

# MINUTES

**Town of Wappinger Planning Board**  
**September 21, 2009**  
**Time: 7:00 PM**

**Town Hall**  
**20 Middlebush Road**  
**Wappinger Falls, NY**

## Members Present:

Mr. Fanuele:	Chairman	Mr. Kickham:	Member
Mr. Pinto:	Member	Ms. Leed:	Member
Mrs. Smith:	Member	Mr. Valdati:	Member

## Others Present:

Mr. Gray,	Engineer to the Town
Mr. Roberts,	Attorney to the Town
Mr. Brown,	Acting Planner to Town
Mr. Bolner,	Conflict Engineer to the Town
Mrs. Lukianoff,	Zoning Administrator
Mrs. Roberti,	Secretary

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## SUMMARIZED

### PROJECTS DISCUSSED:

### OUTCOME

#### **Public Hearing:**

Hughsonville Fire District	-APH on October 5 <sup>th</sup> to vote on site plan.
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#### **Discussions:**

Mid Hudson Chinese Church	-Granted final site plan approval.
Adams Fairacre Farms	-To resubmit.

#### **Extensions:**

Silver Fox Estates	-Granted second & final 90-day extension on final subdivision approval.
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#### **New / Old Business:**

Mr. & Mrs. Smart	-Site visit on October 3 <sup>rd</sup> , 2009 & review on October 5 <sup>th</sup> , 2009 agenda.
BVA Construction	-Resolution of denial for next meeting if escrow not paid.

**09-3192** / The Town of Wappinger will conduct a Public Hearing pursuant to Article IX, Section 240-87 of the Town Law on the application of **Hughsonville Fire Department**. The applicant is seeking approval of a proposed 3,575 sq. ft. four-bay storage building for the Fire District's equipment. The property is located at **88 Old Hopewell Road** and is identified as **Tax Grid No. 6157-01-075577** in the Town of Wappinger. (Silkworth)

Present: Wade Silkworth - Engineer  
Bruce Flower - Commissioner from Fire District

Mr. Fanuele: Are the mailings in order?

Mrs. Roberti: Yes they are.

**Mr. Kickham: Motion to open the public hearing.**

Mr. Pinto: Second the motion

Vote: All present voted aye.

Mr. Silkworth: We have brought in a color map this evening to show elevations and colors for the garage. The garage doors will face the parking lot and at this time the topo survey is being completed. *Described the plans for the public.*

Mr. Fanuele: Is there anyone in the audience with a question? Hearing none.

**Mr. Valdati: Motion to close the public hearing.**

Mr. Kickham: Second the motion

Vote: All present voted aye.

Mr. Gray: I have spoken with Wade and we are on the same page.

**Mrs. Smith: I motion to authorize the planner to write a resolution for the next meeting.**

Mr. Valdati: Second the motion.

Vote: All present voted aye.

Mr. Silkworth: Thank you.

**08-3166 / Mid Hudson Chinese Christian Church** – To vote on final site plan approval for a proposal for a new two-story 5,600 sf building which would be 2,400 sf for a gymnasium and 3,200 sf for classrooms/office in an R-40 zoning district on 4.04 acres. The property is located at **306 All Angels Hill Road** and is identified as **Tax Grid No. 6257-02-966715** in the Town of Wappinger. (Bodendorf)

Present: Mike Bodendorf - Engineer

Mr. Bodendorf: We have spoken with the DCHD and Peter Marlow is waiting for revisions. We have spoken with the Fire Inspector and he wants 10' separation between the buildings so we

took 5 ft. off of the buildings to allow for the 10' width. We took the 5 ft. off of the gym. David asked for building finishes and I will submit them. We have added more landscaping per David's request.

Mr. Gray: Regarding the SW swale, put something on there to better define that. The changes to the building shouldn't matter.

Ms. Brown: We have not seen this plan yet.

Mr. Bodendorf: Most of the comments were for landscaping.

Ms. Brown: We have those comments in the resolution.

Mr. Roberts: Be aware that your lawyer will need to write a Declaration of Covenants.

**Mr. Valdati: Motion to move the resolution as written.**

Ms. Leed: Second the motion

Roll Call: Mrs. Smith: Aye.  
Ms. Leed: Aye.  
Mr. Pinto: Aye.  
Mr. Kickham: Aye.  
Mr. Valdati: Aye.  
Mr. Fanuele: Aye.

