



# Town of Poughkeepsie

## Planning Department

1 Overocker Road  
Poughkeepsie, NY 12603

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### **PLANNING BOARD DECISION AGENDA September 23<sup>rd</sup>, 2021**

#### **1. AGENDA ITEMS**

##### **A) CONTINUED/NEW PUBLIC HEARINGS**

##### **1. SOUTH HILLS COMMONS**

**Site Plan Review and Architectural Review** for a proposed zoning district change from R-20 to R-M in order to construct four (4) multifamily, two-story buildings, containing six (6) units each, for a total of 24 units. The application includes merging the parcels under review. Route 9D and Delavergne Avenue; R-20 (Residence, Single-Family 20,000 SF) Zoning District; ±5.50 acres and ±1.04 acres; Grid #'s: 6158-01-261673 and 6158-01-237655, respectively; Unlisted Action; *John Tremblay, Owner and MidHudson Development Corp, Applicant.*

Motion that the Planning Board open the public hearing.

Moved: Carl Whitehead  
Seconded: Nicole Gemmati  
Carried: 5-0

Motion that the Planning Board close the public hearing.

Moved: Carl Whitehead  
Seconded: Nicole Gemmati  
Carried: 5-0

Motion that the Planning Board grant conditional site plan approval for South Hills Commons Site Plan.

Moved: Nicole Gemmati  
Seconded: Ben Paganelli  
Carried: 5-0

Motion that the Planning Board grant architectural review.

Moved: Carl Whitehead  
Seconded: Nicole Gemmati  
Carried: 5-0

**2. DEPARTMENT OF CORRECTIONS – 20 MANCHESTER RD.**

**Site Plan Hearing and Architectural Review** for a proposed ± 1,250 SF addition as an amendment to a previous conditionally approved site plan for conversion of a ± 21,600 SF building from [super]market to office use. 20 Manchester Road; Zoned ATC (Arlington Town Center) District; Grid #6161-12-965745; ± 2.95 acres; Type II Action; *John Page, Jr. - 20 Manchester LLC, Applicant and Owner*

Motion that the Planning Board open the public hearing.

Moved: Carl Whitehead  
Seconded: Nicole Gemmati  
Carried: 5-0

Motion that the Planning Board close the public hearing.

Moved: Carl Whitehead  
Seconded: Nicole Gemmati  
Carried: 5-0

Motion that the Planning Board grant conditional amended site plan approval for the Department Of Corrections – 20 Manchester Rd Site Plan.

Moved: Nicole Gemmati  
Seconded: Ahmad Katnani  
Carried: 5-0

Motion that the Planning Board grant architectural review of building modifications as presented for all four sides, inclusive of the proposed west addition.

Moved: Carl Whitehead  
Seconded: Nicole Gemmati  
Carried: 5-0

**3. DUNKIN DONUTS – VASSAR RD.**

**SEQRA Review, Special Use Permit and Site Plan Hearing and Architectural Review** regarding an application submitted by ABDD Capital for proposed redevelopment of an existing 2,845 SF office building (former bank) into an approximately 2,948 SF Dunkin Donuts restaurant with drive-through, associated site septic system modifications, changes to parking, and discontinued use of an existing Dunkin Donuts restaurant at 35 Vassar Rd. 40, 46 & 48 Vassar Road; Zoned ROMNSC (Red Oaks Mill Neighborhood Services Center); ± 4.65 acres; Grid #s 6260-03-495219, 497247 & 495227; Unlisted Action; *ABDD Capital, Applicant, and Red Oaks Dutchess Realty LLC, Owner*

Motion that the Planning Board open the public hearing.

