



# Town of Poughkeepsie Planning Department

1 Overocker Road  
Poughkeepsie, NY 12603

845-485-3657 Phone  
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## NOTICE OF PLANNING BOARD

### DECISION AGENDA

*April 21, 2022*

This meeting was held in a hybrid format, with the public and applicants able to participate in person at Town Hall, 1 Overocker Road, Poughkeepsie, or remotely via Zoom videoconferencing and via telephone. Members of the board were present in person.

Chairman Whitehead called for Board Members attendance, members present:

Chairman Carl Whitehead	Present
Member Peter Fanelli	Present
Member Nicole Gemmati	Present
Member Ahmad Katnani, Alt.	Present
Member Levasseur	Present
Member Bob Nasser Alt.	Absent
Member Ben Paganelli	Present
Member Joan Quinn	Present
Member Rocco Romeo	Absent

### 2. STATEMENT OF COMPLIANCE BY THE CHAIR

### 3. AGENDA ITEMS

#### A) CONTINUED/NEW PUBLIC HEARINGS

- HUDSON HERITAGE – AMENDED PHASE 1 SITE PLAN AND SUBDIVISION SEQR and Development Master Plan Consistency Review, Amended Site Plan and Preliminary Major Subdivision Hearing** for proposed amendments per ongoing field changes and revised tenant preferences/needs. No increase in building square footage is proposed. Lot 17 is to be subdivided from Lot 4. 3532 North Road (U.S. Route 9) and Winslow Gate Road; Zoned HRDD (Historic Revitalization Development District); ± 156 acres; Grid # 6163-03-011149, 6163-03-016059, 6163-03-027019, 6163-04-960057, 6163-04-946011, and 6163-04-967013; Planning Board SEQR Findings and Modified Development Master Plan approved 06/04/2019; *EFG/Saber Heritage SC, LLC Applicant and Owner.*

A motion was made to open the public hearing.

Moved: Carl Whitehead  
Seconded: Nicole Gemmati  
Carried: 7-0

A motion was made to adjourn the public hearing to June 16, 2022.

Moved: Carl Whitehead  
Seconded: Nicole Gemmati  
Carried: 7-0

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

Respond in writing to comments of the Planning Board and all comments 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. Planning Department comments dated 04/13/22.
2. Town Engineer consultant (CPL) comments dated 04/09/22.
3. Town traffic consultant (AKRF) comments dated 04/08/22.
4. Town Zoning Administrator review (pending).
5. Town Water Department review (pending).
6. Town Sewer Department review (pending).
7. Town Building Department comments dated 03/30/22.
8. Town Historic Preservation Commission (Y. Laube) email comments dated 04/06/22.
9. Fairview Fire District review (pending).
10. Dutchess County Department of Behavioral and Community Health review including a determination of need for approval.
11. Dutchess County Department of Planning comments dated 4/21/22.
12. Dutchess County Department of Public Works (M. Dutcavich) comments dated 04/04/22.
13. New York State Department of Transportation (NYSDOT) review.
14. Comments of the Planning Board meeting, including but not limited to the following:
  - a. For proposed separate landfill lot, address owner entity long-term management and Town liability issues with Town counsel.
  - b. Consider Red Hook Dunkin layout as example for revised Building I drive-through layout.
  - c. Consider need for future EV conduits on-site in addition to those installed at Shop Rite.
  - d. Work with the Planning Department on keeping the secondary trail connection to Phase 1 residences (not designed for Dutchess County).

Moved: Nicole Gemmati  
Seconded: Ahmad Katnani  
Carried: 7-0

**2. DIAMOND POINT DEVELOPMENT – SELF STORAGE**

**SEQRA Review, Special Use Permit Review, Site Plan Review, and Architectural Review** for a proposed four-story, ±22,075 square foot, climate-controlled storage facility with associated parking and other site improvements. 1998 South Road; B-H (Highway Business) Zoning District; ±2.03 acres; Grid # 6159-03-382273; Unlisted Action; *Diamond Point Development, LLC (Applicant) and Raymond Eng (Trustee)*.

