

LEGAL NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Town Board, Town of Poughkeepsie does hereby set **Wednesday October 16, 2024 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 seek public comment concerning a proposed zoning map amendment received from Lee Pagones, for tax parcel number 6160-01-055914-0000, located at 2668 South Road, in the Town of Poughkeepsie consisting of approximately 0.84 acres, be changed from Office Research (O-R) to Neighborhood Business (B-N)

AND PLEASE ALSO TAKE FURTHER NOTICE that said proposed zoning map amendment is available in full with Exhibit to preview on our website: <https://ny-poughkeepsietown.civicplus.com/300/Public-Hearings>
Or in person @ the Town Clerk's Office, Monday – Friday, 8AM – 4PM.

Felicia Salvatore, Town Clerk
Town of Poughkeepsie
September 19, 2024

RESOLUTION 9:18- # 11 OF 2024

WHEREAS, the Town Board received an application from Lee Pagonos for 2668 South Road Realty LLC requesting that the zoning for tax parcel number 6160-01-055914-0000, located at 2668 South Road, in the Town of Poughkeepsie consisting of approximately 0.84 acres, be changed from Office Research (O-R) to Neighborhood Business (B-N); and

WHEREAS, the proposed zoning map amendment is attached hereto and incorporated herein and the Town Board does hereby waive a verbatim reading of said amendment and does direct that said amendment be spread across the record as if it, in fact, had been read verbatim; and

WHEREAS, the change of zone would involve ± 0.84 acres, and the action to amend the Zoning Map must be reviewed under the New York State Environmental Quality Review Act (SEQRA); and

WHEREAS, the Town Board has examined the SEQRA regulations and has determined that adoption of this zoning map amendment is an Unlisted Action; and since no other approval is sought for this site, the Town Board is the only involved agency; and

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

WHEREAS, amending the Zoning Map requires a public hearing;

NOW THEREFORE BE IT RESOLVED THAT:

1. The Town Board designates itself as Lead Agency under SEQR for the environmental review of this proposed zoning map amendment; and
2. The Town Board refers this matter to the Dutchess County Department of Planning and Development for a recommendation pursuant to GML 239-m; and
3. The Town Board refers this matter to the Town Planning Board for an advisory report pursuant to Town Code Section 210-154; and
4. The Town Board hereby sets a public hearing on the proposed zoning map amendment for October 16, 2024, 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.

Dated: September 18, 2024

Moved: Anne Burger

Seconded: Bill Reuter

Motion passes/ fails: Ayes 7 Nays 0

JEN/mem
t-9/10/2024
m-9/18/2024

	AYE	NAY	ABSTAIN
<u>PRESENT</u> /ABSENT Councilman Reuter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>PRESENT</u> /ABSENT Councilwoman Laird	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>PRESENT</u> /ABSENT Councilwoman Burger	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>PRESENT</u> /ABSENT Councilman Cifone	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>PRESENT</u> /ABSENT Councilman Sharpe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>PRESENT</u> /ABSENT Councilwoman Shershin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>PRESENT</u> /ABSENT Supervisor Edwards	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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 6160-01-055914-0000, located at 2668 South Road in the Town of Poughkeepsie, consisting of approximately 0.84 acres, be changed from Office Research (O-R) to Neighborhood Business (B-N)

September 10, 2024



Town of Poughkeepsie
1 Overocker Road
Poughkeepsie, NY 12603

RE: Change of Zoning for 2668 South Road, Poughkeepsie, NY

To Whom It may Concern,

I am requesting the Zoning for my building to be changed from Office/Research to Neighborhood Business.

I operate my insurance business from the second floor of the building and have had a dental office as a tenant on the first floor since purchasing the building in 2011. The dentist vacated the space in December 2023 and I have had the space listed with a real estate agent since January with zero inquiries.

I am hoping the change in Zoning will open to a wider pool of potential tenants. I have a potential hair salon that may consider the space but that requires the B/N Zoning. It is my understanding that the properties next to my building are already zoned Neighborhood Business. My realtor has expressed there is very little interest in office space. Financially I need to get the space rented especially considering this small building has real estate taxes in excess of \$33,000 per year because we are in the non-homestead Spackenkill district.

I appreciate your consideration and hope this change can be granted sooner than later.