Moved: Carl Whitehead  
Seconded: Nicole Gemmati  
Carried: 5-0

Motion that the Planning Board adjourn the public hearing to November 18<sup>th</sup>, 2021

Moved: Carl Whitehead  
Seconded: Nicole Gemmati  
Carried: 5-0

Motion that the Planning Board defer further action on this application, determine it is incomplete, and direct the applicant to respond in writing to comments of the Planning Board and those received from Town departments and Agencies

Moved: Nicole Gemmati  
Seconded: Ahmad Katnani  
Carried: 5-0

4. **VERTICAL BRIDGE – 20 TUCKER DRIVE**  
**SEQRA Review, Aquatic Resources Permit Review, Amended Site Plan Review, and Architectural Review** for the replacement of an existing 336.8-foot-tall guyed AM tower with a new 336.8-foot-tall three-legged self-supporting AM lattice tower that will be centered at the exact same location. The proposal also includes the construction of a temporary crane access road to be fully removed or reduced and landscaped as an auxiliary service point to the facility. 20 Tucker Drive; Heavy Industrial (I-H) Zoning District; ± 9.77 acres; Grid # 6262-03-170145; *Vertical Bridge REIT, LLC, Applicant and Clear Channel Broadcasting, Inc., Owner.*

Motion that the Planning Board open the public hearing.

Moved: Carl Whitehead  
Seconded: Nicole Gemmati  
Carried: 5-0

Motion that the Planning Board close the public hearing.

Moved: Carl Whitehead  
Seconded: Nicole Gemmati  
Carried: 5-0

Motion that the Planning Board determine that the proposal meets the criteria for a SEQRA Type II action pursuant to SEQRA Part 617.5(c)(2) and no further environmental review is required.

Moved: Nicole Gemmati  
Seconded: Ahmad Katani  
Carried: 5-0

Motion that the Planning Board grant conditional site plan approval.

Moved: Nicole Gemmati  
Seconded: Ahmad Katnani  
Carried: 5 -0

Motion that the Planning Board grant conditional aquatic resources permit approval for Vertical Bridge – AM Tower Replacement – 20 Tucker Drive, subject to completing conditions of site plan approval.

Moved: Nicole Gemmati  
Seconded: Ahmad Katnani  
Carried: 5 -0

Motion that the Planning Board grant architectural review.

Moved: Carl Whitehead  
Seconded: Nicole Gemmati  
Carried: 5-0

**5. 8 TUCKER DRIVE**

**SEQRA Review, Recommendation to the Town Board for a Zoning District Change, Site Plan Review, Aquatic Resources Protection Permit Review, and Architectural 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, and a 30,000 square foot building. 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.*

Motion that the Planning Board open the public hearing.

Moved: Carl Whitehead  
Seconded: Nicole Gemmati  
Carried: 5-0

Motion that the Planning Board adjourn the public hearing to October 21<sup>st</sup>, 2021.

Moved: Carl Whitehead  
Seconded: Nicole Gemmati  
Carried: 5-0

Motion 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

Moved: Nicole Gemmati  
Seconded: Ahmad Katani  
Carried: 5-0

**6. NESHEIWAT SUBDIVISION FKA WILTSE LOT 53**

**SEQRA Review and Preliminary (Minor) Subdivision Hearing** for a proposed subdivision of 51 Edwin Road (a/k/a Lot 53 of Filed Map 10510A, Wiltse Estates Subdivision, filed 01/05/2005) into two lots to support single family residential homes. 51 Edwin Road; R-20 (Residence, Single-Family 20,000 SF) Zoning District; ± 1.80 acres; Grid # 6262-04-604276; Unlisted Action; *Marwan Nesheiwat, Applicant, and JJ Equity Holdings LLC, Owner.*

Motion that the Planning Board open the public hearing.

Moved: Carl Whitehead  
Seconded: Nicole Gemmati  
Carried: 5-0

Motion that the Planning Board adjourn the public hearing to October 21<sup>st</sup>, 2021.

