

MINUTES

Town of Wappinger Planning Board
May 7, 2012
Time: 7:00 PM

Town Hall
20 Middlebush Road
Wappinger Falls, NY

Members Present:

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

Others Present:

Mr. Gray	Engineer to the Town
Mr. Roberts	Attorney to the Town
Mr. Stolman	F.P Clark
Mrs. Roberti	Zoning Administrator
Mrs. Rose	Zoning Secretary

SUMMARIZED

PROJECTS DISCUSSED:

OUTCOME

Public Hearing: Hilltop Village at Wappinger Move Adjourned PH-May 21st

Discussions:

Mobil Mini Mart	Adjourn Public Hearing
Airport Drive	Prepare Resolution-return June 4th
Chelsea Farms Subdivision	Legal Research Needed

Conceptual:

Kaplan Insurance	Full Submission Needed
Hindu Samaj	Full Submission Needed

Old & New Business

Eagle Scott-Michael Gately	Approved-Flag Pole
Alexander Property	Discussion Continues
Silver Fox	Resubmit – Original Application Expired.

10-3204/5157 The Town of Wappinger will conduct a Public Hearing pursuant to Article IX, Section 240-87 and Section 276 of the Town Law on the application of **Hilltop Village at Wappinger**. To discuss the DEIS for site plan and subdivision approval for age restricted housing components on 149.35 acres that are currently in the R-40 & COP zoning district and are seeking re-zoning to RMF-3. The property is on **All Angels Hill Road** and is identified as **Tax Grid No. 6257-02-630770** in the Town of Wappinger. (Povall) (LA 5-18-2010)

- Mr. Fanuele: First item on the agenda is an adjourned public hearing dealing with Hilltop Village.
- Ms. Visconti: I make a motion to open the adjourned public hearing.**
- Ms. Smith: I second the motion.**
- Mr. Fanuele: All in favor?**
- P/B Members: Aye.**
- Mr. Povall: I'll jump in here because Rick is running late. Do we want to run through this whole presentation again?
- Mr. Fanuele: I don't know how many new people we have.
- Mr. Roberts: Please give a brief summary.
- Mr. Povall: Continues to discuss the Hilltop proposal and continues to describe the 55 years old and older community. Mr. Povall introduces Mr. Fitzpatrick from Toll Brothers.
- Mr. Fitzpatrick: Shows and explains what the homes and town houses are going to look like. Mr. Fitzpatrick explains the club house that will be part of this community.
- Mr. Fanuele: We will open for comments.
- Mr. Stolman: The next step after the closed public hearing and the end of the comment period; which I believe is the 21st. The next step will be the applicant to prepare a final environmental impact statement and the final environmental impact statement will have to respond in writing to all the comments made on the draft impact statement.
- Mr. Fanuele: Does anyone have any comments?
- Mr. White: My name is Ed White. 1 Edgehill Drive. There is only one entrance and there will be 2 car garages. There will be almost four hundred cars and using one access leading to a busy road like All Angels. I don't know how you are going to get the truck in and

out. There is going to be an accident, especially with older people. How is this going to be managed?

Mr. Fanuele: This is only a comment period.

Mr. Roberts: You will be answered in writing when they prepare the final document. The comments were noted and it will be answered in writing.

Mr. White: So what you are saying is they have no idea.

Mr. Stolman: No, that is not what is being said.

Mr. White: I live right across the street and I know there will be an impact. I don't care if they build it as long as they build it where you can't see it. Mr. White continues to express his opinion about the Hilltop project and the impact on that neighborhood.

Mr. Fanuele: Thank you sir.

Mr. Sena: I'm representing Dutchess County Economic Development Corporation. I could not make the last planning board meeting so I sent a letter to the planning board in support of this project. Mr. Sena continues to explain the positive financial impact that this will to the town.

Ms. Visconti: David is it appropriate to include this letter in today's comments?

Mr. Stolman: It is one of the documents that should be forwarded to the applicant to acknowledge the DEIS.

Mrs. Schmalz Mary Schmalz and I live at 7 Edgehill Drive. I want the record to show that the residents were not informed of these public hearings. I think we should go to the Dutchess County Dept of Planning and tell them the impact this is going to have on All Angels Hill Road. Mary continues to explain other senior housing and their funding. I want to know if they are getting any funding. Don't forget if they have to add stop lights we have to pay for that. We don't get the electric free.

