



# Town of Poughkeepsie

## Planning Department

1 Overocker Road  
Poughkeepsie, NY 12603

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### NOTICE OF PLANNING BOARD

### REGULAR MEETING

*December 14, 2017*

*6:00 PM*

### DECISION AGENDA

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

##### 1. **MACDONNELL HEIGHTS TOWN CENTER (EASTDALE VILLAGE)**

##### **Public Hearings on DEIS, Site Plan Review, Special Use Permit and Subdivision**

**Application** for the MacDonnell Heights Town Center Project (Eastdale Village): A proposed mixed use development including 288 to 350 residential dwelling units in apartments and townhomes; 85,000 to 180,000 SF of mixed commercial development; recreation area; and associated parking. 928, 932, 935 & 936 Dutchess Turnpike, Dutchess Turnpike and Victory Lane; Zoned MHC (MacDonnell Heights Center) and I-H (Heavy Industrial) Districts; ± 60.87 acres; Grid #s 6262-04-723342, 761394, 749282, 754298, 758301, 864243 and 892195; Type I Action. *Meadow View Properties LLC, Kirchoff Properties, LLC and Industrial Retro LLC, Owners.*

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

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

##### **MOTION TO ADJOURN THE PUBLIC HEARING TO FEBRUARY 15, 2018.**

Moved: Carl Whitehead  
Seconded: Rocco Romeo  
Carried: 6-0

**MOTION THAT THE PLANNING BOARD DEFER ACTION ON DEVELOPMENT APPLICATIONS PENDING COMPLETION OF SEQRA REVIEW; AND DIRECT THE APPLICANT TO RESPOND TO COMMENTS OF THE PLANNING BOARD AND THOSE RECEIVED FROM TOWN DEPARTMENTS AND AGENCIES.**

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

**2. CREEK ROAD APARTMENTS**

**Site Plan Hearing** for an application to the Planning Board as amended for 31 apartments in one building of three-story height. 84-92 Creek Road; Zoned R-M (Residence Multifamily) District; ± 5.18 acres; Grid # 6162-02-735705; SEQRA Negative Declaration adopted June 15, 2017; *JPJR Holdings, LLC, Owner.*

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

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

***MOTION TO CLOSE THE PUBLIC HEARING.***

Moved: Carl Whitehead  
Seconded: Rocco Romeo  
Carried: 6-0

***MOTION THAT THE PLANNING BOARD GRANT A WAIVER OF THE SITE PLAN CHECKLIST REQUIREMENT TO SHOW EASEMENTS WITHIN 500 FEET OF THE PROPERTY BASED ON THE SUBMITTED SUPPORTIVE REASONING REGARDING LACK OF ACCESS TO AN ADJOINING PROPERTY NOT IN OWNERSHIP OR CONTROL OF THE APPLICANT.***

Moved: Nicole Gemmati  
Seconded: Brian Powers  
Carried: 6-0

***MOTION THAT THE PLANNING BOARD ADOPT THE ATTACHED RESOLUTION OF CONDITIONAL SITE PLAN APPROVAL DATED DECEMBER 14, 2017, SUBJECT TO ANY CONDITIONS IMPOSED BY THE TOWN BOARD IN ITS R-M REZONING OF NOVEMBER 1, 2017, AND SUBJECT TO ACCEPTANCE OF APPLICANT RESPONSES BY THE PLANNING DEPARTMENT AS TO ADEQUACY AND COMPLETENESS IN REGARD TO THE COMMENTS OF THE PLANNING BOARD AND COMMENTS OF TOWN DEPARTMENTS, PLANNING BOARD CONSULTANTS, AND OTHER AGENCIES.***

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

***MOTION THAT THE PLANNING BOARD GRANT ARCHITECTURAL REVIEW APPROVAL WITH THE SAMPLES AND RENDERINGS PRESENTED.***

Moved: Carl Whitehead  
Seconded: Rocco Romeo  
Carried: 6-0

**3. UNDERHILL SOLAR LLC**

**Site Plan Public Hearing** regarding a proposed ± 3,000 kW solar photovoltaic array ground-mounted system. 130 and 122 Underhill Road; Zoned R-4A (Residence Single Family 4 Acre) District; ± 71.0 acres; Grid # 6262-01-270535 and -180545; Type I Action; *Brian and Sally Underhill, Owners.*

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

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

***MOTION TO ADJOURN THE PUBLIC HEARING TO JANUARY 18, 2018.***

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

***MOTION THAT THE PLANNING BOARD DETERMINE THAT THE APPLICATION IS INCOMPLETE FOR SEQRA REVIEW, PENDING FURTHER ELABORATION ON THE PROPOSED DEVELOPMENT AND ITS POTENTIAL EFFECTS AND THAT THE PLANNING BOARD DEFER FURTHER ACTION ON THE SITE PLAN APPLICATION.***

