



# *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**

*July 16, 2020 at 5:00 PM*

### **DECISION AGENDA**

#### **1. ROLL CALL**

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

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

Member Rocco Romeo - Absent

#### **2. STATEMENT OF COMPLIANCE BY THE CHAIR**

#### **3. AGENDA ITEMS**

##### **A) CONTINUED/NEW PUBLIC HEARINGS**

##### **1. HUDSON HERITAGE SUBDIVISION**

**Preliminary and Final Major Subdivision Hearing** for a previously approved Hudson Heritage Major Subdivision of a total sixteen (16) lots and three (3) Right-Of-Way parcels of roadway and infrastructure to be dedicated to the Town; as amended for Preliminary Subdivision Plat approval of Sections 1, 2 & 3; and for Final Subdivision Plat approval allowing filing in sections, such that Section 1, consisting of four (4) lots in Section 1 and Right-Of-Way Parcel B (Winslow Gate Road) would be filed first, followed by Sections 2 & 3 to be filed within three years. 3532 North Road (U.S. Route 9); Zoned HRDD (Historic Revitalization Development District); ± 156.19 acres; Grid #6163-03-011149; SEQRA Findings for a Type 1 Action issued December 6, 2017 by the Town Board; and Planning Board approval of SEQR Findings,

Modified Development Master Plan, Preliminary Subdivision and Phase I Site Plan on June 4, 2019, Amended Phase I Site Plan approval on April 16, 2020, and Final Major Subdivision approval on April 30, 2020; *EFG/DRA Heritage, LLC, a/k/a EFG Saber Heritage SC LLC, Owner.*

Motion that the Planning Board open the public hearing.

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

Motion that the Planning Board close the public hearing.

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

Motion that the Planning Board adopt the attached Town of Poughkeepsie Planning Board Resolution Granting Amended Preliminary and Conditional Final (Major) Subdivision Approval for the Hudson Heritage Project.

Moved: Nicole Gemmati  
Seconded: Ben Paganelli  
Carried: 6-0

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

**2. RAYMOND AVENUE SCHOOL PROPERTY REDEVELOPMENT**

**a) Amended Site Plan Public Hearing** for an Anchor Project use consisting of a hotel, residential and commercial uses in seven multi-story buildings, amended to decrease rear and increase frontage building heights; redistribute the same total 187 residential units, including more in Phase 1; decrease commercial use from 18,279 SF to 9,209 SF including a reduced Building B footprint to avoid relocating a Central Hudson Gas regulator; revise parking; and retain a 110-room hotel. 25 and 31 Raymond Avenue; Zoned ATC (Arlington Town Center) District; Grid #s 6161-12-755735 (± 6.38 acres) and 6161-12-784726 (± 0.43 acre); SEQRA Negative Declaration for a Type 1 Action approved by the Town Board 8/21/19; conditional Site Plan approval by the Planning Board 11/21/19; *Arthur May Redevelopment, LLC (f/k/a Paz Management, Inc.), Owner.*

Motion that the Planning Board open the Site Plan **and** the Subdivision public hearing.

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

Motion that the Planning Board close the Site Plan public hearing.

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

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

Motion that the Planning Board find that the Raymond Avenue School Property Redevelopment Site Plan involves changes of negligible magnitude and scope relative to the Site Plan for this project conditionally approved by the Planning Board on November 21, 2019, and that the changes are non-significant and consistent with the previous SEQRA Negative Declaration adopted August 21, 2020 by the Town Board as lead agency for the Raymond Avenue (Arthur May) School Property Redevelopment project-Zoning Text Amendment for an AP (Anchor Project) in the ATC District and Site Plan; and, that the Raymond Avenue School Property Redevelopment Site Plan is consistent with the Development Master Plan for this project as adopted by the Town Board on August 21, 2019.

Moved: Nicole Gemmati  
 Seconded: Ben Paganelli  
 Carried: 5-0 (P. Fanelli recused)

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

Motion that the Planning Board adopt the Amended Resolution of Conditional Site Plan Approval in the Matter of the Raymond Avenue (Arthur May) School Property Redevelopment as prepared by Town Planning staff, counsel and consultants.

Moved: Nicole Gemmati  
 Seconded: Bob Nasser  
 Carried: 5-0 (P. Fanelli recused)

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

Motion that the Planning Board defer architectural review approval for Buildings A, B and E of the Raymond Avenue (Arthur May) School Property Redevelopment project.

Moved: Nicole Gemmati  
 Seconded: Bob Nasser  
 Carried: 5-0 (P. Fanelli recused)

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

**b) Preliminary Major Subdivision Hearing** for a proposed subdivision of the Raymond Avenue School Property Redevelopment site into six lots. 25 and 31 Raymond Avenue; Zoned

ATC (Arlington Town Center) District; Grid #s 6161-12-755735 (± 6.38 acres) and 6161-12-784726 (± 0.43 acre); Unlisted Action; *Arthur May Redevelopment, LLC (f/k/a Paz Management, Inc.), Owner.*

Motion that the Planning Board close the Subdivision public hearing.

