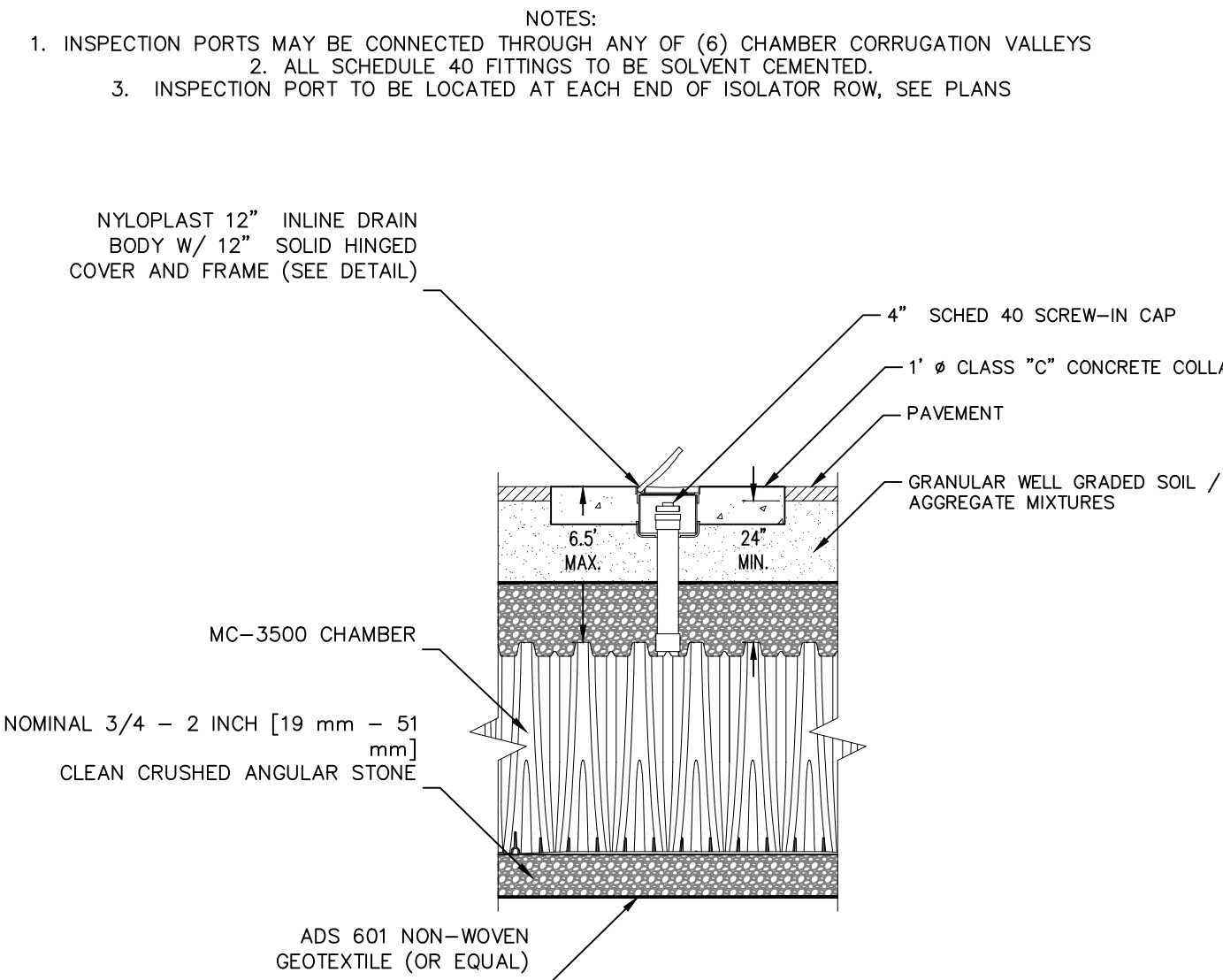
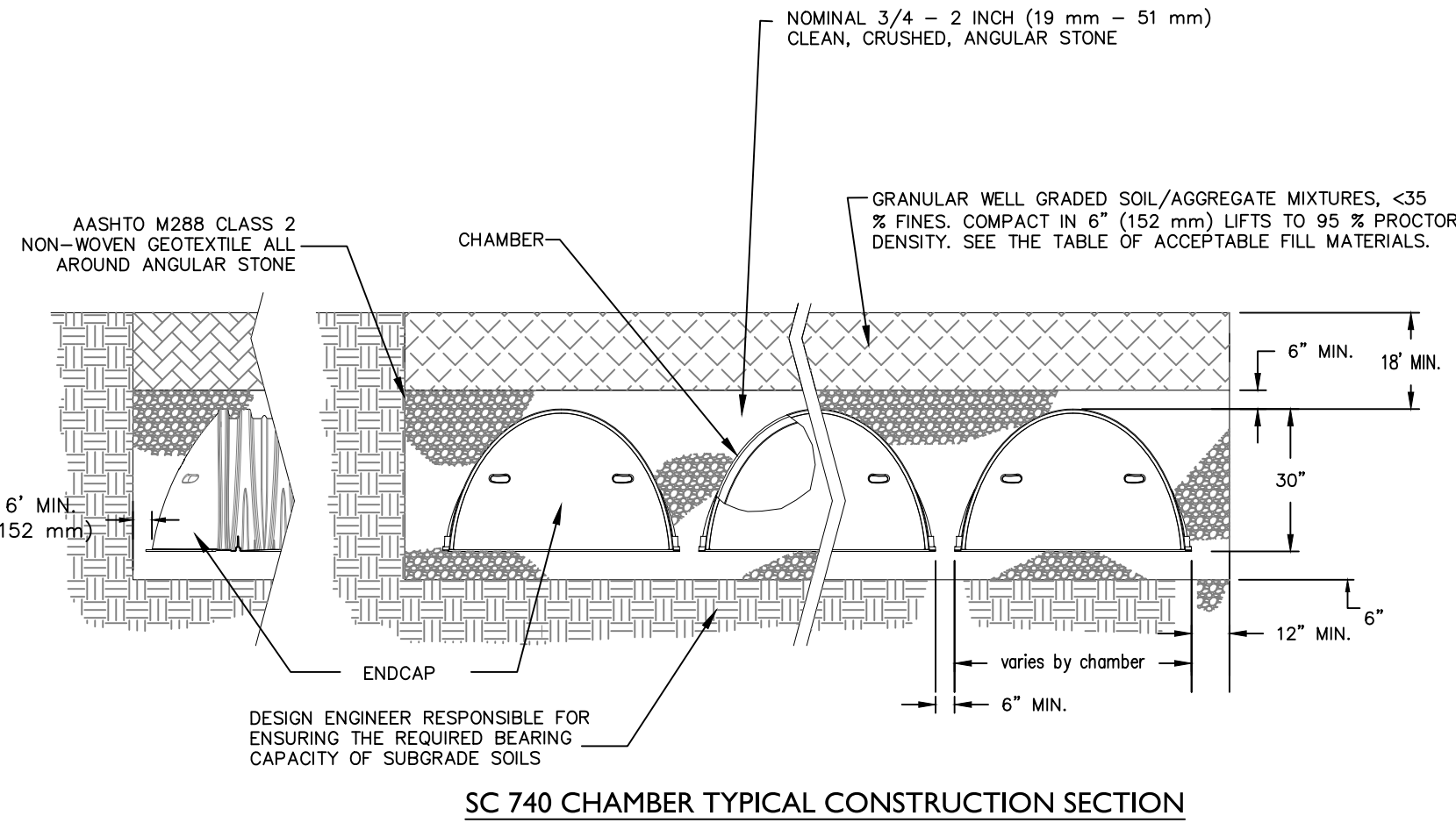
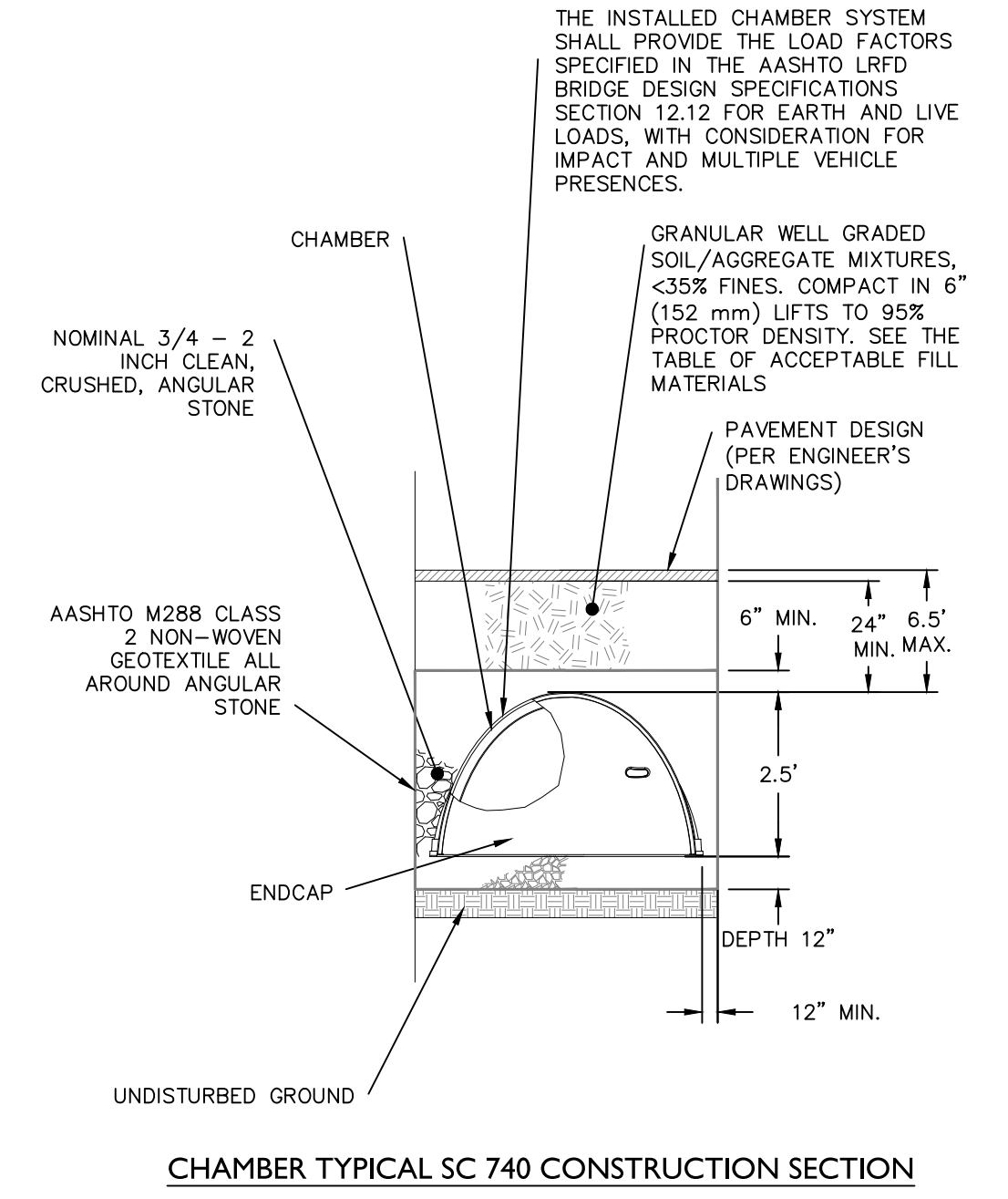
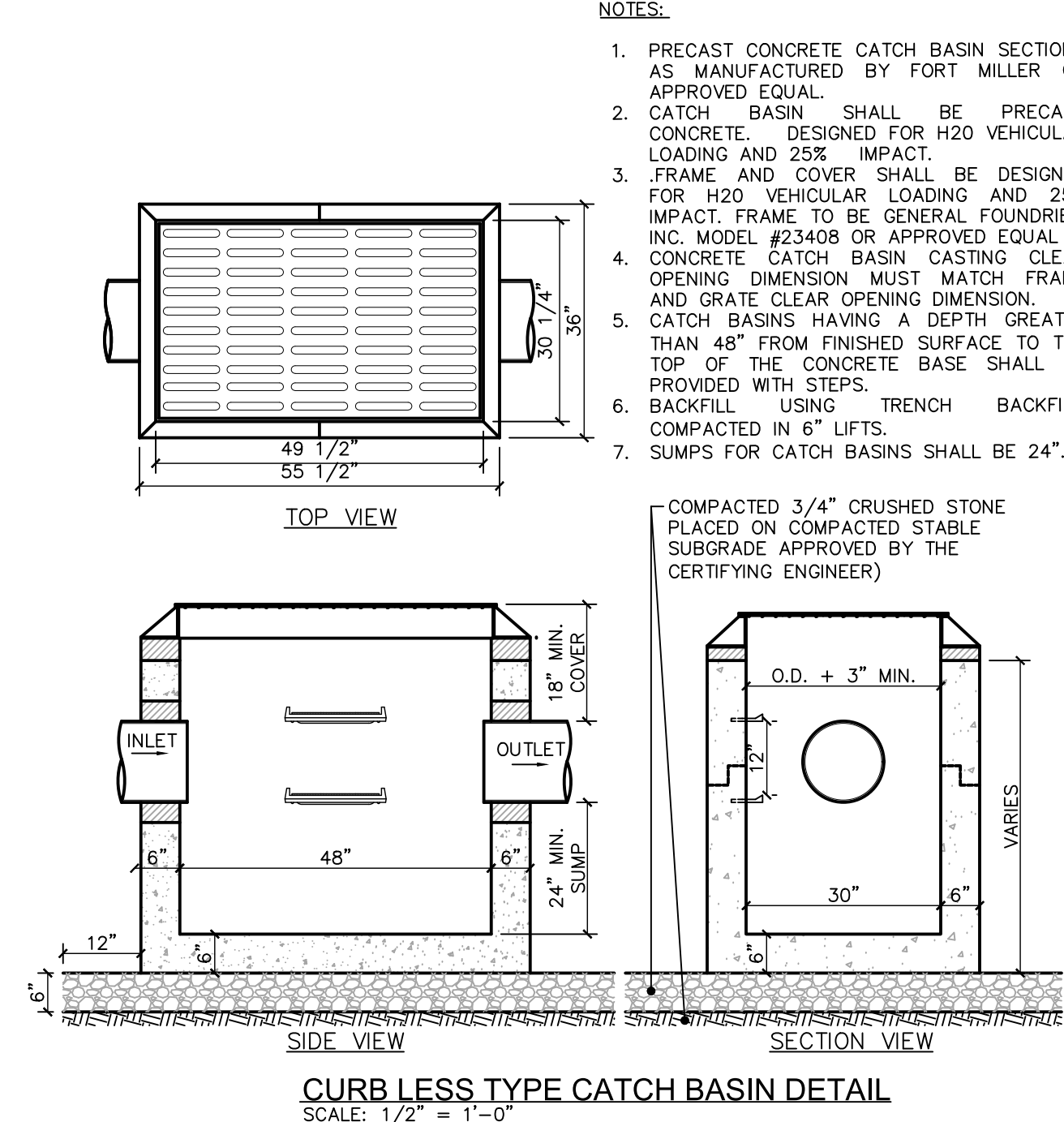
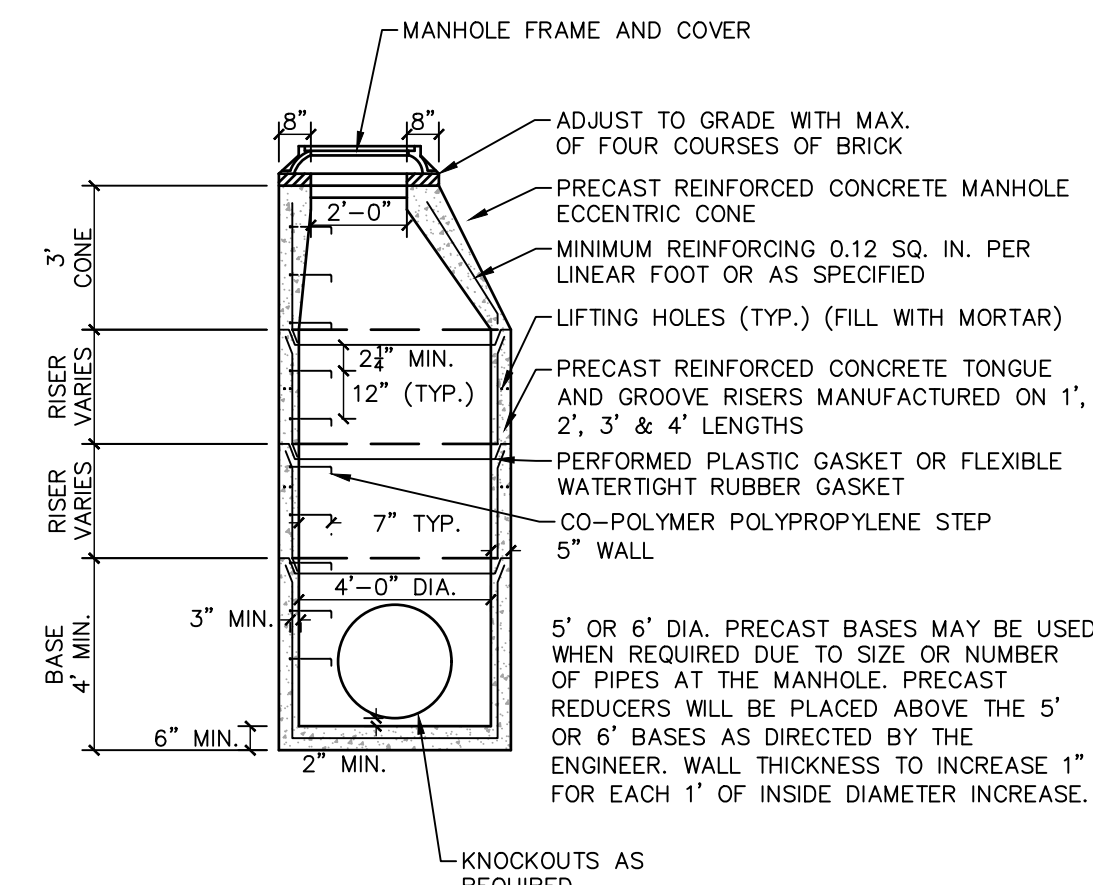
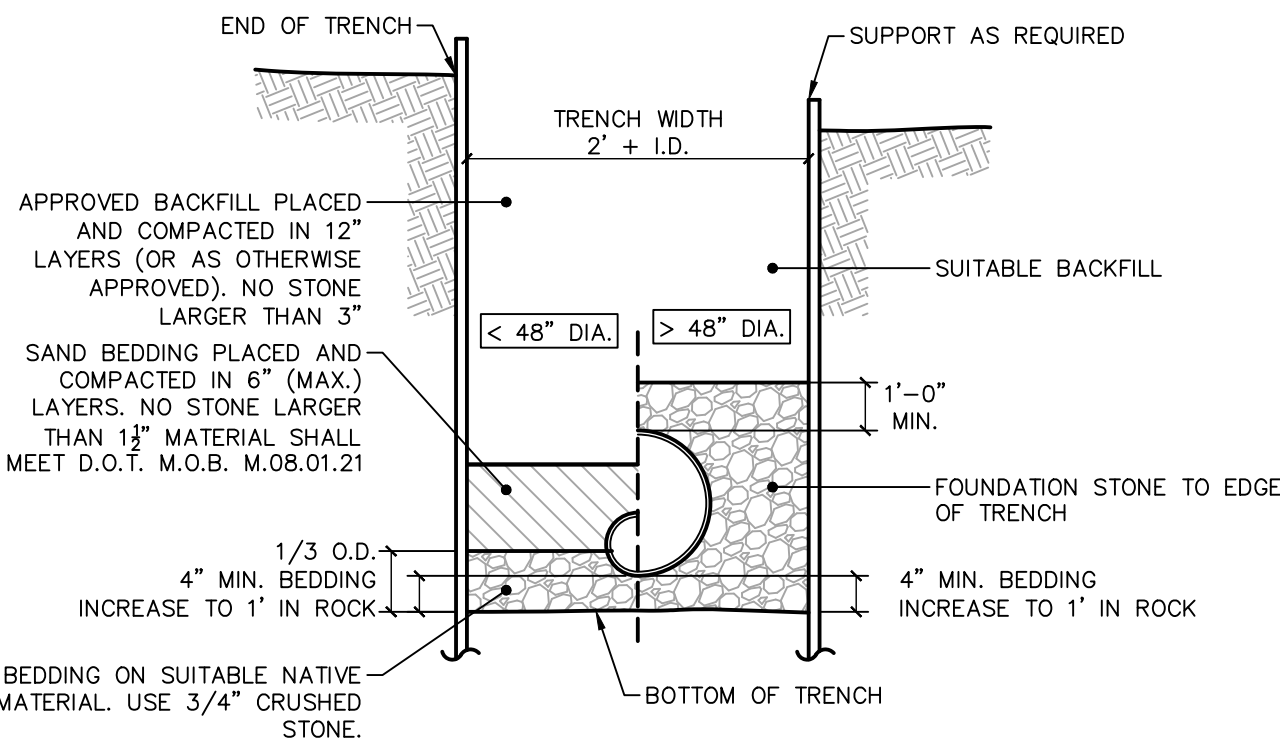
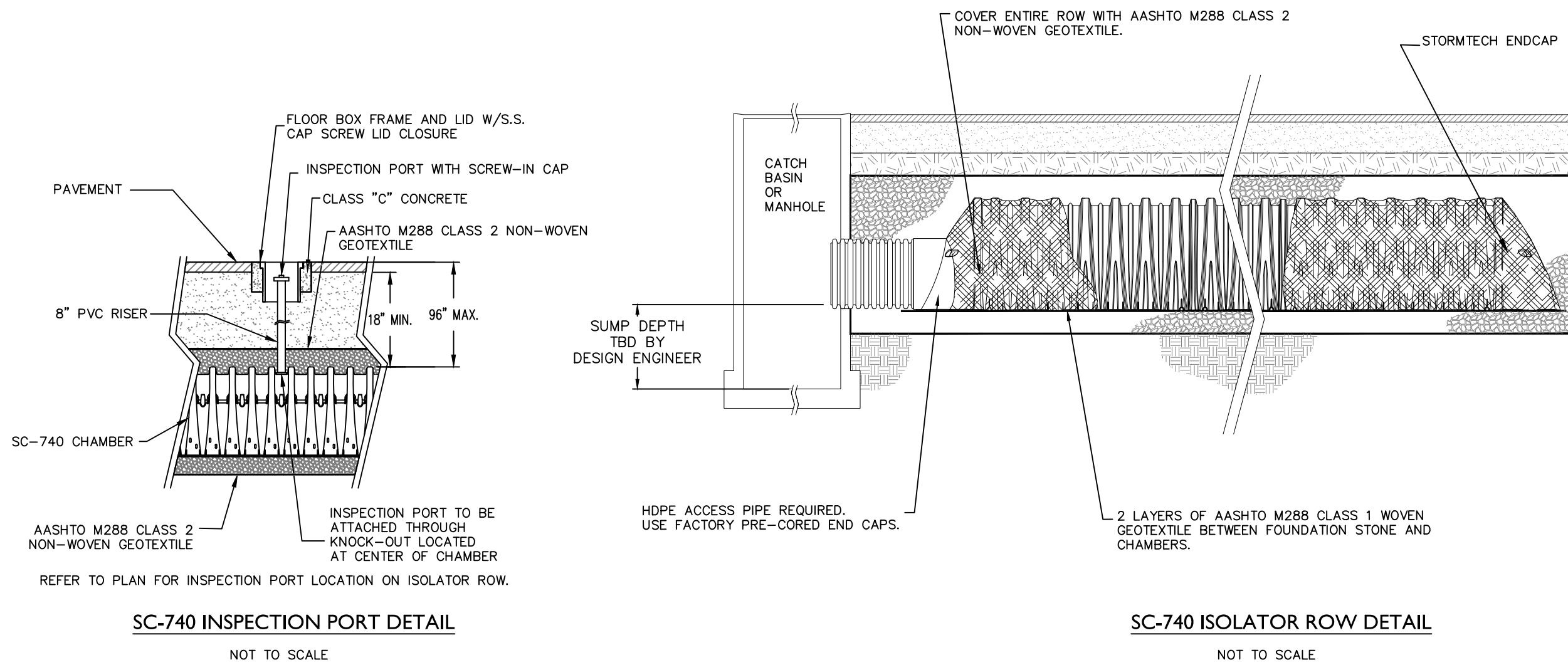
DOGHOUSE SANITARY SEWER MANHOLE DETAIL
SCALE: 1/4"=1'-0"



SANITARY SEWER DROP MANHOLE DETAIL
SCALE: 1/2"=1'-0"

<table><tr><td>Date</td><td>Description</td><td>REVISION PER COMMENTS</td><td>REVISION PER COMMENTS</td></tr><tr><td>12/21/2021</td><td></td><td>1</td><td></td></tr><tr><td>12/29/2021</td><td></td><td>2</td><td></td></tr><tr><td>3/22/2022</td><td></td><td>3</td><td></td></tr></table>				Date	Description	REVISION PER COMMENTS	REVISION PER COMMENTS	12/21/2021		1		12/29/2021		2		3/22/2022		3		• Land Planning • Civil Engineering • Environmental Services • Land Surveying • Landscape Architecture 160 West Street, Suite E Cromwell, CT 06416 Tel: 860.635.2877 85 Civic Center Plaza, Suite 103 Poughkeepsie, NY 12601 Tel: 845.243.2880 1 International Blvd., Suite 400 Mahwah, NJ 07495 Tel: 908.603.5730 www.lrcconsult.com		
Date	Description	REVISION PER COMMENTS	REVISION PER COMMENTS																			
12/21/2021		1																				
12/29/2021		2																				
3/22/2022		3																				
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Checked	KFC	Date	2021-06-22																			
Approved	REM	Scale	AS NOTED																			
				SANITARY / WATER DETAILS ADMIRAL HALSEY II 125 MAIN STREET CITY OF Poughkeepsie DUTCH COUNTRY, NEW YORK																		

x:\085\Jobs 2021\21-2730-Admiral Halsey Phase II-Omn New York, LLC\DWG\DWG1270303.dwg 3/18/2022 2:06 PM Scurran



PART NUMBERS ENDING WITH "B" ARE FOR STUBS AT BOTTOM OF END CAP.
PART NUMBERS ENDING WITH "T" ARE FOR STUBS AT TOP OF END CAP.

PART#	STUB	B	C
MC3500TEPE12T	12"	26.36"	N/A
MC3500TEPE12B	12"	N/A	1.35"
MC3500TEPE15T	15"	23.39"	N/A
MC3500TEPE15B	15"	N/A	1.50"
MC3500TEPE18T	18"	20.03"	N/A
MC3500TEPE18B	18"	N/A	1.77"
MC3500TEPE24T	24"	14.48"	N/A
MC3500TEPE24B	24"	N/A	2.06"

NOTE: ALL DIMENSIONS ARE NOMINAL



Revisions

Date	Description	Revised Per	Comments
12/27/2021	REVISED PER COMMENTS		
12/28/2021	REVISED PER COMMENTS		
1/27/2022	REVISED PER COMMENTS		

LRC GROUP

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

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85 Civic Center Plaza, Suite 103
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1 International Blvd., Suite 400
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Tel: 908.603.5730

www.lrcconsult.com

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

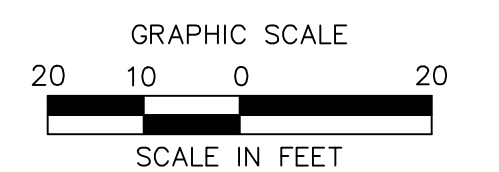
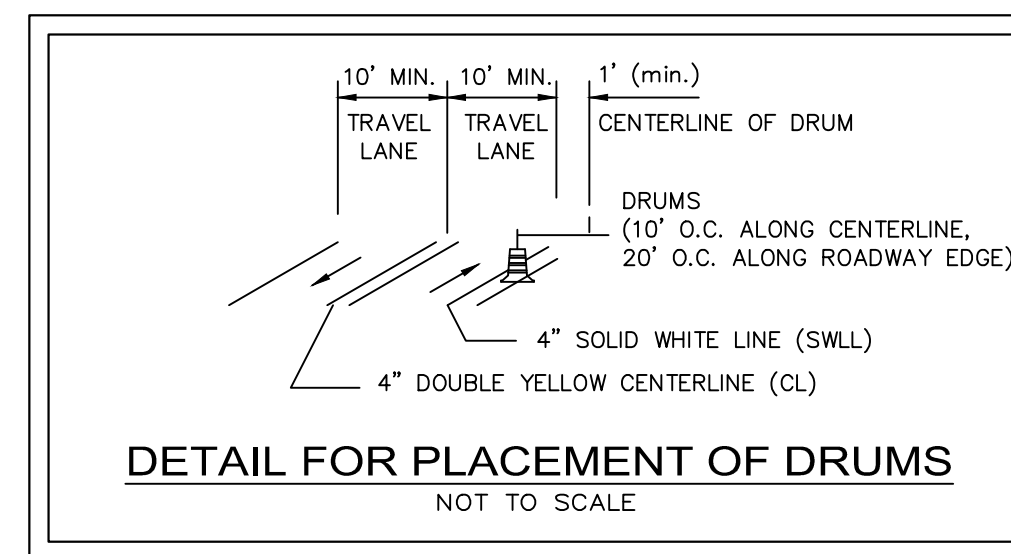
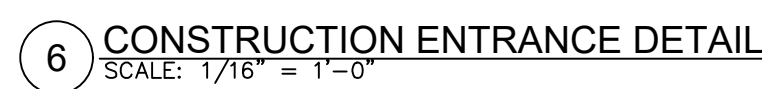
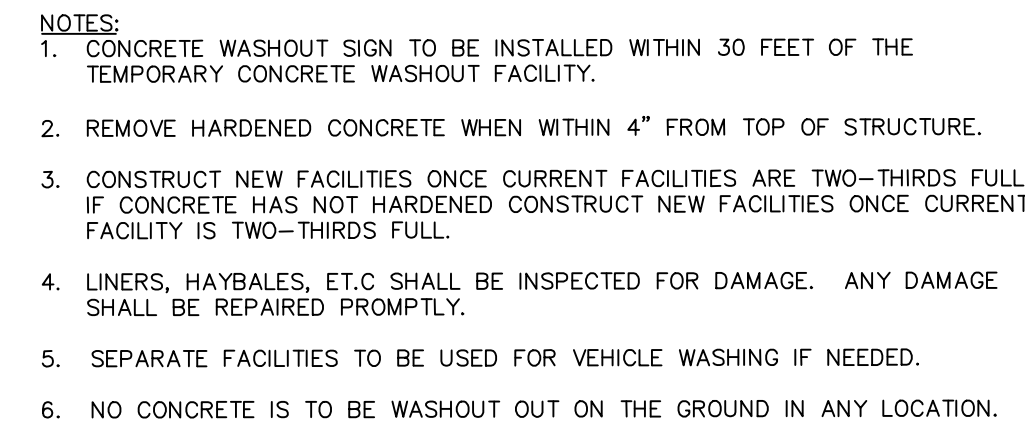
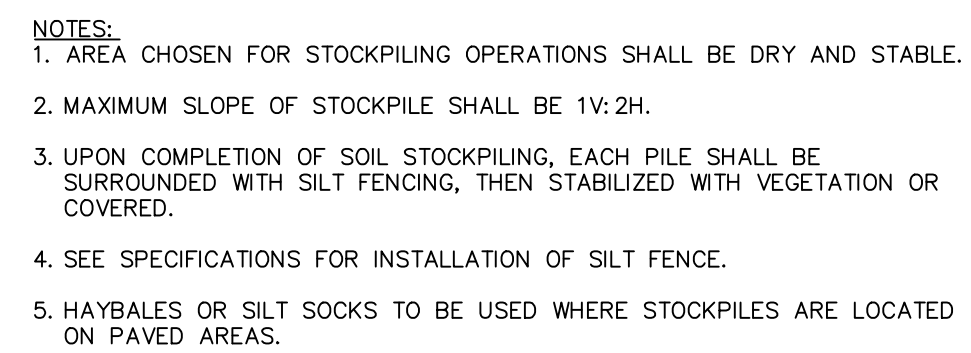
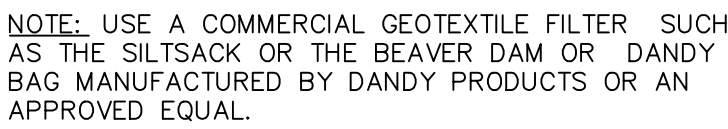
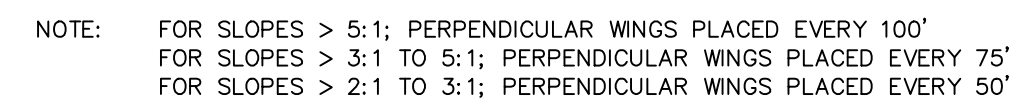
STORMWATER DETAILS

ADMIRAL HALSEY II

125 MAIN STREET
CITY OF POUGHKEEPSIE
DUTCHESS COUNTY, NEW YORK

Design/Calcs	BS	CAD File	DN21270303.dwg	Sheet No.
Drawn	SMC	Project No.	20-2370	
Checked	KFC	Date	2021-06-22	
Approved	REM	Scale	AS NOTED	

DN-3



		EROSION CONTROL DETAILS
		ADMIRAL HALSEY II 125 MAIN STREET CITY OF POUGHKEEPSIE DUTCHESS COUNTY, NEW YORK

Description	2. 2/28/2022	3. 3/22/2022	4. 7/6/2022	5. 7/15/2022	6. 7/25/2022
	REVISED PER COMMENTS	REVISED PER COMMENTS	REVISED PER COMMENTS	REVISED PER COMMENTS	REVISED PER COMMENTS
Revisions					

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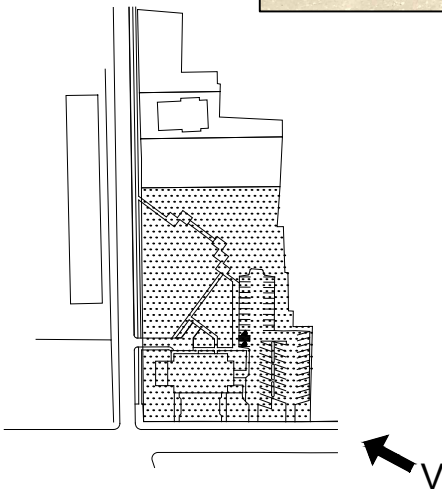
LRC Engineering & Surveying, INC.
LRC Engineering & Surveying, LLC
LRC Environmental Services, Inc.

Design/Cals	BS	CAD File	DN21270304.dwg
Drawn	SMC	Project No.	20-2370
Checked	KFC	Date	2021-06-22
Approved	REM	Scale	AS NOTED

Sheet No.

DN-4





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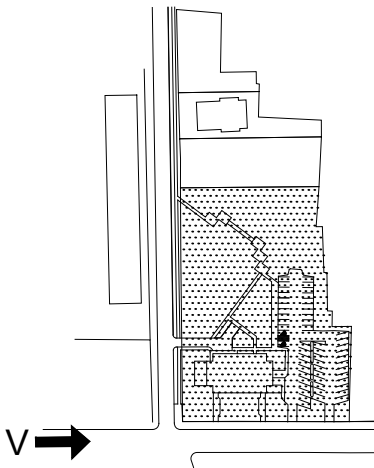
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OMNI NEW YORK
909 THIRD AVE., 21ST FLR.
NEW YORK CITY, NY 10022

PROJECT NAME:
ADMIRAL HALSEY II
135 MAIN STREET
POUGHKEEPSIE, NY 12601

SITE CONDITIONS PHOTO

Date:
17 December, 2021
Project number:
1629.20

SP-01



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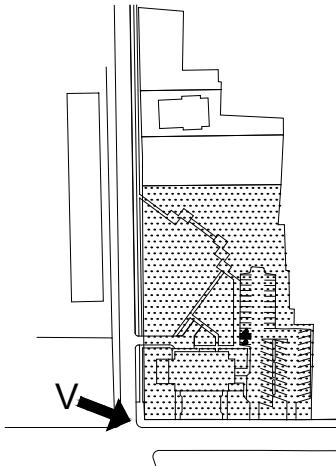
PROJECT NAME:
ADMIRAL HALSEY II

135 MAIN STREET
POUGHKEEPSIE, NY 12601

SITE CONDITIONS PHOTO

Date:
17 December, 2021
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SP-02



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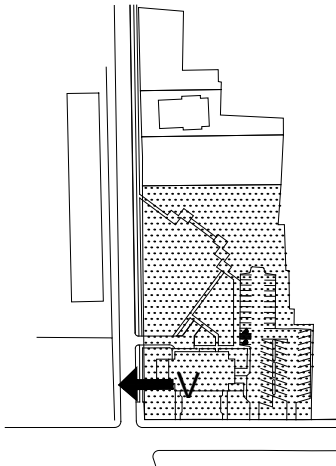
PROJECT NAME:
ADMIRAL HALSEY II

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SITE CONDITIONS PHOTO

Date:
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SP-03



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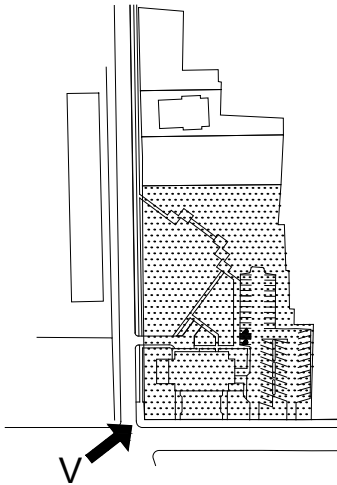
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909 THIRD AVE., 21ST FLR.
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PROJECT NAME:
ADMIRAL HALSEY II
135 MAIN STREET
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SP-04



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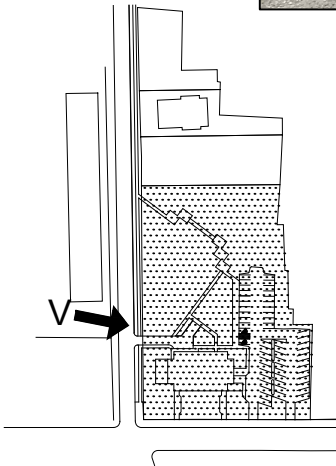
PROJECT NAME:
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SITE CONDITIONS PHOTO

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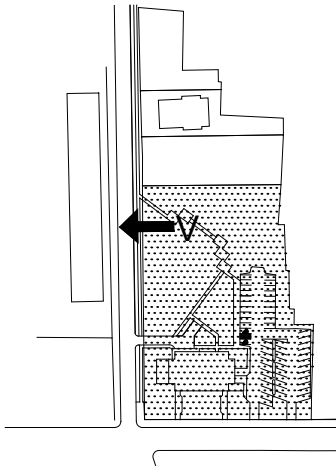
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SITE CONDITIONS PHOTO

Date:
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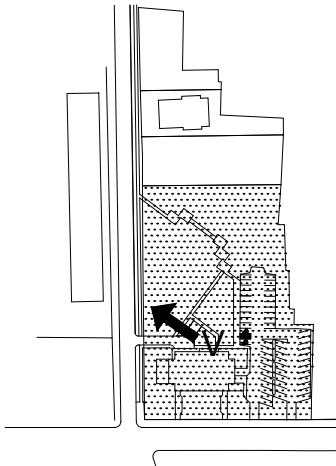
PROJECT NAME:
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Date:
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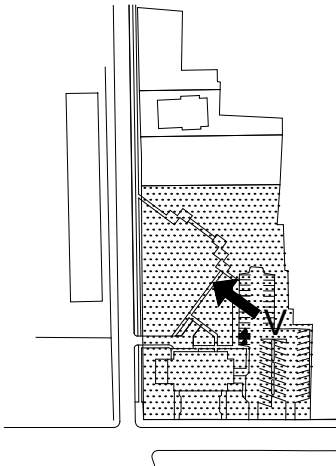
PROJECT NAME:
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Date:
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SP-08



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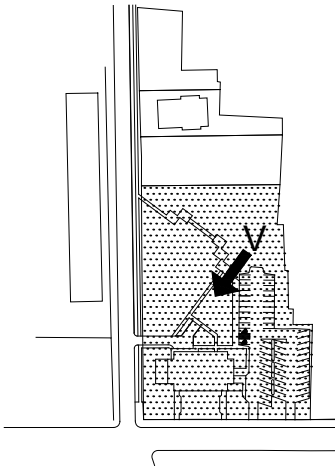
PROJECT NAME:
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POUGHKEEPSIE, NY 12601

SITE CONDITIONS PHOTO

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17 December, 2021
Project number:
1629.20

SP-09



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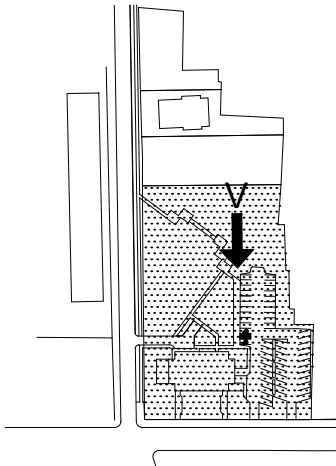
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SITE CONDITIONS PHOTO

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SP-10



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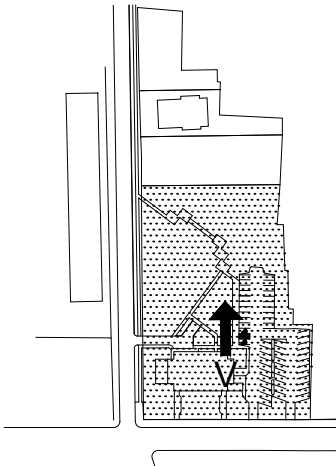
PROJECT NAME:
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SITE CONDITIONS PHOTO

Date:
17 December, 2021
Project number:
1629.20

SP-11



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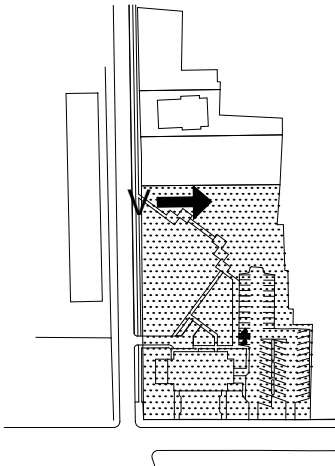
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SITE CONDITIONS PHOTO

Date:
17 December, 2021
Project number:
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SP-12



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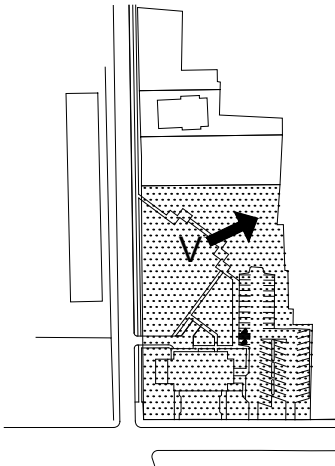
PROJECT NAME:
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POUGHKEEPSIE, NY 12601

SITE CONDITIONS PHOTO

Date:
17 December, 2021
Project number:
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SP-13



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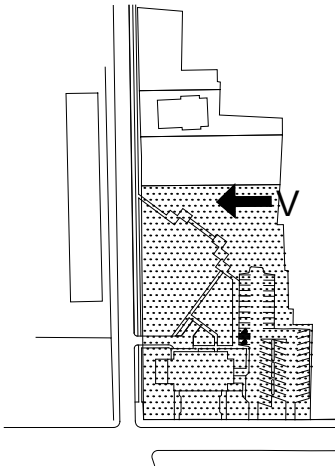
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POUGHKEEPSIE, NY 12601

SITE CONDITIONS PHOTO

Date:
17 December, 2021
Project number:
1629.20

SP-14



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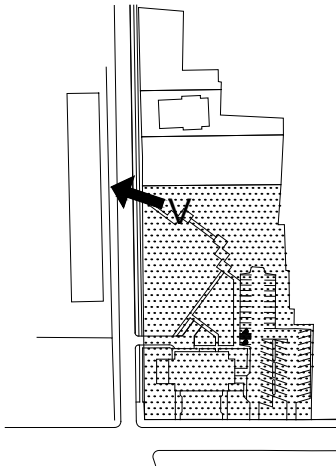
PROJECT NAME:
ADMIRAL HALSEY II

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SITE CONDITIONS PHOTO

Date:
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Project number:
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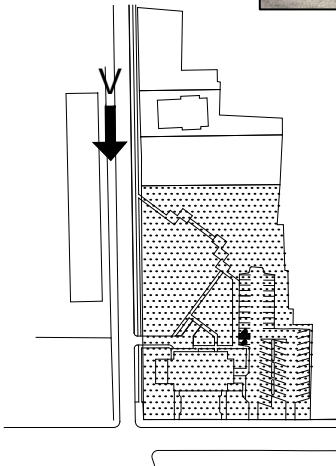
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ADMIRAL HALSEY II

135 MAIN STREET
POUGHKEEPSIE, NY 12601

SITE CONDITIONS PHOTO

Date:
17 December, 2022
Project number:
1629.20

SP-16



*THIS DRAWING IS FOR SCHEMATIC DESIGN PURPOSES ONLY AND IS NOT INTENDED FOR CONSTRUCTION. ACTUAL CONSTRUCTION DRAWINGS, AND SUBSEQUENT CONSTRUCTION MAY DIFFER SIGNIFICANTLY FROM THIS REPRESENTATION.