Moved: Carl Whitehead  
Seconded: Nicole Gemmati  
Carried: 5-0

Motion that the Planning Board defer further action on this application, determine it is incomplete, and direct the applicant to respond in writing to comments of the Planning Board and those received from Town departments and Agencies

Moved: Nicole Gemmati  
Seconded: Ahmad Katnani  
Carried: 5-0

7. **EASTDALE VILLAGE 15<sup>TH</sup> SITE PLAN AMENDMENT**  
**SEQRA Review, Amended Site Plan Hearing and Architectural Review** for a 15<sup>th</sup> Amended Site Plan application for the Eastdale Village project. It includes modifications and a change of use to include an inn in mixed use Building E1 at the intersection of Eastdale Avenue North and Dutchess Turnpike; and architecture for Buildings E1-E3. No changes in total bedrooms, dwelling units or commercial square footage is proposed site-wide. This application involves all address numbers on Eastdale Avenue North, Otto Way, Hillside Drive, Town Center Drive, Elizabeth Lane, Eastdale Avenue South and Parkside Drive; and at 900, 902, 904 and 949 Dutchess Turnpike, and 15 Victory Lane; tax lot numbers 6262-04-715370; -739356; -746391; -696343; -724392; -758382; -768412; -777377; -769391; -743328; -742330; -750324; -726341; -713324; -740312; -738315; -732317; -776348; and -820277; Zoned MHC (MacDonnell Heights Center) District; ± 63.461 acres. Prior SEQRA Findings for a Type I Action adopted March 15, 2018, amended September 17, 2020; Site Plan and Special Use Permit approval issued July 12, 2018, as conditionally amended through July 15, 2021. *MHTC Development, LLC, Applicant; and MHTC Development, LLC, Eastdale Residential I, LLC, Eastdale Residential II, LLC, 27 Eastdale, LLC, 31-35 Eastdale, LLC, 39 Eastdale, LLC, 43 Eastdale, LLC, 45 Eastdale, LLC, Premier Eastdale, LLC, and Rossi Eastdale, LLC, Owners*

Motion that the Planning Board open the public hearing.

Moved: Carl Whitehead  
Seconded: Nicole Gemmati  
Carried: 5-0

Motion that the Planning Board close the public hearing.

Moved: Carl Whitehead  
Seconded: Nicole Gemmati  
Carried: 5-0

Motion that the Planning Board find that the Eastdale Village 15th Amended Site Plan involves incremental changes to the Eastdale Village project of negligible magnitude and scope, that are non-significant and consistent with the previous SEQRA Findings adopted March 15, 2018 and amended September 17, 2020, as modified by the proposed Eastdale Village application received August 30, 2021.

Moved: Nicole Gemmati  
Seconded: Ahmad Katnani  
Carried: 5-0

Motion that the Planning Board grant conditional Amended Site Plan Approval for the Eastdale Village 15th Amended Site Plan.

Moved: Nicole Gemmati  
Seconded: Ahmad Katnani  
Carried: 5-0

Motion that the Planning Board grant architectural approval of Building E1 and of Buildings E2-E3 granted with elevations and samples as presented.

Moved: Carl Whitehead  
Seconded: Nicole Gemmati  
Carried: 5-0

- 8. ARLINGTON FARMS – MALABAR REALTY LLC**  
**SEQRA Review, Special Use Permit and Site Plan Review, 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 # 6262-04-571014; SEQRA Negative Declaration adopted February 19, 2015, conditional Site Plan approval granted December 17, 2015 (expired); *Malabar Realty, LLC, Owner.*

Motion that the Planning Board adjourn the public hearing to October 21, 2021

Moved: Carl Whitehead  
Seconded: Nicole Gemmati  
Carried: 5-0

- 9. STEWARTS SHOP – 2245 SOUTH ROAD**  
**Special Use Permit Review, Site Plan Review, and Architectural 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 B-H (Highway Business) District; ± 0.949 acres; Grid # 6159-01-249880; Unlisted Action; *Stewart's Ice Cream, Co., Inc., Owner.*

