



# Town of Poughkeepsie

## Planning & Zoning

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Poughkeepsie, NY 12603

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### NOTICE OF TOWN OF POUGHKEEPSIE PLANNING BOARD REGULAR MEETING

September 17, 2009  
6:30 PM

### DECISION AGENDA

#### A) PUBLIC HEARINGS

##### 1. PAGE GRAND RENTAL STATION.

**Site Plan and Aquatic Resource Permit Hearing** to amend a previously approved site plan of June 8, 1995 for existing stormwater pond to be removed and replaced with subsurface stormwater storage system. 100 Salt Point Turnpike; Zoned IL (Light Industry); 3.05 +/- acres; Grid #6162-16-799485. *Brian Page, owner.*

***PUBLIC HEARING ADJOURNED TO OCTOBER 15, 2009.***

**MOVED:** Richard Davison  
**SECONDED:** Marvin Bennett  
**CARRIED:** 6-0

##### 2. CRYO WELD.

**Site Plan Hearing** to reuse the former 8,500 S.F. TEG Credit Union portion of an existing building for new use by a service business. 10-14 Tucker Drive; BN (Neighborhood Business); 5.826 +/- acres; Grid #6262-03-162080. *10 Tucker Drive, LLC, owner.*

***PUBLIC HEARING ADJOURNED TO NOVEMBER 19, 2009.***

**MOVED:** Richard Davison  
**SECONDED:** Marvin Bennett  
**CARRIED:** 6-0

##### 3. THE SEASONS ASSISTED LIVING/EBS POUGHKEEPSIE.

**Site Plan Hearing** for a proposed senior housing overlay district designation and subsequent subdivision and site plan approvals for the existing Econolodge property. 2625 South Road (US Route 9); Zoned B-H (Highway Business); 14.55 +/- acres; Grid #6060-02-950800. *R&D Hotel, LLC, owner.*

***PUBLIC HEARING ADJOURNED TO OCTOBER 15, 2009.***

**MOVED:** Richard Davison  
**SECONDED:** Jeffrey Magee  
**CARRIED:** 6-0

**4. PONIROS/VASSAR SQUARE.**

**Site Plan Hearing** for a proposal to add a new 4,400 S.F. restaurant and parking, on a mixed use site; renovate retail use and retain rear retail and residential uses. 51 Vassar Road; Zoned ROMNSC (Red Oaks Mill Neighborhood Services Center); 4.68 +/- acres; Grid #6260-04-565213. *Vassar Development, Inc., owners.*

***SEQRA INCOMPLETE AND ACTION DEFERRED.***

**MOVED:** Richard Davison  
**SECONDED:** Carl Whitehead  
**CARRIED:** 6-0

**5. DUNKIN DONUTS/MAIN STREET.**

(a) **Site Plan Hearing** for site redevelopment including demolition and construction of a new Dunkin' Donuts. 756 - 764 Main St.; ATC (Arlington Town Center); 0.61 +/- acres; Grid #'s 6161-07-717826, 721825, 724824, 729823 and 732822.  
*CRE Poughkeepsie, LLC, owner.*

***PUBLIC HEARING OPENED.***

**MOVED:** Richard Davison  
**SECONDED:** Jeffrey Magee  
**CARRIED:** 6-0

***PUBLIC HEARING ADJOURNED TO OCTOBER 15, 2009.***

**MOVED:** Richard Davison  
**SECONDED:** Jeffrey Magee  
**CARRIED:** 6-0

***ACTION DEFERRED DUE TO 30-DAY LEAD AGENCY AND COUNTY REFERRAL RESPONSE PERIODS.***

**MOVED:** Richard Davison  
**SECONDED:** Marvin Bennett  
**CARRIED:** 6-0

(b) **Recommendation to the Town Board** regarding an application for a zoning amendment to designate a Main Street Drive-In Overlay District for this site.

