

MINUTES

**Town of Wappinger Planning Board
July 18, 2011
Time: 7:00 PM**

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

Members Present:

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

Members Absent: Mr. Valdati: Member

Others Present:

Mr. Gray,	Engineer to the Town
Mr. Horan,	Attorney to the Town
Mr. Stolman,	Planner to Town
Ms. Richardson,	Conflict Attorney
Mrs. Roberti,	Zoning Administrator
Mrs. Dao,	Secretary

SUMMARIZED

PROJECTS DISCUSSED:

OUTCOME

Discussions:

Don Bosco Blvd.	-	Approved resolution as amended.
BVM Builders Inc.	-	Approved resolution as written.

Extensions:

H.V. Cerebral Palsy Assoc. & Malcolm R. Hunter Post #53 of Masonic War Veterans of NY	-	Granted extension to 11-5-2011.
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Conceptuals:

New Hackensack Fire District 911 Memorial	-	Formal application to be submitted.
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Ms. Visconti: **Motion to approve the minutes for May 2, 2011 as written and July 6, 2011 as amended.**
Ms. Leed: Second the motion.
Vote: All present voted aye.

Discussions:

11-3227 / Don Bosco Blvd. To vote on a proposed 2,400 sq. ft. office building and additional truck parking, eliminating approved Phase I and Phase 2, on 33.44 acres in an AI Zoning District. The property is located at **62 Airport Drive** and is identified by **Tax Grid No. 6259-04-647405** in the Town of Wappinger. (Povall)(PH opened & closed July 6, 2011)

Present Bill Povall Engineer
 Richard Cantor Attorney

Ms. Visconti: **Move to adopt the resolution for amended site development plan.**
Ms. Leed: Second for discussion.

Mr. Stolman: Discussed with Bill Povall about the berm. Instead of having the proposed berm, which would require taken down of trees, the berm can curve around the trees. The resolution can show amendment. Arial pictures were handed out. There should also be a condition in the resolution for no more driveway access through the Don Bosco property into the Neave property.

Mrs. Smith: What is being done about the business that's being done on that property?

Ms. Visconti: That is an enforcement issue and Mrs. Roberti is handling it.

Mrs. Roberti: Spoke with Mr. Neave in office. He will remove stumps and everything from the fence.

Mr. Povall: Item (H) instead of putting a solid fence on the berm, putting a chain link fence with slats.

Ms. Visconti: Will it have the same noise reduction?

Mr. Povall: It won't do the same for noise. This berm itself would have the noise reduction.

Ms. Leed: The neighbors are irate about the noise.

Mr. Povall: The second issue is condition (I) page 4. The trees are proposed in the steep slope. We do not want to put a heavy amount of shrubs on the slope due to it would be difficult to maintain. We could put stabilization seed mix.

Mr. Stolman: The site plan does show trees and shrubs already so we think that would be fine.

Ms. Visconti: The only amendments that are going to be made are revise berm shape, add condition of no access through property and strike item (I) for trees and shrubs.

Ms. Leed: The DC Planning made comments they didn't like the way the building looked.

Mr. Povall: It is consistent of adjacent properties.

Mr. Malafronte: The 9 tractor trailers are backing up to the 2 overhang bays. The trailers are 60 feet long. What is in them?

Mr. Povall: Those trailers are parked in the rear.

Mr. Cantor: These are cleaned tanks that are used on site.

Mr. Fanuele: Empty or full?

Mr. Cantor: Empty, cleaned with no sediment.

Mr. Malafronte: Are these tanks for temporary use?

Mr. Bottini: Yes, some are 5 year some are 2 months.

Ms. Visconti: Motion to move as amended.

Mrs. Smith: Second the motion.

Vote Roll call:

Mrs. Smith: Aye.

Ms. Bettina: Aye.

Ms. Leed: Aye.

Ms. Visconti: Aye.

Mr. Valdati: Absent.

Mr. Malafronte: Aye.

Mr. Fanuele: Aye.

Mr. Cantor: Thank you.

07-3136 / BVM Builders Inc.: To vote on 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 Mr. Bodendorf Engineer

Mr. Bodendorf: I need clarification on two items. Page 4 item 3a4 regarding the Health Department. Is another letter needed?

- Mr. Stolman: The resolution wasn't changed much; therefore we do not need another letter.
- Mr. Bodendorf: Regarding item 3a5, unsure what you are asking for. The wetland mitigation plan had been in the previous plan. Nothing changed. We didn't have a seed schedule. Where are you asking for additional planting?
- Mr. Stolman: We are not looking for anything new. We are satisfied with what DEC is satisfied with.
- Ms. Visconti: Motion to move as written.**
- Ms. Bettina: Second the motion.
- Vote Roll call:
- Mrs. Smith: Aye.
- Ms. Bettina: Aye.
- Ms. Leed: Aye.
- Ms. Visconti: Aye.
- Mr. Valdati: Absent.
- Mr. Malafronte: Aye.
- Mr. Fanuele: Aye.
- Mr. Bodendorf: Thank you.

Extensions:

09-3183 / 5156 /H.V. Cerebral Palsy Assoc. & Malcolm R. Hunter Post #53 of Masonic War Veterans of New York: Requesting their first 90 day extension on final subdivision approval which was granted on February 7, 2011. This extension would begin on August 8, 2011 and run through November 5, 2011. 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 Will Stevens Attorney
- Ms. Bettina: What is the reason for needing an extension?
- Mr. Stevens: The DPW hasn't signed off on the project yet.
- Mr. Roberts: Due to a new Town Law, extensions are unlimited.
- Ms. Visconti: Motion to approve extension.**
- Ms. Bettina: Second the motion.
- All present vote aye.

