



Town of Poughkeepsie

Planning Department

1 Overocker Road
Poughkeepsie, NY 12603

845-485-3657 Phone
845-486-7885 Fax

NOTICE OF PLANNING BOARD

REGULAR MEETING

July 21, 2016
6:00 PM

DECISION AGENDA

A) PUBLIC HEARINGS

1. SPINS BOWL OUTDOOR RECREATION

Site Plan Hearing for proposed outdoor seasonal recreation facilities – go-cart track, ropes course and outdoor dining. 47 Taft Avenue; Zoned B-H (Business Highway) District; ± 4.251 acres; Grid #6161-08-915913; Unlisted Action; *Diamond Properties, Owner.*

MOTION TO ADJOURN THE PUBLIC HEARING TO SEPTEMBER 17, 2016.

MOVED: Carl Whitehead
SECONDED: Rocco Romeo
CARRIED: 5-0

2. SHERWIN WILLIAMS - 684 DUTCHESS TURNPIKE SITE PLAN

Public Hearing and Site Plan Review for redevelopment of the former Hollywood Window Company site including building removal, construction of a new 4,000 SF Sherwin-Williams Paints retail building and associated parking lot modifications. 684 Dutchess Turnpike; Zoned B-N (Neighborhood Business) District; ± 0.347 acres; Grid #6261-01-258884; *Nicholas Pizza, III, Owner.*

MOTION TO OPEN THE PUBLIC HEARING.

MOVED: Carl Whitehead
SECONDED: Ben Paganelli
CARRIED: 5-0

MOTION TO CLOSE THE PUBLIC HEARING.

MOVED: Carl Whitehead
SECONDED: Ben Paganelli
CARRIED: 5-0

MOTION THAT THE PLANNING BOARD AS LEAD AGENCY HEREBY DETERMINES THAT THE SHERWIN WILLIAMS – 684 DUTCHESS TURNPIKE SITE PLAN WOULD 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 JULY 21, 2016.

MOVED: Carl Whitehead
SECONDED: Ben Paganelli
CARRIED: 5-0

MOTION TO GRANT CONDITIONAL SITE PLAN APPROVAL FOR THE SHERWIN WILLIAMS – 684 DUTCHESS TURNPIKE SITE PLAN.

MOVED: Carl Whitehead
SECONDED: Ben Paganelli
CARRIED: 5-0

MOTION TO GRANT ARCHITECTURAL REVIEW APPROVAL, AS PRESENTED, SUBJECT TO SUBMITTAL OF SAMPLES AND STAFF ACCEPTANCE OF THEM IN ACCORDANCE WITH PLANNING BOARD DISCUSSION.

MOVED: Carl Whitehead
SECONDED: Ben Paganelli
CARRIED: 5-0

B) SUSPEND RULES FOR PUBLIC COMMENT – Comments limited to three (3) minutes

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

MOVED: Carl Whitehead
SECONDED: Ben Paganelli
CARRIED: 5-0

THE PLANNING BOARD RESUMED THE RULES.

MOVED: Carl Whitehead
SECONDED: Ben Paganelli
CARRIED: 5-0

C) PLAN REVIEWS

1. WHITE'S HUDSON RIVER MARINA SITE PLAN

Site Plan Review and Waterfront Consistency Determination for a 120' foot long steel prefabricated building for boat storage. 15 Point Street; Zoned R-NH (Residence New Hamburg) District and WD1 (Waterfront District 1); ± 15.3 acres; Grid #6057-06-489789; Unlisted Action; *Whites Hudson River Marina Inc., Owner.*

MOTION THAT THE PLANNING BOARD WAIVE A SITE PLAN PUBLIC HEARING IN ACCORDANCE WITH §210-151(D).

MOVED: Carl Whitehead
SECONDED: Rocco Romeo
CARRIED: 5-0

MOTION THAT THE PLANNING BOARD AS LEAD AGENCY HEREBY DETERMINES THAT THE WHITE'S HUDSON RIVER MARINA SITE PLAN WOULD 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 JULY 21, 2016.

MOVED: Carl Whitehead
SECONDED: Ben Paganelli
CARRIED: 5-0

MOTION THAT THE PLANNING BOARD DETERMINES THAT THE PROPOSED ACTIVITY IS CONSISTENT WITH THE TOWN OF POUGHKEEPSIE'S APPROVED LOCAL WATERFRONT REVITALIZATION PROGRAM (LWRP) BECAUSE IT WILL BE CONDUCTED IN A MANNER CONSISTENT WITH SUCH PROGRAM.

MOVED: Carl Whitehead
SECONDED: Ben Paganelli
CARRIED: 5-0

MOTION TO GRANT CONDITIONAL SITE PLAN APPROVAL FOR THE WHITE'S HUDSON RIVER MARINA SITE PLAN.

MOVED: Carl Whitehead
SECONDED: Ben Paganelli
CARRIED: 5-0

MOTION TO GRANT ARCHITECTURAL REVIEW APPROVAL, WITH SAMPLES AND ELEVATIONS AS PRESENTED.

MOVED: John Weisman
SECONDED: Carl Whitehead
CARRIED: 5-0

2. MCKINLEY LANE LOT LINE REVISION

Lot Line Revision Review for an application (amended) to realign property lines of six parcels, one of them located in the City of Poughkeepsie, to result in three parcels in the Town and two parcels located in both the Town and the City. 30, 32, 34, 36, 40-42 McKinley Lane in the Town and McKinley Lane (Rear) in the City; Zoned B-N (Neighborhood Business) District in the Town and Zoned I-1 (Light Industrial) District in the City; Grid #s 6162-15-687379, -691395, -686390, -693398, -687395 in the Town and 6162-58-702386 in the City; Total 2.58 +/- acres; Unlisted Action; *TLP Associates LLC, Owner.*

MOTION TO DETERMINE THAT THE MCKINLEY LOT LINE REVISION 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 ATTACHED NEGATIVE DECLARATION DATED JULY 21, 2016.

MOVED: Carl Whitehead
SECONDED: Ben Paganelli
CARRIED: 5-0

MOTION TO GRANT CONDITIONAL LOT LINE REVISION APPROVAL AND ALSO GRANT A SIXTY (60) DAY TIME EXTENSION OF SAID APPROVAL FROM SEPTEMBER 19, 2016 FORWARD TO NOVEMBER 18, 2016.

MOVED: Carl Whitehead
SECONDED: Ben Paganelli
CARRIED: 5-0

3. YEUNG SUBDIVISION – 20 CENTER AVENUE

Planning Board to Declare Lead Agency Intent and Minor Subdivision Review regarding subdividing an existing single family residential lot with frontage on Center Avenue and Fairview Avenue into two single family residential lots of ± 0.98 acre and ± 1.01 acre, respectively. 20 Center Avenue; Zoned R-20 (Single Family Residence 20,000 SF) District; Grid # 6162-05-204821; ± 1.99 acres; *Yan Tung Yeung, Owner.*

MOTION TO DECLARE THE PLANNING BOARD'S 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 THE IDENTIFIED INVOLVED AGENCIES.

MOVED: Carl Whitehead
SECONDED: Rocco Romeo
CARRIED: 5-0

MOTION TO DEFER FURTHER ACTION ON THIS APPLICATION PENDING ESTABLISHMENT OF A LEAD AGENCY, AND DIRECT THE APPLICANT TO RESPOND TO COMMENTS OF THE PLANNING BOARD AND THOSE RECEIVED FROM TOWN DEPARTMENTS AND AGENCIES.

MOVED: Carl Whitehead
SECONDED: Ben Paganelli
CARRIED: 5-0

4. 2555 SOUTH ROAD – GERMANO

Planning Board to Declare Lead Agency Intent and Site Plan Review for demolition of the existing, vacant building and construction of a new 10,000 SF commercial building with associated parking. 2555 South Road and Town ROW portion; Zoned B-H (Highway-Business) District and WD-1 (Waterfront District 1); ± 0.67 acre and ± 0.114 acre ROW; Grid #6060-02-994630; *716 Route 211 West Ltd., 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, A COPY OF THE EAF, AND A COPY OF THE APPLICATION TO THE IDENTIFIED INVOLVED AGENCIES.

