

LEGAL NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Town Board, Town of Poughkeepsie does hereby set **Wednesday July 2, 2025 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 applicant Michael Fakhoury, for tax parcel number 6162-02-953737-0000, located at 160 Salt Point Turnpike, in the Town of Poughkeepsie consisting of approximately +/-2 acres, from Neighborhood Business (B-N) to Residence, Multifamily (R-M)

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
June 9, 2025

RESOLUTION 6:4 - # 8 OF 2025

WHEREAS, the Town Board received an application from Michael Fakhoury, requesting that the zoning for tax parcel number 6162-02-953737-0000, located at 160 Salt Point Turnpike, in the Town of Poughkeepsie consisting of approximately +/-2 acres, be changed from Neighborhood Business (B-N) to Residence, Multifamily (R-M); 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, on October 16, 2024 the Town Board determined that the proposed 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, on October 16, 2024 the Town Board determined that the action should be subject to a coordinated review because the proposed use of the property will, among other permits and approvals, require Site Plan approval by the Town Planning Board; and the Town Board consented to the Planning Board acting as the Lead Agency to coordinate the environmental review of the proposed action pursuant to Article 8 of the Environmental Conservation Law; and

WHEREAS, on May 15, 2025 the Planning Board as Lead Agency determined that the project would not have a significant adverse impact on the environment and issued a Negative Declaration pursuant to SEQR; and

WHEREAS, on May 15, 2025 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 November 4, 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; and

WHEREAS, amending the Zoning Map requires a public hearing;

NOW THEREFORE BE IT RESOLVED THAT:

1. The Town Board hereby sets a public hearing on the proposed zoning map amendment for July 2, 2025, 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
2. The Town Board directs the Town Clerk to post notice of the public hearing and to notify the Town Clerks of each of the surrounding municipalities of the public hearing pursuant to GML 239-nn.

Dated: June 4th 2025

Moved: Bill Reuter

Seconded: Rebecca Edwards

Motion passes/ fails: Ayes 7 Nays 0

ES/mem

t-5/28/2025

m-6/4/2025

	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 6162-02-953737-0000, located at 160 Salt Point Turnpike, in the Town of Poughkeepsie consisting of approximately 2 acres, be changed from Neighborhood Business (B-N) 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 Numbers(s): **9537370000**

Project Name: **Rezoning from Neighborhood Business (B-N) to Residence, Multifamily (R-M)**

Applicant: **Michael Fakhoury**

Address of Property: **160 Salt Point Tpke, Poughkeepsie, NY 12603**

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 type="checkbox"/> State Property (with recreation area or public building) <input type="checkbox"/> County Property (with recreation area or public building) <input type="checkbox"/> Municipal Boundary <input type="checkbox"/> Farm operation in an Agricultural District
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Date Response Requested:

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

<p>No Comments:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Matter of Local Concern <input type="checkbox"/> No Jurisdiction <input type="checkbox"/> No Authority <input type="checkbox"/> Withdrawn <input type="checkbox"/> Incomplete - municipality must resubmit to County <input type="checkbox"/> Exempt from 239 Review <input type="checkbox"/> None 	<p>Comments Attached:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Local Concern with Comments <input type="checkbox"/> Conditional <input type="checkbox"/> Denial <input type="checkbox"/> Incomplete with Comments- municipality must resubmit to County <input type="checkbox"/> Informal Comments Only (Action Exempt from 239 Review)
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Date Submitted: **10/22/2024**

Date Received: **10/22/2024**

Date Requested:

Date Required: **11/21/2024**

Date Transmitted: **11/4/2024**

Notes:

Major Project

Referral #: **ZR24-365**

Also mailed hard copy

Reviewer: 



Town of Poughkeepsie

Planning Department

1 Overocker Road
Poughkeepsie, NY 12603

845-485-3657 Phone
845-486-7885 Fax

State Environmental Quality Review
NEGATIVE DECLARATION
Notice of Determination of Non-Significance
ADOPTED May 15, 2025

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The **TOWN OF POUGHKEEPSIE PLANNING BOARD**, as lead agency, has determined that the proposed action described below will not have a significant adverse environmental impact and therefore a Draft Environmental Impact Statement will not be prepared.

Name of Action: 160 Salt Point Turnpike Residential Conversion and Zoning Amendment

SEQR Status: Type 1
Unlisted

Coordinated SEQRA Review: Yes
 No

Conditioned Negative Declaration: Yes
 No

Location

160 Salt Point Turnpike; Grid #6162-02-953737
Zoned Neighborhood Business (B-N) District; ±2.0 acres

Description of Action

The action includes site redevelopment and conversion of a ±5,698 SF, two-story existing office building to multi-family residential use for six (6) dwelling units, parking, playground and greenspace, subject to Town Board rezoning from the Neighborhood Business (B-N) District to the Residence, Multi-family (R-M) District. The action is inclusive of replacement of connections to Town water and sewer services in the adjoining State and/or Town rights-of-way. The project includes existing driveway access to Salt Point Turnpike (New York State Route 115), which may or may not be closed by the New York State Department of Transportation (NYSDOT), and a second existing driveway access to North Grand Avenue (Town highway).

