

**THE CITY OF POUGHKEEPSIE  
NEW YORK  
PLANNING DEPARTMENT  
62 CIVIC CENTER PLAZA, 2<sup>ND</sup> FLOOR  
POUGHKEEPSIE, NY 12601  
Phone: (845) 451-4055 Fax: (845) 451-4006**

**MEMORANDUM OF TRANSMITTAL**

**To:** Common Council of the City of Poughkeepsie  
**From:** Natalie Quinn, Development Director  
**Date:** November 14, 2022  
**Re:** **Local Waterfront Redevelopment Program (LWRP)**

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Dear Common Council,

Prior to your meeting on November 21, 2022, a revised draft of the Local Waterfront Revitalization Program will be posted to city's website at the following location:

**Local Waterfront Revitalization Program draft November 18, 2022**

<https://www.cityofpoughkeepsie.com/392/Project-Documents>

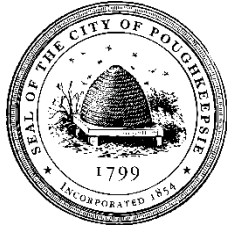
The November 18, 2022 draft has been updated to reflect comments received by staff including:

- Public comments made at the January 18, 2022 public hearing, and follow-up hearing on February 22, 2022.
- Recommended revisions submitted by the Common Council and their consultant, Emily Svenson, in March 2022. Summary posted on website [here](#).
- Comments and revisions received by the NYS Department of State following their review of the [July 6, 2022 draft](#), which incorporated changes from the two bullets above.

As requested at the November 7<sup>th</sup> meeting, attached is a brief overview of the LWRP Update process thus far and table summarizing comments and revisions received by the NYS Department of State following their review of July 6<sup>th</sup> draft. All recommended revisions are incorporated and shown via tracked changes in the Word version of the document posted on the city's website.

The next step in the process is to hold a public hearing on the revised Local Law amending Chapter 18 1/2 titled "Waterfront Consistency Review." We encourage the Common Council to set the public hearing for December 5, 2022.

CC:  
Marc Nelson, City Administrator  
Rebecca Valk, Corporation Counsel  
Emily Svenson, Consultant to Council



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## **MEMORANDUM**

To: Common Council of the City of Poughkeepsie  
From: Natalie Quinn, Development Director  
Date: November 14, 2022  
Re: **Poughkeepsie LWRP – Summary of Process & Revisions**

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### **LWRP Process**

The process of creating Poughkeepsie's Local Waterfront Revitalization Program (LWRP) began in October 2018. During the planning process, we held ten (10) Working Group meetings, four (4) Common Council briefings (plus an additional meeting with some Common Council members), four (4) briefings of the Waterfront Advisory Committee (WAC), and one (1) joint meeting of the WAC and Common Council. There were two (2) public workshops (December 5, 2018 and March 7, 2019). A public survey, issued online and with hard copies, received over 600 responses. We also held four (4) Stakeholder Meetings with representatives of key groups in the waterfront area. The four meetings included: environmental groups, Fall Kill stakeholders, the Northside Collaborative, and major property owners near the train station. At the request of the Common Council, we conducted additional public outreach during the summer of 2019, which included attendance by City staff and some councilmembers at a number of community events to further publicize the process, get feedback, and make sure community members were aware of the draft documents which have been posted on the City's website. Documentation of the public outreach process is included in the Appendix of the December 10, 2021 draft of the LWRP, which is posted on the City's website.

During the course of this planning process, comments were received and changes made to the document from a wide range of local and regional stakeholders, including:

- New York State Department of State (NYS DOS)
- Poughkeepsie Common Council members
- Waterfront Advisory Committee members
- Historic District and Landmarks Preservation Commission
- Dutchess County Planning Department
- Scenic Hudson
- Cary Institute

Drafts of the LWRP were posted on the City of Poughkeepsie website at key junctures throughout the planning process. Preliminary drafts were posted online on May 1, 2019 and July 1, 2019. The preliminary draft LWRP was also sent to NYS DOS during the summer of 2019. We received an initial set of comments



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from NYS DOS on November 7, 2019. These included comments from the NYS DOS planner and legal counsel. Based on those comments, a complete draft of the LWRP was produced that responded to all of the NYS DOS comments. This full draft was posted online on November 26, 2019.

