

**Draft**

**MINUTES**

**Town of Wappinger Planning Board  
March 7, 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:**

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

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SUMMARIZED

**PROJECTS DISCUSSED:**

**OUTCOME**

<b>Discussions:</b>	Adams Fairacre Farms	- To vote on 3-21-11.
	Chelsea Ridge Apartments	- Approved as written.
	Brundage Site Plan	- Discussion on 3-21-11.
	Tool Rental by Durants	- Approved as written.
	NYCDEP Geotechnical Investigation	- Approved as amended.
	Hackensack Professional Building	- PH 4-4-11.
	Andlyn Associates Inc.	- PH 4-4-11.
	Scorin' (former Van Benschoten Site Plan)	- PH 3-21-11.
<b>Miscellaneous:</b>	Plant Depot	- Approve attachment to site plan.
<b>Extensions:</b>	DCH Auto Group Service Center & Showroom	- Granted extension to 9-14-2011.
	Mid Hudson Chinese Christian Church	- Granted extension to 9-19-2011.

**Mr. Fanuele: Motion to approve the minutes for December 6, 2010.**

Ms. Bettina: Second the motion.  
Vote Roll call:  
Mrs. Smith: Aye.  
Ms. Leed: Aye.  
Ms. Visconti: Abstained.  
Mr. Valdati: Aye.  
Mr. Malafronte: Aye.  
Mr. Fanuele: Aye.  
Ms. Bettina: Aye.

### Discussions:

**10-6016PP / Adams Fairacre Farms** – To discuss changes in approved site plan. 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: We have changes to the site plan and design to the building. There is no change to the boundary.

Mr. Augello: The entryway is changed because the DOT trucks need more room and they are wider. We want to change the shape of the loading dock. The owner wants the entryway recessed which will create a slight change in the square footage. The greenhouse is smaller, the storage area is larger and the square footage of the garden center is larger.

Ms. Visconti: What is a Polly house?

Mr. Augello: Two greenhouses – a tropical and bedding flats shade house. The fire hydrant will be moved.

Me. Fanuele: Does the size of the building stay the same?

Mr. Turner: Yes. We included the second floor but under 1,500 if you take the second floor away.

Mr. Augello: The building is not designed by the owner during the drawing stage due to the wetlands.

Mr. Valdati: What does the second floor have to do with the shifting of the building?

Mrs. Smith: Is the second floor in or out?

Mr. Turner: The second floor is in. It will be an office and employee room.

- Ms. Visconti: What is the square footage upstairs?
- Me. Turner: 2,200 square feet for an office and storage.
- Ms. Leed: Is there an elevator?
- Mr. Turner: No, it is not required.
- Ms. Visconti: What kind of storage on the second floor?
- Mr. Turner: Electrical in the second floor.
- Mr. Augello: Seasonal things for storage.
- Mr. Turner: There will be sales on the first floor and the second floor seasonal storage.

(Continuation of small changes of the approved site plan)

- Mr. Valdati: Move to have Mr. Stolman draft a resolution.**
- Mrs. Smith: Second the motion.
- Vote: All present vote aye.

**10-3212 / Chelsea Ridge Apartments** - To vote on amending their original application for amended site plan approval to increase the sq. ft. of 33 one-bedroom apartments of 875 sq. ft. into two-bedroom apartments with 1,250 sq. ft. The property is located at **1 Chelsea Ridge Mall** and is identified by the following **Tax Grid Nos.: 6056-01-373534,468615 & 6056-02-558539,590514 (RMF-5) & 6056-02-635539 (NB zone)** in the Town of Wappinger. (Caviglia)(Chazen's)

- Present Marco Caviglia Attorney
- Mr. Fanuele: We have a resolution. Are there any comments on the resolution?
- Ms. Bettina: Is there 3 bedrooms?
- Mr. Fanuele: Yes, they came back and made it 3 bedrooms.
- Ms. Brown: The applicant's owners name is changed from Anthony to Chelsea Ridge NY LLC.
- Ms. Visconti: I just want to confirm that the Fire Prevention Bureau is concerned with spaces on Surry Lane at the bend. Also they are concerned with fire hydrant access at the top of the hill near the storage tank. They need more detail showing fire hydrant access.
- Mr. Caviglia: Only one additional parking space and no strip spot by the fire hydrant.

Ms. Visconti: (To Sara Brown) is that resolved?

Ms. Brown: Yes.

**Ms. Leed: Motion to move the resolution.**

Ms. Visconti: Second the motion.

Vote: All present vote aye.

Mr. Caviglia: Thank you.

**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

Mr. Morris: We are here tonight to give the Board an update. We received the Department of Health comments on February 24, 2011 and are addressing the issues. I would like to request the Board for the determination of SEQRA.

Ms. Visconti: DC Planning commented about an incomplete submission and tree taking.

Mr. Morris: They want the lighting details and there will be no tree taking.

Mr. Valdati: Is there a sign problem?

