



1 Overocker Road
Poughkeepsie, NY 12603

Town of Poughkeepsie

Planning & Zoning

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NOTICE OF TOWN OF POUGHKEEPSIE PLANNING BOARD REGULAR MEETING

October 21, 2010
6:30 PM

DECISION AGENDA

A) PUBLIC HEARINGS

1. ROUTE 9D PROFESSIONAL PARK.

Site Plan Hearing for a proposed professional office park, total 41,520 S.F., consisting of a three story central building and two two-story wings, with associated parking. NYS Route 9D (East Side); Zoned B-H (Highway Business); 4.4 +/- acres; Grid # 6158-01-390820. *Socker Spring Park LLC, owner.*

PUBLIC HEARING ADJOURNED TO DECEMBER 9, 2010.

**MOVED: CARL WHITEHEAD
SECONDED: MARVIN BENNETT
CARRIED: 7-0**

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 JANUARY 20, 2011.

**MOVED: JOHN WEISMAN
SECONDED: MARVIN BENNETT
CARRIED: 7-0**

3. GOLF PLAZA.

Site Plan Hearing to develop a 16,200 S.F. commercial center. 68 Creek Road; Zoned B-N (Neighborhood Business); 1.47 +/- acres; Grid # 6162-02-695673.
Lau-Kim Properties, owner.

REMOVED FROM AGENDA FOR REVIEW DUE TO INCOMPLETE INFORMATION.

PUBLIC HEARING OPENED.

MOVED: MARVIN BENNETT

SECONDED: TOM BAUER

CARRIED: 7-0

PUBLIC HEARING ADJOURNED TO NOVEMBER 18, 2010.

MOVED: JOHN WEISMAN

SECONDED: EDWIN LA PERCHE

CARRIED: 7-0

LEAD AGENCY CIRCULATION AND REQUEST FOR COMMENT TO THE DUTCHESS COUNTY DEPARTMENT OF HEALTH.

MOVED: JOHN WEISMAN

SECONDED: CARL WHITEHEAD

CARRIED: 7-0

4. THE PARK AT INWOOD LAKE.

Aquatic Resource Protection Permit Hearing and Architectural Review for an amended residential site plan approved on April 15, 2010. Halley Court and Erin Court (off East Cedar Street); Zoned R-20 (Residence Single Family, 20,000 S.F.); 15.0 +/- acres; Grid #'s 6162-06-378794, et al...*Inwood Lake LLC, owner.*

PUBLIC HEARING OPENED.

MOVED: JOHN WEISMAN

SECONDED: MARVIN BENNETT

CARRIED: 7-0

PUBLIC HEARING CLOSED.

MOVED: JOHN WEISMAN

SECONDED: MARVIN BENNETT

CARRIED: 7-0

APPLICANT'S WITHDRAWAL OF THE 2010 AQUATIC RESOURCE PERMIT APPLICATION ACKNOWLEDGED; PROPOSED OCTOBER 21, 2010 PLAN MODIFICATIONS ACCEPTED; AND CONDITION #16 OF THE APRIL 15, 2010 AMENDED SITE PLAN APPROVAL REVISED TO REQUIRE FINAL PLANS TO INDICATE A NET CHANGE OF ≤ 0 SQUARE FEET AQUATIC RESOURCE DISTURBANCE AS COMPARED TO THE 2007 APPROVAL.

**MOVED: MARVIN BENNETT
SECONDED: EDWIN LA PERCHE
CARRIED: 7-0**

REVISED ARCHITECTURAL APPROVAL GRANTED FOR THE REVISED APRIL 15, 2010 AMENDED SITE PLAN.

**MOVED: JOHN WEISMAN
SECONDED: MARVIN BENNETT
CARRIED: 7-0**

SIXTY (60) DAY TIME EXTENSION GRANTED FOR PAYMENT OF THE RECREATION FEE BALANCE FROM SEPTEMBER 18, 2010 FORWARD TO NOVEMBER 18, 2010.

**MOVED: MARVIN BENNETT
SECONDED: EDWIN LA PERCHE
CARRIED: 7-0**

5. ARTEAGA FITNESS PARKING EXPANSION.

Site Plan Hearing to increase the existing health club parking lot by adding 22 spaces on adjacent land owned by Dutchess County. 234 & 230 North Road; Zoned B-N (Neighborhood Business) & O-R (Office Research); 2.8 +/- acres (Arteaga) & 5.4 +/- acres (Dutchess); Grid #'s 6062-02-975581 & 6062-02-976554.
Arteaga Rental LLC & Dutchess County, owners.