A motion was made to open the public hearing.

Moved: Carl Whitehead  
Seconded: Nicole Gemmati  
Carried: 7-0

A motion was made to adjourn the public hearing to June 16, 2022.

Moved: Carl Whitehead  
Seconded: Nicole Gemmati  
Carried: 7-0

A motion was made that the Planning Board determine that the proposed Diamond Point Development Self-Storage application would not have a significant adverse impact on the environment for the reasons set forth in the SEQRA Negative Declaration for an Unlisted Action dated April 21, 2022.

Moved: Nicole Gemmati  
Seconded: Ahmad Katnani  
Carried: 7-0

A motion was made that the Planning Board defer further action on this application and direct the applicant to respond to comments, in writing, of the Planning Board and those received from Town departments and Agencies including, but not limited to, the following:

1. Town Planning Department comments dated April 15, 2022.
2. Town Engineering Department comments dated April 8, 2022.
3. Town Water Department comments dated April 8, 2022.
4. DC Department of Behavioral and Community Health comments dated April 7, 2022.
5. Town Traffic Engineer (JMC) comments dated April 7, 2022.
6. Town Sewer Department comments dated April 7, 2022.
7. Town Zoning Department comments dated April 7, 2022.
8. Town Building Department comments dated April 4, 2022.
9. Arlington Fire Department comments dated March 30, 2022.
10. DC Department of Planning and Development comments dated December 21, 2021.
11. NYS Department of Transportation review.
12. NYS Department of Environmental Conservation review.

Moved: Nicole Gemmati  
Seconded: Ahmad Katnani  
Carried: 7-0

### 3. STORE SPACE

**SEQRA Review, Special Use Permit Review, Site Plan Review, and Architectural Review** for the proposed development of a three (3)-story climate controlled self-storage building with a footprint of ± 41,257 square feet with related parking, utilities, landscaping, and stormwater management. 5-16 Budget Drive and 6 Violet Avenue (Town of Poughkeepsie); I-H (Heavy Industrial) Zoning District (Town of Poughkeepsie); Parker Avenue (City of Poughkeepsie); G-RM, Gateway Mixed-Use Residential (City of Poughkeepsie); ±2.93 acres, ±1.31 acres, and ±0.77 acres; Grid #'s 6162-10-463586 (Town), 6162-10-436570 (Town), and 6162-48-428562 (City); Type 1 Action; Storage Cap Poughkeepsie, LP (*Applicant*) and Barbara Mesuda, Inc. (*Owner*).

A motion was made that the Planning Board open the public hearing.

Moved: Carl Whitehead  
Seconded: Nicole Gemmati  
Carried: 7-0

A motion was made that the Planning Board adjourn the public hearing to June 16, 2022.

Moved: Carl Whitehead  
Seconded: Nicole Gemmati  
Carried: 7-0

A motion was made that the Planning Board determine that the proposed Store Space application would not have a significant adverse impact on the environment for the reasons set forth in the SEQRA Negative Declaration for a Type 1 Action dated April 21, 2022.

Moved: Nicole Gemmati  
Seconded: Ahmad Katnani  
Carried: 7-0

A motion was made that the Planning Board defer further action on this application and direct the applicant to respond to comments, in writing, of the Planning Board and those received from Town departments and Agencies including, but not limited to, the following:

1. Town Planning Department comments dated April 15, 2022.
2. Fairview Fire Department comments dated April 12, 2022.
3. Town Engineering Department comments dated April 11, 2022.
4. Town Water Department comments dated April 8, 2022.
5. DC Department of Behavioral and Community Health comments dated April 6, 2022.
6. Town Zoning Department comments dated April 6, 2022.
7. Town Sewer Department comments dated April 6, 2022.
8. Town Building Department comments dated March 29, 2022.
9. NYS Department of Transportation review.