Moved: Nicole Gemmati  
Seconded: Brian Powers  
Carried: 6-0

**4. MODI – 23 DAVIS AVENUE NEW OPHTHALMOLOGY BUILDING**

**Site Plan and Special Use Permit Public Hearing** for a proposed 2-story, medical office building of 11,200 GSF and reconfiguration of parking, on a site with an existing one-story medical office building of 12,500 GSF. 23 Davis Avenue; Zoned ATC (Arlington Town Center) District; ± 1.64 acres; Grid #6161-12-879739; Unlisted Action; *Idom Equities Inc., Owner.*

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

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

***MOTION TO CLOSE THE PUBLIC HEARING.***

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

***MOTION THAT THE PLANNING BOARD AS LEAD AGENCY HEREBY DETERMINES THAT THE MODI – 23 DAVIS AVENUE NEW OPHTHALMOLOGY BUILDING PROJECT 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 AN UNLISTED ACTION DATED DECEMBER 14, 2017.***

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

***MOTION THAT THE PLANNING BOARD ADOPT THE ATTACHED RESOLUTION IN THE MATTER OF 23 DAVIS AVENUE (IDOM EQUITIES INC.—DR. SATISH MODI) FOR CONDITIONAL SITE PLAN SPECIAL USE PERMIT APPROVALS WITH CONDITIONS DATED DECEMBER 14, 2017.***

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

***B) SUSPEND RULES FOR PUBLIC COMMENT – Comments limited to three (3) minutes***

***MOTION THAT THE PLANNING BOARD SUSPENDED THE RULES TO ALLOW PUBLIC COMMENT ON OTHER MATTERS***

Moved: Carl Whitehead  
Seconded: Rocco Romeo  
Carried: 6-0

***MOTION THAT THE PLANNING BOARD RESUMED THE RULES.***

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

C) **PLAN REVIEWS**

1. **POUGHKEEPSIE PLAZA MALL AMENDED SITE PLAN**

**Amended Site Plan Approval** to reconfigure existing tenant spaces to create two (2) new anchor tenant spaces. Site work will include a new dumpster enclosure and loading dock, along with exterior façade renovations at the existing West facing side of the mall. 2586-2600 South Road; Zoned BSC (Business Shopping Center); ± 14.56 acres; Grid # 6160-01-057740; Type II Action; *Poughkeepsie Plaza Mall LLC, Owner.*

***MOTION THAT THE PLANNING BOARD DETERMINE THAT THE PROPOSAL MEETS THE CRITERIA FOR A SEQRA TYPE II ACTION PURSUANT TO SEQRA PART 617.5(C)(7) AND NO FURTHER ENVIRONMENTAL REVIEW IS REQUIRED.***

Moved: Nicole Gemmati  
Seconded: Brian Powers  
Carried: 5-0 (Ben Paganelli left the room)

***MOTION THAT THE PLANNING BOARD GRANT CONDITIONAL SITE PLAN APPROVAL POUGHKEEPSIE PLAZA MALL AMENDED SITE PLAN.***

Moved: Nicole Gemmati  
Seconded: Brian Powers  
Carried: 5-0 (Ben Paganelli left the room)

***MOTION THAT THE PLANNING BOARD GRANT ARCHITECTURAL REVIEW APPROVAL WITH ELEVATIONS, SAMPLES AND MATERIALS PRESENTED.***

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

2. **DALIA SITE PLAN**

**Re-approval of a Site Plan Application** for four senior housing and two mixed use buildings, total ± 84 dwelling units and ±10,124 SF non-residential. Sophias Way and Violet Avenue lots, and 35 Violet Avenue; Zoned R-20 (Residence, Single Family 20,000 SF) and SHOD (Senior

Housing Overlay District); ± 7.01 acres; Grid #6162-10-448647, 450614, 436615, 429640, 407662; SEQRA Negative Declaration adopted March 19, 2015; Amended Site Plan approval granted March 17, 2016, expired September 13, 2017; *Linda E. Dalia, Owner.*

***MOTION THAT THE PLANNING BOARD WAIVE THE PUBLIC HEARING ON THE DALIA SENIOR HOUSING PROJECT SITE PLAN RE-APPROVAL.***

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

***MOTION THAT THE PLANNING BOARD AS LEAD AGENCY HEREBY DETERMINES THAT THE DALIA SENIOR HOUSING PROJECT SITE PLAN RE-APPROVAL WOULD NOT HAVE A SIGNIFICANT ADVERSE EFFECT ON THE ENVIRONMENT AND THAT AN ENVIRONMENTAL IMPACT STATEMENT WILL NOT BE REQUIRED FOR THE REASONS SET FORTH IN THE ATTACHED RESOLUTION “DETERMINATION OF NON-SIGNIFICANCE - NEGATIVE DECLARATION” DATED DECEMBER 14, 2017.***

