

**Town of Wappinger
Planning Board
February 6, 2012**

**Town Hall
20 Middlebush Rd.
Wappingers Falls, NY**

Members Present:

Mr. V. Fanuele Chairman
Ms. C. Smith
Mr. F. Malafronte
Mr. R. Valdati

Members Absent:

Mrs. M. Leed
Ms. J. Visconti
Ms. A. Bettina

Others Present:

Mr. A. Roberts – Town Attorney
Mr. R. Gray – Town Engineer
Mr. D. Stolman – Town Planner
Mrs. B. Roberti - Zoning Administrator
Mrs. M. Gale - Secretary

Calvary Chapel of the Hudson Valley	Approved
NYCDEP Shaft 6	Request Accepted
Villa Borghese (Widmer Inn Restaurant Corp.)	Resolution Approved with Amended Site Plan
Mobil Mini Mart Route 9	Revise and Resubmit
Silver Fox Estates	Additional Follow Up
Gaslands Petroleum, Inc.	Provide More Information
Lookout Point Subdivision	Follow up Required

DRAFT MINUTES

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Discussions:

10-3199 / Calvary Chapel of the Hudson Valley:- To discuss requirements for tree survey in conjunction with site plan. The property is located on **Route 376 and Diddell Road** and is identified as **Tax Grid No. 6359-03-176082** in the Town of Wappinger. (Berger)(LA sent June 1, 2010)

Mr. R. Cantor: Letter from Berger Engineering asking for waiver on the submission, designed to require the marking of trees minimum diameter of 20” rather than 12” generally provided, and to require the marking of trees within the area of disturbance plus a 25’ perimeter around the area of disturbance.

Mr. Cantor showing the area that is being un-disturbed – small area – almost 50 acre parcel allow us to modify the submission by marking trees 20” in diameter.

Ms. Smith: Are the trees you’re going to be cutting – are they on the whole parcel or just where you’re building?

Mr. Cantor: We’re not talking about what we’re taking down – only about what we required to identify on the map.

Mr. Stolman – described similar situation on Hilltop.

Mr. Fanuele: Do we have a motion?

Mr. Malafrente: I motion that we accept.

Second: Mr. Valdati

All - Aye

11-3224 / NYCDEP Shaft 6 – To discuss DEIS comments to be provided to NYCDEP. on River Rd. in conjunction with the 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 appx. 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)

C. Villari: I have to items – site plan & draft EIS – explained neighbors addressed the noise curtains, their concern was they are unsightly and originally were going to move boring hole by several feet, the curtains would not help relief the noise. Neighbors don't want to look at curtain but it's on the site plan. We're seeking a modification to the resolution...is that correct? Maintenance help for us – curtain has to come down.

Ms. Smith: These are curtain that go back.

Mr. Villari: Drilling will end in the next couple of weeks.

Ms. Smith: I make a motion to allow them to take those curtains down, to help the neighbors.

Mr. Malafronte: Does any of the professionals have a problem with that?

Answered: No

Mr. Malafronte: Second

All – Aye

Mr. Villari: I'd like to ask for a extension of the impact statement from it's current date of Feb. 17th to March 9th review comments at March 5th. We'd like to ask the planning board to share their comments as they develop them in draft form. On March 5th the resolution to adopt.

Mr. Roberts introduced Mr. B. Crossen to discuss noise and planning board members – preliminary letter – overview analysis – doesn't address City CEQR – average noise and noise monitoring.

11-3243 - Villa Borghese (Widmer Inn Restaurant Corp.) To vote on resolution for the site plan and lot line realignment between Villa Borghese and Wappingers Re, LLC. for 1.5 acres. 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** (Villa Borghese) & **Tax Grid No. 6158-04-951382** (Wappingers Re, LLC.) in the Town of Wappinger. (Paggi) (PH Opened & Closed 1-18-12)

Chris Paggi: Recap where we stand in December we appeared before the Town Board and they voted to change the zoning for 1 ½ acre parcel for the parking lot, we had public hearing for the amended site plan and subdivision, that was also closed tonight you have before you a vote for the site plan and the lot line realignment.

Mr. Roberts: - 2 resolutions - I recommend that you address the subdivision first, then if you adopt that - then you approve the site plan.

