



# Town of Poughkeepsie

## Planning Department

1 Overocker Road  
Poughkeepsie, NY 12603

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### PLANNING BOARD DECISION AGENDA October 21<sup>st</sup>, 2021

#### 1. AGENDA ITEMS

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

- 1. 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: 7-0

Motion that the Planning Board close the public hearing.

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

Motion that the Planning Board as Lead Agency hereby determines that the Nesheiwat FKA Wiltse Lot 53 Minor Subdivision will not have a significant adverse effect 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 October 21, 2021.

Moved: Nicole Gemmati  
Seconded: Rocco Romeo  
Carried: 7-0

Motion that the Planning Board grant conditional minor subdivision approval for the Nesheiwat FKA Wiltse Lot 53 Minor Subdivision.

Moved: Nicole Gemmati  
Seconded: Rocco Romeo  
Carried: 7-0

**2. 68 VAN WAGNER ROAD**

**SEQR Review, Site Plan and Special Use Permit Hearing** for a proposed a new first-floor motor vehicle repair use facing Taft Avenue and unchanged second-floor residential use facing Van Wagner Road, and associated site modifications, on a site with a previous commercial use. 68 Van Wagner Road; B-N (Neighborhood Business) Zoning District; ± 0.51 acres; Grid # 6161-08-912998; Unlisted Action; *Tinkleman Architecture PLLC, Applicant, and Santiago Sanchez, Owner.*

Motion that the Planning Board open the public hearing.

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

Motion that the Planning Board adjourn the public hearing to December 16, 2021.

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

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, a copy of the EAF, and a copy of the application to all involved and interested agencies, after receipt of a corrected EAF.

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

Motion that the Planning Board defer further action on this application pending establishment of a Lead Agency, 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: 7-0

3. **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 adjourn the public hearing to November 18, 2021.

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

4. **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 November 18, 2021.

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

5. **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 November 18, 2021.

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. HUDSON HERITAGE – LOT 2 AMENDED SITE PLAN**

**Discussion** of an amended site plan for modification of Building G, a 40,000 SF medical office building (on Lot 2), into seven smaller, separate buildings based on tenant preferences, with the same amount of building area and parking spaces. 3532 North Road (US Route 9) Zoned HRDD (Historic Revitalization Development District); ± 156 acres; Grid # 6163-03-011149, 6163-04-960057 & 6163-04-946011; *EFG/Saber Heritage SC, LLC, Applicant and Owner.*

**D) OTHER BUSINESS**

**1. CREEK ROAD APARTMENTS**

**Time Extension** for a previously approved site plan proposing 31 apartments in one building of three-story height. 84-92 Creek Road; Zoned R-M (Residence Multifamily) District; ± 5.18 acres; Grid # 6162-02-735705; *JPJR Holdings, LLC, Owner.*

Motion that the Planning Board grant two (2) 90-day time extensions for Creek Road Apartments, moving the conditional approval expiration date from November 19, 2021 to May 18, 2022.

Moved: Nicole Gemmati  
Seconded: Rocco Romeo  
Carried: 7-0

**2. PROPOSED EXTENSION OF CHAPTER §210-109.1**

**Recommendation to the Town Board** regarding the proposed extension of the 2020 amendment to Chapter 210 Zoning, that created a new section, 109.1, to allow temporary outdoor dining facilities and sidewalk seating, in response to the COVID 19 crisis in an effort to reduce the health and economic impacts of the crisis on Town residents, visitors, food service employees and food service establishments by encouraging social distancing, walking and the support of local businesses

Motion that the Planning Board convey a positive recommendation to the Town Board regarding the proposed extension through October 31, 2022.

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

***MOTION TO TERMINATE THE MEETING AT 6:04 P.M.***

Moved: Nicole Gemmati  
Seconded: Rocco Romeo  
Carried: 7-0

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