

MEMORANDUM

To: Bruce M. Flower, Chairman,
and the Town of Wappinger Planning Board

Date: December 4, 2020

Subject: **Popeyes Restaurant – 1490 Route 9 – Amended Site Development Plan Review**
Tax Lot 6157-02-607815

As requested, we reviewed the application of G141 Architecture, LLC (the “Applicant”) on behalf of Harold Sutter (the “Owner”) for Amended Site Development Plan Approval.

The Property

The subject property is known as Tax Lot 6157-02-653974 on the Town of Wappinger Tax Assessment Maps and is known as 1490 Route 9 within the Shopping Center (SC) zoning district (the “Subject Property” or “Site”).

The Proposal

The Applicant is proposing to convert an existing free-standing commercial building into a Popeyes Restaurant. The existing building is located in the parking lot of the Wappinger Plaza shopping mall. The proposed site improvements include cosmetic changes to the building exterior, changes to the pedestrian amenities and landscaping, a revised lighting plan, and proposed signage (the “Project” or “Proposed Action”).

Submission

The Applicant has submitted for review an Application for Site Plan Approval dated 11/18/20; a Short Environmental Assessment Form (Short EAF) dated 11/9/20; three (3) renderings of the proposed building; details of the proposed signage (6 sheets) prepared by Entera dated 10/20/20; and the following plans generally entitled “Popeyes Louisiana Chicken” prepared by G141 Architecture, dated 10/30/20:

1. Sheet RE-1, “Rendering Elevations,”
2. Sheet PFP-E, “Proposed Elevations,”
3. Sheet ARS1, “Proposed Site Plan – Landscape – Existing Site Plan & Elevations – Photo’s of New Building Prototype,”
4. Sheet ARS2, “Proposed Site Plan – Signage Drive-Thru Component,”
5. Sheet ARS3, “Proposed Site Plan – Lighting Site Photometrics,”

We offer the following comments for your consideration.

REVIEW COMMENTS

1. Site Plan.
 - a. We defer to the Town Attorney regarding any existing or necessary access, utility, or maintenance easements required for the Proposed Action.
 - b. The plans are missing the basic zoning information required for an amended site plan. Future submissions should include the tax lot number and a bulk table with both existing and proposed conditions.
2. Landscaping: The landscaping plant list shows 20 American Arbovite proposed but none are found on the plans. We also question the proposed Cardinal Flowers as they appear to be proposed as bushes or trees but it is our understanding that they grow as individual flowers. If they are being proposed in clusters this should be clarified.
3. Lighting.
 - a. The Applicant should consider reducing the intensity of the proposed lighting. As proposed, the average foot candle is approximately 4.6 and the max footcandle level is 11.6. However, anything above 5 footcandles is consider excessive lighting and would only be needed in a high security area.
 - b. The Proposal is located in an existing parking lot with existing lighting. The Applicant should show a larger area in the lighting plan and incorporate the surrounding lighting to better understand how the Proposed Action will integrate with the existing lighting on the Site.
 - c. The architectural renderings show lamps along the roof line of the proposed building. We question if these will be working lights and if these lights were factored into the footcandle contour plan.
 - d. We question if the illumination of the proposed signage was factored into the proposed lighting plan.
 - e. The Applicant should confirm the color temperature of the proposed lighting. For reference, we do not recommend that proposed lighting exceed 3000K.
4. Signage.

- a. Section 240-29.F(1) of the Zoning Law allows “not more than one sign per retail or business outlet, affixed and parallel to the outer wall of the structure...” The Applicant has proposed a wall mounted sign on the wall that fronts Route 9 as well as two (2) “building seals’, an acrylic mural reading “Love That Chicken”, an electronic menu board, an electronic preview menu board, and for the existing pylon sign to be replaced with something proposed to be the same size or smaller. We defer to the Zoning Administrator as to whether this would be permitted or if the Planning Board would have to consider a waiver.
- b. Section 240-29.F(c) of the Zoning Law says that the length of such sign shall not exceed 80% of the building length. Section 240-29.F(d) says that the aggregate area of such a sign shall not exceed two square feet for each linear foot of building length or 100 square feet, which ever is less. The length of the Route 9 facing wall should be noted on the plans to verify these calculations.
- c. Section 240-29.B of the Zoning Law requires that no sign shall be... reconstructed...without a permit issued by the Zoning Administrator...unless all such signs conform with the following requirements... We defer to the Zoning Administrator as to whether the existing free-standing sign proposed to be replaced will need a permit.

5. SEQRA. The Proposed Action is considered a Type II action pursuant to SEQRA.

We look forward to discussing our comments with you. If you have any questions with respect to the above, please let us know.

David H. Stolman, AICP, PP
Practice Lead - Planning

Malcolm Simpson
Junior Planner

cc: Paul Ackermann, Esq.
Barbara Roberti
Peter D. Setaro, PE
Michael Sheehan
Robert Grimaldi (Applicant)

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