

MINUTES

**Town of Wappinger Planning Board
March 2, 2011
Time: 7:00 PM**

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

Members Present:

Mr. Fanuele:	Chairman	Ms. Visconti:	Member
Mr. Malafronte:	Member	Mr. Valdati:	Member
Ms. Bettina:	Member	Mrs. Smith:	Member
Ms. Leed:	Member		

Members Absent:

<u>Others Present:</u>	Mr. Gray,	Engineer to the Town
	Mr. Roberts,	Attorney to the Town
	Mr. Stolman,	Planner to Town
	Mr. Bolner,	Conflict Attorney
	Mrs. Roberti,	Zoning Administrator
	Mrs. Dao,	Secretary

SUMMARIZED

PROJECTS DISCUSSED:

OUTCOME

Special meeting

Discussions:	Adams Fairacre Farms	- Approved site plan changes for footings.
	Hilltop Village at Wappinger	- Discussion scoping document.

Executive Session

Ms. Visconti: Motion to go into executive session for legal matters not related to tonight topics.
Mr. Fanuele: Second the motion.
Vote: All present voted aye.

Ms. Visconti: Motion to come out of executive session.
Mrs. Smith: Second the motion.
Vote: All present voted aye.

Discussions:

07-3135/08-5147 / Adams Fairacre Farms – To discuss change in footprint for foundation. To include a brief review of proposed changes to be discussed at the March 7th meeting. The property is located at 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)

Present Robert Turner Engineer
 Mike Augello Construction Manager

Mr. Turner: Since the time of the original site plan sign off, the building was in transition and still being developed. As it progressed it changed and modified. When we submitted the foundation plan it was noticed that it did not match the footprint of the plans you have on record. I've provided to you originally was a plan that shows the current configuration in black ink, of the store and where it is now. In red ink it identifies what the store looked like when we originally submitted it to you. The goal is to show you where things were pushed and pulled. The green house shrunk in, the nursery sales building is now smaller. Changes to the loading dock. The footprint was changed. The parking spaces went from 337 to 335. The second floor space was under flux the entire time. There was a break room and bathrooms up there.

Mr. Valdati: Has the footprint been constructed outside the approved site plan that was filed with the town?

Mr. Augello: The foundation of the plan has been constructed according to the new layout that Mr. Turner described to you.

Mr. Valdati: Have the new plans been approved? Has the building exceeded the boundaries that were approved? You are the construction manager and are well versed in reading plans.

Mr. Augello: Yes I am.

Mr. Valdati: Has the building exceeded the boundaries that were approved?

- Mr. Augello: We had a building permit.
- Mr. Stolman: They got a building permit and built according to the plans.
- Mr. Valdati: The building inspector should have viewed the site plan approved by the planning board and seen a difference. He then could have denied the issuance of a building permit.
- Mr. Bolner: What was approved was a foundation plan not a site plan.
- Mrs. Roberti: When they come in with a plan, we don't see the asbuilt till the end. The foundation was just done by itself. If it was brought in together with the building plans, it would have been caught at the end.
- Mr. Augello: This is an endless process. Part of why when the town was satisfied we thought we were ok to go. The original plan of the nursery had to be shrunk to appease the state and government.
- Mr. Gray: The parking didn't change. The Building and loading dock changed.
- Mr. Stolman: There are two issues. The foundation and the other things you want to change. We received changes for the second floor, lighting etc. We will stick to the foundation tonight. We will review the other for Monday night's meeting.
- Mr. Fanuele: The size in change is minimal.
- Ms. Visconti: I agree.
- Mrs. Smith: I agree also.
- Mr. Valdati: Shouldn't approval be followed? Other contractors could do the same. Doesn't the foundation get looked at what is checked and approved? They didn't follow the rules.
- Mr. Roberts: The operation of the planning department to submit to the planning board. This is a major project. Mrs. Roberti didn't issue a stop work order. Maybe it should be issued.
- Mr. Fanuele: I don't agree. They are in front of us now. No SWO.
- Mrs. Smith: This is a minor issue.
- Mr. Malafrente: Are there any changes to the wetlands with the parking? Do you have approval?
- Mr. Augello: No, we didn't affect anything the DEC would check.

(Discussion with Mr. Malafrente and Mr. Augello)

Mr. Stolman: We are not approving other issues tonight.

Mr. Bolner: Changes occurred prior to the site plan being signed by the planning board chair. It doesn't appear to affect DEC and Army Corp. There is no encroachment of the project into areas that the planning board told to stay out of. There is a slight change of the layout. The difference is about 200 to 250 square feet.

Mrs. Smith: Motion a little impact and only the foundation to be approved.

Ms. Visconti: Second the motion.

Mr. Valdati: I'd like a discussion.

Mr. Augello: We were not trying to hide anything. We thought if we made small tweaks we could just do it. We did not know we had to come back to the board for all the minor changes.

Mr. Valdati: This time there weren't big impacts. All businesses such as this should come back to the board even if considered minor.

Mr. Fanuele: There was a motion on the table.

