



Town of Poughkeepsie

Planning Department

1 Overocker Road
Poughkeepsie, NY 12603

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NOTICE OF PLANNING BOARD

REGULAR MEETING

April 20, 2023

5:00PM

DECISION AGENDA

This meeting was held in a hybrid format, with the public and applicants able to participate in person at Town Hall, 1 Overocker Road, Poughkeepsie, or remotely via Zoom videoconferencing and via telephone. Members of the board were present in person.

Attendance for this meeting:

Chairman Carl Whitehead	Present
Member Peter Fanelli	Absent
Member Nicole Gemmati	Present
Member Ahmad Katnani, Alt.	Absent
Member Steven Levasseur	Present
Member Ben Paganelli	Present
Member Joan Quinn	Present
Member Rocco Romeo	Present

AGENDA ITEMS

A) CONTINUED/NEW PUBLIC HEARINGS

1. JUNIORS BAR AND TAVERN - 1126 DUTCHESS TURNPIKE

SEQRA Review, Site Plan and Special Use Permit Hearing, and Architectural Review for a proposed bar/tavern on the site of a former 1,600 SF hair salon, inclusive of modified parking, trash storage and rear patio. 1126 Dutchess Turnpike; Zoned B-N (Neighborhood Business) District; 1.336 acres; Grid #6362-01-127629; Unlisted Action; *4Ks Real Estate LLC, Applicant and Owner.*

A motion was made that the Planning Board open the public hearing.

Moved:	Carl Whitehead
Seconded:	Nicole Gemmati
Carried:	6-0

A motion was made to close the public hearing.

Moved: Carl Whitehead
Seconded: Nicole Gemmati
Carried: 6-0

A motion was made that the Planning Board determine that the proposed Juniors Bar and Tavern - 1126 Dutchess Turnpike project would not have a significant adverse impact 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 April 20, 2023.

Moved: Nicole Gemmati
Seconded: Rocco Romeo
Carried: 6-0

A motion was made that the Planning Board grant conditional site plan review approval, subject to the following:

Respond to comments of the Planning Board and those received from Town departments and Agencies, said responses to be reviewed by the Planning Department as to adequacy and completeness, including but not limited to the following:

1. Town Planning Department comments dated April 14, 2023.
2. Town Engineering Department comments dated March 28, 2023.
3. Town Zoning Administrator's review of subsequent plans.
4. Town Water Department's comments dated April 4, 2023.
5. Town Building Department's review of subsequent plans.
6. Arlington Fire District's review of subsequent plans.
7. Dutchess County Department of Planning's comments dated April 7, 2023.
8. Dutchess County Department of Behavioral and Community Health's comments dated March 1, 2023.
9. NYS Department of Transportation's comments dated March 14 and 15, 2023.
10. Comments of the Planning Board meeting, including but not limited to the following: Town Engineer recommended cleaning up existing swale at base of hill.
11. Show additional landbanked gravel parking (estimated 12 spaces) to be worked out with staff, and complete an agreement (subject to Planning Board Attorney approval) for implementation by request of Town or applicant.
12. Include planters in the frontage area for landscaping.

Moved: Nicole Gemmati
Seconded: Rocco Romeo
Carried: 6-0

A motion was made to grant architectural review as presented.

Moved: Carl Whitehead
Seconded: Nicole Gemmati
Carried: 6-0

2. FAITH ASSEMBLY OF GOD – CASPERKILL

Lot Line Revision Review and Amended Site Plan Review for the transferring of ±2.70 acres from Faith Assembly to Casperkill. The application also includes parking modifications and improvements, enabling parking closer to the sanctuary space. 25 Golf Club Lane (Faith Assembly) and 110 Golf Club Lane (Casperkill); R-2A (Residence, Single-Family 2-Acre) Zoning District; ±26.75 acres and ±345.42 acres, respectively; Grid: # 6160-

03-250125 and 6159-02-503995, respectively; Unlisted Action; *Faith Assembly of God and Casperkill-I, LLC c/o Kevin Marrinan (Applicants and Owners)*.

A motion was made that the Planning Board open the public hearing.