Moved: Nicole Gemmati  
Seconded: Brian Powers  
Carried: 6-0

***MOTION THAT THE PLANNING BOARD ADOPT THE ATTACHED CONDITIONAL SITE PLAN RESOLUTION FOR THE DALIA SENIOR HOUSING PROJECT SITE PLAN RE-APPROVAL, AS DEPICTED ON THE PLAN SET DATED NOVEMBER 24, 2014 AND LAST REVISED ON MARCH 25, 2016, AND SIGNED BY THE CHAIRMAN ON JUNE 21, 2016.***

Moved: Nicole Gemmati  
Seconded: Brian Powers  
Carried: 6-0

***MOTION THAT THE PLANNING BOARD GRANT ARCHITECTURAL APPROVAL FOR THE DALIA SENIOR HOUSING PROJECT AS DEPICTED ON THE PLAN SET DATED NOVEMBER 24, 2014 AND LAST REVISED ON MARCH 25, 2016, AND SIGNED BY THE CHAIRMAN ON JUNE 21, 2016.***

Moved: Nicole Gemmati  
Seconded: Brian Powers  
Carried: 6-0

**3. NORTH POINT CENTRE**

**SEQRA and Site Plan Review** for a proposal in the Town and City of Poughkeepsie: In the Town, additional parking on a parcel with an existing restaurant; and in the City, site redevelopment for three new buildings of three stories each, total 12,000 SF office/commercial and 14 apartments of 1-2 bedrooms, in addition to an existing two-story office building. In the

Town: 120 Delafield Street (6062-02-891514); Zoned B-H (Business Highway) and WD1 (Waterfront District 1); ± 1.64 acre. In the City: 112 Delafield Street (6062-52-887505), 110 Delafield Street (6062-60-900496), 54 Spruce Street (6062-60-899489), 52 Spruce Street (6062-60-895491), 48 Spruce Street (6062-60-891491), 46 Spruce Street (6062-60-889491); Zoned C-1 (Neighborhood Commercial) and R-4 (Medium Density Residential); ± 1.53 acre. Total 3.17 acres. Unlisted Action. *North Point Centre, LLC, Owners.*

***MOTION THAT THE PLANNING BOARD DIRECT THE PLANNING DEPARTMENT TO:***

- 1. PREPARE SEQRA AND SITE PLAN REVIEW COMMENTS INCLUSIVE OF COMMENTS AND DISCUSSION AT THE DECEMBER 14, 2017 TOWN PLANNING BOARD MEETING;***
- 2. REQUEST THAT THE CITY OF POUGHKEEPSIE PLANNING BOARD CONSIDER SAID SEQRA COMMENTS IN ITS REVIEW OF THE PROPOSED ACTION; AND,***
- 3. REQUEST THAT SUBSEQUENT PROJECT INFORMATION, AGENCY CORRESPONDENCE AND WRITTEN COMMENTS RECEIVED BY THE CITY PLANNING BOARD BE PROVIDED TO THE TOWN PLANNING BOARD AS AN INVOLVED AGENCY, FOR REVIEW AND COMMENT.***

Moved: Nicole Gemmati  
Seconded: Brian Powers  
Carried: 6-0

***MOTION THAT THE PLANNING BOARD DEFER FURTHER ACTION ON THE TOWN SITE PLAN APPLICATION PENDING MORE COMPLETE APPLICATION INFORMATION AND PLANS FOR SEQRA AND SITE PLAN REVIEW.***

Moved: Nicole Gemmati  
Seconded: Brian Powers  
Carried: 6-0

***D. OTHER BUSINESS***

**1. SAYAGO/SHANER LOT LINE REVISION**

**Time Extension** for an approved lot line revision to convey a 0.175 acre portion of 3 River Road to 4 Main Street in New Hamburg; Zoned R-20 (Residence Single Family 20,000 SF), R-NH (Residence New Hamburg), and WD1 (Waterfront District 1); ± 1.0448 acres; Grid #6057-06-

491851 and 6057-07-501839; SEQRA Negative Declaration adopted June 15, 2017; *Andrea Sayago and Edward Sayago, Owners and Marjorie E. Shaner, Owner.*

**MOTION THAT THE PLANNING BOARD GRANT A 90 DAY TIME EXTENSION OF CONDITIONAL LOT LINE REVISION APPROVAL FROM JANUARY 11, 2018 FORWARD TO APRIL 11, 2018.**

Moved: Nicole Gemmati  
Seconded: Brian Powers  
Carried: 6-0

**2. 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 THAT THE PLANNING BOARD GRANT A 90-DAY TIME EXTENSION OF CONDITIONAL LOT LINE REVISION APPROVAL FORWARD TO FEBRUARY 11, 2018.**

Moved: Nicole Gemmati  
Seconded: Brian Powers  
Carried: 6-0

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

**MOTION TO TERMINATE MEETING AT 8:39 P.M.**

Moved : Ben Paganelli  
Seconded: Brian Powers  
Carried: 6-0