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OMNI NEW YORK

909 THIRD AVE., 21ST FLR.
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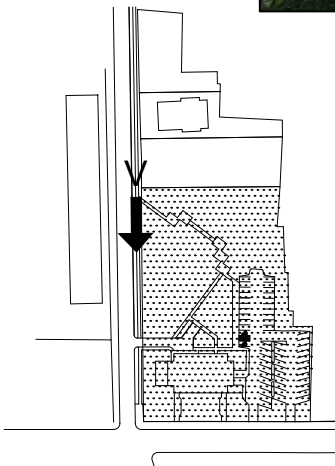
PROJECT NAME:
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135 MAIN STREET
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SITE CONDITIONS PHOTO

Date:
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SP-17



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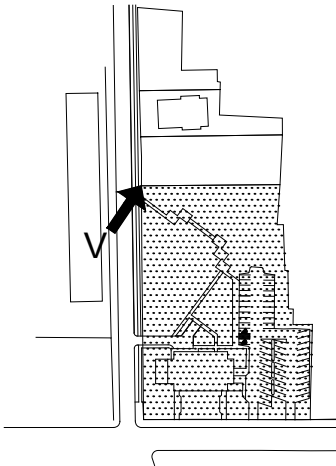
PROJECT NAME:
ADMIRAL HALSEY II

135 MAIN STREET
POUGHKEEPSIE, NY 12601

SITE CONDITIONS PHOTO

Date:
17 December, 2021
Project number:
1629.20

SP-18



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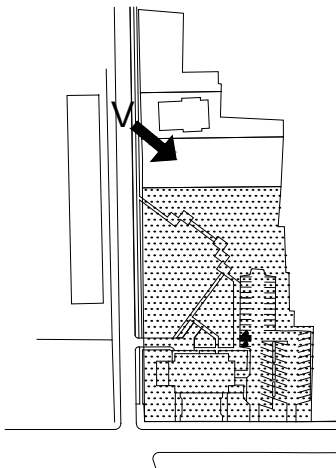
PROJECT NAME:
ADMIRAL HALSEY II

135 MAIN STREET
POUGHKEEPSIE, NY 12601

SITE CONDITIONS PHOTO

Date:
17 December, 2021
Project number:
1629.20

SP-19



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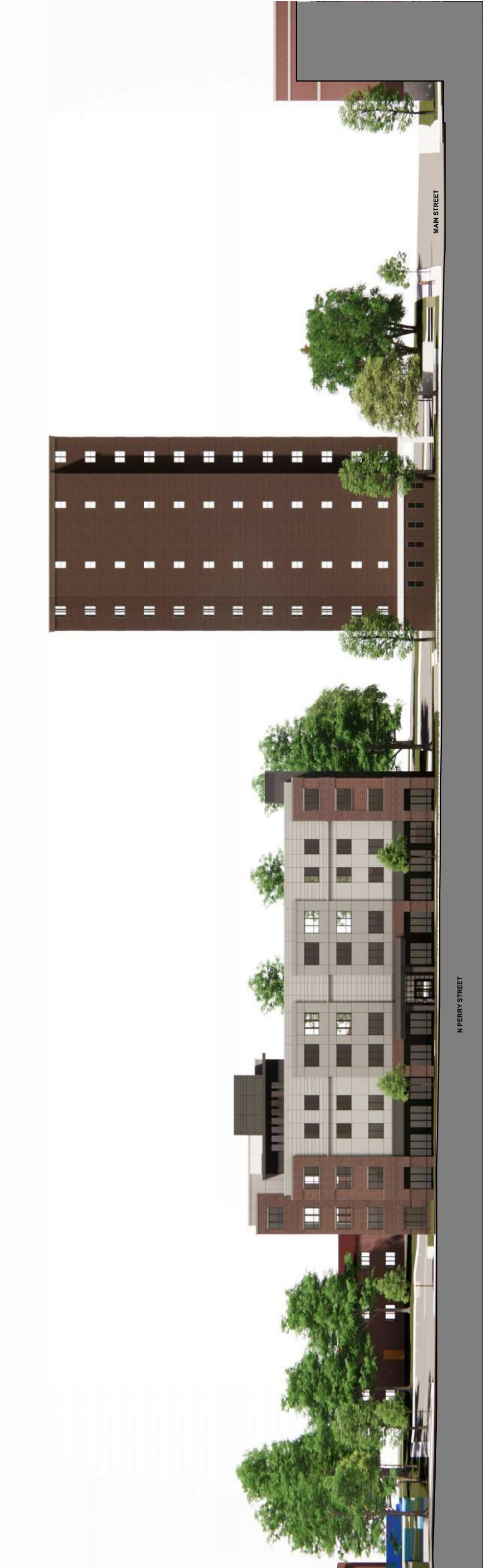
PROJECT NAME:
ADMIRAL HALSEY II
135 MAIN STREET
POUGHKEEPSIE, NY 12601

SITE CONDITIONS PHOTO

Date:
17 December, 2021
Project number:
1629.20

SP-20





2 SITE SECTION: WEST ELEVATION
NOT TO SCALE



1 SITE SECTION: SOUTH ELEVATION
NOT TO SCALE

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PROJECT NAME:

ADMIRAL HALSEY II
135 MAIN STREET
POUGHKEEPSIE, NEW YORK 12601

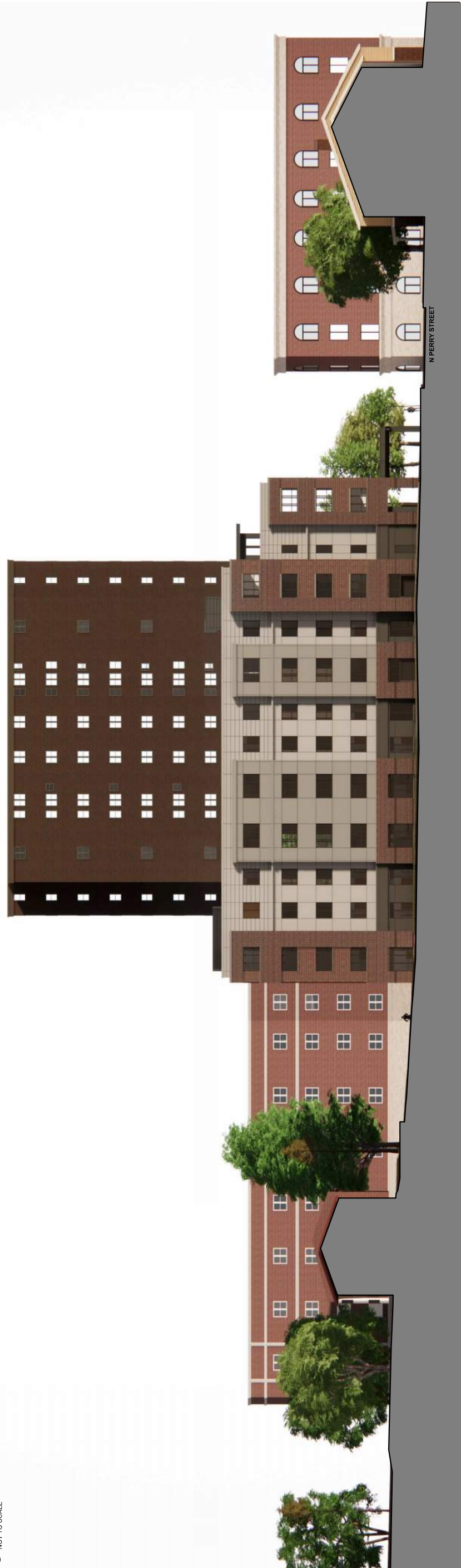


WEST SITE SECTION
SOUTH SITE SECTION

Date: 2022.03.01
Project number: Y1629
PZ-105



② SITE SECTION: EAST ELEVATION
NOT TO SCALE



① SITE SECTION: NORTH ELEVATION
NOT TO SCALE

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PROJECT NAME:

ADMIRAL HALSEY II
135 MAIN STREET
POUGHKEEPSIE, NEW YORK 12601



EAST SITE SECTION
NORTH SITE SECTION

Date: 2022.03.01
Project number: Y1629
PZ-106















Omni New York LLC

July 26, 2022

Hon. Scott Parker, Chair
City of Poughkeepsie Zoning Board of Appeals
62 Civic Center Plaza, 3rd Floor
Poughkeepsie, NY 12601

RE: Response to Comments from May 10, 2022 Public Hearing for the Application for Area Variances for 135 Main Street

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

This letter is in response to some points brought up during the May 10, 2022 ZBA Meeting for the application for zoning variances at 135 Main Street, Poughkeepsie (e.g. "Admiral Halsey").

- During the Public Hearing, a neighboring property/business owner stated that Admiral Halsey staff had approached them to use their parking lot for overflow parking for events being hosted at Admiral Halsey. It is our position that this has never taken place, no Admiral Halsey staff or representatives of the property owners or management company have ever approached any neighboring property/business owner to request the use of their parking lot. Furthermore, the Admiral Halsey building has hosted only one event in the past 5+ years, and this event was for the residents with few outside guests; no additional parking was needed.
- During the meeting, we had stated that we would check of the duration of the regulatory agreement currently in place and report back. Upon acquisition of the Admiral Halsey Senior Village in 2007, Omni entered into a 40-year regulatory agreement with the State of New York which continued the requirements originally agreed to by the previous owner. The regulatory agreement requires the residents to be either 62 years of age or older or disabled and that households have incomes equal to or less than 60% of the Area Median Income. The current agreement will expire in 2047. Any future renovation or rehabilitation of the property will require State assistance, thereby extending the regulatory term even further.

I hope this information provides useful context for the Board's further consideration of the application for variances. Thank you.

Sincerely,

Ken Spillberg
Senior Vice President of Development
Omni New York LLC



300 Westage Business Center, Suite 380
Fishkill, New York 12524
T 845 896 2229
F 845 896 3672
cuddyfeder.com

Jennifer L. Van Tuyl
jvantuyl@cuddyfeder.com

July 26, 2022

Hon. Scott Parker, Chair
and Members of the Zoning Board of Appeals
City of Poughkeepsie
62 Civic Center Plaza, 3rd Floor
Poughkeepsie, New York 12601

RE: 135 Main Street: Area Variances (File #2021-023)
Admiral Halsey II
Parcel ID: 6062-76-911183

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

This letter is written to summarize legal principles that apply to evaluation public comments on variance applications, and specifically to comments made during the public comment period at the March 8, 2022 and May 10, 2022 Zoning Board of Appeals hearings.

1. Weight of numbers is not a basis for deciding the merits of a variance application

“The number of persons who are for or against the granting of a variance is neither relevant nor a proper consideration in determining the merits of an application.” Salkin, 2 N.Y. Zoning Law & Prac. § 29:22 (4th Ed.). The courts too have explicitly confirmed that the mere weight of numbers cannot serve as a basis for rendering a determination. Necker Pottick, Fox Run Woods Builders Corp. v. Duncan, 251 A.D.2d 333 (2d Dept. 1998) (civic opposition not based on facts “but on the weight of numbers, i.e., how many neighboring property owners were in opposition” does not justify the denial of a variance application).

Stated differently, variance determinations are not a popularity contest.

2. Generalized community opposition does not support denial of variances

Likewise, generalized community opposition is not a basis for rendering a determination. “Generalized community opposition” is subjective and conclusory opinions and complaints unsupported by relevant factual evidence. *See, e.g., Marina’s Edge Owner’s Corp. v. City of New Rochelle Zoning Bd. of Appeals*, 129 A.D.3d 841 (2d Dept. 2015) (subjective opinions are an insufficient basis for a determination); D.P.R. Scrap Metal, Inc. v. Board of Zoning Appeals of Town of North Hempstead, 187 A.D.3d 748 (2d Dept. 2020) (unsubstantiated complaints regarding an application are insufficient); Schumacher v. Town of East Hampton, New York



July 26, 2022

Page 2

Zoning Bd. of Appeals, 46 A.D.3d 691 (2d Dept. 2007); Hugel v. Campbell, 276 A.D.2d 488 (2d Dept. 2000) (“unsupported conclusory allegations voiced by neighboring property owners do not justify the denial of an application for a variance.”).

It is respectfully submitted the Applicant has met the required evidentiary standard here to sufficiently justify the grant of the requested variance relief. The Applicant has provided expert materials in the form of:

- a professional parking study prepared by Colliers Engineering & Design,
- a letter from Rhinebeck Bank substantiating the benefit to the applicant from the proposed subdivision, and
- a Tinkelman Architecture Area Density Study.

In addition, the Applicant has provided factual evidence in support of the variances, including, but not limited to:

- an area variance analysis of the statutory balancing test and five (5) factors for each the five (5) required variances,
- revised site plan documents responsive to Planning Board and Zoning Board site design comments,
- color photos and renderings of the site and surrounding area, and
- correspondence from Hudson River Housing, Inc. (HRH) documenting the Empire State Supportive Housing Initiative (ESSHI).

Conversely, the “evidence” submitted by project opponents is either irrelevant to the subject application (the “Rose Street Crime Analysis” applies to a different project with a different tenant population in a different area of the City) or conclusory, self-serving, and generalized opposition, unsupported by relevant and objective evidence.

The following points address specific comments made by project opponents.

3. Speculative comments of potential future violations do not support denial of variances

Approvals cannot be denied because of speculation about future violations of zoning, or violations of other laws. Neighborhood In Nineties, Inc. v. City of New York Bd. of Standards and Appeals, 24 Misc. 3d 1239(A) at 10 (Sup. Ct. New York County) (opponents to development may not invoke speculation about future wrongdoing, including violations of other laws). A ZBA does not deal with enforcement of any law, but in adjudicating variance applications based upon a specific legal standard. The evidence about the overall balancing test and the 5 factors should be objective, and not speculative or prejudicial. Speculative



July 26, 2022

Page 3

comments suggesting this Project will “turn into another Rose Street” are pure conjecture and should be disregarded by the Board.

Similarly, attempts to prejudice the Board with claims of past tenant complaints or building code violations in buildings owned by the Applicant or related entities, as if to “prove” that there will be violations in a building not yet built, are speculative and not entitled to weight in considering the zoning variance standards, and do not support denial of the variance applications before the Board. Caspian Realty, Inc. v. Zoning Bd. of Appeals of Town of Greenburgh, 68 A.D.3d 62 (2d Dept. 2009).

4. *The opponents claims that additional parking is needed to serve frail elderly service providers are unsupported by evidence*

The Applicant’s professional parking study pointed out that the Applicant has not requested a reduction in parking numbers based on the frail elderly population (see Colliers Engineering & Design Parking Study, last revised July 20, 2022). The Applicant’s professional consultant thus concluded that the provided parking is generous for the actual anticipated demand. Further, HRH’s July 26, 2022 letter clarifies that HRH will provide on-site support for the 36 frail elderly units. Thus, outside aides will not put additional pressure on parking demand as claimed. Any need for outside care could impact a resident’s eligibility to continue as an ESSHI participant and likely indicate a need to move to an assisted living facility.

These complaints, like the others, are speculative and conclusory, uncorroborated by empirical data or expert testimony “and therefore [are] insufficient to counter the expert testimony presented by the [Applicant]”. Greenfield v. Board of Appeals of Village of Massapequa Park, 21 A.D.3d 556 (2d Dept. 2005).

5. *The ZBA cannot deny a variance because of neighbor’s opinions on the desirability of a use permitted by the code*

A number of comments reveal that the real object of neighbor objection is the nature of the use, i.e. affordable housing. Some of the comments were lightly disguised in terms of community planning, as in: it is not good community planning to allow income-supported senior housing in *our neighborhood*, which is an area targeted for revitalization. The real claim is that the use is undesirable and not wanted by the neighbors.

However, the use is a permitted use in the district. It does not require a use variance. The ZBA does not have the authority to deny a variance based on objections to the use itself. Pleasant Valley Home Const., Ltd. v. Van Wagner, 41 N.Y.2d 1028 (1977) (denials based on community pressure to not allow any additional development in an area zoned for such use are invalid). The ZBA’s role in considering *area* variances is to apply the General City Law 81-

b(4) statutory balancing test, considering the 5 factors. That the opposition does not think this is the best use of the site is therefore simply irrelevant.

6. Generalized community opposition is particularly offensive when it shows animus against needed affordable housing.

Animus-based comments from members of the public can be proof that a zoning action was based on animus. See MHANY Management, Inc. v. Inc. Village of Garden City, 985 F.Supp.2d 390, 430-31 (E.D.N.Y. 2013) (“Set against the underlying sequence of events and the considerable impact that this zoning decision would have had on minorities in that community, the Court concludes that some of the expressions by Garden City residents of disapproval for affordable housing reflected race-based animus or at least could have been construed as such by the Board.”); see also Anderson Group, LLC v. City of Saratoga Springs, 557 F.Supp.2d 332, 341 (N.D.N.Y. 2008) (extending same to actions of Planning Boards).

7. The ZBA cannot refuse to determine the application while “waiting” for a different plan or zoning law to be adopted

The ZBA must decide any case before it based upon existing law. ZBA’s are not permitted to purposefully delay review of an application for the purpose of allowing community plans or laws to be changed, or while the legislative body is undertaking a zoning or comprehensive plan update.

8. The Zoning Board of Appeals, in conducting the balancing test, may not properly apply it for the purpose of the protection of the economic interests of existing businesses

Several comments from nearby business owners claimed that development of neighboring property should not be allowed because it might, or would, impact their economic interests, including their access to presently available parking in the neighborhood. These comments fall into categories discussed above, in that they are generalized opposition, speculative and unsupported by factual evidence or professional study. In addition, they should be disregarded as claiming a right that does not exist, that present businesses in a neighborhood effectively have an economic veto over any newcomer land use that they allege will consume community resources previously available to them without sharing. It is well understood that economic protectionism is not the purpose of zoning. Fox v. Favre, 218 A.D.2d 655 (2d Dept. 1995); Kemp v. Zoning Bd. of Appeals of Village of Wappingers Fall, 216 A.D.2d 466 (2d Dept. 1995).



July 26, 2022

Page 5

Proposed Conditions of Variance Approval:

The Applicant has also offered relevant conditions to address concerns voiced at the hearing, including the requirement that the Applicant execute cross-access and maintenance easement agreements for the shared use of the parking lots and usable open space located on both proposed parcels, to the satisfaction of the Planning Board. These consented-to conditions further weigh in favor of granting requested variance relief. *See Sasso v. Osgood*, 86 N.Y.2d 374, 385 (1995).

Conclusion:

The Applicant looks forward to continuing the review of the variances with the ZBA at its August meeting. In the meantime, if the Board has further questions on legal issues, we will be happy to provide an additional response.

Very truly yours,

A handwritten signature in blue ink, appearing to read "JL Van Tuyl", is written over a faint, light blue circular stamp.

Jennifer L. Van Tuyl

cc: Natalie Quinn, Director of Development
Judith Knauss Deputy Building Inspector
Rebecca Valk, Corporation Counsel



July 26, 2022

Scott Parker, Chairperson
City of Poughkeepsie Zoning Board of Appeals
Municipal Building, P.O. Box 300
Poughkeepsie, NY 12602

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Thomas Zurhellen

Executive Director

Christa Hines

RE: ZBA Request for Information May 10, 2022, Admiral Halsey II

Dear Mr. Parker,

The ZBA has requested additional information concerning which of the identified groups will be served at the Admiral Halsey II building, and to address the relevance, if any, of the ESSHI tenant population on parking demand for the building, whether by explicit restriction on car ownership, or by practice.

Hudson River Housing, Inc. (HRH) administers numerous housing opportunities across Dutchess County and beyond that assist low- and moderate-income households in securing safe and affordable housing. One resource that assists us in doing this is New York State's Empire State Supportive Housing Initiative (ESSHI). This Initiative serves various specific vulnerable populations who face housing insecurity.

HRH will be supporting the residents of thirty-six (36) apartments at Admiral Halsey II through ESSHI. These residents will meet the State's criteria for what is characterized as "Frail Elderly/Senior". The State defines this as "any person who is age 55 or older, who is enrolled in Medicaid and requires assistance with one of more activities of daily living". All residents of Admiral Halsey II are required to be 62 years of age or older. The remainder of the apartments in Admiral Halsey II will be occupied by income eligible seniors. It should be noted that both the ESSHI frail elderly/senior apartments and the income eligible senior apartments are independent living units, not assisted living.

None of the Admiral Halsey II residents will be restricted as to car ownership. However, our long experience housing seniors has shown that the traditional demand for parking is greatly diminished for these residents due to a higher propensity of eyesight & mobility issues, as well as limited means to maintain a car and insurance. To mitigate this, HRH's plans for Admiral Halsey II include acquiring a van and providing a full time driver to provide transportation for residents seven days a week to get to medical appointments, shopping, leisure, etc. Residents will not be dependent on a car to get where they need to go. This service will not be exclusive to the ESSHI residents, but all the residents of Admiral Halsey II.

There has been some public comment that the ESSHI residents will be primarily served by outside aides who will put additional pressure on parking demand, we do not anticipate this. As noted

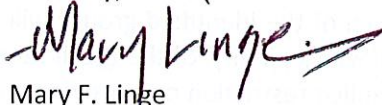
Housing with compassion...
Development with vision



above, the ESSHI apartments are independent living units, not assisted living. Assisted living units require a much higher level of care than those residing in the ESSHI units. Additionally, HRH's staffing plan for Admiral Halsey II includes a Care Manager on site 8 hours a day, seven days a week. The Care Manager will assist the ESSHI residents with any daily activities that they struggle to perform themselves. This could include housekeeping, preparing meals and personal hygiene. The goal of this Initiative in serving the Frail Elderly/Senior population is to keep these residents living independently by promoting a safe and healthy environment and providing staff to deliver in-house programs and services to keep our residents engaged and as active as possible. Any need for a high-level of outside care would impact a resident's eligibility to continue as an ESSHI participant and likely indicate a need for a move to an assisted living facility.

Should you require any additional information, please don't hesitate to reach out. Thank you.

Sincerely,

A handwritten signature in black ink that reads "Mary Linge". The signature is fluid and cursive, with a long horizontal stroke extending from the end of the name.

Mary F. Linge

Director of Real Estate Development



Corporate Offices
2 Jefferson Plaza
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845-454-8555
www.rhinebeckbank.com

April 18th, 2022

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

Re: 135 Main Street, Poughkeepsie, New York

Dear Chairman Parker:

This letter is respectfully submitted to the City of Poughkeepsie Zoning Board of Appeals (ZBA), as requested, to confirm that a loan for new construction is easier to finance on a fee simple title subdivided lot than on a ground lease parcel. Typically, projects with a ground leasehold interest are considered much riskier than projects with a fee simple interest. Lending institutions often prefer not to finance them altogether and if they do, will place much more stringent requirements on those loans in order to offset the added risk associated with this type of structure. Some of the additional risks associated with a ground lease parcel are as follows:

1. The lender's collateral or security interest in a ground lease will be in the ground lease itself (rather than in the land). Therefore, if the ground lease is terminated, the lender is left with no collateral whatsoever. This is a dangerous position for a lender to be in.
2. In the event of foreclosure, the lender cannot foreclose on the land but must foreclose on the borrower's interest in the ground lease. So, in essence, the lender will foreclose on the ground lease and, upon foreclosure, the lender will be a tenant and thereby step into the shoes of the ground tenant under an already negotiated ground lease. As you can imagine, no foreclosing lender wants to foreclose and then be considered a tenant upon foreclosure and thereby have to deal with a ground lessor in administering its collateral/security interest the property.
3. With respect to foreclosure, the lender will need to negotiate with the ground lessor, who is not its borrower, to ensure that the ground lessor will agree that the ground lessor's fee simple interest in the property is subordinate to the lender's interest in the

ground lease. This often creates great difficulty as the parties involved might not truly appreciate the complexities and nuances of ground lease financing and the ground lessor might not agree to so subordinate its fee simple interest.

4. When financing a ground lease, the loan documents are often more complex and comprehensive in that a myriad of provisions needs to be drafted to ensure that the borrower does not amend the ground lease without the lender's consent and, in addition, the lender needs to negotiate an estoppel and other documents with the ground lessor to ensure that the ground lease has certain provisions that will enable the lender to be comfortable in financing the ground lease because again, if the ground lease is terminated, then the lender has no security and is left with an unsecured loan.
5. When negotiating the loan documents, the lender will need to bring the ground lessor into the mix of things as the ground lessor and the borrower are critical to ensuring that the lender's rights and interest are protected. This is clearly a more complex and precarious relationship rather than an outright conventional security interest in real property where its just lender and borrower.

Should you have any questions regarding the contents of this letter, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in dark ink, appearing to read 'P. Bronzi', with a long horizontal flourish extending to the right.

Philip J. Bronzi
Chief Lending Officer
Rhinebeck Bank

Office: 845.790.1558

Cell: 845.656.0070

pbronzi@rhinebeckbank.com

Admiral Halsey

AREA DENSITY STUDY:

Date: July 26, 2022

Project: Admiral Halsey
135 Main Street
Poughkeepsie, New York 12603

135 Main Street (Project site) is located along a section of the Lower Main Street Corridor which is comprised of large commercial, office and mixed-use buildings. This area of Main Street is flanked to the east and west by blocks consisting of smaller scaled building which have commercial/business uses on the ground floor with residential occupancies on the upper floors. This specific area of Main Street also contains a diverse selection of zoning districts. The south side of Main Street is zoned C-2 which adjoins a C-1 District as it approaches US Route 9 to the west. The north side of Main Street where the Project site is located contains a number of different adjacent Zoning Districts: C-1, O-R & R-4, each which were established to provide a variety of needs. These are as follows:

C-1 – Neighborhood Commercial: The purpose is to provide areas within residential neighborhoods for local scale commerce with a range of retail stores and services which cater to frequently recurring needs of nearby residents.

C-2 – Central Commercial: The purpose is to provide for and encourage a variety of retail businesses, business and professional offices, service businesses, entertainment and cultural establishments and related activities, such as parking and pedestrian spaces all designed to serve the City and the region.

O-R – Office Residential: The purpose is to provide opportunities for office and/or mixed-use development in certain residential areas immediately adjoining the central business district or along major arteries.

R-4 – Medium High-Density Residential: The purpose is to provide an area for a broad range of housing types with opportunity for appropriate nonresidential uses at a fairly high density commensurate with the scale and characteristics of the city's older neighborhoods; these are areas with access to major transportation arteries and a range of community services.

Notably, however, the Project site is located within a R-6 – Urban Density Residence District.

R-6 Urban Density Residence District: The purpose of this district is to provide areas for very *intense* residential development accessible to all commercial, cultural and community services and major transportation facilities and to provide opportunity for limited nonresidential activity that will enrich the urban environment. (emphasis supplied)

The existing Admiral Halsey Senior Village (Admiral Halsey One) certainly reflects this ideal, consisting of a 13-story building with a total of 119 residential dwelling units. The height and massing of the building is consistent with the R-6 District's purpose of providing dense residential development. Admiral Halsey One

is also consistent other buildings within the immediate vicinity, which are located in the commercial C-2 District.

The proposed Project will take the existing parcel and subdivide it to allow for the construction of a new facility to accommodate the housing needs of income restricted seniors (Admiral Halsey Two). Admiral Halsey Two has been designed to also keep with the character of the R-6 District: to provide for denser residential dwelling units, but to also function as a transitional site between the C-2 District to the south and the R-4 and the O-R districts located to the north and east of the property. The building will be 4-5 stories and act as a mediator between the taller/larger structures along Main Street and the 2 and 3 story structures that are typical of the surrounding R-4 and the O-R Districts. This site will also incorporate a central green space which is for the use by the residents of both buildings. This is not common to many of the properties within the area.

Density Findings:

Adjoining and nearby properties range from residential densities as low as 23.9 DU's/acre to as high as 174 DU's/acre. See attached Area Density Evaluation Table. To account for relative building size, the Applicant also calculated the Gross Building Area (GBA) per acre (GBA/PA). Similar to the residential density findings, the surrounding area provides a range of densities from as low as 0.49 GBA/PA to as high as 4.65 GBA/PA.

The proposed Project falls near the middle of the range of residential and building size density. The residential density for the Project is 83.7 DU's/acre and building size density is 1.49 GBA/PA. Based on the foregoing findings, the density of the Project is similar to that found in this area of the City.

It should also be noted when reviewing the attached Site Plan that the area of the ground floor plan of the existing Admiral Halsey One building and the proposed Admiral Halsey Two building are similar in size to the both the adjoining multi-family and nonresidential structures on Main Street as well as on adjoining side streets.

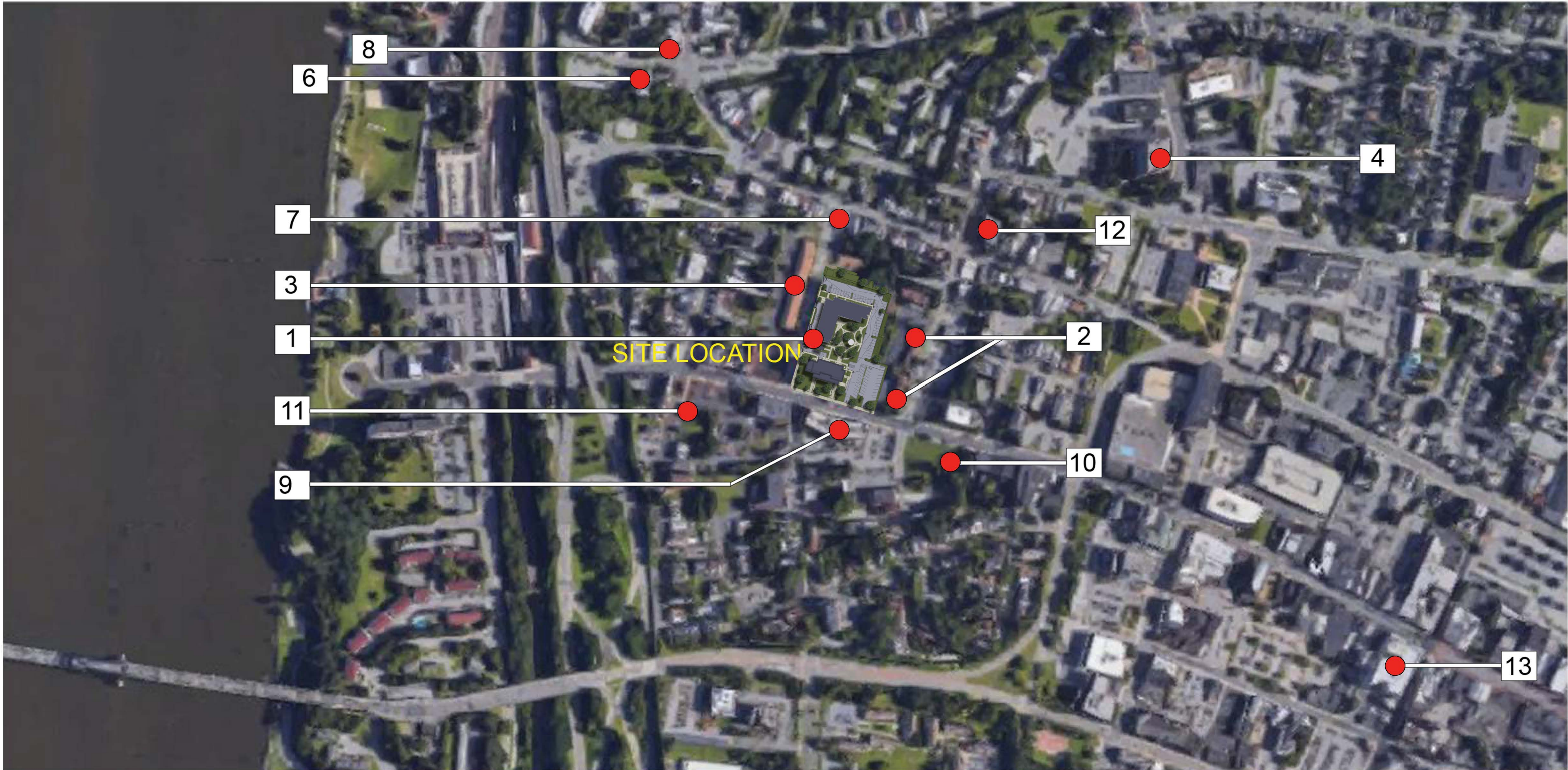
Lastly, it was the intent of the designer that the Admiral Halsey Two building will function as a transitional element going between the taller, more massive buildings that line Lower Main Street and the 2 and 3 story residential scale dwellings of the neighboring areas. To accomplish this, the four-story portion of the building was situated closest to N. Perry Street while the five-story portion of the building is centrally located in the site. At this location, the taller structure is less visible and is kept away from the two-story residential structures along N. Perry. The reduction in the scale of the area can be better seen when viewing attached Sheet PZ-105 and PZ-106.

Attachments:

- Admiral Halsey Site – Location Map
- Admiral Halsey Site – Site Map
- Area Density Evaluation Table
- PZ-105 PZ-106

AREA DENSITY EVALUATION TABLE								
ID#	Property Address	Zoning District	Property Area (PA)	No. of Dwelling Units	Open Space Required	Dwelling Units per Acre	Gross Building Area (GBA)	GBA/PA
1	Admiral Halsey One - Lot 1 / Admiral Halsey Two - Lot 2	R-6	2.28 ac	191	Yes	83.7	Lot 1 = 86,745 SF Lot 2 = 61,286 SF	1.49
2	2-6 N. Bridge St. / 8-22 N. Bridge St.	R-6	1.84 ac	44	Yes	23.9	(3) Bldgs.=21,924 SF (1)Bldg.=4,872 SF	1.2
3	20 N. Perry Street	R-6	1.49 ac	48	Yes	32	31,827 SF	0.49
4	66 Washington Street	R-6	1.7 ac	133	Yes	78.2	106,212 SF	1.43
5	160 Academy Street	R-5	1.9 ac	136	Yes	71	142,040 SF	1.71
6	110 Mill Street	R-4	0.44 ac	20	Yes	45.4	18,752 SF	0.98
7	174 Mill Street	R-4	0.27 ac	11	Yes	40.7	6,592 SF	0.56
8	113 Mill Street	C-1	0.08	7	Yes	87.5	6,016 SF	1.73
9	140 Main Street	C-2	1.58 ac	160	No	101.2	81,480 SF	1.18
10	178-188 Main Street	C-2	1.07 ac	70	No	65.4	NA	NA
11	7-9 S. Clover Street	C-2	0.04 ac	4	No	100	2,866 SF	1.64
12	197 Mill Street	O-R	0.37 ac	24	No	64.8	8,112 SF	0.5
13	332 Main Street	H-C	0.81 ac	141	No	174	164,097 SF	4.65

*Refer to property locations on the accompanying Property Location Map



NOTE: ITEM #5 NOT SHOWN - THE LOCATION IS BEYOND THE AREA SHOW ON THE MAP

*THIS DRAWING IS FOR SCHEMATIC DESIGN PURPOSES ONLY AND IS NOT INTENDED FOR CONSTRUCTION. ACTUAL CONSTRUCTION DRAWINGS, AND SUBSEQUENT CONSTRUCTION MAY DIFFER SIGNIFICANTLY FROM THIS REPRESENTATION.



