

MINUTES

Town of Wappinger Planning Board
May 4, 2009
Time: 7:00 PM

Town Hall
20 Middlebush Road
Wappinger Falls, NY

Members Present:

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

Others Present:

Mr. Schiller,	Acting Engineer to the Town
Mr. Horan,	Acting Attorney to the Town
Mr. Stolman,	Planner to Town
Mrs. Lukianoff,	Zoning Administrator
Mrs. Roberti,	Secretary

SUMMARIZED

PROJECTS DISCUSSED:

OUTCOME

Discussions:

St. Gregory's Church	-Public Hearing on May 18, 2009.
Spooge, Inc	-To resubmit. Sent to ZBA & DEC.
Chelsea Ridge WWTP	-Public Hearing on May 18, 2009.

Miscellaneous:

BVM Builders	-Accepted extension for their closed public hearing.
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Conceptual:

Lloyd's Parcel	-To submit a site plan.
Kidz Town of Dutchess	-May 18, 2009 resubmit site plan.

Ms. Visconti: **Motion to approve the minutes for January 5, 2009.**
Mr. Pinto: Second the motion.
Vote: All present voted aye.

08-3176 / St. Gregory the Theologian Orthodox Church: To discuss a three phase expansion consisting of 2,650 sf, Phase I would be for 1,800 sf for the addition of a one story Fellowship Hall. The property sits on 3.27 acres in an R-40 zoning district and is located at **1500 Route 376** and identified as **Tax Grid No. 6259-04-715115** in the Town of Wappinger. (Hibbs)

Present: Jay Hibbs Architect
 Chris LaPine Engineer

Mr. Hibbs: At the last meeting we addressed the consultant’s comments. The biggest comment was the wetland from the drainage ditch. David Stolman went out to the site with Chris LaPine, myself and David’s specialist.

Mr. LaPine: We looked at the channel and the watershed and what we could do to mitigate it. We are collecting significant amounts of water from Vander Water so we offer two new catch basins and also two hoods on the outlet pipes. We think this is a good option. NYC has implemented this in 1999 with 80% success for catch basins with hoods.

Mr. Stolman: If Bob agrees that this is fine then that will be the way to go.

Mr. Schiller: Bob said it will be acceptable.

Mr. Hibbs: We have taken some parking away and put it by the rectory. The Father asked if the curb cut on Route 376 could be closed and a new cut be made onto Vander Water.

Ms. Leed: What is a hood?

Mr. LaPine: It is a sump with a hood.

Mr. Stolman: With questions as to the phasing, Barbara did some research and we have done phasing in the past. So with that this project can move forward with the phasing.

Ms. Visconti: The parking spaces were originally 82 and we have agreed to 55 spaces with the rest banked, correct?

Mr. Stolman: Yes.

Ms. Visconti: **Motion to set the public hearing for May 18th, 2009.**
Mr. Pinto: Second the motion
Vote: All present voted aye.

Mr. Hibbs: Thank you

09-3178 / Spooge, Inc.: To discuss construction of an office building totaling 3,168 sf. The building will be a two-story office building consisting of 1,152 sf on each floor and an attached garage that will be 864 sf and used for office and storage space. The lot is in the HB zoning district and the acreage is .27. This is located at **684 Old Route 9No.** and is identified as **Tax Grid No. 6157-02-602780** in the Town of Wappinger. (Povall)

Present: Bill Povall Engineer
Mike Witkowski Applicant

Mr. Povall: The PB has now gone out for a second look. We would like to submit to the ZBA for the side yard setback but we would like to nail down the layout with you first.

Ms. Visconti: Have you considered the DC Planning Dept. comments?

Mr. Povall: They don't take into consideration the size of the lot. Given the size of the lot and the applicants needs I believe when we show the architectural we will show the building as appropriate.

Ms. Visconti: There are a lot of comments though and it's a lot to digest.

Mr. Povall: They went way over board. When we were doing Lloyd's next door we had to get a wetland disturbance permit and the wetland is actually a drainage ditch along Route 9. The value of the wetland is very low due to the run off and the county wanted everything forward and we can't accommodate that with the existing building there.

Mr. Valdati: What about a temporary trailer on the site and then you could move the new building forward?

Mr. Povall: This type of business makes it impossible to do that. Also if we move the building forward the parking would have to be re-located and we can't fit it.

Mr. Fanuele: Are you putting in a curb along the side?

Mr. Povall: Yes. The curbing will direct the runoff.

Ms. Visconti: David's letter also has a lot of comments. You need a DEC permit, a variance for the setbacks and from us you want to land bank some spaces and make the others only 9 feet wide.

Mr. Povall: There will be no land banking just smaller spaces.

Mr. Fanuele: Once you get the wetland permit are you going to put some landscaping along Route 9?

Mr. Povall: Yes.

Mr. Stolman: I think Bill is looking to go to the ZBA first because if he doesn't get the variance he will need to redesign this.

Mr. Kickham: Why can't you build this around the existing building?

- Mr. Povall: This building is old and can't be salvaged. Can we have a recommendation to the ZBA because I think they normally ask for one?
- Mr. Stolman: They don't normally ask for one.
- Ms. Visconti: David, can the DCPD ask for a super majority if they get all their permits?
- Mr. Stolman: Probably not but they could conceivably.
- Mr. Valdati: This is too much building for this site. What goes in now may change with ownership and then there is the possibility for retail coming in or other uses and then there will be a need for future parking spaces. It's already a non-conformity as it currently exists and this will exacerbate the non-conformity by building it even larger and still not within the setbacks that it should be in. Plus the building it not going to be moved where it should be and the wetland issues. I think it is too much for this site and that's my opinion.
- Ms. Leed: Are you under the bulk regulations?
- Mr. Povall: Yes. We're allowed 75% and we are at 67%.
- Ms. Visconti: The design is acceptable to me.
- Mr. Visconti: You can move forward.
- Mr. Povall: Thank you.