10. City of Poughkeepsie Planning Department review.
11. DC Department of Public Works review.
12. NYS Department of Environmental Conservation review.
13. Planning Board comments:
  - a. Applicant to reconsider flat roofs included in architecture proposal. Applicant to keep in mind the grade change while considering rooftop screening elements in addition to the architecture style itself.

Moved: Nicole Gemmati  
Seconded: Ahmad Katnani  
Carried: 7-0

#### 4. **4 BOWER ROAD – MINOR SUBDIVISION**

**SEQRA Review and Final Subdivision Review (Minor)** for the proposed subdivision of one lot into two (2) lots. Two lots to be served by public water and private sewer. 4 Bower Road; R-4A (Residence, Single-Family 4 Acre) Zoning District; ±57.1 acres; Grid # 6263-04-925009; Unlisted Action; *Sean Gottschalk (Applicant) and Douglas Nieters (Owner)*.

A motion was made to open the Public Hearing.

Moved: Carl Whitehead  
Seconded: Nicole Gemmati  
Carried: 7-0

Motion was made to close the Public Hearing.

Moved: Carl Whitehead  
Seconded: Nicole Gemmati  
Carried: 7-0

A motion was made that the Planning Board determine that the proposed 4 Bower Road application for Minor Subdivision would not have a significant adverse impact on the environment for the reasons set forth in the SEQRA Negative Declaration for an Unlisted Action dated April 21, 2022.

Moved: Nicole Gemmati  
Seconded: Ahmad Katnani  
Carried: 7-0

A motion that the Planning Board grant conditional minor subdivision approval, subject to the following:

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

1. Town Planning Department comments dated April 15, 2022.
2. Town Water Department comments dated April 8, 2022.

3. DC Department of Behavioral and Community Health comments dated April 7, 2022.
4. Town Engineering Department (CPL) comments dated April 1, 2022.
5. Town Highway Department comments dated April 1, 2022.
6. Town Zoning Department comments dated March 31, 2022.
7. Town Sewer Department comments dated March 31, 2022.
8. Town Building Department comments dated March 31, 2022.
9. Arlington Fire Department comments dated March 31, 2022.
10. NYS Department of Environmental Conservation review.
11. Planning Board comments:
  - a. Update note on plat about staking out area of disturbance per discussion with the Town Engineer.
  - b. Update plat to identify long-term wetland delineation at the southeast corner of the property.  
There is NYSDEC wetland buffer in this area that is not to be encroached upon.

Moved: Nicole Gemmati  
Seconded: Ahmad Katnani  
Carried: 7-0

**5. SADIE'S PLACE – 22 FAIRMONT AVENUE**

**SEQRA Review, Special Use Permit Review, and Site Plan Review** for the proposed change of use from a medical office to a social adult day service with minor site improvements. 22 Fairmont Avenue; ATC (Arlington Town Center) Zoning District; ±0.3341 acres; Grid # 6161-12-930717; Type II Action; *Stacey Lamar (Applicant) and Schemz, LLC (Owner)*.

A motion was made to open the public hearing.

Moved: Carl Whitehead  
Seconded: Nicole Gemmati  
Carried: 7-0

A motion was made to close the public hearing.

Moved: Carl Whitehead  
Seconded: Nicole Gemmati  
Carried: 7-0

A motion was that the Planning Board determine that the proposal meets the criteria for a SEQRA Type II action pursuant to SEQRA Part 617.5(c)(18) and no further environmental review is required.

Moved: Nicole Gemmati  
Seconded: Ahmad Katnani  
Carried: 7-0

A motion was made that the Planning Board grant conditional special use permit approval and site plan approval, subject to the following:

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

1. Town Planning Department comments dated April 15, 2022.
2. Town Water Department comments dated April 7, 2022.
3. Town Engineering Department comments dated April 5, 2022.
4. DC Department of Planning and Development comments dated April 1, 2022.
5. Town Highway Department comments dated April 1, 2022.
6. Arlington Fire Department comments dated March 30, 2022.
7. Town Zoning Department comments dated March 30, 2022.
8. Town Sewer Department comments dated March 30, 2022.
9. Town Building Department comments dated March 29, 2022.

