

# AMENDED MINUTES

**Town of Wappinger Planning Board**  
**February 3, 2014**  
**Time: 7:00 PM**

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

**Members Present:**

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

**Others Present:**

Mr. Gray	Engineer to the Town
Mr. Horan	Attorney to the Town
Mr. Stolman	Planner to the Town
Mrs. Roberti	Zoning Administrator
Ms. Rose	Planning & Zoning Secretary

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## SUMMARIZED

**PROJECTS DISCUSSED:**

**OUTCOME**

**Discussion:**

Obercreek Subdivision	Negative Declaration - accepted Tree Removal on Lot 6 - accepted
Calvary Chapel	Prepare Resolution for tree removal Including a restoration bond

**Conceptual:**

Ervin Drive	Submit Application.
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- Mr. Valdati: Please rise for the Pledge Allegiance.
- Mr. Valdati: First item on the agenda is the acceptance of the minutes from September 16, 2013.
- Mr. Valdati: Do I have a motion to accept the minutes?**
- Ms. Visconti: I make a motion to accept the minutes.**
- Ms. Bettina: Second.**
- Mr. Valdati: Next on the agenda is:

**11-5159/Obercreek Subdivision and Lot Line Re-alignment:** To vote on a Negative Declaration for a proposed 14 lot subdivision and lot-line re-alignment on 32.95 acres in an R-40/80 zoning district. The property is located on **New Hamburg Road & Marlerville Road** and is identified as **Tax Grid No. 6057-02-997768** identified as **Tax Grid No. 6057-02-997768/6157-01-030738** in the Town of Wappinger. (Chazen)(LA April 8, 2011)

- Mr. Cantor The last time we were before the board we asked for a Negative Declaration to be drafted for preliminary approval. We hope you find this acceptable.
- Ms. Visconti: I move the resolution as prepared by the planner.**
- Mr. Dao: Second.**
- Mr. Valdati: Roll call vote.**
- Ms. Rose:**
- |                         |            |
|-------------------------|------------|
| <b>Frank Malafronte</b> | <b>Aye</b> |
| <b>Marsha Leed</b>      | <b>Aye</b> |
| <b>Max Dao</b>          | <b>Aye</b> |
| <b>June Visconti</b>    | <b>Aye</b> |
| <b>Victor Fanuele</b>   | <b>Aye</b> |
| <b>Angela Bettina</b>   | <b>Aye</b> |
| <b>Robert Valdati</b>   | <b>Aye</b> |

- Mr. Valdati: The last time there was some discussion about trees.
- Mr. Cantor: The trees that we are proposing to cut down have to do with Alex's on going farming. There are two rows of trees that shade the crops. These are not

specimen trees. The stumps will be left. The timing has to do with the bat habitat.

Mr. Valdati: This has nothing to do with the subdivision?

Mr. Cantor: That is correct.

Mr. Ahern: The trees we are talking about are on Lot 6, which is where all the agriculture will take place. (Pointing to the map) it is this line of trees.

Mr. Stolman: These trees have nothing to do with the subdivision.

Mr. Malafronte: Will grading be needed?

Mr. Reese: No because we will be leaving the stumps.

**Mr. Cantor: Let the record show we had this conversation.**

**Mr. Valdati: The board is fine with this.**

Mr. Valdati: The next item on the agenda is:

**10-3199 / Calvary Chapel of the Hudson Valley:** - To discuss a site plan for a place of worship that would consist of 24,000 sq. ft. and 200 parking spaces and 133 proposed parking spaces to be land banked for a total of 333 spaces on 48.86 acres in a CC & R-40 Zoning District. 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 June 1, 2010)(Neg Dec 9-16-13)

Mr. Cantor: There has been correspondence that David's office did not have time to review the most recent submission. We have Dr. Grealy and Mr. Berger here to discuss traffic and trees.

Mr. Grealy: We have submitted an item by item response to the last memo. It was hand delivered on the 31<sup>st</sup> to the town and I know you did not have time to review it. We responded to the memo from November 13, 2013. That memo took in the comments from your professionals and Dutchess County Planning. My comments had to do with accident data; it has to do with speed and traffic volume data. We looked into the church's operational hours to determine the traffic volume. There are Sunday services as well as services during the week. Dutchess County Planning commented on the exit and entrance lanes which we addressed in our resent submission. In our submission there are a number of diagrams that will explain the turnings lanes. The plans have been revised to show the property line and the right away, this is all explained in our new

submission. Warning beacons were discussed at the last meeting; that is a DOT call.