Moved: Carl Whitehead
Seconded: Nicole Gemmati
Carried: 6-0

A motion was made that the Planning Board close the public hearing.

Moved: Carl Whitehead
Seconded: Nicole Gemmati
Carried: 6-0

A motion was made that the Planning Board grant conditional lot line revision approval and also grant a one-time 60-day time extension, as permitted by Town Code, of said approval from Monday, June 19, 2023 forward to Friday, August 18, 2023, subject to the following:

A. Town Planning Department comments dated April 14, 2023.

Moved: Nicole Gemmati
Seconded: Rocco Romeo
Carried: 6-0

A motion was made that the Planning Board grant conditional amended site plan approval for the Faith Assembly-Casperkill project, subject to the following:

Respond to comments of the Planning Board and those received from Town departments and Agencies and said response to be reviewed by the Planning Department as to adequacy and completeness, inclusive of, but not limited to, the following:

1. Town Planning Department comments dated April 14, 2023.
2. Town Water Department comments dated April 5, 2023.
3. Town Engineering Department comments dated March 31, 2023.
4. Town Zoning Department comments dated March 30, 2023.
5. Planning Board comments.

Moved: Nicole Gemmati
Seconded: Rocco Romeo
Carried: 5-1 (Nay: J. Quinn)

3. VASSAR COLLEGE ADMISSIONS BUILDING

SEQRA Review and Site Plan Hearing for proposed construction of a new +/-18,685 SF Admissions and Career Education (ACE) building on the north side of the campus near Collegeview Avenue, new College entrance at the intersection of Collegeview Avenue and Fairmont Avenue, walkways, landscaping, lighting, removal of 9 of 13 tennis courts, and revisions to surrounding on-site and street parking. 124 Raymond Avenue; Zoned IN (Institutional) District; 255.89 +/- acres; Grid # 6261-03-100450; Type I Action; *Vassar College, Applicant & Owner*.

A motion was made that the Planning Board open the public hearing.

Moved: Carl Whitehead
Seconded: Nicole Gemmati
Carried: 6-0

A motion was made to adjourn the public hearing to May 18, 2023.

Moved: Carl Whitehead
Seconded: Nicole Gemmati
Carried: 6-0

A motion was made that the Planning Board determine the application is incomplete for SEQR review and defer further action on this application, and direct the applicant to respond to comments, in writing, of the Planning Board and those received from Town departments and Agencies including, but not limited to, the following:

1. Planning Department's comments dated April 11, 2023.
2. Town consulting Engineer CPL's comments dated April 12, 2023.
3. Town traffic consultant JMC's comments dated April 6, 2023.
4. Zoning Administrator's review of subsequent plan revisions.
5. Water Department's comments dated April 3, 2023.
6. Sewer Department's review of subsequent plan revisions.
7. Building Department's comments dated March 31, 2023.
8. Arlington Fire District's review of subsequent plan revisions.
9. Dutchess County Dept. of Behavioral and Community Health's comments dated March 22, 2023, and approval of final plans.
10. Dutchess County Department of Planning indicated the project is a "matter of local concern."
11. NYS Department of Transportation's comments dated March 27, 2023 and subsequent review.
12. NYS Department of Environmental Conservation's review.
13. NYS Office of Parks, Recreation and Historic Preservation's comment dated March 22, 2023 and subsequent project review.
14. U.S. Fish & Wildlife Service's comments dated March 30, 2023.
15. Comments of the Planning Board meeting, including but not limited to the following:
 - a. Landbanked parking at Jewett requires an agreement subject to approval by the Planning Board attorney.
 - b. Revised area of Vassar Institute Parking Management Plan (PMP) area P-2 requires an amendment to the PMP agreement subject to approval by the Planning Board attorney.
16. Add two additional handicap parking spaces close to new ACE building (inclusive of reduced project total of one space due to HC aisle).

