

## LEGAL NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Town Board, Town of Poughkeepsie does hereby set **Wednesday, May 5, 2021 at 7:00 p.m.** as the time, date and place of a public hearing to afford all interested parties an opportunity to be heard and to seek public comment in regard to the following:

Local Law amendments to Chapter 210, "Zoning" of the Town Code, to add §210-125.2, entitled "Signs permitted in the HRDD District" and to amend §210-9 and §210-131F

Given the global COVID-19 pandemic, Town Hall is open to the public, but with very limited space and with special requirements (masks, social distancing, and sign-in) for public attendance. However, the Town Board meeting, inclusive of this public hearing, will only be accessible to the public through the media platform called Zoom in order to proceed with Town business while safely maintaining social distancing requirements.

Members of the community can access the Town Board meeting through Zoom by entering the

Meeting ID: 970 7044 7710

Password: 209684; or by following this link:

<https://zoom.us/j/97070447710?pwd=NmVEdS9EY3d4VHM0UUNRV2JWeC9SZz09>

Through Zoom members of the community will be able to participate in the Town Board meeting via computer or phone audio. Members of the community can also simply call into the meeting using the following phone number: 1-929-205-6099 and the meeting ID and meeting password above. The meeting is also broadcast live on Cablevision Channel 22 and Verizon Fios Channel 38.

AND PLEASE ALSO TAKE FURTHER NOTICE that said proposed amendments are available in full with Exhibit to preview on our website @ [www.townofpoughkeepsie.com](http://www.townofpoughkeepsie.com) -Look for the public hearing page, or contact the Town Clerk.

Likewise, if you wish to provide comments, but cannot attend in person or via the webinar-based Zoom meeting, please provide written comments to [fsalvatore@townofpoughkeepsie-ny.gov](mailto:fsalvatore@townofpoughkeepsie-ny.gov) by Monday, May 3rd, 2021 for distribution to members of the Town Board in advance of the meeting.

Felicia Salvatore, Town Clerk  
Town of Poughkeepsie  
April 8, 2021

RESOLUTION 4:7 - #SC 2 of 2021

WHEREAS, the Town Board has received a communication from the Planning Department recommending amendments to Chapter 210, entitled "Zoning", to add §210-125.2, entitled "Signs permitted in the HRDD District", and to amend §210-9 and §210-131F; and

WHEREAS, the proposed amendments are annexed hereto as Exhibit A and incorporated herein as if recited verbatim, with the words underlined to be added, and those words ~~stricken~~ to be deleted, and the Town Board does direct that said amendments be spread across the record as if they, in fact, had been read verbatim; and

WHEREAS, this action to amend the Zoning Law is a Type 1 Action under the New York State Environmental Quality Review Act, and an Environmental Assessment Form (EAF) is attached; and

WHEREAS, the Town Board has determined that the proposed amendment must be referred to the Dutchess County Department of Planning and Economic Development and to the Town Planning Board for review and recommendation; and

WHEREAS, the amendment requires a public hearing;

NOW, THEREFORE BE IT RESOLVED THAT:

1. The Town Board hereby states that because only the Town Board can consider and adopt changes to the Town Code that it is the only involved agency, and the Board hereby declares that it is the Lead Agency for purposes of coordinating the environmental review of this matter pursuant to Article 8 of the Environmental Conservation Law; and
2. The Town Board hereby sets a public hearing on the proposed amendments for May 5, 2021, at 7:00 PM, or as soon thereafter as the matter may come to be heard, in the Town Hall, One Overocker Road, Poughkeepsie, New York; and

3. The Town Board refers this matter to the Dutchess County Department of Planning and Economic Development for a recommendation pursuant to GML 239-m; and
4. The Town Board refers this matter to the Planning Board for an advisory report pursuant to Town Code Sections 210-154; and
5. The Town Board directs the Town Clerk to notify the Town Clerks of each of the surrounding municipalities of the public hearing pursuant to GML 239-nn.

