

<b>Dutchess County Department of Planning and Development</b>		<b>Fax Info Only</b>	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): **6145690000**  
Project Name: **Citco Amended Site Plan**  
Applicant: **1336 Route 9, LLC**  
Address of Property: **1336 Route 9, Wappinger, NY 12590**

  

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 9**
- ☒ County Road: **Old Hopewell 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: **5/5/2025**  
Entered By: **Ogunti, Beatrice**

\*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- ☐ Withdrawn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: <b>4/14/2025</b>	Notes:	<input type="checkbox"/> Major Project
Date Received: <b>4/14/2025</b>		
Date Requested: <b>5/5/2025</b>		Referral #: <b>ZR25-097</b>
Date Required: <b>5/13/2025</b>	<input type="checkbox"/> Also mailed hard copy	Reviewer:
Date Transmitted: <b>5/5/2025</b>		



**DUTCHESS COUNTY GOVERNMENT**  
**DEPARTMENT OF PLANNING & DEVELOPMENT**

May 5, 2025

**To:** Planning Board, Town of Wappinger  
**Re:** **ZR25-097, Citgo - Amended Site Plan**  
Lot: 614569, Route 9

The Dutchess County Department of Planning & Development has reviewed the subject referral within the framework of General Municipal Law (Article 12B, §239-l/m).

**NOTICE OF INCOMPLETE SUBMITTAL**

The Department does not consider this application complete for review as the materials submitted do not include site lighting/photometrics or landscaping. Therefore, the Department requests that the Board resubmit this application when the above-mentioned information is available. Once this is done, we will initiate our formal 30-day review provided for in 239-l and 239-m.

**ACTION**

The applicant seeks amended site plan approval to remove the two existing gas pumps and shed, relocate and install three new gas pumps, replace the canopy, and modify the building entrance, parking lot, and egress points.

**PRELIMINARY COMMENTS**

Although this Department considers this application incomplete for review, we offer the following preliminary comments for the Board's consideration.

**Lighting:**

The plans indicate new lighting but do not include photometric data or fixture specifications. A photometric plan should be provided, showing existing and proposed fixture details and lighting levels for the entire site. The plan should comply with all applicable requirements of § 240-23 (Exterior Lighting) of the Town Code.

It is also unclear whether the proposed canopy will incorporate lighting. If so, § 240-23I requires that canopy ceiling fixtures be fully recessed.

**Signage:**

No lighting details were provided for any signage. The applicant should provide this information to ensure compliance with § 240-29F (6), which permits illumination of only one freestanding sign and one building-mounted sign during business hours, with restrictions on visibility, flashing, and intensity. The applicant should also confirm whether the existing freestanding monument sign will remain unchanged.

Town Code § 240-23I states that "any illuminated part of the canopy other than the underside lighting shall be considered part of the total amount of permitted site signage." Based on this, the Citgo logo on the canopy would be considered part of the site signage if illuminated, and would therefore be subject to the requirements of § 240-29 (Signs):

- § 240-29F (1) limits corner businesses to one sign per street-facing façade. Sheets A-1 and A-2 of the site plan show two west-facing signs along Route 9 – the Citgo logo on the canopy and the "Quick Mart" sign on the building.
- § 240-29F(1)(a) prohibits signage projecting above the roofline or beyond side walls. The Citgo logo on the canopy appears to project approximately one foot above the canopy structure.

**Landscaping:**

No landscaping details were submitted. Given the anticipated increase in site activity, the Board could consider requiring additional landscaping and buffering.

**Access:**

With respect to the entrance onto County Route 28 (Old Hopewell Road), we refer the Board to comments from the Dutchess County Department of Public Works. The access must remain channelized in accordance with their requirements.

**Aquifer Law:** It appears this proposal may be subject to Local Law No.2 of 2024 Regulating Hazardous Sources in Proximity to Public Water Supply Sources, Aquifers and Wetlands. The applicant should contact the Dutchess County Department of Health for more information.

Eoin Wrafter, AICP, Commissioner

By

A handwritten signature in black ink, appearing to read "Tara Grogan", written in a cursive style.

Tara Grogan  
Senior Planner