MOVED: Carl Whitehead
SECONDED: Ben Paganelli
CARRIED: 5-0

MOTION TO DEFER FURTHER ACTION ON THIS APPLICATION PENDING ESTABLISHMENT OF A LEAD AGENCY, AND DIRECT THE APPLICANT TO RESPOND TO COMMENTS OF THE PLANNING BOARD AND THOSE RECEIVED FROM TOWN DEPARTMENTS AND AGENCIES.

MOVED: Carl Whitehead
SECONDED: Ben Paganelli
CARRIED: 5-0

5. 33 ARLINGTON AVENUE

Planning Board to Declare Lead Agency Intent and Site Plan Review for modifications of use, parking and façade of an existing building. 33 Arlington Avenue; Zoned B-H (Highway Business) District; ± 0.52 acres; Grid #6161-08-868920; *Wilbur J. Whitman, Trustee, 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, A COPY OF THE EAF, AND A COPY OF THE APPLICATION TO THE IDENTIFIED INVOLVED AGENCIES.

MOVED: Carl Whitehead
SECONDED: Rocco Romeo
CARRIED: 5-0

MOTION TO DEFER FURTHER ACTION ON THIS APPLICATION PENDING ESTABLISHMENT OF A LEAD AGENCY, AND DIRECT THE APPLICANT TO RESPOND TO COMMENTS OF THE PLANNING BOARD AND THOSE RECEIVED FROM TOWN DEPARTMENTS AND AGENCIES.

MOVED: Carl Whitehead
SECONDED: Ben Paganelli
CARRIED: 5-0

6. POUGHKEEPSIE DAY SCHOOL PHOTOVOLTAIC PROJECT

Discussion regarding a project to construct a 500 kW photovoltaic project on the grounds of the Poughkeepsie Day School. 244 Boardman Road; Zoned IN (Institutional) District; 34.17 +/- acres; Grid # 6260-03-146453. *Poughkeepsie Day School, Owner.*

NO ACTION TAKEN; DISCUSSION ONLY.

7. **ARLINGTON FARMS – MALABAR REALTY LLC**
Resolution Following Court Decision, Order and Judgment In the Matter of Arlington Farms – Malabar Realty LLC, 219 Overocker Road and 798 Dutchess Turnpike, re: Stengel v. Town of Poughkeepsie Planning Board, Index No. 0103/2016. 798 Dutchess Turnpike and 219 Overocker Road; Zoned B-H (Highway-Business); 0.81 +/- acres; Grid #s 6262-04-571014 & 574003; Negative Declaration adopted February 19, 2015; Conditional Site Plan approval granted December 17, 2015; *Malabar Realty, LLC, Owner.*

MOTION TO ADOPT THE ATTACHED RESOLUTION DATED JULY 21, 2016 FOLLOWING COURT DECISION, ORDER AND JUDGMENT IN THE MATTER OF ARLINGTON FARMS – MALABAR REALTY LLC, 219 OVEROCKER ROAD AND 798 DUTCHESS TURNPIKE.

MOVED: John Weisman
SECONDED: Ben Paganelli
CARRIED: 5-0

MOTION TO CLARIFY THE PREVIOUS RESOLUTION BY INDICATING IT WAS ADOPTED “AS MODIFIED”.

MOVED: John Weisman
SECONDED: Ben Paganelli
CARRIED: 5-0

MOTION TO TERMINATE MEETING AT 8:40 P.M.

MOVED: Carl Whitehead
SECONDED: Ben Paganelli
CARRIED: 5-0

PRESENT: Chairman Weisman Member Fanelli Member Paganelli Member Romeo Member Whitehead	ABSENT: Member Davison Member LaPerche
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