Mr. Stolman: Mary, I can't respond to that but Dutchess County Department of Planning has been involved with this project and has commented on this project.

Mr. Fanuele: Yes Sir.

Mr. Grossman: My name is Scott Grossman. 158 Robinson Lane. I represent the Wappinger Little League program as well as myself as a tax payer. We come out and support this Hilltop project. Mr. Grossman continues to explain the positive aspect of this project and its impact on the recreation area on Robinson Lane.

Mr. Fanuele: Does anyone else have any comments?

- Mr. Caballero: Angel Caballero. 2 Ervin Drive. I am here to support this project 120%. As a senior citizen I would like to stay in Wappinger Falls. Mr. Caballero continues to express his positive opinion on this project. There is always the objection of traffic. Mr. Caballero has some concerns about the traffic but still would like to see this project approved.
- Mr. Fanuele: Any other questions?
- Ms. Leed: Can someone explain the process of the rezoning, how long it would take and the different procedures. What is the next step?
- Mr. Roberts: This is a coordinated review. The planning and zoning review would be handled by David's Office but at this point the planning board is acting as lead agency to develop the environmental review. There will be a finding statement from there it will go to the Town Board. Then the Town Board would have to work with David to create a zoning classification that would accommodate this classification.
- Mr. Stolman: I think you handled it well AI, in terms of the process. After the Final Environment Impact Statement is accepted by the Planning Board as lead agency, the Planning Board will direct the Town Board and they will need to prepare a finding statement which will put an end the SEQUA process. Mr. Stolman continues to explain the process.
- Mr. Fanuele: On the emergency exit, are you going to maintain the road all the way out to Shamrock?
- Mr. Fitzpatrick: The answer is yes.
- Mr. Povall: Explains as he uses the map as an example.
- Mr. Fanuele: Do you have anything to do with recreation commission?
- Mr. Grossman: No. I am a board member of the Little League organization.
- Mr. Fanuele: Does anyone have any more comments?
- Ms. Visconti: The next step is to close the public hearing.
- Mr. Fanuele: Anyone have any comments?
- Mr. DeVito: My name is Dan De Vito. 73 Scott Drive. This is something I have been looking for so I can stay in the area around my children but I do understand the issues that other people have had here, and I'm certain these things are going to be addressed. Will the other questions and concerns be answered?
- Mr. Stolman: The Final Environmental Impact Statement, once accepted by the Planning Board, is going to be on the website and it will be available in the Planning Board office.
- Mr. DeVito: How will I know about any future meetings?

- Mr. Roberts: The agendas are on the website, sir. The next meetings concerning Hilltop are Public Hearings.
- Ms. Smith: The next meeting is May 21st
- Mr. Fanuele: No other questions?
- Ms. Visconti: Move to close the adjourned Public Hearing.**
- Ms. Smith Second**
- Mr. Fanuele: All in favor of closing the Public Hearing.**
- Planning Board: Roll call vote. All in favor.
- Mr. Stolman: One last item. The public has until the 21st to submit additional written comments
- Ms. Bettina: Is there an E-Mail for the Planning Board?
- Superintendent Gutzler: They can click on my name. If I get any e-mails, I will pass them on to the proper people.

11-3240/4049 The Town of Wappinger Planning Board will conduct a Public Hearing pursuant to Article IX, Section 240-87 of the Town Law, on the application of **Mobil Mini Mart Route 9** to discuss amending their site plan 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.

- Mr. Green: Explains the changes being made to the gas station to provide an area for a Mobil Mini Mart. Explains the changes made to the parking stalls. Introduces Linda Swart, who is the architect. I am still waiting for something from the DPW.
- Ms. Swart: Steve Stern, who is the lease holder, has contacted the owner of the gas station company (CPD New York Energy Corp) and has a letter which states their position with a certain parking lot situation that was requested by the Planning Board of The Town of Wappinger; the merger of the parking lot to the Hannaford parking lot and the premises. If Hannaford and the CPD approve the connections, they will make their decision at such time.
- Mr. Roberts: That is a letter of intent. What we will require is a formal declaration of easement permitting an access that can be recorded with the deed that you will have to secure. The letter was addressed to the Town Board, this is the Planning Board. What you really need is a cross access easement; if you just speak to your attorney he would understand what is required.

