



**CITY OF POUGHKEEPSIE
ZONING BOARD OF APPEALS
DRAFT MINUTES
APRIL 13, 2021**

The meeting was called to order at 6:36 pm.

Present

Nathan Shook Chair
John Gildard
Thomas Klug, alternate
Rob Page
Scott Parker
Steven Reifler
Jessica Vinall

Absent

Paul Bucher

Staff

Natalie Quinn, Planning Director

The meeting was called to order with the pledge of allegiance.

Planning Director Quinn read the following notice into the record:

“Based on upon notices and health advisories issued by federal, state and local officials related to the COVID-19 virus and as permitted under the under Governor Cuomo's executive order 202.60, and subsequent extensions of that order, which suspends certain provisions of the open meetings law to allow municipal boards to convene public meetings and public hearings via video conferencing, that is how the ZBA is meeting here tonight. In accordance with the executive order, the public has been provided with the ability to view tonight's meeting and a recording and transcript of the meeting will be posted on the city's website following.”

A motion was made by Nathan Shook and seconded by John Gildard to approve the minutes of the March 9th ZBA meeting. The motion carried unanimously.

316 MAIN STREET: AREA VARIANCE

Application for area variance relative to the height of the proposed building at 316 Main Street, to allow six (6) stories where only five (5) are permitted, requiring a variance of Section 19-3.37, Table 3.37-2 of the Zoning Ordinance. Owner/Applicant: 316 Main Street Owner, LLC (Eric Baxter and William Brocker); Consultant: MASS Design; Zone: Poughkeepsie Innovation District Historic Core Subdistrict (PID-HC); Grid #6161-77-091064; File #2021-002

Board member Reifler discloses past business dealings and conversations with the applicant but confirms that no current collaborations concern the Main Street project.



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Appearing on behalf of the application were Eric Baxter, Justin Brown, Neil Alexander and Mike Amato, who made an updated presentation on the proposed project and requested variances.

Scott Parker requested additional information on floorplans and unit breakdown.

There was general discussion regarding the existing character and height of buildings on Main Street, heights permitted in adjoining districts of the PID, and tax incentives that will be sought by the applicant. The applicant was asked to further elaborate on the need for the central light well.

The Board asked why a six story building with the top story setback was not investigated as a potential option, as requested. Applicant states that the project does not work financially at 5 stories, but also does not make sense at the proposed 6 stories.

Jessica Vinall asks the applicant to repeat why they do not believe this project will have a negative impact on the neighborhood via the additional density of the sixth floor. The applicant claims that the project will not have more density than would be permitted via a five story building occupying the full footprint of the parcel, due to the cutout of the central light well. The applicant claims the property is unique from any other in the downtown due to its relatively large size.

On a motion by John Gildard, seconded by Rob Page, the Board voted unanimously to re-open the public hearing.

There were comments from the public:

- Ovid Reichelt
- Doug Nobiletti
- Michael Decordova
- Laurie Sandow (signed up to speak but was not able to connect her microphone with the videoconferencing platform)

On a motion by Steve Reifler, seconded by John Gildard, the Board voted to adjourn the public hearing to May 11, 2021.

There is a discussion regarding the SEQRA process and the correct classification of the project. The project is deemed to be a Type 1 Action, requiring coordinated review. The applicant agrees to submit a full EAF as required, but asks the Board to give them an indication as to whether or



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not the Board will approve the requested variance. The Board declines from providing such an indication outside of the dialogue that has already been had on the matter.

On a motion by Jessica Vinall, seconded by Scott Parker, the Board voted to recommend that the Planning Board serve as Lead Agency on the project. The motion passed unanimously.

Planning Director Quinn provides a summary of comments provided by the City's Economic Development Director with regards to the financial information submitted in regards to the second prong of the area variance tests, evaluating whether any viable options besides the request variance exist. She agrees to arrange a meeting between city staff, the applicant, and up to three members of the Board to discuss the information at greater length.

On a motion by Steven Reifler, seconded by Jessica Vinall, the Board unanimously voted to adjourn at 7:58pm.