Conceptuals:

11-3237 / New Hackensack Fire District Memorial – To discuss a proposed 911 Memorial to include flags and benches on 1.90 acres in an R-40 Zoning District. The property is located at **217 Myers Corner Road** and is identified by **Tax Grid No. 6258-02-625574** in the Town of Wappinger. (Mr. Prager)

- Ms. Visconti: What is the circumference of this memorial? Will there be up lighting? It will look beautiful.
- Ms. Leed: The measurements on the plans.
- Ms. Visconti: There will be more information in the formal submission.
- Mrs. Roberti: They would like it to be up for September 11, 2011.
- Ms. Visconti: What are the flags?
- Mr. Stolman: Four flags, American, state, fire & 9-11.
- Ms. Bettina: Very nice.
- Mr. Stolman: This has happened before. A discussion and approve a draft resolution at the same time.
- Mr. Roberts: They have to come before us for site plan review. Years ago the law was in flux, a building that was built had thoughts that leaned towards that it is a government building and didn't need to come to the planning board. Case law now states site plan approval is needed.
- Mrs. Roberti: Mr. Roberts, can the public hearing be waved?
- Mr. Roberts: You can waive the public hearing if you deem it to be a minor site plan amendment.
- Ms. Visconti: 1.3 acres and only 38 feet of space being used. It is not over filling the site. The fire district takes good care of their neighbors. The lighting is my concern.
- Mr. Stolman: We will make sure the lighting is appropriate.
- Ms. Visconti: We need a formal presentation.
- Mr. Stolman: They need to submit a formal application and attach drawings. We can get this done in the next meeting.
- Mr. Malafrente: Will this cause flooding? It goes up about 3 feet.

- Mr. Gray: I will go out to the site and check.
- Mr. Fanuele: They will submit an application.
- Ms. Visconti: The planning board is in agreement to see an application.

New / Old Business:

NYSDEP – Discussion Shaft 6.

- Mr. Fanuele: Does anyone have questions about the EIS for Shaft 6?
- Mr. Gray: July 29, 2011 is the deadline for any comments on the Draft Scope.
- Mr. Stolman: There was a public hearing last Thursday night.
- Mrs. Bettina: Over 100 residents will be affected. I think we would like the NYCDEP to go knock on residents doors to explain what is going to transpire.
- Mrs. Smith: There will always be someone with questions.
- Mr. Stolman: No work will be starting soon. The Environment Impact Statement has a lot of work to be done.
- Mr. Gray: NYCDEP is on the agenda for August 1, 2011.
- Mr. Stolman: (Read the schedule of construction)
- Mr. Gray: Important information is the tunnel will be driven from the west shore towards us. The shaft site is in Wappinger and the final connection. The vast amount of material will be coming out in Newburgh. 6,000 cubic yards coming out of each shaft. 125,000 cubic yards from the tunnel on the Newburgh side, 10,000 cubic yards for connection tunnel. They will concrete the tunnel for the liner. We don't know which side it will go in on. A lot of the liner is precast pieces. As they are boring they will be installing the liner.
- Mr. Stolman: There will be 10 yard trucks. 600 trucks over 5 years. And at 30 yard trucks that's 250 trucks. That doesn't sound so bad over a long period of time.
- Mr. Gray: The decision to drive from the Newburgh is probably better.
- Mr. Stolman: Barge verses rail is still not determined.

- Ms. Bettina: There was talk about health wise and emergency help.
- Mr. Gray: It won't impact our emergency Fire Department for help. They have their own people.
- Ms. Bettina: I question security. How are people going to be screened?
- Mr. Stolman: The Shaft 6 project has started about 5 years ago.
- Mrs. Roberti: I had to fax them my driver's license and wait 2 days.
- Mr. Gray: That is the water supply for 50 percent of NYC.
- Ms. Visconti: You are looking to see if this Planning Board has any comments that need to be written before July 29, 2011.
- Mr. Roberts: We copy the Planning Board on everything. Anytime you want to sit in on a meeting we can notify you.
- Ms. Bettina: Are they going to take pictures of the road.
- Mr. Stolman: They are going to do pre blasting surveys.
- Mr. Gray: They are going to video the road. We should document the condition of the road. Chris Villari expects to be before the board each meeting and wants to meet with the consultants between meetings.
- Ms. Bettina: A traffic study should be done.
- Mr. Gray: They listed all the intersections they are going to study.
- Mr. Stolman: We suggested additional intersections.
- Ms. Visconti: I would like to recommend that Ms. Bettina be the liaison between the DEP and us. Because she lives there, she will see things on a daily basis.
- Mr. Roberts: We copy the Planning Board on everything. Anytime you want to sit in on a meeting we can notify you.
- Mr. Stolman: After the meeting we can send you a memo of what we discussed.
- Mr. Stolman: After the meeting tomorrow we can send you a memo of what we discussed.
- Mr. Gray: Chris Villari expects to be before the board each meeting and wants to meet with the consultants between meetings.

Mr. Roberts: The DEP is expecting to work 24-7 to finish all the work within 10 years.

Ms. Bettina: Motion to adjourn.

Ms. Visconti: Second the motion.

Vote: All present voted aye.

The meeting ended at 8:00 p.m.

Respectfully submitted,

Susan Dao, Secretary
Town of Wappinger Planning Board