- Mr. Fanuele: I have a question about the signage? Is there something to dim the lights?
- Mr. Green: I spoke to Mobil and they have something in place, it will be adjustable.
- Mr. Valdati: I make a move to open the public hearing.**
- Ms. Visconti: Second**
- Mr. Fanuele: All in favor**
- Planning Board: Aye**
- Mr. Lindstrom: Gary Lindstrom. 52 Kent Road. I am generally in favor of their proposal. The property looks much better. My really only two comments are I don't want to see any left turns made out of that property. Second, I don't think there is a need to connect to Wappinger Plaza.
- Mr. Fanuele: The left hand turn will eventually go away because they will be building a barrier.
- Mr. Valdati: There will be some kind of configuration there that will prevent making a left.
- Ms. Leed: I have a question about the sign. Barbara, these signs are popping up everywhere. The comment from the county is that they are 60 percent output. Is that standard?
- Ms. Roberti: I don't know if they're standard but we are looking to make sure they are dim.
- Mr. Stolman: We have a condition here that states that the zoning administrator has the right to make requirements that the brightness of the LED be turned down.
- Ms. Visconti: I see you already have a resolution prepared. I believe it satisfies all the questions asked by the Dutchess County Planning Department. Is that true or do have to wait for another letter?
- Mr. Stolman: We did get a letter today. The recommendation part is that the DCP is recommending that the Planning Board not grant the requested approval until the follow up has been met. That is to make the signage into conformity with the town code, which is lowering the sign. Mr. Stolman continues to explain to the board the process if the board over rides the DCP's recommendation.
- Mr. Green: I was talking to Barbara during the week and there is a variance for that in existence.
- Mr. Stolman: Not for the height of the sign but for the size of the sign.
- Mr. Green: If we don't touch the sign, then it's existing.
- Mr. Fanuele: But you are changing the sign.

- Mr. Green: We have a right to modify the sign the way it sits according to the variance. That is where my concern comes in.
- Mr. Stolman: Let's be clear, you have a variance for the size not the height .
- Mr. Green: 22 ft tall it was in the variance.
- Mr. Stolman: That's not what our understanding is.
- Mr. Roberts: Do we have a copy of these variances?
- Mr. Green: Looking for a copy of variance in his file and it cannot be found.
- Mr. Roberts: Why don't we move on to the next thing? Barbara is going to try to find the variance.
- Mr. Valdati: I move that we adjourn the public hearing.**
- Ms. Visconti: Second**
- Mr. Roberts: We are suspending this public hearing. It will reconvene shortly. Barbara is going to try to find the variance.
- Mr. Fanuele: Next on the agenda is Airport Drive.

Airport Drive Properties - To discuss updates and revisions of the approved resolution dated January 4, 2006 with the planning board. The property is located on **Airport Drive** and is identified as **Tax Grid No. 6259-04-667424 (Parcel C)** in the Town of Wappinger. (Povall)

- Ms. Visconti: We received the OK from the fire department that the 20 feet between the buildings are fine.
- Mr. Povall: As the board recalls, that at the last meeting it was decided that instead of working with the previous resolution that we would prepare a new resolution if the board finds it appropriate. What we did was gone back and addressed the comments we received from the professionals and from this board. One of the big changes was to bank some of the parking. The second bigger change was to accurately reflect the use of the building. Building 1, the front building is in existence now; they just finished up with a site plan amendment for B&B Ironworks so that was a change from office to retail. So what we have done was incorporated these changes to the most current plan. With the retail use in that building, it did up the parking requirements. So where we are now with the zoning for the uses, we are required to have 144 parking spaces.
- Ms. Visconti: So you only want to land bank 12 additional parking spaces because I have here 108 were needed.

