

MINUTES

Town of Wappinger Planning Board
October 19, 2009
Time: 7:00 PM

Town Hall
20 Middlebush Road
Wappinger Falls, NY

Members Present:

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

Others Present:

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

SUMMARIZED

PROJECTS DISCUSSED:

OUTCOME

Discussions:

Zeller Subdivision	-Granted final subdivision approval.
Spooge, Inc.	-To resubmit when DEC approves.
Adams Fairacre Farms	-Approved resolution as amended.

Extensions:

Adams Fairacre Farms	-Granted second and final 90-day extension.
Thomas Subdivision	-Granted second and final 90-day extension.

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

09-5150/ Zeller Subdivision: To vote on a resolution for a 3 lot subdivision on 16.124 acres in an R-40 Zoning District. The property is located on the **NE – NW side of Maloney Road** and is identified as **Tax Grid No. 6259-02-840815** in the Town of Wappinger. (Barger)

Present: Richard Barger - Engineer

Mr. Barger: If we put the title, “Final subdivision plat”, on the plans do I still have the right to subdivide further in the future?

Mr. Roberts: I don’t think that will preclude you from further subdividing but they will need to conform to whatever subdivision regulations are in affect at the time.

Mr. Stolman: We are just trying to say that this is no longer the preliminary plat.

Mr. Fanuele: Are there any comments from the audience or members? Hearing none.

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

Mrs. Smith: Second the motion

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

Mr. Barger: 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

Mr. Povall: I would like to go through the comments from the consultants. As far as showing all the improvements on the Elgen Site plan, we did show the building and primary features of the site. Do we need to show landscaping and everything on the Elgen site?

Mr. Stolman: I’m not making this stuff up. The PB can waive whatever it wants. *Read from zoning code the requirements.*

- Mr. Fanuele: Just include trees and shrubs.
- Mr. Povall: On 1B, in preparing this plan we are trying to keep the impervious areas as tight as possible. One of the items is that we made the length of the p.s. 18 feet in length.
- Mr. Stolman: The aisle needs to be 26 feet wide.
- Mr. Povall: I can push this into the buffer another foot but we were hoping to keep the aisle at 25 feet wide.
- Mr. Fanuele: Can we make that decision?
- Mrs. Lukianoff: The ZBA would have to approve that.
- Mr. Povall: Then we will make it 26 feet. On 1C, we are formally requesting to bank one of the 9 spaces in this area and David's comment is that we need PB approval.
- Mr. Valdati: Motion to accept one parking space land banked.**
Mrs. Smith: Second the motion
Vote: All present voted aye.
- Mr. Povall: The plans were submitted to the FPB and they had no comments. In regards to 2B, the SW, we provided a SW sediment basin east of the parking lot.
- Mr. Stolman: Bill I had a conversation with Bob Gray before the meeting started and we are ok with letting the DEC determine if that's ok.
- Discussion continued to go over the comment letters.*
- Mr. Povall: We received a letter from the DEC regarding the Indiana Bats. With this project there are only two trees coming down on the site.
- Mr. Fanuele: Do you need a permit from them?
- Mr. Povall: They just gave us the general letter. They usually require you to either go out and do a bat study or what we normally do is put a note on the plan that the trees would need to be cut during the winter months.
- Mr. Stolman: Why don't we assume that if you get your DEC permit they are satisfied with that.
- Mr. Fanuele: Any questions from the board. Hearing none. We then can direct our planner to write a resolution.
- Mr. Gray: I would wait for the letter from the DEC showing approval. This is starting to sound like something that could take a long time.
- Mr. Stolman: Yes get something from the DEC first.

Mr. Valdati: **Motion to hold this project until the DEC approves this first.**
Mr. Kickham: Second the motion
Vote: All present voted aye.

Mr. Povall: 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 - Architect

Mr. Turner: There were revisions required from the original approval and we have the amended resolution tonight and are hoping to receive approval tonight. We are ready to proceed forward with the U.S. Fish and Wildlife and ACOE.

Mr. Stolman: We have a couple of minor word adjustments in the resolution. *Went over the list of amendments for the PB.*

Mr. Roberts: Also the performance bond will be by a Surety Bond or Letter of Credit.

Mr. Stolman: On page 8 of 12, letter C, item 4 should read prior to a CO not a building permit.

Mr. Bettina: Vincent Bettina, I'm the councilman from the second ward. I just want to make sure the modification is better for the environment and is protecting my constituents?

Mr. Bolner: We are pushing the perimeter for the buffer back.

Mr. Stolman: Since the original approval was granted the requirements in the interest of the Indiana Bats changed in regard to the environment.

Mr. Turner: *Explained the changes for the audience.*

Mr. Valdati: So this resolution addresses those concerns?

Mr. Stolman: Yes.

Mr. Valdati: **Motion to approve the resolution as amended.**

Mrs. Smith: Second the motion

Roll Call: Mrs. Smith: Aye.

Ms. Leed: Aye.

Mr. Kickham: Aye.

Mr. Valdati: Aye.

Mr. Fanuele: Aye.

Mr. Turner: Thank you.

08-5147 / Adams Fairacre Farms - Seeking their second and final 90-day extension on final subdivision approval for the combining of 3 lots into one parcel that consist of 12.84 acres in an HB/HD Zoning District. This extension would start on November 1, 2009 an run through January 28, 2010. 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)(LA: 10-19-07) (Final subdivision approval granted on 2-2-09 and first extension granted on August 2, 2009.)

Mr. Valdati: Motion to grant their second and final 90-day extension on final subdivision approval.
Mr. Kickham: Second the motion
Vote: All present voted aye.

08-5141 / Thomas Subdivision. Seeking their second and final 90-day extension on final subdivision approval for a 2 lot subdivision on 22.1 acres in an R-40 Zoning District. This extension would start on October 20, 2009 and run through January 16, 2010. The property is located at **197 Riverview Drive** and is identified as **Tax Grid No. 6056-02-706819** in the Town of Wappinger. (Bodendorf)(Final subdivision approval was granted on January 21, 2009, first extension to July 21, 2009.)

Mr. Kickham: Motion to grant their second and final 90-day extension on final subdivision approval.
Mr. Valdati: Second the motion
Vote: All present voted aye.

Mr. Kickham: Motion to adjourn.
Mr. Pinto: 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