***POSTIVE RECOMMENDATION CONVEYED.***

**MOVED:** Richard Davison  
**SECONDED:** Marvin Bennett  
**CARRIED:** 6-0

**6. BUILT PARCEL THREE/TINKELMAN.**

**Site Plan Hearing** for second floor renovation and office use in an existing warehouse, and construction of a 14 space parking lot. 48 Springside Avenue and 25 Van Wagner Road; Zoned B-H (Highway Business); 2.11 +/- acres; Grid #'s 6161-08-838906 and 6161-08-821910. *Built Parcel Three, LLC, owner.*

***PUBLIC HEARING OPENED.***

**MOVED:** Richard Davison  
**SECONDED:** Marvin Bennett  
**CARRIED:** 6-0

***PUBLIC HEARING ADJOURNED TO OCTOBER 15, 2009.***

**MOVED:** John Weisman  
**SECONDED:** Richard Davison  
**CARRIED:** 6-0

***SEQRA NEGATIVE DECLARATION ADOPTED.***

**MOVED:** Richard Davison  
**SECONDED:** Marvin Bennett  
**CARRIED:** 6-0

***SITE PLAN APPROVAL DEFERRED.***

**MOVED:** Richard Davison  
**SECONDED:** Marvin Bennett  
**CARRIED:** 6-0

**7. MAZZARELLI CHIROPRACTIC ADDITION.**

**Site Plan Hearing** for a 2,050 S.F. addition to an existing chiropractic office and residence, and parking modifications. 25 Husky Hill Rd.; Zoned O-R (Office Research); 2.2 +/- acres; Grid #6159-03-373475. *Giovanni Mazzarelli, owner.*

***PUBLIC HEARING OPENED.***

**MOVED:** Richard Davison  
**SECONDED:** Thomas Bauer  
**CARRIED:** 6-0

***PUBLIC HEARING CLOSED.***

**MOVED:** Richard Davison  
**SECONDED:** Marvin Bennett  
**CARRIED:** 6-0

***SEQRA TYPE II ACTION DETERMINED.***

**MOVED:** Richard Davison  
**SECONDED:** Carl Whitehead  
**CARRIED:** 6-0

***SITE PLAN APPROVAL GRANTED.***

**MOVED:** Richard Davison  
**SECONDED:** Marvin Bennett  
**CARRIED:** 6-0

**8. COLLEGE PROPERTIES.**

**Site Plan Hearing** for a proposal to combine parking areas and make related site improvements. 10 & 12 La Grange Ave.; Zoned ATC (Arlington Town Center); 0.44 +/- acres; Grid #'s 6161-12-825690 and 6161-12-830689. *College Properties LLC, owner.*

***PUBLIC HEARING OPENED.***

**MOVED:** Richard Davison  
**SECONDED:** Carl Whitehead  
**CARRIED:** 6-0

***PUBLIC HEARING IS ADJOURNED TO OCTOBER 15, 2009.***

**MOVED:** Richard Davison  
**SECONDED:** Thomas Bauer  
**CARRIED:** 6-0

***MOTION AMENDED AND THE PUBLIC HEARING IS ADJOURNED TO NOVEMBER 19, 2009.***

**MOVED:** Richard Davison  
**SECONDED:** Thomas Bauer  
**CARRIED:** 6-0

***SITE PLAN APPROVAL DEFERRED.***

**MOVED:** John Weisman  
**SECONDED:** Richard Davison  
**CARRIED:** 6-0

***MOTION AMENDED TO INCLUDE THE DUTCHESS COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT COMMENTS.***

**MOVED:** John Weisman  
**SECONDED:** Richard Davison  
**CARRIED:** 6-0

**B) PLAN REVIEWS**

***THE PLANNING BOARD SUSPENDED THE RULES TO ALLOW PUBLIC COMMENT ON OTHER MATTERS.***

**MOVED:** John Weisman  
**SECONDED:** Marvin Bennett  
**CARRIED:** 6-0

***THE PLANNING BOARD RESUMED THE RULES.***

**MOVED:** John Weisman  
**SECONDED:** Richard Davison  
**CARRIED:** 6-0

**1. TUSCANY SQUARE.**

**Site Plan Review** for the construction of 4 buildings for use as mixed retail and office space. 2211 South Road; Zoned B-H (Highway Business); 4.3 +/- acres; Grid # 6159-01-276824. *Steve Domber, owner.*

***SEQRA INCOMPLETE AND ACTION DEFERRED.***

**MOVED:** Richard Davison  
**SECONDED:** Thomas Bauer  
**CARRIED:** 6-0

**2. VASSAR PROPERTY/DUNKIN DONUTS/RED OAKS MILL.**

**Site Plan Review** for conversion of an existing unused car wash to a Dunkin Donuts at an existing motor vehicle service facility and convenience store with related site and façade improvements. 35 Vassar Road; Zoned ROMNSC (Red Oaks Mill Neighborhood Services Center); 0.36 +/- acres; Grid #6260-04-527253. *Vassar Property, LLC, owner.*

**SEQRA INCOMPLETE AND ACTION DEFERRED.**

**MOVED:** Richard Davison  
**SECONDED:** Thomas Bauer  
**CARRIED:** 6-0

**3. SOUTH HILLS MALL AMENDMENT.**

**Site Plan Amendment** to modify the Burlington Coat Factory pedestrian courtyard to include vehicular circulation and 28 parking spaces. 1895 South Road (US Route 9); Zoned SHC (South Hills Shopping Center); 0.8 +/- acres of 72.62 +/- acre parcel; Grid #6158-01-297959. *Vornado South Hills LLC, owner.*

**SEQRA NEGATIVE DECLARATION OF APRIL 19, 2007 REAFFIRMED.**

**MOVED:** Richard Davison  
**SECONDED:** Marvin Bennett  
**CARRIED:** 6-0

**PUBLIC HEARING WAIVED AND CONDITIONAL SITE PLAN APPROVAL GRANTED.**

**MOVED:** John Weisman  
**SECONDED:** Richard Davison  
**CARRIED:** 6-0

**4. RODAR ENTERPRISES LAND CONTOUR PERMIT.**

**Land Contour Change** to place +/- 1,000 cubic yards of fill in two berm sections around an existing contractor's yard. 240 Van Wagner Rd.; Zoned I-H (Heavy Industry); Grid #6262-03-213321. *Rodar Enterprises Inc., owner.*

**SEQRA NEGATIVE DECLARATION ADOPTED.**

**MOVED:** Richard Davison  
**SECONDED:** Carl Whitehead  
**CARRIED:** 6-0

**LAND CONTOUR PERMIT GRANTED.**

**MOVED:** Richard Davison  
**SECONDED:** Marvin Bennett  
**CARRIED:** 6-0

**5. RAKOFF LAND CONTOUR CHANGE.**

**Land Contour Change** for grading and fill associated with installation of a boundary wall, related drainage, and landscaped rain garden areas. 128 Cedar Ave.; Zoned R-20 (Residence, Single Family; 20,000 S.F.); Grid #6160-02-759824. *Martin Rakoff, owner.*

**REMOVED FROM AGENDA PER APPLICANT'S REQUEST; NO ACTION TAKEN.**

**6. FERRARI LOT LINE REVISION.**

**Lot line revision** to increase the size of a vacant non-conforming lot, for a proposed residence. 11 Pennock Rd. and 25 Crestwood Blvd.; Zoned R-20 (Residence, Single Family; 20,000 S.F.); Grid #'s 6162-20-813172 and 6162-20-822173. *Anthony Ferrari, owner.*

**SEQRA NEGATIVE DECLARATION ADOPTED.**

**MOVED:** Richard Davison  
**SECONDED:** Marvin Bennett  
**CARRIED:** 6-0

**LOT LINE REVISION GRANTED.**

**MOVED:** Richard Davison  
**SECONDED:** Marvin Bennett  
**CARRIED:** 6-0

**C) OTHER BUSINESS**

**1. VANGUARD ORGANIZATION.**

**Discussion and potential action** regarding the breach of project obligations.  
9 Spring Road; Zoned R-1.5A (Residential, Single Family); 4.26+/- acres;  
Grid #6159-03-453369. *Vanguard Organization Inc., Owner.*

