

# Dutchess County Department of Planning and Development

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|---------------|-----------|---------|------|
| 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 Number(s): **6539740000**

Project Name: **7 Brew Coffee - Amended Site Plan**

Applicant: **Brew Team, LLC**

Address of Property: **1506 Route 9**

Please Fill in this section

|   |   |  |
|---|---|--|
| <p><b>Exempt Actions:*<br/>239 Review is NOT Required</b></p> <ul style="list-style-type: none"> <li>● Administrative Amendments (fees, procedures, penalties, etc.)</li> <li>● Special Permits for residential uses (accessory apts, home occupations, etc.)</li> <li>● Use Variances for residential uses</li> <li>● Area Variances for residential uses</li> <li>● Renewals/Extension of Site Plans or Special Permits that have no changes from previous approvals</li> </ul> <p><b>No Authority to review these Actions</b></p> <ul style="list-style-type: none"> <li>● Subdivisions / Lot Line Adjustments</li> <li>● Interpretations</li> </ul> <p><input type="checkbox"/> Exempt Action submitted for informal review</p> | <p><b>Actions Requiring 239 Review</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Comprehensive/Master Plans</li> <li><input type="checkbox"/> Zoning Amendments (standards, uses, definitions, district regulations, etc.)</li> <li><input type="checkbox"/> Other Local Laws associated with zoning (wetlands, historic preservation, affordable housing, architectural review, etc.)</li> <li><input type="checkbox"/> Rezoning involving all map changes</li> <li><input type="checkbox"/> Architectural Review</li> <li><input checked="" type="checkbox"/> Site Plans (all)</li> <li><input type="checkbox"/> Special Permits for all non-residential uses</li> <li><input type="checkbox"/> Use Variances for all non-residential uses</li> <li><input type="checkbox"/> Area Variances for all non-residential uses</li> <li><input type="checkbox"/> Other (Describe):</li> </ul> | <p><b>Parcels within 500 feet of:</b></p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> State Road: <b>Route 9</b></li> <li><input checked="" type="checkbox"/> County Road:</li> <li><input type="checkbox"/> State Property (with recreation area or public building)</li> <li><input type="checkbox"/> County Property (with recreation area or public building)</li> <li><input checked="" type="checkbox"/> Municipal Boundary</li> <li><input type="checkbox"/> Farm operation in an Agricultural District</li> </ul> |
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Date Response Requested: **1/21/2026**

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

|  |   |
|--|---|
| <p><b>No Comments:</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Matter of Local Concern</li> <li><input type="checkbox"/> No Jurisdiction</li> <li><input type="checkbox"/> No Authority</li> <li><input type="checkbox"/> Withdrawn</li> <li><input type="checkbox"/> Incomplete - municipality must resubmit to County</li> <li><input type="checkbox"/> Exempt from 239 Review</li> <li><input type="checkbox"/> None</li> </ul> | <p><b>Comments Attached:</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Local Concern with Comments</li> <li><input checked="" type="checkbox"/> Conditional</li> <li><input type="checkbox"/> Denial</li> <li><input type="checkbox"/> Incomplete with Comments- municipality must resubmit to County</li> <li><input type="checkbox"/> Informal Comments Only (Action Exempt from 239 Review)</li> </ul> |
|--|---|

|                                    |  |  |
|------------------------------------|--|--|
| Date Submitted: <b>12/29/2025</b>  | Notes:   | <input type="checkbox"/> Major Project |
| Date Received: <b>12/29/2025</b>   |  |  |
| Date Requested: <b>1/21/2026</b>   |  |  |
| Date Required: <b>1/27/2026</b>    | <input type="checkbox"/> Also mailed hard copy | Referral #: <b>ZR25-379</b>            |
| Date Transmitted: <b>1/20/2026</b> |  |  |



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

January 20, 2026

To: Planning Board, Town of Wappinger  
Re: **ZR25-379, 7 Brew Coffee – Amended Site Plan**  
Lot: 653974, 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).

**ACTION**

The applicant is seeking site plan approval to demolish the existing building at 1506 Route 9 and construct a drive-through coffee restaurant with two drive-through lanes, one bypass lane, and a walk-up window.