Motion that the Planning Board adjourn the public hearing to October 21, 2021

Moved: Carl Whitehead  
Seconded: Nicole Gemmati  
Carried: 5-0

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

Moved: Carl Whitehead  
Seconded: Nicole Gemmati  
Carried: 5-0

**MOTION TO END PUBLIC COMMENT SESSION.**

Moved: Carl Whitehead  
Seconded: Nicole Gemmati  
Carried: 5-0

**C) PLAN REVIEWS**

- 1. EASTDALE VILLAGE 14<sup>TH</sup> SITE PLAN AMENDMENT-EV CHARGING STATIONS**  
**Amended Site Plan Review** for an update to the conditionally approved 14<sup>th</sup> Site Plan Amendment, proposing installation of Electric Vehicle Charge Stations within the project bounds to meet current and future demand for Electric Vehicle (EV) charging. This application involves tax lot numbers 6262-04-715370; 739356; 746391; 696343; 724392; 758382, 768412; 777377; 769361; 743328; 742330; 750324; 726341; 713324; 740312; 738315; 732317; 776348; 820277; 25, 27, 31, 32, 34, 35, 36, 38, 39, 42, 43, 44, 45, 46, 48, and 50 Eastdale Avenue North; 10, 15, 20, 35, and 55 Otto Way; 4, 6, 8, 10, 12, 14, 16, 18, 20, 22, 24 and 26 Hillside Drive; 10, 20, 30, 40, and 50 Town Center Drive; 900, 902, 904 and 949 Dutchess Turnpike; 1, 2, 3, 5, 7, 9, 11, 13, 15 and 28 Eastdale Avenue South; 15 Victory Lane; 29, 30, 32, 34, 36, 38, 40, 42, 44, 46, 48, 50, 52, 54, 56, 58 and 60 Parkside Drive; ± 63.461 acres. The properties are located in the MHC (McDonnell Heights Center) Zoning District. Prior SEQRA Findings for a Type I Action adopted March 15, 2018, amended September 17, 2020; Site Plan and Special Use Permit approval issued July 12, 2018, as conditionally amended through July 15, 2021. *MHTC Development, LLC, Applicant; and MHTC Development, LLC, Eastdale Residential I, LLC, Eastdale Residential II, LLC, 27 Eastdale Avenue LLC, 31-35 Eastdale Avenue LLC, 39 Eastdale Avenue LLC, 43 Eastdale Avenue LLC, 45 Eastdale Avenue LLC, Premier Eastdale, LLC, and Rossi Eastdale LLC, Owners.*

Motion that the Planning Board waive the amended site plan public hearing.

Moved: Carl Whitehead  
Seconded: Nicole Gemmati  
Carried: 5-0



Motion that the Planning Board find that the environmental effects of the proposed EV Charging Station amendments are de minimus relative to previous review of the 14th Amended Site Plan, and that the Planning Board reaffirms its July 15, 2021 SEQRA determination of consistency with the previous SEQRA Findings for the Eastdale Village project adopted March 15, 2018 as amended September 17, 2020.

Moved: Nicole Gemmati  
Seconded: Ahmad Katani  
Carried: 5-0

Motion that the Planning Board grant conditional Amended Site Plan Approval for the Eastdale Village 14th Amended Site Plan inclusive of the EV Charging Station amendments.

Moved: Nicole Gemmati  
Seconded: Ahmad Katani  
Carried: 5-0

Motion that the Planning Board waive architectural review for the EV Charging Stations.

Moved: Carl Whitehead  
Seconded: Nicole Gemmati  
Carried: 5-0

2. **MCDONALD'S – 2585 SOUTH ROAD**

**Lead Agency Intent, SEQRA Review, Waterfront Consistency Review, Site Plan Review, and Architectural Review** for a proposed free-standing McDonald's restaurant with an accessory side-by-side drive-thru with associated landscaping, parking, and site improvements. 2585 South Road; B-SC (Shopping Center Business) Zoning District and the Waterfront District 2 (WD2) Zoning District; ±26.427 acres; Grid # 6060-02-968700; Unlisted Action; *McDonald's Corporation (Applicant) and Mid-Hudson Associates, LLC (Owner)*.