TINKELMAN
ARCHITECTURE
33 Arlington Ave., 2nd Floor
Poughkeepsie,
New York 12603
www.tinkarch.com

CLIENT NAME:

Omni New York LLC

909 THIRD AVE. - 21ST FLOOR
NEW YORK, NY 10022

PROJECT NAME:

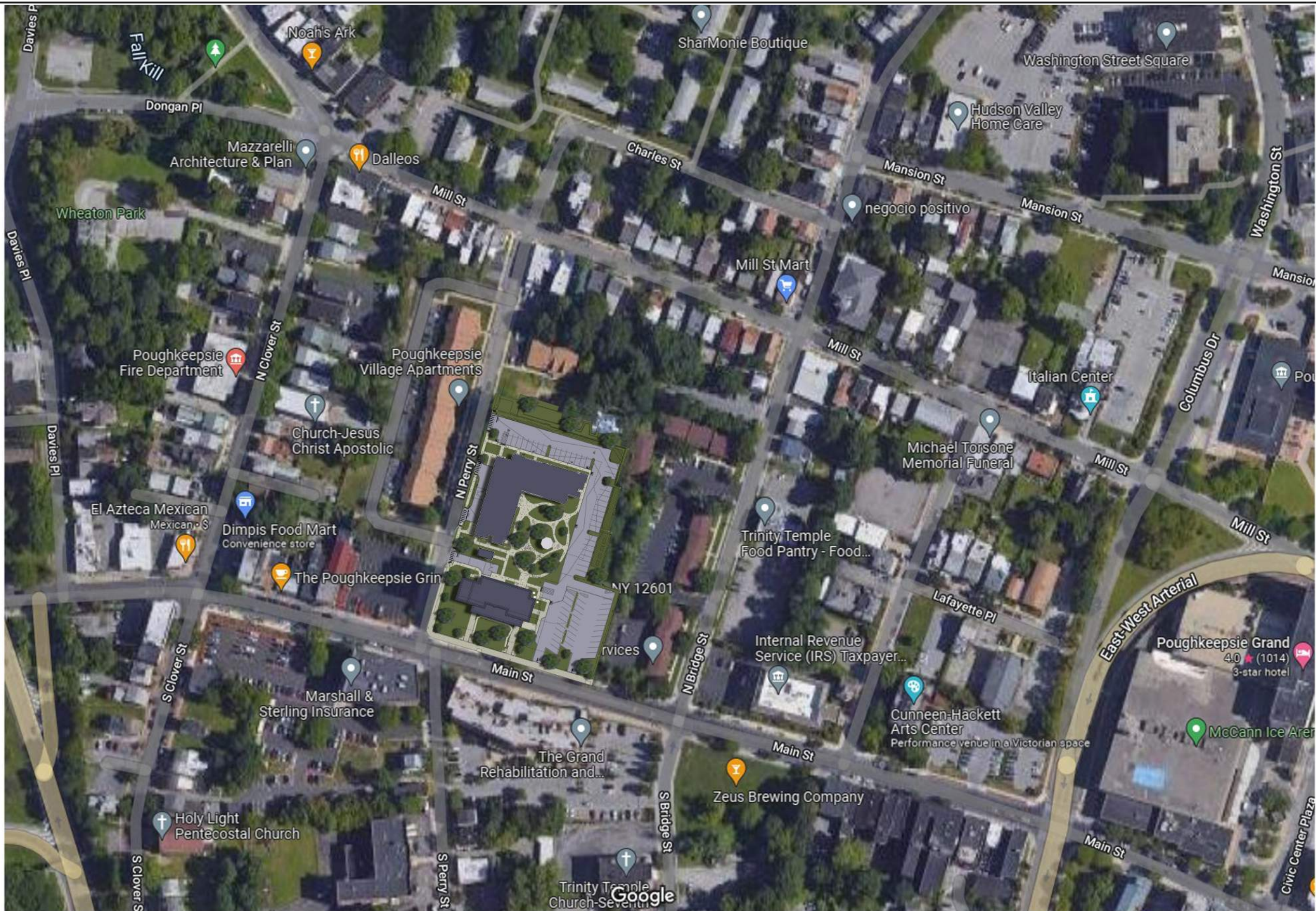
Admiral Halsey Two

135 MAIN STREET
POUGHKEEPSIE, NEW YORK 12601

LOCATION PLAN

Date:
22 July, 2022
Project number:
Y1623.20

SD-01



*THIS DRAWING IS FOR SCHEMATIC DESIGN PURPOSES ONLY AND IS NOT INTENDED FOR CONSTRUCTION. ACTUAL CONSTRUCTION DRAWINGS, AND SUBSEQUENT CONSTRUCTION MAY DIFFER SIGNIFICANTLY FROM THIS REPRESENTATION.



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New York 12603
www.tinkarch.com

CLIENT NAME:

Omni New York LLC

909 THIRD AVE. - 21ST FLOOR
NEW YORK, NY 10022

PROJECT NAME:

Admiral Halsey Two

135 MAIN STREET
POUGHKEEPSIE, NEW YORK 12601

SITE PLAN

Date:
22 July, 2022
Project number:
Y1629.20

SD-02



① SITE SECTION: WEST ELEVATION
NOT TO SCALE



① SITE SECTION: SOUTH ELEVATION
NOT TO SCALE

*THIS DRAWING IS FOR SCHEMATIC DESIGN PURPOSES ONLY AND IS NOT INTENDED FOR CONSTRUCTION. ACTUAL CONSTRUCTION DRAWINGS, AND SUBSEQUENT CONSTRUCTION MAY DIFFER SIGNIFICANTLY FROM THIS REPRESENTATION.



**TINKELMAN
ARCHITECTURE**
25 Van Wagner Road,
Poughkeepsie,
New York 12603
www.tinkarch.com

CLIENT NAME:

Omni New York
909 THIRD AVE; 21ST FL.
NEW YORK CITY, NY 10022

PROJECT NAME:

ADMIRAL HALSEY II
135 MAIN STREET
POUGHKEEPSIE, NEW YORK 12601



WEST SITE SECTION
SOUTH SITE SECTION

Date: 2022.03.01
Project number:
Y1629

PZ-105



② SITE SECTION: EAST ELEVATION
NOT TO SCALE



① SITE SECTION: NORTH ELEVATION
NOT TO SCALE

*THIS DRAWING IS FOR SCHEMATIC DESIGN PURPOSES ONLY AND IS NOT INTENDED FOR CONSTRUCTION. ACTUAL CONSTRUCTION DRAWINGS, AND SUBSEQUENT CONSTRUCTION MAY DIFFER SIGNIFICANTLY FROM THIS REPRESENTATION.



**TINKELMAN
ARCHITECTURE**
25 Van Wagner Road,
Poughkeepsie,
New York 12603
www.tinkarch.com

CLIENT NAME:

Omni New York

909 THIRD AVE; 21ST FL.
NEW YORK CITY, NY 10022

PROJECT NAME:

ADMIRAL HALSEY II

135 MAIN STREET
POUGHKEEPSIE, NEW YORK 12601



**EAST SITE SECTION
NORTH SITE SECTION**

Date: 2022.03.01
Project number: Y1629

PZ-106

July 20, 2022

Mr. Joseph Lozada
Omni New York
909 Third Avenue, 21st Floor
New York, NY 10022

Admiral Halsey II - 135 Main Street
Colliers Engineering & Design Project No. 22003478A

Dear Mr. Lozada:

As requested, we have completed our review and evaluation of existing and future parking conditions at the Admiral Halsey complex relative to anticipated parking requirements associated with the Admiral Halsey II 72-unit senior apartment development. 36 of the 72 units will be occupied by Frail Elderly, a special population defined by having one or more physical impairment that require services so that the resident may continue to live independently. Figure No. 1A identifies the site location. In addition, we have reviewed the Poughkeepsie City Code requirements as well as data published by the Institute of Transportation Engineers (ITE) regarding parking criteria and how the existing parking utilization relates to the proposed project.

The following is a summary of the tasks undertaken and our recommendations with regards to parking.

1. [Existing Parking Condition Surveys \(Tables No. 1, P-1, P-2, and P-3\)](#)

Observations of existing parking utilization during peak time periods for both Weekday and Saturday conditions were undertaken by representatives of Colliers Engineering & Design at the existing Admiral Halsey I facility (119 dwelling units), also an age-restricted property. The purpose was to identify the current utilization at the site in relation to the number of existing units at that facility. The surveys of the site were collected on Thursday, April 7th, and Saturday, April 9, 2022. It should be noted that at the time of the surveys, the dwelling units were all leased.

As summarized in Table No. 1 for the parking areas at the existing site, which contains some 55 spaces (including 2 handicapped spaces), a total peak utilization of 38 occupied spaces was observed on a Weekday and 36 spaces on a Weekend were found. See Tables P-1, P-2, and P-3. In addition, we reviewed some of the other historical parking usage data provided by the management company for the facility, which also showed similar peak utilization with

36 spaces occupied on the Weekday and a maximum peak of 40 spaces occupied on a Saturday in December. These are referenced in the summary contained in Table No. 1.

2. [City of Poughkeepsie Code](#)

The City of Poughkeepsie Code requirement for a multifamily dwelling is 0.5 spaces per dwelling unit for senior (62 or older) apartments plus 10% for visitors, which equates to a total Code requirement of 40 spaces required for the 72 dwelling units proposed at Admiral Halsey II. categories. Based on the total proposed 191 dwelling units on the combined site (119-AHI + 72-AHII), the required parking for the overall complex would be a total of 106 spaces. However, based on the existing actual peak observed utilization, which equated to a ratio of 0.34 spaces per apartment, some 65 spaces would be required to accommodate the peak demand.

3. [ITE Parking Standards](#)

The Institute of Transportation Engineers (ITE) publishes information regarding parking for various land uses and stratifies those relative to the type of units, i.e., midrise apartments, apartments for active adults/age restricted, and this information is provided for both Weekday and Weekend conditions. Copies of the typical peak parking demands based on ITE are attached in Appendix C.

As can be seen, the average peak parking ratio for a typical non-age restricted midrise building would be between 0.08 to 0.42 spaces per dwelling unit, which would be similar to that observed at the existing complex.

4. [Summary and Conclusions](#)

Based on the existing parking utilization observations at the existing Admiral Halsey I facility, which indicates a peak parking utilization ratio of 0.34 spaces per dwelling unit, the proposed 33 spaces for the Admiral Halsey II 72 dwelling units or a total of 68 spaces for the total 191 dwelling unit facility (AHI+AHII), should adequately accommodate peak parking demands since these units are expected to be age restricted similar to the existing facility. Additionally, as per information you provided on the type of tenants, the parking utilization of the 36 (50%) units in the new building dedicated to the Frail Elderly, a population whose ability to drive/own a vehicle will be severely limited by the nature of the physical disabilities that defines their conditions, will likely be lower than 0.34 spaces per dwelling unit, thereby providing even more cushion to accommodate peak parking demands.

Sincerely,

Colliers Engineering & Design CT, P.C.

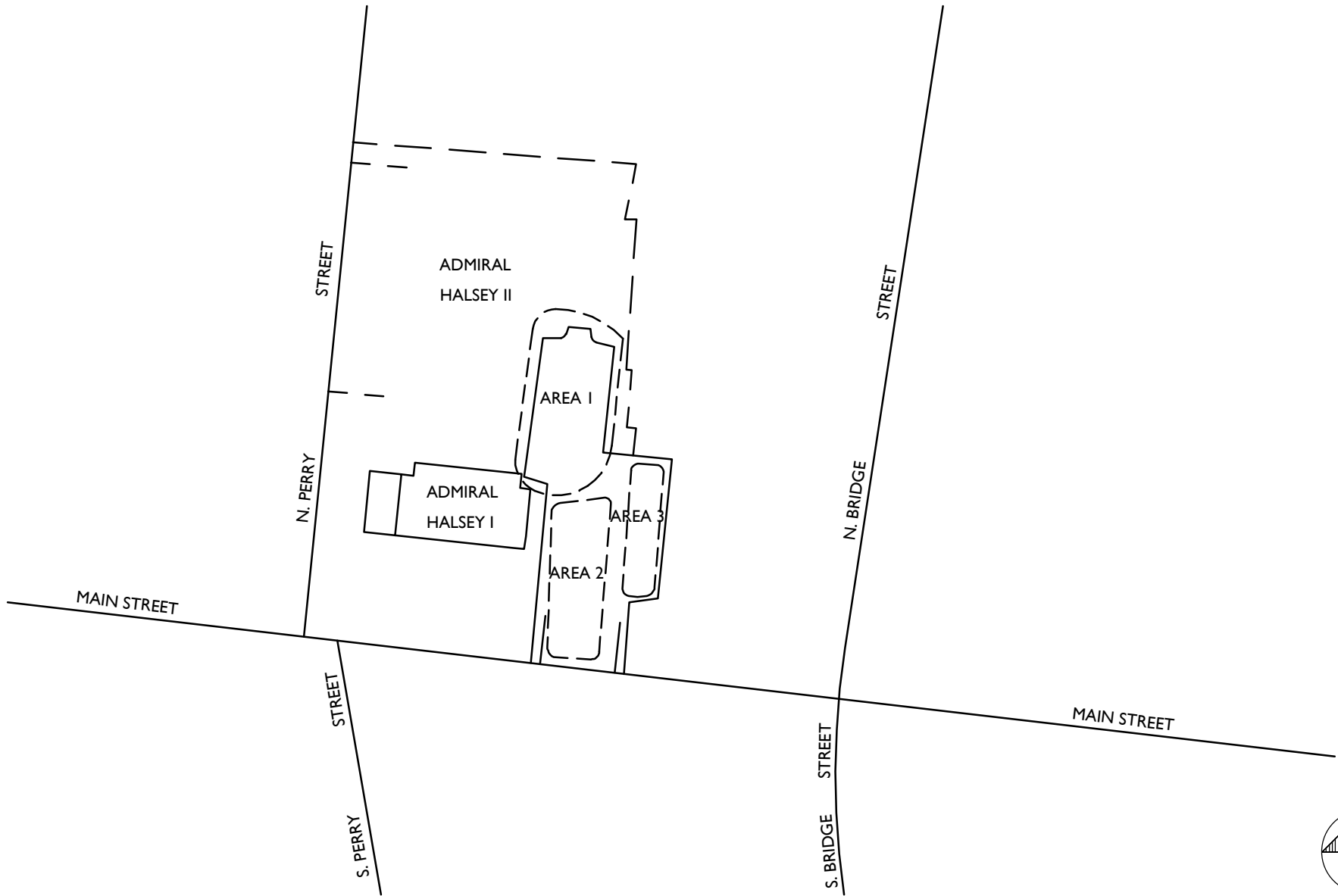


Philip Grealy, Ph.D., P.E.
Geographic Discipline Leader

R:\Projects\2022\22003478A\Reports\Traffic\Word\220720PJG_Parking Letter Report.docx

Admiral Halsey II

Site Location & Parking Area Map



NOTE: LINE DIAGRAM NOT TO SCALE



Engineering
& Design

www.colliersengineering.com



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REV	DATE	DRAWN BY	DESCRIPTION
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ADMIRAL HALSEY II

CITY OF POUGHKEEPSIE
DUTCHESS COUNTY
NEW YORK



Know what's below.
Call before you dig.

FOR STATE SPECIFIC DIRECT PHONE NUMBERS
VISIT: WWW.CALL811.COM

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ALL STATES REQUIRE NOTIFICATION
OF EXCAVATORS, DESIGNERS, OR
ANY PERSON PREPARING TO
DISTURB THE EARTH'S SURFACE
ANYWHERE IN ANY STATE



Engineering
& Design

WESTCHESTER
400 Columbus Avenue,
Suite 180E
Valhalla, NY 10595
Phone: 914.347.7500
COLLIERS ENGINEERING & DESIGN CT, P.C.
DOING BUSINESS AS MASER CONSULTING
ENGINEERING & LAND SURVEYING

TRAFFIC IMPACT STUDY

SCALE:	DATE:	DRAWN BY:	CHECKED BY:
AS SHOWN	4/6/22	R.H.	P.J.G.
PROJECT NUMBER:	DRAWING NAME:		
22003478A	220406RH_FIGURE		

SHEET TITLE:
SITE LOCATION &
PARKING AREA MAP

SHEET NUMBER:
1A

Admiral Halsey II

Tables

Table No. 1
Summary of Hourly Occupied Parking Observations

Admiral Halsey I City of Poughkeepsie, NY	Spaces Occupied By Time Of Day		
	10:00 AM	3:00 PM	7:00 PM
<u>Existing Parking Lot Capacity</u> (55 Total Parking Spaces)			
Tuesday 5/24/21	34	30	32
Saturday 5/29/21	28	32	31
Tuesday 11/30/21	34	32	32
Wednesday 12/1/21	32	25	31
Friday 12/3/21	32	36	35
Saturday 12/4/21	36	32	40

NOTES:

- 1) OBSERVATION BASED ON SITE FACILITY MANAGEMENT.

Admiral Halsey I City of Poughkeepsie, NY	Spaces Occupied By Time Of Day			
	6:00 AM	10:00 AM	3:00 PM	7:00 PM
<u>Existing Parking Lot Capacity</u> (55 Total Parking Spaces)				
Thursday 4/7/22	36	33	33	31
Saturday 4/9/22	35	34	28	36

NOTES:

- 1) OBSERVATION BASED ON COLLIERS ENGINEERING & DESIGN.

TABLE P-1

SUMMARY OF ADMIRAL HALSEY PARKING SPACE UTILIZATION (WEEKDAY AM CONDITIONS)

JOB # 22003478A
 LOCATION: POUGHKEEPSIE, NY
 DAY: THURSDAY
 DATE: 04/07/22
 TIME: 6:00 AM - 10:00 AM

		PARKING AREA CAPACITY (1)			TOTAL	
		1	2	3	OCCUPIED	UNOCCUPIED
TOTAL SPACES		22	21	12	55	
TIME		SPACES OCCUPIED				
6:00 AM	6:30 AM	11	18	7	36	19
6:30 AM	7:00 AM	11	18	6	35	20
7:00 AM	7:30 AM	11	18	6	35	20
7:30 AM	8:00 AM	10	17	5	32	23
8:00 AM	8:30 AM	10	17	5	32	23
8:30 AM	9:00 AM	12	16	5	33	22
9:00 AM	9:30 AM	13	15	5	33	22
9:30 AM	10:00 AM	14	14	5	33	22

(1) PARKING AREAS SHOWING SPACES AVAILABLE DURING EACH TIME INTERVAL BY AREA AND FOR OVERALL AREA. SEE FIGURE 1A FOR IDENTIFICATION OF EACH AREA.

TABLE P-2

SUMMARY OF ADMIRAL HALSEY PARKING SPACE UTILIZATION (WEEKDAY PM CONDITIONS)

JOB # 22003478A
 LOCATION: POUGHKEEPSIE, NY
 DAY: THURSDAY
 DATE: 04/07/22
 TIME: 3:00 PM - 7:00 PM

		PARKING AREA CAPACITY (1)			TOTAL	
		1	2	3	OCCUPIED	UNOCCUPIED
TOTAL SPACES		22	21	12	55	
TIME		SPACES OCCUPIED				
3:00 PM	3:30 PM	16	12	5	33	22
3:30 PM	4:00 PM	17	14	5	36	19
4:00 PM	4:30 PM	16	16	6	38	17
4:30 PM	5:00 PM	13	15	6	34	21
5:00 PM	5:30 PM	12	13	6	31	24
5:30 PM	6:00 PM	12	13	6	31	24
6:00 PM	6:30 PM	12	15	6	33	22
6:30 PM	7:00 PM	11	14	6	31	24

(1) PARKING AREAS SHOWING SPACES AVAILABLE DURING EACH TIME INTERVAL BY AREA AND FOR OVERALL AREA. SEE FIGURE 1A FOR IDENTIFICATION OF EACH AREA.

TABLE P-3

SUMMARY OF ADMIRAL HALSEY PARKING SPACE UTILIZATION (WEEKEND SAT CONDITIONS)

JOB # 22003478A
 LOCATION: POUGHKEEPSIE, NY
 DAY: SATURDAY
 DATE: 04/09/22
 TIME: 10:00 AM - 1:00 PM

		PARKING AREA CAPACITY (1)			TOTAL	
		1	2	3	OCCUPIED	UNOCCUPIED
TOTAL SPACES		22	21	12	55	
TIME		SPACES OCCUPIED				
10:00 AM	10:30 AM	12	16	6	34	21
10:30 AM	11:00 AM	12	14	5	31	24
11:00 AM	11:30 AM	13	13	5	31	24
11:30 AM	12:00 PM	11	14	4	29	26
12:00 PM	12:30 PM	8	15	4	27	28
12:30 PM	1:00 PM	8	14	4	26	29

(1) PARKING AREAS SHOWING SPACES AVAILABLE DURING EACH TIME INTERVAL BY AREA AND FOR OVERALL AREA. SEE FIGURE 1A FOR IDENTIFICATION OF EACH AREA.

Admiral Halsey II

ITE Parking Rates



Parking Generation Manual

5th Edition

JANUARY 2019

INSTITUTE OF TRANSPORTATION ENGINEERS

Land Use: 221 Multifamily Housing (Mid-Rise)

Description

Mid-rise multifamily housing includes apartments, townhouses, and condominiums located within the same building with at least three other dwelling units and with between three and 10 levels (floors) of residence. Multifamily housing (low-rise) (Land Use 220), multifamily housing (high-rise) (Land Use 222), and affordable housing (Land Use 223) are related land uses.

Time of Day Distribution for Parking Demand

The following table presents a time-of-day distribution of parking demand on a weekday (one general urban/suburban study site), a Saturday (two general urban/suburban study sites), and a Sunday (one dense multi-use urban study site).

Hour Beginning	Percent of Peak Parking Demand		
	Weekday	Saturday	Sunday
12:00–4:00 a.m.	100	100	100
5:00 a.m.	94	99	—
6:00 a.m.	83	97	—
7:00 a.m.	71	95	—
8:00 a.m.	61	88	—
9:00 a.m.	55	83	—
10:00 a.m.	54	75	—
11:00 a.m.	53	71	—
12:00 p.m.	50	68	—
1:00 p.m.	49	66	33
2:00 p.m.	49	70	40
3:00 p.m.	50	69	27
4:00 p.m.	58	72	13
5:00 p.m.	64	74	33
6:00 p.m.	67	74	60
7:00 p.m.	70	73	67
8:00 p.m.	76	75	47
9:00 p.m.	83	78	53
10:00 p.m.	90	82	73
11:00 p.m.	93	88	93

Multifamily Housing (Mid-Rise) (221)

Peak Period Parking Demand vs: Occupied Dwelling Units

On a: Weekday (Monday - Friday)

Setting/Location: Center City Core

Peak Period of Parking Demand: 10:00 p.m. - 5:00 a.m.

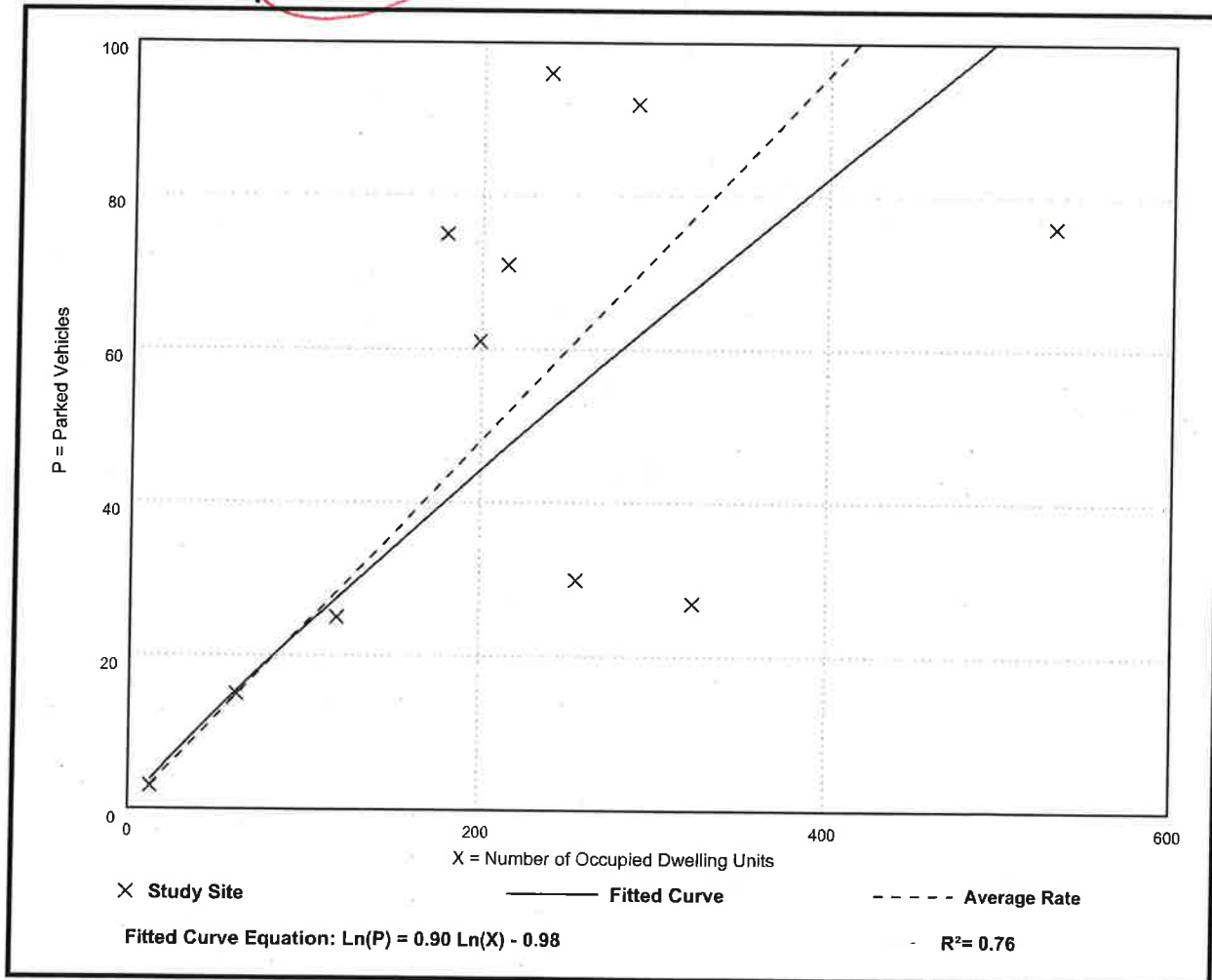
Number of Studies: 11

Avg. Num. of Occupied Dwelling Units: 220

Peak Period Parking Demand per Occupied Dwelling Unit

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
0.24	0.08 - 0.42	0.21 / 0.41	***	0.12 (50%)

Data Plot and Equation





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 #: 131300-6061-43-843721-0000
Date property acquired: 1976
Present use of property: HOSPITAL CAMPUS
Zoning District: H-M
Dimensions: Lot Area 21.22 (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	SIGNS ARE 122' AND 62'7"
Sec. 19-4.9(9)(i)(2)	MAX SIZE 60 SQ. FT.	SIGNS ARE 530.30 SQ. FT.
Sec. 19-4.9(9)(i)(2)	NOT ABOVE 2ND STORY	SIGNS ARE ABOVE 2ND STORY
Sec. 19-4.9(9)(i)(2)	MAX 3' IN HEIGHT	SIGNS EXCEED 3' IN HEIGHT

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.

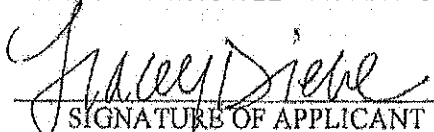
VIII. LIST OF REQUIRED ATTACHMENTS

- 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

5/24/2022

DATE



300 Westage Business Center, Suite 380
Fishkill, New York 12524
T 845 896 2229
F 845 896 3672
cuddyfeder.com

Jennifer L. Van Tuyl, Esq.
jvantuyl@cuddyfeder.com

July 26, 2022

Chairman Scott Parker
And Members of the Zoning Board of Appeals
City of Poughkeepsie
City Hall – 3rd Floor
62 Civic Center Plaza
Poughkeepsie, NY 12601

Re: Nuvance Health Vassar Brothers Hospital
Supplemental Submission – Application Seeking Area Variances
Premises: 45 Reade Place, Poughkeepsie, New York 12603

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

Enclosed is a supplemental application package submitted on behalf of Nuvance Health Vassar Brothers Hospital, seeking area variances with respect to the proposed signage on the eastern and western elevations of the newly constructed medical center building. The application includes a revised area variance narrative that responds to comments made by the Zoning Board of Appeals at the June 14, 2022 meeting, as well as the application form, Short Environmental Assessment Form, and revised drawings set.

We look forward to continuing review of the project with the Board at the August 9, 2022 meeting. Should the Board or City Staff have any questions or comments, please do not hesitate to contact me at 914-582-5234.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'J. Van Tuyl', is written over a light blue circular stamp.

Jennifer L. Van Tuyl

Enclosures

5338969.v1

Stratus™

stratusunlimited.com

888.503.1569

LOCATION NUMBER:

8001

SITE ADDRESS:

45 Reade Pl
Poughkeepsie, NY
12601-3947



VICINITY SITE PLAN

Scale: 1/128"=1'-0"



New plan view added per request (All but sign labels rmvd)

Re-arranged all pages per markup provided (deleted several)

Removed Pages 3, 15, 16, 17, 18 (Mostly Night Views)

02

SOUTHWEST ELEVATION

Scale: NTS

VARIANCE



APPROX. PHOTO LOCATION

ALLOWABLE SF:	60
EXISTING SIGN SF:	N/A
PROPOSED SIGN SF:	530.3

SOUTHWEST (CURVED) ELEVATION ONLY
SIGN = APPROX 3% OF TOTAL ELEVATION
Elevation = Approx. 71.2' x 245' = 17444 Sq Ft
530.3 / 17444 = .03 = 3%

SOUTHWEST (CURVED) ELEVATION + FULL WEST ELEVATION
SIGN = APPROX 0.4% OF TOTAL ELEVATION
Southwest Elevation = Approx. 71.2' x 245' = 17444 Sq Ft
Main West Elevation = Approx. 166' x 685' = 113710 Sq Ft
Total West Elevation = 17444 + 113710 = 131154 Sq Ft
530.3 / 131154 = .004 = 0.4%



Updated w/ New Photo Provided + Proposed Signage
Added Thumbnail
Added box calling out SQ FT % of Sign vs. Total Elevation
Added additional SQ FT calculations per permitting lawyer

02

SOUTHWEST ELEVATION

Scale: NTS

CODE ALLOWED



APPROX. PHOTO LOCATION

ALLOWABLE SF:	60
EXISTING SIGN SF:	N/A
PROPOSED SIGN SF:	58.9

SOUTHWEST (CURVED) ELEVATION ONLY
SIGN = APPROX 0.3% OF TOTAL ELEVATION
Elevation = Approx. 71.2' x 245' = 17444 Sq Ft
58.9 / 17444 = .003 = 0.3%

SOUTHWEST (CURVED) ELEVATION + FULL WEST ELEVATION
SIGN = APPROX 0.04% OF TOTAL ELEVATION
Southwest Elevation = Approx. 71.2' x 245' = 17444 Sq Ft
Main West Elevation = Approx. 166' x 685' = 113710 Sq Ft
Total West Elevation = 17444 + 113710 = 131154 Sq Ft
58.9 / 131154 = .0004 = 0.04%



Updated w/ New Photo Provided + Proposed Signage
Added Thumbnail
Added box calling out SQ FT % of Sign vs. Total Elevation
Added additional SQ FT calculations per permitting lawyer

EAST ELEVATION - OVERVIEW PHOTOS

Scale: NTS



MEDICAL CENTER - OVERALL 1



MEDICAL CENTER - OVERALL 2

1'-6"h x 48'-0"w
72 Sq. Ft.

2'-0"h x 41'-3/8"w
82.4 Sq. Ft.



EMERGENCY DEPT. ENTRANCE - CLOSEUP



MAIN ENTRANCE



MAIN ENTRANCE - CLOSEUP

Added East Elevation Overview Photos
Revised callouts per Markup Provided

Added existing sign SQ FT callouts

01

EAST ELEVATION

Scaled Proportionately

VARIANCE



APPROX. PHOTO LOCATION

ALLOWABLE SF:	60
EXISTING SIGN SF:	N/A
PROPOSED SIGN SF:	530.3

NEW LETTERSET ONLY

SIGN = APPROX 0.6% OF TOTAL ELEVATION

Elevation = Approx. 142' x 620' = 88040 Sq Ft

530.3 / 88040 = .006 = 0.6%

NEW LETTERSET + EXISTING SIGNS (PG. 5)

SIGNS = APPROX 0.7% OF TOTAL ELEVATION

Elevation = Approx. 142' x 620' = 88040 Sq Ft

(530.3 + 82.4 + 72) / 88040 = .007 = 0.7%

New Sign = 530.3 Sq. Ft.
Entrance Letters = 82.5 Sq. Ft.
Emergency/Trauma Letters = 72 Sq. Ft.



Updated w/ New Photo Provided + Proposed Signage
Added Thumbnail
Added box calling out SQ FT % of Sign vs. Total Elevation
Added additional SQ FT calculations per permitting lawyer

01

EAST ELEVATION

Scaled Proportionately

CODE ALLOWED



APPROX. PHOTO LOCATION

ALLOWABLE SF:	60
EXISTING SIGN SF:	N/A
PROPOSED SIGN SF:	58.9

NEW LETTERSET ONLY

SIGN = APPROX 0.06% OF TOTAL ELEVATION

Elevation = Approx. 142' x 620' = 88040 Sq Ft

58.9 / 88040 = .0006 = 0.06%

NEW LETTERSET + EXISTING SIGNS (PG. 5)

SIGNS = APPROX 0.2% OF TOTAL ELEVATION

Elevation = Approx. 142' x 620' = 88040 Sq Ft

(58.9 + 82.4 + 72) / 88040 = .002 = 0.2%

New Sign = 58.9 Sq. Ft.
Entrance Letters = 82.5 Sq. Ft.
Emergency/Trauma Letters = 72 Sq. Ft.



Updated w/ New Photo Provided + Proposed Signage
Added Thumbnail
Added box calling out SQ FT % of Sign vs. Total Elevation
Added additional SQ FT calculations per permitting lawyer

01 EAST ELEVATION

Scale: ±1/32"=1'-0"

VARIANCE

ALLOWABLE SF:	60
EXISTING SIGN SF:	N/A
PROPOSED SIGN SF:	530.3

NEW LETTERSET ONLY

SIGN = APPROX 0.6% OF TOTAL ELEVATION

Elevation = Approx. 142' x 620' = 88040 Sq Ft

530.3 / 88040 = .006 = 0.6%

NEW LETTERSET + EXISTING SIGNS (PG. 5)

SIGNS = APPROX 0.7% OF TOTAL ELEVATION

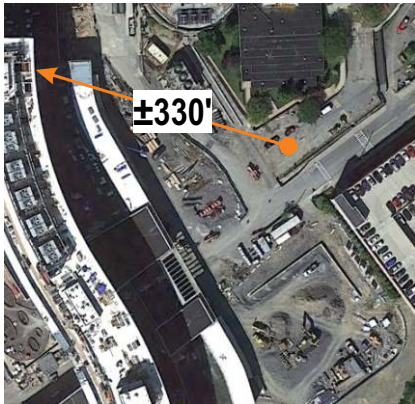
Elevation = Approx. 142' x 620' = 88040 Sq Ft

(530.3 + 82.4 + 72) / 88040 = .007 = 0.7%

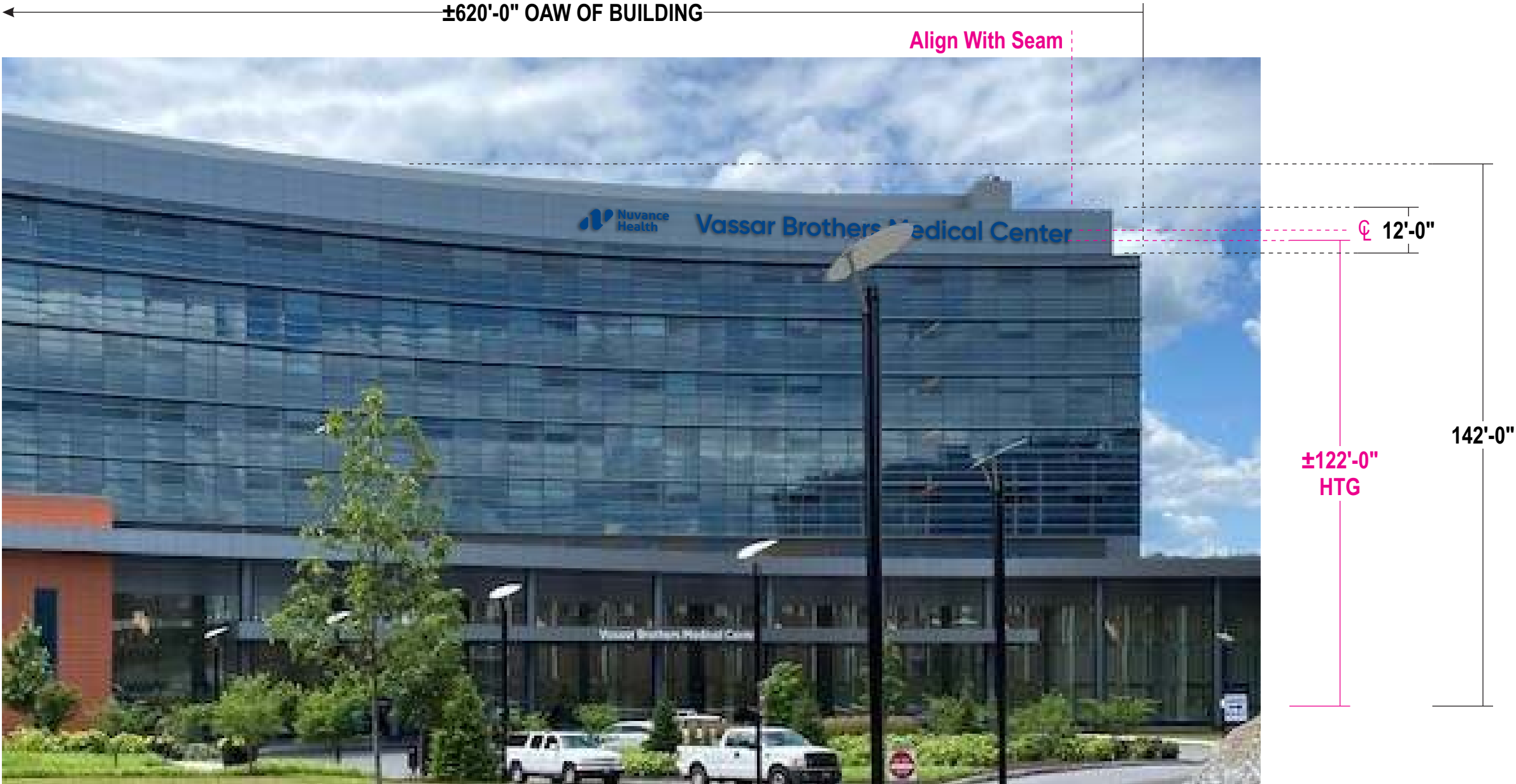
New Sign = 530.3 Sq. Ft.

Entrance Letters = 82.5 Sq. Ft.

Emergency/Trauma Letters = 72 Sq. Ft.