Required Permits and Approvals

- Town of Poughkeepsie Planning Board Site Plan and Architectural Review approvals
- Town Board Zoning Map Amendment (Rezoning) approval
- Town of Poughkeepsie Building Department Floodplain Development Permit approval
- Dutchess County Department of Health approval of water service replacement and potential approval of sewer service replacement
- NYSDOT Highway Work Permit approval

Documents, Studies, Materials and Comments Reviewed and Considered by the Lead Agency

A Planning Board application, development plans and elevations, correspondence and responses to comments, and associated materials in support of the site plan application, along with a Full EAF Part 1 with attachments for SEQR review, as prepared by the applicant and applicant engineering consultants, were received. A Floodplain Development Permit application, and a Drainage Assessment for 160 Salt Point Conversion of Existing Office to Multi-Family Residential dated May 8, 2025, were submitted by the applicant's engineer. The Planning Board also considered written and verbal comments from its advisory consultants, staff, Departments and other agencies, as well as from the public at a duly noticed public hearing.

Notice of SEQR Lead Agency Intent by the Planning Board and EAF and materials were circulated for coordinated review of an Unlisted Action on November 22, 2024, and no objection was received. The Planning Board considered submittals, presentations, reviews, comments and discussion for and at the public meetings of November 21, 2024; February 20, 2025 (except that the applicant withdrew from the agenda without appearing), March 20, 2025; and May 15, 2025. The public hearing was opened on March 20, 2025, adjourned through May 15, 2025, and further adjourned pending consideration by the Town Board of proposed rezoning and by the Planning Board of continued site plan review.

Reasons Supporting This Determination:

1. Land

The total acreage involved in the proposed action is ±2.0 acres. Total proposed disturbance is 1.19 acres (51,830 SF), inclusive of redevelopment of developed areas and partial reuse of impervious surfaces such that total site soil disturbance is 0.66 acre (28,622 SF).

Due to the fact that the proposed action will not physically disturb soil on greater than one (1) acre of land, it is not subject to receipt of a State Pollutant Discharge Elimination System (SPDES) General Permit, and preparation of a project specific Stormwater Pollution Prevention Plan (SWPPP) is not required. However, the proposed action is subject to the applicable erosion and sediment controls and measures. These required controls and measures are shown on the plans subject to final review and approval by the Town Engineer, and are anticipated to mitigate land disturbance impacts. Prior to the commencement of any site work, the applicant's contractor and consulting engineer are required to meet with the Town's Planning Department, the Town's Building Department, and the Town Engineer. Upon meeting, implementation of the required erosion control measures will be discussed.

The application includes a Drainage Assessment, drainage improvement plans and applicable erosion and sedimentation controls prepared by the applicant's licensed professional and subject to review and approval by the Town's consulting engineer. There are no moderate to large-scale stormwater impacts anticipated as a result of this proposed action.

Therefore, no significant adverse environmental impacts to Land are anticipated.

2. Geologic Features

There are no unique or unusual land forms within the project site (e.g. cliffs, dunes, minerals, fossils, caves). Therefore, no significant adverse environmental impacts are anticipated.

3. Surface Water

The application includes a Drainage Assessment, drainage improvement plans and applicable erosion and sedimentation controls prepared by the applicant's licensed professional and subject to review and approval by the Town's consulting engineer. There are no moderate to large-scale stormwater impacts anticipated as a result of this proposed action.

NYS designated and federal Army Corp of Engineers wetlands are identified over 100 feet to the northwest on the opposite side of adjoining Salt Point Turnpike (NYS Route 115), and over 800 feet to the southeast

on the opposite side of an adjoining townhouse development. Site redevelopment will decrease impervious surface from approximately 0.91 acre to 0.53 acre, includes a drainage plan subject to final review and approval by the Town Engineer, and will decrease site post-development stormwater discharge for the 1-year, 10-year and 100-year projected storm events.

The proposed action is not anticipated to affect one or more wetlands or other surface water bodies (streams, rivers, ponds, lakes). Therefore, no adverse environmental impacts are anticipated.

4. Groundwater

The proposed action is not anticipated to result in new or additional use of groundwater, or have the potential to introduce contaminants to ground water or an aquifer. Therefore, no significant adverse environmental impacts are anticipated.

