



Town of Poughkeepsie

Planning Department

1 Overocker Road
Poughkeepsie, NY 12603

845-485-3657 Phone
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NOTICE OF PLANNING BOARD

REGULAR MEETING

March 19, 2015
6:30 PM

DECISION AGENDA

A) PUBLIC HEARINGS

1. ARLINGTON FARMS – MALABAR REALTY LLC

Site Plan Public Hearing for proposed demolition of the existing structures on the site and the construction of a one story gas station-convenience store (4,500 SF) with a gas canopy and six gas pumps. 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; *Malabar Realty, LLC, Owner. TO BE ADJOURNED AT APPLICANT'S REQUEST.*

MOTION TO ADJOURN PUBLIC HEARING TO APRIL 16, 2015.

MOVED: John Weisman
SECONDED: Carl Whitehead
CARRIED: 6-0

2. DALIA SITE PLAN

SEQRA Review, Recommendation to Town Board for Rezoning and Site Plan Hearing, for proposed rezoning of five parcels from R-20 (Residence, Single Family 20,000 SF) to R-M (Residence Multi-Family) and Senior Housing Overlay District (SHOD), and subsequent site plan approval for four senior housing and two mixed use buildings, total \pm 84 dwelling units and \pm 10,124 SF non-residential. Sophias Way and Violet Avenue lots, and 35 Violet Avenue; Zoned R-20 (Residence, Single Family 20,000 SF); \pm 7.01 acres; Grid #6162-10-448647, 450614, 436615, 429640, 407662; Unlisted Action; *Linda E. Dalia, Owner.*

MOTION TO OPEN THE PUBLIC HEARING.

MOVED: Richard Davison
SECONDED: Carl Whitehead
CARRIED: 6-0

MOTION TO ADJOURN PUBLIC HEARING TO APRIL 16, 2015.

MOVED: John Weisman
SECONDED: Richard Davison
CARRIED: 6-0

MOTION TO AMEND THE PREVIOUS MOTION AND ADJOURN PUBLIC HEARING TO MAY 21, 2015.

MOVED: John Weisman
SECONDED: Richard Davison
CARRIED: 6-0

MOTION TO ADOPT THE SEQRA NEGATIVE DECLARATION FOR AN UNLISTED ACTION DATED MARCH 19, 2015.

MOVED: Richard Davison
SECONDED: Joseph Lepore
CARRIED: 6-0

MOTION TO CONVEY A POSITIVE RECOMMENDATION TO THE TOWN BOARD REGARDING A CHANGE OF ZONE TO THE R-M ZONING DISTRICT AND SHOD DESIGNATION FOR THIS PROJECT, PURSUANT TO A REFERRAL FROM THE TOWN BOARD; AND THAT THE TOWN BOARD CONSIDER ATTACHING THE FOLLOWING CONDITIONS:

- 1. PROVISION OF A DECLARATION OF COVENANTS TO ENSURE THAT NON-RESIDENTIAL SPACE IN THE SHOD IS NOT LATER CONVERTED TO RESIDENTIAL USE IN ACCORDANCE WITH ZONING SECTION 210-20 D.(3)(a)[3]; AND***
- 2. PROVISION OF A DECLARATION OF COVENANTS ABOUT THE ELIGIBILITY OF RESIDENTS WHO MAY OCCUPY THE AGE-RESTRICTED APARTMENTS; AND HOW VERIFICATION OF OCCUPANCY BY PERSONS 55 YEARS OR OLDER WILL BE ADMINISTERED.***

MOVED: Richard Davison
SECONDED: Carl Whitehead
CARRIED: 6-0

MOTION TO DEFER ACTION ON THE SITE PLAN APPLICATION, PENDING ACTION BY THE TOWN BOARD.

MOVED: Richard Davison
SECONDED: Carl Whitehead
CARRIED: 6-0

B) SUSPEND RULES FOR PUBLIC COMMENT

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

**MOVED: John Weisman
SECONDED: Carl Whitehead
CARRIED: 6-0**

THE PLANNING BOARD RESUMED THE RULES.

**MOVED: John Weisman
SECONDED: Carl Whitehead
CARRIED: 6-0**

C) PLAN REVIEWS

1. NEPTUNE COMMERCE CENTER PHASE IV - HARDEES

Amended Site Plan Review of a proposed Hardees Restaurant consisting of ±3,008 SF fast food restaurant and one drive thru lane, for “Building B” of the previously approved Neptune Commerce Business Park Site Plan. South Road, 2265 South Road, 2 and 6 Neptune Road; Zoned B-H (Business Highway); ±1.39 acres on a site of ±8.82 acres; Grid #s 6159-01-194942, 206922, 178918 and 149910; Unlisted Action; *Neptune Capital Investors LLC and Vieira Sardinha Realty LLC, Owners.*

MOTION THAT THE PLANNING BOARD AS LEAD AGENCY AFFIRM THE JANUARY 20, 2011 NEGATIVE DECLARATION PREVIOUSLY ISSUED FOR THE NEPTUNE COMMERCE PARK.