APPROX. PHOTO LOCATION



ILLUSTRATES VARIANCE SIGNAGE FROM ±330' AWAY

Updated w/ New Photo Provided

Added Thumbnail

Added box calling out SQ FT % of Sign vs. Total Elevation

Added additional SQ FT calculations per permitting lawyer

01 EAST ELEVATION

Scale: ±1/32"=1'-0"

CODE ALLOWED

ALLOWABLE SF:	60
EXISTING SIGN SF:	N/A
PROPOSED SIGN SF:	58.9

NEW LETTERSET ONLY

SIGN = APPROX 0.06% OF TOTAL ELEVATION

Elevation = Approx. 142' x 620' = 88040 Sq Ft

58.9 / 88040 = .0006 = 0.06%

NEW LETTERSET + EXISTING SIGNS (PG. 5)

SIGNS = APPROX 0.2% OF TOTAL ELEVATION

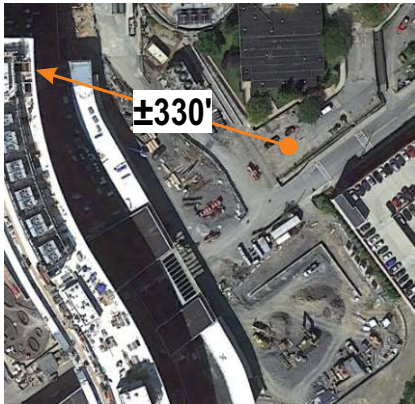
Elevation = Approx. 142' x 620' = 88040 Sq Ft

(58.9 + 82.4 + 72) / 88040 = .002 = 0.2%

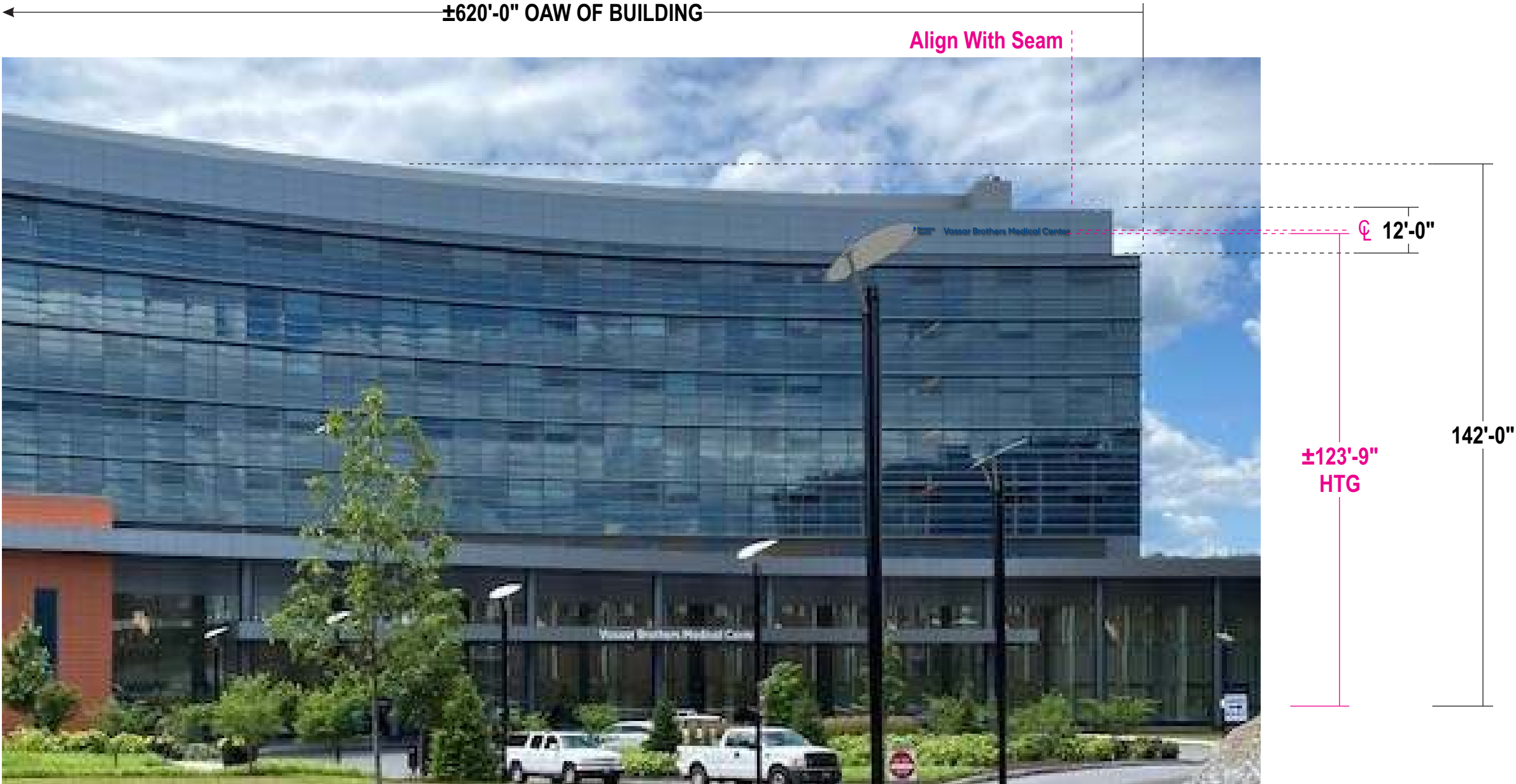
New Sign = 58.9 Sq. Ft.

Entrance Letters = 82.5 Sq. Ft.

Emergency/Trauma Letters = 72 Sq. Ft.



APPROX. PHOTO LOCATION



ILLUSTRATES CODE ALLOWED SIGNAGE FROM ±330' AWAY

Corrected letterset alignment in proposed rendering

Updated w/ New Photo Provided

Added Thumbnail

Added box calling out SQ FT % of Sign vs. Total Elevation

Added additional SQ FT calculations per permitting lawyer

01 EAST ELEVATION

Scaled Proportionately

VARIANCE



APPROX. PHOTO LOCATION

ALLOWABLE SF:	60
EXISTING SIGN SF:	N/A
PROPOSED SIGN SF:	530.3

NEW LETTERSET ONLY
SIGN = APPROX 0.6% OF TOTAL ELEVATION
Elevation = Approx. 142' x 620' = 88040 Sq Ft
 $530.3 / 88040 = .006 = 0.6\%$

NEW LETTERSET + EXISTING SIGNS (PG. 5)
SIGNS = APPROX 0.7% OF TOTAL ELEVATION
Elevation = Approx. 142' x 620' = 88040 Sq Ft
 $(530.3 + 82.4 + 72) / 88040 = .007 = 0.7\%$

New Sign = 530.3 Sq. Ft.
Entrance Letters = 82.5 Sq. Ft.
Emergency/Trauma Letters = 72 Sq. Ft.



ILLUSTRATES VARIANCE SIGNAGE FROM ±660' AWAY

Added Thumbnail
Added box calling out SQ FT % of Sign vs. Total Elevation
Added additional SQ FT calculations per permitting lawyer

01

EAST ELEVATION

Scaled Proportionately

CODE ALLOWED



APPROX. PHOTO LOCATION

ALLOWABLE SF:	60
EXISTING SIGN SF:	N/A
PROPOSED SIGN SF:	58.9

NEW LETTERSET ONLY
SIGN = APPROX 0.06% OF TOTAL ELEVATION
Elevation = Approx. 142' x 620' = 88040 Sq Ft
58.9 / 88040 = .0006 = 0.06%

NEW LETTERSET + EXISTING SIGNS (PG. 5)
SIGNS = APPROX 0.2% OF TOTAL ELEVATION
Elevation = Approx. 142' x 620' = 88040 Sq Ft
(58.9 + 82.4 + 72) / 88040 = .002 = 0.2%

New Sign = 58.9 Sq. Ft.
Entrance Letters = 82.5 Sq. Ft.
Emergency/Trauma Letters = 72 Sq. Ft.



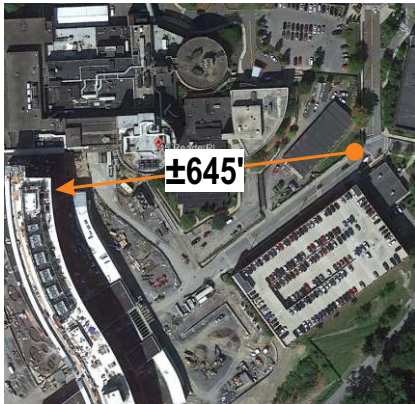
ILLUSTRATES CODE ALLOWED SIGNAGE FROM ±660' AWAY

Added Thumbnail
Added box calling out SQ FT % of Sign vs. Total Elevation
Added additional SQ FT calculations per permitting lawyer

01 EAST ELEVATION

Scaled Proportionately

VARIANCE



APPROX. PHOTO LOCATION

ALLOWABLE SF:	60
EXISTING SIGN SF:	N/A
PROPOSED SIGN SF:	530.3

NEW LETTERSET ONLY
SIGN = APPROX 0.6% OF TOTAL ELEVATION
Elevation = Approx. 142' x 620' = 88040 Sq Ft
530.3 / 88040 = .006 = 0.6%

NEW LETTERSET + EXISTING SIGNS (PG. 5)
SIGNS = APPROX 0.7% OF TOTAL ELEVATION
Elevation = Approx. 142' x 620' = 88040 Sq Ft
(530.3 + 82.4 + 72) / 88040 = .007 = 0.7%

New Sign = 530.3 Sq. Ft.
Entrance Letters = 82.5 Sq. Ft.
Emergency/Trauma Letters = 72 Sq. Ft.



ILLUSTRATES VARIANCE SIGNAGE FROM ±645' AWAY

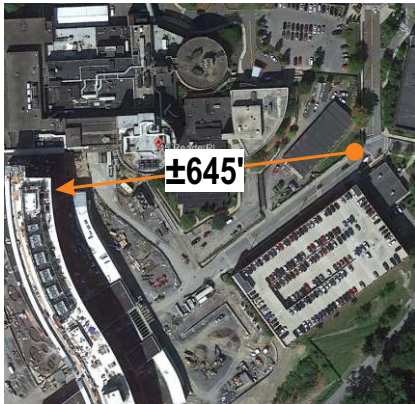
Added Thumbnail
Added box calling out SQ FT % of Sign vs. Total Elevation
Added additional SQ FT calculations per permitting lawyer

01

EAST ELEVATION

Scaled Proportionately

CODE ALLOWED



APPROX. PHOTO LOCATION

ALLOWABLE SF:	60
EXISTING SIGN SF:	N/A
PROPOSED SIGN SF:	58.9

NEW LETTERSET ONLY
SIGN = APPROX 0.06% OF TOTAL ELEVATION
Elevation = Approx. 142' x 620' = 88040 Sq Ft
58.9 / 88040 = .0006 = 0.06%

NEW LETTERSET + EXISTING SIGNS (PG. 5)
SIGNS = APPROX 0.2% OF TOTAL ELEVATION
Elevation = Approx. 142' x 620' = 88040 Sq Ft
(58.9 + 82.4 + 72) / 88040 = .002 = 0.2%

New Sign = 58.9 Sq. Ft.
Entrance Letters = 82.5 Sq. Ft.
Emergency/Trauma Letters = 72 Sq. Ft.



ILLUSTRATES CODE ALLOWED SIGNAGE FROM ±645' AWAY

Added Thumbnail
Added box calling out SQ FT % of Sign vs. Total Elevation
Added additional SQ FT calculations per permitting lawyer

02

SOUTHWEST ELEVATION

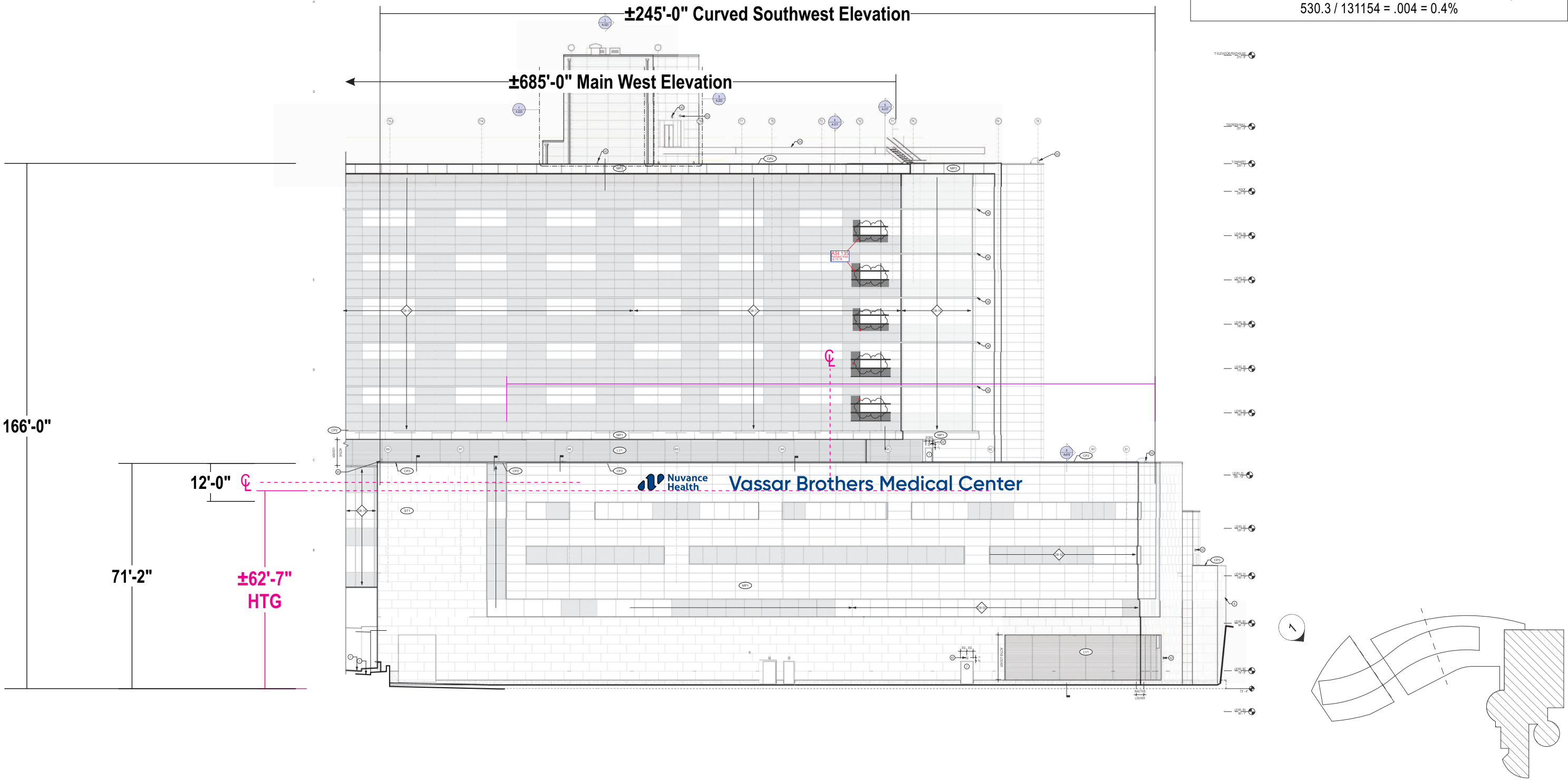
Scale: 1/32"=1'-0"

VARIANCE

ALLOWABLE SF:	60
EXISTING SIGN SF:	N/A
PROPOSED SIGN SF:	530.3

SOUTHWEST (CURVED) ELEVATION ONLY
SIGN = APPROX 3% OF TOTAL ELEVATION
Elevation = Approx. 71.2' x 245' = 17444 Sq Ft
530.3 / 17444 = .03 = 3%

SOUTHWEST (CURVED) ELEVATION + FULL WEST ELEVATION
SIGN = APPROX 0.4% OF TOTAL ELEVATION
Southwest Elevation = Approx. 71.2' x 245' = 17444 Sq Ft
Main West Elevation = Approx. 166' x 685' = 113710 Sq Ft
Total West Elevation = 17444 + 113710 = 131154 Sq Ft
530.3 / 131154 = .004 = 0.4%



Removed Revision Cloud Bubble from Elevation
Added box calling out SQ FT % of Sign vs. Total Elevation
Added additional SQ FT calculations per permitting lawyer

02

SOUTHWEST ELEVATION

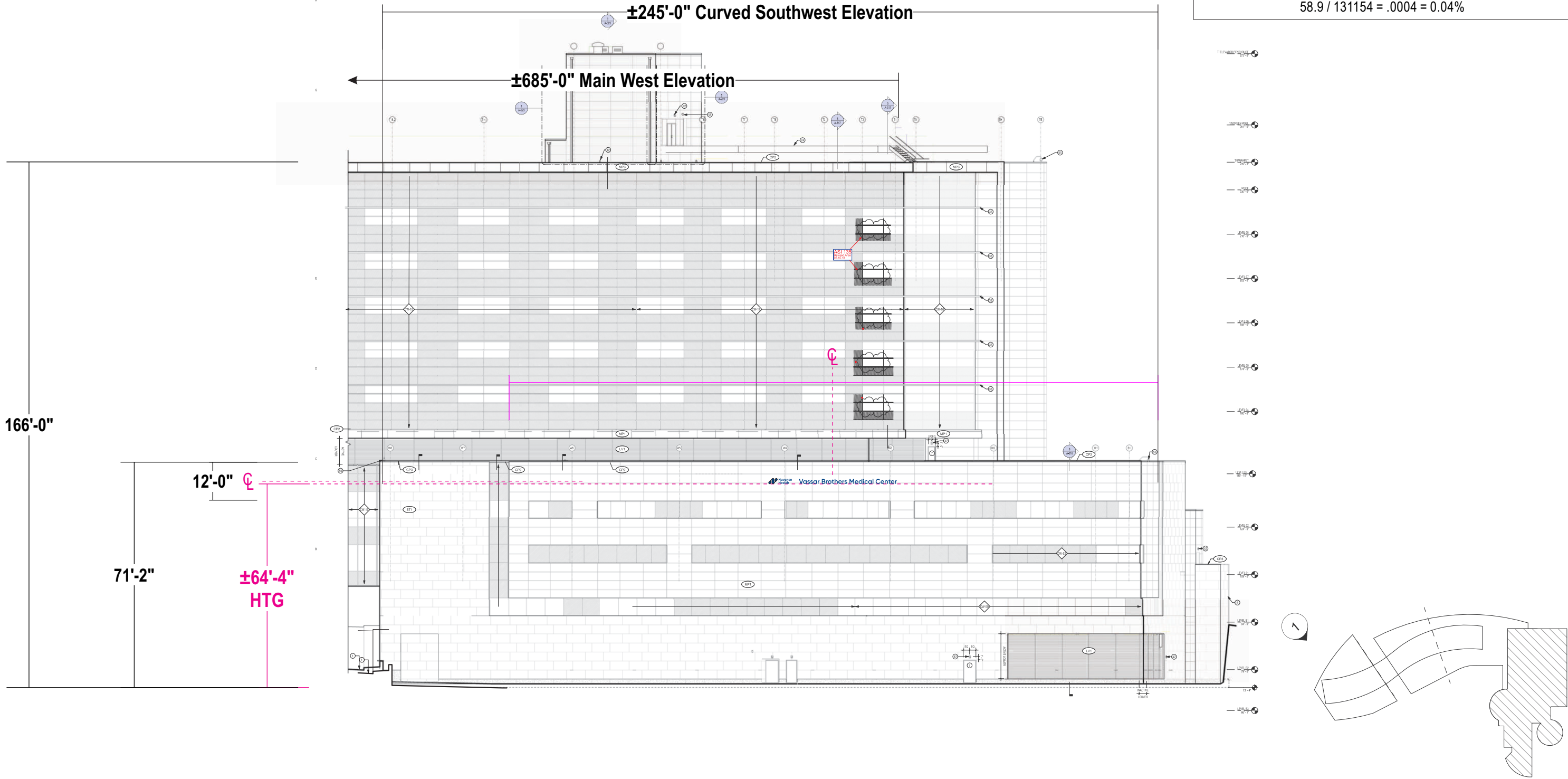
Scale: 1/32"=1'-0"

CODE ALLOWED

ALLOWABLE SF:	60
EXISTING SIGN SF:	N/A
PROPOSED SIGN SF:	58.9

SOUTHWEST (CURVED) ELEVATION ONLY
SIGN = APPROX 0.3% OF TOTAL ELEVATION
Elevation = Approx. 71.2' x 245' = 17444 Sq Ft
58.9 / 17444 = .003 = 0.3%

SOUTHWEST (CURVED) ELEVATION + FULL WEST ELEVATION
SIGN = APPROX 0.04% OF TOTAL ELEVATION
Southwest Elevation = Approx. 71.2' x 245' = 17444 Sq Ft
Main West Elevation = Approx. 166' x 685' = 113710 Sq Ft
Total West Elevation = 17444 + 113710 = 131154 Sq Ft
58.9 / 131154 = .0004 = 0.04%



Removed Revision Cloud Bubble from Elevation
Added box calling out SQ FT % of Sign vs. Total Elevation
Added additional SQ FT calculations per permitting lawyer

01 EAST ELEVATION

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

VARIANCE

ALLOWABLE SF:	60
EXISTING SIGN SF:	N/A
PROPOSED SIGN SF:	530.3

NEW LETTERSET ONLY

SIGN = APPROX 0.6% OF TOTAL ELEVATION

Elevation = Approx. 142' x 620' = 88040 Sq Ft

530.3 / 88040 = .006 = 0.6%

NEW LETTERSET + EXISTING SIGNS (PG. 5)

SIGNS = APPROX 0.7% OF TOTAL ELEVATION

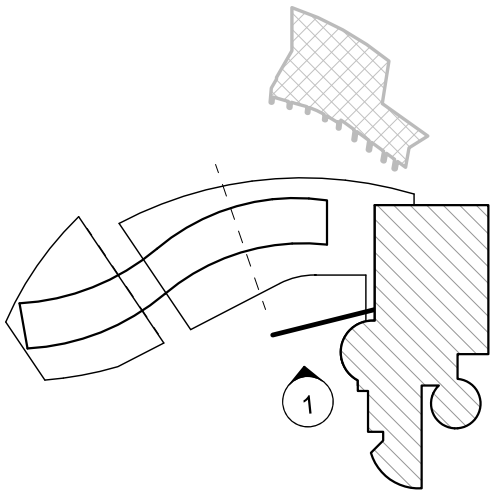
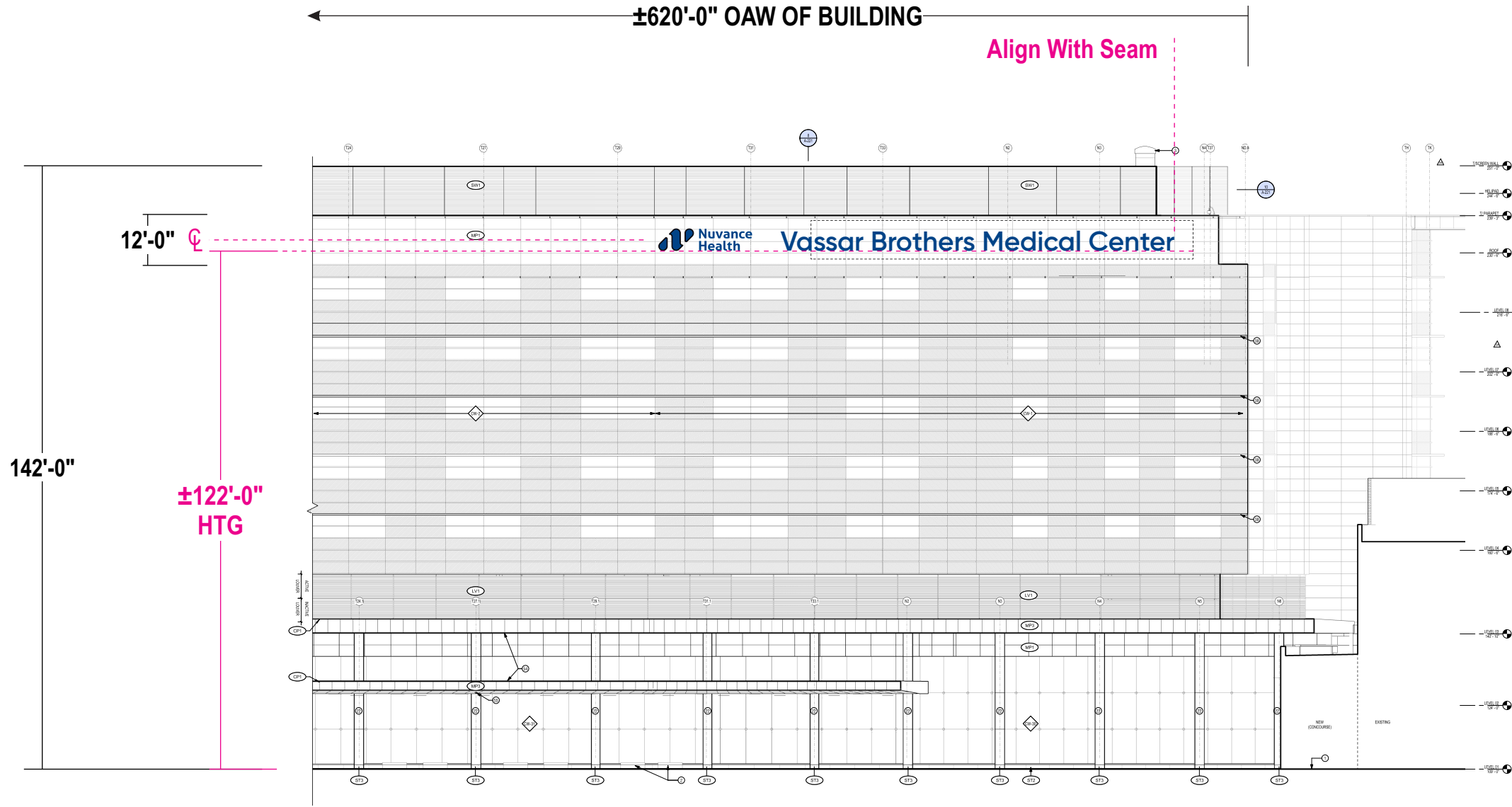
Elevation = Approx. 142' x 620' = 88040 Sq Ft

(530.3 + 82.4 + 72) / 88040 = .007 = 0.7%

New Sign = 530.3 Sq. Ft.

Entrance Letters = 82.5 Sq. Ft.

Emergency/Trauma Letters = 72 Sq. Ft.



Added box calling out SQ FT % of Sign vs. Total Elevation

Added additional SQ FT calculations per permitting lawyer

01 EAST ELEVATION

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

CODE ALLOWED

ALLOWABLE SF:	60
EXISTING SIGN SF:	N/A
PROPOSED SIGN SF:	58.9

NEW LETTERSET ONLY

SIGN = APPROX 0.06% OF TOTAL ELEVATION

Elevation = Approx. 142' x 620' = 88040 Sq Ft

58.9 / 88040 = .0006 = 0.06%

NEW LETTERSET + EXISTING SIGNS (PG. 5)

SIGNS = APPROX 0.2% OF TOTAL ELEVATION

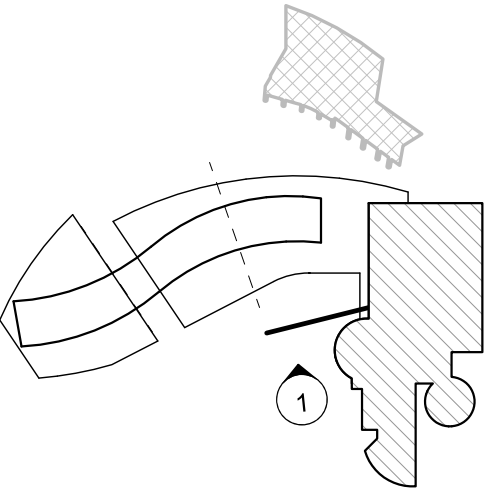
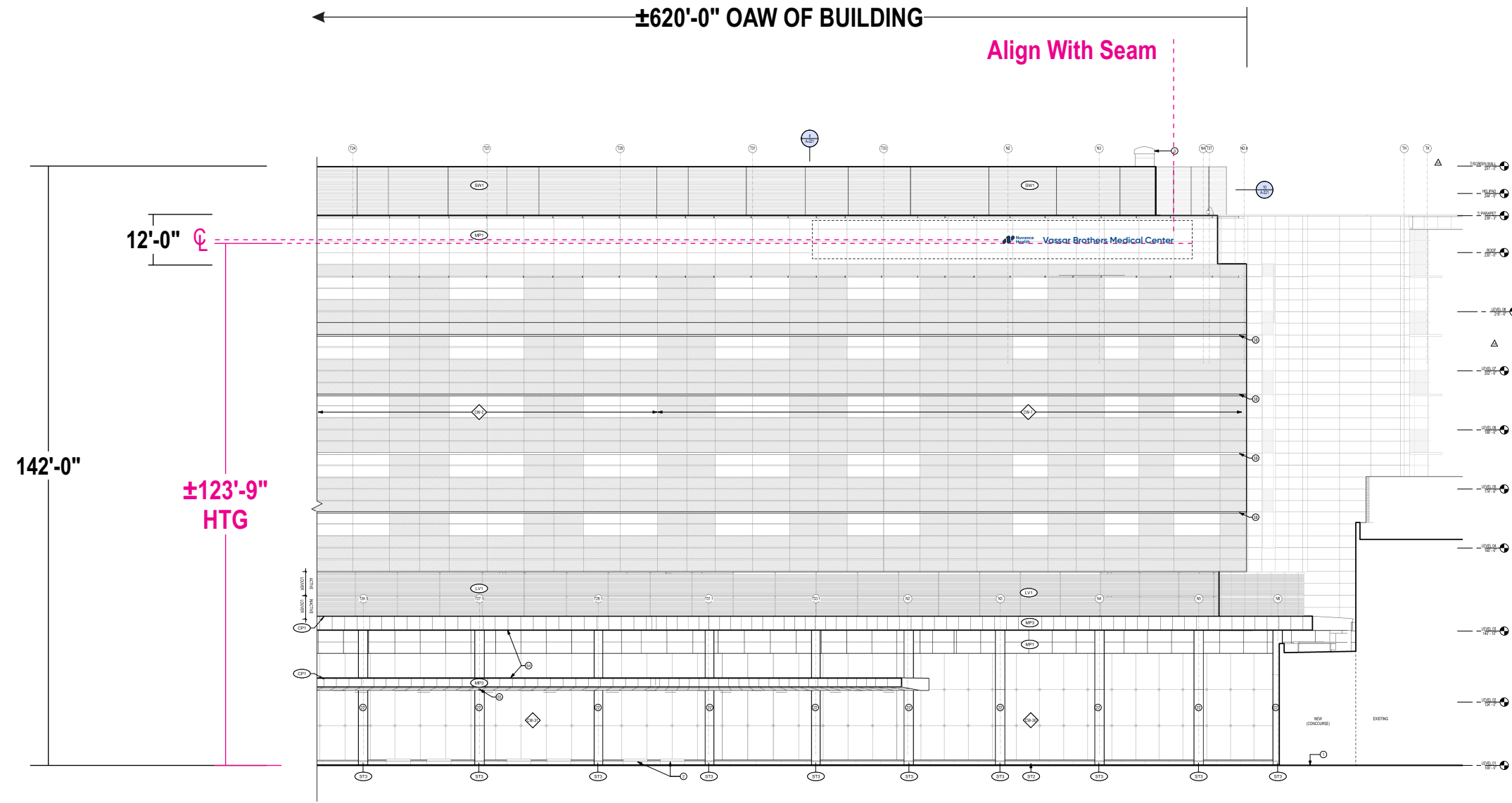
Elevation = Approx. 142' x 620' = 88040 Sq Ft

(58.9 + 82.4 + 72) / 88040 = .002 = 0.2%

New Sign = 58.9 Sq. Ft.

Entrance Letters = 82.5 Sq. Ft.

Emergency/Trauma Letters = 72 Sq. Ft.



Added box calling out SQ FT % of Sign vs. Total Elevation

Added additional SQ FT calculations per permitting lawyer

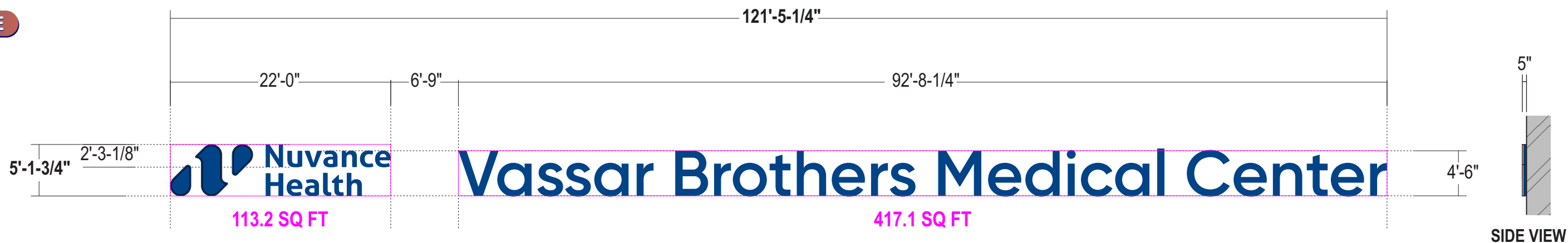
FACE LIT CHANNEL LETTERS - BLUE

PLS-54-B

Scale: $\frac{3}{32}'' = 1'-0''$

530.3 square feet

VARIANCE



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

Fabricated 1" x 1-1/2" metal retainers painted Blue
CUSTOM SPECS DUE TO LARGE SIZE OF LOGO

TRIMCAP:

1" jewelite - painted Nuvance Blue

RETURNS:

5" deep .063 alum. paint exterior Nuvance 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

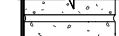
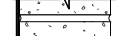
INSTALL:

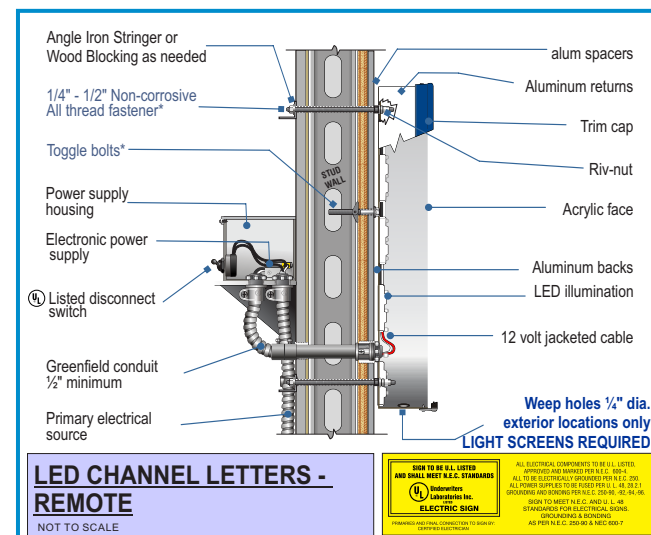
Preferred install is thru bolted to wall surface w/ 1/2" alum. spacers at connection points to allow for (greenfield connectors) using min 3/8" all thread fasteners; min 4 per letter. blocking as required

QUANTITY:

(2) TWO sets required for East & Southwest Elevations

INSTALLATION NOTE:
LETTERS TO BE THRU BOLTED BY DRILLING THRU THE WALL
DEPTH OF $\pm 36"$ 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



Vassar Brothers Medical Center

COLOR PALETTE



FACES:

3M perforated dual color film
printed to match PMS 7687C



TRIMCAPS:

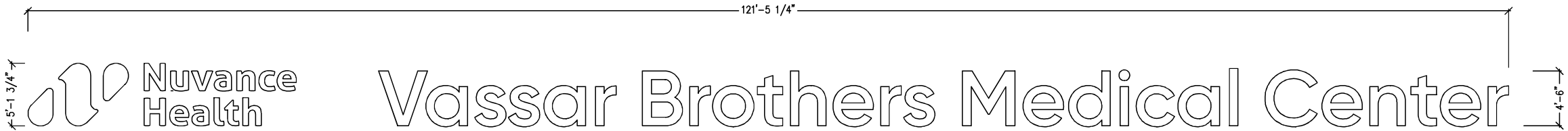
PMS 7687C,
MP 73230 (R191582), semi-gloss



RETURNS:

White MP 27386, semi-gloss

VARIANCE



Sign	# of LEDs	Lumens per mocule	Lumens	Area (sq. ft)	% Transmission of Face Material	% Transmission Vinyl	Reflective Loss	Lumens at face	Foot-Candle*
01 and 02	871	124	108004	216.45	32%	30%	35%	6739.4496	31

Area	Limit	Distance to limit**
Residential	0.01	56 ft
Commercial	2	4 ft

Foot -Candle= (Luments% Transmission of Face Material*% Transmission Vinyl*(1-Reflective Loss)/Area
**Distance to Limit = sqrt(Foot-candle/Limit)

31 foot-candles at the face. 2 foot candles at 4 ft away from face. 0.01 foot candles at 56 feet away.

%Transmission come from #7328 acrylic.

%Transmission Vinyl – Typical day night vinyl we use will have 70% area that is colored and 30% open.

Reflective Loss – Loss of light while it bounces around in the can. Values come from testing done by GE. 12% loss at 3" deep. 35% loss at 5" deep. 50% loss at 8" deep.

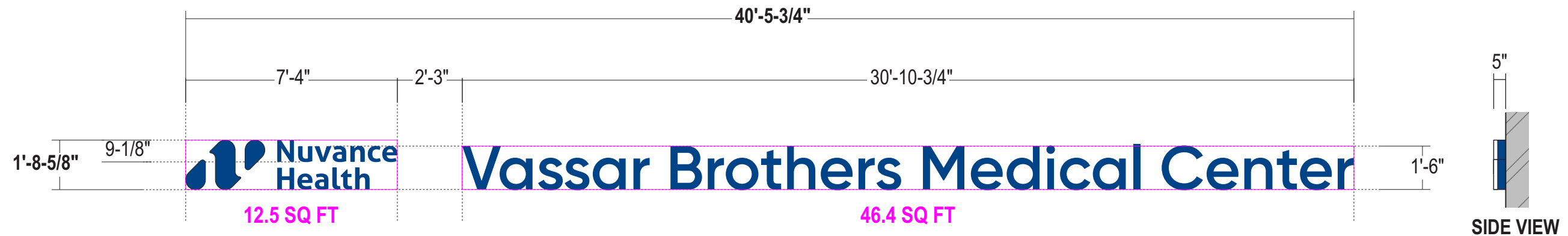
FACE LIT CHANNEL LETTERS - BLUE

PLS-18-B

Scale: 1/4"=1'-0"

58.9 square feet

CODE ALLOWED



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

TRIMCAP: 1" jewelite - painted Nuvance Blue

RETURNS: 5" deep .063 alum. paint exterior Nuvance 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 (lettesets cap ht larger than 36")

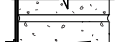
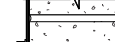
ILLUMINATION: Illuminate w/ white Sloan (or approved equivalent) LEDs (6500k); Remote power supplies

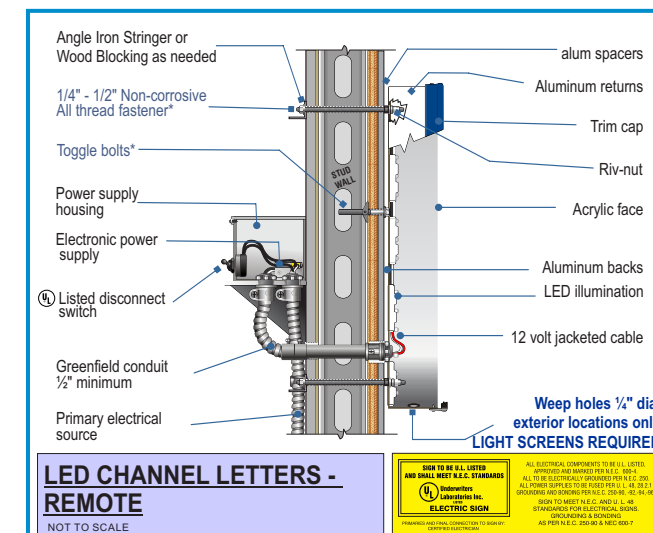
WALL MATERIAL: NOT PROVIDED AT THIS TIME

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: (2) TWO sets required for East & Southwest Elevations

INSTALLATION NOTE:
LETTERS TO BE THRU BOLTED BY DRILLING THRU THE WALL
DEPTH OF $\pm 36"$ 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

VARIANCE REQUEST EXPLANATION

PROJECT HISTORY:	1
REQUESTED VARIANCES:	3
VARIANCES FOR THE WESTERN SIGN:	7
VARIANCES FOR THE EASTERN SIGN:	23

PROJECT HISTORY:

Vassar Brothers Medical Center (“the hospital”) is located in the H-M zoning district, which is south of the City’s central business core. The campus is bounded by Route 9 on the west, and by city streets on the east. The western area of the site, where the new building was constructed, is at a significantly lower grade than the eastern portion of the campus.

In 2015, the hospital obtained a Certificate of Need from the New York State Department of Health to build a major new hospital facility, with over 300 patient rooms in total, operating rooms, and conference center. The new building also houses the Emergency Room/Trauma center for the hospital.

The structure consists of 8-stories above grade and 2-levels partially below grade. On the west side of the building, the levels of the building that are below-grade on the eastern side are partially exposed.

The City Planning Board served as lead agency for the project. It conducted a coordinated SEQR review. At the time, no variances were anticipated, because signage was within the review authority of the City Planning Board. The Sign law was changed in 2018, after the construction of the hospital was approved in 2016. Amended approvals to add an 8th floor were granted in 2017.

During the approval process, the City abandoned title to Livingston Street west of the intersection with Lincoln as a public street. This part of Livingston Street is now a private drive to the new building.

As part of its SEQR review, the Planning Board addressed impacts of the new building on community character, including analysis of site lighting, visual and aesthetic impacts. The Planning Board found that the proposed development was consistent with the City’s Comprehensive Plan, which classified the city as “A Regional Center for Commerce, Medicine and Government.” The Comprehensive plan also recognized Vassar Brothers Medical Center as a major employer.

The Planning Board found that the design of the new building, while innovative, was not in competition with surrounding structures. It found that the design and materials of the building “will improve the overall aesthetic quality of the surrounding area.” The City Site Plan regulations require that a project be “in character with that generally prevailing in the neighborhood.” The Planning Board found that the project will be an aesthetic asset to the area when built.” The Planning Board also found that the project met the site plan standard that all outdoor lighting is of

such nature and so arranged as to preclude the diffusion of glare onto adjoining properties and streets.”¹

The Planning Board’s Special Permit approval resolution found that the project would benefit the City, County, and surrounding area by improving patient care. It found that the area of proposed construction was already substantially developed, and that the project would not be detrimental to the orderly development of any adjacent properties. It also found that the applicant “has given due consideration to the surrounding area and considered existing uses when designing the layout of the Project area, including current and proposed pedestrian and vehicular traffic. The Project will not negatively affect the neighborhood or conflict with normal traffic.”²

The amended Negative Declaration prepared for the added 8th story in 2016 recognizes that the approved architecture for the building was designed to make it a Landmark for the Hudson Valley.³

¹ All quotations are from the Resolution of Site Plan approval issued by the Planning Board on May 24, 2016.

² All quotations are from the Resolution of Special Permit approval issued by the Planning Board on May 27, 2016.