5. Flooding

The proposed action site is located within the 100-year floodplain. A Town Floodplain Development Permit is required and will ensure that improvements are compliant with floodplain development standards in Town Code Chapter 113, Flood Damage Prevention, inclusive of lowest floor elevation of the existing structure proposed for multi-family use and anchoring of the proposed shed. Therefore, no significant adverse environmental impacts are anticipated.

6. Air

The proposed action will not require a state regulated air emission source. Therefore, no significant adverse environmental impacts associated to air are anticipated.

7. Plants and Animals

According to NYS DEC correspondence dated 12/9/2024 and the EAF revised through 4/21/2025, the site is located within or near locations of record for the state-listed threatened Blandings turtle. Planning Board consultant Aspen Environmental on 4/24/2025 noted the applicant has committed to Blandings turtle protection. The development plans provide for a turtle barrier fence with access gates to enclose the work site during the annual active (non-hibernation) turtle season of April 14-October 16, and for turtle monitoring.

Applicant responses of 4/21/2025 and consultant Aspen Environmental on 4/24/2025 noted that there will be no tree removal associated with the proposed action. Thus, there will be no anticipated impact to protected bat species.

Therefore, no significant adverse environmental impacts to plants or animals are anticipated.

8. Agricultural Resources

The proposed action is not located in or adjacent to an Agricultural District. Therefore, no significant adverse environmental impacts are anticipated.

9. Aesthetic Resources

The proposed land use is not obviously different from, or in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. Therefore, no significant adverse environmental impacts are anticipated.

10. Historic and Agricultural Resources

The proposed action is not anticipated to occur in or adjacent to a historic or archeological resource per review of the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) Cultural Resources Information System (CRIS), included with the EAF Mapper Summary Report from the NYS Department of Environmental Conservation (DEC) accessed on September 12, 2024. Therefore, no significant adverse environmental impacts are anticipated.

11. Open Space and Recreation

There is no anticipated loss of recreational opportunities nor a reduction of an open space resource as designated in any Town-adopted open space plan. No significant adverse environmental impacts are anticipated.

12. Critical Environmental Areas

The proposed action is not located in or adjacent to a Critical Environmental Area (CEA). Therefore, no significant adverse environmental impacts are anticipated.

13. Transportation

The proposed action will not result in a change to existing transportation systems. The proposed action is projected to generate 44 vehicle trips per day, 3.36 trips in the weekday PM peak hour, substantially less than the typical threshold of 100 vehicles in the peak hour for a potential impact. The NYS DOT may require the existing driveway access on Salt Point Turnpike (NY 115) to be closed, leaving the site with existing driveway access on North Grand Avenue (a Town highway): North Grand Avenue provides access to NY 115 about 200 feet away, and the Arlington Fire District stated that fire apparatus movement through the site is acceptable with or without the closure of the Salt Point Turnpike entrance. Proposed improvements or construction within the NYS DOT and/or Town highway rights-of-way will be subject to a Highway Work Permit by the respective agencies. Therefore, no significant adverse environmental impacts are anticipated.

14. Energy

The proposed action will utilize the local energy grid, electric and gas. Therefore, no significant environmental impacts are anticipated.

15. Noise, Odor, and Light

The proposed action will not result in a permanent increase in noise. Construction related noise must adhere to Town Code requirements. The proposed action will not result in outdoor odors. Lighting proposed as a result of the proposed action will be subject to the Town Code lighting regulations. Therefore, no significant adverse environmental impacts are anticipated.

16. Human Health

The proposed action will not result in the potential for exposure to contamination. Therefore, no significant adverse environmental impacts are anticipated.

17. Consistency with Community Plans

The proposed action inclusive of proposed rezoning from the B-N District to the R-M District is not inconsistent with adopted land use plans. Therefore, no significant adverse environmental impacts are anticipated.

18. Consistency with Community Character

The proposed action is not inconsistent with the existing community character. The south and southeast adjoining property is also occupied by multi-family residential housing. The project will not remove any trees, inclusive of those providing screening to the southeast. Therefore, no significant adverse environmental impacts are anticipated.

Other Potential Impacts

In addition to the discussion of impacts in the sections above, the Lead Agency has also considered, and hereby issues a determination, concerning the following:

1. The proposed action would not result in a substantial adverse change in existing air quality, ground water quality or quantity, or noise levels; a substantial increase in solid waste production; a substantial increase in potential for flooding, or leaching problems.
2. The proposed action would not result in the impairment of the environmental characteristics of a Critical Environmental Area.
3. The proposed action would not create a material conflict with the community's current plans or goals as officially approved or adopted.
4. The proposed activity would not impair the character or quality of important aesthetic resources.
5. The proposed action would not result in a major change in the use of either the quantity or type of energy.
6. The proposed action would not create a hazard to human health.
7. The proposed activity would not result in a substantial change in the use, or intensity of use, of land devoted to agricultural, open space, or recreational use.
8. The proposed action would not result in the creation of material demand for other actions that would result in one of the above consequences.
9. The proposed action would not result in changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment.
10. When analyzed with two or more related actions, the proposed action would not have a significant impact on the environment and when considered cumulatively, would not meet one or more of the criteria under 6 NYCRR 617.7.

