

# MINUTES

**Town of Wappinger Planning Board**  
**January 5, 2011**  
**Time: 7:00 PM**

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

**Members Present:**

Mr. Fanuele:	Chairman	Mr. Kickham:	Member
Ms. Leed:	Member	Mr. Malafronte:	Member
Mr. Valdati:	Member	Ms. Bettina:	Member

**Members Absent:** Mrs. Smith: Member

**Others Present:** Mr. Gray, Engineer to the Town  
Mr. Roberts, Attorney to the Town  
Mr. Stolman, Planner to Town  
Mrs. Roberti, Zoning Administrator  
Mrs. Dao, Secretary

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## SUMMARIZED

**PROJECTS DISCUSSED:**

**OUTCOME**

**Discussions:**

Swenson Subdivision	-	To resubmit.
Nature Preserve/Garage	-	To vote on revised plans on 1-19-11.
BAC Properties, LLC Phase 1	-	Approved to move to resolution.
Brundage Site Plan	-	Discussion on 2-7-11.
Osborne Square	-	Approve amended resolution, referred to ZBA for sign setback
NYCDEP Geo. Investigation	-	Public Hearing on January 19, 2011.
H.V. Cerebral Palsy Assoc.	-	To vote on (3) draft resolutions by 1-19-11
Hughsonville Fire Department	-	To vote on resolution on 1-19-11.
WCSD Bus Parking – Phase II	-	Discussion on 1-19-11.

**Miscellaneous:**

BVM Builders Inc.	-	To resubmit.
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**Extensions:**

Osborne Square	-	Not needed.
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**New / Old Business:**

Ron Lafko – CAC	-	Short presentation.
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**09-5151 – Swenson Subdivision:** To discuss a ten lot subdivision on 7.56 acres in an R-20 Zoning District. The property is located on New Hackensack Road and is identified as Tax Grid No. 6158-02-948876 in the Town of Wappinger. (Spectra)(Olson)

Present            Andy Learn            Spectra Engineering

Mr. Learn:        This is a ten lot subdivision. The adjacent parcel will have water placement in order to get more lots, as compared to ten lots. Nothing says you can't put storm water on an adjacent lot. Will you allow it to be built on a separate parcel?

Mr. Fanuele:     Is this a different lot?

Mr. Stolman:     Highway Office district as opposed to Residential.

Mr. Roberts:     Historically, all water was to be contained on the same parcel.

Mr. Gray:         Highway Office district significantly diminished by the pond, about twenty percent of the property.

Mr. Stolman:     HO district is to be used for business. The storm water placement might eat up the detention base. If the residential piece and the pond were larger as well, you can see the problem it could cause.

Mr. Fanuele:     Who would maintain this?

Mr. Roberts:     The lot developer is responsible for five years. The cost would be allocated amongst the lot owners. The district would be responsible and the Town would contract out or have Highway maintain it and charges would be put back on the home owners.

Mr. Fanuele:     We have a letter from the Zoning Administrator. Have you seen it

Mr. Learn:        Yes, that was another issue that we had. The ZA's letter said basically, this is an R-20 zone. The front yard setbacks are thirty five feet verses seventy five feet from a county road, lot one and ten assuming frontage would be on the town road. The Zoning Administrator's letter states seventy five feet on the county road. The front yard is on county road side which means the houses would be turned to face the county road side.

Mr. Stolman:     According to the Zoning Administrator, side yards would have to be seventy five feet. Is this a mute point if you can't put detention pond on a separate lot? If you reconfigure the lots including water detention and reduce the lots than maybe it might be mute to have a seventy five foot setback.

Mr. Fanuele:     Even if lots are reduced the homes still have to be seventy five feet from the county road.

Mr. Stolman:     They can go to the Zoning Board of Appeals for discussion.

Mrs. Roberti:    Or they could go to the ZBA for an interpretation.

- Mr. Learn: I need to know if it is 35 or 75 feet.
- Mr. Fanuele: What is the yellow line on the white portion going back?
- Mr. Learn: A maintenance easement to get to the pond. What is your opinion of the storm water?
- Mr. Fanuele: You can't put it on that lot.
- Mr. Valdati: I think the storm water should be on the same lot. Houses facing the highway should be facing the highway.
- Mr. Stolman: Mr. Learn had turned the houses prematurely. The setback should be seventy five feet. As you drive into the subdivision, you should see the front of the houses.
- Mr. Roberts: Robert, do you think there should be a seventy five foot setback and face the highway?
- Mr. Fanuele: So there should be a 75 foot setback either way the home is facing. If the storm water stays in the Highway Office district it should be part of the subdivision.
- Mr. Learn: Is it a no for the storm water to be on another lot?
- Mr. Fanuele: Should we keep the water on subdivision property? Take a vote advised not to.
- Mr. Fanuele: Motion to have water remain on the subdivision. All aye.

**10-3213 – Nature Preserve/Garage:** Seeking approval for an attached two-car garage to an existing town house. The property is located at **109 Old Hopewell Road** and is identified as **Tax Grid No. 6157-01-254619/263617** in the Town of Wappinger. (Kuehner)(Day)

Present Jason Morris Day Engineering

- Mr. Morris: This was a previously proposed lot realignment. Both the garages will be kept on the property of the HOA. The only difference is the parcel garage units 52 and 53 are detached instead of being attached. Both garages will be leased back to units 53 and 53. About a five foot space between the garage and the house.
- Mr. Stolman: We need an amended site plan and the material, vinyl gray, to match house weathered wood.
- Mr. Fanuele: Leased back to the people that own two houses.
- Mr. Gray: We didn't realize at the time of the letter that the lot line was off the table. We had a discussion with the applicant about this.
- Mr. Stolman: Minor comments – There should be elevation drawings, revised drawings showing materials, color and lighting.
- Mr. Valdati: Does 52 and 53 proposed lot lines remain the same?

- Mr. Morris: Yes the lot lines remain as is. It is a filed map.
- Mr. Stolman: Brief resolution for next meeting, wave the public hearing.
- Mr. Fanuele: I don't think we need a public hearing.
- Mr. Stolman: Re-submit plans to Mrs. Dao.
- Mr. Morris: Thank you. I'll see you in two weeks.

**10-3219 / 4043 –BAC Properties, LLC Phase 1:** To vote on an amended site plan and SUP to change the use in the present facility to include light manufacturing which is a permitted use in the AI Zoning District. The property is located at **30 Airport Drive** and is identified by the following **Tax Grid No. 6259-04-578332** in the Town of Wappinger. (Povall)

Present Bill Povall Engineer

Mr. Povall: To review conditions, trees as well, attach a full blown out plan to have approved.

- Mr. Valdati: **Motion to approve the resolution.**
- Mr. Kickham: Second the motion.
- Vote: All present voted aye.

**10-3216 / Brundage Site Plan -** To discuss their site plan and SUP to legalize two houses, one for rental income, one for their primary residence and a retail business on 1.76 acres in the NB Zoning District. The property is located at **2088 Route 9D** and is identified as **Tax Grid No. 6057-04-847098** in the Town of Wappinger. (Day)

Present Jason Morris Day Engineering  
Martin Brundage Owner

- Mr. Morris: The wells need to be relocated pending approval of the Health Department. 570 square feet of retail use for Party All the Time, attached to a two bedroom house that Mr. Brundage lives in. We need to get approval from DEC.
- Mr. Gray: Is there DEC wetlands that wraps around the property?
- Mr. Morris: Shown DEC claimed wetlands around the property and approved. The wet lands expands into the adjacent parcel.
- Mr. Fanuele: How long will it take to get approval?
- Mr. Morris: Do you still want me to be on every agenda? I want to propose a monument sign and a twenty foot by twenty foot pad to display blow up jumping castle.
- Mr. Fanuele: How large is the sign?

- Mr. Morris: The sign is twelve square feet.
- Mr. Brundage: I don't want a big sign. The driveway is hard to see.
- Mr. Gray: Skip a meeting.
- Mr. Fanuele: The Zoning Administrator will look at the sign.
- Mr. Valdati: Assessment point of view, is it caught up?
- Mr. Roberts: The property should be assessed at what is on the property. We did not and usually have not looked at the assessment. A building permit was issued for the extension of the garage.
- Mr. Brundage: We were assessed.
- Mr. Roberts: A building was for the extension of the garage. The assessor will go out to re-assess the property.
- Mr. Valdati: Can we check with the assessor to see if all was assessed, if everything was paid that should have been paid?
- Mr. Fanuele: If he was under assessed he should catch up.
- Mr. Roberts: The only thing that can be done is make a change for the next assessment.
- Mr. Valdati: I just want to make sure everything is in place.
- Mr. Malafronte: Flood plains play a part in this with elevations.
- Mr. Morris: OPRMP will not accept information from engineer. The lead agency can send a map for them.
- Mr. Stolman: I don't have a problem with that.
- Mr. Fanuele: As long as you keep making progress. We will see you at the first meeting in February.
- Mr. Gray: Will you be able to get a resolution by then?
- Mr. Morris: Yes. Thank you.

**08-3162 / Osborne Square (Formally Bank Plaza):** To vote on final approval for two new commercial buildings for a total of 16,228 sf on 2.138 acres located in an HO Zoning District. The property is located at **1145 Route 9** and is identified as **Tax Grid No. 6157-04-649068** in the Town of Wappinger. (Day)(LA sent 1-26-10)

Present Jason Morris Day Engineering  
Kevin Lund Owner

Mr. Fanuele: We received a letter from the Zoning Administrator for signage.

- Ms. Leed: The size was being looked at.
- Mr. Lund: We talked about not needing to go to the Zoning Board of Appeals for location.
- Mr. Morris: The lot line is back quite away.
- Mr. Lund: I did the calculations comparing them to Corporate park. They are about the same.
- Ms. Leed: How much larger is the sign?
- Mr. Lund: The sign is about thirty one and a half square feet, that's the total allowable.
- Ms. Leed: Is that with the stone work?
- Mr. Lund: With stone about forty five square feet.
- Ms. Leed: There is no reason to make the sign smaller. It seems too big.
- Mr. Morris: The sign is off the traveled way and the speed by drives.....
- Mr. Lund: I'll be happy to put a mock sign for you to see.
- Mr. Stolman: The location is not in the signage provisions. This means a trip to the ZBA.
- Mr. Fanuele: Is there a light in the back?
- Mr. Lund: The setback is so far back now. If I have to go for a variance I will.
- Mr. Fanuele: We could give the ok for the size of the sign and the ZBA would have to give the ok for the setback.
- Mr. Stolman: Page six, the modification of the resolution the applicant should include wetland impact exclude (B).  
  
(Discussion between Mr. Stolman and Mr. Lund.)
- Mr. Stolman: We have, in the, file a subsequent letter from Army Corp of Engineer. You can approve and I will look to see if their approval is needed.
- Ms. Leed: I think it is too high.
- Mr. Lund: I'm ok with if you do not make a determination tonight. I would like everyone to go by and see the Corporate Park sign since the physical size is the same. We are on lower ground, if the board would consider.
- Ms. Bettina: The other sign has a list of stores. This will not be all sign. The other sign is very busy. I think this is good.

- Mr. Fanuele: We can grant the extension.
- Mr. Lund: Can we decide on a resolution?
- Mr. Stolman: We can approve tonight with an Army Corp stipulation.
- Mr. Malafronte: Is the storm water the same?
- Mrs. Roberti: Yes it is.
- Ms. Leed: The size of the sign is up to us.
- Mr. Stolman: The sign should be approved by the Planning Board.
- Mr. Valdati: Contingency on three items.
- Mr. Stolman: That will be built into the resolution.
- Ms. Leed : **Motion to approve the resolution as amended.**
- Ms. Bettina: Second the motion.
- Vote: All present voted aye.
- Mr. Lund: I will make an application to the ZBA for the sign location. Thank you.

**10-3214 / NYCDEP Geotechnical Investigation** – To discuss amending their site plan to include borings located on the Shaft 6 property. The property is located at **203 River Road North** and is identified as **Tax Grid No. 6056-01-288977** in the Town of Wappinger. (Malcolm Pirnie)

Present James Canale Engineer

- Mr. Canale: This is the Shaft 6 site of the Hudson River. I will briefly discuss what we are doing. We are boring first before tunneling project of 500 to 700 below sea level for testing we need to build shafts. The three borings are at numbers 11, 12 and 13 sites. The other sites are not in the Town of Wappinger. We will drill down 700 to 750 for core samples, to get information where shafts 10 to 15 shallow borings to see environmental issues. On bedrock each boring takes about 4 weeks of drilling, 4 months could also be with delays. There are two comments from the planner, each can be worked on.
- Mr. Page: (Mr. Mark Page of DEP) Noise clarification and noise restriction.
- Mr. Fanuele: Page two section 240-103.
- Mr. Stolman: Noise at 95 decibels. What are the measurements at the property lines?
- Mr. Page: A CADNA model is used to test the noise levels. They are between 52 and 60 decibels.
- Mr. Stolman: Do you comply with the noise ordinances?

- Mr. Page: We are planning on putting up sound barriers.
- Mr. Stolman: We are interested in the decibels you are telling us tonight.
- Mr. Page: I want clarification on the noise ordinance. Is it from 8am to sun down?
- Mr. Stolman: From 7pm to 7am, no noise.
- Mr. Page: We are not proposing to work between those times.  
Mr. Canale: 8am to 4pm drilling is typical construction times.
- Mr. Stolman: That is not an issue.
- Mr. Valdati: Does the town monitor the sound?
- Mr. Roberti: We have no way of checking. The noise level standards equipment is not available.
- Mr. Bettina: Ward 2. Noise is a real concern. Residents concern is noise and traffic. Daylight could be 9pm in the summer. The noise is not any louder than I speak? I want to make sure there is equipment to monitor sound. I'm asking you to please take this into consideration.
- Mr. Fanuele: What would the tunnel of noise make? You need to look at the project as a whole.
- Ms. Leed: is this a vertical hole?
- Me. Canale: Yes. They are 8 inches in diameter. We will pull out clean cores, put them in boxes and store off to Newburg. Drilling fluids and soil will be deposited off site.
- Mr. Page: Below OSHA standards.
- Mr. Canale: We are currently working on shaft sites. People will be walking on site. They will not interfere with working hours.
- Mr. Page: In the 30's and 40's there was no data.
- Mr. Stolman: Can you do your own noise inspection and submit to the building department?
- Mr. Muller: (Mr. Rick Muller of DEP) Enforcement of air and noise control. We will have contact available for you.
- Mr. Gray: What will you have in terms of spoils?
- Mr. Canale: They will be put in 55 gallon drums and stored off site.
- Ms. Leed: How many weeks will this take?
- Mr. Canale: 4 weeks of boring and 4 weeks of investigation. While that is the rig is moved to the second boring



hole.

Mr. Gray: David Stolman is more qualified.

Mr. Stolman: Al Roberts is more qualified.

Ms. Bettina: Once a week at different times testing for noise or did you say everyday testing for noise?

Mr. Muller: The rig will be in position for 4 weeks. It will be measured in position in the beginning and 2 weeks later. When the rig is moved it will be tested again.

Mr. Valdati: Regardless of the depth?

Mr. Muller: Yes, the rig makes the noise.

Mr. Gray: When the sound actuation is set it is not going to change.

Mr. Stolman: This is not a unique situation. Construction is going on all the time.

Mr. Valdati: 4 months, consider having a public hearing to hear all concerns. It will be done properly and persuade fear. To make sure we are following protocol. I think this is reasonable from an engineer and planning perspective.

Mr. Stolman: I think a public hearing is important. Will the noise monitor be on the premises? Will the contractor on site be doing the monitoring?

Mr. Page: We might not have a contractor professionally in to monitor.

Mr. Canale: The hydraulic motor sound is like a large piece of equipment at a construction site.

Mr. Page: Where do you want the noise monitoring to be taken from?

Mr. Stolman: Preferably the closest residence. Show on the plan where you propose to have the noise inspected. Do you want to have a public hearing next meeting on January 19<sup>th</sup>?

Mr. Fanuele: When do you have to send out the public hearing notice?

Mrs. Roberti: Tomorrow we will send you what you need to do.

Mr. Bettina: What can we do if noise exceeds compliance? Can we issue a stop work order?

Mr. Roberts: Yes, they have to be in compliance.

