



# Town of Poughkeepsie

## Planning Department

1 Overocker Road  
Poughkeepsie, NY 12603

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### NOTICE OF PLANNING BOARD

### **REGULAR MEETING**

*April 20, 2017*

**6:00 PM**

### **DECISION AGENDA**

#### **A) PUBLIC HEARINGS**

- 1. RIVER POINT RESIDENTIAL & WEST PARK PROFESSIONAL BUILDINGS Update and Discussion of Site Plan and Aquatic Resource Permit Hearing and Lot Line Revision** regarding a proposed development plan amended to include a single seven-story building containing 85 age-restricted dwelling units,  $\pm$  31,534 square feet (SF) medical office and  $\pm$  13,976 SF retail pharmacy or medical service uses. 2055 South Road and 83 Old Post Road; Zoned O-R (Office Research) District with a Senior Housing Overlay District (SHOD) designation; 7.14  $\pm$  acres; Grid #'s 6159-03-375410 and 6159-03-365369; SEQRA Negative Declaration adopted March 20, 2014; *WA Route 9 LLC, Owners.*

#### ***MOTION TO OPEN THE PUBLIC HEARING.***

**Moved:** Ed LaPerche  
**Seconded:** Carl Whitehead  
**Carried:** 6-0

#### ***MOTION TO ADJOURN THE PUBLIC HEARING TO JUNE 15, 2017.***

**Moved:** Brian Powers  
**Seconded:** Rocco Romeo  
**Carried:** 6-0

#### ***MOTION TO DEFER ACTION PENDING A REVISED SUBMITTAL.***

**Moved:** John Weisman  
**Seconded:** Ed LaPerche  
**Carried:** 6-0

**2. MARIST COLLEGE 51 FULTON REDEVELOPMENT**

**Site Plan Public Hearing** regarding a site plan for a change of use and renovation of 51 Fulton Street to accommodate office, classroom and studio space; site modifications to 51 and adjoining 57 Fulton Street; pedestrian improvements in the Fulton Street right-of-way; and campus sidewalk connections to the south (40 Fulton Street). 51, 57 & 40 Fulton Street; Zoned FC (Fairview Center) and IN (Institutional) District; ± 5.607 acres; Grid #s 6162-05-062838, -083848, & -064792; Unlisted Action; *Marist Real Property Services Inc., Owner.*

***MOTION TO OPEN THE PUBLIC HEARING.***

**Moved:** Ed LaPerche  
**Seconded:** Carl Whitehead  
**Carried:** 6-0

***MOTION TO ADJOURN THE PUBLIC HEARING TO MAY 18, 2017.***

**Moved:** John Weisman  
**Seconded:** Ed LaPerche  
**Carried:** 6-0

***MOTION TO DETERMINE THAT THIS APPLICATION IS INCOMPLETE FOR SEQRA REVIEW AND DEFER ACTION ON THIS APPLICATION.***

**Moved:** Ed LaPerche  
**Seconded:** Carl Whitehead  
**Carried:** 6-0

***MOTION TO DETERMINE THAT THIS APPLICATION IS INCOMPLETE FOR SITE PLAN APPROVAL AND DEFER ACTION ON THIS APPLICATION SUBJECT TO RECEIPT OF RESPONSES TO THE FOLLOWING, SAID RESPONSES TO BE REVIEWED BY THE DEPARTMENT AS TO ADEQUACY AND COMPLETENESS.***

**Moved:** Ed LaPerche  
**Seconded:** Rocco Romeo  
**Carried:** 6-0

***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:** Ed LaPerche  
**Seconded:** Carl Whitehead  
**Carried:** 6-0

**THE PLANNING BOARD RESUMED THE RULES.**

**Moved:** Ed LaPerche  
**Seconded:** Carl Whitehead  
**Carried:** 6-0

**C) PLAN REVIEWS**

**1. ET QUIETE, LLC – REZONING AND SITE PLAN**

**Site Plan Review** regarding proposed applications for Town Board rezoning of a ±10.5 acre portion of the property to B-H (Highway Business) District, and for Planning Board site plan approval for a change of use to establish offices in the existing main building. 2628 South Road; Zoned R-2A (Residence Single-Family 2-Acre) District; ±139.23 acres; Grid #6160-01-235760; Unlisted Action; *The Private Exchange Group, Inc. and Et Quiete LLC, Owners.*

