



COUNTY OF DUTCHESS
DEPARTMENT OF PLANNING AND DEVELOPMENT

April 21, 2021

To: Planning Board, Town of Wappinger

Re: ZR21-054, Gasland Route 9D Special Permit and Site Plan

Parcel # 048643, 057642, 057654, 059643, and 040637, Route 9D/New Hamburg Rd (CR 28)

The Dutchess County Department of Planning and Development has reviewed the subject referral within the framework of General Municipal Law (Article 12B, Sections 239-1 and 239-m).

ACTION

The applicant is seeking a special permit and site plan approval for the proposed consolidation of several parcels at the intersection of Route 9D and New Hamburg Road (CR 28) in the Hughsonville hamlet, demolition of existing residential buildings, and the construction of a new 8-pump gasoline filling station and convenience store with four second-story apartments.

COMMENTS

The plan set dated 2/16/2021 was superseded with the submission of the plan set dated 3/22/2021. Comments below regard this most recent iteration.

Special Permit

Wappinger's zoning code requires a special permit for gasoline filling stations in the Hamlet Mixed Use (HM) district, which applies to both Hughsonville and the Route 82/All Angels Hill Road (CR 94) area. By requiring that permit, the Town has recognized that while some sites in the district may be appropriate for a gasoline filling station, others are not. The applicant's "statement of use" should address in greater detail how the proposed use "will serve to implement the purposes of this [special permit] chapter" as required by Town code §240-43(A)(1)(b).

The revised site plan substantially enlarges the footprint of the project, placing it prominently on the northern corner of the hamlet's central intersection, and includes the demolition of a circa-1870 home. This expanded layout alleviates some of the traffic concerns expressed in our previous letters (dated 2/10/2020 and 11/24/2020), but it does so at the expense of another issue discussed in those letters: the character and importance of historic hamlet designation. Our Centers and Greenspaces plan and the Town's Comprehensive plan both highlight the hamlet as an area that demands special attention in the land-use decision-making process to preserve its character.

Site Plan

Should the Town decide to issue the special permit, we offer the following comments on the site plan:

1. While the applicant has made adjustments to the building to improve its now street-facing façade, the street side is still being functionally treated as if it were the rear of the building. With its new

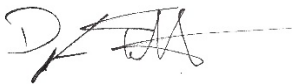
location at a prominent crossroads, this building should better address the public realm. It does not really have a “rear,” and we suggest that the applicant reimagine it with that in mind. In particular, a street-facing store entrance would seem to be essential in a hamlet setting. This could be paired with a more direct sidewalk connection from the street to the building and consolidation of the residential entrances to emphasize the public, commercial nature of the first floor. We also note that best practice for a major corner parcel in a hamlet/village setting is for the building to have a front façade on both major roads (by, for example, changing to an L-shaped design).

2. We encourage the applicant to lower lighting levels to reduce glare. We suggest an average of no more than one footcandle in the parking lot and five footcandles for high-security or task areas like beneath the gas canopy. Canopy lights should be flush-mounted rather than drop-mounted to reduce side-glare from the fixtures. We note that the max/average table does not appear to match the photometric plan.
3. We suggest narrowing the exit onto 9D, and potentially increasing the angle. According to the truck maneuvering plan, trucks are not expected to use this exit, so there is no need for it to be as wide as it is.
4. The landscape plan needs to be further refined (some plantings are unlabeled). The landscaping should fit the hamlet setting, particularly with the inclusion of traditional, regularly spaced street trees along the road frontage.
5. We encourage the applicant to find ways to reduce the amount of asphalt. One possibility to explore is relocating the underground tanks and shifting the rear parking to the tanks’ current location.
6. We note that the version circulated to Dutchess County DPW has left/right turn lanes on New Hamburg Road (CR 28) (the version sent to us does not).
7. Given the new egress onto a County road, the applicant should complete a Dutchess County Complete Streets checklist and submit it to DCDPW.
8. Dutchess County Public Transit has expressed interest in a bus shelter along the Route 9D frontage. This plan includes a seating area along the road, and we suggest incorporating a bus shelter or other weather protection.
9. The dimensions of the building façade signs should be listed on the plans and comply with the code requirements. Also note that the code limits commercial window signage to 20% of the window area.

RECOMMENDATION

We recommend that the Board rely on its own study of the facts in the case with due consideration of the above comments.

Eoin Wrafter, AICP, Commissioner By



Dylan Tuttle
Planner

CC: Jason Brenner, NYSDOT
Greg Bentley, NYSDOT
Robert Balkind, DCDPW

Dutchess County Department of Planning and Development

Fax Info Only	To	Date	#pgs
	Co./Dept.	From	
	Fax #	Phone #	

239 Planning/Zoning Referral - Exemption Communities

Municipality: **Town of Wappinger**

Referring Agency: **Planning Board**

Tax Parcel Numbers(s): **0486430000, 0576420000, 0576540000, 0596430000, 0406370000**

Project Name: **Gasland Petroleum Route 9D (Hughsonville)**

Applicant: **Gasland Petroleum**

Address of Property: **2361 Route 9D, Wappinger, NY 125900000**

Please Fill in this section

Exempt Actions:* 239 Review is NOT Required

- Administrative Amendments (fees, procedures, penalties, etc.)
- Special Permits for residential uses (accessory apts, home occupations, etc.)
- Use Variances for residential uses
- Area Variances for residential uses
- Renewals/Extension of Site Plans or Special Permits that have no changes from previous approvals

No Authority to review these Actions

- Subdivisions / Lot Line Adjustments
- Interpretations

Exempt Action submitted for informal review

Actions Requiring 239 Review

- Comprehensive/Master Plans
- Zoning Amendments (standards, uses, definitions, district regulations, etc.)
- Other Local Laws associated with zoning (wetlands, historic preservation, affordable housing, architectural review, etc.)
- Rezoning involving all map changes
- Architectural Review
- Site Plans (all)
- Special Permits for all non-residential uses
- Use Variances for all non-residential uses
- Area Variances for all non-residential uses
- Other (Describe):

Parcels within 500 feet of:

- State Road: **Route 9D**
- County Road:
- State Property (with recreation area or public building)
- County Property (with recreation area or public building)
- Municipal Boundary
- Farm operation in an Agricultural District

Date Response Requested: **5/3/2021**

Entered By: **Ngunti, Bea**

These actions are only exempt in municipalities that signed an intermunicipal agreement with Dutchess County to that effect.

For County Office Use Only

Response From Dutchess County Department of Planning and Development

No Comments:

- Matter of Local Concern
- No Jurisdiction
- No Authority
- Withdrawn
- Incomplete - municipality must resubmit to County
- Exempt from 239 Review
- None

Comments Attached:

- Local Concern with Comments
- Conditional
- Denial
- Incomplete with Comments- municipality must resubmit to County
- Informal Comments Only (Action Exempt from 239 Review)

Date Submitted: **3/24/2021**

Date Received: **3/26/2021**

Date Requested: **5/3/2021**

Date Required: **4/22/2021**

Date Transmitted: **4/21/2021**

Notes:

Major Project

Referral #: **ZR21-054**

Also mailed hard copy

Reviewer:

