

# MINUTES

**Town of Wappinger Planning Board**  
**October 5, 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. Roberts,	Attorney to the Town
Mr. Stolman,	Planner to Town
Mrs. Lukianoff,	Zoning Administrator
Mrs. Roberti,	Secretary

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SUMMARIZED

**PROJECTS DISCUSSED:**

**OUTCOME**

**Adjourned Public Hearing:**

Zeller Subdivision	-To vote on resolution for final October 19, 2009.
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**Discussions:**

Hughsonville Fire District	-Granted final site plan approval.
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**Extensions:**

Meg Tam Subdivision	-Granted third 6-month extension on preliminary.
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**Conceptual:**

Del-Tra Holdings	-To resubmit.
Chelsea Farm Subdivision	-To resubmit.

**New / Old Business:**

Mr. & Mrs. Smart	-Letter of recommendation to TB once violations cleared.
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**Mr. Kickham:**           **Motion to approve the minutes for April 20, 2009.**  
Mr. Valdati:            Second the motion.  
Vote:                    All present voted aye, except Mrs. Smith who abstained.

**Ms. Leed:**             **Motion to approve the minutes for May 18, 2009.**  
Mr. Kickham:           Second the motion.  
Vote:                    All present voted aye.

**Ms. Leed:**             **Motion to approve the minutes for September 21, 2009.**  
Mr. Kickham            Second the motion.  
Vote:                    All present voted aye.

**09-5150** / The Town of Wappinger will conduct a Public Hearing pursuant to Article 276 of the Town Law on the application of **Zeller Subdivision**. The applicant is seeking approval 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. Kickham:**           **Motion to open the public hearing.**  
Mr. Pinto:             Second the motion  
Vote:                    All present voted aye.

Mr. Barger:            This property has three existing houses since the 1950's. They encroach in the floodplain zone but exist over 30 years before the regulations came into effect. They don't meet the current front yard setbacks but the determination from the Zoning Administrator allows the existing setback.

Mrs. Lukianoff:        These homes predate zoning.

Mr. Roberts:           That should be spelled out in your letter.

Mrs. Lukianoff:        I will amend my letter.

Mr. Fanuele:           Are there any questions from the PB? Hearing none. Are there any questions from the audience?  
Hearing none.

**Mr. Valdati:**           **Motion to close the public hearing.**  
Mr. Kickham:           Second the motion  
Vote:                    All present voted aye.

Mr. Fanuele:           Can you add the wetlands to the map?

Mr. Barger:            We will add the two wetlands together.

Mr. Stolman:           Have you re-calculated for the 36,000 sf of dry land per lot?

Mr. Barger: Yes.

**Mrs. Smith: Motion to authorize the planner to write a resolution of subdivision approval.**

Ms. Leed: Second the motion

Vote: All present voted aye.

Mr. Barger: Thank you.

**09-3192 / Hughsonville Fire Department** – To vote on a proposed 3,575 sf 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

Mr. Fanuele: We have a resolution of approval before us tonight.

**Mr. Kickham: Motion to accept the resolution as written.**

Mr. Pinto: Second the motion.

Roll Call: Mrs. Smith Aye.

Ms. Leed: Aye.

Mr. Pinto: Aye.

Mr. Kickham: Aye.

Mr. Fanuele: Aye.

Mr. Silkworth: Thank you.

**04-5093 / Meg Tam Subdivision** – Seeking their third six month extension on preliminary approval for an 8 lot subdivision on 90 acres in an R-80 zoning district. The project received preliminary approval on April 21, 2008 and their first extension on October 21, 2008 extended through April 19, 2009, their second six month extension ran from April 19, 2009 through October 16, 2009. This third extension would begin on October 17, 2009 and extend until April 19, 2010. The property is located between **Smithtown Road** and **Cooper Road** is identified as **Tax Grid No. 6156-02-978818** in the Town of Wappinger. (Povall ) (PH: 1-19-05)(Closed PH 3-17-08)(Preliminary approval granted on April 21, 2008.)

**Mr. Valdati: Motion to grant a third extension for 6 months on preliminary approval.**

Mr. Kickham: Second the motion

Vote: All present voted aye.