**MOTION TO GRANT CONDITIONAL SITE PLAN APPROVAL.**

**Moved:** John Weisman  
**Seconded:** Ben Paganelli  
**Carried:** 6-0

**2. ROUTE 9D PROFESSIONAL OFFICE PARK**

**Site Plan Review** for a previously signed and expired Site Plan for a proposed professional office park, total 41,520 S.F., with a three-story central building and two-story wings, and associated parking. NYS Route 9D (East Side); Zoned B-H (Highway Business); 4.4 +/- acres; Grid #6158-01-390820. Negative Declaration (Type I action) for previous approved application adopted November 20, 2014. *Socker Spring Park LLC, Owner.*

**MOTION THAT THE PLANNING BOARD DETERMINE THAT IT RETAINS ITS ROLE AS THE SEQRA LEAD AGENCY FOR THE ENVIRONMENTAL REVIEW OF THIS PROJECT AS A TYPE I ACTION, IN THE ABSENCE OF ANY PRIOR OBJECTION BY ANY INVOLVED AGENCY.**

**Moved:** JohnWeisman  
**Seconded:** Carl Whitehead  
**Carried:** 6-0

**MOTION THAT THE PLANNING BOARD WAIVE THE SITE PLAN PUBLIC HEARING FOR THIS PROJECT IN ACCORDANCE WITH TOWN CODE §210-151(D) ON THE BASIS THAT THE SITE PLAN, AS PRESENTED, IS UNCHANGED FROM THE SITE PLAN APPROVED BY THE BOARD ON NOVEMBER 20, 2014, AND THAT THE BOARD'S REVIEW OF THE PROJECT INDICATE THAT CURRENT SITE AND NEIGHBORHOOD CONDITIONS REMAIN UNCHANGED.**

**Moved:** John Weisman  
**Seconded:** Ed LaPerche  
**Carried:** 6-0

***MOTION THAT THE PLANNING BOARD AS LEAD AGENCY DETERMINE THAT THE ROUTE 9D PROFESSIONAL OFFICE PARK PROJECT 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 A TYPE I ACTION DATED NOVEMBER 20, 2014, PREPARED BY THE PLANNING DEPARTMENT; AND DIRECT THE PLANNING DEPARTMENT TO FILE SAID NEGATIVE DECLARATION FOR A TYPE I ACTION IN ACCORDANCE WITH SEQRA §617.12 ON THE BASIS THAT THE SITE PLAN, AS PRESENTED, IS UNCHANGED FROM THE SITE PLAN APPROVED BY THE BOARD ON NOVEMBER 20, 2014, AND THAT THE BOARD'S REVIEW OF THE PROJECT INDICATE THAT CURRENT SITE AND NEIGHBORHOOD CONDITIONS REMAIN UNCHANGED.***

**Moved:** John Weisman  
**Seconded:** Ed LaPerche  
**Carried:** 6-0

***MOTION THAT THE PLANNING BOARD GRANT CONDITIONAL SITE PLAN REVIEW APPROVAL FOR THE ROUTE 9D PROFESSIONAL OFFICE PARK SITE PLAN, SUBJECT TO RESPONSES TO THE FOLLOWING SAID RESPONSES TO BE REVIEWED BY THE PLANNING DEPARTMENT AS TO ADEQUACY AND COMPLETENESS ON THE BASIS THAT THE SITE PLAN, AS PRESENTED, IS UNCHANGED FROM THE SITE PLAN APPROVED BY THE BOARD ON NOVEMBER 20, 2014, AND THAT THE BOARD'S REVIEW OF THE PROJECT INDICATE THAT CURRENT SITE AND NEIGHBORHOOD CONDITIONS REMAIN UNCHANGED.***

**Moved:** John Weisman  
**Seconded:** Carl Whitehead  
**Carried:** 6-0

***MOTION THAT THE PLANNING BOARD RE-ISSUE ARCHITECTURAL REVIEW APPROVAL FOR THE SAMPLES AND RENDERINGS AS PRESENTED ON JULY 18, 2013, SUBJECT TO RE- OF THE SAME SAMPLES AND RENDERINGS IF NOT FOUND ON FILE BY STAFF, AND SUBJECT TO THE SAME CONDITIONS AS FOLLOWS ON THE B SUBMITTAL AS IS THAT THE ARCHITECTURAL PLAN, AS PRESENTED, IS UNCHANGED FROM THE ARCHITECTURAL PLAN APPROVED BY THE BOARD ON NOVEMBER 20, 2014.***