- Mr. Povall: Originally only 108 were needed but that was with office and storage use now that it was changed to retail the parking spaces increased.
- Ms. Leed: Can you explain the retail nature because B&B Ironworks is not retail.
- Ms. Visconti: They are going to have people come and look at their work.
- Mr. Povall: I am fairly certain that the approval was classified as retail.
- Ms. Visconti: It's not an Art Gallery but if someone commissioned their work and brought someone with them.
- Mr. Leed: You're now throwing 30 more parking spaces for that retail use?
- Mr. Povall: We proposed 175 parking spaces.
- Mr. Stolman: The question is would the addition of the retail space change the requirement from 108 to 144.
- Mr. Povall: Yes
- Ms. Visconti: Do you believe you are really going to need it?
- Mr. Stolman: We checked the numbers and they're accurate.
- Ms. Visconti: That's based on the formula?
- Mr. Stolman: Yes
- Ms. Visconti: Is it in our power that we could bank 56 parking spaces if not needed?
- Mr. Stolman: The Planning Board can bank up to 50%.
- Ms. Visconti: Ok because I'd rather see it green and if needed later. I don't see all those spaces being used and I don't want to see a BJ's parking lot.
- Mr. Povall: A lot of those parking spots are with the existing buildings. Mr. Povall continues explaining to the board what could be done as he reviews this on the map. The plan is that it will be an office park.
- Ms. Visconti: You can make nice white islands.

- Mr. Povall: The applicant wants to keep the parking here for building 3. The parking on the side is for building 4. What I can do is bank 8 or 10 parking spaces. The way the parking is around these building we feel it's necessary.
- Mr. Fanuele: I have no problem with the paving.
- Ms. Visconti: Either do I. I'd rather see that then see them blank.
- Mr. Valdati: Normally the planning board requires a higher number of parking spaces and to get the applicant to request extra spaces is a good indication that they will be utilized.
- Ms. Visconti: So what's the next step?
- Mr. Povall: I would like to move forward with the process.
- Mr. Valdati: If we could refer back to Mr. Stolman's letter dated May 2nd, item 1 condition 2D regarding the types of contractors business. David would you like to elaborate on this.
- Mr. Stolman: Sure, what we are suggesting here is that the term "offsite serve businesses" be define. There are a number of things we need to respond to. There are 3 full pages of comments. The process would be to respond to the comments then we would be in a position for a resolution.
- Mr. Povall: I can do that, I did go through them and none of them are show stoppers.
- Ms. Visconti: Is there any ability, since they're not show stoppers that you can work it out with him and we can still authorize him to have a resolution. Is there some reason to have him come back?
- Mr. Stolman: We could do that. How fast can you make these changes?
- Mr. Povall: I can make these changes over the week. Get it submitted then when we come to the next meeting however the dead line works out. It would be nice to have the document in place.
- Mr. Stolman: If we could get some of these knocked off, you wouldn't have a resolution with a lot of conditions in it. Bob do you have anything to add?
- Mr. Gray: We have a substantial number of storm water, pollution comments and drainage comments. These can be completed easily. I'd rather see that these are resolved then added to the resolution.

- Mr. Stolman: If we don't get your memo soon, we won't have enough time to prepare a resolution in two weeks.
- Ms. Visconti: How about the first meeting in June.
- Mr. Povall: It would be nice to have that document available if the board is in a position to go forward.
- Mr. Valdati: I won't want a resolution drafted with all those conditions.
- Mr. Povall: My intention is resolve these conditions.
- Ms. Visconti: I want to make a motion authorizing you (Povall), after consulting with him (Stolman) and getting rid of all the conditions to prepare a resolution. Have a resolution in place for the first meeting in June. June 4th.
- Mr. Valdati: Why can't we make the resolution May 21st?
- Mr. Povall: It will be complete but I don't think there will be enough time for the professionals to review it.
- Mr. Malafronte: I have a letter from Dutchess County Health Department about providing water and sewer.
- Mr. Povall: We do have water and sewer approval.
- Mr. Gray: This approval for Lot C from the County Health Department is from back in '08.
- Mr. Malafronte: So the whole site, C&D will be incorporate?
- Mr. Povall: Lot C where the new building is there is a separate well and a separate septic system and that was approved for those two buildings from the Health Department and that is what that letter states.
- Mr. Malafronte: So what they are saying, it's a septic system and not a sewer facility.
- Mr. Povall: It's an in ground septic system. They're calling it a waste water treatment system.
- Ms. Visconti: My motion is to authorize David to come prepared on June 4th with a resolution as long as Bob Gray and David met with the applicant and everything has been resolved so that there are not a lot of conditions in the resolution.**
- Ms. Bettina: Second**
- Mr. Fanuele: All in favor**
- Planning Board: Aye**