Moved: Nicole Gemmati  
Seconded: Ahmad Katnani  
Carried: 7-0

#### 6. SAVONA'S REAR DINING AREA

**Site Plan Hearing** for proposed construction of a rear dining patio of 575 square feet with a seating capacity of 39 persons maximum. 1 Collegeview Avenue; ATC (Arlington Town Center) Zoning District; ±0.44 acre; Grid # 6161-12-823675; Type II Action; *Tinkelman Architecture, PLLC (Applicant) and College Properties LLC (Owner)*.

A motion was made to open the public hearing.

Moved: Carl Whitehead  
Seconded: Nicole Gemmati  
Carried: 7-0

A motion was made to close the public hearing.

Moved: Carl Whitehead  
Seconded: Nicole Gemmati  
Carried: 7-0

A motion was made that the Planning Board determine that the proposal meets the criteria for a SEQRA Type II action pursuant to SEQRA Part 617.5(c)(9), requiring no further environmental review.

Moved: Nicole Gemmati  
Seconded: Ahmad Katnani  
Carried: 5-2 (Nay: P. Fanelli, N. Gemmati)

A motion was made that the Planning Board grant conditional site plan approval for Savona's Rear Dining Area Site Plan, subject to the following:

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

1. Town Planning Department comments dated April 11, 2022.
2. Town Engineering Department comments dated April 6, 2022.
3. Town Zoning Department comments dated March 30, 2022.
4. Planning Board comments, including but not limited to the following:
  - a. The applicant confirmed that plants are along the top of the screen fence.
  - b. The Board conditioned architecture on providing emergency lighting for the patio and alley. The alley was identified as a secondary egress for emergency purposes, not for dining access.
  - c. The Board was agreeable to the applicant's description of LED lit candles on tables; and/or providing lighting along the bottom of the fence for the dining area, but not beyond the enclosure.

Moved: Nicole Gemmati  
Seconded: Ahmad Katnani  
Carried: 5-2 (Nay: P. Fanelli, N. Gemmati)

A motion was made to accept the Architecture as presented, conditional upon addressing lighting comments.

Moved: Carl Whitehead  
Seconded: Nicole Gemmati  
Carried: 5-2 (Nay: P. Fanelli, N. Gemmati)

## 7. **8 TUCKER DRIVE**

**SEQRA Review, Recommendation to the Town Board for a Zoning District Change, Site Plan Review, and Aquatic Resources Protection Permit Review** for a proposed zoning district change from B-SC to I-L in order to construct a contractor's yard used for storing contractor's materials and equipment. File Lot #8 – Tucker Drive; B-SC (Shopping Center Business) Zoning District; ±11.51 acres; Grid # 6262-03-194055; Unlisted Action; *Lepore Real Estate Holdings, LLC, Applicant and 8 Tucker Drive, LLC (Owner)*.

Motion was made that the Planning Board adjourn the Public Hearing to May 19, 2022.

Moved: Carl Whitehead  
Seconded: Nicole Gemmati  
Carried: 7-0

## 8. **511 HAIGHT AVENUE**

**SEQRA Review and Site Plan Review** for the proposed demolition of an existing hot tub and existing shed in order to construct five (5) new parking spaces at the rear of the existing building. Site changes also include the construction of two (2) accessible parking spaces on the west side of the existing building. 511 Haight Avenue; Arlington Town Center (ATC) Zoning District; ±0.16 acres; Grid # 6161-08-833780; Unlisted Action; *Diane and Stephen Morgan, Applicants and Owners*.



Motion was made that the Planning Board adjourn the Public Hearing to May 19, 2022.