Ms. Leed: Can you put in writing what the noise will be inspected at? At the public hearing you can talk to the residences.

Mr. Page: Thank you.

**09-3183 / 5156 / H.V. Cerebral Palsy Assoc. & Malcolm R. Hunter Post #53 of Masonic War Veterans of New York**

To discuss a proposal to subdivide the Masonic Lodge parcel into two building lots and to obtain Site Development Plan Approval for separate uses on each of the lots. On one lot the Masonic Lodge is seeking Amended Site Plan Approval to maintain the existing Masonic Lodge. On the second lot, the H.V. Cerebral Palsy Association is seeking Site Plan Approval to construct a 15 unit residential facility which will consist of 14 one bedroom units for persons with disabilities and one, one bedroom unit for a caretaker. The property contains Town of Wappinger regulated wetlands and the applicants are also requesting a Town of Wappinger Wetland Permit for impervious surface coverage within the 100-foot regulated wetlands buffer on 4.87 acres in an R-20 zoning district. The project is located at **150 Myers Corners Road** and is identified as **Tax Grid No. 6258-03-322214** in the Town of Wappinger. (Chazens) (LA Sent Oct.7, 2010)(PH opened and closed on 11-15-10)

Present Chris Lapine Chazen Engineer  
Robert Amatuli

Mr. Lapine: As requested from our last meeting to address trees larger than 12 inches. We will save 10 trees. I spoke to the town planner about a barrier around the trees. The second issue is isolating the wetlands. We met with David Stolman to discuss a mitigation plan to satisfy everyone. A 2200 square foot rain garden as attractive shallow landscaping, the runoff from rain would go through landscaping and piped to storm water. The third issue, the light plan was addressed, half foot candle exceeding the property limit. We feel this is not a lot. .2 foot candles drop off on Myers Corner road. I would like to get your input. Nothing impacts the integrity of the design. Temporary grading easement needs to be extended.

Mr. Stolman: The lighting code, specifically half foot, can you make an adjustment or shield it?

Mr. Lapine: By shielding it would take away from lighting the sign.

Mr. Fanuele: So you need the lighting for the sign. Change the sign for more light.

Mr. Valdati: Move the sign back.

Mr. Stolman: At the property .6 foot candles is very insignificant.

Mr. Valdati: Can you move the sign back a bit? The law is the law.

Mr. Lapine: We can use lower voltage.

Mr. Valdati: If you do for one, we have to do for all. I suggest keeping to the code.

Mr. Lapine: We will use a lower voltage.

Mr. Gray: We need the wetland approval. Are you maintaining the drainage?

Mr. Lapine: We are responsible for the maintenance of the drainage.

Mr. Stolman: Does the plan show an easement for that?

- Mr. Gray: The question is who owns what.
- Mr. Lapine: We addressed every count from Morris Associates.
- Mr. Gray: Critical, so we can sign off on the swift.
- Mr. Fanuele: Are we ready to go forward? We need subdividing and site plan.
- Ms. Bettina: And wet lands.
- Mr. Stolman: Wet lands approval has to be in the resolution.
- Mr. Malafrente: Address in the resolution the town wet lands.
- Mr. Roberts: You don't have to finalize the SWIFT if the planning board doesn't agree to go forward.
- Mr. Bettina: Did you contact Fish and Wildlife?
- Mr. Stolman: The Planning Board wants to have some information from the agencies involved.
- Mr. Gray: Recommendation okay with the SWIFF. David Stolman is looking at this critical part of this.
- Mr. Fanuele: Is the Planning Board satisfied or do you want more information?
- Mr. Gray: Six bullets from DEP.
- Mr. Lapine: I didn't receive. 12" by 12" sign attached to the light pole. There is no other sign. It is not a heavy traffic area. There are 8 employees a day. To create a more impervious area it doesn't seem needed. We have a sidewalk on one side and construction of sidewalk on the Myers Corners Road side.
- Mr. Fanuele: The county wants sidewalks. The county did a study, master plan, roundabouts, change driveways, etc.
- Mr. Stolman: The county is actually working on Route 9D and Route 376 with proposed number of intersections. I will find out which side of the road the county wants a sidewalk.
- Mr. Lapine: We would be happy to reach out to the county, sit with them and iron out what they want? 300 foot distance to the Masonic Lodge. It didn't address a sidewalk to the building. ADA requirement is five foot wide ramps.
- Ms. Bettina: Ramps at all pedestrian crossings.
- Mr. Fanuele: Are you asking on site or Myers Corner Road?
- Mr. Stolman: Your site is 100% handicap capable. Chris mentioned sidewalk on one side of the parking lot. The board needs to determine if you want more sidewalks.