- Mr. Valdati: I move we reconvene our public hearing on Mini Mart.
- Mr. Roberts: I'm going to recommend that this matter be adjourned until the next board meeting. The variance is for a different Mobil Station. Mobil on All Angels and Route 82 and I think we have to find the variance for this particular site because there were several amendments for this particular site. Mr. Robert continues to review to his knowledge the changes in the variance.
- Mr. Valdati: I move we adjourn the public hearing to May 21st.
- Mrs. Roberti: I was out of the room. Did you address the outdoor storage?
- Ms. Swartz: We did on the architectural plan. It does show that right around the building we're putting in seasonal things. For example, a rack of flowers for Mother's Day.
- .Mrs. Roberti: The other day there were palm trees blowing all over the place.
- Ms. Swartz: There will be seasonal sales and they will stick to what is on the plans.
- Ms. Swartz: I know the resolution was prepared with some of the requirements to be fulfilled. Is it only the sign that is left? Can we go ahead and get the planning board approval on the improvements to the building and leave the sign separate?
- Mr. Stolman: The sign is really integral to the whole thing.
- Mr. Green: It is really up to Steve and the owner. Mr. Green continues to discuss with the board the sign situation.
- Mr. Roberts: The County has raised some issues. We do not have a complete record before this board and for this board to act they should know what the prior approvals were. You represented that there was a variance there wasn't a variance at least by the information you supplied. If we can find a legal way for you to keep the sign without reducing we will do so, but we do not have the information before this board to make a decision.
- Ms. Swartz: Ok, I guess we will see you on the 21st.
- Mr. Valdati: I move that we adjourn to the 21st.**
- Ms. Bettina: I second.**
- Mr. Stolman: You adjourned the public hearing?
- Mr. Valdati: Yes
- Ms. Swartz: Since your resolution has been drafted if in that two week period, would you like us to address the items we can address?

- Ms. Visconti: You need to address the cross access agreement.
- Ms. Swartz: There were a few miscellaneous items.
- Mr. Stolman: It's probably better not at this time because you would need to make a submission very quickly so that we could review them.
- Ms. Swartz: So, it's better to do them all at one time.
- Mr. Roberts: It may be better to come into town hall and research the old files.
- Mr. Fanuele: Next on the agenda is Chelsea Farms Subdivision:

10-5155 – Chelsea Farm Subdivision: To discuss a proposed 18 lot subdivision in an R-40/80 zoning district on 186.8 acres. This parcel is located on **Chelsea Road (County Route 92) & North River Road** and is identified as **Tax Grid No. 6056-01-138527 (102.7 acres) & 6056-01-190688 (84.1 acres)** in the Town of Wappinger. (Koehler)

- Mr. Koehler: My name is Dan Koehler from Hudson Land Design the engineer for the applicant. I only brought 2 of the 12 sheets with me. It's been a year before we appeared before the board. In that time the major changes that have taken place is that we have eliminated two previous recreation parcels and we have implemented the new standards for green infer structure for storm water management. In doing so we have provided a series of bio retention areas and we provided control of the one year storm. We have provided individual practice for certain lots such as infiltration practices and with conversation with the engineer to the town since this application was made we are also going to implement some of the rain gardens for some of these individual lots. That takes care of the main development area which is the proposed road that will serve these 13 lots. We also have 3 lots off of Chelsea Road and 2 off of River Road. This is the two bottom lots on Chelsea Road (Pointing to Map) and with those cases right now we have dry wells and pre sedimentation chamber for each dry well which could be used by the owners of those lots for irrigation also. That takes care of the storm water on those and we are going to look to get rain gardens to treat a little more than the roof top and some of the driveway areas. We have two lots off of River Road North. They are larger than the other lots for those we are looking into providing bio retention areas. The reason why we didn't design them out fully at this point because there were some questions about the layout of the driveways with regards to the flood plain down here(pointing to the map). There is a 100 year flood way for the Hudson River. (Pointing to the map) Portions of River Road can be under water. I went down there during Hurricane