Mr. Malafronte: **I make a motion to move the resolution as read**

Mr. Valdati: Second

Roll Call: Ms. Smith - Aye

Mr. Malafronte – Aye

Mr. Valdati – Aye

Mr. Fanuele – Aye

Mr. Malafronte: **I motion to amend the site plan**

Ms. Smith: Second

All - Aye

11-3240/4049 / Mobil Mini Mart Route 9: To discuss amending their site plan and SUP to convert the repair shop of 1,039 square feet into a mini-mart. The property is in an HB zoning district on .96 acres and is located at **1468 Route 9** and is identified as **Tax Grid No. 6157-02-648928** in the Town of Wappinger. (Green)

Linda Zwaret- Architect

Steve Green – Presenting the site plan

Ms. Zwart – Read from D. Stolman letter of 2-1-12 – go over some items that were addressed first comment had to do with the actual zoning of it – require 2 acres – parcel is actually 1 acre, proposing for the interior – currently a service station with a very small area to pay and a little convenience area – what the

new owner would like to do – clean up – expand convenience area , on the side put a little pizza area accessory of use. Is that considered accessory to use it or go back to ZBA because we only have a 1 acre parcel?

Mr. Roberts: (Quick Mart) This is similar to the Hess station and 7-11.

Mr. Valdati: Including seating?

Ms. Zwart: Described the area shop area with a bar with a couple of seats.

Mr. Stolman: This looks like a fairly substantial pizza area

Mr. Fanuele: Only selling slices? – Fix traffic coming off Myers Corners Rd.

*Discussion continued describing change of use – from an auto repair shop to a food service.
Also discussion on sign colors (red & blue) – lit sign – trademark sign, will appear on building, idea to make
Look “homey”.*

Mr. Valdati: Determination of use to be decided by Zoning Administrator – Barbara Roberti

Mr. Green - Read from comment letter from DOT. DOT will be putting a median in. Look at signage.

Mr. Malafrente: Will there be any food preparation there on site?

Ms. Zwart: Only food prep would be if we do pizza area – standard – frozen, warm up.

Mr. Valdati: Would other foods be prepared?

Ms. Zwart: Described the area (small area).

*Discussion continued among members looking at layout of existing auto repair – renovating
back area – store area – making walk in coolers – full convenience store.
Discussion also about diesel tanks – oil tanks.*

Mr. Stolman: List of items you’re going to take care of.

Ms. Zwart: Dumpsters, Sq. Footage Cleared Up, Bollards, Lighting

Discussion from A. Roberts, L. Zwart, S. Green – regarding signs

Mr. Fanuele: Do you have a drawing of how the whole thing is going to look.

Ms. Zwart: Showing the board drawings on different pages – explaining where Route 9
Pulling in and out on Route 9 – here’s the pumps – here are the signs, dumpsters.

Mr. Fanuele: Dumpsters – keep closed

Ms. Zwart: Addressed dumpsters details.

Mr. Stolman: We're going to review your plans.

Copies handed out – regarding lighting

Mr. Green – We're having a problem with Mobil, they're not giving us what we wanted. If they have an issue – we're not doing it – stays the same.

Ms. Zwart: I'm through my list – the last item was outdoor storage – there's no outdoor storage. I'll add those lighting cuts to the drawing – have them all together. Just want on the drawing. Submit all together.

Mrs. Roberti: You said there's no outdoor storage – I've get to see a gas station without outdoor storage.

Ms. Zwart: The propane tanks that have already been noted on the drawing.

Mrs. Roberti: When I see a soda machine, wood, anti-freeze display.

Ms. Zwart: I'll check with the owner.

Mr. Valdati: In kitchen area usually there's sprinklers, exhaust to take out smoke in the area.

Mr. Gray: Board of Health will go through that, you will need a permit from them.

Ms. Zwart: We'll go through the list of comments and make a submission.

11-5160 Silver Fox Estates: To discuss a change in the erosion control & grading plan to show a open retention pond rather than underground infiltrators. This parcel is located on **Scotse Road and Losee Road** and is identified as **Tax Grid No. 6157-02-892694** in the Town of Wappinger. (Paggi)
(Recv'd. final approval on 5-16-11)

Mr. L. Paggi: Chris Sollecito – has come to us – owner of Silver Fox – question came up with when finalize approvals – why do we have a storm water system on lot 1 that's buried in here – part of a design that was required by previous Town Engineer. It is not required by the DEC – storm water manual specs. providing small amount of continuation to existing system that runs down easements. Graham expressed concerns, made sure design to high degree. Can that be replaced with an open pond? An open will accomplish the same continuation – simpler to maintain, generally be dry – grass depression if we design it to replace this system. Also know first design this, neighbor did not want any part of it. Will you support this request.....however, will require PB approval, which will require public hearing – will bring out a neighbor.