³ Negative Declaration adopted June 20, 2017

REQUESTED VARIANCES:

The new Patient Pavilion is now complete and occupied. It is now the Hospital's primary building. Yet there is still frequent confusion on the part of the public as to what the new building is. Hospital officials and County Tourism officials have encountered visitors to the area who surmise that the new hospital building is a hotel, or even a casino. The hospital wants to clearly state its identity on both major faces of its primary building: Nuvance (with Logo) Vassar Brothers Medical Center. It wants the benefit of signage befitting the scale and Landmark qualities of the building.

The proposed signs are depicted in the attached drawing set. Page 2 of the drawing set shows the proposed locations of the two requested signs:

- The sign on the western face of the building is located toward the southern end, on a curved section of the building that actually faces a southwesterly direction, and is generally oriented toward north-bound traffic on NYS Route 9.
- The sign on the eastern face of the building is located toward the northern end of the building, and is generally oriented toward the intersection of Lincoln and Livingston Street, the only approach to the hospital from the east.

Both proposed signs exceed the limits that qualify for staff-level permitting under the 2018-enacted sign code. Accordingly, these signs are required to come before the ZBA for variances to authorize these exceedances. The exceedances are of two kinds:

- the size of the two signs exceed the maximum size allowing staff permitting
- the location of the proposed signs is higher on the face of the building than allowed by staff permitting.

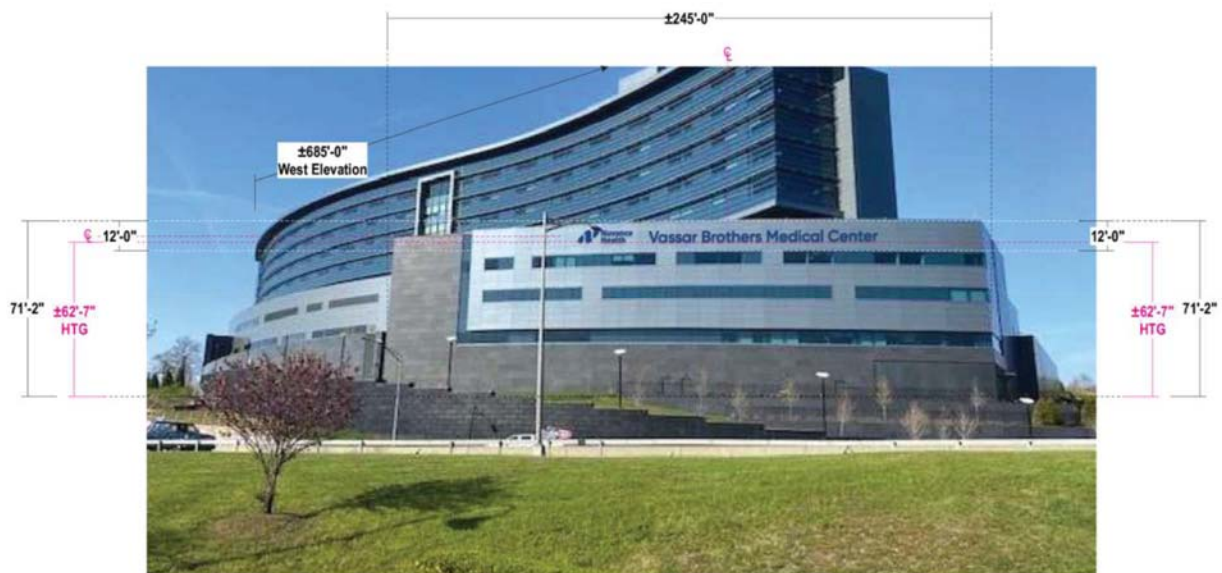
The reasons for the variances relate to the unusual character of the building and the unique characteristics of the building site:

- The building is large, 725,000 SF in size, and eight-stories tall, said to be the largest building ever constructed in the City of Poughkeepsie.⁴ The west face of the building is 685 feet long. The east face of the building is 620 feet long. The length on each side exceeds the length of two football fields. The signage has been scaled to suit the size of the building and distance from which the signs are viewed. The proposed signage is fully compliant with the City code provisions stating that a sign may be 1 square foot in size for each foot of building length. Each sign is 530.30 SF in size, less than permitted. However, the code sets a "maximum sign size" limit of 60 feet (unless a variance is granted). The hospital seeks a variance from this maximum requirement.
- The building is located away from the "downtown" area, and the signs will be viewed by drivers in automobiles, and not by pedestrians. The viewing area for the signage on the west face is the NYS Route 9 corridor north-bound lanes. The viewer of that sign is generally hundreds of feet away from (south of) the sign, and moving at fairly fast vehicular

⁴ Walsh-Consigli JV Transforms Vassar Brothers Medical Center: Poughkeepsie's Largest Project Well Underway, Debra Wood, Constructioneer (April 1, 2018), <https://www.acppubs.com/articles/7375-walsh-consigli-jv-transforms-vassar-brothers-medical-center>.

speeds. The viewing area for the east-face sign is the primary intersection within the hospital campus providing access to the Patient Pavilion (Lincoln/Livingston/Fox). The intersection is 650+ feet (i.e. the length of two football fields) away from the entrance to the hospital. The distance of the potential viewers of the sign from the signs creates a need for larger signs in order to be visible.

- Varying grade elevations also support the need for variance relief. The western face of the building is on the “downhill” side of the building, resulting in exposure of much of the building face below what is grade-level on the east face of the building. The applicable code standard of “locating a sign between 8 feet and 12 feet above the sidewalk” does not make sense in this setting. The Hospital requests a variance to place this sign 62 feet, 7 inches above grade.



- The varying elevations on the east face of the building create different compliance problems. The eastern building face is oriented to an “uphill” view toward properties to the east. There, the viewing point (the Lincoln/Livingston/Fox intersection) is much higher

than the front-door entrance to the new building. A sign at the low story heights provided by the code would not be visible from the intersection. The Hospital requests a variance to place this sign 122 feet above grade.

- The building has an unusual design which features extensive glass that limits possible sign locations as to height.



RENDERING PRIOR TO CONSTRUCTION

The need for variances also relates to the method of regulation the city has chosen. Most sign permits are processed through staff level of permitting. Signs that exceed these parameters must go through the variance process. It is appropriate that the city set rather restrictive standards for administrative processing of signs. The Zoning Board is the appropriate venue to evaluate the specifics of a sign in its context, and the Zoning Board of Appeals has the ability to apply general design principles such as the following:

- Signs should be as close to the ground as possible, consistent with required safety and legibility considerations.
- A sign should have an appropriate size relationship to the building upon which it is placed.
- Signs should be sized according to the speed of the intended observer: smaller for pedestrians, larger for people passing in cars.⁵

⁵ These principles are articulated in section 19-4.9 (3) of the City's sign law in effect until the 2018 amendments. While the principles are more succinctly stated in the 2018 law, and have been tailored to a staff-level review, the above principles are certainly not inconsistent with the present code, and they are also common sense principles which are part of the balancing test for area variances.

VARIANCES FOR THE WESTERN SIGN:

FACTS:

The proposed sign on the western façade is located at the very southern end of the building, where a section of the façade turns to face southwest. It is oriented to be viewed primarily by drivers in the northbound lanes on Route 9. The community setting for this sign is in a commercial/transportation corridor. In response to Zoning Board questions at the June 2022 meeting, the applicant has verified that the western sign will not be seen by residents of the Hudson Point condominiums. The attached drawing shows that those condominiums are north of the new building.



The attached view from the entrance to Hudson Pointe shows that the view south (along the on-ramp to NYS Route 9 Southbound) is of the north face of the building, which has no signage. The sign faces south/southwest and cannot be seen:



The area immediately across the Route 9 right-of-way from the sign is a medical office building. A photo showing the distance between the office building and another picture, showing the view of the southwestern façade of the Patient Pavilion from the office complex are provided in response to Board questions at the June 2022 meeting.



ILLUSTRATES ELEVATION FROM ±300' AWAY

The view of the hospital from the highway shows that, due to the steeply sloping property at the hospital site, the area exposed to the highway is well below the finished grade of the eastern face, and provides limited space for signage. The proposed signage location on the west shows that the sign is very suitable to the scale of the building, and it is legible for drivers on the highway.

The following page in the drawing set shows what the requested sign would look like, and what a “compliant size” sign would look like.



VARIANCES REQUESTED:

Sign Location Code Provisions:

City Code 19-4.9(9)(i)(1) requires that the bottom of wall signs must be no less than 8 feet and no more than 12 feet above the sidewalk. City Code 19-4.9(9)(i)(2) requires that a wall sign shall not extend above the bottom sill of windows on the second story.

Variances Requested:

- A variance to allow a sign 62'7" above grade (Variance #2).
- A variance to allow sign location above the bottom sill of windows on the second story (Variance #4).

Sign Size Code Provisions:

City Code section 19-4.9(9)(i)(2) allows a sign area to increase as the length of a building increases. The section allows 1 SF of wall signage for every lineal foot of building length. Since the length of the west face of the building is 685 feet, and the sign area is 530.30, a lesser number, the proposed sign complies with this provision. However, the same section also sets a size maximum of 60 feet. No sign in the city can be larger than this under the staff-permitting provisions. All signs over 60 SF must go through the variance process, so that the ZBA will have oversight over these signs.

Similarly, section 19-4.9(9)(i)(2) requires any sign with a height greater than 3 feet to apply for a variance, and does not allow staff permitting of such a sign.

Variances Requested:

- A variance to allow signs that are 4'-6" to 5'-1-3/4" in height, exceeding the permitted 3 feet (Variance #6)
- A variance to allow signs that are 530.30 square feet (Variance 8)

ANALYSIS OF VARIANCES FOR WESTERN SIGN:

The overall area variance balancing test:

1. How does this variance benefit the applicant and the project?

The variance would allow the hospital to make its identity clear to the great number of drivers traveling north on NYS Route 9. It is important to the hospital to make its identity clear. Representatives of the hospital have been informed by visitors that the building has been mistaken for a hotel or a casino. It is important that passers-by recognize that the building is a hospital. The sign also functions well to help patients and injured parties get to the hospital from the south. The sign actually becomes visible after a driver has passed the Fox Street exit, but before the Columbia Street exit, alerting a driver to move to the right to be able to exit. Finally, as a major City and County institution, it is fitting that this iconic building have

signage that is of a scale suitable to the building that bears the hospital's name and its Nuvance brand.

The following photos show the view of the face of the building as one approaches from Route 9 north:



FOX STREET EXIT











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5298964.v12

2. Does this variance cause a detriment to the community or neighborhood?

The variances to authorize this sign would not have a detriment to the community or neighborhood. The area is commercial and the sign is suitable to the scale of the building. It is a community benefit to have the hospital easily located by those who need its services.

The sign will not have detrimental impacts when viewed at night. The attached photos show the views of the west/southwest face of this building at night:



The ZBA did not raise concerns at the June 2022 hearing about impacts of night lighting on the western face of the building, since the lighting is in the context of a highway corridor. It is noted, however, that the signage is oriented toward the highway, and not to residential areas. It is also noted that the light level of the sign will fall to 0.01 footcandles at 56 feet away from the sign. (See plan set Sheet 19 “Light Calculations”. See also lighting discussion relating to the eastern sign at pages 29-31 and 33-34 of this document.)

3. **Overall Balancing Test:** Taking into consideration the benefit to the applicant of the variance as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant, should the variance be granted?

The applicant believes that there is no community harm that would outweigh the benefit of the sign to the hospital. Moreover, the sign is actually a benefit to the community in assisting people in finding their way to the hospital. The signage is part of the overall well thought out design of this structure. The proposed height of the sign enhances visibility along a state highway corridor and assists in locating the hospital.

The 5 additional factors to be considered as part of the balancing test (General City Law 81-b(4)(b); City Code 19-8.4(2)(d)(2))

It is noted that these factors are additional considerations, which are intended to be helpful to the ZBA in conducting the overall balancing test, but these factors are not, in themselves, the test for an area variance.

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

There will be no undesirable change in the character of the neighborhood by authorizing this sign. The sign suits the building, and the Planning Board has already determined that the construction of the hospital itself did not create any adverse impact on the character of the neighborhood.

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

There is no reasonable and feasible way to achieve the proposed benefit of visible signage in keeping with the scale of the building without a variance. The southwestern façade does not contain windows within the first 12' above grade. The new facility is above road grade and a sign positioned 12 feet above grade would not be appropriate for this façade design.

3. **Whether the requested area variance is substantial.**

This sign is proposed to be placed 62 feet, 7 inches above grade, where 12 feet is allowed. While the applicant is thus seeking to place the sign substantially higher than permitted, this does not make the variance "substantial" in the sense meant by the variance balancing test. The substantiality of a variance is not judged in purely mathematical terms based on percentage of excess size sought, but has to be evaluated in the context of the actual impact of the proposed use on the neighborhood. Since there is no substantial adverse impact to the community caused by the variance, the variance should not be considered substantial in effect, and does not warrant denial of the requested variances under the overall balancing test.⁶

⁶ It is well-established that the substantiality of a variance does not, alone, justify the denial of an area variance, and that substantiality is only relevant if the variance *actually* creates a detriment to the community. For example, in Aydelott v. Town of Bedford Zoning Board of Appeals, N.Y.L.J. June 25, 2003, pl. 21, col. 4 (Sup. Ct. Westchester County 2003), the Westchester County Supreme Court reversed a ZBA denial of a variance for lot coverage/required open space, noting that "consideration of this percentage of lot coverage

The following factors indicate the requested sign location variances are not substantial: The signage on the west face of the building covers 0.4% of the western face of the building and only 3% of the small curved section of the building where the sign is actually placed (see plan set Sheet 3). The sign is facing a heavily traveled state highway. The sign is subtle in style and color.

The scale of this building—752,000 square feet—is much larger than a customary commercial building in downtown Poughkeepsie. Thus, it is reasonable for the applicant to request a sign that is substantially larger than the 60 square feet permitted by administrative review. The signage provisions contained in the Code do not account for larger structures but instead apply a low maximum size limit, which is not appropriate to singularly large buildings such as the hospital patient pavilion, which has been termed the largest development in the City's history. The visual simulations establish that the proposed size of the sign is appropriate, and that a "compliant" sign would not be legible.

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

There is no physical or environmental adverse effect. The Planning Board conducted a thorough review of the proposed construction of the building prior to construction and concluded that the entire project did not have a significant adverse effect on the neighborhood. The signage is fitting to the structure. It is also noted that the western sign is focused in a southwesterly direction to face in the direction of northbound traffic on NYS Route 9. The signage is not oriented toward the Hudson River, or to the bridge, or to the Walkway over the Hudson.

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

The difficulty is not self-created, but is, rather, a function of the unique site conditions relating to grade, the immense scale of the building. The hospital's desire for branding and signage suitable to the scale of its building is reasonable, and there is a legitimate community benefit from the signage. Moreover, the signage law changed after the Applicant had received its approvals to construct the hospital. Even if the hardship were considered to be "self-created," that alone is not a reason to deny an area variance. Based on the other factors and overall balancing test, this is a reasonable request.

alone, taken in a vacuum, is not an adequate indicator of the substantiality....a large deviation can have little or no impact depending on the circumstances of the variance application." In Lodge Hotel, Inc. v. Town of Erwin Zoning Board of Appeals, No. 94817, 2007 WL 5649523, at *5 (Sup. Ct. Steuben County, Jan. 24, 2007), the court cited the applicable rule. "Substantiality cannot be judged in the abstract; rather, the totality of relevant circumstances must be evaluated in determining whether the variance sought is, in actuality, a substantial one. When reviewing the application in the context of the overall impact it would have on the neighborhood, it is clear that the variance request is not substantial..." The Court also noted that "[l]ooking at the variance request in such a vacuum is not an adequate indicator of the substantiality of Petitioner's application." This rule on substantiality applies to all area variances, whether they relate to Parking (666 OCRTT, LLC v. Board of Zoning Appeals of the Town of Hempstead, 200 A.D. 3d 682 (2d Dept 2021) (reversing a denial of a parking variance); Setbacks (Easy Home Program v. Trotta, 714 N.Y.S. 2d 509, 510 (2d Dept 2002) (reversing denial of an area variance. While the court found the variance "arguably substantial," there was "no evidence that granting the variance would have an undesirable effect on the community or neighborhood.") or any other type of area variance.

Is this the appropriate minimum variance (General City Law 81-b(4)(c); City Code 19-8.4(2)(d)(3))?

Yes. The proposal does not create adverse impacts to the community that require minimization of size as mitigation. There is no realistic way to further minimize the variance as to sign location of the signs and still provide the benefit sought by the applicant. As the comparison photos show, the “compliant” sign is not legible.

DUTCHESS COUNTY PLANNING DEPARTMENT POSITION:

The Dutchess County Planning Department has commented that the consideration of this sign is a “matter of local concern.”

VARIANCES FOR THE EASTERN SIGN:

FACTS:

The proposed sign on the east face of the building is the same size as the western sign (530.3 SF). The placement of the sign is on the upper level of the building, near the building's northerly corner. The purpose of the location is to maximize visibility of the sign when viewed from the intersection of Lincoln and Livingston Street and along the approach down the hill on Livingston Street to the patient drop off at the entrance. The Lincoln/Livingston/Fox intersection is the only approach to the hospital from the easterly direction.

The hospital is a 401 (c) 3 non-profit entity. It serves a significant public purpose. The requested signage is important to the hospital to set forth its identity and its Nuvance logo. The signage also serves the purpose of guiding visitors to the building.

The intersection of Lincoln/Livingston is the end of the public street system. The section of Livingston Street between the intersection and the hospital was abandoned as a city street in 2016. It is now a private driveway to the hospital building. The visibility of the sign from the major intersection is very important, as it calls attention to the building, which is not only the main hospital entrance but also the route to the Emergency room and trauma center. The proposed placement of the sign is designed to assure visibility from the intersection, which is at a much higher elevation than the entrance to the hospital.

The eastern building face is oriented to an "uphill" view toward properties to the east. Those traveling to the hospital from the east have a viewing point (the Lincoln/Livingston/Fox intersection) that is much higher than the front-door entrances to the new building (both to the patient entrance at the north end and the emergency room to the south end. From the intersection, the proposed sign is comfortably at eye level, and easily comprehended. A sign at the low story heights which can be authorized by administrative processing would not be visible from the intersection. It is therefore essential for visibility from the intersection, and the approach to the intersection from Fox Street, that the sign be located where it is now proposed, near the top of the building. Additionally, the "eyebrow" sign above the northerly entrance is not even list at night and cannot be seen.

While proceeding down the hill along Livingston, a smaller sign over the door comes into view, but it is not large enough to be "readable" until a car reaches the elevation level of the entrance. The main sign guides patients along Livingston until the approach a level where they can be further guided to the entrance. The lower sign is not lit at night.

The eastern face of the building contains extensive glass elements that limit possible sign locations as to height. (see visuals in drawing set) Photographs illustrating the necessity of the proposed sign height for visibility from the intersection are submitted here.



APPROACHING INTERSECTION FROM LIVINGSTON ±660' AWAY



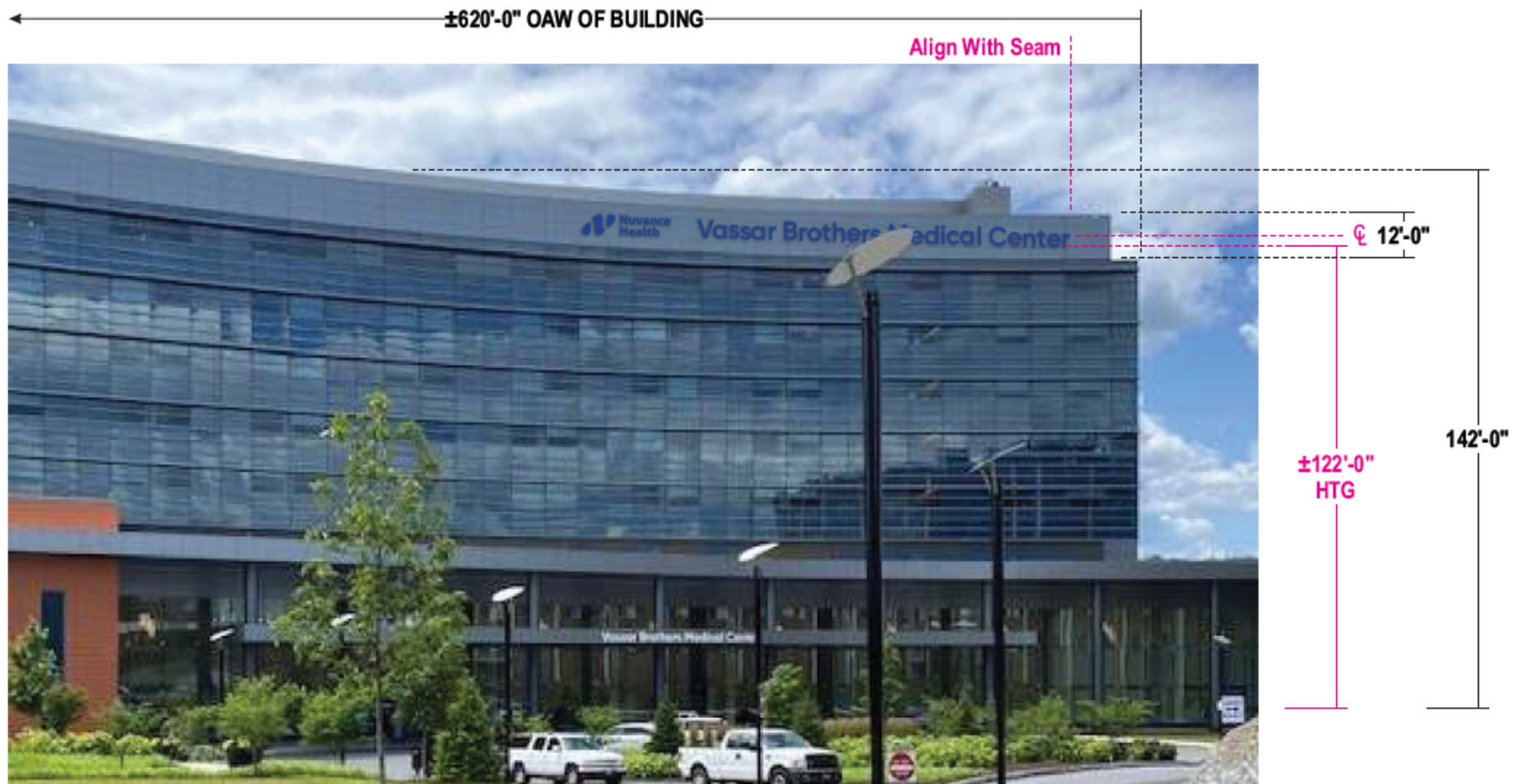
APPROACHING INTERSECTION FROM LIVINGSTON ±660' AWAY



APPROACHING BUILDING ON LIVINGSTON FROM ±645' AWAY



APPROACHING BUILDING ON LIVINGSTON FROM ±350' AWAY IN AN EAST-WEST DIRECTION



VIEW AT TURNING POINT TO APPROACH ENTRANCE - FROM $\pm 350'$ AWAY IN AN NORTHEAST DIRECTION

Several questions were raised by ZBA members at the June 2022 hearing about impacts of the signage on the residential neighbors to the east/northeast of the hospital.

In response, the applicant has provided technical data to address the potential impacts of the lighting. Attached is a graphic showing the property limits of the hospital properties. The graphic has been marked with the distance from the proposed eastern sign to the hospital property lines closest to residential property owners. The hospital boundaries closest to residential neighbors are 612 feet and 814 feet from the proposed sign.



The lighting levels produced by the sign are 31 foot candles of light at the face. This lighting level falls to 2 foot candles at 4 feet away from the face. The lighting level falls further, to 0.01 foot candles at 56 feet away from the sign. (See plan set, Sheet 19 "Light Calculations") Since the distance to the property lines is much farther than that, it is clear that the light from the signs will have dissipated to a level of 0 foot candles at any property line. The graphic also establishes that the views from residential areas toward the building will be generally obscured by other buildings, so that the sign would have minimal visibility, if any.

Attached are photo of the eastern face of the building at night. The "eyebrow sign" over the northern entrance is not lit at night and cannot be seen, even when a car is near the entrance. The photo below shows existing signage on the Legacy building. The ZBA authorized replacement of this signage to the Nuvance branding earlier this year.



In response to another question at the June 2022 meeting, the lighting in the signs will be connected to a photovoltaic connection that will turn them off during the day.⁷

The following graphic shows the comparative visibility of the request sign and the “compliant” sign.

⁷ The lighting of the sign at night is permitted by the Code because the facility is open 24 hours a day. 19-4.9 (8)(c)(1)(g)(i).



VARIANCES REQUESTED:

Sign Location code provisions:

City Code 19-4.9(9)(i)(1) requires that the bottom of wall signs must be no less than 8 feet and no more than 12 feet above the sidewalk. City Code 19-4.9(9)(i)(2) requires that a wall sign shall not extend above the bottom sill of windows on the second story.

Variances requested:

- A variance to allow a sign 122' above grade (Variance #1).
- A variance to allow sign location above the bottom sill of windows on the second story (Variance #3)

Sign Size code provisions:

City Code section 19-4.9(9)(i)(2) allows a sign area to increase as the length of a building increases. The section allows 1 SF of wall signage for every lineal foot of building length. Since the length of the west face of the building is 685 feet, and the sign area is 530.30, a lesser number, the proposed sign complies with this provision. However, the same section also sets a size maximum of 60 feet. No sign in the city can be larger than this under the staff-permitting provisions. All signs over 60 SF must go through the variance process, so that the ZBA will have oversight over these signs.

Similarly, section 19-4.9(9)(i)(2) requires any sign with a height greater than 3 feet to apply for a variance, and does not allow staff permitting of such a sign.

Variances requested:

- A variance to allow signs that are 4'-6" to 5'1-3/4" in height, exceeding the permitted 3 feet (Variance #5)
- A variance to allow signs that are 530.30 square feet (Variance #7)

ANALYSIS OF VARIANCES FOR EASTERN SIGN:

The overall area variance balancing test:

1. How does this variance benefit the applicant and the project?

The requested variance allows the hospital to identify its Patient Pavilion building. As the Planning Board noted in its amended Site Plan approval for the building in 2017, the approved architecture was designed as a Landmark for the Hudson Valley.

2. Does this variance cause a detriment to the community or neighborhood?

The Planning Board has already determined that the entire construction project, including the creation of the building, does not create a significant adverse impact on community character.

The Planning Board's environmental review including an analysis of site lighting of the new campus improvements, and the Board revisited the lighting issue in approving the 2017 addition of an 8th floor. The Planning Board concluded that the new lighting would not be significant and would not impact the City. The lighting from the proposed signage is an extremely minimal addition to the overall lighting on the campus. This lighting will be dissipated to a zero foot candle basis well within the hospital site.

The Planning Board found that the creation of this building is a benefit to the community. The signage is also a benefit to the community as it identifies the building and assists in guiding community members to the building. The eastern sign has virtually no visibility beyond the hospital site, and little visibility beyond the Lincoln/Livingston/Fox street intersection, because of existing buildings on the campus, and because of the grade-change between the grade level at the new building and the grade level of surrounding land to the east.

3. Overall Balancing Test: Taking into consideration the benefit to the applicant of the variance as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant, should the variance be granted?

This is ultimately a question for the ZBA's judgment, but the applicant respectfully submits that there is no detriment to the health, safety, or welfare of the neighborhood or community caused by the approval of this sign. Accordingly, there is no reason to deny the requested variance.

5-part test analysis (General City Law 81-b(4)(b); City Code 19-8.4(2)(d)(2))

It is noted that these factors are additional considerations, which are intended to be helpful to the ZBA in conducting the overall balancing test, but these factors are not, in themselves, the test for an area variance.

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

The wall signage dimensions will not change the character of the neighborhood. The property is in the H-M zoning district, and the area is characterized as a hospital campus center. The scale of the signage is appropriate to the use, the building, and the surrounding medical campus. As noted, the lighting related to the sign will not cause any detriment to the neighborhood, and the signage itself has virtually no visibility outside the campus.

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

It cannot. Applicant has demonstrated the appearance and lack of visibility and effectiveness of a compliant sign. An area variance is the only method available to obtain appropriately scaled signs. The City's sign regulation system provides for administrative review of small signs, and requires all larger signs to undergo review by the ZBA. This does not represent a strong public policy against signs that are at a proper scale for large buildings, but simply requires review.

3. Whether the requested area variance is substantial.

The requested area variance relief increases the square feet of the signage to 530.3 SF and the height of the sign from 3' to 5'1-3/4". The east elevation is 620 feet long and 8 stories tall. The sign is proposed to be placed 62 feet, 7 inches above grade, where 12 feet is allowed.

While the applicant is thus seeking to place a larger sign substantially higher than permitted, this does not make the variance "substantial" in the sense meant by the variance balancing test. The substantiality of a variance is not judged in purely mathematical terms based on percentage of excess size sought, but has to be evaluated in the context of the actual impact of the proposed use on the neighborhood. Since there is no substantial adverse impact to the community caused by the variance, the variance should not be considered substantial. See footnote 6 above.

The following factors indicate the requested sign location variances are not substantial: The signage on the east face of the building covers only 0.6% of the face of the building, i.e. less than 1% of the building surface. The sign is subtle in style and color and not garish or overly bright. The sign will not be lit during the day. The applicant has established that the sign has very limited visibility beyond the Livingston/Lincoln intersection; and has further established that the light levels from the sign reach a zero foot candle level within the hospital property line, as discussed in other sections of this analysis.

The scale of this building—752,000 square feet—is much larger than a customary commercial building in downtown Poughkeepsie. Accordingly, it is reasonable to request a sign that is significantly larger than permitted via administrative permitting. The signage provisions contained in the Code do not account for larger structures but instead apply a low maximum size limit, which is not appropriate to singularly large buildings such as the hospital patient pavilion, which has been termed the largest development in the City's history. The code does not represent a strong public policy against signs that are at a proper scale for large buildings, but simply requires ZBA review. The visual simulations establish that the proposed size of the sign is appropriate, and that a "complaint" sign would not be legible.

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

There is no physical or environmental adverse effect, as discussed in preceding sections. The sign itself has virtually no visibility outside the site, and the foot candles from the lighting are reduced to zero within the hospital site. The Planning Board has previously found that the entire hospital expansion project which included the new patient pavilion did not cause significant adverse impacts, including impacts on community character. The Planning Board therefore adopted a Negative Declaration under SEQR in 2016, and affirmed that finding in 2017 when it approved the addition of an 8th story to the building.

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

The applicant's difficulty is related to physical circumstances in the area, including the change in elevation from the building to the surrounding areas of the campus. This is not a difficulty

of the applicant's making. The difficulty is also created by the nature of the City code, which creates very low maximum size limits for administratively approved signs, and requires all larger signs to come before the ZBA. Even if the difficulty is considered "self-created," this alone does not justify the denial of an area variance, especially where the variance causes no detriment to the community.

Is this the appropriate minimum variance (General City Law 81-b(4)(c); City Code 19-8.4(2)(d)(3))?

Yes. The proposed sign has virtually no visibility outside the campus. The signage represents less than 1 % of the building area (0.6 %). The proposal does not create adverse impacts to the community that require minimization of size as mitigation. There is no realistic way to further minimize the variance as to sign location of the signs and still provide the benefit sought by the applicant.

THE DUTCHESS COUNTY PLANNING BOARD POSITION:

The County Planning Department has opposed the eastern sign, and stated its own opinion as to where the sign should be located (central to the building and lower, just above the pathway of Livingston Street under the building) and the size of the sign (demanding that it be smaller). The County further states that it is aware that its negative opinion triggers a super-majority voting requirement under the provisions of General Municipal Law 239-m.

We respectfully submit that the County's opposition to the sign is not persuasive, for the following reasons:

- The jurisdictional purpose of the County referral is for the purpose of the County addressing "significant county wide or inter community impact." GML 239-m (4) The Department cites no such claimed impact from these signs. The eastern sign is virtually invisible from outside the property. The western sign has far greater visibility, and is exactly the same size, yet the County does not object to that sign.
- The County letter does not even speak to the area variance standards that the ZBA must apply. The ZBA is responsible to apply those standards, objectively and fairly. The County ignores the overall balancing test, and the benefits to the applicant. It also ignores the fact that there is no detrimental effect to the surrounding community from the proposed eastern sign. These issues can't be ignored by the Zoning Board in carrying out its duties under General City Law and the City Code. The County claims to have "a better idea" about sign location and size. But the lawful function of the Zoning Board is not to conduct an opinion poll on design, but to apply very specific legal standards, in balancing the benefit to the applicant as weighed against the detriment, *if any*, to the community.
- The County misinterprets the requirement to "minimize" the variance. The standard of minimization requires that the Board grant the minimum variance that will *both* be "necessary and adequate" [to address the applicant's proposed benefit] *and* at the same time preserve and protect the character of the neighborhood and community. In other words, the minimization is tied to the overall balancing test. The County ignores considerations that there is no adverse impact of the requested variance on the community. It emphasizes one aspect of the standard and ignores the other.

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- The County's suggestion of location is objectionable to the applicant. It does not have visibility from the intersection, and it would encourage visitors to travel under the building. The applicant has fully described its proposed benefit from the sign, and the proposed location is the one that provides the benefit to the applicant. Based on the applicable balancing test, there is no detrimental effect on the community, and the variance should be granted.

02

SOUTHWEST ELEVATION - NIGHT VIEW

Scale: NTS

VARIANCE



APPROX. PHOTO
LOCATION

ALLOWABLE SF:	60
EXISTING SIGN SF:	N/A
PROPOSED SIGN SF:	530.3

SOUTHWEST (CURVED) ELEVATION ONLY
SIGN = APPROX 3% OF TOTAL ELEVATION
Elevation = Approx. 71.2' x 245' = 17444 Sq Ft
530.3 / 17444 = .03 = 3%

SOUTHWEST (CURVED) ELEVATION + FULL WEST ELEVATION
SIGN = APPROX 0.4% OF TOTAL ELEVATION
Southwest Elevation = Approx. 71.2' x 245' = 17444 Sq Ft
Main West Elevation = Approx. 166' x 685' = 113710 Sq Ft
Total West Elevation = 17444 + 113710 = 131154 Sq Ft
530.3 / 131154 = .004 = 0.4%



02

SOUTHWEST ELEVATION - NIGHT VIEW

Scale: NTS

CODE ALLOWED



APPROX. PHOTO LOCATION

ALLOWABLE SF:	60
EXISTING SIGN SF:	N/A
PROPOSED SIGN SF:	58.9

SOUTHWEST (CURVED) ELEVATION ONLY
SIGN = APPROX 0.3% OF TOTAL ELEVATION
Elevation = Approx. 71.2' x 245' = 17444 Sq Ft
58.9 / 17444 = .003 = 0.3%

SOUTHWEST (CURVED) ELEVATION + FULL WEST ELEVATION
SIGN = APPROX 0.04% OF TOTAL ELEVATION
Southwest Elevation = Approx. 71.2' x 245' = 17444 Sq Ft
Main West Elevation = Approx. 166' x 685' = 113710 Sq Ft
Total West Elevation = 17444 + 113710 = 131154 Sq Ft
58.9 / 131154 = .0004 = 0.04%



East Elevation Night Photo Added

Lisa Morris & Phil Malinovsky
66 Lincoln Avenue
Poughkeepsie, NY 12601
Home: 845-473-5313

July 28, 2022

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

Chairman Parker:

Good morning. We live at 66 Lincoln Avenue, only 2 houses from Vassar Brothers Medical Center Property. We understand that the Hospital has requested a variance for signage on the new hospital building that will face Route 9 as well as the City neighborhood, including our home. We have a birds-eye view of the new sign's location from our front porch, and we would welcome the addition of proper signage on the building.

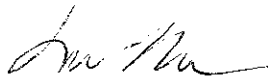
While ground-level signage is currently helpful, many visitors and patients coming to the new building are not familiar with the streets and often are in a state of high stress (as expected). Having illuminated signage of a proper size that can be readily seen and read at a distance is crucial for this new location. While we understand the reasons for wanting to control signage within the City, this new hospital is a clear destination point for our entire community and as such it requires proper signage, such as the hospital is requesting. As a marketing and branding professional, Lisa is well aware of the need to ensure the building is properly identified for not only patients and visitors, but all those visiting our community.

In short, we have no problem with VBMC's request for a sign that is larger than the Zoning Board's current regulations. We highly recommend that you approve their variance request. Thank you.

Sincerely,



Phil Malinovsky



Lisa Morris

RECEIVED

AUG 01 2022

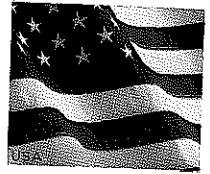
ALBANY NY 120

29 JUL 2022 PM 1 L



8675207141 02858

FOREVER

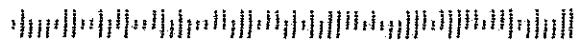


City of Poughkeepsie
Zoning Board

62 Civic Center Plaza
Poughkeepsie, NY

ATTN: Chairman
12601-241162

12601



August 2, 2022

Chairman Scott Parker and
Members of the Zoning Board of Appeals
City of Poughkeepsie
City Hall –3rd Floor
62 Civic Center Plaza
Poughkeepsie, NY 12601

Re: Vassar Brothers Medical Center Patient Pavilion—variances for two signs

Dear Mr. Parker and members of the Board:

As the Assistant Vice President for Community, Government and Public Relations and a resident of the City of Poughkeepsie, I am submitting this letter to describe the circumstances in which I have become aware that many people do not understand the building is a hospital.

Here are two examples. But I will say that in my travels throughout the community over the past six years, ever since we began construction on the building, I have heard many more.

- Example No. 1: On a recent trip down Route 9 with some out-of-town friends, a member of our Foundation heard them comment as they drove past, "Wow. What a beautiful building that is. Is it a hotel?" She was proud to respond, "No, that is actually the flagship hospital for our health system." But she would have preferred the building to speak for itself.
- Example No. 2: We recently hosted a film production in our now-vacant legacy Emergency Department that included a cast and crew of nearly 70 people, many of whom were from outside the Hudson Valley. It was commented to our team multiple times by crew members that they had thought the building was a casino when they first saw it. It did not dawn on them at all that it may be a hospital.

From these examples, I'm confident these are not isolated thoughts. Which is why the signs will provide needed identification and branding to the Hospital. They will also help patients and visitors find the entry to the new building.

The new building is stately and monumental. In essence, it is a landmark for the city, one that we can all be proud of. For this reason, it needs identity signage to make it look "finished." The Nuvance Health design team has placed the proposed signs in a thoughtful manner.

Kindly place this letter in the record of the public hearing on August 9, 2022, and consider my support for the requested variances.

Sincerely,



John Nelson
AVP, Community, Government and Public Relations, NY, Nuvance Health
Residence: 22 Alden Road, Poughkeepsie, NY 12603



**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: 117 North Hamilton Street, Poughkeepsie, NY 12601

ZONING DISTRICT: Light Industrial (I-1) District

OWNER INFORMATION:

Name:	<u>North Hamilton Parcel LLC / Eric Baxter</u>	<u>117 North Hamilton LLC / Mark DiCorcia</u>
Address:	<u>278 Mill Street #100</u>	<u>186 Cottage Street</u>
	<u>Poughkeepsie, NY 12601</u>	<u>Poughkeepsie, NY 12601</u>
Phone:	<u>845-471-1047</u>	<u>845-464-0207</u>
Email:	<u>eric@baxterbuilt.com</u>	<u>trueforminc@verizon.net</u>

APPLICANT INFORMATION:

Name:	<u>North Hamilton Parcel LLC / Eric Baxter</u>	<u>117 North Hamilton LLC / Mark DiCorcia</u>
Address:	<u>278 Mill Street #100</u>	<u>186 Cottage Street</u>
	<u>Poughkeepsie, NY 12601</u>	<u>Poughkeepsie, NY 12601</u>
Phone:	<u>845-471-1047</u>	<u>845-464-0207</u>
Email:	<u>eric@baxterbuilt.com</u>	<u>trueforminc@verizon.net</u>

CONSULTANT INFORMATION:

Name:	<u>Rohde Soyka & Andrews Consulting Engineers PC / John Andrews</u>
Address:	<u>40 Garden Street</u>
	<u>Poughkeepsie, NY 12601</u>
Phone:	<u>845-452-7515</u>
Email:	<u>jandrews@rsaengrs.com</u>

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: 07/05/2022

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

PROPERTY ADDRESS: 117 North Hamilton Street, 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
<u>19-3.29(4)(d)</u>	<u>Minimum Landscape Buffer - 25FT</u>	<u>Relief of 20FT on N.East Corner</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: 117 North Hamilton Street, Poughkeepsie, NY 12601

LIST OF REQUIRED ATTACHMENTS

1. Letter or communication which resulted in application to the ZBA.
2. Site or Plot Plan: Nine (9) copies.
3. Color photos of site conditions: Nine (9) copies
4. Complete Short EAF
5. Electronic file submission of the plot plan and color photos
6. Other attachments deemed pertinent by the applicant (please list):
 - Complete a NRI Conservation Analysis for your site
 - Update landscape plan to show trees slated for removal
 - Update site plan to show outline of structures on adjoining properties
 - [See additional requests from PB below](#)

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

7/5/22

DATE

Eric Barber

Print Name

ADDITIONAL ATTACHMENTS

Optional requests for consideration by the board:

- Adding windows and a commercial space to the back building for some kind of restaurant or ice cream shop that could face the proposed Urban Trail

>> We have elected not to include materials for this, as the design of the building includes a side yard between the building and the future Urban Trail.