- Ms. Visconti: Is it the applicant's responsibility?
- Mr. Grealy: It would be the responsibility of the applicant if the DOT wants it.
- Mr. Fanuele: If in the future a light is needed, is it the DOT's responsibility?
- Mr. Grealy: Because this is a private access, the DOT can make a determination. There would be an annual maintenance fee. The DOT will not put a light at a private access. In our letter we discuss sight distance and what is called perception time.
- Mr. Stolman: Our next meeting is March 3<sup>rd</sup> and that is more than enough time to review and comment on the new submission.
- Mr. Cantor: We would like to discuss with you the cutting of some trees since the March 31<sup>st</sup> deadline is coming up quickly. We would come in with small equipment. We would leave the stumps there along with the cut trees. The code states the trees cannot be taken down unless approved or given permission by the Planning Board.
- Mr. Berger: (Pointing to the map) the only trees that will be cut are the trees subject to the Indiana Bats. We did meet with the Army Corp of Engineers last year and they identified the trees. We will be using chain saws to cut trees down and leaving them there. We are allowed to cut up until March 31<sup>st</sup> because of the roosting of the Indiana Bats.
- Mr. Stolman: This is something that the Planning Board has not done in the past. I recommend that you take down all the trees that you would need to take down during this window.
- Mr. Valdati: How much time do you need to cut down the trees?
- Mr. Berger: We need 3 to 4 weeks.
- Mr. Stolman: Do you have a problem with them taking down the trees they need to do for the project?
- Ms. Visconti: I don't.
- Mr. Valdati: I don't either, however a restoration bond may be needed.

Mr. Stolman: A restoration bond will not be needed because they are not going in with heavy equipment but in this case a restoration bond would guarantee the trees being replaced if the site plan is not granted. We can calculate the amount by the map.

**Ms. Visconti: I make a motion to have our planner draft a resolution to have the trees removed that are- necessary for the project with a bond in place.**

**Mr. Dao: Second.**

**Mr. Valdati: Roll Call vote.**

<b>Ms. Rose:</b>	<b>Frank Malafrente</b>	<b>Aye</b>
	<b>Marsha Leed</b>	<b>Aye</b>
	<b>Max Dao</b>	<b>Aye</b>
	<b>June Visconti</b>	<b>Aye</b>
	<b>Victor Fanuele</b>	<b>Aye</b>
	<b>Angela Bettina</b>	<b>Aye</b>
	<b>Robert Valdati</b>	<b>Aye</b>

Mr. Valdati: The next item on the agenda is:

**14-3297 / 16-18 Ervin Drive -2 lot Subdivision:** Seeking to subdivide 1.15 acres in an R-20 zoning district into 2 lots. The property is located at **16-18 Ervin Drive** and is identified as **Tax Grid No. 6258-03-135030** in the Town of Wappinger.

Mr. Day: I am representing the applicant who purchased this lot and has a grading permit. Their goal is to subdivide this into two separate lots. The grading on the property requires a great amount of fill. There was some concern about drainage on that property but I believe we have come up with a grading plan that does address this. We would be creating a larger retention area on this property than there is currently. I wanted to come before the board to show you what we are doing. That is about it.

Mrs. Roberti: They did come in for a grading permit and with the intension of turning this into a subdivision I thought it would be a good idea for them to come in and describe this project. The fill is available for this property and I wanted the board to be aware of it.

Mr. Gray: Part of the review of the grading permit, I will be looking at the storm water runoff which Mark's office will provide. I will be looking at erosion sediment runoff, also. Storm water could be an issue in this area.

- Mr. Valdati: This is an R-20 area?
- Mrs. Roberti: Yes.
- Mr. Gray: Right now I am reviewing the grading permit not the subdivision plans because they have not applied for that yet.
- Mr. Valdati: We do appreciate when an applicant comes before the board and explains what is going to be done. Thank you.
- Mr. Valdati: Any old or new business?
- Mr. Valdati: At our last meeting we discussed streamlining our minutes. In retrospect I think it will not work. They do not have to be word for word.
- Mr. Horan: The two week time limit has to do with the action of the board.
- Mr. Valdati: We should have the action taken by the board in two weeks then shortly after that we should get a synopsis of the meeting.
- Mr. Valdati: Can I have a motion to adjourn this meeting?
- Ms. Visconti: I make a motion to adjourn this meeting.**
- Ms. Bettina: Second.**
- Mr. Valdati: All in favor?**
- Board: Aye.**

Respectfully,

Sue Rose, Secretary  
Planning Board

Meeting ended 8:30PM