***THE PLANNING BOARD SET OCTOBER 12, 2009 FOR COMPLETION OF THE  
CURE AND FORWARDED THAT DETERMINATION TO THE TOWN  
BOARD.***

**MOVED:** Richard Davison  
**SECONDED:** Marvin Bennett  
**CARRIED:** 6-0

**2. HUDSON VALLEY MARKET.**

**Site Plan Discussion** for a proposal to re-use an existing building for a year round indoor  
flea market. 130 Salt Point Turnpike; Zoned IL (Light Industrial); 18.15 +/- acres;  
Grid #6162-02-860585. *130 Salt Point, LLC, owner.*

***REMOVED FROM AGENDA PER APPLICANT'S REQUEST; NO ACTION TAKEN.***

**3. ERTS SUBDIVISION.**

**Pre-Application Review/Discussion** for a proposed two lot residential subdivision. 125  
Fairview Ave.; Zoned R-20,000 (Residential; Single Family; 20,000 S.F.); 1.029 +/- acres  
(Lot #1 24,050/Lot #2 20,786); Grid #6162-05-210779. *Michael and Donna Erts, owners.*

***REMOVED FROM AGENDA PER APPLICANT'S REQUEST; NO ACTION TAKEN.***

**4. D'ARCANGELO & CO., LLP.**

**Discussion** for a proposal to purchase the existing building located at 668 Dutchess  
Turnpike. 668 Dutchess Turnpike; Zoned B-N (Neighborhood Business); 1.15 +/- acres;  
Grid #6261-01-188859. *Rocket Dog, LLC, owner.*

***REMOVED FROM AGENDA PER APPLICANT'S REQUEST; NO ACTION TAKEN.***

**5. ZONING AMENDMENT.**

**Recommendation to the Town Board** regarding proposed Zoning Law amendments to  
§210-9 of the Town Code to amend or add five definitions.

**POSTIVE RECOMMENDATION CONVEYED.**

**MOVED: John Weisman**  
**SECONDED: Marvin Bennett**  
**CARRIED: 6-0**

**6. WALGREENS.**

**SEQRA Recirculation** for a new site plan to redevelop an existing commercial site including a new Walgreens, and a two (2) lot subdivision. 825 – 829 Dutchess Turnpike; Zoned B-H (Highway Business); 2.06 +/- acres; Grid #6262-04-592073. *Konover Dev. Corp., owner.*

**LEAD AGENCY INTENT DECLARED AND RECIRCULATED.**

**MOVED: John Weisman**  
**SECONDED: Richard Davison**  
**CARRIED: 6-0**

**7. KUEHNER SUBDIVISION.**

**Planning Board to declare its intent to be Lead Agency** for a previously approved three (3) lot subdivision. 423 Sheafe Road; Zoned R-20,000 (Residence, Single Family); 3.72 +/- acres; Grid #6159-03-015064. *Kurt Kuehner, owner.*

**LEAD AGENCY INTENT DECLARED.**

**MOVED: Richard Davison**  
**SECONDED: Jeffrey Magee**  
**CARRIED: 6-0**

**8. RECOMMENDATION TO TOWN BOARD.**

**Request** to consider an amendment to permit restaurant sidewalk seating and outdoor restaurant dining areas in the ROMNSC District and other districts as appropriate.

**REQUEST CONVEYED.**

**MOVED: Richard Davison**  
**SECONDED: Jeffrey Magee**  
**CARRIED: 6-0**

**9. RECOMMENDATION TO TOWN BOARD.**

**Regarding** an offer by Our Lady of Lourdes High School for use of land adjacent to the Boardman Road right-of-way for a potential future walking path.

**POSITIVE RECOMMENDATION CONVEYED.**

**MOVED: John Weisman**  
**SECONDED: Richard Davison**  
**CARRIED: 6-0**

**PRESENT:**  
Chairman Weisman  
Member Whitehead  
Member Davison  
Member Bennett

Member Magee  
Member Bauer (*Alternate*)

**ABSENT:**  
  
Member LaPerche  
Member Rose