



Town of Poughkeepsie

Planning Department

1 Overocker Road
Poughkeepsie, NY 12603

845-485-3657 Phone
845-790-4772 Fax

NOTICE OF PLANNING BOARD

REGULAR MEETING

October 15, 2020
5:00 PM

DECISION AGENDA

Meeting held in person and via Zoom platform, Chairman Whitehead called for Board Members attendance, members present:

Chairman Carl Whitehead
Member Peter Fanelli
Member Nicole Gemmati
Member Ahmad Katnani
Member Bob Nasser
Member Ben Paganelli
Member Joan Quinn

Absent: Member Rocco Romeo

2. STATEMENT OF COMPLIANCE BY THE CHAIR

3. AGENDA ITEMS

A) CONTINUED/NEW PUBLIC HEARINGS

1. STEWARTS SHOP – 2245 SOUTH ROAD

SEQRA Review, Special Use Permit Review, Site Plan Review, and Architectural Review for the construction of a new 3,696 square foot Stewart's Shop and a 2,440 square foot self-service gasoline canopy and fueling area. 2245 South Road; Zoned B-H (Highway Business) District; ± 0.949 acres; Grid # 6159-01-249880; Unlisted Action; *Stewart's Ice Cream, Co., Inc., Owner.*

Motion that the Planning Board open the public hearing.

Moved: Carl Whitehead
 Seconded: Nicole Gemmati
 Carried: 7-0

Motion that the Planning Board adjourn the public hearing to November 19, 2020.

Moved: Carl Whitehead
 Seconded: Nicole Gemmati
 Carried: 7-0

Motion that the Planning Board determine that the proposed Stewart's - 2245 South Road application would not have a significant adverse impact on the environment for the reasons set forth in the SEQRA Negative Declaration for an Unlisted Action dated October 15, 2020.

Moved: Nicole Gemmati
 Seconded: Ben Paganelli
 Carried: 7-0

| ROLL CALL VOTE | AYE/NAY |
|--------------------|---------|
| Chairman Whitehead | Aye |
| Member Fanelli | Aye |
| Member Gemmati | Aye |
| Member Katnani | Aye |
| Member Nasser | Aye |
| Member Paganelli | Aye |
| Member Quinn | Aye |
| Member Romeo | Absent |

Motion that the Planning Board defer further action on this application and direct the applicant to respond to comments of the Planning Board and those received from Town departments and Agencies.

Moved: Nicole Gemmati
 Seconded: Ben Paganelli
 Carried: 7-0

| ROLL CALL VOTE | AYE/NAY |
|--------------------|---------|
| Chairman Whitehead | Aye |
| Member Fanelli | Aye |
| Member Gemmati | Aye |
| Member Katnani | Aye |
| Member Nasser | Aye |
| Member Paganelli | Aye |
| Member Quinn | Aye |
| Member Romeo | Absent |

- 2. **EASTDALE VILLAGE - 11th ASP, Special Use Permit and Lot 13Wb Subdivision SEQRA Consistency Review, and Subdivision, Amended Site Plan and Special Use Permit Hearing** for a proposed Subdivision approval of Lot 13Wb into three lots to accommodate ownership of attached mixed-use buildings; 11th Amended Site Plan approval in support of the proposed Subdivision, a new Building O2 with reallocated commercial and residential uses and

emergency access change, parking changes, additional Maintenance Shed Y-2, minor building updates and various utility improvements; and extension of Special Use Permit approval to Building O2 and Lot ORT. Subdivision proposed for 31, 35, 39 and 43 Eastdale Avenue North; Amended Site Plan proposed for 15, 35 and 55 Otto Way, 4 – 26 Hillside Drive, 10 – 40 Town Center Drive, 25 - 50 Eastdale Avenue North, 949 Dutchess Turnpike and Dutchess Turnpike; Zoned MHC (MacDonnell Heights Center); ± 64.461 acres; Grid # 6262-04-715370, -739356, -746391, -696343, -724392, -768412, -777377, -769391, -743328, -742330, -750324, -726341, -713324, -740312, -738315, -732317, -776348, -758382 and -820277; SEQRA Findings for a Type I Action adopted March 15, 2018 as amended September 17, 2020; Site Plan and Special Use Permit approval issued July 12, 2018, as conditionally amended through September 17, 2020. *MHTC Development, LLC, Premier Eastdale, LLC, Eastdale Residential I, LLC, Eastdale Residential II, LLC, Rossi Eastdale LLC, and Industrial Retro, LLC, Owners.*

Motion that the Planning Board open the subdivision, site plan and special use permit public hearing.

Moved: Carl Whitehead
 Seconded: Nicole Gemmati
 Carried: 7-0

Motion that the Planning Board adjourn the public hearing to November 19, 2020.