Moved: Carl Whitehead  
Seconded: Nicole Gemmati  
Carried: 7-0

**9. ARLINGTON FARMS – MALABAR REALTY LLC**

**SEQR Review, Special Use Permit, Site Plan and Architectural Review** for proposed demolition of the existing structures on the site and the construction of a one-story gas station-convenience store (3,400 SF), gas canopy with eight gasoline filling positions, and other site improvements. 798-802 Dutchess Turnpike; Zoned B-H (Highway-Business) District; 0.81 +/- acre; Grid #s 6262-04-571014; SEQRA Negative Declaration adopted February 19, 2015, conditional Site Plan approval granted December 17, 2015 (expired); *Malabar Realty, LLC, Owner.*

Motion was made that the Planning Board adjourn the Public Hearing to May 19, 2022.

Moved: Carl Whitehead  
Seconded: Nicole Gemmati  
Carried: 7-0

**10. STEWART'S SHOPS – 2245 SOUTH ROAD**

**Special Use Permit Review and Site Plan Review** for the construction of a new 3,696 square foot Stewart's Shop and a 2,440 square foot self-service gasoline canopy and fueling area. 2245 South Road; Zoned BH (Highway Business); ±0.949 acres; Grid # 6159-01-249880; Unlisted Action; *Stewart's Ice Cream, Co., Inc., Owner.*

Motion was made that the Planning Board adjourn the Public Hearing to May 19, 2022.

Moved: Carl Whitehead  
Seconded: Nicole Gemmati  
Carried: 7-0

**B) MOTION TO ALLOW PUBLIC COMMENT ON REMAINING AGENDA ITEMS**  
*Comments limited to three (3) minutes.*

Moved: Carl Whitehead  
Seconded: Nicole Gemmati  
Carried: 7-0

**MOTION TO END PUBLIC COMMENT SESSION.**

Moved: Carl Whitehead  
Seconded: Nicole Gemmati  
Carried: 7-0

**C) PLAN REVIEWS**

- 1. ALLSPACE SELF-STORAGE FACILITY EXPANSION**  
**SEQRA Declaration of Lead Agency Intent, Site Plan and Special Use Permit Review, and Rezoning Recommendation to the Town Board** for a proposed expansion of an existing self-storage facility by eight new self-storage structures, by redesign of internal site access and development of an adjacent, vacant parcel, subject to Town Board zoning amendment. 100-120 Salt Point Turnpike (Lot 1) and 231-245 North Grand Avenue (Lot 2); Zoned I-L (Light Industry) District and R-M (Residence Multifamily) District, respectively; 15.741 acres; Grid #s 6162-02-814518 and 6162-16-860468, respectively; Type I Action; *Page Park Associates LLC, Applicant and Owners.*

A motion was made that the Planning Board declare its intent to be the Lead Agency to coordinate the environmental review of the proposed project as a Type I Action, and authorize the Planning Department's circulation of the Notice of Intent, a copy of the EAF, and a copy of the application to identified involved agencies.

Moved: Nicole Gemmati  
Seconded: Ahmad Katnani  
Carried: 7-0

A motion was made that the Planning Board defer further action on this application pending establishment of a Lead Agency, and 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 comments dated April 12, 2022.
2. Town consulting Engineer (CPL) comments dated April 9, 2022.
3. Town Zoning Administrator comments dated March 31, 2022.
4. Town Water Department comments dated April 8, 2022.
5. Town Sewer Department comments dated March 30, 2022.
6. Building Department comments dated March 31, 2022.
7. Building Department (Floodplain Administrator) comments dated April 5, 2022.
8. Arlington Fire District comments dated April 5, 2022.
9. Dutchess County Department of Planning comments dated April 11, 2022.
10. Dutchess County Department of Public Works' review.
11. New York State Department of Transportation's review.
12. New York State Department of Environmental Conservation's review.
13. Comments of the Planning Board meeting, including but not limited to the following:
  - a. Show elevation of the Rail Trail in relation to existing and proposed storage buildings.
  - b. For review of visual effects, address leaf-off conditions, roof color.