PUBLIC HEARING OPENED.

**MOVED: JOHN WEISMAN
SECONDED: MARVIN BENNETT
CARRIED: 6 Aye, 0 Nay, 1 Recused (Pat Rose)**

PUBLIC HEARING CLOSED.

**MOVED: JOHN WEISMAN
SECONDED: TOM BAUER
CARRIED: 6 Aye, 0 Nay, 1 Recused (Pat Rose)**

SEQRA NEGATIVE DECLARATION ADOPTED.

**MOVED: MARVIN BENNETT
SECONDED: EDWIN LA PERCHE
CARRIED: 6 Aye, 0 Nay, 1 Recused (Pat Rose)**

CONDITIONAL SITE PLAN APPROVAL GRANTED.

**MOVED: MARVIN BENNETT
SECONDED: EDWIN LA PERCHE
AMENDED: JOHN WEISMAN
SECONDED: CARL WHITEHEAD
CARRIED: 6 Aye, 0 Nay, 1 Recused (Pat Rose)**

6. AT&T MOBILITY CO-LOCATION @ IBM.

Site Plan Hearing and Waterfront Consistency for a 10' x 41.5' expansion of an existing fenced compound for related equipment. 54 River Edge Drive; Zoned I-H (Heavy Industry) & WD-2 (Waterfront District 2); 0.02 +/- acres; Grid # 6060-04-840280.

IBM Corporation, owner.

PUBLIC HEARING OPENED.

MOVED: JOHN WEISMAN

SECONDED: EDWIN LA PERCHE

CARRIED: 7-0

PUBLIC HEARING CLOSED.

MOVED: JOHN WEISMAN

SECONDED: BOB GORMAN

CARRIED: 7-0

SEQRA NEGATIVE DECLARATION ADOPTED.

MOVED: MARVIN BENNETT

SECONDED: EDWIN LA PERCHE

CARRIED: 7-0

ACTION DETERMINED TO BE CONSISTENT WITH THE TOWN LOCAL WATERFRONT REVITALIZATION PROGRAM.

MOVED: MARVIN BENNETT

SECONDED: EDWIN LA PERCHE

CARRIED: 7-0

CONDITIONAL SITE PLAN APPROVAL GRANTED.

MOVED: MARVIN BENNETT

SECONDED: EDWIN LA PERCHE

CARRIED: 7-0

7. NEPTUNE COMMERCE CENTER BUSINESS PARK.

Site Plan and Preliminary Subdivision Hearing to redevelop vacant warehouse uses and land on three (3) lots to business park uses on four (4) lots. 2265 and 2277 South Road and 2 Neptune Road; Zoned B-H (Highway Business) and O-R (Office Research) with a Business Park designation; 8.82 +/- acres; Grid #'s 6159-01-187926, 154907, and 216927.

Neptune Capital Investors LLC, owner.

REMOVED FROM AGENDA.

PUBLIC HEARING ADJOURNED TO DECEMBER 9, 2010.

MOVED: JOHN WEISMAN

SECONDED: PAT ROSE

CARRIED: 7-0

B) SUSPEND RULES FOR PUBLIC COMMENT

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

**MOVED: EDWIN LA PERCHE
SECONDED: MARVIN BENNETT
CARRIED: 7-0**

THE PLANNING BOARD RESUMED THE RULES.

**MOVED: JOHN WEISMAN
SECONDED: EDWIN LA PERCHE
CARRIED: 7-0**

C) PLAN REVIEWS

1. A & E DURHAM SERVICES.

Site Plan and Floodplain Development Permit Review for installation of a new 10,000 gallon above-ground fuel storage tank. 10-14 Tucker Drive; Zoned B-N (Neighborhood Business) and I-H (Heavy Industry); 5.826 +/- acres; Grid # 6262-03-162080.

Thomas L. Dyal, owner.

SEQRA NEGATIVE DECLARATION ADOPTED.