Moved: Nicole Gemmati
Seconded: Rocco Romeo
Carried: 6-0

4. **BP4 - WESTERLY HOUSE**

SEQRA Review, Site Plan and Special Use Permit Hearing, and Architectural Review for a proposed four-story multi-family structure for 20 residential units and parking on a site with an existing structure (#45 Springside Ave.). The proposal includes a driveway easement through a commonly owned single-family residential lot (43 Springside Ave.); and a stormwater easement through an adjacent Arlington Heights Homeowners Association lot. 45 & 43 Springside Avenue; Zoned Arlington Town Center (ATC) and Residence Single Family 20,000 SF (R-20); ±1.548 acres & 0.40 acre; Grid #6161-08-791929 and -797913; Unlisted Action; *Tinkelman Architecture PLLC, Applicant; Built Parcel Four LLC, Owner.*

A motion was made that the Planning Board open the public hearing.

Moved: Carl Whitehead
Seconded: Nicole Gemmati
Carried: 6-0

A motion was made to adjourn the public hearing to June 15, 2023.

Moved: Carl Whitehead
Seconded: Nicole Gemmati
Carried: 6-0

A motion was made that the Planning Board determine that the application is incomplete, defer action on this application, and direct the applicant to respond in writing to comments of the Planning Board and those received from Town departments and Agencies including, but not limited to, the following:

1. Town Planning Department comments dated April 12, 2023.
2. Town Engineering consultant CPL comments dated April 12, 2023.
3. Town traffic consultant JMC's comments dated April 6, 2023.
4. Town Zoning Administrator's comments dated April 10, 2023.
5. Town Water Department's comments dated April 3, 2023.
6. Town Sewer Department's review of a subsequent submittal.
7. Town Building Department's comments dated March 31, 2023.
8. Town Highway Department's review of a subsequent submittal.
9. Arlington Fire District's review of a subsequent submittal.
10. Dutchess County Department of Planning's comments dated April 10, 2023.
11. Dutchess County Department of Behavioral and Community Health's review, and approval of final plans.
12. NYS Department of Transportation's review.
13. NYS Department of Environmental Conservation's review.
14. Comments of the Planning Board meeting, including but not limited to the following:
 - a. Planning Board asked about on-site recreation for tenants.
 - b. Planning Board requested applicant address guest parking.
 - c. Board and applicant discussed landscaping types along 6-7 foot high retaining wall.
 - d. Applicant discussed Springside Avenue future south side sidewalk conditions.
 - e. Applicant discussed preferred driveway sidewalk and Springside Ave crosswalk locations by Central Hudson permission for utility pole relocation.
 - f. Applicant discussed reducing tree removal in and adjoining the Springside Ave right-of-way.
 - g. Applicant discussed a potential development sign on-site near the driveway entrance.
 - h. Applicant discussed potential conduits to meet EV charger station requirements.
 - i. Applicant anticipated draft stormwater easement consent from Arlington Homeowners Association.

Moved: Nicole Gemmati
Seconded: Rocco Romeo
Carried: 6-0

5. ERIE MATERIALS, INC. – 657 SHEAFE ROAD

SEQRA Review, Site Plan Hearing and Architectural Review for a proposed change of use to a building material sales and storage facility, inclusive of outdoor storage yard and accessory storage structure, revised parking and building additions. 657 Sheafe Road; Zoned B-H (Highway Business) District; 3.63 acres; Grid #6159-01-278549; Unlisted Action; *Tinkelman Architecture, PLLC, Applicant, and Erie Materials, Inc., Property Buyer (in contract).*

A motion was made that the Planning Board open the public hearing.

Moved: Carl Whitehead
Seconded: Nicole Gemmati
Carried: 6-0

A motion was made to adjourn the public hearing to June 15, 2023.

Moved: Carl Whitehead
Seconded: Nicole Gemmati
Carried: 6-0

A motion was made that the Planning Board determine that the proposed Erie Materials, Inc. – 657 Sheafe Road project would not have a significant adverse impact 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 April 20, 2023.