-The board requested looking at various color alternatives and signage for the back building. I'm noting this as optional as this will likely be discussed at the architectural work session

>> See attached for updated design with new color alternative and signage.

BAXTER

DEVELOPMENT

August 9, 2022

The City of Poughkeepsie New York Planning & Zoning
62 Civic Center Plaza, 2nd Floor
Poughkeepsie, NY 12601

Re: 117 North Hamilton Street

To Whom it may concern,

We write to you regarding our upcoming project at 117 North Hamilton Street and in response to the questions and comments posed by the Zoning Board in the last meeting on Tuesday 7/5/2022. The three pieces of feedback that the ZB shared are as follows:

- **Financial Analysis:** Provide justification for the proposed square footage of the larger building in reference to financial feasibility and why the foot print cannot be reduced to avoid the area variance on the northern property line.
- **Revised Site Plan:** Review of the placement and number of parking spaces on the northern end of the property to explore if this can reduce the requested buffer variance.
- **Site Visit:** The board requests a site visit to be able to better visualize the high grade range in the rear of the property that abuts residential properties.

Attached, you will find the ZBA Area Variance application (no changes), in addition to the financial analysis and the revised site plan. In the site plan, you will see 6 parking spaces on the north side of the site have been removed (note, we are still above minimum parking required), and adjustments have been made to comply with the feedback from the Fire Department (however, final approval from the Fire Dept has not yet been provided). The site visit is being scheduled for Tuesday 8/2/2022.

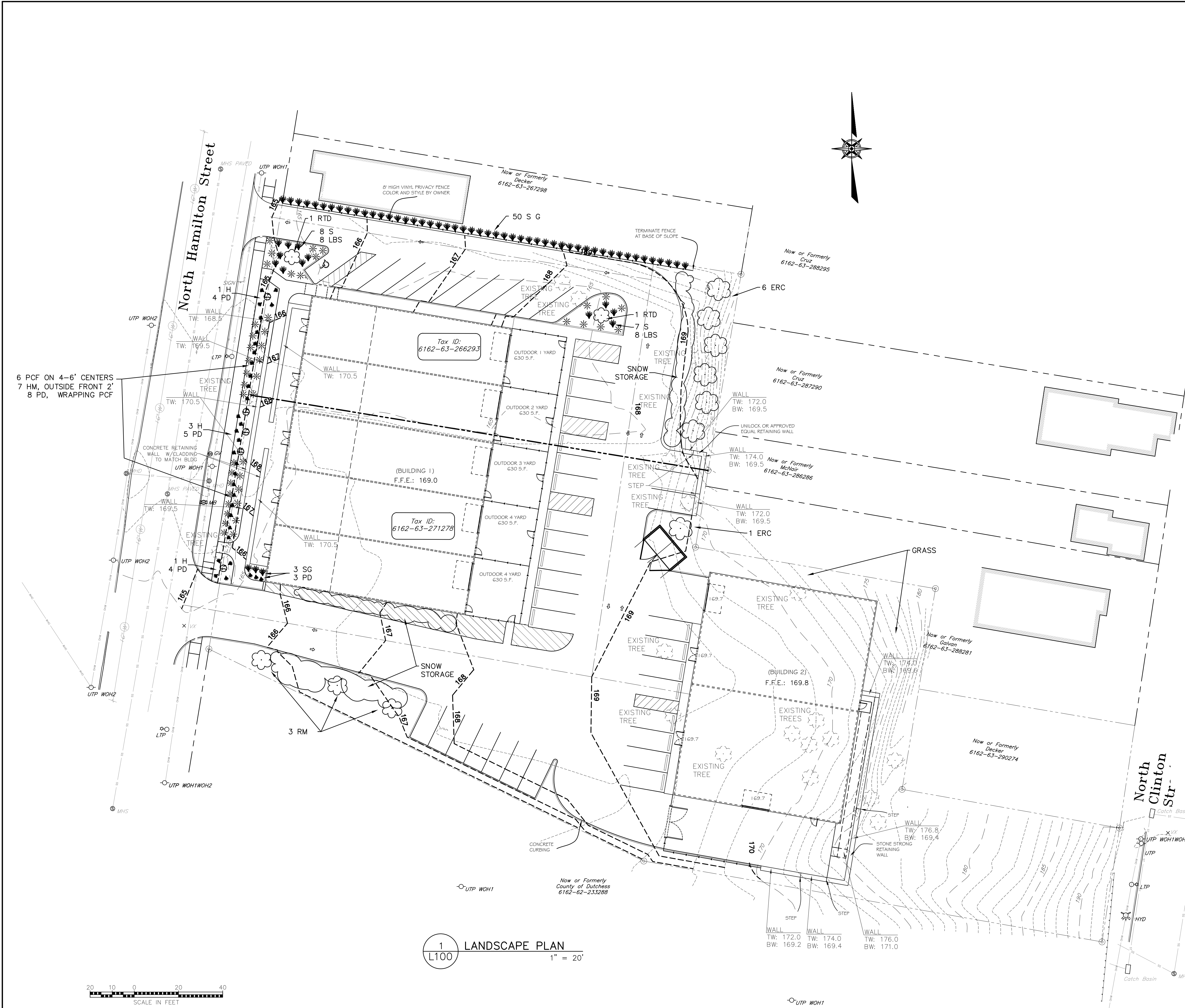
Additional background on the area variance request (also previously shared):

The request for the variance is for relief of 20-feet on the northeast corner of the site (in response to zoning ordinance 19-3.29(4)(d) that calls for a 25-foot landscaped buffer). The intent of the zoning ordinance is to provide a substantial barrier between industrial/commercial and residential properties, and this intent is achieved throughout the site design. The only instance where the buffer is < 25-feet, the buffer intent is achieved through an 8-foot-high opaque fence, thick landscaping with large evergreens and a natural slope that sets our property well below the neighboring parcel. Additionally, the natural landscaping ends up positioning our site well below the foundation of the neighboring property, so it aids in creating a vertical buffer that provides the same intent that the zoning ordinance calls for.

If anything still remains unclear after your review of the submitted materials, please let us know.

Thank you,

Eric Baxter
Vice President
Baxter Development Corp.



NOTES

1. PROTECT ALL EXISTING VEGETATION TO REMAIN FROM DAMAGE DURING CONSTRUCTION.
2. USE EXTREME CAUTION TO PROTECT UTILITIES.
3. ALL PLANT MATERIAL SHALL BE NURSERY GROWN UNLESS OTHERWISE NOTED.
4. QUANTITIES GIVEN ON THE PLANTING LIST ARE FOR REFERENCE ONLY. THE CONTRACTOR SHALL VERIFY ALL QUANTITIES SHOWN ON THE LIST AND SHALL BE RESPONSIBLE FOR FURNISHING ALL MATERIALS REQUIRED TO COMPLETE THE PLANS.
5. THE CONTRACTOR SHALL VERIFY ALL GRADES, DIMENSIONS AND EXISTING CONDITIONS, AND REPORT ANY DISCREPANCIES TO THE ENGINEER.
6. ALL BEDS AND TREE SAUCERS AND OTHER AREAS NOTED SHALL RECEIVE 2 INCHES (MINIMUM) OF APPROVED MULCH (SHREDDED CEDAR).
7. CONTRACTOR SHALL GUARANTEE ALL PLANT MATERIAL FOR ONE YEAR FROM TIME OF ENGINEER'S FINAL WRITTEN APPROVAL.
8. TOP SOIL MIX SHALL INCLUDE:
 - 3 PARTS SCREENED TOPSOIL
 - 1PART SAND
 - 1 PART HUMUS
 - 5 LBS. SUPERPHOSPHATE PER CU. YD. OF MIX
9. CONTRACTOR TO COORDINATE PLANTING, SEEDING AND TREE WORK WITH OTHER TRADES.
10. CONTRACTOR IS RESPONSIBLE FOR RESTORING ALL AREAS DISTURBED DUE TO PLANTING OPERATIONS.

LEGEND

- EXISTING TREE
- PROPOSED TREE
- PROPOSED SHRUB
- PROPOSED GRASSES
- PROPOSED PERENNIALS

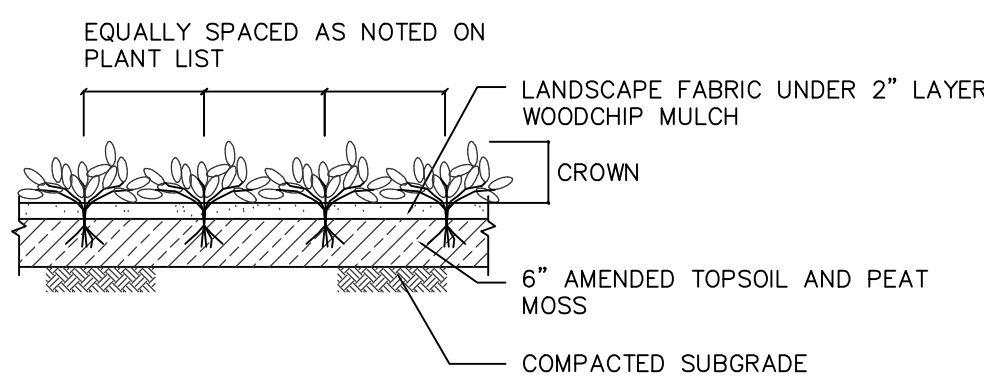
PLANT LIST

QTY	KEY	BOTANICAL NAME	COMMON NAME	SIZE	COMMENTS
Trees					
7	ERC	<i>Juniperus virginiana</i>	Eastern Red Cedar	5-6'	B&B
3	RM	<i>Acer rubrum</i>	Red Maple	2-2.5" C	B&B
Shrubs					
2	RTD	<i>Cornus alba "siberica"</i>	Red Twig Dogwood	3 - 5' Hgt	1 Gal
5	H	<i>Hydrangea paniculata</i> "little quick fire"	Hydrangea	3 - 5' Hgt	1 Gal
Grasses					
50	SG	<i>Panicum virgatum</i> "Shenandoah"	Switch Grass	1 Gal	18" O.C.
32	PD	<i>Sporobolus heteroepis</i>	Prairie Dropseed	1 Gal	18" O.C.
12	LBS	<i>Carex sprengeii</i>	Long Beaked Sedge	1 Gal	18" O.C.
Perennials					
12	PCF	<i>Echinacea purpurea</i>	Purple Cone Flower	2 Gal	
14	HM	<i>Agastache</i> "Summer Sky"	Hummingbird Mint	2 Gal	
15	S	<i>Sedum herbstfreude</i> "autumn joy"	Stonecrop	2 Gal	

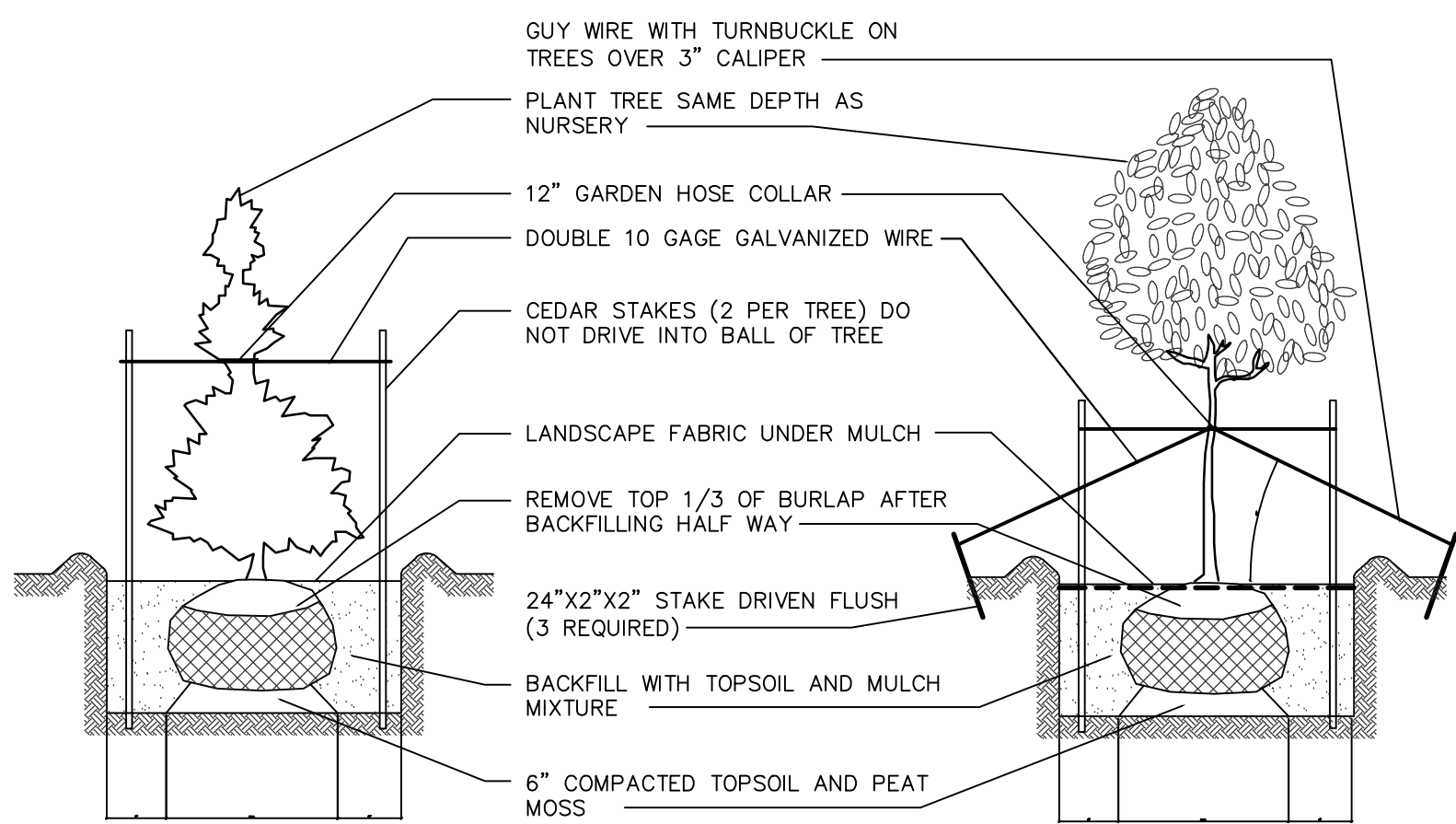
ALL AREAS NOT OTHERWISE COVERED BY ASPHALT, BUILDINGS OR LANDSCAPE PLANTINGS, SHALL BE TOPSOILED, SEEDED WITH LAWN (GRASS) PLANTED.



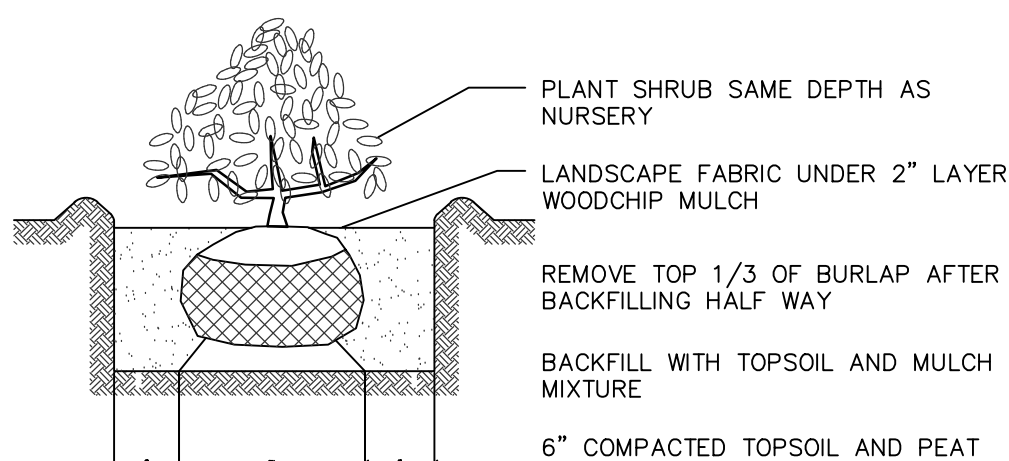
1 LANDSCAPE PLAN
L100
1" = 20'



5 GROUNDCOVER PLANTING
NO SCALE

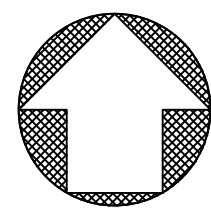


5 PLANTING
NO SCALE



5 SHRUB PLANTING
NO SCALE

	JVA	JVA	BY
	PER CITY COMMENT	PER OWNER COMMENT	REVISION
2	7/5/22	1	9/27/22
NO.	DATE		



NORTH ARROW

• Alteration of this drawing, except by a Licensed Professional Engineer or Architect, is prohibited.
• The user of this drawing shall verify all dimensions shown and date of alteration.
• This line is one inch long.

DRAWN BY:	KMC	1" = 20'
CHECKED BY:	JVA	
DATE:	APRIL 2022	
SCALE:		

ROUDE SOYKA
& ANDREWS
Consulting Engineers PC
Poughkeepsie, N.Y. 12601
40 Garden Street
Pax: (845) 882-8335

117 NORTH HAMILTON STREET
NORTH HAMILTON, NEW YORK
DUTCHESS COUNTY, NEW YORK
LANDSCAPE PLAN

PROJECT NUMBER:
21-786-01
DRAWING NUMBER:
L100
9 OF 9

Full Environmental Assessment Form
Part 1 - Project and Setting

117 N Hamilton - 5
SEQRA
3.29.2022

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: 117 N Hamilton		
Project Location (describe, and attach a general location map): 117 N Hamilton Street, City of Poughkeepsie, Dutchess County, - easterly side of N Hamilton St., approx. 250' north of its intersection with High St.		
Brief Description of Proposed Action (include purpose or need): The action involves Site Plan approval for the redevelopment of vacant land with construction of two (2), one tall story, multi-tenant warehouse facilities, 15,712 and 7710 square feet, to be connected to existing City water and sewer facilities, including outdoor access-controlled storage areas with landscaping, paved parking and maneuvering areas involving two (2) existing lots of record which are to be combined into one lot totaling 1.63 acres . Portions of the site are in an area of special flood hazard with no identified base flood elevation which requires a flood plain development permit and for which structures are required to be elevated 3'0" above the highest adjacent grade.		
Name of Applicant/Sponsor: Baxter Development Corp., Attn: Eric Baxter	Telephone: 845-471-1047	
	E-Mail: eric@baxterbuilt.com	
Address: 278 Mill Street, Suite 100		
City/PO: Poughkeepsie	State: NY	Zip Code: 12601
Project Contact (if not same as sponsor; give name and title/role):	Telephone:	
	E-Mail:	
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor): SEE ATTACHED ADDITIONAL INFORMATION	Telephone:	
	E-Mail:	
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, ☒ Yes ☐ No or Village Board of Trustees	City Counsel - Rezone Tax parcel 266293	12.20.2022 Approved
b. City, Town or Village Planning Board or Commission ☒ Yes ☐ No	City Planning Board- Site Plan	
c. City, Town or Village Zoning Board of Appeals ☒ Yes ☐ No	City Zoning Board - Possible Area Variance	
d. Other local agencies ☒ Yes ☐ No	Building Inspector - Flood Plain Development Permit	
e. County agencies ☐ Yes ☐ No		
f. Regional agencies ☐ Yes ☐ No		
g. State agencies ☐ Yes ☐ No		
h. Federal agencies ☐ Yes ☐ No		
i. Coastal Resources. i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? ☐ Yes ☒ No ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? ☐ Yes ☒ No iii. Is the project site within a Coastal Erosion Hazard Area? ☐ Yes ☐ No		

C. Planning and Zoning

C.1. Planning and zoning actions.	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?	☐ Yes ☒ No
- If Yes, complete sections C, F and G. - If No, proceed to question C.2 and complete all remaining sections and questions in Part 1	
C.2. Adopted land use plans.	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located?	☒ Yes ☐ No
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?	☐ Yes ☒ No
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?)	☐ Yes ☒ No
If Yes, identify the plan(s):	
c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan?	☐ Yes ☒ No
If Yes, identify the plan(s):	

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☒ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?

Light Industrial - I-1

b. Is the use permitted or allowed by a special or conditional use permit? ☐ Yes ☒ No

c. Is a zoning change requested as part of the proposed action? ☒ Yes ☐ No

If Yes,

i. What is the proposed new zoning for the site? Previously approved I-1 for Tax Parcel 266293

C.4. Existing community services.

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

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

City of Poughkeepsie Police Department

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

City of Poughkeepsie Fire Department

d. What parks serve the project site?

All City of Poughkeepsie Park Facilities

D. Project Details

D.1. Proposed and Potential Development

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

b. a. Total acreage of the site of the proposed action? 1.63 acres

b. Total acreage to be physically disturbed? 1.39 acres

c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 1.63 acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☒ No

i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % Units:

d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☒ No

If Yes,

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No

iii. Number of lots proposed?

iv. Minimum and maximum proposed lot sizes? Minimum Maximum

e. Will the proposed action be constructed in multiple phases? ☐ Yes ☒ No

i. If No, anticipated period of construction: 6 months

ii. If Yes:

- Total number of phases anticipated

- Anticipated commencement date of phase I (including demolition) month year

- Anticipated completion date of final phase month year

- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases:

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

g. Does the proposed action include new non-residential construction (including expansions)? ☒ Yes ☐ No If Yes,	
i. Total number of structures <u>2</u> ii. Dimensions (in feet) of largest proposed structure: <u>32'</u> height; <u>92.125'</u> width; and <u>131.17'</u> length iii. Approximate extent of building space to be heated or cooled: <u>23,422 gross</u> square feet	

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☐ Yes ☒ No If Yes,	
i. Purpose of the impoundment: _____ ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐ Other specify: _____ iii. If other than water, identify the type of impounded/contained liquids and their source. _____ iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length vi. Construction method/materials for the proposed dam or impounding structure (c.g., earth fill, rock, wood, concrete): _____	

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) ☐ Yes ☒ No If Yes:	
i. What is the purpose of the excavation or dredging? _____ ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site? • Volume (specify tons or cubic yards): _____ • Over what duration of time? _____ iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____ _____ iv. Will there be onsite dewatering or processing of excavated materials? ☐ Yes ☐ No If yes, describe. _____ _____ v. What is the total area to be dredged or excavated? _____ acres vi. What is the maximum area to be worked at any one time? _____ acres vii. What would be the maximum depth of excavation or dredging? _____ feet viii. Will the excavation require blasting? ☐ Yes ☐ No ix. Summarize site reclamation goals and plan: _____ _____ _____	

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☐ Yes ☒ No If Yes:	
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____ _____	

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will the proposed action cause or result in disturbance to bottom sediments? ☐ Yes ☐ No
If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? ☐ Yes ☐ No
If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? ☒ Yes ☐ No
If Yes: 7 units at 4 employees per unit times 15 gpd per employee

i. Total anticipated water usage/demand per day: 420 gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☒ Yes ☐ No
If Yes:

- Name of district or service area: City of Poughkeepsie Water Service Area
- Does the existing public water supply have capacity to serve the proposal? ☒ Yes ☐ No
- Is the project site in the existing district? ☒ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☒ No
- Do existing lines serve the project site? ☒ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project? ☐ Yes ☒ No
If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐ Yes ☐ No
If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? ☒ Yes ☐ No
If Yes: 7 units at 4 employees per unit times 15 gpd per employee

i. Total anticipated liquid waste generation per day: 420 gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

Sanitary Wastewater

iii. Will the proposed action use any existing public wastewater treatment facilities? ☒ Yes ☐ No
If Yes:

- Name of wastewater treatment plant to be used: Joint City/Town wastewater treatment facility
- Name of district: City of Poughkeepsie
- Does the existing wastewater treatment plant have capacity to serve the project? ☒ Yes ☐ No
- Is the project site in the existing district? ☒ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☒ No

• Do existing sewer lines serve the project site? ☒ Yes ☐ No • Will a line extension within an existing district be necessary to serve the project? ☐ Yes ☒ No If Yes: • Describe extensions or capacity expansions proposed to serve this project: _____	
iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? ☐ Yes ☒ No If Yes: • Applicant/sponsor for new district: _____ • Date application submitted or anticipated: _____ • What is the receiving water for the wastewater discharge? _____	
v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans): _____ _____	
vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____ _____ _____	
e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? ☒ Yes ☐ No If Yes: i. How much impervious surface will the project create in relation to total size of project parcel? _____ Square feet or <u>1.2</u> acres (impervious surface) 0.57 IMPERVIOUS EXISTING TO BE REDEVELOPED _____ Square feet or <u>1.63</u> acres (parcel size) ii. Describe types of new point sources. _____ iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)? ON-SITE STORMWATER MANGAMENT FACILITIES DISCHARGE TO GROUND WATER _____ • If to surface waters, identify receiving water bodies or wetlands: _____ _____ • Will stormwater runoff flow to adjacent properties? ☐ Yes ☒ No	
iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? ☒ Yes ☐ No	
f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? ☐ Yes ☒ No If Yes, identify: i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) _____ ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) _____ iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) _____	
g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? ☐ Yes ☒ No If Yes: i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) ☐ Yes ☐ No ii. In addition to emissions as calculated in the application, the project will generate: • _____ Tons/year (short tons) of Carbon Dioxide (CO₂) • _____ Tons/year (short tons) of Nitrous Oxide (N₂O) • _____ Tons/year (short tons) of Perfluorocarbons (PFCs) • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆) • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflouorocarbons (HFCs) • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)	

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐ Yes ☒ No If Yes: i. Estimate methane generation in tons/year (metric): _____ ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____			
i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐ Yes ☒ No If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____			
j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐ Yes ☒ No If Yes: i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐ Weekend ☐ Randomly between hours of _____ to _____ ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____ iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____ iv. Does the proposed action include any shared use parking? ☐ Yes ☐ No v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____ vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☒ Yes ☐ No vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐ Yes ☒ No viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐ Yes ☒ No			
k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☒ Yes ☐ No If Yes: i. Estimate annual electricity demand during operation of the proposed action: _____ customary electric usage ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____ connection to existing CHGE grid iii. Will the proposed action require a new, or an upgrade, to an existing substation? ☐ Yes ☐ No			
l. Hours of operation. Answer all items which apply. <table style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> i. During Construction: • Monday - Friday: _____ 7 am - 4:30 pm • Saturday: _____ 7 am - 4:30 pm (possible) • Sunday: _____ • Holidays: _____ </td> <td style="width: 50%; vertical-align: top;"> ii. During Operations: • Monday - Friday: _____ 7 am - 5 pm • Saturday: _____ 7 am - 5 pm (possible) • Sunday: _____ • Holidays: _____ </td> </tr> </table>		i. During Construction: • Monday - Friday: _____ 7 am - 4:30 pm • Saturday: _____ 7 am - 4:30 pm (possible) • Sunday: _____ • Holidays: _____	ii. During Operations: • Monday - Friday: _____ 7 am - 5 pm • Saturday: _____ 7 am - 5 pm (possible) • Sunday: _____ • Holidays: _____
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m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☒ Yes ☐ No If yes: i. Provide details including sources, time of day and duration: DURING CONSTRUCTION ONLY - DURING WORKING HOURS ONLY	
ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐ Yes ☒ No Describe: _____	
n. Will the proposed action have outdoor lighting? ☒ Yes ☐ No If yes: i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures: Building mounted LED lighting aimed downward - greater than 50' to nearest occupied structure	
ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐ Yes ☒ No Describe: _____	
o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐ Yes ☒ No If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____	
p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☐ Yes ☒ No If Yes: i. Product(s) to be stored _____ ii. Volume(s) _____ per unit time _____ (e.g., month, year) iii. Generally, describe the proposed storage facilities: _____	
q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☐ Yes ☒ No If Yes: i. Describe proposed treatment(s): _____	
ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☐ No	
r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☒ Yes ☐ No If Yes: i. Describe any solid waste(s) to be generated during construction or operation of the facility: • Construction: _____ tons per _____ (unit of time) • Operation : _____ tons per _____ (unit of time) ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste: • Construction: <u>recycling existing concrete to be removed</u> • Operation: _____ iii. Proposed disposal methods/facilities for solid waste generated on-site: • Construction: <u>Royal Carting</u> • Operation: <u>Royal Carting</u>	

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☒ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☒ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

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

☒ Urban ☐ Industrial ☒ Commercial ☐ Residential (suburban) ☐ Rural (non-farm)

☐ Forest ☐ Agriculture ☐ Aquatic ☒ Other (specify): Dutchess County Jail facility

ii. If mix of uses, generally describe:
some surrounding residential - mixed uses single and multifamily

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0.57	1.20	+0.63
• Forested	0.58	0.15	-0.43
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	0.24	0	-0.24
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)	0.24	0	-0.24
• Other Describe: <u>Lawn/Landscaping</u>		0.28	+0.28

v. Is the project site subject to an institutional control limiting property uses? ☐ Yes ☒ No																																					
• If yes, DEC site ID number: _____ • Describe the type of institutional control (e.g., deed restriction or easement): _____ • Describe any use limitations: _____ • Describe any engineering controls: _____ • Will the project affect the institutional or engineering controls in place? ☐ Yes ☐ No • Explain: _____																																					
E.2. Natural Resources On or Near Project Site																																					
a. What is the average depth to bedrock on the project site? 5.0+/- feet																																					
b. Are there bedrock outcroppings on the project site? ☐ Yes ☒ No If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %																																					
c. Predominant soil type(s) present on project site: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%;">DxB-Dutchess Cardigan Urban</td> <td style="width: 30%; text-align: right;">75 %</td> </tr> <tr> <td>BeC-Bernardston silt loam</td> <td style="text-align: right;">24 %</td> </tr> <tr> <td>Ur-Urban land</td> <td style="text-align: right;">1 %</td> </tr> </table>		DxB-Dutchess Cardigan Urban	75 %	BeC-Bernardston silt loam	24 %	Ur-Urban land	1 %																														
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d. What is the average depth to the water table on the project site? Average: 5.0+/- feet																																					
e. Drainage status of project site soils: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40%;">☒ Well Drained:</td> <td style="width: 60%; text-align: right;">100 % of site</td> </tr> <tr> <td>☐ Moderately Well Drained:</td> <td style="text-align: right;">_____ % of site</td> </tr> <tr> <td>☐ Poorly Drained</td> <td style="text-align: right;">_____ % of site</td> </tr> </table>		☒ Well Drained:	100 % of site	☐ Moderately Well Drained:	_____ % of site	☐ Poorly Drained	_____ % of site																														
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g. Are there any unique geologic features on the project site? ☐ Yes ☒ No If Yes, describe: _____																																					
h. Surface water features. <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%;">i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)?</td> <td style="width: 20%; text-align: right;">☐ Yes ☒ No</td> </tr> <tr> <td>ii. Do any wetlands or other waterbodies adjoin the project site?</td> <td style="text-align: right;">☒ Yes ☐ No</td> </tr> <tr> <td colspan="2">If Yes to either i or ii, continue. If No, skip to E.2.i.</td> </tr> <tr> <td>iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?</td> <td style="text-align: right;">☒ Yes ☐ No</td> </tr> <tr> <td colspan="2">iv. For each identified regulated wetland and waterbody on the project site, provide the following information:</td> </tr> <tr> <td colspan="2"> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%;">• Streams:</td> <td style="width: 50%;">Name _____</td> <td style="width: 40%;">Classification _____</td> </tr> <tr> <td>• Lakes or Ponds:</td> <td>Name _____</td> <td>Classification _____</td> </tr> <tr> <td>• Wetlands:</td> <td>Name <u>Fall Kill</u></td> <td>Approximate Size _____</td> </tr> <tr> <td>• Wetland No. (if regulated by DEC)</td> <td colspan="2">_____</td> </tr> </table> </td> </tr> <tr> <td colspan="2"> v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐ Yes ☒ No If yes, name of impaired water body/bodies and basis for listing as impaired: _____ </td> </tr> <tr> <td colspan="2"> i. Is the project site in a designated Floodway? ☐ Yes ☒ No </td> </tr> <tr> <td colspan="2"> j. Is the project site in the 100-year Floodplain? ☒ Yes ☐ No </td> </tr> <tr> <td colspan="2"> k. Is the project site in the 500-year Floodplain? ☐ Yes ☒ No </td> </tr> <tr> <td colspan="2"> l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☐ Yes ☒ No If Yes: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%;">i. Name of aquifer: _____</td> <td style="width: 20%;"></td> </tr> </table> </td> </tr> </table>		i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)?	☐ Yes ☒ No	ii. Do any wetlands or other waterbodies adjoin the project site?	☒ Yes ☐ No	If Yes to either i or ii, continue. If No, skip to E.2.i.		iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?	☒ Yes ☐ No	iv. For each identified regulated wetland and waterbody on the project site, provide the following information:		<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%;">• Streams:</td> <td style="width: 50%;">Name _____</td> <td style="width: 40%;">Classification _____</td> </tr> <tr> <td>• Lakes or Ponds:</td> <td>Name _____</td> <td>Classification _____</td> </tr> <tr> <td>• Wetlands:</td> <td>Name <u>Fall Kill</u></td> <td>Approximate Size _____</td> </tr> <tr> <td>• Wetland No. (if regulated by DEC)</td> <td colspan="2">_____</td> </tr> </table>		• Streams:	Name _____	Classification _____	• Lakes or Ponds:	Name _____	Classification _____	• Wetlands:	Name <u>Fall Kill</u>	Approximate Size _____	• Wetland No. (if regulated by DEC)	_____		v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐ Yes ☒ No If yes, name of impaired water body/bodies and basis for listing as impaired: _____		i. Is the project site in a designated Floodway? ☐ Yes ☒ No		j. Is the project site in the 100-year Floodplain? ☒ Yes ☐ No		k. Is the project site in the 500-year Floodplain? ☐ Yes ☒ No		l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☐ Yes ☒ No If Yes: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%;">i. Name of aquifer: _____</td> <td style="width: 20%;"></td> </tr> </table>		i. Name of aquifer: _____	
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m. Identify the predominant wildlife species that occupy or use the project site: _____ _____ _____
n. Does the project site contain a designated significant natural community? ☐ Yes ☒ No If Yes: i. Describe the habitat/community (composition, function, and basis for designation): _____ _____ ii. Source(s) of description or evaluation: _____ iii. Extent of community/habitat: • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres
o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? ☐ Yes ☒ No If Yes: i. Species and listing (endangered or threatened): _____ _____ _____
p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? ☐ Yes ☒ No If Yes: i. Species and listing: _____ _____ _____
q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☐ Yes ☒ No If yes, give a brief description of how the proposed action may affect that use: _____ _____
E.3. Designated Public Resources On or Near Project Site
a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☐ Yes ☒ No If Yes, provide county plus district name/number: _____
b. Are agricultural lands consisting of highly productive soils present? ☐ Yes ☒ No i. If Yes: acreage(s) on project site? _____ ii. Source(s) of soil rating(s): _____
c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐ Yes ☒ No If Yes: i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____ _____ _____
d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☐ Yes ☒ No If Yes: i. CEA name: _____ ii. Basis for designation: _____ iii. Designating agency and date: _____

e. 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? If Yes: i. Nature of historic/archaeological resource: ☐ Archaeological Site ☐ Historic Building or District ii. Name: _____ iii. Brief description of attributes on which listing is based: _____	☐ Yes ☒ No
f. 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?	☐ Yes ☒ No
g. Have additional archaeological or historic site(s) or resources been identified on the project site? If Yes: i. Describe possible resource(s): _____ ii. Basis for identification: _____	☐ Yes ☒ No
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? If Yes: i. Identify resource: _____ ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____ iii. Distance between project and resource: _____ miles.	☐ Yes ☒ No
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? If Yes: i. Identify the name of the river and its designation: _____ ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666?	☐ Yes ☒ No ☐ Yes ☐ No

F. Additional Information

Attach any additional information which may be needed to clarify your project.

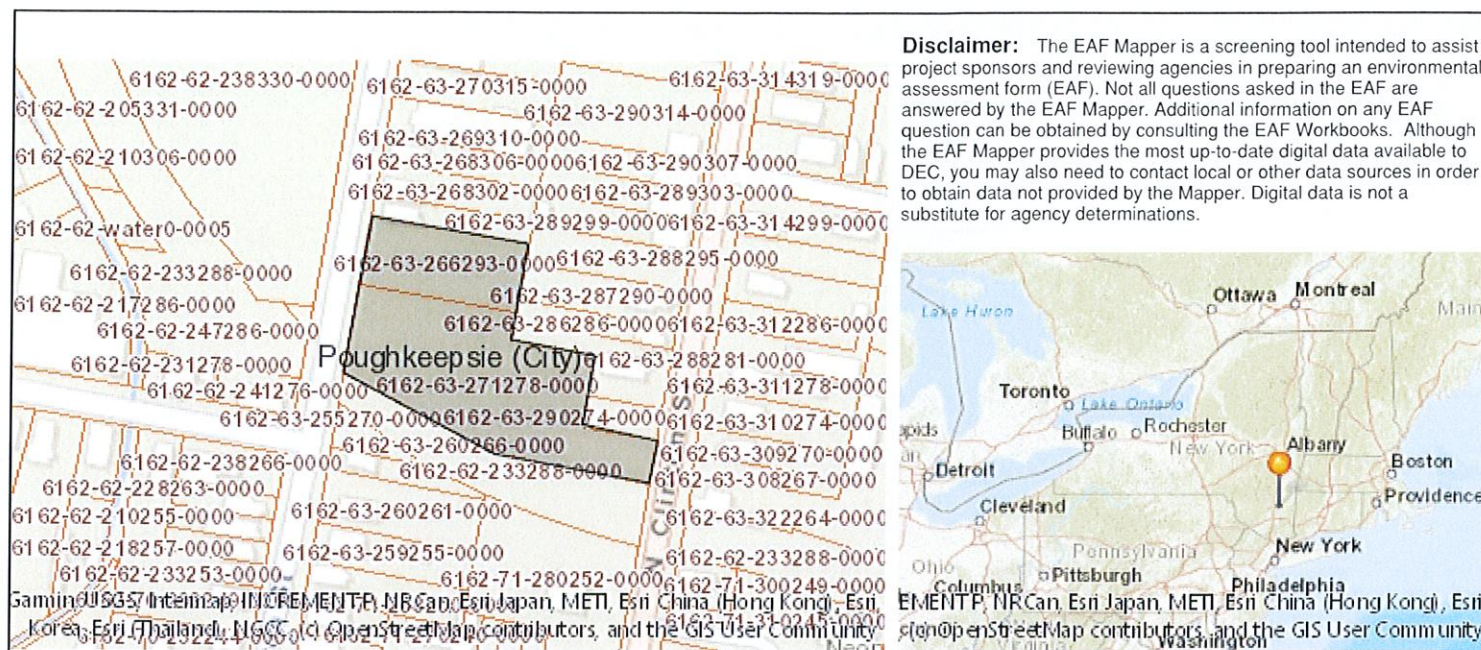
If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Baxter Development Corp. Date 3.29.2022

Signature  Title VICE PRESIDENT



B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	Yes
E.1.h.iii [Within 2,000' of DEC Remediation Site - DEC ID]	B00036, C314130, C314131, C314134, B00020, 314122, 314074
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	No
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	Yes
E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	No
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	No

E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	No
E.3.i. [Designated River Corridor]	No

**117 N HAMILTON
CITY OF POUGHKEEPSIE**

**LONG ENVIRONMENTAL ASSESSMENT FORM
PART 1 – PROJECT INFORMATION**

**ADDITIONAL INFORMATION
March 29, 2022**

OWNERSHIP:

- PARCEL: 266293
117 N Hamilton, LLC
186 Cottage Street
Poughkeepsie, 12601
Size: 0.43 Acres
Telephone : 845-465-0207
Email: truforminc@verizon.net
- PARCEL: 271278
North Hamilton Parcel, LLC
278 Mill St., Suite 100
Poughkeepsie, NY 12601
Size: 1.20 Acres
Telephone: 845-471-1047
Email: eric@baxterbuilt.com



Dutchess County
New York

117 N Hamilton
Dutchess County, NY

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**Department of
Environmental
Conservation**

Environmental Site Remediation Database Search Details

Site Record

Document Repository

Site-related documents are available for review through the DECInfo Locator on line at [DECInfoLocator](#)

Administrative Information

Site Name: Former Hamilton Reproduction

Site Code: B00020

Program: Environmental Restoration Program

Classification: C

EPA ID Number:

Location

DEC Region: 3

Address: 166-186 North Hamilton Street

City: Poughkeepsie (c) **Zip:** 12601-

County: Dutchess

Latitude: 41.71181953

Longitude: -73.92125559

Site Type:

Estimated Size: 1.96 Acres

Institutional And Engineering Controls

Control Type:

[Environmental Easement](#)

Control Elements:

Ground Water Use Restriction

Vapor Mitigation

Soil Management Plan

Landuse Restriction

Site Management Plan

Site Owner(s) and Operator(s)

Site Description

Location: The Former Hamilton Reproduction site is a 1.96-acre site located in an urban area in the City of Poughkeepsie. The site consists of four tax parcels: 150 North Hamilton Street (portion of parcel), 182 North Hamilton Street, 104 Parker Avenue, and 108 Parker Avenue. **Site Features:** The 108 Parker Avenue parcel was redeveloped into a four-story office building, housing the Dutchess County Sheriff Department. The 150 North Hamilton Street, 182 North Hamilton Street, and 104 Parker Avenue parcels are undergoing redevelopment as part of the Dutchess County Law Enforcement Center expansion. **Current Zoning and Land Use:** The site is currently active and is zoned for commercial use. The surrounding parcels are currently used for a combination of commercial and residential uses. The nearest residential area is 0.1 miles east and northeast of the site along Hamilton Street. **Past Use of the Site:** From 1913 until 1992 the site was used for various manufacturing operations including buttons, clothing, electronics manufacturing and assembling, and printing. Prior uses that appear to have led to site contamination include machining, parts cleaning, a leaking underground storage tank, and release of wastewater into a storm water system. **Site Geology and Hydrogeology:** The bedrock underlying the site is the Austin Glen shale and greywacke formation. The weathered shale bedrock was observed between 1 to 20 feet bgs. The overburden soils range in thickness from 1 to 15 feet, and consist of tightly packed sandy silts, gravel and fill materials. An unconfined aquifer is found in soils deeper than six feet at the site. Local groundwater is towards the south following local topography. Generally, groundwater flow in the area is estimated to flow to the southwest towards the nearby Fallkill Creek.