Irene and found it under water. I have spoken to Graham Foster and he has seen it under water. We have met with Graham Foster since the letters from your professionals. Graham is not against letting us have our driveway off of River Road North here (Pointing to the map). The one thing I do have to add is for the site distance for this driveway which comes right outside the roadway boundary here (Pointing to the map) we are going to provide a site easement. What we are looking to do is get the public hearing underway so we can understand some of the comments and we can get a preliminary approval. So we can get all the septic and wells reviewed by the Health Department.

- Ms. Visconti: The only thing I see is the US Fish and Wildlife Service and the New York Heritage Service you have no answers from them.
- Mr. Koehler: No answers yet. We have had correspondence from them but no approval.
- Ms. Visconti: David's letter did mention that.
- Mr. Koehler: I will provide that at the appropriate time.
- Ms. Visconti: You also talk about the flooded driveways. You will be able to mitigate the flooding on lot 17.
- Mr. Koehler: Yes for sure (Pointing to the map) because of the grading of the driveway. There is some shallow flooding on Lot 18 and over here (Pointing to the map).
- Ms. Visconti: How are you going to mitigate that?
- Mr. Koehler: Graham thought the chances of both the flood and the fact that somebody may need to get out of there would be limited at the same occurrence. He endorsed the driveway location.
- Ms. Visconti: FEMA is not going to endorse it. They're going to be in a flood zone and will have a hefty flood insurance policy.
- Mr. Koehler: The houses will be 30 feet above.
- Ms. Bettina: They will not be able to get to their house if we have a storm like we had.
- Ms. Visconti: Over at Black Watch Farms, we made them put in fill and raise the whole thing up.
- Mr. Roberts: Where is the railroad boundary on this map?

- Mr. Koehler: That is a question that is keeps coming up. The surveyor I had spoken to has continually said that this road is a road by user. We have had our property boundary surveyed and he certifies to that. My guess is it on the opposite side of River Road.
- Mr. Roberts: We cannot go by a guess. The railroad holdings are on file and probably go back to the turn of the 20th century. There are some technical legal questions. One being a highway by use will be acknowledged by the railroad. The railroad has granted special privileges. If the railroad decided to exercise their title, what would the obligation of the town would be? I would like your attorney to give some opinions on this.
- Mr. Koehler: I'm hoping that when he looks into the valve sheets he finds something definitive. The issue with that it could be very difficult to obtain all that information.
- Mr. Roberts: There should be something in the county clerk's office.
- Mr. Koehler: He is looking into it.
- Ms. Visconti: Does that mean Lot 18 may not be viable?
- Mr. Roberts: It is a question of access.
- Ms. Visconti: If there is no access, they cannot build a house.
- Mr. Roberts: The question is can we claim a highway by use over railroad property which is done by special legislation and we don't have enough information given to us.
- Ms. Visconti: Lot 18 has to be defiantly researched.
- Mr. Gray: The right away boundary for the railroad questions the whole road. The question we are raising is who owns the road? Does the Town own the road or does the railroad?
- Mr. Roberts: We need some legal research done on their side to answer these questions.
- Mr. Koehler: The applicant does have a title report that says they have access from River Road.
- Mr. Gray: If they build the driveway for Lot 18, to the extent they can, we are not going to ask them to fill River Road. Graham has been out there with Dan and he feels the flooding would be minor enough that it wouldn't prevent a driveway.

- Ms. Bettina: Didn't you say you have been out there and it was flooded?
- Mr. Koehler: (Pointing to the map) this is the area that was under water.
- Mr. Gray: If the people come out of their driveway and it is flooded to the south they would have to go north.
- Mr. Fanuele: Can you build this subdivision with 16 lots and not 18?
- Mr. Koehler: He would rather not. We will do our research concerning the railroad. If you say it's not going to work, we will come up with an alternative way to get into that lot.
- Mr. Valdati: Has Graham submitted his response in writing?
- Mr. Koehler: No we just meet last week and will be sending something shortly.
- Ms. Visconti: The Town Board was not interested in recreation lots and you got rid of the conservation lot.
- Mr. Stolman: Why did you get rid of those?
- Mr. Koehler: There were some easements.
- Mr. Fanuele: So you will be paying the recreation fees?
- Mr. Koehler: Yes.
- Mr. Fanuele: Next item on the agenda is:

12-3256 Kaplan Insurance Agency: To discuss relocating the entrance to the existing office building from the front yard to the rear in order to facilitate the parking lot of which 4 existing parking spaces will be shifted. This property is .5 acres and is located in an HD zoning district. The property is located at **12 Barrister ROW** and is identified as **Tax Grid No 6157-04-627257** in the Town of Wappinger. (Povall)

- Mr. Povall: This is an existing office building on Route 9. (Pointing to the map) off of MacFarlane Road and on Barristers Row.
- Mr. Fanuele: Who was there before?
- Mr. Povall: Gutter helmet and at one time Barns Construction. Mr. Kaplan is in the process of purchasing the building. He would like to move his insurance agency into this building. The proposed use would be consistent with the previous use. There is some parking in the front here (Pointing to the map) off of Barrister and some here in the back. The main entrance is up the stairs in the front. What Mr. Kaplan is looking to do is change the main entrance to the rear of the building. In doing so we would push back

the parking, excavation would need to be done. There would be a handicap accessible entrance in the back. We are here to get feedback from the board.

Mr. Fanuele: How about the parking spaces in the front? They were put there illegally.

Mr. Povall: This is a dead end road. The only use for this road is this building.

Mr. Roberts: Bill, do you know if there is an existing site plan for that parcel?

Mr. Povall: I could not find one.

Ms. Visconti: The total amount of parking spaces is going to be 5?

Mr. Povall: The max is going to be 8. We may have to drop it to 7 depending on how we can work the handicap parking. Our next step would be a full submission.

Mr. Fanuele: Next item on the agenda is:

12-3257 Hindu Samaj: To discuss amending their site plan to include two small additions and columns to their decorative facade in the front of the Hindu Samaj Temple. This property is 9.32 acres and is located in an R40 zoning district. The property is located at **3 Brown Road** and is identified as **Tax Grid No. 6357-01-022799** in the Town of Wappinger.

Mr. Ram Sajnani: We built this two years ago and now we want to add pillars on both sides of the sanctum. This was built by artisans from India and we would like to build the pillars to complete the building. We also, want to add 8 feet on either side because we have a shortage of coat closets.

Mr. Valdati: You want to expand the building.

Mr. Ram Sajnani: No we just want to add 8 feet on either side. We will be just squaring it off. Mr. Sajnani reviews map with board. This design was done by an architect from India and the artisans are waiting to come from India. We want to take advantage of the warm weather.

Mr. Valdati: Does the new square footage of this building alter the parking requirements?

Mr. Stolman: How are these rooms going to be used?

Mr. Ram Sajnani: As coat closet and the other will be a hallway.

Mr. Stolman: For those uses no additional parking will be needed. You now will need to make a formal application.

Ms. Roberti: I have a young man here and he is doing an Eagle Scout project at the Knight of Columbus on Route 82.

- Mr. Gately: My project will have a stone monument like this (Reviewing project with the board by showing drawings). I will be extending it to make it a rectangle. Extending it will allow me to add an additional flag pole. It will be about 35 feet tall. Three feet of that will be under ground. In the back is an old wooden fence that I will be replacing. The one flag pole is too close to the power lines for the American Flag but their council flag is smaller and would not interfere with the power lines. The new flag pole will be for the American Flag.
- Ms. Bettina: I think that is wonderful and I have no problem with it.
- Mr. Valdati: How long is it going to take you?
- Mr. Gately: I probably will not get going for a while because I will be running fund raiser to help with the cost of the fence.
- Mr. Valdati: What do you think the cost is going to be?
- I'm thinking about \$800 just for the fence and \$600 to \$700 for the rest.
- Ms. Visconti: I make a motion that the project presented by the Eagle Scout, Michael Gately be approved. The project to be done at the Knights of Columbus has been approved by the Planning Board.**
- Mr. Valdati: Second.**
- Board: Aye.**
- Ms. Roberti: Last week I brought you the berm on Alexander Property. David's office said they originally wanted Junipers. I had a meeting today with Ed Rose and he wasn't happy with that because they get tall. He showed me what he would like because it cannot be higher than 17feet. Marilyn, the landscaper from F.P. Clark, she gave me a letter stating that to carry the Junipers down the road would be cohesive as long as the board is all right with that. Down this side will be forsythia. (Conversation taking place looking at the map)
- Ms. Bettina: In the winter you can look through them. That was the issue.
- Ms. Roberti: They are pretty thick.
- Ms. Bettina: No it has to be something other than forsythia.
- Mr. Sollecito: My name is Christopher Sollecito and I am with Mid Hudson Development. We are building a 6 lot subdivision on the end of Scottee's Road. Today we received a phone call from Larry Paggi saying that we need to extend the 90 day allowance. Barbara did say we are at the 180 day mark. We need to know which direction we need to go so we can move forward with this.