Moved: Nicole Gemmati
Seconded: Rocco Romeo
Carried: 6-0

A motion was made that the Planning Board defer action on this application pending a revised submittal and subject to the following:

Respond to comments of the Planning Board and those received from Town departments and Agencies and said response to be reviewed by the Planning Department as to adequacy and completeness, inclusive of, but not limited to, the following:

1. Town Planning Department comments dated April 12, 2023.
2. Town Engineering consultant CPL comments dated April 12, 2023.
3. Town Zoning Administrator's comments dated April 7, 2023.
4. Town Wetland consultant Aspen Environmental's comments dated April 14, 2023.
5. Town Water Department's comments dated April 3, 2023.
6. Town Sewer Department's comments dated March 31, 2023.
7. Town Building Department's comments dated March 29, 2023.
8. Town Highway Department's comments dated April 10, 2023.
9. Arlington Fire District's comments dated April 4, 2023.
10. Dutchess County Department of Planning's comments dated April 6, 2023.
11. Dutchess County Department of Behavioral and Community Health's comments dated March 1, 2023.
12. NYS Department of Environmental Conservation's review.
13. NYS Office of Parks, Recreation and Historic Preservation's review.
14. Comments of the Planning Board meeting, including but not limited to the following:
 - a. The Planning Board asked about traffic signage for Sheafe Road truck entry from the south only.
 - b. The Planning Board asked if trash storage would include recycling or separation of materials.

Moved: Nicole Gemmati
Seconded: Rocco Romeo
Carried: 6-0

6. 8 TUCKER DRIVE

SEQRA Review, Recommendation to the Town Board for a Zoning District Change, Site Plan Review, and Aquatic Resources Protection Permit 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. File Lot #8 – Tucker Drive; B-SC (Shopping Center Business) Zoning District; ±1.51 acres; Grid # 6262-03-194055; Unlisted Action; *Lepore Real Estate Holdings, LLC, Applicant and 8 Tucker Drive, LLC (Owner)*. **TO BE ADJOURNED**

A motion was made to adjourn the public hearing to May 18, 2023.

Moved: Carl Whitehead
Seconded: Nicole Gemmati
Carried: 6-0

7. 76 IRELAND DRIVE EXTENSION – DISH WIRELESS

SEQRA Review and Site Plan Hearing for a proposed site plan application to add three (3) antennas and related equipment to an existing lattice tower, and a five (5) foot by seven (7) foot lease area with (1) cabinet, within a tower compound serving two tower facilities and multiple carriers. 76 Ireland Drive Extension; I-H (Heavy Industrial) Zoning District; +/- 0.34 acre of 2.38 acre tower lease area, 5.38 acre parent parcel; Grid #6261-02-536543 (parent parcel); Unlisted Action; *Derek Picinic, Agent OBO Crown Castle-DISH Network LLC, Applicant, and HGP Realty Corp, Owner. TO BE ADJOURNED*

A motion was made to adjourn the public hearing to May 18, 2023.

Moved: Carl Whitehead
Seconded: Nicole Gemmati
Carried: 6-0

B) MOTION TO ALLOW PUBLIC COMMENT ON REMAINING AGENDA ITEMS
Comments limited to three (3) minutes.

Moved: Carl Whitehead
Seconded: Nicole Gemmati
Carried: 6-0

MOTION TO END PUBLIC COMMENT SESSION.

Moved: Carl Whitehead
Seconded: Nicole Gemmati
Carried: 6-0

C) PLAN REVIEWS

1. SALT POINT CENTER

SEQRA Review, Site Plan and Architectural discussion and review of conceptual revisions, regarding an application for construction of one 3-story commercial building, and two 4-story residential buildings (38 units each), and associated parking and stormwater treatment. 53 Salt Point Turnpike; Zoned SPC (Salt Point Center) District; ±12.73 acres; Grid # 6162-02-750540; Type I Action; *Jacob Wagschal, Applicant, Maturin Smith, Owner.*

No action was taken as this item was for discussion only.

2. COTTON WAY – LOT LINE REVISION

SEQRA Review and Lot Line Revision Review for the transfer of ± 464 square feet or ± 0.011 acres from 11 Cotton Way to 14 Cotton Way. 11 and 14 Cotton Way. Residence, Single-Family 4-acre (R-4A) Zoning District. ±0.758 acres (11 Cotton Way) and ±0.346 acres (14 Cotton Way); Grid #'s 6262-02-844986 and 6262-02-830983, respectively. Type II Action; *Lloyd B. Cotton (11 Cotton Way), Owner, and PJ One Enterprises LLC (14 Cotton Way), Applicant and Owner.*

A motion was made that the Planning Board determine that the proposal meets the criteria for a SEQRA Type II action pursuant to SEQRA Part 617.5(c)(16) and no further environmental review is required.