Summary of Project Completion Dates

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

Project Completion Dates

Contaminants of Concern (Including Materials Disposed)

Contaminant Name/Type

ethylbenzene

iron

trichloroethene (TCE)

benzo(b)fluoranthene

tetrachloroethene (PCE)

toluene

benzene

copper

benzo(a)anthracene
dibenz[a,h]anthracene
lead
chromium
chrysene
indeno(1,2,3-cd)pyrene
arsenic
benzo(a)pyrene
benzo(k)fluoranthene
xylene (mixed)

Site Environmental Assessment

Post-Remediation: Remediation at the site is complete. Prior to remediation, the primary contaminants of concern were SVOCs, chlorinated VOCs and BTEX constituents, found in soil, groundwater, and the drainage system sediment and water. Prior to Remediation: Soil, groundwater and the drainage system sediments and water were analyzed for volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), metals, polychlorinated biphenyls (PCBs), and pesticides. Based upon investigations conducted to date, the primary contaminants of concern include chlorinated VOCs, SVOCs, and BTEX constituents. Soil- Several chlorinated VOCs were found to exceed their respective soil cleanup objectives (SCOs), in and around a catch basin at the southwest corner of the former building. Tetrachloroethane (PCE) was found at a maximum concentration of 18 parts per million (ppm), with an SCO of 1.4 ppm. Trichloroethene had a maximum concentration of 3.1 ppm (SCO of 0.7 ppm); cis-1,2-dichloroethene had a maximum concentration of 3.2 ppm (SCO of 0.3 ppm); and 1,1,1-trichloroethane had a maximum concentration of 0.8 ppm (SCO of 0.76 ppm). The SVOCs detected that exceeded their SCOs were benzo(a)anthracene at a maximum concentration of 4.8 ppm (SCO of 0.22 ppm); benzo(a)pyrene at 9.8 ppm (SCO of .006); benzo(b)fluoranthene at 15 ppm (SCO of 1.1 ppm); benzo(k)fluoranthene at 13 ppm (SCO of 1.1 ppm); dibenzo(a,h)anthracene at 0.46 ppm (SCO of 0.014 ppm); indeno(1,2,3-cd)pyrene at 5 ppm (SCO of 3.2 ppm); and chrysene at 12 ppm (SCO of 0.4 ppm). Data does not indicate any off-site impacts in soil related to this site. Groundwater- The VOCs that exceeded their SCOs were benzene at a maximum concentration of 120 parts per billion (ppb), with a guidance value (GV) of 1 ppb; 1,1-dichloroethane at 93 ppb (GV of 5 ppb); cis-1,2-dichloroethene at 440 ppb (GV of 5 ppb); ethylbenzene at 78 ppb (GV of 5 ppb); PCE at 1,100 ppb (GV of 5 ppb); toluene at 27 ppb (GV of 5 ppb); 1,1,1-trichloroethane at 110 ppb (GV of 5 ppb); trichloroethene at 510 ppb (GV of 5 ppb); trichlorofluoromethane at 8.3 ppb (GV of 5 ppb); vinyl chloride at 34 ppb (GV of 2 ppb); xylene at 64 ppb (GV of 5 ppb). The only SVOC that exceeded its guidance value (10 ppb) was naphthalene at 14 ppb. Data does not indicate any off-site impacts in groundwater related to this site. Surface Water (site drainage system)- the following contaminants were found to exceed their guidance values of 5 ppb: 1,1-dichloroethane at 53 ppb; 1,1,1-trichloroethane at 5.4 ppb; and trichlorofluoromethane at 5.6 ppb.

Site Health Assessment

Exposures to potentially contaminated groundwater and/or soils are not expected because public water serves this municipality and contaminated soils have been removed. The environmental easement requires that the potential for vapor intrusion into any buildings developed on the site must be evaluated, including provisions for mitigation of any impacts identified.

For more Information: [E-mail Us](#)

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**Department of
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Environmental Site Remediation Database Search Details

Site Record

Document Repository

Site-related documents are available for review through the DECInfo Locator on line at [DECInfoLocator](#)

Administrative Information

Site Name: Crannell Square

Site Code: C314130

Program: Brownfield Cleanup Program

Classification: C

EPA ID Number:

Location

DEC Region: 3

Address: 35 Catharine Street

City: Poughkeepsie Zip: 12601

County: Dutchess

Latitude: 41.703861111

Longitude: -73.924555556

Site Type:

Estimated Size: 1.109 Acres

Site Owner(s) and Operator(s)

Current Owner Name: Crannell Square Housing Development Fund Company, Inc.

Current Owner(s) Address: c/o Hudson River Housing, Inc., 313 Mill Street
Poughkeepsie, NY, 12601

Current Owner Name: Crannell Square Limited Partnership

Current Owner(s) Address: 57 Route 6, Suite 207
Baldwin Place, NY, 10505

Site Document Repository

Name: Poughkeepsie Public Library

Address: 93 Market Street
Poughkeepsie, NY 12601

Site Description

Location: The site is located at 35 Catharine Street in the City of Poughkeepsie, Dutchess County, New York, on a 1.109-acre parcel. The site is a portion of tax lot parcel: Section 6162, Block 78, Lot 157094. The site is a rectangular, with approximately 235 feet of frontage on the southern side of Mill Street (Route 44/55 arterial) and approximately 220 feet of frontage on the eastern side of Catharine Street. The site approximately 0.85 miles east of the Hudson River. **Site Features:** The site is currently being redeveloped into a multi-story apartment complex with a planned parking lot and landscaped areas. A majority of the structure has already been erected. **Current Zoning and Land Use:** The site is zoned C-2 (Central Commercial District). C-2 zoning allows for multiple dwellings in new structures at urban density (R-6), provided that the first floor is devoted to retail or service use. Currently, the site is used as a municipal parking lot. The surrounding properties are zoned for commercial uses. **Past Use of the Site:** The site has been used for commercial and residential purposes from as early as 1887 until circa 1960 when all former on-site structures were demolished. Previous uses included: an automotive repair facility, large private garage, warehouse, school, a hotel and multiple dwellings. Notable past commercial uses at adjoining properties and in the surrounding area include manufacturing and automotive repair facilities. The site was developed by the city as a municipal parking lot by 1963. **Site Geology and Hydrogeology:** Site soils consist of a fill layer extending to 4 feet below ground surface (bgs), overlying brown medium sands to a depth of approximately 10 feet bgs. Soils greater than 10 feet bgs generally consist of native clayey silt. No bedrock was encountered during the investigation of the site, which included borings to a depth of 20 feet bgs. Groundwater depth ranges from 13.3 to 15.4 feet below grade. Groundwater generally flows to the northeast. No waterbodies or wet areas are on the site or in the immediate vicinity of the site.

Summary of Project Completion Dates

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

Project Completion Dates

Contaminants of Concern (Including Materials Disposed)

Contaminant Name/Type

benzo(b)fluoranthene

benzo(a)pyrene

benzo(a)anthracene

chrysene

mercury

carbon tetrachloride

arsenic
benzo(k)fluoranthene
chloroform
trichloroethene (TCE)
indeno(1,2,3-cd)pyrene
tetrachloroethene (PCE)
dibenz[a,h]anthracene
lead

Site Environmental Assessment

Remediation at the site is complete. Prior to remediation, the primary contaminants of concern included SVOCs and metals in soil, and VOCs in soil vapor. Remedial actions have successfully achieved soil cleanup objectives for unrestricted use. Prior to Completion of Remediation: Soil and groundwater samples were analyzed for volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), polychlorinated biphenyls (PCBs), metals, total petroleum hydrocarbons (TPH), pesticides, and the emerging contaminants per-and-polyfluoroalkyl substances (PFAS) and 1,4-dioxane. Soil vapor samples were analyzed for VOCs. Based on investigations conducted to date, the primary contaminants of concern include metals and polycyclic aromatic hydrocarbons (PAHs) in soil and VOCs in groundwater and soil vapor. Soil: A total of 44 soil samples were collected at 16 locations at depths ranging from 0 to 20 feet below ground surface (bgs). Several SVOCs and metals were identified in soils at concentrations that exceed their restricted residential soil cleanup objectives (RRSCOs) and unrestricted soil cleanup objectives (USCOs) including benzo[a]anthracene, benzo[a]pyrene, benzo[b]fluoranthene, benzo[k]fluoranthene, chrysene, dibenzo(a,h)anthracene, indeno(1,2,3-c,d)pyrene, lead, mercury, and arsenic. The highest concentration of an SVOC encountered was chrysene at a concentration of 7.77 parts per million (ppm) at a depth of 5 feet bgs compared to the RRSCO of 3.9 ppm. The highest concentrations of metals encountered were 3,110 ppm of lead at 3 feet bgs, compared to the RRSCO of 400, 3.94 ppm of mercury at 4 feet bgs compared to the RRSCO of 0.81 ppm, and 32.2 ppm of arsenic at 15 feet bgs compared to the RRSCO of 16. Metal exceedances were generally encountered within the top 5 feet bgs, with some deeper exceedances of arsenic extending up to 20 feet bgs. PFAS were detected in soil samples throughout the site to depths of 20 feet bgs. The greatest concentration of total PFAS encountered in soil was 1.54 parts per billion (ppb) at the 0-5 feet bgs interval. There were no VOCs, PCBs or pesticides detected in site soils. There is no indication that site-related soil contamination extends off-site. Groundwater: Groundwater samples were collected from six monitoring wells located throughout the site. The VOC chloroform was detected in one monitoring well in exceedance of groundwater standards at a concentration of 13 parts per billion (ppb), compared to the groundwater quality standard of 7 ppb; this is a common by-product of chlorination and may be indicative of leaking water lines in the area. The only other VOCs detected in groundwater were at trace levels as follows: carbon tetrachloride in one well at an estimated concentration 0.32 ppb, and trichloroethene (TCE) in one well as an estimated concentration of 0.29 ppb, compared to their groundwater standard of 5 ppb for each.

The laboratory reported these concentrations as estimated values because they are detected below the laboratory's contract required quantitation limit and therefore can only be confirmed as present, but not quantified. One SVOC, benzo(b) fluoranthene was detected at 0.01 ppb compared to a standard of 0.002 ppb. For metals, magnesium, manganese, and/or sodium were detected in several overburden wells across the site above their respective groundwater standards, while there was one marginal detection each for cobalt (total 6.7 ppb compared to a standard of 5 ppb), and thallium (total 0.73 ppb compared to a standard of 0.5 ppb). The SVOC and metals are considered to represent typical urban background conditions (associated with presence of historic fill), are naturally occurring, or are due to road salt application. No exceedances were found above the 10 parts per trillion (ppt) screening level for either perfluorooctanoic acid (PFOA) or perfluorooctanesulfonic acid (PFOS). The highest detection of PFOS and PFOA were 9.14 ppt and 6.04 ppt, respectively in one well at the southeast corner of the site. Based on the soil data and the northeasterly groundwater flow direction, and there is no apparent on-site source for PFOA/PFOS in site groundwater. Overall, groundwater quality appears to reflect typical urban background conditions and is likely of similar condition in off-site areas. As such, there is no concern for off-site migration. Soil Vapor: Nine soil vapor samples were collected across the site under the parking lot area. Trace to low level VOC contamination was noted in site soil vapor, with levels up to 5.3 micrograms per cubic meter (ug/m3) of tetrachloroethylene (PCE), 0.67 ug/m3 of trichloroethene (TCE), and 0.51 ug/m3 of carbon tetrachloride.

Site Health Assessment

People are not drinking the contaminated groundwater because the area is served by a public water supply that is not affected by site related contamination. Direct contact with any contaminated soils is not a concern because all soil contamination at the site was removed and replaced with clean fill. In addition, soil vapor intrusion is no longer expected to be a potential concern for on-site or offsite buildings.

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Environmental Site Remediation Database Search Details

Site Record

Document Repository

Site-related documents are available for review through the DECInfo Locator on line at [DECInfoLocator](#)

Administrative Information

Site Name: Standard Gage & Coal Storage Site

Site Code: C314131

Program: Brownfield Cleanup Program

Classification: A

EPA ID Number:

Location

DEC Region: 3

Address: 58 Parker Avenue & 164 Garden Street

City: Poughkeepsie Zip: 12601

County: Dutchess

Latitude: 41.711277778

Longitude: -73.924638889

Site Type:

Estimated Size: 2.466 Acres

Site Owner(s) and Operator(s)

Current Owner Name: Northside Junction, LLC

Current Owner(s) Address: One Civic Center Plaza, Suite 200
Poughkeepsie, NY, 12601

Site Document Repository

Name: Poughkeepsie Public Library - Adriance Memorial Library

Address: 93 Market Street
Poughkeepsie, NY 12601

Site Description

Site Location: The Site is comprised of two parcels, 58 Parker Avenue (Lot 148369) and 164 Garden Street (Lot 177385) in Poughkeepsie, New York. The Site is located in a mixed commercial, industrial, residential and recreational use neighborhood. **Site Features:** The site is 2.46 acres and the two

parcels are separated by a historical rail spur which is owned by the county. The Parker Avenue Parcel is developed with a former manufacturing facility, historically owned and operated by the Standard Gage Company. The Garden Street Parcel is developed with a single-story 6,000 square foot commercial warehouse. Three unregistered USTs were removed in 2008 and replaced with one (1) 1,000-gallon tank and two (2) 500-gallon tanks. Current Zoning and Land Use: The Site is split between two zoning districts; the Parker Avenue Parcel is zoned in the G-CM (Gateway Commercial Mixed-Use) district and the Garden Street Parcel is zoned in the G-OM (Gateway Office Manufacturing) district. Both districts are consistent with the proposed use, since each district permits office space, community squares, greenways, and recreational uses. Past Use of the Site: Penn Central Railroad owned and operated the land north of the Site and the land separating the two parcels in the late 1880's. In 1913, the Anchor Bolt & Nut Company, a manufacturer of Farming Tools, Bolts and Nuts operated on the parcel on Parker Avenue. A 2-story structure labeled R.B. Kelley & Son Coal Elevator on the Garden Street portion of the site is depicted on the 1913 Sanborn Map. By 1950, Standard Gage Co. Inc. was operating at 58 Parker Avenue with multiple 1- to 2-story structures. Standard Gage Co., Inc. operated on this Parcel (which also had a historic address of 70 Parker Avenue) for more than 50 years until approximately 2001. The company was a RCRA generator of ignitable waste, corrosive waste, halogenated solvents, wastewater treatment sludge from electroplating operations, spent cyanide, plating bath residues, spent stripping and cleaning bath solutions, quenching bath residues, quenching wastewater treatment sludges and soluble cyanide salts. Reportedly spent solvents were discharged into a former floor drain in the southeastern corner of a storage room (north of transformer room). By 1950, the Garden Street Parcel was still being operated as a coal storage facility, which included four (4) structures. TEK Bearing Co, Inc. appears to have been the operator on the Garden Street Parcel from 1970 to 1980. From approximately 1980 through 2014, Harmon and Castella Printing was operating in the Bearing Warehouse structure. In 2010, this property was shared between two (2) companies, Harmon and Castella Printing and Castle HRS Drawn Carriage SVC. The Garden Street Parcel has a spill history. NYSDEC Spill #0804049 was opened when a 550-gallon UST was discovered to be leaking and a 1,000-gallon UST was discovered with a penetration. A total of 16.09 tons of petroleum-impacted soil was excavated from the tank grave and later disposed. The Garden Street Parcel has one (1) 1,000-gallon tank and two (2) 500-gallon tanks present. The tanks are in the process of being properly registered as of 2021. Site Geology and Hydrogeology: The topography slopes downward to the south southwest toward the Fall Kill Creek. The Fall Kill Creek is located immediately south of Brookside Avenue, down-gradient of the property, which flows from east to west toward the Hudson River.

Contaminants of Concern (Including Materials Disposed)

Contaminant Name/Type

methylene chloride

tetrachloroethene (PCE)

cis-1,2-dichloroethene
perfluorooctanoic acid
trichloroethene (TCE)
arsenic
perfluorooctane sulfonic acid
1,1,1-Trichloroethane(TCA)
benzo(a)anthracene
chromium
mercury

Site Environmental Assessment

Soil and groundwater and soil were analyzed for volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), metals, polychlorinated biphenyls (PCBs), per- and polyfluoroalkyl substances (PFAS), and pesticides. Based upon investigations conducted to date, the primary contaminants of concern include arsenic, mercury, chromium and PFAS in soil and trichloroethylene (TCE) and Cis-1,2-Dichloroethylene and PFAS in groundwater. Soil - Arsenic was found in ten locations in shallow soil across the property. Chromium is found in shallow soil, predominantly in the area around Building A. Mercury was identified in deep soils in five locations. PFAS was identified in shallow soil north and west of Building A. Maximum concentrations of arsenic found on site (approximately 38 ppm) exceed the soil cleanup objective (SCO) for restricted residential use (16 ppm). Maximum concentrations of mercury found on site (5 ppm) exceed the soil cleanup objective (SCO) for restricted residential use (0.73 ppm). Maximum concentrations of chromium (600 ppm) exceed the soil cleanup objective (SCO) for restricted residential use (180ppm). PFOS was measured in surface soil at concentrations ranging from 1.2 ppb to 1.95 ppb, exceeding the guidance value for unrestricted use of 0.88 ppb. Data does not indicate any off-site impacts in soil related to this site. Groundwater - The primary contaminants of concern in groundwater are TCE and Cis-1,2-DCE. TCE is present at a maximum concentration of 22.4 ppb and Cis-1,2-DCE is present at 132 ppb in bedrock south of Building A. TCE and its associated degradation products are found in groundwater at the southern end of the site near building A, slightly exceeding groundwater standards (typically 5 ppb). TCE from the site has migrated down-gradient to the site boundary and off-site at concentrations ranging from 6 to 9 ppb slightly exceeding the groundwater standard of 5ppb. Two off-site groundwater wells monitor off-site impacts on the southern portion of the site. For PFAS, perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid (PFOS) were reported at concentrations of up to 17.7 and 17.1 parts per trillion (ppt), respectively, exceeding the Maximum Contaminant Level (drinking water standard) of 10 ppt in groundwater." Soil Vapor - TCE was detected in soil vapor at elevated concentrations and was also detected in sub-slab samples at concentrations up to 3,700 micrograms per cubic meter. Concentrations of TCE in sub-slab samples indicate that mitigation of vapors is likely needed in buildings south of Building A. Data indicates off-site impacts in soil vapor related to this site may exist on the south eastern boundary of the site. Special Resources Impacted/Threatened: A Fish and Wildlife Impact Analysis (FWIA) was performed in 2021 and

concluded that appropriate remediation measures to remove or contain the contaminated soils and groundwater would be necessary to prevent potential offsite contamination.

Site Health Assessment

People are not drinking contaminated groundwater associated with the site because the area is served by a public water supply that is not affected by site-related contamination. People may contact contaminated soils if they dig below the onsite building foundation and ground surface/site cover. Volatile organic compounds in the groundwater may move into the soil vapor (air spaces within the soil), which in turn may move into overlying buildings and affect the indoor air quality. This process, which is similar to the movement of radon gas from the subsurface into the indoor air of buildings, is referred to as soil vapor intrusion. The site is vacant so inhalation of site contaminants in indoor air via soil vapor intrusion is not a current concern but is a concern for any site buildings on the site when the site is redeveloped for re-use and occupancy. Soil vapor intrusion is a potential concern for at least one nearby off-site building, and needs further evaluation.

For more Information: [E-mail Us](#)

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Environmental Site Remediation Database Search Details

Site Record

Document Repository

Site-related documents are available for review through the DECInfo Locator on line at [DECInfoLocator](#)

Administrative Information

Site Name: Wallace Campus

Site Code: C314134

Program: Brownfield Cleanup Program

Classification: A

EPA ID Number:

Location

DEC Region: 3

Address: 319, 325, 327-329 & 331 Main Street

City: Poughkeepsie Zip: 12601

County: Dutchess

Latitude: 41.703661111

Longitude: -73.925775

Site Type:

Estimated Size: 2.48 Acres

Site Owner(s) and Operator(s)

Current Owner Name: Key Main LLC

Current Owner(s) Address: 80 Washington Street, Suite 400
Poughkeepsie, NY, 12601

Current Owner Name: IIC Properties Inc.

Current Owner(s) Address: 14 Catherine Street
Poughkeepsie, NY, 12601

Current Owner Name: Wallace Campus Manager LLC

Current Owner(s) Address: 48-02 25th Ave, Suite 400
Astoria, NY, 11103

Site Document Repository

Name: Adriance Memorial Library

Address: 93 Market Street

Poughkeepsie, NY 12601

Site Description

Location: The Wallace Campus BCP site consists of the entirety of the contiguous parcels known as 319 Main Street (Block 77, Lot 114098); 325 Main Street (Block 77, Lot 109079), 327-329 Main Street (Block 7, Lot 109077), and 331 Main Street (Block 78, Lot 127091), City of Poughkeepsie, New York. The site is a 2.48-acre commercial property, which is abutted by Mill Street to the north and Main Street to the south.

Site Features: The southern portion of 319 Main Street currently contains a two-story building (former restaurant and club), 325 and 327-329 Main Street lots each contain a four-story building with rear two-story sections (former bookstore and residence, and active office building, respectively), and the southern/central portions of 331 Main Street contain a four-story building with a three-story section to the east, utilized for offices and light manufacturing. The remaining northern portions of 319 and 331 Main Street contain paved parking areas, walkways, and yards.

Current Zoning and Land Use: The site tax lots are zoned C-2, central commercial district (residential use is excluded), and portions of the site fall within the Poughkeepsie Innovation District (PID) Historic Core and Urban Village Zones. The site consists of a several vacant and active commercial and light manufacturing uses, located on four tax lots.

Past Use of the Site: Information regarding site environmental history was obtained from a July 2020 Phase I ESA, which included review of historical maps, ownership and occupant records, local records, regulatory records and previous subsurface investigations. A Phase II ESA was subsequently issued in October 2020. The site, first developed prior to 1887, has primarily been a commercial site with some limited residential use. The most significant commercial uses are generally associated with 331 Main Street, including automotive repair, machining operations, furniture finishing, laundry activities (potentially involving chlorinated solvents), and use of gasoline USTs. A limited Phase II Subsurface Investigation performed in 2013 for the northeastern portion of 331 Main Street did not document any storage tanks or contaminated soil, but elevated levels of lead were found in groundwater at 331 Main Street. The buildings at 319 Main Street and 325 Main Street are currently vacant; 327-329 Main Street building is currently in use as an office building and 331 Main Street is in use as an office building and for light manufacturing. Additional investigative work was conducted in 2020, including geophysical survey, advancement of 24 soil borings to a maximum depth of 15 feet below grade surface (bgs) across the site, the installation of 3 permanent groundwater monitoring wells, and the installation of 6 soil vapor probes. Soils located along the eastern and northern portions of 319 Main Street, within a layer of fill materials that extends to approximately 7 feet bgs, contain polycyclic aromatic hydrocarbons (PAHs) and lead above restricted residential use (RRU) soil cleanup objectives (SCOs), and lead and mercury were reported above RRU SCOs in soil at other portions of the site.

Site Geology and Hydrogeology: State geological data indicate that local soils are likely to be derived from glacial till deposits, which overlie metamorphic bedrock. Soils observed during subsurface investigations generally consisted of variable-texture fill (unsorted sand containing debris, primarily brick and concrete, with some coal and ash) to approximately 1 to 7 feet bgs, underlain by sands with gravel to depths of 15 feet bgs, with two borings showing layers of clayey-silt below 12 feet bgs. Soils generally below 8 feet bgs appeared to

be native, undisturbed material. Bedrock was not encountered. Groundwater was documented in wells at approximately 15 to 17 feet below the casings and direction of flow was determined to be easterly.

Contaminants of Concern (Including Materials Disposed)

Contaminant Name/Type

indeno(1,2,3-cd)pyrene
benzo(a)pyrene
benzo(k)fluoranthene
copper
chrysene
manganese
methylene chloride
nickel
perfluorooctane sulfonic acid
zinc
lead
mercury
sodium
benzo(a)anthracene
perfluorooctanoic acid
acetone
benzo(b)fluoranthene

Site Environmental Assessment

Information submitted with the BCP application regarding the environmental condition at the site are currently under review and will be revised as additional information becomes available.

Site Health Assessment

Information submitted with the BCP application regarding the conditions at the site are currently under review and will be revised as additional information becomes available.

For more Information: [E-mail Us](#)

Refine This Search



Department of
Environmental
Conservation

Environmental Site Remediation Database Search Details

Site Record

Document Repository

Site-related documents are available for review through the DECInfo Locator on line at [DECInfoLocator](#)

Administrative Information

Site Name: Qual Krom Site

Site Code: B00036

Program: Environmental Restoration Program

Classification: C

EPA ID Number:

Location

DEC Region: 3

Address: 28 Orchard Place

City: Poughkeepsie Zip: 12602

County: Dutchess

Latitude: 41.712122207

Longitude: -73.926662504

Site Type:

Estimated Size: 0.2 Acres

Site Owner(s) and Operator(s)

Site Description

This 0.2 acre site is located in a residential section in the City of Poughkeepsie. The site is bordered by an abandoned railroad grade and residential housing. The facility was operated as a metal plating facility until 1987 by the same PRP that operated the hazardous waste site Qual Krom, ID No. 314013. The City took ownership in 1988 for back taxes. Abandoned drums were found inside and outside the building. Samples were collected in 1989. A partial removal was performed in 1992. The drums and wastes that were in the building were similar to those removed from the outside the building. In 1996 the USEPA conducted a CERCLA removal action. It included stabilization of the building; containerization of the vat sludges, drums, and labpacks; inventorying, sampling and analysis

of all materials for waste characterization; and disposal. This site was initially designated a potential Registry site ('P' site) and was then remediated under the Environmental Restoration Program. Asbestos abatement, building demolition and soil removal has been completed. Based upon the fact that soil cleanup numbers for unrestricted residential use were met in the excavation confirmation samples, an Environmental Easement will not be required for the property.

Contaminants of Concern (Including Materials Disposed)

Contaminant Name/Type

arsenic

lead

mercury

chromium

Site Environmental Assessment

The primary contaminants of concern at the site are metals. The site has been remediated. Asbestos abatement, building demolition and soil removal has been completed. An Environmental Easement will not be required for the property

Site Health Assessment

This site no longer represents a public health concern because metals-contaminated soils were excavated and properly disposed off-site and municipal water serves the area.

For more Information: [E-mail Us](#)

Refine This Search



**Department of
Environmental
Conservation**

Environmental Site Remediation Database Search Details

Site Record

Document Repository

Site-related documents are available for review through the DECInfo Locator on line at [DECInfoLocator](#)

Administrative Information

Site Name: HRH Lead Abatement Site

Site Code: 314122

Program: State Superfund Program

Classification: A

EPA ID Number:

Location

DEC Region: 3

Address: 55 Garden Street

City: Poughkeepsie **Zip:** 12601

County: Dutchess

Latitude: 41.705761

Longitude: -73.925741

Site Type:

Estimated Size: 0.17 Acres

Site Owner(s) and Operator(s)

Current Owner Name: HRH Neighborhood Development Fund Company

Current Owner(s) Address: 313 Miller Street
Poughkeepsie, NY, 12601

Site Description

Location: The site is located at 55 Garden Street in the City of Poughkeepsie, Dutchess County. Site

Features: The 0.17 acre site includes a single family home with small front and rear yards. Current

Zoning and Land Use: The site is currently zoned and in use as a single family residence. Past Use of

the Site: The site was a single family residence that was abated for lead paint as part of a rehabilitation project. Site Geology and Hydrogeology:

Site Environmental Assessment

The primary contaminant associated with the site is lead, which resulted from the abatement of lead paint as part of the rehabilitation of the structure. All lead resulting from the abatement was containerized and properly disposed off-site.

For more Information: [E-mail Us](#)

Refine This Search



**Department of
Environmental
Conservation**

Environmental Site Remediation Database Search Details

Site Record

Document Repository

Site-related documents are available for review through the DECInfo Locator on line at [DECInfoLocator](#)

Administrative Information

Site Name: Schatz Plant

Site Code: 314074

Program: State Superfund Program

Classification: 02

EPA ID Number:

Location

DEC Region: 3

Address: 70 FAIRVIEW AVENUE

City:POUGHKEEPSIE Zip: 12601

County:Dutchess

Latitude: 41.71668964

Longitude: -73.92178268

Site Type: STRUCTURE

Estimated Size: 30 Acres

Site Owner(s) and Operator(s)

Current Owner Name: Lot Six Realty Corporation

Current Owner(s) Address: 70 Fairview Avenue
Poughkeepsie,NY, 12601

Current Owner Name: SCHATZ FEDERAL BEARING COMPANY

Current Owner(s) Address: 70 FAIRVIEW AVE.
POUGHKEEPSIE,NY, 12601

Owner(s) during disposal: SCHATZ FEDERAL BEARING COMPANY

Current On-Site Operator: Schatz Federal Bearings Company

Stated Operator(s) Address: 70 Fairview Avenue
Poughkeepsie,NY 12601

Hazardous Waste Disposal Period

From: 1910 **To:** 1981

Site Description

Location: The Schatz Plant Site (Site) is located at 10-70 Fairview Avenue in the City and Town of Poughkeepsie, Dutchess County, New York. The Site consists of four tax parcels and occupies an area of approximately 30 acres. **Site Features:** The original Schatz Plant Facility, two stand-alone buildings, and miscellaneous debris and storage boxes occupy the three northernmost parcels of the Site (~22 acres). A bearing manufacturing plant currently operates on the southernmost parcel of the Site (approx. 8 acres). **Current Zoning and Land Use:** The area south of the Site is primarily industrial, with residential areas located to the north and east. A formerly utilized railroad bed abuts the west side of the Site, and immediately beyond the western boundary is a residential area and medical facilities. **Past Use of the Site:** The Schatz Company began operations at the Site in 1910, started manufacturing ball bearings in 1915, and increased the plant size in 1920 and 1926. The company filed for bankruptcy in 1980 was closed in 1981. The Schatz Company name was purchased in 1983 and Schatz Manufacturing currently produces bearings at a plant located on the southernmost parcel of the Site at 10 Fairview Avenue, owned by the Schatz Land Company. The remaining three tax parcels making up the Site were purchased in 1988 and are presently owned by Lot Six Realty Corporation and Hudson Valley Management Associates. Currently, the property owner leases space in the former manufacturing facility to various small commercial/industrial entities. **Site Geology and Hydrogeology:** The site geology at the Schatz Plant Site consists of lacustrine silts and fine sands overlying weathered Austin Glen Formation phyllites. The fill and lacustrine sediments (overburden) range in thickness from 0.5 feet to 27 feet. Weathered bedrock ranges in thickness from less than 2 feet to 7 feet on-site. Competent bedrock was found at depths across the site ranging from 7.5 feet to 30 feet below grade. Groundwater flow direction across the site is generally west-northwesterly from Fairview Avenue towards the Hudson River. Groundwater movement in the bedrock is limited primarily to fractures, joints and bedding planes.

Contaminants of Concern (Including Materials Disposed)

Contaminant Name/Type

PCBS (1.7 PPM- 330 PPM) (B007)

TOLUENE, ETHYLBENZENE & XYLENES

polychlorinated biphenyls (PCB)

DRUMS OF WASTE CONTAINING:

Site Environmental Assessment

Nature and Extent of Contamination: Contaminants of concern at the site include PCBs, SVOCs (PAHs), and metals (lead, chromium, arsenic, and antimony). Extensive PCB contamination was found in numerous floor wipe, floor drain, and floor sweeping samples collected within Building #3, the Heat Treatment Building, and the former Rehabilitation Center. In 1996, approximately 1,800 cubic yards of PCB-contaminated soil was removed from the southern edge of the site. In October 2009

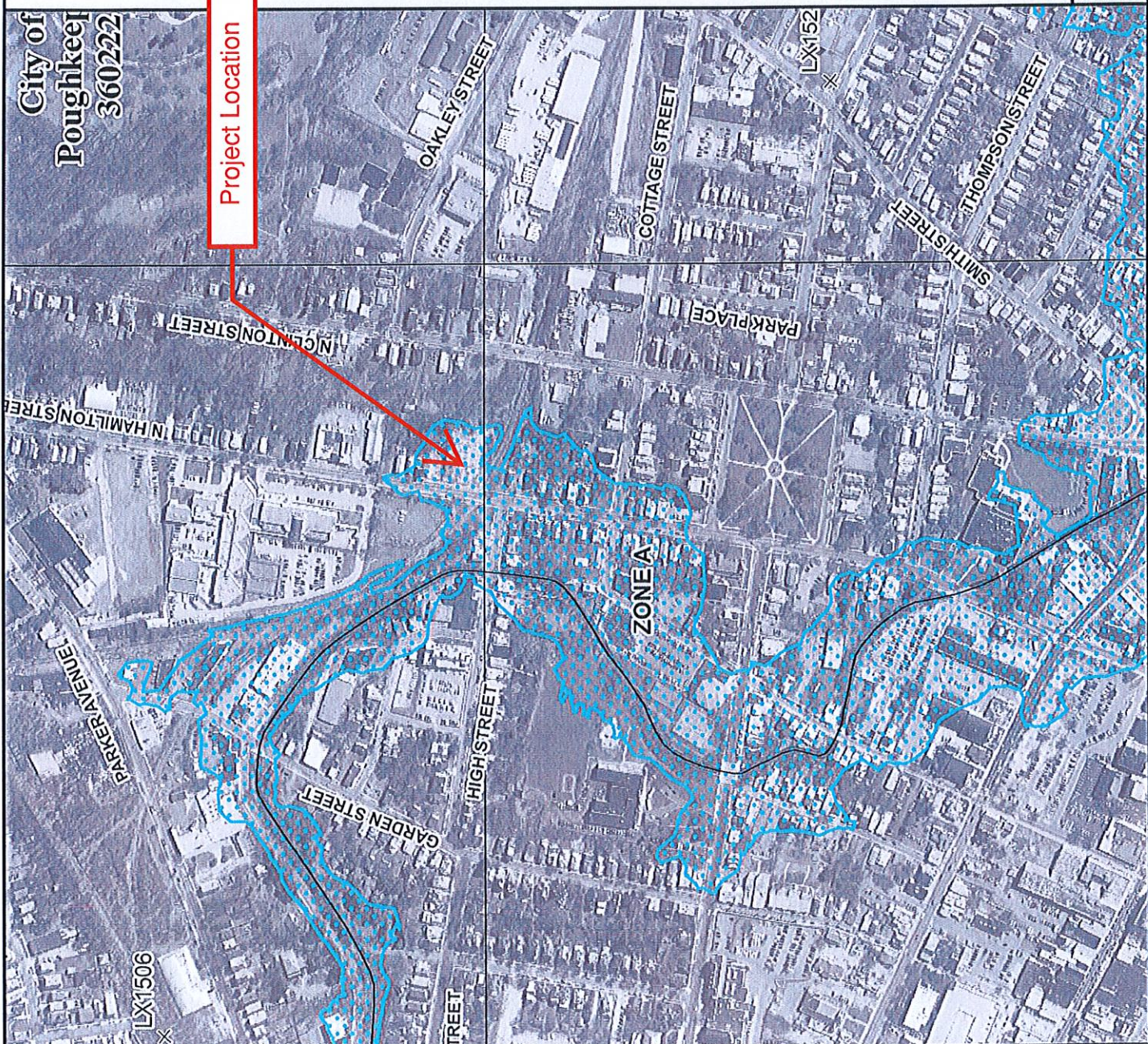
USEPA performed an emergency response action to identify, remove and dispose of hazardous materials abandoned in the facility buildings. By March 2011, all of the staged and containerized wastes were shipped off-site for disposal and EPA demobilized from the site. The USEPA evaluated the results of the test pitting and soil sampling performed around the facility in 2010 for possible additional removal action, however, no additional action is planned by the USEPA at this time. The southernmost parcel of the Site has been previously remediated.

Site Health Assessment

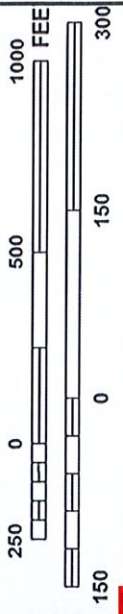
Polychlorinated biphenyls (PCBs) were detected in soil at several on-site locations. PCB-contaminated soil was excavated and disposed of at an off-site location in 1996. PCBs have been detected at concentrations above the NYSDOH cleanup guideline on the floors in two on-site buildings and in the soil at several on-site locations. One of the contaminated buildings (#3) is readily accessible. PCBs were detected on the subflooring of the on-site building that previously housed a rehabilitation center; however, since the subfloor is inaccessible, contact with contaminated surfaces is not expected. To minimize potential exposures to contaminated building surfaces, NYSDOH has recommended restricting access to authorized persons only. PCBs were not detected during two rounds of air sampling conducted in the rehabilitation center. Exposures to site-related contaminants in drinking water are not expected since nearby homes and businesses are supplied with public drinking water.

For more Information: [E-mail Us](#)

Refine This Search



MAP SCALE 1" = 500'



NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0358E	
FIRM	
FLOOD INSURANCE RATE MAP	
for DUTCHESS COUNTY, NEW YORK (ALL JURISDICTIONS)	
CONTAINS:	NUMBER
COMMUNITY	POUGHKEEPSIE, CITY 360222
OF	OF
POUGHKEEPSIE, TOWN	361142
OF	

PANEL 358 OF 602
MAP SUFFIX: E
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.