Moved: Carl Whitehead
 Seconded: Nicole Gemmati
 Carried: 7-0

Motion that the Planning Board defer action on the Eastdale Village Lot 13Wb Subdivision, Special Use Permit for Lot ORT, and 11th Amended Site Plan application, and direct the applicant to respond in writing to comments of all reviewing departments and agencies, said responses to be reviewed by the Planning Department as to adequacy and completeness.

Moved: Nicole Gemmati
 Seconded: Ben Paganelli
 Carried: 7-0

| ROLL CALL VOTE | AYE/NAY |
|--------------------|---------|
| Chairman Whitehead | Aye |
| Member Fanelli | Aye |
| Member Gemmati | Aye |
| Member Katnani | Aye |
| Member Nasser | Aye |
| Member Paganelli | Aye |
| Member Quinn | Aye |
| Member Romeo | Absent |

- 3. LOCUST GROVE CROSSINGS – 2736-2738 South Road**
Site Plan Review and Architectural Review for the development of a 32-unit multifamily development in four (4) buildings, eight units per building, with associated parking. The proposed buildings will be two (2) stories at 5,275 square feet per floor. 2736-2738 South Road; Zoned RM (Residence, Multifamily) District; ± 2.68 acres; Grid # 6161-03-078100; Unlisted Action; *Locust Grove Crossing LLC, Owner.*

Motion that the Planning Board adjourn the public hearing to November 19, 2020.

Moved: Carl Whitehead
 Seconded: Nicole Gemmati
 Carried: 7-0

| ROLL CALL VOTE | AYE/NAY |
|--------------------|---------|
| Chairman Whitehead | Aye |
| Member Fanelli | Aye |
| Member Gemmati | Aye |
| Member Katnani | Aye |
| Member Nasser | Aye |
| Member Paganelli | Aye |
| Member Quinn | Aye |
| Member Romeo | Absent |

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

Moved: Carl Whitehead
 Seconded: Nicole Gemmati
 Carried: 7-0

MOTION TO END PUBLIC COMMENT SESSION.

Moved: Carl Whitehead
 Seconded: Nicole Gemmati
 Carried: 7-0

C) PLAN REVIEWS

- 1. EASTDALE VILLAGE – DOG PARK PAVILION (GAZEBO Y-1)**
Architectural Review for the proposed Dog Park Pavilion, indicated as Gazebo Y-1 on the 10th Amended Site Plan (Lot 4W), on the northwest side of Eastdale Village. 50 Eastdale Avenue North; Zoned MHC (MacDonnell Heights Center); ±3.570 acres; Grid # 6262-04-696343; Type II Action; *Premiere Eastdale, LLC, Owner.*

Motion that the Planning Board grant architectural review approval for the proposed pavilion (Gazebo Y-1) in the dog park on Lot 4W, with the samples and elevations as presented.

Moved: Carl Whitehead
 Seconded: Nicole Gemmati
 Carried: 7-0

| ROLL CALL VOTE | AYE/NAY |
|--------------------|---------|
| Chairman Whitehead | Aye |
| Member Fanelli | Aye |
| Member Gemmati | Aye |
| Member Katnani | Aye |
| Member Nasser | Aye |
| Member Paganelli | Aye |
| Member Quinn | Aye |
| Member Romeo | Absent |

2. SOUTH HILLS COMMONS

SEQRA Review and Site Plan Review for a proposed zoning district change from R-20 to R-M in order to construct two (2) multifamily buildings; one two-story building with 12 units and one two-story building with 13 units. The application includes merging the parcels under review. Route 9D and Delavergne Avenue; R-20 (Residence, Single-Family 20,000 SF) Zoning District; ±5.50 acres and ±1.04 acres; Grid #'s: 6158-01-261673 and 6158-01-237655, respectively; Unlisted Action; *John Tremblay, Owner and MidHudson Development Corp, Applicant.*

Motion that the Planning Board defer further action on this application and direct the applicant to respond to comments of the Planning Board and those received from Town departments and Agencies.

Moved: Nicole Gemmati
 Seconded: Ben Paganelli
 Carried: 7-0

| ROLL CALL VOTE | AYE/NAY |
|--------------------|---------|
| Chairman Whitehead | Aye |
| Member Fanelli | Aye |
| Member Gemmati | Aye |
| Member Katnani | Aye |
| Member Nasser | Aye |
| Member Paganelli | Aye |
| Member Quinn | Aye |
| Member Romeo | Absent |

3. DELAVERGNE AVENUE SUBDIVISION

SEQRA Review and Preliminary Major Subdivision Review for a major subdivision, as proposed, to include one (1) existing residential lot and six (6) new residential building lots. Infrastructure proposals include extending public water and public sewer and the development of a new road to be dedicated to the Town. 40 Delavergne Avenue; R-20 (Residence, Single-Family 20,000 SF) Zoning District; ±4.16 acres; Grid #'s: 6158-01-164655 (Town of Poughkeepsie) and 6158-09-173629 (Village of Wappingers Falls); Unlisted Action; *Adam Broder, Applicant and Markly Wilson, 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 dated October 15, 2020, a copy of the EAF, and a copy of the application to the identified involved agencies.