Roll call:

Mrs. Smith: Aye.

Ms. Leed: Aye.

Mr. Malafronte: Aye.

Ms. Visconti: Aye.

Mr. Valdati: Aye.

Ms. Bettina: Aye.

Mr. Fanuele: Aye.

Mr. Augello: Thank you.

10-3204/5157 / Hilltop Village at Wappinger – To discuss an alternative plan for the project.

The property is on **All Angels Hill Road** and is identified as **Tax Grid No. 6257-02-630770** in the Town of Wappinger. (Povall) (LA 5-18-2010)

Present Richard O'Rourke Attorney
 Bill Povall Engineer

Mr. O'Rourke: We appeared before the planning board on February 7, 2011. We are trying to figure out what would be the preferred plan for this project. We took what you said and came up with a proposed action so there is no confusion.

Mr. Povall: The original plan had 228 homes in the conceptual. A petition for a rezone went to the Town Board and Planning Board. In 2008 we proposed 247 units. We went down to 228 units. In the last meeting we worked in 4 to 7 alternatives. We redesigned with no cul-de-sacs, changed the club house, provided gated access in front and back.

(Discussion of alternatives with hand outs.)

Mr. Povall: Alternative #2 shows the maximum building coverage permitted is 463,652. The floor area is 618,202. There is quite a bit of building that's permitted under the current zoning.

Ms. Leed: What are the blue areas?

Mr. Povall: Storm water.

Ms. Visconti: What is the number of stories?

Mr. Povall: Eight buildings and a garage. Six buildings and the parking garage has 2 stories, two buildings have 1 story. Everything that was put on the plan is consistent with zoning.

Mr. Fanuele: How many parking spaces.

Mr. Povall: With this plan just under 2,000 parking spaces.

Mr. Fanuele: With this plan you will put 2,000 extra cars on All Angels Hill Road.

Mr. Stolman: This is not being proposed. It is just showing what could be allowed under the current zoning.

Ms. Visconti: What are the buildings on the outside?

Mr. Povall: They are 13 single family homes, one acre minimum lots, in an R-40 zone.

(Discussion of access for Flavormatic)

Mr. O'Rourke: The road to the cul-de-sac will be dedicated to the town. Unlimited access to Flavormatic.

Mrs. Smith: Will it be build to Town specs?

Ms. Bettina: There will be no children so no school buses. The deed restriction would state anyone under the age of 18 couldn't reside.

Mr. Povall: The deed restriction would state anyone under the age of 18 couldn't reside.

Mr. Stolman: How many houses have their back to the road?

- Mr. Povall: Nine houses.
- Mr. Stolman: How far away are they?
- Mr. Povall: Fifty feet from the right of way.
- Mr. Valdati: I think we saved a lot of time meeting with you.
- Mr. O'Rourke: We listened and it's a better plan. We want to go forward with the proposed action. We analyzed everything.
- Mr. Fanuele: Where are you putting snow?
- Mr. Povall: The roads are 24 feet wide. It's not much different than town roads.
- Mr. O'Rourke: Practical concerns are addressed though the sites plan process.
- Mr. Fanuele: Do you have emergency gated access?
- Mr. Povall: Yes, there are 3 gates, one of which is for emergency.
- Mr. Fanuele: Is Parcel C donated or giving to someone, and why?
- Mr. Buyakowski: It is going to me because I live there.
- Mr. Stolman: Some of the alternatives are now built into the proposal itself and therefore they don't have to analyze them separately as alternatives.
- Mr. Gray: Internal roads do not need specs. Roads should have all the same specs as a town road has. It would be wise to build to town road specs.
- Mr. O'Rourke: You don't necessarily want the roads built to town specs because you are going to have 225 homeowners get their annual assessment. If the roads are built to town road specs, they are going to ask, "Why am I paying for this?"
- Mr. Valdati: My concern is the fire apparatus navigation.
- Ms. Bettina: Emergency, ambulance and evacuation etc.
- Mr. Fanuele: Can oil trucks and garbage trucks get through.
- Mr. Povall: The plans will provide all specs.

- Ms. Bettina: Will there be lights and sidewalks?
- Mr. Povall: Yes. We can put it on another agenda for revising the scope.
Thank you.
- Mr. Fanuele: Before we adjourn I want to talk about recreation fees. What type of recreation fees do we collect?
- Mr. Roberts: It's the same as subdivisions.
- Ms. Visconti: \$5,000.00 per house.
- Mr. Fanuele: That is over one million dollars. Should they be told?
- Mr. Stolman: We can make sure it is mentioned in the EIS. It has to be mentioned in the fiscal analysis.

(Discussion of Hilltop Roads)

- Mr. Fanuele: The class for open meeting laws is filling up fast. If you want to go, sign up right away.
- Ms. Bettina: Motion to adjourn.**
- Ms. Visconti: Second the motion.
- Vote: All present voted aye.

The meeting ended at 9:00 p.m.

Respectfully submitted,

Susan Dao, Secretary
Town of Wappinger Planning Board