A revised December 10, 2021 draft was posted on the City website when city staff and councilmembers sought to move the stalled document forward. A minor series of additional revisions was made to the November 26, 2019 draft to produce the December 10, 2021 version. None of these new revisions were substantive—rather, they amount to fixing typos, revising word choice to improve clarity, and improving some transitions between sections for readability.

The Common Council then set a public hearing for January 18, 2022, and follow-up hearing on February 22, 2022. The Common Council and their consultant, Emily Svenson, submitted recommended revisions following the close of the public hearing. All public comments and recommended revisions were incorporated and shown via tracked changes in the July 6, 2022 draft posted on the City's website. A summary of the Common Council's recommended changes is also posted on the city's website.

The July 6, 2022 draft included substantive changes, and was therefore re-circulated to the NYS DOS for review. On August 17, 2022 the City received comments back from NYS DOS legal counsel, LWRP coordinator, consistency reviewer and the project manager. A summary list of those comments is included on the pages below.

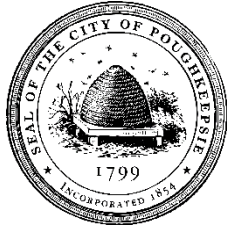
The next step in the process is for the City to hold a second public hearing on the Waterfront Consistency Review law. Following the public hearing, the City can conclude the SEQRA process with a negative declaration (indicating that adoption of the Waterfront Consistency Review Law and the LWRP will not result in any significant adverse impacts on the environment). Once the SEQRA process has concluded, the Common Council may adopt the revised Waterfront Consistency Review Law and the LWRP and adopt a resolution stating that the LWRP is ready to be sent to NYS DOS for 60-day review.

60-day review is a process by which the NY Secretary of State circulates a draft LWRP to State and Federal agencies for comment. Agencies have 60-days to respond. NYS DOS circulates letters to interested agencies, posts the draft document on the NYS DOS website, and sends any comments to the municipality. Following 60-day review, the City will be able to prepare a final version of the document. If there are any changes required at this point, the Common Council will adopt the LWRP as revised by comments received during 60-day review.

### **Benefits of an approved LWRP**

An LWRP is a locally prepared planning and policy document with three key objectives:

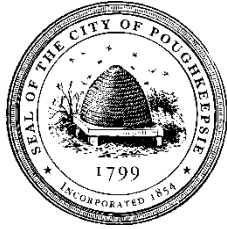
1. Tool for the Waterfront Advisory Committee (WAC) to conduct consistency review of proposed actions in the Waterfront Revitalization Area.
2. An LWRP that has been approved by NYS DOS revises the NYS Coastal Management Program; therefore, local, State, and Federal actions must be consistent with the local LWRP.
3. Increases the likelihood of receiving grant funding from NYS for projects identified in the plan.



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**SUMMARY OF NYSDOS COMMENTS ON JULY 6, 2022 DRAFT**