Moved: Nicole Gemmati
Seconded: Rocco Romeo
Carried: 6-0

A motion was made that the Planning Board grant conditional lot line revision approval and also grant a one-time 60-day time extension, as permitted by Town Code, of said approval from Monday, June 19, 2023 forward to Friday, August 18, 2023, subject to the following:

1. Town Planning Department comments dated April 14, 2023.
2. Town Zoning Department comments dated March 31, 2023.
3. Town Engineering Department comments dated March 31, 2023.
4. DC Department of Behavioral and Community Health review.
5. Planning Board comments:
 - a. Applicant is encouraged to locate driveway agreement/easement documentation.
 - b. Applicant to mark out utilities on plat to be filed (water and septic).

Moved: Nicole Gemmati
Seconded: Rocco Romeo
Carried: 6-0

3. 68 VAN WAGNER ROAD

SEQR Declaration of Lead Agency Intent, Site Plan and Special Use Permit Review for a new application proposing a first-floor motor vehicle repair use facing Taft Avenue and unchanged second-floor residential use facing Van Wagner Road in an existing building; and associated site modifications including a new paint booth building, dumpster enclosure, and revised parking, circulation and screening. 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.*

A motion was made 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.

Moved: Nicole Gemmati
Seconded: Rocco Romeo
Carried: 6-0

A motion was made 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 including, but not limited to, the following:

1. Planning Department comments dated April 13, 2023.
2. Engineering Department's comments dated March 30, 2023.
3. Zoning Administrator's comments dated April 3, 2023.
4. Water Department's comments dated April 3, 2023.
5. Sewer Department's comments dated March 30, 2023.
6. Building Department's comments dated March 31, 2023.
7. Arlington Fire District's comments dated April 5, 2023.
8. Dutchess County Department of Planning's comments dated April 10, 2023.
9. Dutchess County Department of Public Works' (Highway) comments dated March 30, 2023.

10. Dutchess County Department of Behavioral and Community Health's comments dated March 31, 2023.
11. Comments of the Planning Board meeting, including but not limited to the following:
 - i. The Board sought information on paint booth exhaust filtering and effectiveness, and if there would be air monitoring outside the paint booth.
 - ii. The Board sought information on the use of chemicals or activities such as welding on the 1st floor repair that might be a safety issue for 2d floor residential use, and on potential improvements for residential protection.
 - iii. The applicant anticipated a submittal by the May 22, 2023 deadline for the June 15, 2023 Planning Board meeting.

Moved: Nicole Gemmati
Seconded: Rocco Romeo
Carried: 6-0

D) OTHER BUSINESS

1. SAVONA'S REAR DINING AREA

Time Extension for a conditionally approved Site Plan for the construction of a rear dining patio of 575 square feet with a seating capacity of 39 persons maximum. 1 Collegeview Avenue; ATC (Arlington Town Center) Zoning District; ±0.44 acre; Grid # 6161-12-823675; Type II Action; *Tinkelman Architecture, PLLC (Applicant) and College Properties LLC (Owner)*.

A motion was made that the Planning Board grant two (2) 90-day time extensions of conditional Site Plan approval from April 21, 2023 forward to October 18, 2023.

Moved: Carl Whitehead
Seconded: Nicole Gemmati
Carried: 6-0

2. TOWN CODE AMENDMENT – CANNABIS RETAIL DISPENSARIES AND TOBACCO STORES

Respond to a referral from the Town Board for a recommendation on a proposed local law amending Chapter 210 (Zoning) to provide regulations for the establishment of cannabis retail dispensaries and tobacco stores in the Town.

A motion was made that the Planning Board convey a positive recommendation to the Town Board regarding adoption of the proposed Town Code amendment.

Moved: Carl Whitehead
Seconded: Nicole Gemmati
Carried: 6-0

MOTION TO TERMINATE THE MEETING AT 8:42 PM.

Moved: Nicole Gemmati
Seconded: Rocco Romeo
Carried: 6-0