- Mr. Kickham: Will you have visitor parking with handicap capable spots? The Northern parking should have handicap parking. Four spots are not enough.
- Mr. Lapine: We have a drop off area.
- Mr. Kickham: The Northern parking lot visitor can't park if he has a wheelchair. Where do I park? I need a safe parking lot.
- Mr. Amatuli: Is there a lottery on who will move in and get the spots? We don't know who will be driving and who will not.
- Mr. Valdati: If you have four residents that use the only four spots than where do the visitors park?
- Ms. Leed: Strip the sidewalk reason cost?
- Mr. Lapine: I don't think need impervious area. We will need sidewalks put in.
- Mr. Fanuele: Five feet is what is needed. Planning might want six feet. But only five feet is required.
- Mr. Kickham: Can a four wheel scooter turn around in a five foot sidewalk?
- Mr. Amatuli: The clearance for a chair is two and a half feet wide. Two chairs can pass by.
- Mr. Kickham: The sidewalk on route 9 should be wider.
- Mr. Stolman: Unresolved at this time. Sidewalk is at grade or flush.
- Mr. Fanuele: Parking, if none available, people can park across the way.
- Mr. Stolman: You want to hear from DEC and wild life before you make a resolution.
- Mr. Lapine: Do we have to come back to another meeting to get a resolution? Can we come to the January 19<sup>th</sup> meeting?
- Mr. Roberts: Start drafting the resolution. There are three resolutions: subdivision and two site plans.
- Mr. Valdati: Move to have resolution.
- Mr. Valdati: **Motion to approve the resolution.**
- Ms. Bettina: Second the motion.
- Vote: All present voted aye.
- Mr. Stolman: (1) Site plans and wetlands lot 1  
(2) Site plan lot 2  
(3) Subdivision
- Mr. Gray: Need a bond on Schnabel Court. Catch basin.

Mr. Roberts: Are you doing some work in Schnabl Court?  
Mr. Lapine: Yes, right now Myers Corner to Schnabl Court.  
Mr. Gray: I will be determining the amount of the bond.  
Mr. Lapine: We will get this to you next week.  
Mr. Gray: Bond or letter of credit?  
Mr. Lapine: Bond Is easier.  
Mr. Fanuele: We will put you on the agenda of January 19<sup>th</sup>. If you are not ready we will move you.

(2) Change lighting plan Dutchess County Planning Letter. Finalize SWIFF.

**09-3192 / Hughsonville Fire Department** – To discuss a change to the approved parking totals. 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 Bruce Flower Representative of Hughsonville Fire

Mr. Flower: The original site plan shows 75 feet but the actual number shown is 70 feet.  
Mr. Fanuele: You have another property for another five spots  
Mr. Flower: Yes we do. We discussed about overflow parking.  
Mr. Fanuele: You have the space. If you need then you can put it there.  
Mr. Flower: Town code doesn't have a requirement for the number of spots.  
Mr. Fanuele: Asking Mr. Stolman where does 75 spots come from?  
Mr. Flower: We know we would lose the east side strip of parking.  
Mr. Stolman: If that is the case, the planning board can say 70 spots are okay.  
Ms. Leed: Have you had any parking problems?  
Mr. Stolman: Extremely minor. I recommend a draft resolution. Seventy instead of 75 spots.  
Mr. Flower: Do you want an as built or letter? I am not prepared to go back to the fire board.  
Mr. Stolman: Reads his letter.  
Mr. Flower: This could open up problems. Chelsea Fire has been contemplating an extension also and they have

no way near the amount of parking we have. If you're forcing us to maintain a standard you will have to do the same to all the fire houses. The New Hackensack Fire Department, if they decide to come in, for another addition. Their last addition there was no requirement for a site plan. It would become a problem and set a precedence.