Moved: Nicole Gemmati
 Seconded: Bob Nasser
 Carried: 6-0

| ROLL CALL VOTE | AYE/NAY |
|--------------------|---------|
| Chairman Whitehead | Aye |
| Member Fanelli | Aye |
| Member Gemmati | Aye |
| Member Katnani | Aye |
| Member Nasser | Aye |
| Member Paganelli | Absent* |
| Member Quinn | Aye |
| Member Romeo | Absent |

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, in writing, of the Planning Board and those received from Town departments and Agencies.

Moved: Nicole Gemmati
 Seconded: Bob Nasser
 Carried: 6-0

| ROLL CALL VOTE | AYE/NAY |
|--------------------|---------|
| Chairman Whitehead | Aye |
| Member Fanelli | Aye |
| Member Gemmati | Aye |
| Member Katnani | Aye |
| Member Nasser | Aye |
| Member Paganelli | Absent* |
| Member Quinn | Aye |
| Member Romeo | Absent |

4. WELLS FARGO – 1863 SOUTH ROAD

Site Plan Review for exterior lighting upgrade: Replacing pole heads, replacing wall/canopy light fixtures, adding new wall/canopy light fixtures and new light poles. 1863 South Road; Zoned B-H (Highway Business) District; ± 0.91 acre; Grid # 6158-01-402888; Type II Action; *Happy Boy Pizza, Owner.*

Motion that the Planning Board classify the proposed activity as a Type II Action that is not subject to SEQRA review pursuant to 6 NYCRR 617.5(c)(7) of the SEQRA regulations.

Moved: Nicole Gemmati
 Seconded: Ahmad Katnani
 Carried: 6-0

| ROLL CALL VOTE | AYE/NAY |
|--------------------|---------|
| Chairman Whitehead | Aye |
| Member Fanelli | Aye |
| Member Gemmati | Aye |
| Member Katnani | Aye |
| Member Nasser | Aye |
| Member Paganelli | Absent* |
| Member Quinn | Aye |
| Member Romeo | Absent |

Motion that the Planning Board waive the site plan public hearing for this project in accordance with Town Code §210-151(D).

Moved: Nicole Gemmati
 Seconded: Ahmad Katnani
 Carried: 6-0

| ROLL CALL VOTE | AYE/NAY |
|--------------------|---------|
| Chairman Whitehead | Aye |
| Member Fanelli | Aye |
| Member Gemmati | Aye |
| Member Katnani | Aye |
| Member Nasser | Aye |
| Member Paganelli | Absent* |
| Member Quinn | Aye |
| Member Romeo | Absent |

Motion that the Planning Board grant conditional site plan approval for the Wells Fargo – 1863 South Road Site Plan application.

Moved: Nicole Gemmati
 Seconded: Ahmad Katnani
 Carried: 6-0

| ROLL CALL VOTE | AYE/NAY |
|--------------------|---------|
| Chairman Whitehead | Aye |
| Member Fanelli | Aye |
| Member Gemmati | Aye |
| Member Katnani | Aye |
| Member Nasser | Aye |
| Member Paganelli | Absent* |
| Member Quinn | Aye |
| Member Romeo | Absent |

5. ONE DUTCHESS AVENUE

SEQRA Review and Site Plan Review of the proposed development for two (2) four-story buildings with 84 dwelling units and a third building with 4,000 square feet of commercial space on approximately 4-acres in the Town that is part of a larger mixed-use waterfront re-development involving an approximately 14.3-acre site in the Town and the City of Poughkeepsie. One Dutchess Avenue; Town portion Zoned WHOD (Waterfront Housing Overlay District) and WD-2 (Waterfront District 2), Grid # 6062-02-763508. City of Poughkeepsie Common Council is Lead Agency, Type I Action, Final EIS on file. *O’Neill Group-Dutton LLC, Owner.*

No action taken; item removed from the agenda by applicant.

D) OTHER BUSINESS

1. IDOM EQUITIES, INC. (MODI-23 DAVIS AVENUE)

Time Extension of a conditionally approved Minor Subdivision of one lot with conditional Special Use Permit and Site Plan approvals for two existing buildings, into two lots to separate the buildings. 23 Davis Avenue; Zoned ATC (Arlington Town Center); SEQR Negative Declaration (Unlisted Action) adopted 4/30/20; ± 1.64 acres; Grid # 6161-12-879739; *Idom Equities Inc., Owner.*

Motion that the Planning Board grant two (2) ninety (90) day time extensions of conditional Minor Subdivision approval from October 27, 2020 forward to April 25, 2021.

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

| ROLL CALL VOTE | AYE/NAY |
|--------------------|---------|
| Chairman Whitehead | Aye |
| Member Fanelli | Aye |
| Member Gemmati | Aye |
| Member Katnani | Aye |
| Member Nasser | Aye |
| Member Paganelli | Absent* |
| Member Quinn | Aye |
| Member Romeo | Absent |

2. DALIA SITE PLAN

Time Extension of a signed Site Plan for four senior housing and two mixed use buildings, total ±84 dwelling units and ±10,124 SF non-residential. 35 Violet Avenue; Zoned R-20 (Residence, Single Family 20,000 SF) and SHOD (Senior Housing Overlay District); ± 7.01 acres; Grid #6162-10-427650; SEQR Negative Declaration (Unlisted Action) adopted 5/16/19; *Linda E. Dalia, Owner.*

Motion that the Planning Board grant a ninety (90) day time extension of conditional Site Plan approval from November 12, 2020 forward to February 10, 2021.

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

| ROLL CALL VOTE | AYE/NAY |
|--------------------|---------|
| Chairman Whitehead | Aye |
| Member Fanelli | Aye |
| Member Gemmati | Aye |
| Member Katnani | Aye |
| Member Nasser | Aye |
| Member Paganelli | Absent* |
| Member Quinn | Aye |
| Member Romeo | Absent |

3. MAZDA EXPANSION – 2309 ROUTE 9

Time Extension of a conditionally approved Special Use Permit and Site Plan to expand the existing Mazda Route 9 motor vehicle sales and service facility by a $\pm 7,550$ SF building expansion and to accommodate new inventory and parking areas. 2309 Route 9; Zoned B-H (Highway-Business) and R-M (Residential Multi Family) Districts; ± 13.89 acres; Grid #s 6160-03-132019 and 100001; SEQRA Negative Declaration (Unlisted Action) adopted 9/19/19; *Danielle Associates LLC and Elgen Associates Inc., Owners.*

Motion that the Planning Board grant two (2) ninety (90) day time extensions of conditional Special Use Permit and Site Plan approval from November 21, 2020 forward to May 20, 2021, noting that no further time extensions are available.

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

| ROLL CALL VOTE | AYE/NAY |
|--------------------|---------|
| Chairman Whitehead | Aye |
| Member Fanelli | Aye |
| Member Gemmati | Aye |
| Member Katnani | Aye |
| Member Nasser | Aye |
| Member Paganelli | Absent* |
| Member Quinn | Aye |
| Member Romeo | Absent |

4. CENTERPOINT COMMERCIAL DEVELOPMENT

Time Extension of a conditionally approved Site Plan for proposed construction of a $\pm 4,860$ square foot building for tenant retail business and restaurant uses (no drive-through) with associated parking, utility connections, landscaping and lighting improvements, on a site with an existing 11,265 SF retail pharmacy. 3350 Route 9 North; Zoned B-N (Neighborhood Business) District; ± 2.37 acres; Grid # 6062-02-973599; SEQRA Negative Declaration (Unlisted Action) adopted 11/21/19; *Marist Centerpoint LLC, Owner.*

Motion that the Planning Board grant two (2) ninety (90) day time extensions of conditional Site Plan approval from November 21, 2020 forward to May 20, 2021, noting that no further time extensions are available.

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

| ROLL CALL VOTE | AYE/NAY |
|-----------------------|----------------|
| Chairman Whitehead | Aye |
| Member Fanelli | Aye |
| Member Gemmati | Aye |
| Member Katnani | Aye |
| Member Nasser | Aye |
| Member Paganelli | Absent* |
| Member Quinn | Aye |
| Member Romeo | Absent |

MOTION TO TERMINATE THE MEETING AT 7:21 P.M.

Moved: Nicole Gemmati
 Seconded: Ahmad Katnani
 Carried: 6-0

| PRESENT | ABSENT |
|--------------------|---------------|
| Chairman Whitehead | |
| Member Fanelli | |
| Member Gemmati | |
| Member Katnani | |
| Member Nasser | |
| Member Paganelli* | Left meeting |
| Member Quinn | |
| | Member Romeo |

* B. Paganelli left meeting after South Hills Commons