

DRAFT

Town of Wappinger Planning Board
MEETING DATE – March 5, 2012
TIME: 7:00 PM

Town Hall
20 Middlebush Road
Wappinger Falls, NY

Members Present:

Ms. C. Smith
Mr. R. Valdati
Mrs. M. Leed
Ms. J. Visconti
Ms. A. Bettina

Members Absent:

Mr. V. Fanuele
Mr. F. Malafronte

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

Pizza/Deli 2059 ROUTE 9D	Need Approval from Board of Health
228 Myers Corners Rd.	Need Approval by County
NYCDEP Shaft 6	Draft Letter for ZBA – Variances
Wappinger Farms	Extension Granted 9-07-12
DCH Auto Group Service Center & Showroom	Extension Granted 9-10-12

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Discussions:

12-3249 / Pizza/Deli 2059 ROUTE 9D: To discuss a new pizza & deli business on property that currently is a single family residence on .26 acres in an CC Zoning District. The property is located at **2059 Route 9D** and is identified as **Tax Grid 6056-02-753963** in the Town of Wappinger.
(Siegel)

Mr. Siegel: The property is located on 9D north of Steward – existing building that used to be a single family residence – vacant for a number of years my client is looking to have site plan approval for a takeout pizza business, few tables primarily takeout. We have a few planning board comments items resolve, owner wants gravel in the parking lot we want to see if that’s acceptable.

Ms. Visconti: I believe the engineer’s comment says “you can’t paint gravel”

Mr. Stolman: In the last 10 years I don’t believe the planning has never grant gravel for a commercial establishment.

Mr. Gray: The other issue is handicapped parking, wheelchair access doesn’t allow gravel.

Discussion between board members and professionals whether gravel would be feasible for handicapped access.

Ms. Viscoti: You have eight (8) parking spaces and said it’s going to be takeout, people are going in and out that gravel is not going to last – I say no gravel.

Mrs. Leed: Can you give us a general description?

Mr. Siegel: (Showing plans to members describing space – showing an addition – 50 sq. ft.)

Ms. Visconti: How many tables are you going to have?

Mr. Siegel: About twelve (12)
(*showing where seats would be*).

Ms. Visconti: What would be the hours of operation.

Mr. Berisha: From 6AM to 9:30PM

Continued to describe employees would deliver pizza

Ms. Visconti: Have you heard from the Dept. of Health?

Mr. Siegel: Haven't heard from them

Ms. Visconti: Also have to get approval from NYSDOT – the Planning Dept. says your submission is incomplete. Preliminary remarks – sign plan, lighting plan. What did you exactly want?

Mr. Siegel: Small lot – number of parking spaces over the allotted allowed spaces, reduce number of a Parking spaces – loading spaces.

Ms. Visconti: Refuse containers?

Mr. Siegel: Planning to use the 90 gal. rolling containers – loading deliveries.

Mr. Stolman: You're asking the board to waive what they can't waive.

Discussion between Ms. Visconti & Mr. Stolman where they should go from here – proposing a lot Can't fit in – landscaping – premature to ask – project to comply with zoning. Proposing too much for small lot – need to modify plan – apply for a variance.

Mr. Gray: Need to go to Board of Health – Pete Marlow – may not have room on site to get a well and septic. On a quarter of acre almost impossible and your water supply is going to be non-community public Water supply, your first order of business is to get their approval, these other issues of parking and variances..... Some kind of food supply permit.

Mr. Stolman: Everything becomes secondary pending BOH approval.

12-3252 / 228 Myers Corners Rd. To discuss amending their site plan to show existing conditions of the property which includes three (3) buildings on 6.3 acres in an NB /R40 Zoning District. The property is located at **228 Myers Corners Rd.** and is identified by **Tax Grid 6258-02-702520** in the Town of Wappinger. (Borek)

Mr. Andrew Borek: Submitting an amended site plan showing some additional screening, paving but no stripping.

Ms. Visconti: Received a letter from the Dutchess Co. Planning Dept. – Fire Prevention has signed off on this.

Mr. Borek: The uses have been approved

Ms. Visconti: What you're submitting – you are formalizing it?

Mr. Borek: Yes

Mrs. Leed: You are not changing buildings

Mr. Borek: No

Mr. Stolman: One of the issues is re-aligning the driveway –
(discussion with Mr. Borek – don't believe the adjacent owner wants to do that – opinion on possibility of allowing that – loose portion of driveway –alternate curb cut - county suggested alternate driveway – owner not wanting to do that.

Mr. Walsh – Lead Planner – addressing Mr. Gray: Catch basin – closing would be major issue with him. That driveway is life support – have no problem with fence – moving driveway old catch basin.

Mr. Stolman: Comments from Dutchess Co. Planning was suggesting one of two curb cuts, parking realigned.