**Moved:** John Weisman  
**Seconded:** Carl Whitehead  
**Carried:** 6-0

**3. SHERIDAN LOT LINE REVISION**

**Lot Line Revision Review** for a lot line revision for a proposed conveyance of  $\pm 1.28$  acres to a residential parcel from a vacant parcel in common ownership. 8 Kingwood Park and Kingwood Park; Zoned R-20 (Residential Single Family 20,000 SF) District;  $\pm 1.18$  acres and  $\pm 3.30$  acres; Grid #s 6160-03-079185 and 123166; Unlisted Action; *James D. Sheridan, Owner.*

***MOTION THAT THE PLANNING BOARD AS LEAD AGENCY FOR AN UNLISTED ACTION DETERMINE THAT THE SHERIDAN LOT LINE REVISION 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 NEGATIVE DECLARATION DATED APRIL 20, 2017 PREPARED BY THE PLANNING DEPARTMENT.***

**Moved: John Weisman  
Seconded: Carl Whitehead  
Carried: 6-0**

***MOTION THAT THE PLANNING BOARD GRANT CONDITIONAL LOT LINE REVISION APPROVAL FOR THE SHERIDAN LOT LINE REVISION AND DIRECTS THE APPLICANT TO RESPOND TO COMMENTS OF THE PLANNING BOARD AND THOSE RECEIVED FROM TOWN DEPARTMENTS AND AGENCIES AS FOLLOWS:”***

**Moved: John Weisman  
Seconded: Carl Whitehead  
Carried: 6-0**

**4. PLANET WINGS ADDITION – 661 DUTCHESS TURNPIKE**

**Site Plan Review** for a proposed 700 SF addition to the 3,300 SF building and renovations to lease 2,500 SF to a retail tenant and retain 1,500 SF for continued restaurant use. 661 Dutchess Turnpike; Zoned B-SC (Business Shopping Center);  $\pm 0.721$  acre; Grid # 6261-01-119864; Type II Action; *Planet Wings of Poughkeepsie, Owner.*

***MOTION TO GRANT CONDITIONAL SITE PLAN APPROVAL.***

**Moved: John Weisman  
Seconded: Carl Whitehead  
Carried: 5-0-1 (Brian Powers abstained)**

***MOTION TO GRANT ARCHITECTURAL REVIEW APPROVAL.***

**Moved: John Weisman  
Seconded: Carl Whitehead  
Carried: 5-1-1 (Ed LaPerche nay; Brian Powers abstained)**

5. **UNDERHILL SOLAR LLC**

**Declare Intent to be Lead Agency and Site Plan Review** regarding a proposed  $\pm 3,000$  kW solar photovoltaic array ground-mounted system. 130 and 122 Underhill Road; Zoned R-4A (Residence Single Family 4 Acre) District;  $\pm 71.0$  acres; Grid # 6262-01-270535 and -180545; Type I Action; *Brian and Sally Underhill, Owners.*

***MOTION THAT THE PLANNING BOARD DECLARE ITS INTENT TO BE THE LEAD AGENCY TO COORDINATE THE ENVIRONMENTAL REVIEW OF THE PROPOSED PROJECT AS A TYPE I 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:** Ed LaPerche  
**Seconded:** Carl Whitehead  
**Carried:** 6-0

***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 OF THE PLANNING BOARD AND THOSE RECEIVED FROM TOWN DEPARTMENTS AND AGENCIES.***

**Moved:** Ed LaPerche  
**Seconded:** Ben Paganelli  
**Carried:** 6-0

6. **FORSONS APARTMENTS**

**Declare Intent to be Lead Agency, Rezoning Recommendation to the Town Board, and Site Plan Review** regarding proposed Town Board rezoning to R-M (Residence, Multifamily) District, and Planning Board Site Plan approval for construction of 24 apartment units in two buildings with corresponding parking and offsite connection to Town sewer facilities. Sheafe Road; Zoned B-H (Business Highway) District;  $\pm 4.00$  acres; Grid # 6159-01-283578; Unlisted Action; *Forsons Realty Corp., 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:** Ed LaPerche  
**Seconded:** Carl Whitehead  
**Carried:** 6-0

***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 OF THE PLANNING BOARD AND THOSE RECEIVED FROM TOWN DEPARTMENTS AND AGENCIES.**