Sincerely,

Lee Pagones
2668 South Road Realty LLC
2668 South Road
Poughkeepsie, NY 12601

845-452-4800 Lee@Pagones.com



Town of Poughkeepsie

1 Overlook Road
Poughkeepsie, NY 12603

845-485-3620 Phone
845-485-3701 Fax

Application for Change of Zone

Name of Applicant(s): 2668 South Road Realty LLC

Address: 2668 South Road, Poughkeepsie, NY 12601

Telephone: (845) 452-4800

Name, Address and Telephone of Record Owner(s): Same

1. Applicant is the: Owner Contract Vendee

2. Tax Map Number of all parcels that are part of this application: 134689-6160-01-055914-0000

3. If Applicant is a Corporation, LLC, L.P., P.C., D/B/A, or Partnership, provide names of all shareholders, members, and partners as applicable: Lee Pagonis, sole owner

4. Date Corporation, LLC, L.P., P.C., D/B/A, or Partnership was formed or registered to do business in New York State: 11-22-2011

5. Current Zoning District of affected parcels: Office Research 0-R

6. Proposed Zoning District of affected parcels: Neighborhood Business B-N

7. Total Acreage involved in application: .84 Acre

8. Total contiguous acreage controlled by applicant/owner¹: .84 Acre

1. Shall include lands owned by family members of the applicant, and any corporation(s), partnership(s), limited liability companies, or other entities or partnerships in which the applicant has an interest.

9. Describe the Project for which the Change of Zone is requested: _____

Requested change of zone is only to increase the potential tenants for space that has been empty for nine months with no office inquiries.

10. Will the Project require any of the following additional approvals? (Check all that apply)

Lot Line Revision	<input type="checkbox"/>	Subdivision	<input type="checkbox"/>
Site Plan	<input type="checkbox"/>	Land Contour Permit	<input type="checkbox"/>
Aquatic Resources Permit	<input type="checkbox"/>	Floodplain Development Permit	<input type="checkbox"/>
Area Variance	<input type="checkbox"/>	Use Variance	<input type="checkbox"/>

11. Attach a copy of the current deed for the property(ies).

12. Attach a copy of the executed Contract of Sale or Option to Purchase (if applicable).

By His/Her signature the Applicant avows that: 1) He/She has read this application and is familiar with its contents and that the information provided is complete and true to the best of the Applicant's knowledge; and 2) He/She has read, is familiar with, and understands the requirements of the Town Poughkeepsie Code provision(s) affecting or regulating the project for which this application is made; and 3) He/She agrees to comply with the requirements of the Town Poughkeepsie Code provision(s) affecting or regulating the project for which this application is made including any general or special conditions of any permits or approvals granted by any board, agency, or department of the Town of Poughkeepsie; and 4) He/She has read this statement and understands its meaning and its terms.

Applicant Signature: _____

Print Name: Lee Pagones _____


Date: 9/10/2024 _____

OWNER AFFIDAVIT


State of New York }
County of Dutchess } ss:

Lee Pagones being duly sworn, deposes and says:

1. That I/we are the Owner(s) of the within property as described in the foregoing application and that the statements contained therein are true to the best of my/our knowledge and belief.
2. That I/we hereby authorize Lee Pagones, to act as my/our representative in all matters regarding said application and that I/we have the legal right to make or authorize the making of said application.
3. That I/we understand that by submitting this application that I/we expressly grant permission to the Town Board and its authorized representatives to enter upon the property, at all reasonable times, for the purpose of conducting inspections and becoming familiar with site conditions. I/we acknowledge that this grant of permission may only be revoked by the full withdrawal of said application from further Town Board action.
4. That I/we understand that by submitting this application that I/we shall be responsible for the payment of all application fees, review fees, and inspection fees incurred by the Town related to this application.
5. That I/we understand that the Town of Poughkeepsie Town Board intends to rely on the foregoing representations in making a determination to issue the requested applications and approvals and that under penalty of perjury I/we declare that I/we have examined this affidavit and that it is true and correct.


Applicant/Owner Lee Pagones

Applicant/Owner


Notary Public

KIM ASHCRAFT
NOTARY PUBLIC-STATE OF NEW YORK
No. 01AS6286060
Qualified in Dutchess County
My Commission Expires 07-22-2025

DISCLOSURE OF BUSINESS INTEREST

State of New York }
County of Dutchess } ss:

Lee Pafones being duly sworn, deposes and says:

1. Pursuant to §803 of the General Municipal Law the following municipal officer(s) or employee(s), and any of their family members, outside employers, business associates, clients, or campaign contributors, have, or will later acquire, an ownership position, employment position, or other contractual interest in the application described herein: (Insert name, home address and municipal position held. Attach additional pages as necessary.)

2. That the interest of said municipal officer(s) or employee(s) is: (Detail the nature and extent of the interest. Attach additional pages as necessary.)