Mr. Fanuele: Why didn't the neighbor want it?

Mr. Paggi: Because he didn't want water by his house.

Mr. Sollecito: We purchase this property – took over project – looked at amount of water (explained how water will be distributed) looked at with Town Highway Superintendent.

Mr. Valdati: What would Graham's roll be, the egress and the water.

Mr. Paggi: Explained how the Highway Dept. would maintain them, addressing Mr. Valdati's concerns. Would be a basin – low grass area, slight pitch.

Mr. Roberts: Where is it going to drain? Get a letter from Graham Foster.

Mr. Gray: Have you talked to the neighbor?

Mr. Paggi: No – wanted to talk to you first.

Mr. Fanuele: We would like to hear from the neighbor, and the person who buys that house is going to have to maintain it.

Mr. Paggi: There is an easement around that area.

(Continue to discuss similar properties – where they have maintained – how it would be designed, who would maintain)

Mr. Roberts: They are issues on the neighbors lot – easements..no recorded easement , contractor shown as build survey.

Further discussion between board and Mr. Paggi regarding pond

Mr. Gray: Talk to neighbor

Mr. Sollecito: Will talk with Graham and neighbor.

Conceptuals:

Gaslands Petroleum, Inc. - To discuss replacing existing non-conforming sign with new LED light that would be same size and same height. The property formally operating as a Gulf station will now operate as a Shell Station. The property is located at 1831 New Hackensack Rd. and is identified as **Tax Grid 6259-02-524833** in the Town of Wappinger.

Gaslands Petroleum, Inc. - To discuss replacing existing non-conforming sign with new LED light that would be same size and same height. The property formally operating as a Gulf station will now operate as a Shell Station. The property is located at 223 Myers Corners Rd. and is identified as **Tax Grid 6258-02-730572** in the Town of Wappinger.

Mr. Jeff Econom (Chazen): 2 gas stations were Gulf client 2 signs – client wants to change signs from Gulf to Shell same size

Mr. Stolman: Are these going to be LED

Mr. Econom: LED – showing existing signs – explain how new signs would change be more energy efficient.

Mr. Fanuele: Put smaller signs – lower height.

Mrs. Roberti: Looking through previous files – did not see signs on the site plan there were variances, one was granted for approval, could not find approval for the New Hackensack – and the variance for Myers Corners was for a non-illuminated sign, and somewhere along the way it became illuminated. The other issue is the LED – the County is against LED lighting, because of brightness. I think it's up to the Planning Board has to look at it.

Mr. Stolman: Would the just the numbers be LED or the whole.....?

Mr. Econom: Jut the numbers would be LED the rest normal illumination.

Showing pictures to the board members, discussion continued between members of board and professional. Discussion problems with LED brightness, automatic adjustment, look at brightness, height, digital.

Mr. Fanuele: (questioned height required and actual – Mr. Econom explained what is there and what is proposed)

Mr. Valdati: It's not in our ordinance about LED light – have we granted this anywhere in the town?

(Response – no - relatively new – once you do one – you are setting a standard – issues is LED light – or brightness?)

Mr. Econom: I'll bring this information back.

Miscellaneous

Lookout Point Subdivision: Re: Fence - Letter dated 1-30-12 from G. Foster, Highway Superintendent

Mr. Gray: Subdivision off of Old Hopewell Rd.- Michael Dr. – behind the Pavillion Condo – drainage pond that drains that subdivision – easement – pond designed with fence around – Graham wants to take the chain link fence down. Described pond – mowed – overgrown – problem for Highway Dept. – fence around pond – children issue. Pond never backs up – water came in – went out. Fence outside easement – owner want it down. Fence on neighbor's property....

(Discussion between all members continued – find out what original approval was for – no one knows.)

Meeting: Adjourned 8:45

Motion: Mrs. Smith

2nd: Mr. Malafronte

All - Aye