Mr. Walsh: Parking – we don't have an issue with that a lot of parking – variance 2006 allowed used car dealer just over half acre. Do have change of occupancy from bldg. – how many we actually need. We did a wetland map in 2005, flagged it. Filed maps for the town – talked about doing a oil-water separator / where water runs away from the catch basin – try to stay away for it - slight overflow trickles and goes in that direction.
(discussed with board members & professionals the green area – keep green in back – no reason to touch trees)

Mr. Stolman: We're talking about the back when we should be addressing front of property – land banking.

Mr. Borek: Keep these that spaces that run along the along wetland buffer , and keep greener.

Mrs. Leed: How many spaces do you think you need right now?

Mr. Borek: For bldg. 1 is about 250 sq. feet of office space, the rest is storage and workshop, like 9 or 10 people use that building at the same time.
(Need to discuss and decide....)

Mr. Stolman: Decide what you require – we'll make a recommendation to the planning board

(Mr. Gray discussion move driveway – across from DeGarmo Hill Rd. that will affect the parking. Describing parking area – don't need to decide now).

Mr. Walsh: Is there any objection that we come up with a land bank proposal?

Ms. Visconti: That would be excellent.

(Mr. Walsh – no objection to the County's suggesting about moving the access road)?

No

Mr. Walsh – 2 storage tanks on the site now – both above ground, waste oil and heating oil, inspected by Fire Inspector.

Ms. Visconti: Do you have any way of allowing for a future sidewalk?

Mr. Walsh: We don't have a problem with that. (*Talked about doing a similar project just at a site above Tappan Zee bridge reservation for a sidewalk and for a bike path..both cases we reserved that, would you want an agreement....Mr. Roberts describing another project ..Mr. Gray talk with the county in their right of way ...sidewalk in county's right of way .*)

Mr. Walsh: What would you like to see in curbing detail in the front?

Mr. Gray: It's a county requirement – they're going to require a concrete curb.

Mr. Walsh: You wouldn't have a problem with that?

Mr. Gray: No – where that's going to be.....shoulder goes onto your property.

Mr. Walsh – We'll talk to the county and come back to you.

Mrs. Roberti: look at signage

Mr. Walsh: They want signs for tents.

(*Discussions regarding variance being granted – Parsons' property*).

*Ms. Bettina: We're going into **executive session** for the advice of council – 7:40 PM*

Motion: Mr. Valdati

Second: Ms. Visconti

All – Aye

Out of executive session – Motion – Ms.Visconti

2nd - Ms. Smith

All - Aye

8:25PM

11-3224 / NYCDEP Shaft 6 – Seeking a recommendation to the Zoning Board of Appeals for necessary variances and to discuss the review the DEIS. 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)

Mr. Villari

Mr. Simmons – We'd like to get a referral to the Zoning Board

Identified areas for variances for recommendations to the Zoning Board of Appeals

- Construction Trailers
- 40 Storage Containers noise abatement wall
- More square footage – construction trailers, office trailers
- Sign – bigger than what code allows
- Lot coverage

Referred to ZBA by drafting letter

Motion – Mr. Valdati

Second – Ms. Visconti

All - Aye

Roll Call Vote: Ms. Smith – Aye

Mrs. Leed – Aye

Ms. Visconti – Aye

Mr. Valdati – Aye

Ms. Bettina – Aye

Mr. Villari: Request to extend comment period for March 9th – comments to planning board.

Mr. Valdati: Conclusion of studies done by our professional and presented to you formally.

Mr. Roberts: Make a motion to respond

Motion – Mr. Valdati

Second – Ms. Bettina

All - Aye

Extensions:

*****05-5110 / Wappinger Farms.** The applicant is requesting their tenth extension on preliminary subdivision approval for 6 months for a 19 lot subdivision on 60.620 acres. The extension would start on March 3, 2012 and expire on September 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, ninth extension to March 7, 2012)

Mr. White: Requesting extension - engineering work, well testing, SWIPP work

Ms. Smith: Why are you asking for extension reason – SWIPP work – Dutchess Co. Dept. of Health

Mr. Valdati: Move to grant

Ms. Smith: Second

All In Favor: Aye

(discussed delay issues to Mr. Roberts/Mr. Gray economy, survey, etc.)

08-3163 / DCH Auto Group Service Center & Showroom – Seeking their sixth 6 month extension for final site plan approval to begin on March 11, 2012 and run through September 10, 2012. 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) (*1st extension Mar. 16, 2010, second on Sept. 16, 2010, third Mar. 11-2011, fourth Sept. 10, 2011, fifth 3-10-12*)

Motion to Grant – Ms. Visconti

Second – Mrs. Smith

All – Aye

Motion to Adjourn: - Ms. Visconti

Second – Mr. Valdati

All – Aye

Meeting adjourned 8:40PM

Respectfully Submitted

Michelle D. Gale
Secretary – Planning Board