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: Terry Wright Engineer
- Mr. Wright: We responded this last week to Bob Gray's comments, we have gone through a final round of comments with the DEC so we are on approval track with them so I am here primarily to ask for a public hearing.
- Ms. Visconti: We have heard from the FPB and DC Planning and they are ok with this.
- Ms. Visconti: Move to set the public hearing for May 18th.**
- Mr. Valdati: Second the motion
- Vote: All present voted aye.

07-3136 / BVM Builders Inc.: Applicant is granting a 90-day extension on the closed public hearing that took place on September 15, 2008. This third extension would run from May 14, 2009 through August 12, 2009. The property is located on **9D (next to Stewart's)** and is identified as **Tax Grid No. 6056-02-783920** in the Town of Wappinger. (Bodendorf)(Closed public hearing on September 15, 2008, first extension to February 2, 2009, second extension to May 14, 2009.)

Ms. Visconti: Motion to accept the 90-day extension for the closed public hearing.
Mr. Kickham: Second the motion
Vote: All present voted aye.

09-3184 / Lloyd's Parcel: To discuss amending the June 13, 2006 site plan approval to remove the sidewalk from the plan, to include a stockade fence and to relocate proposed trees. The project is located **between Old Route 9 and Route 9** and is identified as **Tax Grid No. 6157-02-604765** in the Town of Wappinger. (Povall)

Present: Bill Povall Engineer

Mr. Povall: We would like to remove the sidewalk from the site plan and instead landscape the front. We are also proposing to remove the evergreens from the side property line and add a fence and put the approved evergreens over here. We will put the 6 ft. high fence three feet in which leaves us with 7 ft of grass.

Mr. Valdati: Will that change the boundary line?

Mr. Horan: Not likely if it is less than 1 ft. If over 1 ft. then they should have a license agreement where Spooge acknowledges that the land belongs to Lloyd's.

Mr. Fanuele: Where will the refuse container be and will it be enclosed?

Mr. Povall: Over here and it will be enclosed and match the fence.

Mr. Stolman: We can waive the public hearing but there should be a formal application and resolution for the record.

Mr. Povall: Will this require escrow?

Mr. Fanuele: Yes.

Discussion followed.

Mr. Pinto: This should not be a big review process just to review the sidewalks.

Mr. Povall: I'll discuss this with my client. Thank you.

09-3185 / Kidz Town of Dutchess: To discuss a proposal for a children’s daycare facility consisting of 2,200 sq. ft. of existing office space in Hark Plaza, Building 3 and including a proposed 25’ X 40’ fenced in playground. The property is located at **1299 Route 9** and is identified as **Tax Grid No. 6157-04-567483** in the Town of Wappinger. (Day)

Present: Mark Day Engineer
Danielle & Brian Canero Applicants

Mrs. Canero: This will be a daycare for ages 18 months to five years of age. We plan on a total of 28 to 30 children. I ran a daycare for 10 years in Putnam County and I am trained in early childcare and have two children of my own.

Mr. Day: I represent Hark Plaza and they would need a playground for this. We are proposing it on the south side of the building between Hark Plaza and Corporate Park. The area would be 40’ X 25’ and it would be fenced in with a sidewalk around the building. There would be a ramp up to the play area as well. This is situated 100 feet from the residential area behind the building.

Mr. Fanuele: Is this on the first floor of the building?

Mrs. Canero: Yes.

Mr. Fanuele: Will the children be dropped off and picked up?

Mrs. Canero: Yes.

Mr. Stolman: How far off grade is this?

Mr. Day: Maybe 6 to 8 feet above ground.

Mr. Fanuele: Isn’t that an easement there?

Mr. Day: Yes but I believe it has been extinguished. The water is now behind Corporate Park.

Mr. Horan: Is the pipe still there?

Mr. Day: Yes but it has been abandoned.

Mr. Fanuele: Can the shed and dumpster be moved?

Mr. Day: I’m sure.

Mr. Stolman: Maybe some bollards should be placed back there.

Mrs. Canero: Yes and in front as well. We had a pre-site visit with the fire inspector and we passed everything. We offer drop off service also.

Mr. Fanuele: I think you’re good for the next step.

- Mr. Day: Will this need a public hearing?
- Ms. Leed: The neighbors may want to weigh in on this.
- Ms. Visconti: What is the sq. footage of this?
- Mrs. Canero: 2,200 sq. ft.
- Mr. Horan: What is the pleasure of the board?
- Ms. Visconti: No P.H.
- Mr. Valdati: No P.H.
- Mr. Pinto: No P.H.
- Mr. Fanuele: Give us a plan showing the shed and dumpster moved and the parking and sidewalk and resubmit to us.
- Mrs. Canero: Thank you.
- Mr. Pinto: Motion to adjourn.**
- Ms. Leed: Second the motion.
- Vote: All present voted aye.

The meeting ended at 7:50 p.m.

Respectfully submitted,

Barbara Roberti, Secretary
Town of Wappinger Planning Board