

# MINUTES

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

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

## Members Present:

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

## Members Absent:

<u>Others Present:</u>	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:**

Villa Borghese (Widmer Inn Restaurant Corp.)	-	To resubmit for 12-5-11.
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#### **Extensions:**

Wappinger Farm Estates	-	On agenda for 12-5-11.
Bre-Del Enterprises (Ciraolo)	-	Granted extension to December 5, 2012.
Kirk Subdivision	-	On agenda for 12-5-11.

#### **Miscellaneous:**

Adams Fairacre Farms	-	To resubmit for 11-21-11.
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#### **Presentation:**

NYCDEP Shaft 6	-	Discussion of traffic study.
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**Discussions:**

**11-3243 / Villa Borghese (Widmer Inn Restaurant Corp.)** – To discuss amending their site plan to include a 1,580 sq foot reception hall on the second floor. The first floor is 13,275 sf for a total of 14,855 sf. The building footprint is 18,800 square feet. The property is in a NB zoning district on 4.681 acres and is located at **70 Widmer Road** and is identified as **Tax Grid No. 6158-02-880530 / 951382** in the Town of Wappinger. (Paggi)

**11-5162 / Villa Borghese (Widmer Inn Restaurant Corp.)** – To discuss a proposed lot line realignment between Villa Borghese and Wappingers RE, LLC. The Villa Borghese is proposing to purchase 1.5 acres from Wappingers RE, LLC in order to increase their parking lot to meet the parking requirements for their site plan. The Villa Borghese property is in an NB zoning district on 3.181 acres and is located at **70 Widmer Road** and is identified as **Tax Grid No. 6158-02-880530(Villa Borghese)** and **Tax Grid No. 6158-04-951382 (Wappingers RE, LLC)** in the Town of Wappinger. (Paggi)

Present Christian Paggi - Engineer  
Jamie Dimatia - Engineer

Mr. Paggi: We are here to represent Stanley Porco and The Widmer Restaurant Corporation. Do you want an over view if the project?

Ms. Visconti: I think I have a good idea of what you are proposing.

Mrs. Smith: I have a problem with the front entrance. It is hard for fire apparatus to turn around.

Mr. Paggi: The next submission will show how emergency vehicles can enter and leave the site along with the new parking area.

Ms. Visconti: I see that DCDP signed off so they have no jurisdiction and Mr. Stolman will circulate Lead agency.

Mr. Stolman: At the Town Board meeting on November 14, 2011 it will be brought up for lead agency. The Existing parking has 108 spots and emergency vehicle turn around.

Mr. Paggi: Gravel is not being used for the parking lot.

Mr. Stolman: Gravel was put and a Stop Work Order was issued.

(Parking lot details and drainage were discussed.)

Ms. Visconti: A Rezone is needed first. If that doesn't take place than it would be mute to continue.

Mr. Valdati: Is the purchase of this 1.5 acres contingent on the Town Board's approval?

Mr. Paggi: Yes.

- Mr. Stolman: Do not transfer property unless the TB changes the zone.
- Mr. Valdati: The second floor reception hall will create more parking needs
- Mr. Paggi: The 1,580 sq. ft. is a holding area. A memo from 2007 said a holding area didn't need to be taken into consideration for parking calculations.
- Mr. Stolman: Tania Lukianoff's determination is not rational.
- Ms. Visconti: They should submit and wait for the TB to declare lead agency.
- Ms. Dimatia: We would like to come back to the PB on December 5, 2011.
- Mr. Fanuele: We will see you on December 5, 2011.
- Mr. Paggi: Thank you.