**Moved:** Ed LaPerche  
**Seconded:** Carl Whitehead  
**Carried:** 6-0

**7. OAKWOOD COMMONS – HOMEWOOD SUITES**

**Declare Intent to be Lead Agency and Presentation** on a proposed amended site plan for Lot 1 at Oakwood Commons, for a Homewood Suites Hotel consisting of four stories with 113 rooms. South Road; Zoned B-H (Highway Business) District with Business Park Overlay and WD-1 (Waterfront District 1); ± 2.77 acres; Grid # 6060-04-928489; Unlisted Action; *Oakwood Partners 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, A COPY OF THE EAF AND A COPY OF THE APPLICATION, TO THE IDENTIFIED INVOLVED AGENCIES.***

**Moved:** JohnWeisman  
**Seconded:** Ed LaPerche  
**Carried:** 6-0

***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 OF THE PLANNING BOARD AND THOSE RECEIVED FROM TOWN DEPARTMENTS AND AGENCIES.***

**Moved:** JohnWeisman  
**Seconded:** Ed LaPerche  
**Carried:** 6-0

**D) OTHER BUSINESS**

**1. TLP/MCKINLEY LANE LOT LINE REVISION**

**Time Extension** of a conditional lot line approval for a plat 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) 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;

SEQRA Negative Declaration and conditional Lot Line Revision approval adopted on July 21, 2016; *TLP Associates LLC, Owner.*

***MOTION TO GRANT A 90 DAY TIME EXTENSION OF CONDITIONAL LOT LINE REVISION APPROVAL FROM MAY 17, 2017 FORWARD TO AUGUST 15, 2017.***

**Moved:** John Weisman  
**Seconded:** Ed LaPerche  
**Carried:** 6-0

- TOWN BOARD REFERRAL OF ZONING AMENDMENTS TO §210-96, “PUBLIC UTILITY STRUCTURES” Recommendation to the Town Board** regarding proposed amendment to renumber the section and add a new section “B”, regarding Public Utility Structures.

***MOTION TO MAKE A POSITIVE RECOMMENDATION TO THE TOWN BOARD.***

**Moved:** John Weisman  
**Seconded:** Brian Powers  
**Carried:** 6-0

- TOWN BOARD REFERRAL OF ZONING MAP AMENDMENTS, §210-11 Recommendation to the Town Board** regarding proposed amendments to the zoning map to rezone 34, 36 and 42 Violet Avenue from Heavy Industrial (I-H) to Residence Multifamily (R-M) District.

***MOTION TO MAKE A POSITIVE RECOMMENDATION TO THE TOWN BOARD.***

**Moved:** John Weisman  
**Seconded:** Ed LaPerche  
**Carried:** 6-0

- TOWN BOARD REFERRAL OF ZONING AMENDMENTS TO §210-63, “COMMUNICATION TOWERS AND RADIO STATIONS” Recommendation to the Town Board** regarding proposed amendment to §210-63 regarding communication towers and radio stations.

***MOTION TO MAKE A POSITIVE RECOMMENDATION TO THE TOWN BOARD.***

**Moved:** John Weisman  
**Seconded:** Brian Powers  
**Carried:** 6-0



**5. TOWN BOARD REFERRAL OF ZONING AMENDMENTS TO §210-9, “DEFINITIONS” Recommendation to the Town Board** regarding proposed amendments to definitions of “FENCE”, “HEDGE”, “WALL”, “LOT, CORNER”, “PUBLIC UTILITY”, “PUBLIC UTILITY, COMMERCIAL SOLAR ENERGY”, “PUBLIC UTILITY, COMMERCIAL WIND ENERGY” and “SERVICE BUSINESS, USE, STORE OR SHOP”.

***MOTION TO MAKE A POSITIVE RECOMMENDATION TO THE TOWN BOARD.***

**Moved: John Weisman**  
**Seconded: Ed LaPerche**  
**Carried: 6-0**

***MOTION TO TERMINATE MEETING AT 8:12 P.M.***

**Moved: Carl Whitehead**  
**Seconded: Brian Powers**  
**Carried: 6-0**

<b>PRESENT:</b>	<b>ABSENT:</b>
Chairman Weisman	Member Fanelli
Member LaPerche	
Member Paganelli	
Member Powers (alt.)	
Member Romeo	
Member Whitehead	