

MINUTES

Town of Wappinger Planning Board
March 16, 2009
Time: 7:00 PM

Town Hall
20 Middlebush Road
Wappinger Falls, NY

Members Present:

Mr. Fanuele:	Chairman	Mr. Kickham:	Member
Ms. Visconti:	Member	Mr. Valdati:	Member
Ms. Leed:	Member		

Member Absent:

Mr. Pinto:	Member
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Others Present:

Mr. Gray,	Engineer to the Town
Mr. Roberts,	Attorney to the Town
Mr. Stolman,	Planner to Town
Mrs. Lukianoff,	Zoning Administrator
Mrs. Roberti,	Secretary

SUMMARIZED

PROJECTS DISCUSSED:

OUTCOME

Discussions:

DCH Auto Group	-Granted Site Plan, SUP, Wetland Permit & Lot Merger Approval.
Memory Inn	-Granted Site Plan approval for a change in use.

Miscellaneous:

BVA Construction	-Discussion reason for extensions.
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Extension:

Kirk Subdivision	-Granted 4 th 90-day extension to July 1, 2009.
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Conceptual:

Chelsea Ridge WWTP	-To resubmit site plan application.
Chapel of Sacred Mirrors	-To place escrow on account and meet with consultants.
Dutchess land Development	-To submit subdivision application.

Mr. Valdati: **Motion to approve the minutes for October 6, 2008.**
Mr. Kickham: Second the motion.
Vote: All present voted aye.

Mr. Valdati: **Motion to approve the minutes for November 17, 2008.**
Mr. Kickham: Second the motion.
Vote: All present voted aye.

Mr. Valdati: **Motion to approve the minutes for February 2, 2009.**
Mr. Kickham: Second the motion.
Vote: All present voted aye.

Mr. Valdati: **Motion to approve the minutes for February 9, 2009.**
Mr. Kickham: Second the motion.
Vote: All present voted aye.

08-3163 / DCH Auto Group Service Center & Showroom – To vote on their proposed site plan and SUP application for a 52,848 sf, 2-story combined showroom and service facility as well as their subdivision application combining the two existing parcels into 1 conforming lot. Across the street they are also proposing the use of the 2 existing lots for parking. The property is located at **1349 Route 9& 635 Old Route 9 No.** and is identified as **Tax Grid Nos. 6157-02-585606/589645/558657/553706** in the Town of Wappinger. (Paggi)(LA sent 10-9-08)(Opened PH 1-21-09/Closed PH 2-2-09)

Present: Jamie McNiff Engineer
 Lee Burns Applicant

Ms. Visconti: We had a site visit with Graham and Bob Gray and feel it should be left as is. We feel it will impinge on the site distance and agree with Graham.

Mr. Fanuele: I think that was the only outstanding item, the resolutions were written.

Mr. Stolman: Yes we have the resolution for you tonight. The resolution for site plan approval contains a condition that the lots have to be agreed upon to a long term lease and approved by the Town Attorney.

Mr. Roberts: Cindy Greer has to sign the site plan map and consent to the terms. All four lots are to stay together.

Mr. Stolman: The site plan resolution includes the neg. dec.

Mr. Valdati: **Motion to move the resolution for the site plan.**
Ms. Visconti: Second the motion
Roll call: Ms. Visconti: Aye.
 Ms. Leed: Aye.
 Mr. Kickham: Aye.
 Mr. Valdati: Aye.
 Mr. Fanuele: Aye.

Mr. Valdati: **Motion to move the resolution for preliminary and final subdivision approval.**
Ms. Visconti: Second the motion
Roll call: Ms. Visconti: Aye.
 Ms. Leed: Aye.
 Mr. Kickham: Aye.
 Mr. Valdati: Aye.
 Mr. Fanuele: Aye.

Mr. Burns: Thank you.

09-3179 / Memory Inn Building: The vote on the amended site plan. Where this is an approved office building they would like to also have service business included. The property is in the GB zoning district on 2.954 acres and is located at **232 New Hackensack Road** and is identified as **Tax Grid No. 6259-03-249149** in the Town of Wappinger. (Buchner)

Present: Harold Buckner Owner/Applicant

Ms. Visconti: **I have no problem with this. I would like to move the resolution for the change in use.**

Ms. Leed: Second the motion
Roll call: Ms. Visconti: Aye.
 Ms. Leed: Aye.
 Mr. Kickham: Aye.
 Mr. Valdati: Aye.
 Mr. Fanuele: Aye.