Dated: April 7th 2021

Moved: Stephan Krakower

Seconded: Michael Cifone

Motion passes/ fails: Ayes 6 Nays 0

JEN/mem  
t-4/7/2021  
m-4/7/2021

via zoom

		AYE	NAY	ABSTAIN
<input checked="" type="checkbox"/>	<u>PRESENT/ABSENT</u> Councilman Renihan	<u>✓</u>	___	___
	<u>PRESENT/ABSENT</u> Councilman Carlos	<u>✓</u>	___	___
	<u>PRESENT/ABSENT</u> Councilwoman Lopez	<u>Absent</u>	___	___
	<u>PRESENT/ABSENT</u> Councilman Cifone	<u>✓</u>	___	___
<input checked="" type="checkbox"/>	<u>PRESENT/ABSENT</u> Councilman Krakower	<u>✓</u>	___	___
	<u>PRESENT/ABSENT</u> Councilwoman Shershin	<u>✓</u>	___	___
	<u>PRESENT/ABSENT</u> Supervisor Baisley	<u>✓</u>	___	___

**Exhibit A**

BE IT ENACTED by the Town Board of the Town of Poughkeepsie that Chapter 210, Zoning, is hereby amended as follows:

NOTE: New text is shown as underline; deleted text is shown as ~~strikethrough~~.

1. Section 210-125.2 is added to provide sign regulations specific to the HRDD District

**§ 210-125.2 Signs permitted in the HRDD District**

Signs in the Historic Revitalization Development District (HRDD) shall be regulated by this section and the other relevant sections of Article IX. To the extent that there is a conflict between this section and any other section in Article IX pertaining to general sign requirements and signs in all Districts, the provisions in the following sections supersede those herein: 210-116 to 210-123.2 and 210-130 to 210-131.

Due to the unique nature of the “Hudson Heritage” project, which encompasses the entire HRDD and is the subject of a Development Master Plan approved by the Town Board, permitted signage in the HRDD is described by particular areas of the project as specified in the subsections below:

- A. Signs shall comply with any conditions imposed by the Planning Board during architectural review.
- B. Signs for the walkable “Main Street” (Winslow Gate Road) area commercial buildings including those identified on Hudson Heritage project plans as Buildings B, C, D, E, F, I, J, K, L, and N:
  - (1) Wall Signs: Maximum one wall sign per public business entrance not to exceed twenty-five square feet (25 SF) in area with lettering of a maximum height of eighteen inches (18”). Each wall sign shall be located on the same wall as the public business entrance. A wall sign may include an icon, image, or symbol. The icon, image, or symbol may be separate or detached from the related wall sign, provided that the total area of the two shall not exceed twenty-five square feet (25 SF).
  - (2) Projecting Signs: One two-sided projecting sign per business, not larger than ten square feet (10 SF) in area on each side, may be permitted in addition to the wall sign. Such sign may include an icon, image, or symbol. Mounting elements of projecting signs shall be consistent in materials, design and color with the building’s architecture and nearby wall-mounted lighting fixtures.
  - (3) Awning Signs: Lettering is permitted along the horizontal aspect of the awning which is perpendicular to the sidewalk provided that the sign shall only include key words for items or services offered by an establishment. Awning lettering shall be no higher

than six inches (6"). Such lettering shall not occupy more than twenty-five percent (25%) of the area of the horizontal aspect of the awning.