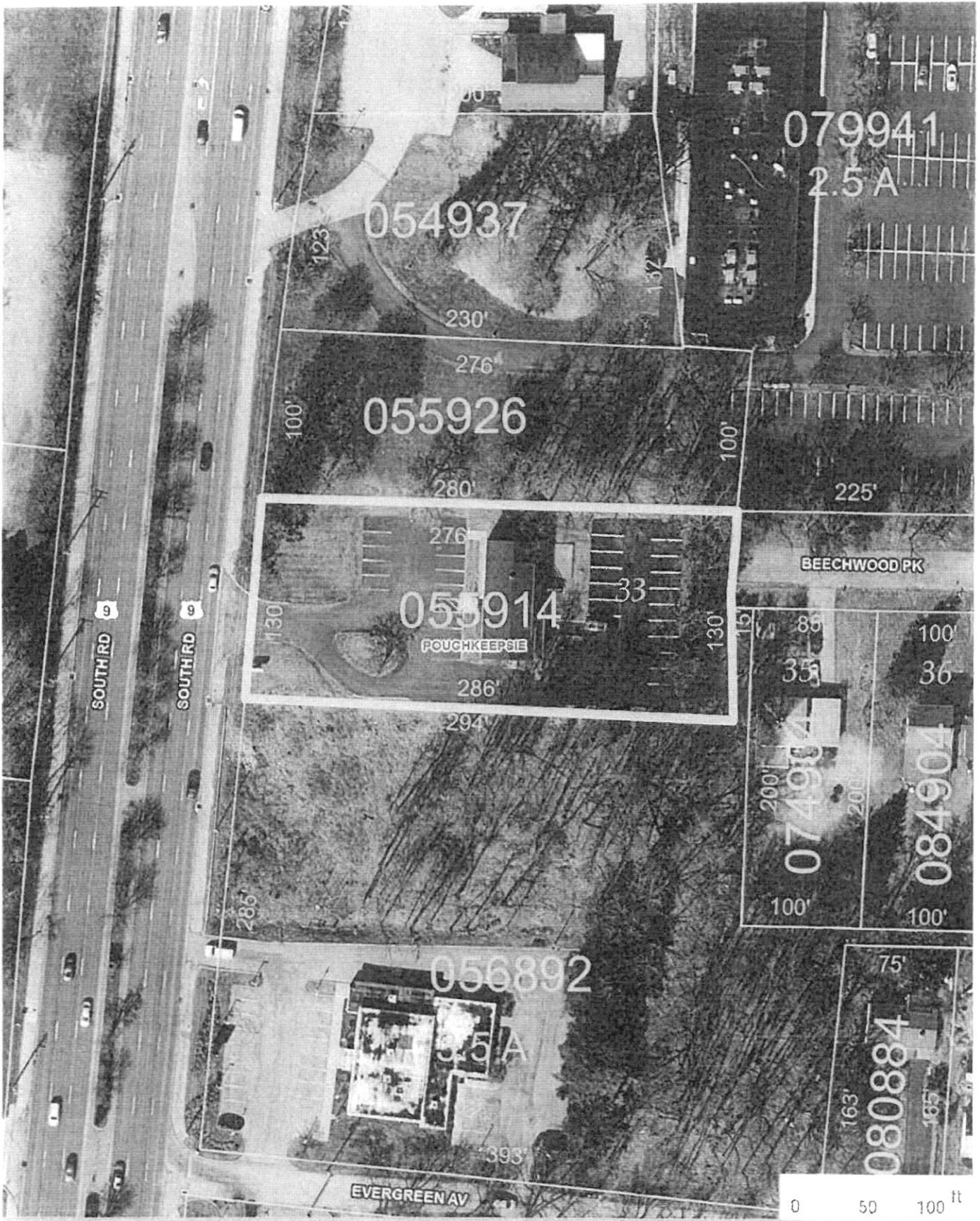
3. That he/she understands that the Town of Poughkeepsie Town Board intends to rely on the foregoing representations in making a determination to issue the requested applications and approvals and that under penalty of perjury he/she declares that he/she has examined this affidavit and that it is true and correct.

[Signature]
Agent/Owner

Agent/Owner

[Signature]
Notary Public

KIM ASHCRAFT
NOTARY PUBLIC-STATE OF NEW YORK
No. 01A\$6286060
Qualified in Dutchess County
My Commission Expires 07-22-2025
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Parcel #: 134689-6160-01-

055914-0000

Poughkeepsie, NY

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1/12/24



Dutchess County
New York