Mr. Buckner: Thank you.

06-5120 / BVA Construction Subdivision – To discuss reason for multiple extensions. The project is for a 3 lot subdivision located on **Kent Road** and is identified as **Tax Grid No. 6257-02-513975** in the Town of Wappinger. (Barger) (The Public Hearing was closed on July 16, 2007 and the 62 day clock expired on September 16, 2007. The applicant granted an extension from September 17, 2007 through December 15, 2007, second extension to March 15, 2008, third extension to June 14, 2008, fourth to September 14, 2008 and a fifth extension to December 13, 2008, sixth extension to March 12, 1009 and seventh extension to June 11, 2009.)

Present: Steve Burns Engineer

- Mr. Fanuele: What is the reason for the multiple extensions?
- Mr. Burns: We have had trouble meeting some of the comments in Jay Paggi's letter. I'll be meeting with Bob Gray and Peter Hobday to try to come to a resolution on this.
- Mr. Gray: There are a lot of review comments here and also David's comments that are outstanding. We will sort through this. We will meet next Wednesday but since there is no neg. dec. the extensions are not necessary.
- Mr. Burns: Thank you.

Discussion took place regarding closed public hearings.

06-5122 / Kirk Subdivision – The applicant is seeking their fourth 90-day extension on amended preliminary subdivision approval for a 3 lot subdivision on 4.4 acres in an R-40 zoning district. The extension would start on April 2, 2009 and expire on July 1, 2009. The property is located at **97-99 Pye Lane** and is identified as **Tax Grid Number 6358-03-240218** in the Town of Wappinger. (Barger) *(The public hearing was closed on January 3, 2007 and they received preliminary approval on March 5, 2007. Amended preliminary approval on January 7, 2008, 1st extension until October 5, 2008, second extension to Jan. 3, 2009, third to April 1, 2009.)*

- Present: Steve Burns Engineer
- Mr. Burns: We need a letter stating that we are in the water district.
- Mr. Gray: We will give you that.
- Ms. Visconti: Motion to grant their fourth 90-day extension for preliminary approval.**
- Mr. Valdati: Second the motion
- Vote: All present voted aye.

09-3180 / Chelsea Ridge Apartments WWTP Replacement: To discuss the replacement of the old WWTP process tankage and building. The property is located at **One Chelsea Ridge Drive** and is identified as **Tax Grid No. 6056-01-468615** in the Town of Wappinger. (Delaware Engineering)

- Present: Brian Suozza Engineer
- Mr. Suozza: This property has an upper and a lower plant and we are proposing on demolishing the upper plant and replacing it.

- Mr. Bettina: Where is the service road?
- Mr. Suozza: *Showed Mr. Bettina on the map.*
- Mr. Bettina: There have been a lot of complaints regarding the odors.
- Mr. Suozza: We will be cleaning that up. It will be quiet with totally enclosed blowers and no odors. *Showed elevations to the PB.* It will be block with a wood truss shingled roof.
- Mr. Valdati: Currently is there screening there?
- Mr. Suozza: The current one has a wood fence that is falling apart. We can look at that. We will be cleaning up the area around it as well.
- Ms. Leed: Can you explain the lower one if that's the problem?
- Mr. Suozza: It is partially functioning with sludge and odor issues. Once this is done it will be de-commissioned. It will be taken off line.
- Mr. Fanuele: This will need landscaping.
- Mr. Suozza: Do I need a long EAF?
- Mr. Stolman: Yes and when you submit that we will prepare a lead agency notification.
- Mr. Bettina: When this comes back will we see screening?
- Mr. Suozza: Yes. Do I need any variances or a SUP?
- Mrs. Lukianoff: No you will not.
- Mr. Gray: Make an appointment with Tania to go over the application process.
- Mr. Suozza: Thank you.