For Further Information:

Michael A. Welti, AICP, Director of Municipal Development
Town of Poughkeepsie
One Overocker Road
Poughkeepsie, New York 12603
Tele: 845-485-3657

This negative declaration was authorized at a meeting by the Planning Board held on May 15, 2025.



Town of Poughkeepsie

Planning Department

1 Overocker Road
Poughkeepsie, NY 12603

845-485-3657 Phone

May 16, 2025

Sent via email: fakhourylaw@yahoo.com

Michael A. Fakhoury
725 Route 9
Fishkill, NY 12524

RE: 160 SALT POINT TURNPIKE
Grid #6162-02-953737

Dear Mr. Fakhoury:

This letter is to inform you of the action taken by the Town of Poughkeepsie Planning Board at a meeting held on May 15, 2025, at which time you requested a SEQRA Review, Rezoning Recommendation to the Town Board, Site Plan Review and Architectural Review for proposed conversion of a ±5,698 SF office building to multi-family residential use for six (6) dwelling units, parking, playground and greenspace, subject to Town Board rezoning to the R-M (Residence, Multifamily) District. 160 Salt Point Turnpike; Zoned B-N (Neighborhood Business) District; ±2.0 acres; Unlisted Action; *Michael A. Fakhoury (Applicant), 160 Salt Point, LLC (Owner)*.

A motion was made to open the public hearing.

Moved: Carl Whitehead
Seconded: Michael Treybich
Carried: 7-0

A motion was made to adjourn the public hearing to June 26, 2025.

Moved: Carl Whitehead
Seconded: Michael Treybich
Carried: 7-0

A motion was made that the Planning Board determine that the proposed 160 Salt Point Turnpike project will not have a significant adverse impact on the environment, and that no environmental impact statement will be required for the reasons set forth in the SEQRA Negative Declaration for an Unlisted Action dated May 15, 2025.

Moved: Sharon McSween
Seconded: Michael Treybich
Carried: 7-0

A motion was made that the Planning Board convey a positive recommendation to the Town Board regarding adoption of the proposed Zoning Map Amendment to rezone parcel 6162-02-953737, +/- 2.00 acres, from the Neighborhood Business (B-N) District to the Residence Multifamily (R-M) District.

Moved: Sharon McSween
Seconded: Michael Treybich
Carried: 7-0

A motion was made that the Planning Board defer action on this application, subject to the following:

Respond to comments of the Planning Board and those received from Town departments and Agencies, said responses to be reviewed by the Planning Department as to adequacy and completeness, including but not limited to the following:

1. Town Planning Department's comments dated May 6, 2025.
2. Town Engineer CPL's comments dated May 6, 2025.
3. Town wetland consultant Aspen Environmental's comments dated April 24, 2025.
4. Zoning Administrator's comments dated April 25, 2025.
5. Water Department's comments dated April 29, 2025.
6. Sewer Department's comments dated April 23, 2025.
7. Building Department's review of a subsequent submittal.
8. Building Department Floodplain Administrator's comments dated March 7 and May 13, 2025.
9. Dutchess County Department of Health's comments dated May 12, 2025, and approval prior to Chairman's signature.
10. NYS Department of Transportation's comments dated April 23, 2025, and subsequent review.
11. Comments of the Planning Board meeting.

Moved: Sharon McSween
Seconded: Michael Treybich
Carried: 7-0

NOTE TO THE APPLICANT: In responding to the comments of the Planning Board, Planning Department Staff, any of the various Town Departments and Agencies, and any of the Town's consultants, it is the responsibility of the applicant to prepare appropriate and complete responses to each and every comment contained in the comment letter(s) and memoranda listed above. Failure to submit appropriate and complete responses to each and every comment as noted may result in the removal of the application from the Planning Board agenda, or may delay plan signatures pending a revised response.

Very truly yours,

Carl Whitehead

Carl Whitehead
Planning Board Chairman

PRESENT:	ABSENT:
Chairman Whitehead	
Member Fanelli	Member Gemmati
Member Levasseur	
Member McSween	Member Romeo
Member Siddam	
Member Simpson, Alt.	
Member Treybich, Alt.	

CW:rlp

cc: Lisa Cobb, Esq., The Law Offices of Lisa M. Cobb, Planning Board Attorney, via email
Amy Bombardieri, Day & Stokosa Engineering, via email