- C. Signs for other commercial (nonresidential) buildings located off of the "Main Street" area of Winslow Gate Road and along Hudson Heritage Drive, including those identified on Hudson Heritage project plans as Buildings A, G, M, and O:
- (1) Wall Signs: One wall sign may be permitted for each wall of a business facing a road or main entry driveway not to exceed a total of two (2) signs. The area of each sign shall not exceed twenty five percent (25%) of the area of the building façade up to a maximum of one hundred square feet (100 SF), and have lettering with a maximum height of thirty-six inches (36"). An icon, image or symbol may be permitted on the wall sign. The icon, image, or symbol may be separate or detached from the related wall sign, provided that the total area of the two shall not exceed the maximum area as permitted above.
- D. Any signage proposed on any of the six (6) historic buildings and structures that will be preserved for adaptive reuse in the HRDD shall be reviewed by the Planning Board in consultation with the Town of Poughkeepsie Historic Preservation Commission, and with the New York State Office of Parks, Recreation and Historic Preservation (NYS OPRHP) if required. The six buildings and structures include the Director's Residence, the Main Administration Building's main wing, the North Tower, the Avery Chapel, the Recreation Hall and the Library.
- E. For Residential Buildings:
- (1) Freestanding sign: On a lot with multiple dwelling units, one freestanding sign of a maximum area of six square feet (6 SF) and not exceeding three feet (3') in height is allowed subject to site plan review. Freestanding signs shall be set back a minimum of five feet (5') from the front lot line within a monument of stone, brick or other natural materials and shall have a landscaped area at the base of the sign which shall not be smaller than the square footage of the sign. Total height of the sign and the monument base shall not exceed five feet (5'). On lots with more than one frontage, a second freestanding sign may be permitted if a second vehicular entrance exists on that frontage.
  - (2) Wall sign: On a building with multiple dwelling units, one wall-mounted sign of a maximum area of six square feet (6 SF) and not exceeding three feet (3') in height is allowed.
- F. Directional Signs that are not exempt pursuant to section 210-131 are considered free-standing signs and shall be reviewed by the Planning Board. The total sign content area shall not exceed ten square feet (10 SF). The sign faces and the structure on which the sign is mounted shall be consistent with the Hudson Heritage Design Guidelines. The sign shall be mounted so that the top of the sign content area shall not be higher than six feet (6') and the top of the structure within which the sign is mounted shall not be higher than seven feet (7').

2. The definition of “Sign, Directional” in Section 210-9 is amended as follows:

**SIGN, DIRECTIONAL**

~~A sign used to direct the public to specific uses, areas or places for their safety or convenience on the premises of the business or activity where the sign is located.~~

A sign used to direct the public to specific uses, areas or places for their safety or convenience. Such signs shall be located on the premises of the business or activity, except where part of a multi-parcel site plan of common development.

3. Section 210-131F is amended as follows:

F. ~~On-premises-directional~~ Directional signs for the convenience of the general public, identifying public parking areas, fire zones, and business entrances and exits, wherein each individual directional sign shall not exceed three square feet (3 SF) per face and shall not be mounted higher than six feet (6') in height.

# Short Environmental Assessment Form

## Part 1 - Project Information

### Instructions for Completing

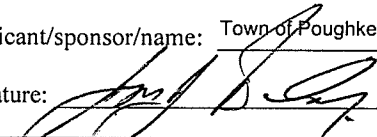
**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 – Project and Sponsor Information</b>			
Town of Poughkeepsie Town Board			
Name of Action or Project: HRDD District Sign Regulations			
Project Location (describe, and attach a location map): HRDD District, Town of Poughkeepsie			
Brief Description of Proposed Action: Town Board's consideration of amending the Town Zoning Ordinance to include regulations governing the size and location of signs in the HRDD District.			
Name of Applicant or Sponsor:		Telephone: 845-485-3600	
		E-Mail:	
Address: 1 Overocker Road			
City/PO: Poughkeepsie		State: NY	Zip Code: 12603
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ acres			
b. Total acreage to be physically disturbed? _____ acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

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



14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO <input type="checkbox"/>	YES <input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO <input type="checkbox"/>	YES <input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ _____	NO <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____ _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>  Applicant/sponsor/name: <u>Town of Poughkeepsie Town Board</u> Date: <u>4/2/21</u>  Signature: <u></u> Title: _____		