09-3182 / Chapel of Sacred Mirrors: To discuss site plan approval for an art studio/gallery, offices & bed & breakfast on 38.74 acres in an R40/80 zoning district. The property is the **former Deer Hill Conference Center located on Wheeler Hill Road** and identified as **Tax Grid No. 6057-02-834604** in the Town of Wappinger. (Cappelli)

Present: Al Cappelli Architect

Mr. Cappelli: We are here to discuss this as a conceptual. This is the former Deer Hill Conference Center. The Gray's have recently purchased this site on over 38 acres to house their art

studio. Building A is a raised ranch and will be used as an office. Building B is the Ingalls Lodge and the left and right wings were used as a bunk house with the center being a gathering room. Each building on the site will be remodeled. The bunk house will be converted to the artist's home and studio. Building C which is a 10,000 sq. ft. three story building has very large rooms. The 2nd and 3rd floor will house students and the first floor which consists of 3 or 4 large rooms has the kitchen and dining room. Building D is the conference center which consists of 2 large rooms dissected by a corridor. The main house will be a quasi bed and breakfast to be used by people taking classes. There are 5 bedrooms on the 2nd floor and 4 bedrooms on the 3rd floor. On the most northern part of the site is the carriage house and garage and they plan on converting that to an art gallery. I'm not sure what the intent of the basketball court or the pool are right now. The parking will be discussed at a future meeting.

Ms. Visconti: Will this be open to the public?

Mr. Cappelli: Yes. They had a gallery on the upper east side of New York.

Ms. Visconti: Tania said that as of September 12, 2008 this is no longer classified as either religious or non-profit, its now entertainment.

Mr. Cappelli: Since they had no other classification they are going to classify us as recreation. This is a not for profit.

Mr. Roberts: Just because they are not for profit, that doesn't automatically mean they don't pay taxes.

Mr. Fanuele: How many of these buildings will have people living there?

Mr. Cappelli: *Explained which buildings will house people for the PB.*

Mr. Stolman: As Tania has said the Art Gallery and the Bed and Breakfast are a special use.

Lengthy discussion took place regarding the history of the site and the proposed use.

Mr. Fanuele: I would like an executive session and a site visit at some time.

Ms. Leed: How is this not for profit?

Mr. Cappelli: I'm not sure.

Mr. Fanuele: We will meet with the professionals and get back to you.

Ms. Visconti: We'll get back to you.

Mr. Cappelli: Thank you.

Dutchess Land Development: New 12 lot subdivision with 11 lots in the Town of Fishkill and 1 lot in the Town of Wappinger on Smithtown Road.

Present: Steve Burns Engineer

Mr. Burns: This property is primarily in the Town of Fishkill. This will have central sewer and wells in Fishkill and the one lot in the Town of Wappinger will be septic and well. There is 800 ft. of road on Smithtown Road that will be re-configured to fix the curve. The lot in Wappinger is 3.21 acres and is in an R-80 zoning district. The remaining 11 lots are in Fishkill.

Mr. Stolman: Does the lot in Wappinger have its own grid number?

Mrs. Lukianoff: It is a defacto subdivision.

Mr. Stolman: *Explained the map to the PB.*

Mr. Roberts: Even though it is identified separately for tax purposes, it still needs to be divided.

Mr. Stolman: You will need to submit to us for review.

Mr. Gray: I gave my comments to Richard already.

Mr. Stolman: This should be a coordinated review. I'll get in touch with Fishkill since they will be lead agency and they can submit for subdivision approval.

Mr. Burns: Thank you.

Ms. Visconti: Motion to go into Executive Session to discuss legal issues.

Mr. Valdati: Second the motion

Vote: All present voted aye.

Ms. Visconti: Motion to come out of Executive Session.

Mr. Valdati: Second the motion

Vote: All present voted aye.

Ms. Visconti: Motion to have the professionals consult with Victor and to respond to the Village over their concerns with Sonic.

Mr. Kickham: Second the motion

Vote: All present voted aye.

Ms. Visconti **Motion to adjourn.**
Mr. Valdati: Second the motion.
Vote: All present voted aye.

The meeting ended at 9:15 p.m.

Respectfully submitted,

Barbara Roberti, Secretary
Town of Wappinger Planning Board