**09-3193 – Delta Holdings, LLC:** To discuss a proposed office building comprised of 4,200 sq. ft. of office space and 9,640 sq. ft. of warehouse space for a total of 13,840 sq. ft. in a GB zoning district on 1.27 acres. This property was part of the recently filed map for Airport View Commons subdivision. This parcel is located at **280 New Hackensack Road** and is identified as **Tax Grid No. 6259-04-519321** in the Town of Wappinger. (Barger)

Present: Richard Barger - Engineer  
Ray Travis - Applicant

- Mr. Barger: We recently had the two lot subdivision approved and filed at the county. We are proposing a 9,600 sf office building with 24 parking spaces.
- Mr. Fanuele: Why are you proposing Item 4 gravel and not blacktop in the rear?
- Mr. Barger: That's the loading area.
- Ms. Leed: Is this office and warehouse?
- Mr. Barger: It is 25 X 80 sf and yes it will be office and warehouse similar to Bill Horton Way.
- Mr. Fanuele: What about the area in gray?
- Mr. Barger: Those are the side spaces so that traffic can go around the back.
- Mr. Gray: Where are the SW and the drainage?
- Mr. Barger: Here and here with overflow to go down to this.
- Mr. Gray: The septic looks really small.
- Mr. Barger: We dug test holes and we have the space. 26% of this will be landscaped.
- Mr. Fanuele: On the green area can you plant in there.
- Mr. Barger: Yes.
- Mr. Fanuele: From a conceptual point of view you can carry on and submit a site plan.
- Mr. Barger: Thank you.

**09-5155 – Chelsea Farm Subdivision:** To discuss a proposed 18 lot subdivision in an R-40/80 zoning district on 186.8 acres. This parcel is located on **Chelsea Road (County Route 92) & North River Road** and is identified as **Tax Grid No. 6056-01-138527 ( 102.7 acres) & 6056-01-190688 (84.1 acres)** in the Town of Wappinger. (Koehler)

- Present: David Silver - Applicant
- Mr. Silver: We came before you prior to the moratorium. We are looking for 18 lots with two near the river and three on the south side with the balance of them here. (Shows the board on his map) These lots meet the requirements for well and septic and we have done test holes as well. The last time we were here the town asked for a land donation for the public dock so we have carved out a piece near the marina that we will donate.
- Mr. Gray: What happens to the small piece of land across the street?
- Mr. Silver: I'm not sure, it will probably stay with this lot. This large piece will probably be donated to the Hudson Land Conservatory.

Mr. Bettina: The land for the marina would be beneficial for the residents.

Ms. Leed: The property to be donated, is it steep and un-useable?

Mr. Silver: Yes, probably.

Mr. Kickham: So you are no longer proposing riding stables and a track?

Mr. Silver: No.

Mr. Gray: Where will the SW from the road go?

Mr. Silver: We will address that with our first submission. Thank you for your time.

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

Mr. Fanuele: We went out for a site visit on Saturday to your property.

Mrs. Smith: I have a problem with the pool not having a fence.

Mrs. Smart: The pool has been there for over 30 years.

Mrs. Lukianoff: An OTR was sent out over 2 years ago regarding the pool fence.

Mrs. Smith: I never received that.

Mrs. Lukianoff: It is a safety hazard and your building permit was never closed out.

Mr. Fanuele: Is this a 2 or 3 family?

Mrs. Smart: On your tax records it is a three family.

Mr. Roberts: I worked on this back in the 70's and it has been a three family for decades.

Mrs. Lukianoff: So you are on the record that this is indeed a three family?

Mr. Roberts: Yes.

Mr. Bettina: So you will clear up the violation before the PB sends their recommendation Mrs. Smart?

Mrs. Smart: Yes.

Mr. Valdati: I want everything cleared up first.

Mr. Fanuele: Can it be subject to the re-zoning?

**Mr. Valdati:** **I have no problem with the recommendation contingent upon them clearing up all violations.**  
Mr. Pinto: Second the motion.  
Vote: All present voted aye.

Mr. Fanuele: So the PB recommends the re-zoning to R-40 with the violations cleared before the letter gets sent.

Mrs. Smart: Thank you.

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Mr. Fanuele: I would like to extend our thanks to Eugene for his service to the Planning Board.

**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