- Mr. Roberts: This is the second time Hughsonville came to the board. Since New Hackensack, this is what everyone has to go through.
- Mr. Valdati: What is the issue? You have to get a site plan.
- Mr. Flower: We overlooked the spots. The as built plan was requested.
- Mr. Stolman: We wanted an as built drawing.
- Mr. Flower: We provided that.
- Mr. Stolman: The Planning Board wants to follow rules. If you forget something, you have to bring it to the planning board. Land banking five spots of 75 spots needed. Draft a resolution. If okay with plans, any applicant would be asked to do.
- Mr. Gray: Barbara went to get the original file.

Table this for the next applicant.

**10-3197 / WCSD Centralized School Bus Parking – Phase II**– To discuss changes to the approved site plan to centralize the school bus parking for WCSD with 160 school buses used to transport students on a 23.97 acre parcel in the AI zoning district. The property is located at **160 Airport Drive**, and is identified as **Tax Grid No. 6259-04-815490** in the Town of Wappinger. (Povall)

Present	Bill Povall	Engineer
	Wendy Macranara	Superintendent

- Mr. Povall: Site plan approval for bus parking has completed all conditions. We are ready to get the site plans signed. Wiring under parking for lighting. After pricing a lot of rock and a significant cost to run wire. Central Hudson can put in poles. WCSD can lease and save a lot of money. There would be overhead lines. We request a site plan change of overhead lines as to underground lines. The lighting is consistent except three feet lower in new plan.
- Ms. Leed: How many poles?
- Mr. Povall: Seven poles. Airport Drive is fed by overhead lines. (See handout)
- Ms. Leed: David, is underground any better than overhead?
- Mr. Roberts: Not approved in the zoning code. Weigh future site plans. If you make an exception.
- Mr. Stolman: Lighting and underground vs. overhead.

- Mr. Povall: Not modifying photometric. Only overhead vs. underground.
- Mr. Stolman: We will review the plans in office.
- Ms. Leed: Is it impossible to put underground?
- Mr. Povall: No, it is costly due to the site conditions the estimates drove up.
- Mr. Malafronte: Does this site have phase one and two?
- Mr. Povall: Fifty buses, phase one, completed. We are looking for a small modification.
- Ms. Leed: Do you have a cost amount as a tax payer?
- Mr. Povall: Not at this time.
- Mr. Valdati: Precedence setting for the overhead wires. Let Mr. Stolman discuss the professional look in office.
- Mr. Povall: Request to go on next agenda. \$75,000 excess cost. Apposed leasing poles from Central Hudson.
- Mr. Roberts: Central Hudson will install for free and lease to the school.
- Mr. Povall: Wood poles, no concrete bases.
- Mr. Stolman: Planning board, would you like to consider this and put on next agenda?
- Mr. Povall: Thank you.
- Ms. Macaranara: I worked with Central Hudson to spend less money.
- Mr. Fanuele: Bond wiring underground would be pay less.
- Ms. Macaranara: The lease is five years and would not be paying a bond. \$20 per pole per month. That is \$140 a month compared to \$100,000 to put wiring underground.
- Mr. Roberts: This is a site plan. There should be underground utilities.
- Ms. Bettina: There should be consistency with site plans.
- Mr. Roberts: If there is extenuating circumstances we need to know next Monday, January 19<sup>th</sup>, 2011.

**09-3192 / Hughsonville Fire Department** – To discuss a change to the approved parking totals. 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)

- Mr. Stolman: General parking, handicapped, and fire parking are existing and proposed. The planning board can now saw 70 spots.

- Mr. Fanuele: Can you tell us how many more spots you can put?
- Mr. Valdati: Let's tell him what you have to do. Mr. Stolman, you only need 70 spots.
- Mr. Stolman: Draft up resolution for next meeting, January 19<sup>th</sup>, 2011.
- Mr. Flower: Thank you.