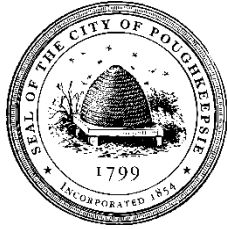
SECTION	COMMENT
<b>Introduction</b>	<ul style="list-style-type: none"> <li>• Page i. Narrative changes were made to “Purpose” and “Authority” to properly reference state’s legislative intent and authority</li> <li>• Page v. Update section titles so that they match exactly in summary, TOC and at the beginning of each section               <ul style="list-style-type: none"> <li>• iv. Review the Harbor Management plan to ensure it includes – “Discussion of any conflict, congestion and competition for space in the use of surface waters and underwater lands of the state”</li> </ul> </li> <li>• iv. Discuss resilience and adaptation needs in Section II Natural Resources &amp; Habitats</li> </ul>
<b>SECTION I</b>	<ul style="list-style-type: none"> <li>• I-1. Add citation for FEMA per Josh’s comment on page I-1</li> <li>• Updates to Figure I-2 WRA Boundary map as outlined in Josh’s comments on page I-2 through I-3</li> <li>• I-3. Describe via narrative and add Harbor Management Area boundary to main map</li> </ul>
<b>SECTION II</b>	<ul style="list-style-type: none"> <li>• II-1. Reference other plans per Josh’s comment</li> <li>• II-6. Add alienation legislation to Appendix VIII (comment repeated on page II-7)</li> <li>• II-7. Confirm ownership of oil storage facility and a site in Sunfish Cove is still Poughkeepsie Landing Corp               <ul style="list-style-type: none"> <li>○ Add reference of these uses to Policy 36</li> </ul> </li> <li>• II-7. Verify that Cen Hud site and petroleum storage are in fact dependent on river</li> <li>• II-10. Update WRA boundary in Figure II-2 Land Use Map</li> <li>• II-11. Recalculate land use percentages shown in Table II-1 after you make WRA boundary correction</li> <li>• II-13. Update and confirm number of zoning districts in WRA and update Table II-2</li> <li>• II-14. Answer Danielle’s and Josh’s question about which standards in the WTOD are being referred to here.</li> <li>• II-16. Josh’s comment/suggestion to add something about recreational fishing, swimming and wildlife viewing to water dependent uses</li> <li>• II-16. Josh’s comment regarding the petroleum storage. Is it still active?</li> <li>• II-21. Donna’s comment about KRC not being water dependent. Talk to Josh about this.</li> <li>• II-22 Add key to Figure IV2 to clarify what tan and light blue color represent</li> <li>• II-25. What is difference between “Fall Kill Trail plan” and “Creek Concept Plan”? What years were they completed?</li> <li>• II-31. Update Figure II-6 to clarify what arrows mean. Add to key.</li> <li>• II-33. Add language to clarify if there is any risk to water plant due to flooding/climate change now or in the future. If yes, any opportunity to address?</li> <li>• II-34. Add language regarding the city’s plans to improve resiliency through green infrastructure. Talk to Engineering about MS4 SW management Plan</li> <li>• II-36. Update language regarding CHG&amp;E rate plan. Has it been extended?? Says it goes through 06/30/21</li> </ul>



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**SECTION II**

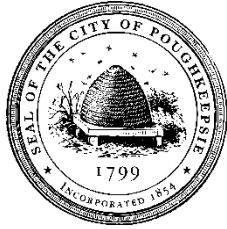
- II-37 Describe the presence or absence of any known or potential shipwrecks or historic dry docks in WRA
- II-37 In response to Barbara’s comments, be sure that the LWRP PDF version currently includes all 10 items listed in Appendix VIII - they need to be there for 60-day review.
- II-38 and II-42. Clarify designation of Hoffman House and Reynolds House
- II-44 Add reference to any “underutilized, vacant, or deteriorated sites,” specifically brownfield sites, within the Northern Waterfront Area of the WRA. Central Hudson site?
- II-47. Add additional information regarding urban agriculture within and outside of the WRA
- II-54. Add language regarding if/where any water-dependent uses (kayak launch or fishing) can be added to One Dutchess. Maybe exploration of this possibility can be added to a project, then that project can be reference in Section II here.
- II-55. Add discussion of wildlife viewing and education as further justification of adding the fall kill to the WRA
- II-55. Describe any existing commercial and recreational fishing opportunities in the WRA, including known recreational fishing access points, such as Waryas for striped bass, and the status of the commercial fisheries, esp. the Shad fishery
  - Direct reader to consumption advisories
- II-56. Josh is asking about impacts of the Central Hudson clean up to the WRA. Probably need to totally re-do this section based on current cleanup plans
- II-57. Review USACE info to see if any new dredging projects to improve navigable waters have been scheduled since 2019
- II-57. Add language regarding how potable water intakes are protected regarding mooring and anchorage
- II-64. Barbara’s comment about contradictory language regarding the flood hazard area not being extensive
- II-64. Add specific base flood elevation for One Dutchess
- II-65. Add key to Figure II-13 to identify tan, light blue, and medium blue areas.
- II-74. Add list of soil types found in Fall Kill area based on findings in city’s NRI
- II-74 Add discussion on Air Quality within the WRA – Europa’s text
- II-75 Add discussion on previous and future flooding and resiliency planning in WRA
- II-83 and II-84. Add discussion of subtidal shallows and competition/conflict between boating access and ecological habitat. Reference NRI and Significant Habitat Report (appendix)
- II-87 and 88 – ensure all challenges and opportunities in the summary are discussed elsewhere in Part II. Remove or define red lining. Add narrative on urban renewal and or concentration of poverty. Add narrative regarding Scenic Hudson headquarters, or remove.
- II-49. Maps: Update Figure II-9 to include “Intersection of Pine Street and Rinaldi Boulevard”