Moved: Carl Whitehead  
 Seconded: Nicole Gemmati  
 Carried: 5-0 (P. Fanelli recused)

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

Motion that the Planning Board as lead agency determine that the Raymond Avenue School Property Redevelopment Subdivision application 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 a Type I action dated July 16, 2020.

Moved: Nicole Gemmati  
 Seconded: Ben Paganelli  
 Carried: 5-0 (P. Fanelli recused)

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

Motion that the Planning Board grant conditional Preliminary Major Subdivision Approval, waive a public hearing on Final Major Subdivision Approval, and grant Final Major Subdivision Approval for the Raymond Avenue School Property Redevelopment Subdivision Application.

Moved: Nicole Gemmati  
 Seconded: Ben Paganelli  
 Carried: 5-0 (P. Fanelli recused)

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

- 3. EASTDALE VILLAGE 10<sup>th</sup> SPA**  
**SEQRA Consistency Review and Amended Site Plan Hearing** for a proposed 10<sup>th</sup> (Tenth) Amended Site Plan proposing to: Enlarge the project site area by 4.6 acres adjacent land zoned MHC, increasing allowable residential density from 353 to 380 dwelling units; Increase commercial uses by 40,000 SF and an additional 20 residential units over commercial; Add a fourth story to Buildings 16-18, inclusive of a zoning variance; Increase and revise parking spaces and land banked parking; Modify the project Development Program of uses; Modify utilities, landscaping and lighting. Eastdale Avenue North, 20, 22 & 50 Eastdale Avenue North, 10-50 Town Center Drive, 10-35 Otto Way, Hillside Drive, Elizabeth Lane, 949 Dutchess Turnpike and 2 & 15 Victory Lane; Zoned MHC (MacDonnell Heights Center); ± 64.461 acres; 6262-04-715370, -739356, -746391, -696343, -724392, -758382, -768412, -777377, -786243, -892195, -769361, -743328, -742330, -750324, -726341, -713324, -740312, -738314, -732317

and -776348 (west of Dutchess Turnpike); and 6262-04-820277, -929217 and -786243 (east of Dutchess Turnpike); Prior SEQRA Findings for a Type I Action adopted March 15, 2018; Site Plan and Special Use Permit approval issued July 12, 2018, as conditionally amended through April 30, 2020. *Premier Eastdale, LLC, MHTC Development, LLC, Eastdale Residential I, LLC, Eastdale Residential II, LLC, Rossi Eastdale, LLC and Industrial Retro, LLC, Owners.*

Motion that the Planning Board open the public hearing.

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

Motion that the Planning Board adjourn the public hearing to August 20, 2020.

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

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

Moved: Nicole Gemmati  
 Seconded: Ben Paganelli  
 Carried: 6-0

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

**4. FOAM & WASH CAR WASH**  
**SEQRA Review, Coastal Consistency Review, Special Use Permit Review, Site Plan Review, and Architectural Review** for the demolition of an existing restaurant building and construction of a new 7,666 sf car wash and dog wash building. 2629 South Road. Zoned Highway Business (B-H) District; ± 1.66 acres; Grid # 6160-01-005822; Unlisted Action; *Third Rock Realty LLC, Owner.*

Motion that the Planning Board adjourn the public hearing to August 20, 2020.

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

ROLL CALL VOTE	AYE/NAY
Chairman Whitehead	Aye
Member Fanelli	Aye
Member Gemmati	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: 6-0

**MOTION TO END PUBLIC COMMENT SESSION.**

Moved: Carl Whitehead  
 Seconded: Ben Paganelli  
 Carried: 6-0

**C) PLAN REVIEWS**

**1. ARLINGTON FARMS – MALABAR REALTY LLC**  
**SEQRA Declaration of Lead Agency Intent, and Special Use Permit, Site Plan and Architectural Review** for proposed demolition of the existing structures on the site and the construction of a one-story gas station-convenience store (3,400 SF), gas canopy with eight gasoline filling positions, and other site improvements. 798-802 Dutchess Turnpike; Zoned B-H (Highway-Business) District; 0.81 +/- acre; Grid #s 6262-04-571014; SEQRA Negative Declaration adopted February 19, 2015, conditional Site Plan approval granted December 17, 2015 (expired); *Malabar Realty, LLC, Owner.*

Motion that the Planning Board declare its intent to be the SEQRA 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 intent, a copy of the EAF and a copy of the application to all involved and interested agencies.

Moved: Nicole Gemmati  
 Seconded: Ben Paganelli  
 Carried: 6-0

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

Motion that the Planning Board defer action on this application pending the 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.