MAP NUMBER
36027C0358E
EFFECTIVE DATE
MAY 2, 2012

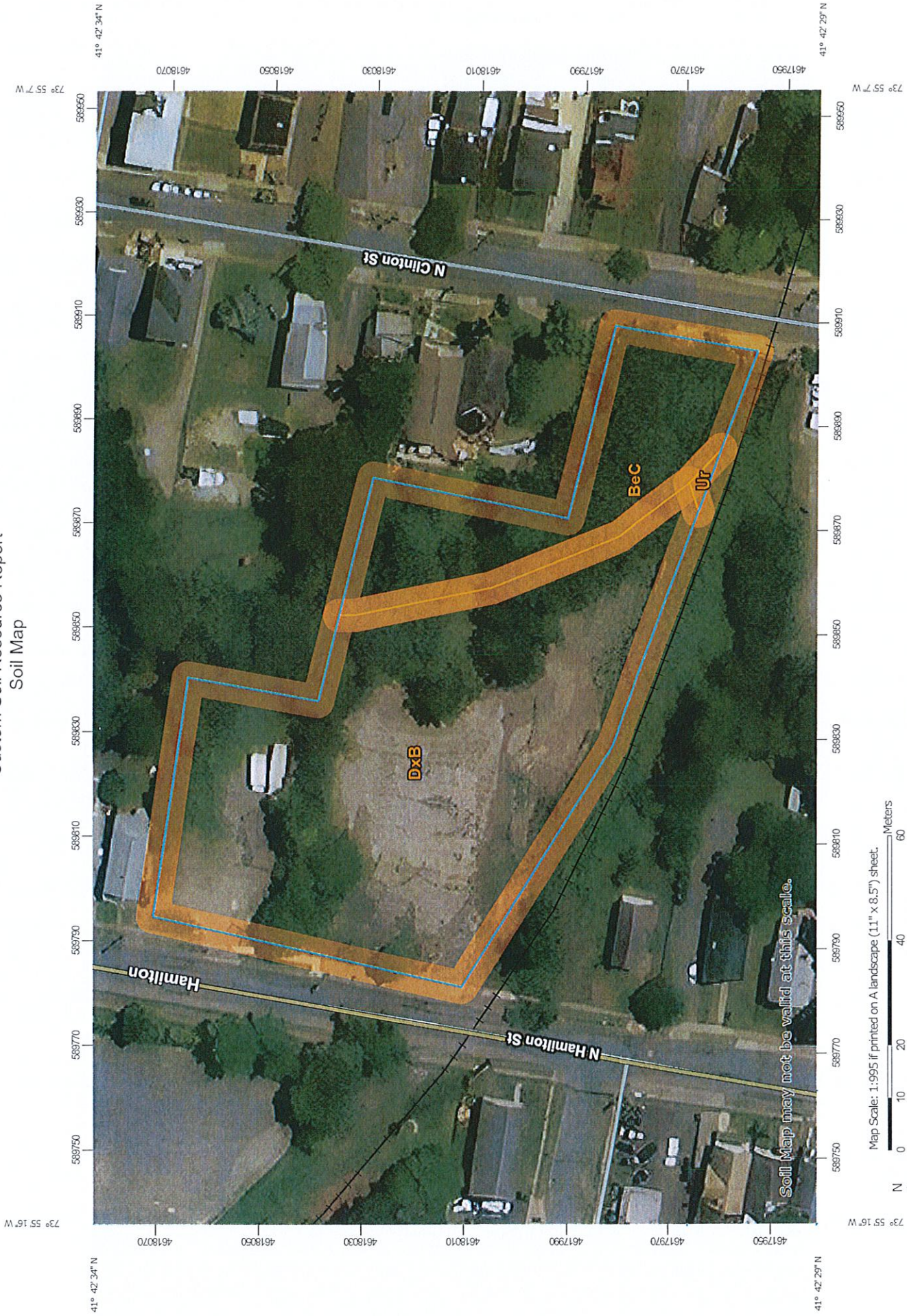
Federal Emergency Management Agency

This is an official FIRMette showing a portion of the above-referenced flood map created from the MSC FIRMette Web tool. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For additional information about how to make sure the map is current, please see the Flood Hazard Mapping Updates Overview Fact Sheet available on the FEMA Flood Map Service Center home page at <https://msc.fema.gov>.

Soil Map

The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.

Custom Soil Resource Report Soil Map



MAP LEGEND

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Dutchess County, New York
Survey Area Data: Version 18, Sep 1, 2021

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Oct 7, 2013—Feb 26, 2017

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Area of Interest (AOI)

- Area of Interest (AOI)
- Soils
 - Soil Map Unit Polygons
 - Soil Map Unit Lines
 - Soil Map Unit Points
- Special Point Features**
 - Blowout
 - Borrow Pit
 - Clay Spot
 - Closed Depression
 - Gravel Pit
 - Gravelly Spot
 - Landfill
 - Lava Flow
 - Marsh or swamp
 - Mine or Quarry
 - Miscellaneous Water
 - Perennial Water
 - Rock Outcrop
 - Saline Spot
 - Sandy Spot
 - Severely Eroded Spot
 - Sinkhole
 - Slide or Slip
 - Sodic Spot
- Water Features**
 - Streams and Canals
- Transportation**
 - Rails
 - Interstate Highways
 - US Routes
 - Major Roads
 - Local Roads
- Background**
 - Aerial Photography
- Other**
 - Spoil Area
 - Stony Spot
 - Very Stony Spot
 - Wet Spot
 - Special Line Features

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
BeC	Bernardston silt loam, 8 to 15 percent slopes	0.4	24.1%
DxB	Dutchess-Cardigan-Urban land complex, undulating, rocky	1.3	75.6%
Ur	Urban land	0.0	0.3%
Totals for Area of Interest		1.7	100.0%

Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The

delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

Dutchess County, New York

BeC—Bernardston silt loam, 8 to 15 percent slopes

Map Unit Setting

National map unit symbol: 9rdn
Elevation: 0 to 1,000 feet
Mean annual precipitation: 41 to 47 inches
Mean annual air temperature: 45 to 50 degrees F
Frost-free period: 115 to 195 days
Farmland classification: Farmland of statewide importance

Map Unit Composition

Bernardston and similar soils: 80 percent
Minor components: 20 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Bernardston

Setting

Landform: Till plains, hills, drumlinoid ridges
Landform position (two-dimensional): Shoulder
Landform position (three-dimensional): Crest
Down-slope shape: Convex
Across-slope shape: Convex
Parent material: Loamy, acid, dense till derived mainly from phyllite, shale, slate, and schist

Typical profile

H1 - 0 to 8 inches: silt loam
H2 - 8 to 27 inches: silt loam
H3 - 27 to 80 inches: silt loam

Properties and qualities

Slope: 8 to 15 percent
Depth to restrictive feature: 15 to 30 inches to densic material
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately low to moderately high (0.06 to 0.20 in/hr)
Depth to water table: About 18 to 24 inches
Frequency of flooding: None
Frequency of ponding: None
Available water supply, 0 to 60 inches: Low (about 4.8 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 3e
Hydrologic Soil Group: C/D
Ecological site: F144AY007CT - Well Drained Dense Till Uplands
Hydric soil rating: No

Minor Components

Punsit

Percent of map unit: 5 percent
Hydric soil rating: No

Pittstown

Percent of map unit: 5 percent

Hydric soil rating: No

Stockbridge

Percent of map unit: 5 percent

Hydric soil rating: No

Unnamed soils, fine-loamy

Percent of map unit: 3 percent

Hydric soil rating: No

Sun

Percent of map unit: 1 percent

Landform: Depressions

Hydric soil rating: Yes

Canandaigua

Percent of map unit: 1 percent

Landform: Depressions

Hydric soil rating: Yes

DxB—Dutchess-Cardigan-Urban land complex, undulating, rocky

Map Unit Setting

National map unit symbol: 9rfr

Elevation: 20 to 1,000 feet

Mean annual precipitation: 41 to 47 inches

Mean annual air temperature: 45 to 50 degrees F

Frost-free period: 115 to 195 days

Farmland classification: Not prime farmland

Map Unit Composition

Dutchess and similar soils: 30 percent

Cardigan and similar soils: 25 percent

Urban land: 20 percent

Minor components: 25 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Dutchess

Setting

Landform: Ridges, hills

Landform position (two-dimensional): Summit

Landform position (three-dimensional): Crest

Down-slope shape: Convex

Across-slope shape: Convex

Parent material: Loamy till derived mainly from phyllite, slate, schist, and shale

Typical profile

H1 - 0 to 8 inches: silt loam

Custom Soil Resource Report

H2 - 8 to 28 inches: silt loam

H3 - 28 to 86 inches: channery silt loam

Properties and qualities

Slope: 1 to 6 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Well drained

*Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high
(0.57 to 1.98 in/hr)*

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Available water supply, 0 to 60 inches: High (about 9.6 inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 2e

Hydrologic Soil Group: B

Ecological site: F144AY034CT - Well Drained Till Uplands

Hydric soil rating: No

Description of Cardigan

Setting

Landform: Ridges, hills

Landform position (two-dimensional): Summit

Landform position (three-dimensional): Crest

Down-slope shape: Convex

Across-slope shape: Convex

Parent material: Loamy till or colluvium derived from phyllite, slate, shale, and schist

Typical profile

H1 - 0 to 8 inches: channery silt loam

H2 - 8 to 20 inches: channery loam

H3 - 20 to 30 inches: channery silt loam

H4 - 30 to 34 inches: unweathered bedrock

Properties and qualities

Slope: 1 to 6 percent

Depth to restrictive feature: 20 to 40 inches to lithic bedrock

Drainage class: Well drained

*Capacity of the most limiting layer to transmit water (Ksat): Low to moderately low
(0.00 to 0.06 in/hr)*

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Available water supply, 0 to 60 inches: Low (about 4.1 inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 2e

Hydrologic Soil Group: C

Ecological site: F144AY034CT - Well Drained Till Uplands

Hydric soil rating: No

Description of Urban Land

Typical profile

H1 - 0 to 6 inches: variable

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 8s

Hydric soil rating: Unranked

Minor Components

Udorthents

Percent of map unit: 10 percent

Hydric soil rating: No

Georgia

Percent of map unit: 5 percent

Hydric soil rating: No

Nassau

Percent of map unit: 5 percent

Hydric soil rating: No

Massena

Percent of map unit: 4 percent

Hydric soil rating: No

Sun

Percent of map unit: 1 percent

Landform: Depressions

Hydric soil rating: Yes

Ur—Urban land

Map Unit Setting

National map unit symbol: 9rjb

Mean annual precipitation: 41 to 47 inches

Mean annual air temperature: 45 to 50 degrees F

Frost-free period: 115 to 195 days

Farmland classification: Not prime farmland

Map Unit Composition

Urban land: 90 percent

Minor components: 10 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Urban Land

Typical profile

H1 - 0 to 6 inches: variable

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 8s

Hydric soil rating: Unranked

Minor Components

Udorthents, smoothed

Percent of map unit: 5 percent

Hydric soil rating: No

Udorthents, wet substratum

Percent of map unit: 3 percent

Hydric soil rating: No

Rock outcrop

Percent of map unit: 1 percent

Hydric soil rating: Unranked

Unnamed soils, undisturbed

Percent of map unit: 1 percent

Hydric soil rating: Unranked

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Custom Soil Resource Report

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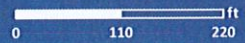


117 N Hamilton-Wetlands

Dutchess County, NY

Printed by:
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ParcelAccess Internet
11/5/2021



0 110 220 ft

The project, at 19,369 square feet, with rents at \$14 per square foot generate enough net operating income to repay the construction loan at the end of development and lease-up with a permanent loan at assumed then-market terms. If the rentable square footage of the project is to reduce in size, there will be insufficient net operating income to support a takeout of the construction loan, forcing the developer into a loan default or subsequent infusion of equity. A subsequent infusion of equity in order to satisfy the loan would diminish the project returns to undesirable levels (sub-10%), which would yield the project unattractive and financially unfeasible.

Development Budget		
Uses of Funds		
Acquisition	6%	\$260,000
Construction Cost	78%	\$3,452,673
Soft Costs	13%	\$570,923
Financing Costs	4%	\$164,988
Total Project Uses	100%	\$4,448,585
Sources of Funds		
Construction Loan	70%	\$3,114,009
Equity	30%	\$1,334,575
Total Project Sources	100%	\$4,448,585

Stabilized Cash Flow		
Total Rentable SF		19,369
Rent PSF		\$14.00
Total Net Revenue	<i>incl. add rev</i>	\$392,177
Expenses		(\$156,878)
Net Operating Income		\$235,299
Bank Interest Expense		(\$195,271)
Net Cash Flow		\$40,028

Refinance Construction --> Permanent Loan	
NOI can cover Bank Int Exp at	1.2x
Assuming 30-year amortization at	4.50%
Loan Amount Supported	\$3,211,578

Return Analysis	
10-Year	Deal Levered
IRR	11%
EM/ROI	2.3x

117 N HAMILTON
City of Poughkeepsie, Dutchess County, New York
July 5, 2022

POUGHKEEPSIE NATURAL RESOURCE INVENTORY
NARRATIVE

The project site, identified as 117 N Hamilton Street, is comprised of two existing lots of record: Tax Parcel No. 6162-63-266293, 0.43 acre and Tax Parcel No. 6162-63-271278, 1.20 acres. The two (2) existing lots are to be combined into one lot totaling 1.63 acres.

Geology and Soils

According to the Geology and Soils map, the site is underlain by Graywacke, shale bedrock. The site's surficial geology is of glacial till soils, specifically Dx-B-Dutchess-Cardigan (urban land complex) and BeC-Bernardston silt loam. The geology and surface soils are typical for the area and there are no unique geologic features on the site.

Water Resources

According to the Water Resources map, the front portion of the site lies within the Flood Hazard Area of the Fall Kill. The Fall Kill and its identified riparian buffer in this area are situated west of the former rail bed, which is located just south of the site. No aquatic resources are situated on or immediately adjacent the subject parcels.

Habitats

The sites which make up 117 North Hamilton are highly disturbed urban lots with no habitat of any significance. According to the NRI Habitat Map, much of the site, specifically the bulk of the larger parcel, is identified as waste ground. The rear portion of the same parcel is identified as upland hardwood forest; however, no trees are found in the bulk of this on-site designation. A number of trees will be removed, particularly along the easterly edge in the building footprint. Most of the trees at the rear of the sites nearest the North Clinton Street residential lots will be maintained. No specimen or high value trees exist on site.

Land Use

The NRI Land Use Map indicates the larger lot to be vacant and the smaller to be residential. Both appear to have been historically developed and now lie vacant. No structures exist on either parcel. The site is surrounded predominantly by mixed residential and commercial. The Dutchess County Jail facility lies east and northeast of the site and the former railbed, also identified as vacant land, forms the site's southern boundary.

Historic Resources

According to the NRI Historic Resources Map, the nearest historic sites are the Guilford Dudley Memorial at College Hill Park and St. Paul's Episcopal Church on Mansion Street. Both lie roughly 0.15 miles distant. The site is not located within or immediately adjacent to any historic districts, buildings, or archeological sites.

Recreational Resources

The site is situated several blocks (approximately 0.15 miles) distant the Malcolm X Park (southeast), Earline Patrice Park (south), and College Hill Park (northeast). The project will have no impact upon these resources. The site is also bound to the south by the former railbed. Improvement of the subject parcel would be beneficial with regard to development of the adjacent rail trail linear park.

Pollinator Pathway

According to the NRI Pollinator Pathway map, 117 North Hamilton Street is not located within any greenspace or any potential pathway. No pollinator gardens are in the immediate vicinity of the site nor are any potential future gardens in this area. The map shows pollinator pathways closely match the recreational resources in this area.

Poughkeepsie NRI Map - Geology & Soils 117 North Hamilton Street



6/28/2022, 10:34:30 AM

- City of Poughkeepsie Boundary
- Parcel Boundaries
- Soils
- Bedrock Geology
- Graywacke, shale (Oag)

1:2,257
0 0.02 0.04 0.07 0.08 mi
0 0.03 0.07 0.13 km

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Poughkeepsie NRI Map - Water Resources 117 North Hamilton Street



6/28/2022, 10:36:37 AM

Parcel Boundaries

City of Poughkeepsie Boundary

Wetlands

Surface Water

Riparian Buffers

Flood Hazard Areas

Perennial Stream or Not Classified

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Poughkeepsie NRI Map - Habitats 117 North Hamilton Street



6/28/2022, 10:52:55 AM

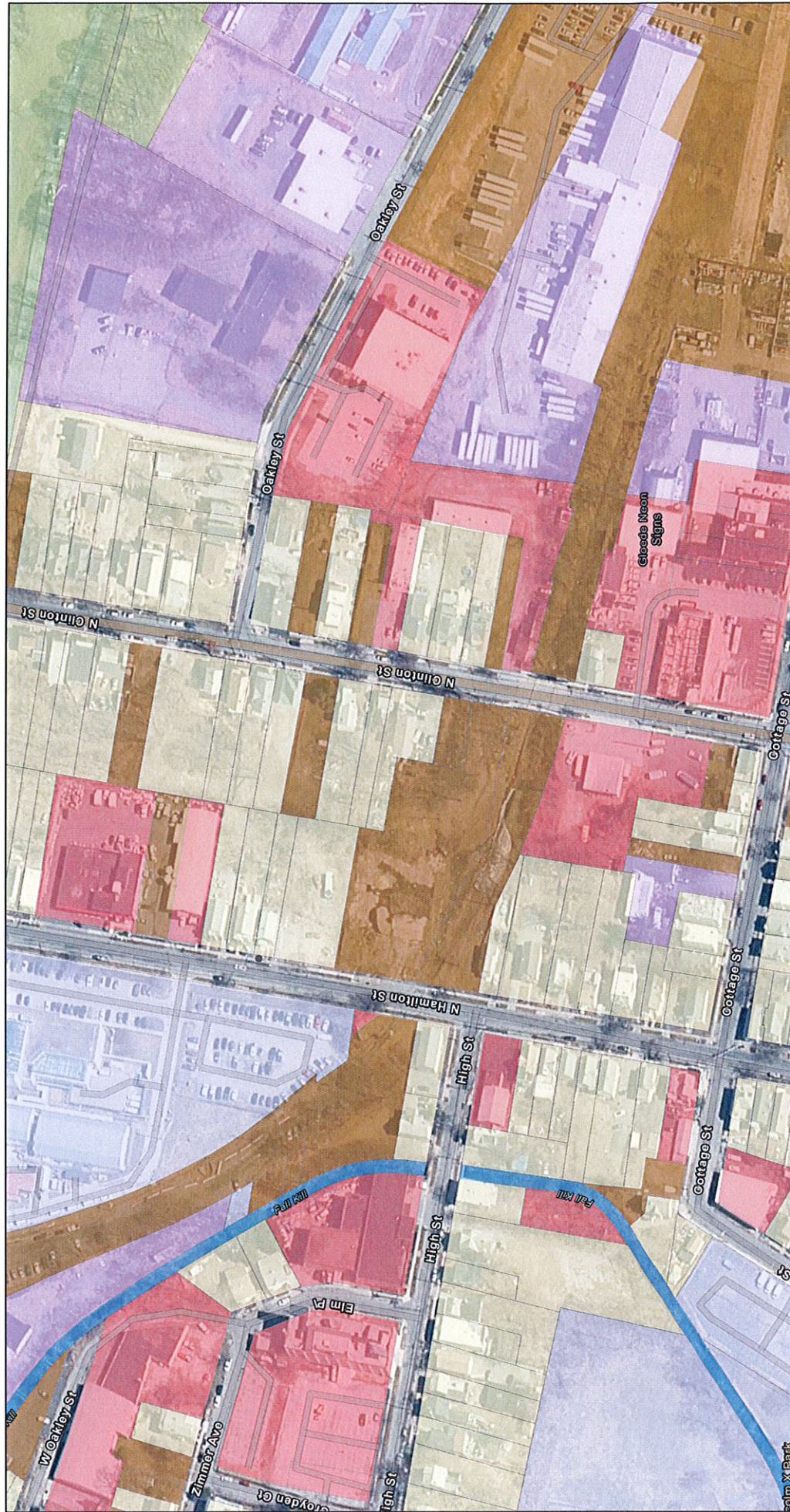
- Parcel Boundaries
- City of Poughkeepsie Boundary
- Wetlands
- Hudsonia Surface Water
- Hudsonia Streams
- Perennial Stream or Not Classified
- Hudsonia Habitats
- Developed
- Cultural
- Hardwood swamp
- Stream
- Upland hardwood forest
- Upland mixed forest
- Waste ground



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Poughkeepsie NRI Map - Land Use 117 North Hamilton Street



6/28/2022, 10:31:16 AM

City of Poughkeepsie Boundary

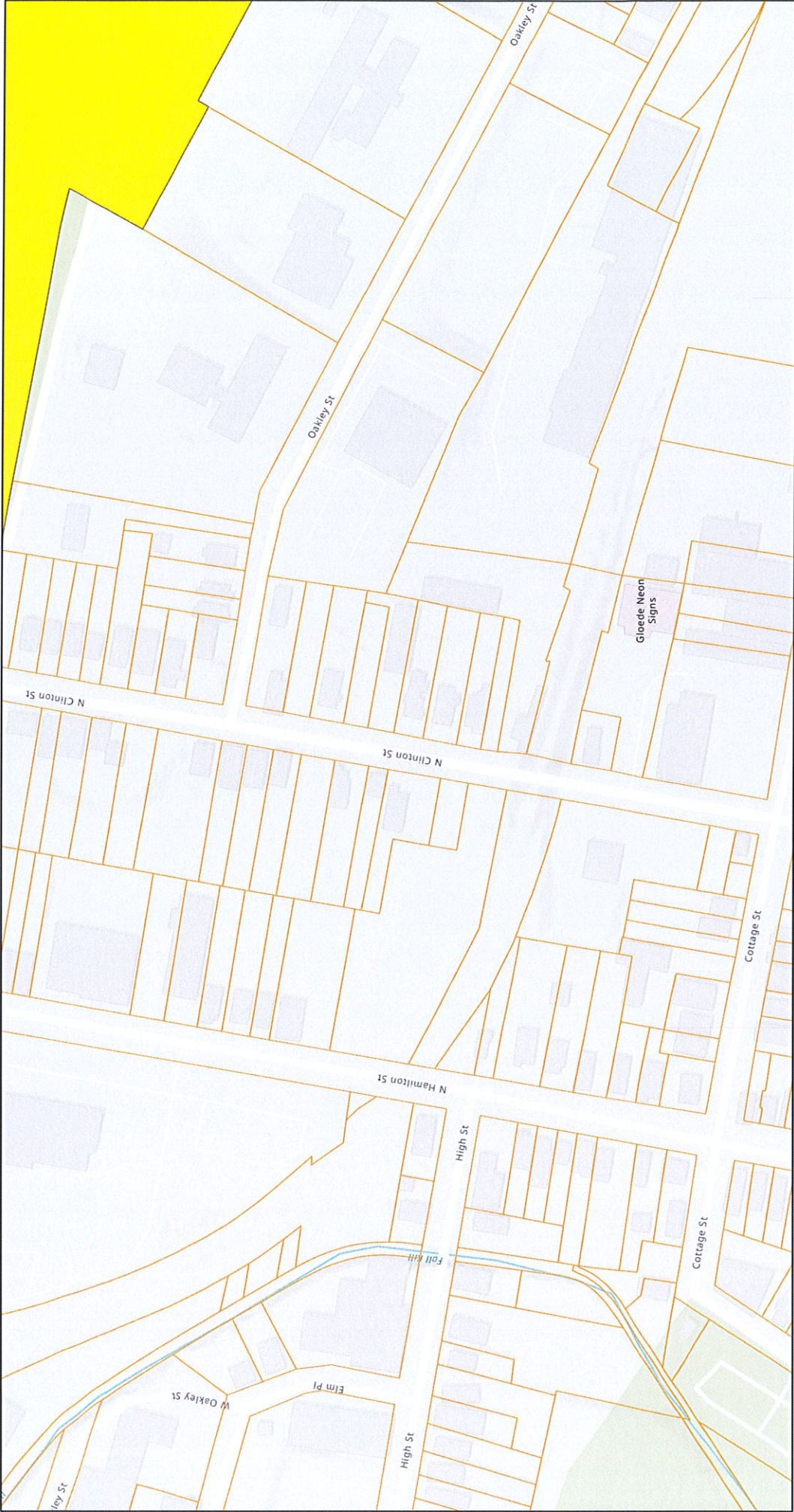
Land Use by Parcel

- Community Services
- Industrial
- Recreation and Entertainment
- Water
- Residential
- Vacant Land
- Commercial

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Poughkeepsie NRI Map - Historic Resources 117 North Hamilton Street



6/28/2022, 10:40:09 AM

Parcel Boundaries

Historic Sites (2021)

Local

City of Poughkeepsie Boundary

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ArcGIS Web AppBuilder
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Poughkeepsie NRI Map - Recreational Resources 117 North Hamilton Street



6/28/2022, 10:49:46 AM

Parcel Boundaries

City of Poughkeepsie Boundary

Trails

Parks and Open Spaces

1:2,257

0 0.02 0.04 0.07 0.08 mi
0 0.03 0.07 0.13 km

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Poughkeepsie NRI Map - Pollinator Pathway 117 North Hamilton Street



6/28/2022, 10:46:55 AM

Poughkeepsie Greenspace

Potential Pathway

Poughkeepsie Boundary

New York State, Maxar, Microsoft



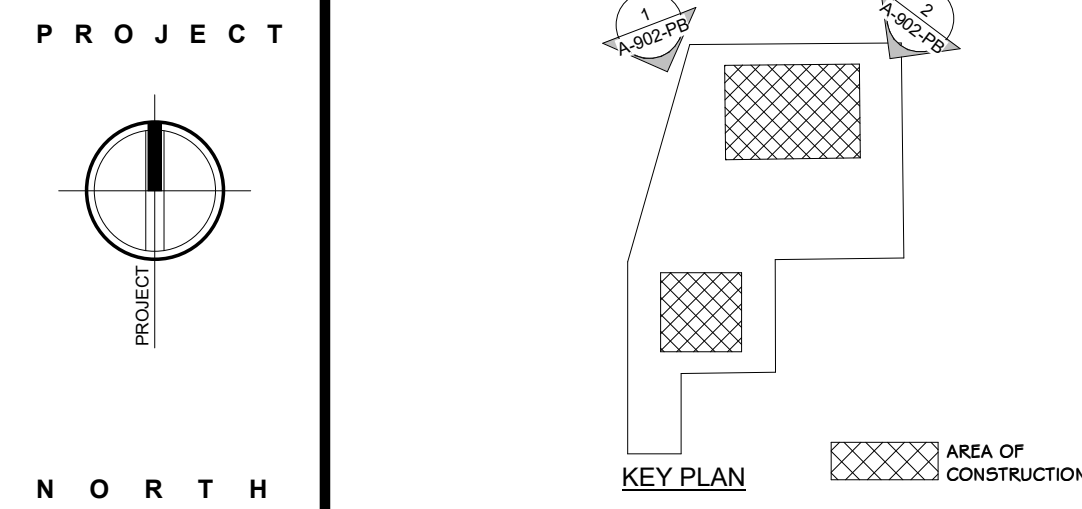
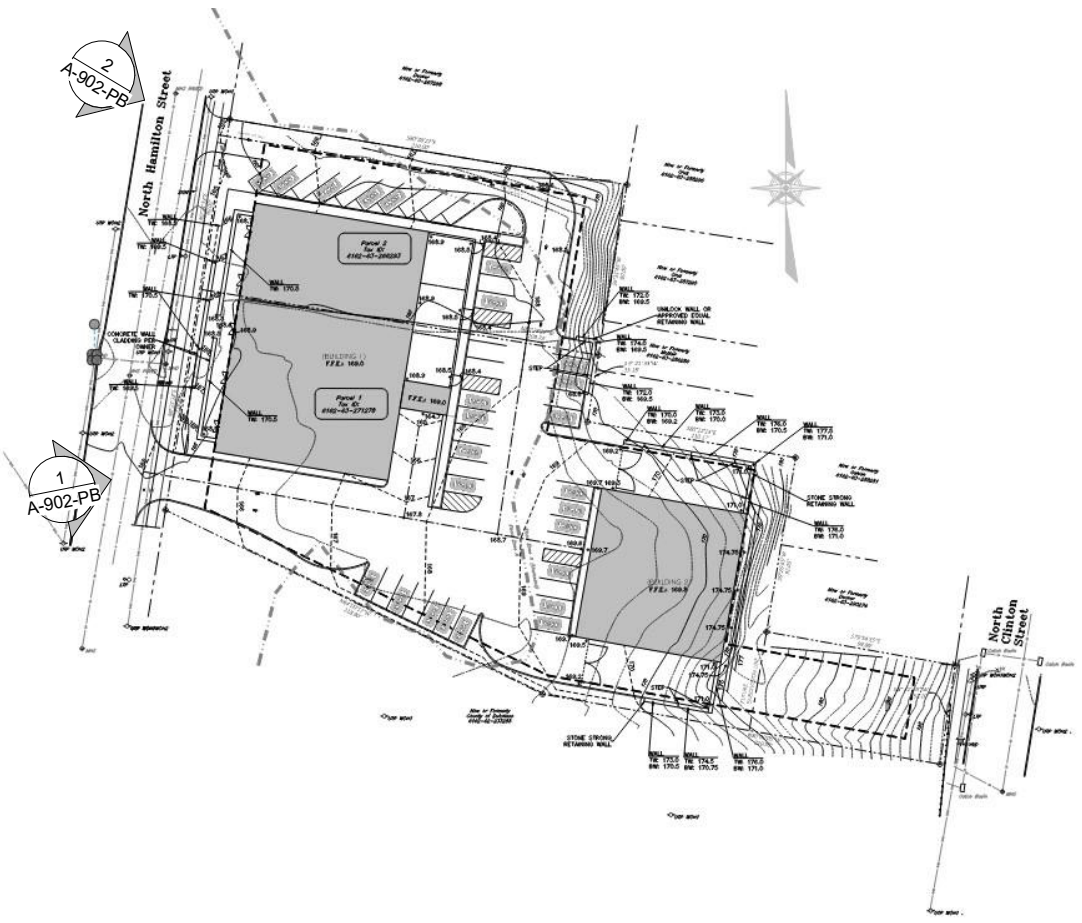
1 EXTERIOR RENDERING



2 EXTERIOR RENDERING

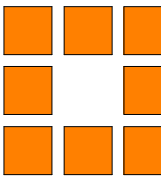
CONSTRUCTION NOTES

NOTE: NOT ALL NOTES MAY BE USED ON THIS DRAWING.



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REVISIONS:		
NUM.	DATE	DESCRIPTION

	ANDERSON DESIGN GROUP		ARCHITECTURE PLANNING INTERIORS	
	25 WALLKILL AVE. • MONTICOMERY • NY 12549 O: 845.294.2724 F: 888.305.6442		WWW.ADGARCHITECT.COM CONTACT@ADGARCHITECT.COM	

Project: 117 NORTH HAMILTON
117 NORTH HAMILTON ST., POUGHKEEPSIE, NY 12601

Drawing Name: EXTERIOR RENDERINGS

Drawn: IDEA Scale: AS NOTED Project: 22102 Date: 05/31/22

Drawing Number: A-902-PB

BAXTER

DEVELOPMENT

July 5, 2022

The City of Poughkeepsie New York Planning & Zoning
62 Civic Center Plaza, 2nd Floor
Poughkeepsie, NY 12601

Re: 117 North Hamilton Street

To Whom it may concern,

We offer the following comments for your consideration. The comments are numbered to correspond to the variance request justification outlined in the Zoning Board of Appeals Area Variance Application.

VARIANCE REQUEST JUSTIFICATION

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 will not produce an undesirable change in the character of the neighborhood, and it will not be a detriment to nearby properties. The intent of the zoning ordinance is to provide a substantial barrier between industrial/commercial and residential properties, and this intent is achieved throughout the site design.

The buildings on site have been situated to meet all setback requirements, including the 25-foot buffer wherever feasible. The adjacent residential zoning district adjoins the project site along its northerly and easterly property lines. In areas where that 25-foot buffer is not maintained, the design limits the development within that buffer, provides alternatives such as fencing and landscaping and mimics prior conditions, placing the proposed access drive in the existing locations and separating the building from the adjacent parcels by parking. The proposed fencing is opaque, 8 feet in height and allows for 3 feet of landscaping on the outer portion of the fence. The proposed development works with the site, allowing the existing topography to the east to remain. There is a change in grade which will remain intact and landscaped with evergreens. The streetscape is fully landscaped with the building set back away from the property lines, creating a visual break between the proposed development and the adjacent properties with the site access drives located between the buildings and the adjacent parcels further creating a sense of separation.

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?

This is a redevelopment project. The project is constrained by the former rail line, soon to be rail trail, to the south and existing developed lands to the north. The property is deeper than adjacent parcels, with a portion extending out to N Clinton Street. The topography slopes up steeply to the east. The westerly portion of the property is in an area of special flood hazard. The buildings must be elevated above the flood elevation which necessitates filling the building footprint to raise the finished floor elevation. Moving the building footprint is not feasible due to the transitions required to match existing grades at the various property lines. The buildings have been located to otherwise work with the topography to limit the impacts to adjacent parcels.

The design incorporates various elements to compensate for the area where the 25-foot buffer is not feasible to achieve. As noted elsewhere, a series of design choices were implemented and incorporated into the design to fulfill the intent of the buffer requirement. These design choices include:

- 8-foot-high privacy fence along the north property line
- 3-foot (or more) dense, landscape buffer that is inclusive of large evergreens on the northeast corner
- 40-foot setback for the front building to the property line
- Maintain similar location of the driveway with previous pavement
- Maintain same curb cut location as existing
- Parking in the same area, facing the building

Changes to the floor plans & site design were explored (i.e., reducing parking, relocating the access drives), but any concessions to the buildable square footage or adjustments in the building layout would not be financially feasible to develop, leaving the property in its current less-than-desirable state (a vacant lot that is not maintained and often loitered). For this reason, the variance is required to proceed with the development.

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

The variance is not substantial. We are requesting to modify the area variance for one portion of the site, from a 25-foot buffer to a 20-foot buffer. On this eastern building edge that faces north, there is a steep grade change between the proposed building and the neighboring structure, which ends up contributing to a vertical buffer that will ensure that the new development is not obtrusive to the surrounding residents. All other parts of the site are over 25-feet from the property line.

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DEVELOPMENT

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

The variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. Throughout the proposed site design, the intent to have a substantial buffer between the new commercial & warehouse space is achieved. Nearly all buildings have been set back more than 25-feet from the neighboring homes, and the landscape design throughout the site is greatly enhancing the current environment. A separate landscape design plan has been submitted to help beautify the site, and a new dense ecological buffer will run along the perimeter of the property to ensure the residents privacy remains intact.

The natural land slope will be untouched and surrounding it will be landscaping that ties together design elements with the unique topography to provide an appropriate buffer. By working with the existing landforms to screen and buffer the proposed development, we are avoiding any detrimental impact to the current environmental conditions.

The proposed project does not introduce any adverse elements to the neighborhood, as it revitalizes a vacant site. It serves as an attractive transition between the abandoned rail line, soon to be Rail Trail, and the existing community. It will be enhancing the surrounding area through the aesthetic improvements to the site (new landscaping & tasteful building design), new business & job creation (4 commercial spaces) and a pleasant walking experience along a section of the future Rail Trail that will run adjacent to the site. Improved lighting throughout the site and consistent occupancy will limit loitering and dark, unpoliced corners of the neighborhood to create a safer environment for its residents. Without the variance, the development cannot be completed and the lot will remain vacant.

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

The need for the area variance is unique to the property. As noted above, this is a redevelopment project, essentially an infill between an existing developed neighborhood and an abandoned rail line. The proposed development is consistent with prior site development and serves to provide a reasonable transition between uses. The natural topography with a steep grade change in elevation, prohibits designing a project that maintains a 25-foot buffer at all edges. For the portions of the property that are within the 25-foot buffer, the development has been minimized to just include a small number of parking spaces and a masonry refuse enclosure or incorporate design elements that meet the intent of the required buffer.

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DEVELOPMENT

We respectfully request that the Zoning Board consider the design, the proposed landscaping, the existing topography, and landscaping, and modify the buffer requirement and/or permit the identified factors to serve as an acceptable substitute for the 25-foot buffer.



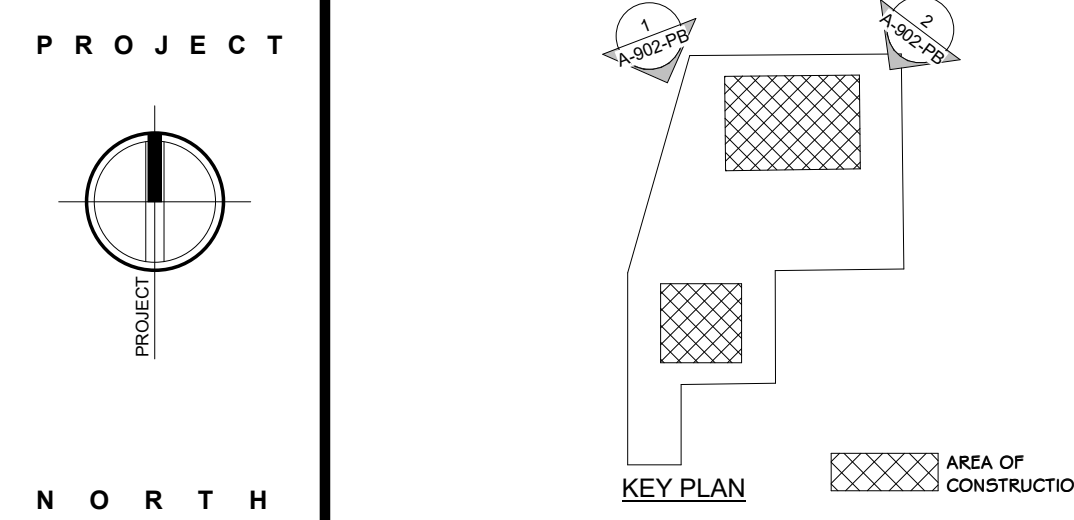
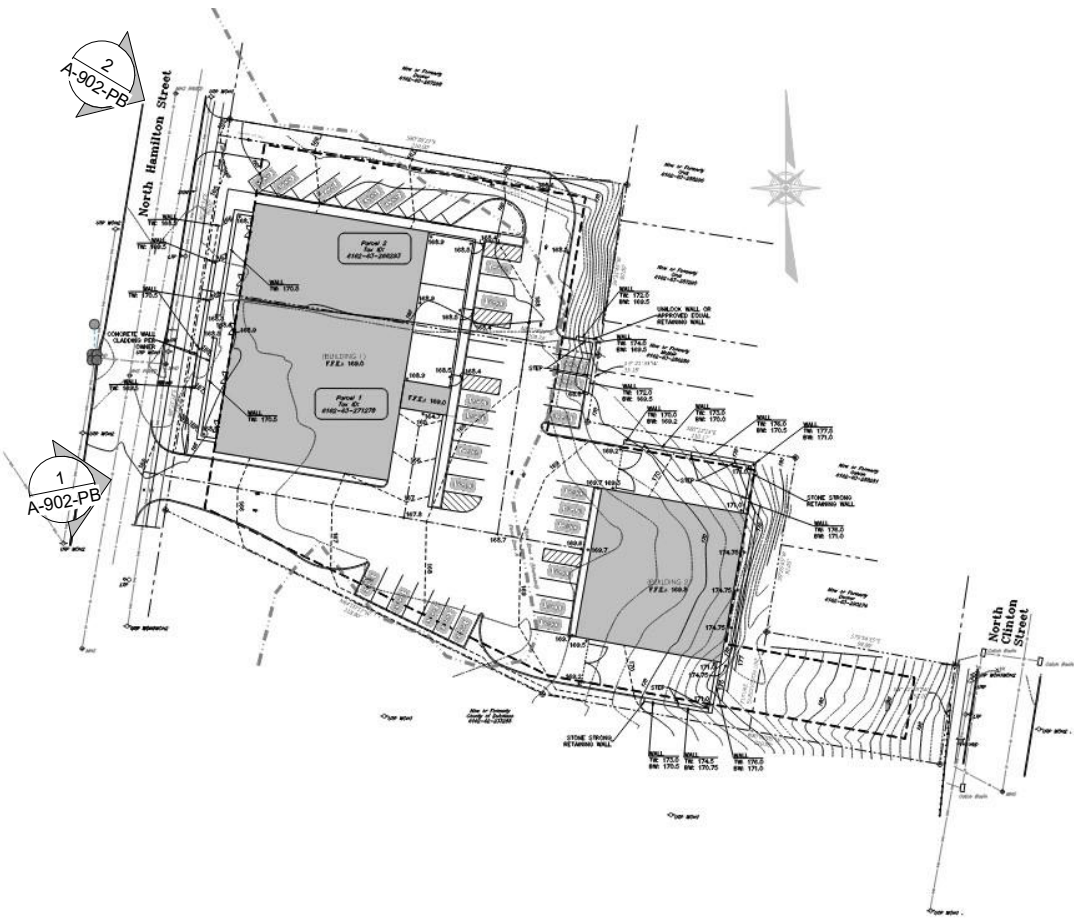
① EXTERIOR RENDERING



② EXTERIOR RENDERING

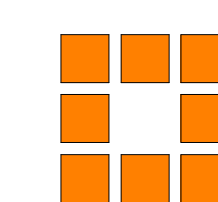
CONSTRUCTION NOTES

NOTE: NOT ALL NOTES MAY BE USED ON THIS DRAWING.



100% SCHEMATIC DESIGN

REVISIONS:		
NUM.	DATE	DESCRIPTION



ANDERSON
DESIGN
GROUP

ARCHITECTURE
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Project: 117 NORTH HAMILTON
117 NORTH HAMILTON ST., POUGHKEEPSIE, NY 12601

Drawing Name: EXTERIOR RENDERINGS

Drawn: IDEA Scale: AS NOTED Project: 22102 Date: 05/31/22

Drawing Number: A-902-PB