Mr. Morris: Today we submitted an application to the ZBA to apply for a variance.

Mr. Valdati: There were issues for the display pad. The PB did not recommend yes or nay going to the ZBA. We should be lead agency.

Mr. Gray: (Read letter dated January 3, 2011 by the EAF for permits amended.)

Mr. Morris: I'll address that this week.

Ms. Visconti: Let the ZBA make their decision.

Mr. Roberts: Not recommended must include SEQRA.

Mr. Fanuele: We will not make a recommendation until we get SEQRA.

Mr. Morris: Thank you.

**11-3224 / Tool Rental by Durants** - To vote on amending their site plan for a change of use from storage of heavy construction equipment to an equipment rental business. The property is on 3.83 acres and is in a GB zone. The property is located on **274 New Hackensack Rd** and is identified as **Tax Grid No. 6259-03-386151** in the Town of Wappinger. (Povall)

- Ms. Visconti:**           **Motion to move the resolution.**  
**Mr. Valdati:**           Second the motion.  
Vote:  
**Mr. Fanuele:**           Aye.  
**Ms. Leed:**             Aye  
**Ms. Visconti:**         Aye  
**Mr. Valdati:**           Aye  
**Ms. Bettina:**          Aye  
**Mrs. Smith:**          Aye  
**Mr. Malafronte:**       Abstain

**10-3214 / NYCDEP Geotechnical Investigation** -To vote on 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) (PH opened and closed on 1-19-11)

- Present                   James Canalli           NYCDEP  
                              Jennifer Farmwald     NYCDEP Planning & Analysis

- Ms. Farmwald:**        The noise level, we request that you incorporate into the resolution. The language is the same and would read 1 hour average noise level at 70 DBA decibels.  
**Ms. Brown:**           Exceed 1 hour.  
**Ms. Visconti:**         Problem rephrased.  
**Mr. Brown:**           Mr. Stolman said it should say 70. It should not say approximately.  
**Ms. Farmwald:**        Item D4, the noise level has a 130 feet noise barrier. This is because of a security issue. The noise modeling wouldn't add benefit.  
**Mr. Canalli:**          The noise is practically the same.

(Discussion continued about noise issues.)

- Mr. Malafronte:**      **Motion to accept and approve the amended request.**  
**Ms. Bettina:**         Second motion.  
Vote:                    All present vote aye.

**Mr. Fanuele:**         I Suggest we write a letter to the Town Board tunnel coming and it's time to negotiate possible connection to get water for the residents.

**08-3170 / Hackensack Professional Building** - To discuss a proposed 11,981 sf office building on 2 acres in a GB Zoning District. The property is located on **New Hackensack Road** and is identified as **Tax Grid No. 6259-03-101039** in the Town of Wappinger. (Gillespie)

Present                      Mike Gillespie                      Engineer

Mr. Gillespie:              This project is located on the intersection of New Hackensack Road and Jackson Road. We are proposing a building about 12,000 square feet split with 6,000 square feet on each floor. The property rises up in grade. There is a Central Hudson easement on the property. They are allowing the grading. We went forward with DC Dept. of Public Works and DC Health Dept. to make sure we have what we need. The septic system is being tested.

Mr. Fanuele:              Where is the septic and is it only one septic?

Mr. Gillespie:              The septic is in the back and the well is in the front. The plans show the driveway to be relocated.

Mr. Fanuele:              This is shown on the plans.

Mr. Gillespie:              Yes on both site plans. The building has office space proposed.

Mr. Fanuele:              Did you see the comments from Clark Associates?

Mr. Gillespie:              Yes. We added lighting and can give you signage information.

(Discussion took place for the driveway, drainage, well and septic)

Mr. Gillespie:              Andlyn Associates is an existing.

Ms. Visconti:              You are eliminating the driveway and using the new driveway.

**11-3225 / Andlyn Associates Inc.** -To discuss a proposed relocation of the existing entrance onto New Hackensack Road. This parcel is .873 acres in a GB Zoning District. The property is located at **210 New Hackensack Road** and is identified as **Tax Grid No. 6259-03-107069** in the Town of Wappinger. (Gillespie)

Present                      Mike Gillespie                      Engineer

Mr. Gillespie:              Andlyn Assoc. Driveway and New Hackensack Professional Building will use one driveway at Jackson Road. (Showing the site plan)

Mr. Fanuele:              Do we need a public hearing for Andlyn Associates?

Mr. Roberts:              It is minor. But do both public hearings at the same time.

Mr. Fanuele: The both public hearings will be on April 4, 2011.

Mr. Gillespie: Thank you.