Motion that the Planning Board declare its intent to be the Lead Agency, to coordinate the environmental review of the proposed project as an Unlisted Action, and authorize the Planning Department's circulation of a Notice of said intent dated September 23, 2021, a copy of the EAF, and a copy of the application to the identified interested and involved agencies.

Moved: Nicole Gemmati  
Seconded: Ahmad Katnani  
Carried: 5-0

Motion that the Planning Board defer further action on this application, pending establishment of a Lead Agency, and direct the applicant to respond to comments, in writing, of the Planning Board and those received from Town departments and Agencies.

Moved: Nicole Gemmati  
Seconded: Ahmad Katnani  
Carried: 5-0

**3. TACO BELL – 2275 SOUTH ROAD**

**Amended Site Plan Review and Architectural Review** for a proposed cosmetic improvements to an existing restaurant being converted to a Taco Bell. 2275 South Road; B-H (Highway Business) Zoning District; ±1.39 acres; Grid # 6159-01-194942; Type II Action; *Muy Brands, LLC, Owner*

Motion that the Planning Board waive the public hearing for Taco Bell – 2275 South Road per Town Code §210-151(L).

Moved: Nicole Gemmati  
Seconded: Ahmad Katnani  
Carried: 5-0

Motion that the Planning Board determine that the proposal meets the criteria for a SEQRA Type II action pursuant to SEQRA Part 617.5(c)(1) and no further environmental review is required.

Moved: Nicole Gemmati  
Seconded: Ahmad Katnani  
Carried: 5-0

Motion that the Planning Board grant conditional amended site plan approval.

Moved: Nicole Gemmati  
Seconded: Ahmad Katnani  
Carried: 5-0

Motion that the Planning Board grant conditional architectural review approval with samples and elevations as presented.

Moved: Carl Whitehead  
Seconded: Nicole Gemmati  
Carried: 5-0

**4. 44 LAGRANGE AVE – SHARED PARKING**

**SEQRA Review, Amended Site Plan and Special Use Permit Review** for an application to amend an approved site plan and special use permit for a mixed-use development at 44 Lagrange Avenue (commercial use and 3 dwelling units) with shared parking located at 39 Lagrange Avenue, to relocate the shared parking to 42 Lagrange Avenue. 42 and 44 LaGrange Avenue; Zoned ATC (Arlington Town Center) District; Grid #6161-12-899671 and -905673; ± 0.17 and ± 0.08 acres; SEQRA Negative Declaration for an Unlisted Action adopted 4/30/2020; *INP Real Estate LLC, Applicant and Owner.*

Motion 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.

Moved: Nicole Gemmati  
Seconded: Ahmad Katnani  
Carried: 5-0

**5. HUDSON HERITAGE - BUILDING M (AKA CVS #11460)**

**Architectural Review** for a proposed construction of a CVS store, for Building M on Lot 3 of the Hudson Heritage Major Subdivision and Amended Site Plan. 25 Winslow Gate Road (formerly 3532 North Road); Zoned HRDD (Historic Revitalization Development District); Grid #6063-04-946011; ± 7.25 acres; Type II Action; *TM Crowley & Associates, Applicant, and EFG/Saber Heritage SC, LLC, Owner.*

Motion that the Planning Board defer action on this application and direct the applicant to respond in writing to comments of the Planning Board meeting and those received from Town departments and Agencies.

Moved: Nicole Gemmati  
Seconded: Ahmad Katnani  
Carried: 5-0

**6. VERIZON STORE RETAIL EXPANSION 2018-2021**

**Site Plan Reapproval and Architectural Review** of an expired conditionally approved amended site plan granted 10/18/2018, to add a 1,500 SF retail building addition to a previously approved site plan for conversion of an existing 2,985 SF fast food restaurant to a retail Verizon Store. 661 Dutchess Turnpike; B-SC (Business Shopping Center) Zoning District; ±0.68 acres; Grid # 6261-01-119864; SEQR Negative Declaration for an Unlisted Action adopted 10/18/2018; *Franco Fidanza and Planet Wings Poughkeepsie, Applicant and Owner.*

Motion that the Planning Board waive the public hearing for this site plan application for reapproval.