Moved: Nicole Gemmati  
Seconded: Ahmad Katnani  
Carried: 7-0

**2. EASTDALE VILLAGE – AMBULATORY SURGERY CENTER (BUILDING F)**

**Architectural Review** of Building F, Ambulatory Surgical Center, as conditionally approved by the 17<sup>th</sup> Amended Site Plan and Lot Line Alteration for Lot 9W. 325 Founders Way and 949 Dutchess Turnpike; Zoned MHC (MacDonnell Heights Center); Grid #6262-04-769361 and -776348; Type II Action; *MHTC Development, LLC, Owner.*

A motion was made that the Planning Board accept architectural review for Building F (one story), conditioned upon adding features to visually break up the building length (*e.g.*, dormers to either side of the center, and a cupola in the center), subject to review and approval by the Planning Board Chairman and staff.

Moved: Carl Whitehead  
Seconded: Nicole Gemmati  
Carried: 7-0

**3. EASTDALE VILLAGE – BUILDINGS K1-K2 AND GAZEBO Y3**

**Architectural Review** of Buildings K1-K2 (Lots 6Ea and 6Eb) and Gazebo Y3 (Lot 7E), as conditionally approved by the 17<sup>th</sup> Amended Site Plan. 5 Eastdale Avenue South and 15 Victory Lane; Zoned MHC (MacDonnell Heights Center); Grid #6262-04-771284 and -828251; Type II Action; 5 *Eastdale Avenue, LLC and MHTC Development, LLC, Owners.*

A motion was made that the Planning Board accept architectural review as presented for attached Buildings K1 and K2.

Moved: Carl Whitehead  
Seconded: Nicole Gemmati  
Carried: 7-0

A motion was made that the Planning Board accept architectural review as presented for Gazebo Y3.

Moved: Carl Whitehead  
Seconded: Nicole Gemmati  
Carried: 7-0

**4. CHILP'S – 2016-2024 SOUTH ROAD**

**Architectural Review** for the repainting of an exterior façade to an updated color scheme and replacement of fabric awnings with plain black metal awnings at an existing Chili's restaurant. 2016-2024 South Road; B-H (Highway Business) Zoning District; ±9.31 acres; Grid # 6159-03-424307; Type II Action; *Brenna Shouse/Consolidated Development Services (Applicant) and WWA Route 9 Company, LLC (Owner).*

A motion was made move that the Planning Board grant architectural approval as presented and direct the applicant to respond to comments of the Planning Board and those received from Town departments and Agencies including, but not limited to, the following:

1. Town Planning Department comments dated April 15, 2022 (this document).
2. Town Water Department comments dated April 7, 2022.

- 3. Town Engineering Department comments dated April 4, 2022.
- 4. Town Zoning Department comments dated March 30, 2022.
- 5. Town Sewer Department comments dated March 30, 2022.
- 6. Town Building Department comments dated March 29, 2022.

Moved: Carl Whitehead  
 Seconded: Nicole Gemmati  
 Carried: 7-0

**D) PLAN REVIEWS**

**1. CENTRAL HUDSON KNAPPS CORNERS SUBSTATION**

**Time Extension** for the approved new 115/69/13.8 Kv rated substation. 19 Spring Road; Zoned R-1.5A (Residence Single Family 1.5 Acre) District; ± 6.7 acres; Grid # 6159-047-505383; Unlisted Action; *C H G & E Corp., Owners.*

A motion was made that Planning Board grant a one-year time extension, moving the approval expiration date from May 21, 2022 to May 21, 2023.

Moved: Carl Whitehead  
 Seconded: Nicole Gemmati  
 Carried: 7-0

**MOTION TO TERMINATE THE MEETING AT 8:18 PM.**

PRESENT	ABSENT
Chairman Whitehead	
Member Fanelli	
Member Gemmati	
Member Katnani, Alt.	
Member Levasseur	
	Member Romeo
	Member Nasser
Member Paganelli	
Member Quinn	