**10-3218 / Scoring (former Van Benschoten Site Plan)** - To discuss their site plan and Special Use Permit for an indoor commercial recreation facility on 3.81 acres in the AI Zoning District. The property is located on **Airport Drive** and is identified as **Tax Grid No. 6259-02-644502** in the Town of Wappinger. (Gillespie)

Present Mike Gillespie Engineer

Mr. Gillespie: We are located on Airport Drive, Previously known as Van Benschoten Site Plan. This is an indoor commercial area proposed allowed use. The 3 criteria to meet is 1. There is no public outdoor address system, 2. This is not a residential district and 3. There are no residential criteria. The building is about 11,000 square feet. It is 1/3 the size of the LaGrange Gold's Gym. There was a traffic study which tested the peaks 7-8am and 5-6pm at the intersection of Airport Dr. and Route 376. This will not affect the traffic at these times.

Ms. Leed: How many people would be using it?

Mr. Gillespie: At peak time the total of children is 40. Parents might drop off kids. There are 40 parking spaces, with staff and instructors 45 spaces anticipated. 59 Parking spaces and 16 banked spaces in the proposed plan. There is 2 way traffic. We got DEC and wetland disturbance permits.

Ms. Visconti: Are the over head doors staying?

Mr. Gillespie: Yes to bring in equipment. The whole site is for recreation before there were several separate units.

Ms. Leed: How many spaces are required by code?

Mr. Gillespie: 75, we have that with banked spaces.

Ms. Visconti: What are the hours of operation?

Mr. Gillespie: Monday thru Friday 5:00-9:00pm. Summer time hours are proposed to be about 9:00am to 6:00pm.

(Discussion continued about traffic and parking lot usage and sidewalks)

Mr. Gillespie: Can the board waive the public hearing? We don't anticipate anyone showing.

Mrs. Roberti: This is a Special Permit. It shall have a public hearing.

Mr. Roberts: You need a public hearing to cover all bases.

Mr. Fanuele: The public hearing will be on March 21, 2011.

Mr. Gillespie: Thank you.

### **Miscellaneous:**

**Plant Depot** - To discuss amending their site plan.

Present Lou Paggiotta Owner

Mr. Paggiotta: I had a small contractor's yard. I had a 2<sup>nd</sup> contractor ask if they can also be in the yard. I didn't know I needed approval. A letter I received from Eric Gardell stated I needed to show a site plan with the location of the trailers. The yard is not open to the public. The site plan shows the trailers, material and employee parking. Mr. Stolman requested that I add existing items. I hired Mr. Gardell. Originally Jack Railing did the site plan. Mr. Gardell could not attach the new drawings to the entire site plan that was done by another professional.

Mrs. Roberti: There are legal questions. Mr. Roberts said possible if the PB approves it. Does the board want a full blown site plan?

Ms. Leed: That is a legal option.

Ms. Visconti: How long has the 1<sup>st</sup> contractor been there?

Mr. Paggiotta: 4 years, then it was empty for 2 years. The 2<sup>nd</sup> tenant rented only the back portion. They are both small contractors.

Ms. Visconti: Based on the economy, it could be empty next week.

Mr. Paggiotta: I purchased the property in 1975.

**Mr. Valdati: Motion to allow an attachment to the site plan.**

Ms. Visconti: Second the motion.

Vote: All present vote aye.

### **Extensions:**

**08-3163 / DCH Auto Group Service Center & Showroom** – Seeking their second 6 month extension for final site plan approval to begin on September 15, 2010 and run through March 13, 2011. Site Plan and SUP approval



was for a 52,848 sf, 2-story combined showroom and service facility. Across the street they are also proposing the use of the 2 existing lots for parking. The property is located at **1349 Route 9 & 635 Old Route 9 No.** and is identified as **Tax Grid Nos. 6157-02-585606/589645/558657/553706** in the Town of Wappinger. (Paggi )( LA sent 10-9-08)(Opened PH 1-21-09/Closed PH 2-2-09)(Final site plan approval granted on March 16, 2009)

**Ms. Visconti:**           **Motion to allow an attachment to the site plan.**  
**Mr. Fanuele:**           Second the motion.  
**Vote:**                   All present vote aye.

**08-3166 / Mid Hudson Chinese Christian Church** – Seeking their first 6 month extension on final site plan approval 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 project received final site plan approval on September 21, 2010. This extension would begin on September 20 , 2010 and end on March 20, 2011. 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)

**Ms. Visconti:**           **Motion to allow an attachment to the site plan.**  
**Mr. Valdati:**           Second the motion.  
**Vote:**                   All present vote aye.

## **New / Old Business**

### **Election of a Vice Chairman to the Planning Board**

**Mr. Valdati:**           **Move Angela Bettina to be Vice Chairman.**  
**Mrs. Smith:**           Second the motion.  
**Vote:**                   All present vote aye.

(Discussion on when and number of copies of submissions to receive and what media)

**Ms. Bettina:**           **Motion to adjourn.**  
**Ms. Visconti:**         Second the motion.  
**Vote:**                   All present voted aye.

The meeting ended at 9:45 p.m.

Respectfully submitted,

Susan Dao, Secretary  
Town of Wappinger Planning Board