Moved: Nicole Gemmati  
Seconded: Ahmad Katnani  
Carried: 5-0

Motion that the Planning Board reaffirms and again adopts the October 18, 2018 SEQRA Negative Declaration for the Verizon Store Additional Retail Expansion Amended Site Plan, 661 Dutchess Turnpike, as an Unlisted action.

Moved: Nicole Gemmati  
Seconded: Ahmad Katnani  
Carried: 5-0

Motion that the Planning Board grant Conditional Amended Site Plan Approval for the Verizon Store Additional Retail Expansion Amended Site Plan, 661 Dutchess Turnpike.

Moved: Nicole Gemmati  
Seconded: Ahmad Katnani  
Carried: 5-0

## **D) OTHER BUSINESS**

### **1. WELLS FARGO – 1863 SOUTH RD**

Time Extension for a conditionally approved site plan for exterior lighting upgrade: Replacing pole heads, replacing wall/canopy light fixtures, adding new wall/canopy light fixtures and new light poles. 1863 South Road; Zoned B-H (Highway Business) District; Grid # 6158-01-402888; Type II Action; *Happy Boy Pizza, Owner*.

Motion that the Planning Board grant a 180-day time extension of conditional Site Plan approval from October 15, 2021 forward to April 13, 2022.

Moved: Carl Whitehead  
Seconded: Nicole Gemmati  
Carried: 5-0

### **2. RAYMOND AVENUE SCHOOL PROPERTY REDEVELOPMENT**

**Recreation Fees** – applicant proposes to offset a portion of the required recreation fees by improving and dedicating a portion of Lot #4 as public open space for passive recreation by Town residents. 25 and 31 Raymond Avenue; Zoned ATC (Arlington Town Center) District; Grid #s 6161-12-755735 (± 6.38 acres) and 6161-12-784726 (± 0.43 acre); Type I Action; *Arthur May Redevelopment, LLC, Owner, (f/k/a Paz Management, Inc.)*.

Motion that the Planning Board find that the proposal to offset a portion of the required recreation fees by improving and dedicating part of Lot #4 as public open space for passive recreation by Town residents is not inconsistent with the Board's previous SEQRA Negative Declaration for a Type 1 action dated April 15, 2021.

Moved: Nicole Gemmati  
Seconded: Ahmad Katnani  
Carried: 4-0 (P. Fanelli recused)

Motion that the Planning Board agrees that the applicant’s proposal to construct, maintain, and allow public use of this privately-owned open space is appropriate to satisfy a portion of the recreational need created by the Raymond Avenue School Property Redevelopment project and therefore, that an offset of the recreation fee in the amount of [50% or \$172,500] is warranted. The Planning Board’s agreement is conditioned upon Town Board approval of the proposed amount of the offset and the remaining recreation fee.

Moved: Nicole Gemmati  
Seconded: Ahmad Katnani  
Carried: 4-0 (P. Fanelli recused)

**3. PROPOSED COMPREHENSIVE PLAN UPDATE**

Respond to referral from the Town Board for review and recommendation on the proposed Comprehensive Plan Update pursuant to NYS Town Law §272-a (5).

Motion that the Planning Board hereby conveys a positive recommendation with comments to the Town Board regarding adoption of the Comprehensive Plan Update.

Moved: Carl Whitehead  
Seconded: Nicole Gemmati  
Carried: 5-0

***MOTION TO TERMINATE THE MEETING AT 9:39 P.M.***

Moved: Nicole Gemmati  
Seconded: Ahmad Katnani  
Carried: 5-0

<b>PRESENT</b>	<b>ABSENT</b>
Chairman Whitehead	
Member Fanelli	
Member Gemmati	
Member Katnani, Alt.	
Member Paganelli	Member Nasser
	Member Quinn
	Member Romeo