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**SECTION III**

- III-1. Discuss with Council – remove sub-policies and add as policy explanation instead
  - III-9 and III-11. Discuss removal of policy 5A
  - III-17. Discuss removal of Policy 11A
  - III-22. Discuss removal of Policy 18A
  - III-23. Remove Policies 19B, 19C, 19E
  - III-35. Move policy 35A to explanation of policy
- III-3. Both public and private marinas are permitted uses, so Josh recommends that remove stated preference of public marinas
- III-3. Include relevant excerpts of Waterfront Redevelopment Strategy in Appendix VIII
- III-8. Per Josh’s comment – do we need to include an amendment to site plan review process? I’d rather not, so we need to justify to DOS.
- III-16. Add narrative regarding opportunities to enhance recreational fishing along the Hudson. Reference inventory and analysis and Policy 1.
- III-18. Add reference to setback/landscaping requirements within code that support erosion control
- III-19. Add policy 13 implementation chart to appendix.
- III-21. I think Josh is recommending that we add a zoning text change to Section 19-4.11 of the code to encourage planting of native plant species. This is likely something that will be included in the new zoning code, but we do not want to await for adoption of code to approve LWRP. Should we drop reference to native plants?
- III-24. Review language regarding to waterfront walkways and make sure it “confirms with zoning” per Josh’s comments.
- III-30. Verify that the preference for water enhanced and dependent recreation uses align with the zoning code for DeLaval and strategic sites along the Fall Kill
- III-36. Multiple comments regarding the fact that the “Intersection of Pine Street and Rinaldi Boulevard” is implemented or referenced in WTOD, not discussed in Section II, and not mapped in Figure II-9
- III-37. Confirm that WTOD zoning is attached in appendix. Then respond to Danielle’s comment.
- III-37. Reword policy 26A to be “more indicative of a project”
- III-37. As reference to specific sites of urban agriculture to explanation of Policy 26 (also added to I&A)
- III-44. In reference to Policy 33, add WTOD zoning code to “policy implementation chart”



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SECTION IV	<ul style="list-style-type: none"> <li>• Add DOS, LWRP, and zoning or code section to “Regulatory Requirements” sidebar for all relevant projects</li> <li>• A land use map depicting proposed uses is required for Section 4. Can be one map at the beginning, or a separate locator map for each project.</li> <li>• IV-1. Add Figure # for harbor management area</li> <li>• IV-2. Add overview of the proposed future land uses that are included in the project descriptions</li> <li>• IV-2. Add overview of the proposed future water uses that are included in the project descriptions</li> <li>• IV-4. Create table of all projects. Table should have columns for all the project titles, location, costs, timeframe, policies implemented, funding and regulatory as necessary</li> <li>• IV-12. Either change project to creation of Parks Master Plan, or add a project 2a that would create a master plan before proceeding with project 2b park improvements.</li> <li>• Change project regarding landscaping plan to a more broad project regarding resiliency planning in response to climate change and flooding</li> </ul>
SECTION V	<ul style="list-style-type: none"> <li>• V-6. Add text outlining the process of review of state and federal actions</li> <li>• V-2. Add summary of noise ordinance</li> <li>• V-3. Add summary of site plan development and natural resources</li> <li>• V-4. Add summary of private actions needed to implement LWRP</li> </ul>
SECTION VI	<ul style="list-style-type: none"> <li>• VI-18. Add additional federal and state agencies recommended by Josh</li> </ul>
SECTION VIII	<ul style="list-style-type: none"> <li>• VIII-6 add 1-2 sentences on 2021/2022 review</li> </ul>