**Extensions:**

**05-5110 / Wappinger Farm Estates.** The applicant is requesting their ninth extension on preliminary subdivision approval for 6 months for a 19 lot subdivision on 60.620 acres. The extension would start on January 3, 2012 and expire on July 2, 2012. The property is located on **Robinson Lane** and is identified as **Tax Grid No. 6459-03-110235** in the Town of Wappinger. (M. White)(PH: 2-6-06 Closed PH 3-19-07 / LA: 9-19-05)(Granted Re-Zone 12-26-07 /Preliminary granted 1-7-08, first extension Jan.2, 2009, second on Feb, 2, 2009 and third July 2, 2009, fourth to January 1, 2010, fifth to July 1, 2010, sixth to January 3, 2011, a seventh extension to July 2, 2011, eighth extension to January 3, 2012)

- Present Michael White – Engineer
- Mr. White: The reason the project stopped is due to the economy. Day Engineering is working on a submission.
- Mr. Roberts: The Zoning went through. Recreation land was not transferred to the Town. I recommend a 30 day extension. There will be 19 lots. After the rezone you were supposed to transfer recreation land to Town. Adjourn to December 5, 2011. There is a contract. It specified when you got the approval and the rezoning goes through you would transfer property. You got your rezoning and we didn't get the property.
- Mr. Fanuele: We will see you on December 5, 2011. Is the sign taken down?
- Mrs. Roberti: Yes.

**08-3160 / Bre-Del Enterprises ( Ciraolo ):** The applicant is requesting a one year extension for an approved signed site plan dated December 6, 2010 for the construction of a one/two story office building in an NB zoning

district on .678 acres. This extension would begin on December 6, 2011 and expire on December 5, 2012. Due to economic conditions the applicant needs the one year extension to be able to apply for a building permit. The property is located at **Route 376** and is identified as **Tax Grid No. 6259-02-508806** in the Town of Wappinger. (**Barger**)(Lead Agency sent out on September 19, 2008.)(Opened & Closed PH 12-1-08)(Final Site Plan approval granted on January 21, 2009, 1<sup>st</sup> six month extension granted to June 20, 2010.)

Present Steve Burns – Barger Engineering

Mrs. Roberti: This is next to The Bookworm on Route 376. The plans were signed and according to the resolution they have one year to apply for a Building Permit and three years to obtain a Certificate of Occupancy. I guess do the economy they haven't taken out a building permit. They are looking for an extension on an approved signed site plan.

Mr. Malafronte: When you make a recommendation to extend do they have to comply with the current zoning and building code or existing code?

Mr. Roberts: We're not involved in the building code. The only jurisdiction the PB has is to approve the extension.

Mrs. Roberti: I have that the final site plan approval was on January 21, 2009.

Mr. Valdati: Motion to approve the extension to December 5, 2012.

Ms. Leed: Second the motion.

All present vote aye.

**06-5122 / Kirk Subdivision** – The applicant is seeking their tenth extension for six months on amended preliminary subdivision approval for a 3 lot subdivision on 4.4 acres in an R-40 zoning district. The extension would start on December 31, 2011 and expire on June 28, 2012. The property is located at **97-99 Pye Lane** and is identified as **Tax Grid Number 6358-03-240218** in the Town of Wappinger. (**Barger**) (*The public hearing was closed on January 3, 2007 and they received preliminary approval on March 5, 2007. Amended preliminary approval on January 7, 2008, first extension until October 5, 2008, second extension to Jan. 3, 2009, third to April 1, 2009 & their fourth to July 1, 2009, Fifth extension to December 21, 2009, sixth to June 30, 2010, a seventh extension to December 30, 2010, eighth extension to June 30, 2011, ninth extension to December 30, 2011.*)

Present Steve Burns – Barger Engineering

Mr. Burns: I have copies of easements that I will be forwarding to Mr. Roberts office.

Mr. Roberts: I need fully signed documents in a form that we can record in the Dutchess County Clerk's office. Not a draft. Is there any road dedication?

Mr. Burns: Yes.

Mr. Fanuele: Is there a shared driveway?

- Mr. Burns: Two lots share an entrance. It's not a common driveway. They are next to each other.
- Ms. Visconti: Do we wait for papers to be signed?
- Mr. Roberts: We need the filed papers.
- Mr. Fanuele: Come back on December 5, 2011.
- Ms. Visconti: Motion to come back on December 5, 2011 and if all the documents are in order you can ask us for the extension at that time.
- Ms. Bettina: Second the motion.
- All present vote aye.