**Miscellaneous:**

**07-3136 / BVM Builders Inc.:** The discuss changes to amend the final site plan approval for the construction of a professional office building on 5.07 acres in a CC zone. 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)

- Present                      John Bodendorf                      Hudson Valley Design Engineering
- Mr. Bodendorf:                      John Mirabilio  
The September 2009 site plan was approved. Construction began this summer. Since that time some issues have come up. A Stop work order was issued, that is why we are here tonight. To clear up, the roof covered entrance part of the building setback.
- Mr. Stolman:                      You are correct.
- Mr. Bodendorf:                      Issue number one is the front yard setback. It always showed 87 feet setback to the edge of pavement, not the property line. Four feet short of property line setback and compounded by roof extension. The plan was approved, no one picked up the setback problem. Mr. Mirabella wanted to shift the building back five feet to the east. It would still be subject to a variance from the ZBA. Two small areas of the building, four feet and two feet, over into the wet lands buffer. Twenty square feet total corners of the building. There are three options: (1) Leave the foundation, revise the approved wet land permit from DEC and a variance from the ZBA. I don't think this would work. (2) Put the building back to the original spot with a nine foot front yard variance. (3) Alter the footprint, leave the foundation where it is, and get corners out of the wet land buffer.
- Ms. Leed:                      Is part of the foundation built?
- Mr. Bodendorf:                      Yes it is. The engineer did shift on paper but didn't consider the buffer wet land.
- Ms. Leed:                      What would it be?
- Mr. Mirablo:                      Cut the corners to keep out of the wet lands.
- Mr. Bodendorf:                      There is a buffer replanting. I think the DEC would say more.
- Mrs. Roberti:                      The overhang of two to three feet is okay with the past zoning administrator.



- Mr. Bodendorf: We can eliminate the front overhang, but it would be nice to keep the overhang.
- Mr. Gray: 71 feet to the edge of the overhang.
- Mr. Roberts: The foundation is twenty square feet in the buffer.
- Mr. Stolman: If you seek approval from the DEC seven months will probably not get approval.
- Ms. Bettina: Can you fix the buffer disturbance?
- Mr. Roberts: Recommend to the ZBA in the acceptance of beautification interest to allow the overhang.
- Mr. Gray: Code 240-31 (B3) Overhang three feet can invade the setback.
- Mr. Stolman: Eaves or cantilever. This has columns.
- Mr. Roberts: We are very close to having a plan with the planning board approval.
- Mr. Fanuele: Are you working on the building now?
- Mr. Bodendorf: No, we have a Stop Work Order. Once the weather breaks, we would like to work.
- Mr. Kickham: I would go to the ZBA for variance and remove foundation.
- Mr. Bodendorf: We will see you at the first meeting in February. Thank you.

**New / Old Business**

- Mr. Valdati: I would like to be considered for the Association of Towns.
- Mr. Fanuele: We will send a letter to all be considered.
- Mr. Lafko: County forum. Data provides knowledge. It gives us a chance to get involved before the project gets to the end. Please read the handouts. I would like to meet with your board to discuss info more detailed.
- Ms. Leed: Will the developers be submitting maps like these handouts?
- Mr. Stolman: We have this GIS mapping in our office.
- Mr. McFarland: We want to have overlays to show more information for projects.
- Mr. Lafko: I am working with Cornell and -Neil.
- Mrs. Roberti: The assessor has this GIS for the public.
- Mr. Malafrente: It is not up to date.

- Ms. Bettina: Cornell will see a lack of funds. The public must maintain this.
- Mr. Stolman: The wet lands scale is one inch for every 1,500 feet. We expect the applicant to flag wet lands. This is Good mapping and important.
- Mr. Gray: The applicant produces a survey. It will be more accurate. The error can be gross a one inch equals a fifteen hundred feet.
- Mr. Lafko: Does the town want me to get this information?
- Mr. McFarland: Green materials are very important.
- Mr. Gray: This northeast area has too much impervious grounds when frozen when frozen weather.
- Mr. Lafko: If it doesn't work in the winter frost, what good is it? Thank you.
- Ms. Bettina: We should be able to tap into the federal government and county for information.
- Mr. Valdati: Motion to adjourn.**
- Ms. Bettina: Second the motion.
- Vote: All present voted aye.

The meeting ended at 10:15 p.m.

Respectfully submitted,

Susan Dao, Secretary  
Town of Wappinger Planning Board