- Ms. Visconti: What are our options?
- Mr. Roberts: When an approval expires it expires and they would need to resubmit. Originally Silver Fox had some legal problems and went into foreclosure and Chris's company bought it.
- Ms. Roberti: This was approved last May. They received their first 180 days and that expired in November. They came back and received their first 90 day extension. It should have come before you in February and inadvertently it wasn't picked up. They would be due for another 90 days since the map has not been filed.
- Mr. Valdati: How did they learn about this?
- Ms. Roberti: I was looking through different Planning Board files and trying to get things in order. We have had a number of changes in personal and that is when I discovered that it had expired.
- Mr. Sollecito: We are not changing anything. 80 percent of the infrastructure is in the ground. We are at the point to ask Bob for the letter of credit.
- Ms. Visconti: What is the fastest way of fixing this?
- Mr. Stolman: They have to reapply. They would supply us with new paper work with current dates and with the same information that was on the old. They need to get preliminary and final approval. We also will need to hold another public hearing.
- Mr. Gray: I have been very involved with the road construction and the sewer and water relocation. Would there be any way, since the paperwork is already here, to set the public hearing.
- Ms. Roberti: We could get it in the paper this week as long as Chris gets the application to us in the next day or two.
- Mr. Stolman: This should be very simple.
- Mr. Sollecito: What about the application fees?
- Mr. Roberts: Do you expect any opposition from the neighborhood? I suggest you bring Scott Volkman in. Chris has been a client of my firm for the last 15 years. It would be inappropriate for me to comment any more than I did tonight.
- Mr. Malafrente: Do we as the Planning Board need to approve anything before the public hearing?
- Mr. Roberts: No.
- Ms. Visconti:**
May **I make a motion to set the public hearing for Silver Fox, Christopher Sollecito on 21st. I would also make a motion that our planner has a resolution on hand for the next meeting.**

- Ms. Bettina:** **Second.**
- Ms. Visconti:** **All in favor?**
- Board:** **Aye.**
- Mr. Gray: There is a part two to this. Chris has made a request of the town to issue a single building permit for a house. This house will be constructed in a location that would be accommodated by the sub division.
- Mr. Valdati: Please explain this further.
- Mr. Gray: An applicant in several towns can apply for a building permit for a single house on a property that is intended to be subdivided. The applicant has made an application on this overall property in a location that would be accommodated by the subdivision. In other municipalities I know it is prohibited no individual permits can be issued. To my understanding the Town of Wappinger does not have a ruling on this.
- Mr. Roberts: I received an e-mail from Barbara about this and I have responded to it that it has been our practice not to issue a permit. This has been complicated by the expiration. They would have to come in with a plot plan for the whole site. They would have to show cut offs. If you got your approval, how quickly would you black top?
- Mr. Sollecito: Two weeks.
- Mr. Valdati: I think we are better off following the rules.
- Mr. Gray: Barbara and I have spoken to David about this and we would not make a decision without bringing it to the board.
- Mr. Valdati: This may be an opportunity for the town legislatures to come up with a local law concerning this.
- Ms. Visconti:** **I make a motion to adjourn.**
- Ms. Bettina:** **Second.**
- Mr. Fanuele:** **All in favor?**
- Board:** **Aye.**

Respectfully,

Sue Rose, Secretary
Planning Board