**MOVED: Richard Davison
SECONDED: Carl Whitehead
CARRIED: 6-0**

MOTION TO WAIVE A PUBLIC HEARING ON THE AMENDED SITE PLAN.

**MOVED: Richard Davison
SECONDED: Carl Whitehead
CARRIED: 6-0**

MOTION TO GRANT CONDITIONAL SITE PLAN APPROVAL.

**MOVED: Richard Davison
SECONDED: Carl Whitehead
CARRIED: 6-0**

MOTION TO GRANT ARCHITECTURAL REVIEW APPROVAL IN ACCORDANCE WITH THE ELEVATIONS, RENDERINGS AND SAMPLES PRESENTED, AND THE APPLICANT'S STATEMENT THAT THE BUILDING WILL INCLUDE A PARAPET OF ACCEPTABLE DESIGN THAT IS HIGH ENOUGH TO SCREEN ROOFTOP EQUIPMENT ALL THE WAY AROUND.

MOVED: John Weisman
SECONDED: Richard Davison
CARRIED: 6-0

2. GOLDEN CORRAL RESTAURANT

Declare Lead Agency Intent and Discussion of a site plan for a \pm 11,000 SF one story Golden Corral Restaurant, including parking, grading, stormwater, lighting, utilities and landscaping. 2345 South Road; Zoned B-H (Business Highway); \pm 4.77 acres; Grid #6160-03-055096; Unlisted Action; 82 Anfran Realty Inc., Owner.

MOTION TO DECLARE LEAD AGENCY INTENT FOR REVIEW OF AN UNLISTED ACTION AND AUTHORIZE THE MARCH 16, 2015 CIRCULATION OF A NOTICE OF SAID INTENT TO THE IDENTIFIED INVOLVED AGENCIES.

MOVED: Richard Davison
SECONDED: Carl Whitehead
CARRIED: 6-0

MOTION TO DEFER ACTION ON THE SITE PLAN APPLICATION PENDING ESTABLISHMENT OF A LEAD AGENCY.

MOVED: Richard Davison
SECONDED: Carl Whitehead
CARRIED: 6-0

3. TACO BELL – 757 MAIN STREET

Architectural Review for cosmetic improvements and ADA compliance. 757 Main Street; Zoned ATC (Arlington Town Center); \pm 0.78 acres; Grid #6161-07-721853; Type II Action; *Muy Properties-NE Ltd., Owner.*

MOTION TO GRANT ARCHITECTURAL REVIEW APPROVAL WITH RENDERINGS AND SAMPLES PRESENTED, AND TO DELEGATE SITE PLAN REVIEW TO STAFF AS AN ADMINISTRATIVE DE MINIMUS SITE PLAN REVIEW WITH CONSIDERATION OF PLANNING BOARD COMMENTS.

MOVED: John Weisman
SECONDED: Richard Davison
CARRIED: 6-0

4. **SPINS BOWLING FAMILY ENTERTAINMENT CENTER– 47 TAFT AVENUE**
Architectural Review for exterior improvements to existing bowling alley facility to “re-brand” and upgrade façade. 47 Taft Avenue; Zoned B-H (Business Highway); ± 4.251 acres; Grid #6161-08-915913; Type II Action; *Diamond Properties, Owner.*

MOTION TO GRANT ARCHITECTURAL APPROVAL FOR PROPOSED EXTERIOR ALTERATIONS TO THE BUILDING, EXCLUDING THE OUTDOOR SEATING AREA, SUBJECT TO ITEMS TO BE ADDRESSED PRIOR TO ISSUANCE OF A BUILDING PERMIT; AND TO ADVISE THE APPLICANT THAT THE PROPOSED OUTDOOR SEATING AREA (“BEER GARDEN”) AND OTHER SITE ALTERATIONS AND IMPROVEMENTS SHALL BE SUBJECT TO SEPARATE SITE PLAN APPLICATION.

