

Town of Poughkeepsie

FELICIA SALVATORE
TOWN CLERK

PHONE (845) 485-3620



ONE OVERROCKER ROAD
POUGHKEEPSIE, N.Y. 12603

FAX (845) 485-8583

July 11, 2024

Ms. Fiona Squires
General Code Publisher's Corp.
781 Elmgrove Road
Rochester, New York 14624

Via email : ezsupp@generalcode.com

RE: Local Law # 5 of 2024

Dear Ms. Squires:

Enclosed please find Local Law # 5 of 2024 of the Town of Poughkeepsie which has been filed with the NYS Department of State Records and Law Bureau.

Sincerely,

Felicia Salvatore

Felicia Salvatore, Town Clerk
Town of Poughkeepsie

Enclosure

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County City Town Village
(Select one:)

of Poughkeepsie

Local Law No. 5 of the year 2024

A local law to change the Zoning Designation of 297 Violet Avenue, Poughkeepsie, NY tax parcel

(Insert Title)
number 6163-19-523128-0000 from Residence, Single-Family 20,000 (R-20) to

Residence Multifamily (R-M) District, for a project known as Beacon Residential

Be it enacted by the Town Board of the
(Name of Legislative Body)

County City Town Village
(Select one:)

of Poughkeepsie

as follows:

WHEREAS, the Town Board of the Town of Poughkeepsie, held a duly noticed public hearing on the 10th day of July, 2024 at 7:00 p.m. at Town of Poughkeepsie Town Hall, One Overocker Road, Poughkeepsie, New York on an application from Burns Engineering Services, P.C. on behalf of Beacon Residential, LLC, to change the zoning designation of 297 Violet Avenue, Poughkeepsie, NY, tax parcel number 6163-19-523128-0000 from Residence, Single-Family 20,000 (R-20) to Residence Multifamily (R-M) District, for a project known as Beacon Residential; and

WHEREAS, on April 18, 2024 the Planning Board as Lead Agency determined that the project and the zoning map amendment would not have a significant adverse impact on the environment and issued a Negative Declaration pursuant to SEQR; and

WHEREAS, on April 18, 2024 the Planning Board voted to convey a positive recommendation to the Town Board for the proposed zoning map amendment; and

WHEREAS, a written recommendation dated June 7, 2024 was received from the Dutchess County Department of Planning and Development stating that adoption of the proposed zoning map amendment is a matter of local concern; now therefore

BE IT ENACTEED, pursuant to Article III, §210-11 of the Town of Poughkeepsie Code that the zoning designation of tax parcel number 6163-19-523128-0000, located at 297 Violet Avenue and consisting of approximately 0.445 acres, is hereby amended from Residence, Single-Family 20,000 (R-20) to Residence Multifamily (R-M) District, and

BE IT FURTHER ENACTED that said local law shall take effect immediately upon filing with the Secretary of State.

BE IT ENACTED by the Town Board of the Town of Poughkeepsie as follows:

1. Pursuant to Article III, §210-11 of the Town of Poughkeepsie Zoning Code the zoning designation of tax parcel number 6163-19-523128-0000, located at 297 Violet Avenue in the Town of Poughkeepsie, consisting of approximately 0.445 acres, be changed from Residence, Single-Family 20,000 (R-20) to Residence, Multifamily (R-M).

Dutchess County Department of Planning and Development

Fax info Only	To	Date	#pgs
	Co./Dept.	From	
	Fax #	Phone #	

239 Planning/Zoning Referral - Exemption Communities

Municipality: **Town of Poughkeepsie**

Referring Agency: **Municipal Board**

Tax Parcel Number(s): **5231280000**

Project Name: **Beacon Residential Rezoning**

Applicant: **Beacon Residential, LLC**

Address of Property: **297 Violet Ave, Poughkeepsie, NY 12601**

Please Fill in this section

<p>Exempt Actions:* 239 Review is NOT Required</p> <ul style="list-style-type: none"> ● Administrative Amendments (fees, procedures, penalties, etc.) ● Special Permits for residential uses (accessory apts, home occupations, etc.) ● Use Variances for residential uses ● Area Variances for residential uses ● Renewals/Extension of Site Plans or Special Permits that have no changes from previous approvals <p>No Authority to review these Actions</p> <ul style="list-style-type: none"> ● Subdivisions / Lot Line Adjustments ● Interpretations <p><input type="checkbox"/> Exempt Action submitted for informal review</p>	<p>Actions Requiring 239 Review</p> <ul style="list-style-type: none"> <input type="checkbox"/> Comprehensive/Master Plans <input type="checkbox"/> Zoning Amendments (standards, uses, definitions, district regulations, etc.) <input type="checkbox"/> Other Local Laws associated with zoning (wetlands, historic preservation, affordable housing, architectural review, etc.) <input checked="" type="checkbox"/> Rezoning involving all map changes <input type="checkbox"/> Architectural Review <input type="checkbox"/> Site Plans (all) <input type="checkbox"/> Special Permits for all non-residential uses <input type="checkbox"/> Use Variances for all non-residential uses <input type="checkbox"/> Area Variances for all non-residential uses <input type="checkbox"/> Other (Describe): 	<p>Parcels within 500 feet of:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> State Road: <input type="checkbox"/> County Road: <input checked="" type="checkbox"/> State Property (with recreation area or public building) <input type="checkbox"/> County Property (with recreation area or public building) <input checked="" type="checkbox"/> Municipal Boundary <input type="checkbox"/> Farm operation in an Agricultural District
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Date Response Requested: **6/26/2024**

Entered By: **Salvatore, Felicia**

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

For County Office Use Only

Response From Dutchess County Department of Planning and Development

No Comments:

- Matter of Local Concern
- No Jurisdiction
- No Authority
- Withdrawn
- Incomplete - municipality must resubmit to County
- Exempt from 239 Review
- None

Comments Attached:

- Local Concern with Comments
- Conditional
- Denial
- Incomplete with Comments- municipality must resubmit to County
- Informal Comments Only (Action Exempt from 239 Review)

Date Submitted: **5/30/2024**

Date Received: **5/30/2024**

Date Requested: **6/26/2024**

Date Required: **6/28/2024**

Date Transmitted: **6/7/2024**

Notes:

Major Project

Referral #: **ZR24-182**

Also mailed hard copy

Reviewer:



(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 5 of 2024 of the ~~(County)(City)(Town)(Village)~~ of Poughkeepsie was duly passed by the Town Board on July 10 2024, in accordance with the applicable ~~(Name of Legislative Body)~~ provisions of law.

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) ~~(Name of Legislative Body)~~ (repassed after disapproval) by the _____ and was deemed duly adopted ~~(Elective Chief Executive Officer*)~~ on _____ 20 , in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) ~~(Name of Legislative Body)~~ (repassed after disapproval) by the _____ on _____ 20____. ~~(Elective Chief Executive Officer*)~~

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) ~~(Name of Legislative Body)~~ (repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 above.

Felicia Salvatore

Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: July 11th 2024

(Seal)

