



**CITY OF POUGHKEEPSIE
ZONING BOARD OF APPEALS
MINUTES OF JUNE 8, 2021**

The meeting was called to order at 6:32 pm.

Present

Nathan Shook Chair
John Gildard
Thomas Klug
Scott Parker
Steven Reifler
Jessica Vinall

Absent

Rob Page

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 Thomas Klug and seconded by Steven Reifler to approve the minutes of the May 11, 2021 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

This application was adjourned to 7/13/21 for Planning Board SEQR determination.



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195 MILL STREET: USE AND AREA VARIANCES

Application for Use and Area Variances relative to the conversion of the existing building from a convenience store with one dwelling unit to a convenience store with three dwellings units, requiring variances of Sections 19-3.15(2), 19-3.15(4), 19-3.15(4)(e), 19-3.15(4)(i) and 19-4.3(11) of the Zoning Ordinance. Owner: Sultan Business Enterprises, Inc; Applicant: Rakan Algananim; Consultant: Paul Tirums, PE; Zone: Medium High Density Residence (R-4) District; Grid #6062-76-951217; File #2021-004/2021-005

This application was adjourned to 7/13/21 at the applicant's request.

67 VERAZZANO BOULEVARD: AREA VARIANCES

Application for Area Variance relative to the conversion of the mixed use building with a vending machine repair facility and 7 dwelling units to a vending machine repair facility and 10 dwelling units, requiring variances of Section 19-4.(a), Section 19-15.(4)(i), 19-4.13 and 19-4.3(11) of the Zoning Ordinance; Owner/Applicant: Robert Cifone; Consultant: Richard Tompkins, RA AIA; Zone: Medium High Density Residence (R-4) District; Grid #6062-68-965306; File #2021-006

Presenting on behalf of the application was Rich Tompkins (Maury Architects) and Robert Cifone (property owner). The applicant team provided an overview of changes to the application, including increasing the size of the units and the mix of bedrooms per unit, landscape ties and additional landscaping (topsoil and re-seeding) to delineate the open space. A parking variance is no longer needed.

Following deliberation, the Board adopted the following resolution:

WHEREAS, the Zoning Board of Appeals has received an application from Robert Cifone for area variances of the following Sections of the Zoning Ordinance relative to the proposed conversion of the mixed use building at 67 Verazzano Boulevard containing a vending machine repair facility and 7 dwelling units to a vending machine repair facility and 10 dwelling units:

- 1) Section 19-3.15(4)(a) requires 28,600 square feet of lot area be provided for the overall development proposed: the lot is 24,393.6 square feet;
- 2) Section 19-3.15(4)(i) requires 2,700 square feet of useable open space for tenant recreational purposes with a minimum dimension of 40 feet: 2580 square feet of open space is provided, without the minimum dimensional requirement of 40 feet; and,
- 3) Section 19-4.13 requires that all accessory uses, such as useable open space, be located in a side or rear yard: the open space is located in the front yard.



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WHEREAS, the application was accompanied by additional materials, including a Site Plan with a revision date of May 26, 2021, prepared by Richard K. Tompkins, RA, undated site photos; and,

WHEREAS, a public hearing was held on May 11, 2021 and carried over to June 8, 2021; and,

WHEREAS, the action is considered to be a Type 2 Action under SEQRA requiring no further action; and,

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

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

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

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

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

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

Motion: Jessica Vinall

Second: John Gildard

Carried: 6:0:0

On a motion Steven Reifler, seconded by Scott Parker, the Board unanimously voted to adjourn at 6:50pm.