MOVED: Richard Davison
SECONDED: Carl Whitehead
CARRIED: 6-0

5. **BURGER KING – 621-645 DUTCHESS TURNPIKE**
Architectural Review for building renovations. 621-645 Dutchess Turnpike; Zoned B-SC (Business Shopping Center); ± 20.92 acres; Grid #6262-01-085910; Type II Action; *BVS Poughkeepsie LLC, Owner.*

MOTION TO GRANT CONDITIONAL ARCHITECTURAL REVIEW APPROVAL WITH RENDERINGS AND SAMPLES PRESENTED.

MOVED: Richard Davison
SECONDED: Carl Whitehead
CARRIED: 6-0

D) OTHER BUSINESS

1. **TOWN BOARD REFERRAL OF ZONING AMENDMENTS TO §210-67.1, “ENERGY FACILITIES” Recommendation to the Town Board** regarding proposed amendments to the regulation of solar and wind energy systems.

MOTION TO REQUEST ADDITIONAL TIME TO FORMULATE CHANGES AND A RECOMMENDATION TO THE TOWN BOARD, AND TO ALSO REQUEST THAT THE TOWN BOARD PUBLIC HEARING BE ADJOURNED FROM APRIL 1, 2015 TO THE MAY 6, 2015 MEETING.

MOVED: Carl Whitehead
SECONDED: Richard Davison
CARRIED: 6-0

2. MCKEE CONSTRUCTION

Time Extension of architectural review approval for modifications to the smaller, northern one of two existing buildings, for a construction business consisting of office space, sales, and storage. 2264 – 2270 South Road; Zoned B-H (Highway Business); 3.36 +/- acres; Grid #6159-01-243942; Architecture approved March 20, 2014; *Town Center Poughkeepsie, LLC, Owner.*

MOTION TO GRANT A SIX (6) MONTH TIME EXTENSION OF ARCHITECTURAL REVIEW APPROVAL FROM MARCH 20, 2015 FORWARD TO SEPTEMBER 20, 2015.

MOVED: Richard Davison
SECONDED: Carl Whitehead
CARRIED: 6-0

3. MOUNTAIN VIEW ESTATES SUBDIVISION

Time Extension for a proposed eight (8) lot subdivision. Bedell Road; Zoned R-4A (Residence, Single Family, 4 acre); 64.06 ± acres; Grid #'s 6261-01-130823 & 195769; Final Subdivision approved with conditions January 17, 2013; *Mountain View Realty, LLC, Owner.*

MOTION TO GRANT A NINETY (90) DAY TIME EXTENSION OF FINAL (MAJOR) SUBDIVISION APPROVAL FROM APRIL 13, 2015 FORWARD TO JULY 12, 2015.

MOVED: Richard Davison
SECONDED: Carl Whitehead
CARRIED: 6-0

4. SPRINGSIDE NEIGHBORHOOD DEVELOPMENT

Time Extension for a minor (2-lot) subdivision and lot line revision, for a modified proposed mixed use development. 45, 48, 52, 54 and 57 Springside Avenue, 25 Van Wagner Road, and lands to be acquired from NYS DOT and the Town; Zoned ATC (Arlington Town Center); ±5.27 acres; Grid #s 6161-08-809927, 821910, 838906 and 45933; Minor Subdivision and Lot Line Revision approved with conditions October 9, 2014; *Built Parcel 4, LLC and Built Parcel 3, LLC, Owners.*

MOTION TO GRANT A NINETY (90) DAY TIME EXTENSION OF CONDITIONAL MINOR SUBDIVISION AND LOT LINE APPROVAL FROM APRIL 7, 2015 FORWARD TO JULY 6, 2015.

MOVED: Carl Whitehead
SECONDED: Richard Davison
CARRIED: 6-0

5. ALLSPACE SELF STORAGE

Time Extension for a site plan for four (4) additional storage unit buildings proposed to expand the current storage facility of 11 buildings. 100-120 Salt Point Turnpike; Zoned Light Industry (I-L); 7.07 ± acres; Grid #6162-02-814518; Site Plan approved with conditions March 20, 2014; AllSpace Storage, LLC, Owner.

MOTION TO GRANT A NINETY (90) DAY TIME EXTENSION OF AMENDED SITE PLAN APPROVAL FROM MARCH 20, 2015 FORWARD TO JUNE 18, 2015.

MOVED: Carl Whitehead
SECONDED: Richard Davison
CARRIED: 6-0

MOTION TO TERMINATE MEETING AT 9:47 P.M.

MOVED: Richard Davison
SECONDED: Ben Paganelli
CARRIED: 6-0

PRESENT:	ABSENT:
Chairman Weisman	Member Bennett (Alt.)
Member Davison	
Member Fanelli	Member LaPerche
Member Lepore	
Member Paganelli	
Member Whitehead	