**COMMENTS**

**Exterior Lighting**

Based on the submitted photometric plan, the proposed lighting does not clearly demonstrate compliance with the Town of Wappinger Code, § 240-23, Exterior Lighting.

Average parking lot lighting levels are not clearly shown to meet the maximum permitted 1.0 footcandle (§ 240-23E). No color temperature information was provided for the W1E or S1 fixtures, while the PL1 fixtures near the dumpster and along the parking area are shown as 4000K, exceeding the maximum permitted 3000K (§ 240-23G). In addition, the proposed LED strip lighting (S1) may be prohibited under § 240-23J(6), which prohibits neon roping or trimming.

The photometric plan indicates concentrated hot spots under the canopy, where lighting reaches up to 15.4 footcandles, as well as along the parking areas and dumpster enclosure, where levels range from approximately 3 to 5 footcandles. Reducing these hot spots and providing more uniform illumination would improve lighting quality, enhance safety, and minimize glare and light spill.

**Signage**

The exterior elevations show signage on three of the four building facades, including the north, east, and west elevations. Sheet A2.2 appears to mislabel the east and west elevations as north and south, respectively, which should be clarified. Additional signage is also shown on the remote cooler, identified as the left (or east) elevation. Town Code § 240-29F(1) limits building mounted signage to one sign per business. Signage should be reduced to only what is necessary and effective and to bring the proposal closer to compliance with the Town Code.

**Parking & Striping**

The site plan proposes 13 parking spaces, including one ADA space, exceeding the required nine spaces. In addition, the concept plan appears to show 19 parking spaces; this discrepancy should be clarified. Per § 240-97A, off-street parking in excess of the minimum requirement is not permitted. In addition, four spaces, including the ADA space, are enclosed by two drive-through lanes, which may negatively affect circulation and raise safety concerns. Given the availability of nearby parking within the shopping center,

the on-site parking supply is higher than necessary. Reducing the number of spaces and focusing on safer, more direct pedestrian connections between parking areas, adjacent businesses, and the building entrance would result in a more functional site design.

The striping plan shows drive-through lane demarcations and hatched areas in blue, which is unconventional and potentially confusing, as blue is typically reserved for accessible parking markings. Red striping is also shown for some stop markings, which, while less problematic, is still nonstandard. Standard white or yellow striping throughout the site would be clearer and more consistent with typical traffic control practices.

### **Building Setback**

The site plan indicates a measured building setback of approximately 31.82 feet, which does not meet the required 75-foot setback outlined in the Town's Schedule of Dimensional Regulations for Nonresidential Districts. This discrepancy should be addressed, and any requests for relief should be clearly identified.

### **Drive-Through Configuration and Site Layout**

The application narrative anticipates a peak customer volume of 14 vehicles, yet the site is designed to accommodate approximately 35 vehicles across two drive-through lanes. This level of queuing capacity is excessive relative to anticipated demand. The applicant should explore an alternative building orientation and drive-through configuration that reduces lane length, improves site efficiency, and provides direct connections between parking areas and the store's walk-up window.

Reorienting the drive-through canopy to face north, rather than west toward Route 9, shifting the building and cooler to the north side of the site, eliminating one of the drive through lanes, and shifting the four nearby parking spaces to the south side of the building could improve the issues identified above and reduce visual impacts along the Route 9 corridor. If a second drive-through lane is retained, the applicant should consider whether a partial second lane that merges into a single pickup lane would better address peak demand while reducing overall site impacts. The Department would be willing to review these concepts with the applicant to help identify the most functional and appropriate site layout.

### **RECOMMENDATION**

The Department recommends that the Board **condition its approval** of this project on the submission of revised lighting, signage, and parking plans that demonstrate compliance with the standards set forth in the Town of Wappinger Code as outlined above.

**Voting and Reporting Requirements:** If the Board acts contrary to our recommendation, the law requires that it do so by a majority plus one of the full membership of the Board and that it notify us of the reasons for its decision.

Eoin Wrafter, AICP, Commissioner

By



Tara Dillon  
Senior Planner