Moved: Nicole Gemmati  
 Seconded: Ben Paganelli  
 Carried: 6-0

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

**2. DELAVERGNE AVENUE SUBDIVISION**

**Pre-Application Subdivision Discussion** for a major subdivision, as proposed, to include one (1) existing residential lot and five (5) 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.*

No action was taken, for discussion only.

**3. SOUTH HILLS COMMONS**

**Lead Agency Intent, SEQRA Review, and Site Plan Review** for a proposed zoning district change from R20 to RM 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*

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 July 16, 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 Nasser	Aye
Member Paganelli	Aye
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 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 Nasser	Aye
Member Paganelli	Aye
Member Quinn	Aye
Member Romeo	Absent

**4. EASTDALE VILLAGE BUILDING A2**

**Architectural Review** of Building A2 (Lot 13Wa2) as conditionally approved by the 9<sup>th</sup> Amended Site Plan. Eastdale Avenue North; Zoned MHC (MacDonnell Heights Center); Grid #6262-04-740312; Type II Action; *MHTC Development, LLC, Owner.*

Motion that the Planning Board grant architectural review approval for Building A2, located on North Eastdale Avenue as shown on the attached 9<sup>th</sup> Amended Site Plan on Lot 13Wa2, with elevations and samples, as presented.

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

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

**5. HUDSON HERITAGE - BUILDING B (BURGER KING)**

**Architectural Review** for exterior elevations of proposed Building B (Burger King Restaurant) at Hudson Heritage (pending Lot #4, 24.31 acres). 3532 North Road; Zoned HRDD (Historic Revitalization Development District); Part of Grid #6163-03-011149; Type II Action; *EFG/Saber Heritage SC, LLC, a/k/a/ EFG/DRA Heritage, LLC, Owner.*

Motion that the Planning Board grant architectural approval for Building B (Burger King) and the outdoor patio area permanent structures (e.g. fencing, installed tables) in accordance with the materials presented, subject to conditions.

Moved: Nicole Gemmati  
 Seconded: Bob Nasser  
 Carried: 5-0 (B. Paganelli absent for vote)

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

Motion that the Planning Board grant design and architectural approval for the refuse enclosure for Building B in accordance with the materials presented, subject to conditions.

Moved: Nicole Gemmati  
 Seconded: Bob Nasser  
 Carried: 5-0 (B. Paganelli absent for vote)

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



**6. DUTCHESS DODGE INVENTORY PARKING – AMENDED SITE PLAN**  
**SEQRA Review and Amended Site Plan Review** for the reconfiguration of the proposed parking spaces as previously approved by the Planning Board in August 2018. The proposed reconfiguration to be installed in two (2) phases; 2285 South Road; BH (Highway Business) Zoning District; ±5.84 acres; Grid # 6159-01-155954; Unlisted Action; *DD 22852514 LLC, Owner.*

Motion that the Planning Board defer action, and direct the applicant to respond to comments 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 Nasser	Aye
Member Paganelli	Aye
Member Quinn	Aye
Member Romeo	Absent

**D) OTHER BUSINESS**

**1. CAMELOT VILLAGE MOBILE HOME PARK**  
**Time Extension** for a conditionally approved proposal to combine an existing mobile home park with an adjoining 1-acre parcel, and redevelop the 1-acre parcel for two 3,600 SF storage unit buildings for mobile home park residents, expand the existing garage, and provide a new access drive of 24-foot width located to create a fourth “leg” to the Sheafe Road/Old Post Road intersection. 589 & 621 Sheafe Road; Zoned R-MH (Residence Mobile Home) District and WD1 (Waterfront District 1) District; ± 29.5 acres; Grid #s 6159-03-175445 and -247420; *Camelot Village NY LLC, Owner.*

Motion that the Planning Board grant two (2) 90-day time extensions for the Camelot Village Mobile Home Park application, moving the expiration date from September 19, 2020 to March 18, 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 Nasser	Aye
Member Paganelli	Aye
Member Quinn	Aye
Member Romeo	Absent

**2. MACDONNELL HEIGHTS CENTER (MHC) DISTRICT – ZONING TEXT AMENDMENT (RE: SIGNAGE)**

**Respond to referral** from the Town Board for a recommendation on a proposed zoning text amendment establishing sign regulations for the MHC District pursuant to §210-154.

Motion that the Planning Board convey a positive recommendation to the Town Board regarding adoption of the proposed zoning text amendment.

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

<b>ROLL CALL VOTE</b>	<b>AYE/NAY</b>
Chairman Whitehead	Aye
Member Fanelli	Aye
Member Gemmati	Aye
Member Nasser	Aye
Member Paganelli	Aye
Member Quinn	Aye
Member Romeo	Absent

***MOTION TO TERMINATE THE MEETING AT 9:31 P.M.***

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

<b>PRESENT:</b>	<b>ABSENT:</b>
Chairman Whitehead	
Member Fanelli	
Member Gemmati	
Member Nasser	
Member Paganelli	
Member Quinn	
	Member Romeo