**MOVED: MARVIN BENNETT
SECONDED: EDWIN LA PERCHE
CARRIED: 7-0**

CONDITIONAL SITE PLAN AND FLOOD PLAIN DEVELOPMENT PERMIT APPROVALS GRANTED.

**MOVED: MARVIN BENNETT
SECONDED: EDWIN LA PERCHE
CARRIED: 7-0**

ARCHITECTURAL REVIEW WAIVED.

**MOVED: JOHN WEISMAN
SECONDED: MARVIN BENNETT
CARRIED: 7-0**

2. ST. MARTIN DE PORRES CAFETERIA ADDITION.

Site Plan Review for alterations to the existing school building to demolish and enlarge the cafeteria for a net increase of +/- 2, 444 S.F.; 114 – 122 Cedar Valley Road; Zoned R-20 (Residence Single Family, 20,000 S.F.); 42.2 +/- acres;

Grid # 6260-03-300470. *St. Martin de Porres Roman Catholic Church, owner.*

RESOLUTION DETERMINING APPLICATION IS A SEQRA TYPE II.

**MOVED: JOHN WEISMAN
SECONDED: MARVIN BENNETT
CARRIED: 7-0**

CONDITIONAL SITE PLAN APPROVAL GRANTED.

**MOVED: JOHN WEISMAN
SECONDED: EDWIN LA PERCHE
CARRIED: 7-0**

ARCHITECTURAL REVIEW APPROVAL GRANTED.

**MOVED: EDWIN LA PERCHE
SECONDED: MARVIN BENNETT
CARRIED: 7-0**

D) OTHER BUSINESS

1. ZONING LAW AMENDMENTS:

- a. Recommendation to the Town Board** regarding a zoning amendment to §210-105 (B), regulating locking devices for shopping carts outside of commercial buildings

POSITIVE RECOMMENDATION CONVEYED.

**MOVED: JOHN WEISMAN
SECONDED: EDWIN LA PERCHE
CARRIED: 7-0**

- b. Recommendation to the Town Board** regarding zoning amendments to §210-9, §210-122 and §210-131, regarding the regulation of “roof signs” and “directional signs”

POSITIVE RECOMMENDATION CONVEYED.

**MOVED: JOHN WEISMAN
SECONDED: EDWIN LA PERCHE
CARRIED: 7-0**

- c. Recommendation to the Town Board** regarding zoning amendments to §210-9 and §210-74, to bring regulation of “Home occupations” in line with the State Building Code

***REQUEST TO TOWN BOARD TO DEFER ACTION ON THE AMENDMENT
PENDING PLANNING BOARD WORK ON AN ALTERNATE AMENDMENT.***

**MOVED: JOHN WEISMAN
SECONDED: MARVIN BENNETT
CARRIED: 7-0**

- d. Recommendation to the Town Board** regarding zoning amendments to §210-9 and §210-55, to bring the regulation of “Bed and Breakfast Establishments” in line with the State Building Code

POSITIVE RECOMMENDATION CONVEYED.

**MOVED: JOHN WEISMAN
SECONDED: MARVIN BENNETT
CARRIED: 7-0**

2. ZONING MAP AMENDMENT.

Recommendation to the Town Board regarding an amendment to the zoning designation for 85 Taft Avenue from R-M (Residence Multi family) to B-N (Neighborhood Business).

POSITIVE RECOMMENDATION CONVEYED.

MOVED: JOHN WEISMAN

SECONDED: TOM BAUER

CARRIED: 7-0

3. TUSCANY SQUARE.

Recommendation to Town Board regarding the use of a wetland mitigation payment required by an approved Aquatic Resource Protection Permit for this project. 2211 South Road; Zoned B-H (Highway Business); 4.3 +/- acres; Grid # 6159-01-276824. *Steve Domber, owner.*

POSITIVE RECOMMENDATION CONVEYED, TO USE A WETLAND MITIGATION FEE FOR ONE OR MORE WETLAND CREATION PROJECTS AS SET FORTH IN THE OCTOBER 14, 2010 CORRESPONDENCE FROM ASPEN ENVIRONMENTAL.

MOVED: TOM BAUER

SECONDED: EDWIN LA PERCHE

CARRIED: 7-0

PRESENT: Chairman Weisman Member Bennett Member Gorman Member LaPerche Member Rose Member Whitehead Member Bauer (Alternate)	ABSENT: Member Davison
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