Mr. Bodendorf: Thank you.

**07-3135 / Adams Fairacre Farms** - The discuss modified site plans on construction of a 76,327 sf building , garden center and nursery on 12.84 acres in an HB/HD Zoning District. The property is located at **152, 154 & 158 Old Post Road** and is identified as **Tax Grid Nos. 6157-04-649374/614375/649335** in the Town of Wappinger. ( Tinkelman ) (Final approval received on February 2, 2009)

Present: Robert Turner - Engineer  
Pat Adams - Applicant

Mr. Turner: We have worked with the Fish & Wildlife Agency and their main concern was the buffer along the boundary. The Indiana Bats like to roost along the outside so we have tightened up the property and pulled in the site. We have created an additional mitigation area over here and this now meets approval for the ACOE & Fish and Wildlife agencies. We will be submitting shortly and Mike Norwicki will spell out all the mitigation for you including the biologic establishment. *Continued to explain the new plans for the PB.* In general the area in the DOT ROW has been met and the signage and the general site follows suit. The one comment is that there will be no clearing between October 1<sup>st</sup> to March 31<sup>st</sup>. We thought that was the time period to clear.

- Ms. Brown: That comment was from out wetland specialist and you should contact her regarding that.
- Mr. Bolner: We have reviewed your submission and have some minor comments. Our office has no objection to a new resolution.
- Mr. Roberts: Back when you were before the board one of the items the town is considering is extending the water line after you extend it to your site, to make an additional loop so that there would be a loop to provide water from two different sources to the west side of Route 9. Way back in the beginning we had discussed Adams granting us an easement to connect to your water line.
- Mr. Turner: Correct.
- Mr. Roberts: If you and Greg could get together and show where that might be appropriate.
- Mr. Turner: Ok.
- Mr. Fanuele: Move to authorize the planner to write a new resolution.**
- Mr. Valdati: So moved.
- Mrs. Smith: Second the motion
- Vote: All present voted aye.
- Mr. Turner: Can we get that on the agenda for October 5<sup>th</sup> or 19<sup>th</sup> depending when we submit the plans?
- Mr. Fanuele: Submit the plans and then get onto the agenda.
- Mr. Turner: Thank you.

**02-5062 / Silver Fox Estates**- Seeking their second and final 90-day extension on final subdivision approval for a 6 lot subdivision on 10.89 acres in an R-40 zoning district that will run from September 30, 2009 and expire on December 30, 2009. The property is located between **Scotse Road and Losee Road** and is identified as **Tax Grid No. 6157-02-892694** in the Town of Wappinger. (Paggi) *(Preliminary approval was granted on February 5, 2007 and final subdivision approval was granted on January 5, 2009.)(First 90-day extension received to July 4, 2009.)*

- Mr. Valdati: Motion to grant their 2<sup>nd</sup> and final extension for subdivision approval.**
- Mr. Kickham: Second the motion
- Vote: All present voted aye.

**Mr. & Mrs. Smart: Regarding their River Road property and their request to have it rezoned.**

- Mr. Smart: *Gave handout to the PB members.* Mr. Stolman feels that this could be appropriate re-zoning easily. We seek to be like our neighbors here. The DEP built a wall that obstructs our north view of the river and we would like to build a home in the rear.
- Mr. Fanuele: I think we should go out for a site visit.
- Mr. Valdati; I agree.
- Mr. Fanuele: You will need enough road frontage for a common driveway and I will set the site visit for October 3, 2009 at 9:00 am. Mr. Beale would you like to attend with us?
- Mr. Beale: Yes, please send a memo to the TB as well.
- Mr. Smart: Thank you.

**BVM – Escrow in arrears**

Mr. Roberts: This account is in non-compliance with our code. David’s office should prepare a resolution of denial for the next meeting.

**Mr. Valdati: Motion for the planner to prepare a resolution of denial for October 5<sup>th</sup>.**

Mr. Pinto: Second the motion

Vote: All present voted aye.

**Mr. Valdati: Motion to adjourn.**

Mr. Kickham: Second the motion.

Vote: All present voted aye.

The meeting ended at 7:45 p.m.

Respectfully submitted,

Barbara Roberti, Secretary  
Town of Wappinger Planning Board