### **Miscellaneous:**

**10-6016PP/ Adams Fairacre Farms** – To discuss miscellaneous items to the site plan. The property is located at 12.84 acres in an HB/HD Zoning District. The property is located at **160 Old Post Road** and is identified as **Tax Grid Nos. 6157-04-647343** in the Town of Wappinger. (Tinkelman)

- Present Mike Augello – Construction Manager
- Mr. Augello: There are some changes we would like to get approvals for. First, there are two corner patio areas with decorative fencing. The patios are done but the owner felt there is no need for the fence. The main purpose was to keep carts out of the area. It is not a safety issue. Second, at the same patios there were proposed trees. The owner thought it would look crowded. There is also a paved area where there is nowhere to put the two trees. If the PB would like additional trees we can put them anywhere you want.
- Ms. Visconti: The place looks gorgeous and an asset to the town. There is no need to add items.
- Mr. Valdati: What is the opinion of Mr. Stolman?
- Mr. Stolman: I haven't reviewed those plans to comply with the resolution for approval.
- Ms. Visconti: Motion to allow the application remove 9 trees and the fence.
- Mrs. Smith: Second the motion.

(Conversation took place about adding cart corals.)

- Ms. Visconti: I rescind the motion so that Mr. Stolman can review the plans.
- Mr. Malafronte: Resubmit after Mr. Stolman visits the site. Comeback on November 21, 2011.

Mr. Augello: Thank you.

### **Presentation:**

**11-3224 / NYCDEP Shaft 6** – To follow up on discussion of their site plan for construction activity associated with the Delaware Aqueduct Rondout-West Branch Tunnel (RWBT) repair program, an approx. 45 mile section of the Delaware Aqueduct that conveys approx. 50 % of the drinking water for NYC & some upstate communities. The property is located at **195-209 River Road** and is identified as **Tax Grid No. 6056-01-288977** in the Town of Wappinger. (Canale)

Present Chris Villari - NYCDEP

Conversation took place about noise and traffic study. An audio was played to hear what the noise level would sound like.

Ms. Visconti: Brought up the issue of having a traffic light at the entrance of the site.

Mr. Villari: The DEIS will be available on a CD. We can give you as many CDs as you want including if the public wanted a copy.

Mr. Stolman: I would like a paper copy.

Mrs. Dao: After taking a count of CD or paper Mr. Villari will give me 20 CDs and 10 sets of copies.

Mr. Villari: We are going to have an EIS hearing. Do you want a separate or dual purpose hearing?

Ms. Visconti: Together sounds good and you have the minutes for the hearing paid for.

Mr. Stolman: You might want to think of having a separate meeting.

Ms. Visconti: We will get back to you with our decision.

Discussion took place about the DEC.

### **New / Old Business:**

#### **Meeting dates for 2012**

Mr. Malafronte: Motion to approve the meeting dates for 2012.

Ms. Visconti: Second the motion.

All present voted aye.

#### **RFP Discussion**

- Mrs. Dao: An update of the RFP's. I've been getting several e-mails for request and received 2 RFPs so far. How am I dispersing the RFPs? Also, November 11, 2011 we are closed. Can you extend submissions to Monday November 14, 2011?
- Mr. Valdati: Make separate piles and have the PB members pick up the submissions.
- Mr. Fanuele: We can meet for RFPs on November 21, 2011 after the PB meeting.

**New / Old Business:**

- Mrs. Roberti: The owner of the property at the corner of Viola Court and Robinson Lane wants to re-erect the sign for "Blackwatch Farms". The land is on the property line. I will get pictures for the next meetings.
- Ms. Bettina:** **Motion to adjourn.**  
Ms. Visconti: Second the motion.  
Vote: All present voted aye.

The meeting ended at 10:00 p.m.

Respectfully submitted,

Susan Dao, Secretary  
Town of Wappinger Planning Board