

# MINUTES

**Town of Wappinger Planning Board**  
**April 7, 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. Al Roberts	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**

**Public Hearing:**

Greenbaum & Gilhooley's

Public Hearing Closed-Resolution to be prepared for the next meeting.

Durants Tents & Events

Public Hearing Closed-Negative Declaration Accepted  
Go to ZBA w/ Negative Declaration

**Discussion:**

NYCDEP Shaft 6

Start time changed to 6am

Farley Site Plan

Lead Agency Declared-Negative Declaration Accepted  
Letter to Town Board with our Recommendation

Farm to Table

Resolution Accepted

BJ's Propane Refill Station

Public Hearing April 21st

Calvary Chapel of the Hudson Valley

To meet with the professional-resubmit for April 21<sup>st</sup>

**Extension:**

All Angels Heights Subdivision

Six Month extension granted

Mr. Valdati: Please rise for the Pledge Allegiance.

Mr. Valdati: First item on the agenda is the acceptance of the minutes from March 17, 2014, October 7, 2013 and October 21, 2013

**Ms. Visconti: I make a motion to accept the minutes?**

**Mr. Bettina: Second.**

**Mr. Malafronte: No.**

Mr. Valdati: Next on the agenda is a Public Hearing for:

**13-3279/Greenbaum & Gilhooley's Site Plan**-To discuss the proposed site plan to include the current restaurant, an additional retail building and a standalone bank on 1.89 acres in an HB zoning district. The property is located at **1379 Route 9** and is identified as **Tax Grid No. 6157-02-594684**. (Robert Turner [Tinkelman Architecture])(Neg Dec 1-22-14) (L/A 8-26-13)

**Mr. Valdati: Can I have a motion to open the Public Hearing?**

**Ms. Visconti: I make a motion to open the Public Hearing.**

**Ms. Bettina: Second.**

**Mr. Valdati: All in favor?**

**Board: Aye.**

Mr. Valdati: Is there anyone here in the audience for the Public Hearing on Greenbaum & Gilhooley's?

Ms. Rose: No one has signed in.

Mr. Tinkelman: This will be a reuse of the Greenbaum & Gilhooley's site. There will be a bank and other retail businesses. The architect for the bank and my office have been working together to get a cohesive look to this project. There were certain variances that were needed. The ZBA did grant those variances. An agreement has been worked out

with the DOT to get a small piece of land in the front for landscaping. There will be new entrances and exits but we are waiting for DOT approval. There were parking studies done and there is adequate parking. We do have green storm water system in place. It will be landscaped beautifully. With the approval from the Planning Board, we will get started this summer.

Mr. Valdati: Is there anyone in the audience that would like to comment on this application? Hearing none, can I have a motion to close the Public Hearing?

**Ms. Visconti: I make a motion to close the Public Hearing.**

**Mr. Dao: Second.**

**Mr. Valdati: All in favor?**

**Board: Aye.**

**Mr. Valdati: Do I have a motion to authorize the planner to draft a resolution?**

**Ms. Visconti: I make a motion to authorize the planner to draft a resolution.**

**Ms. Bettina: Second.**

**Mr. Valdati: Roll call vote.**

<b>Ms. Rose:</b>	<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 next item on the agenda is:

**13-3289/14-5167 Durants Tents & Events**-The Town of Wappinger Planning Board will conduct a public hearing on the 7th day of April 2014 at 7:00 p.m. at the Town Hall, 20 Middlebush Road, Wappinger Falls, N. Y., pursuant to Article IX, Section 240-87 for an Amended Site Plan and Section 276 for a reverse subdivision of the Town Law, on the application of **Durants Tents & Events** to discuss the proposal of combining their two lots and removing 1,138 square feet from an existing building and then adding a 3,600 square foot addition to the northwest corner. With the proposed modification/addition, the building will contain 4,799 square feet of retail and 7,248 square feet of storage. Lead Agency will be declared. The property is located at **5 Osborne Hill and 1155 Route 9** and is identified by **Tax Grid No. 6157-04-632086(Route 9) and 6157-04-627103(Osborne Hill Road)** in the Town of Wappinger (Povall) (Neg Dec 4/7/14)

**Mr. Valdati:** Can I have a motion to open the Public Hearing?

**Ms. Visconti:** I make a motion to open the Public Hearing.

**Ms. Bettina:** Second.

**Mr. Valdati:** All in favor?

**Board:** Aye.

**Mr. Valdati:** Is there anyone in the audience that would like to speak on this application?

**Ms. Rose:** No one signed in.

**Ms. Zolezi:** Christine Zolezi from Povall Engineering. With this project, we are looking to combine two existing lots. We are looking to put a 3600 square foot addition on to the building. There will be a gravel equipment display area.

**Mr. Valdati:** We had asked for an aerial photo and photo simulations as to the displays. We have not yet received them.

**Ms. Zolezi:** I will ask Bill when I get back to the office.

- Mr. Valdati: The display aspect of this project is a concern.
- Mr. Valdati: Is there anyone else that would like to comment on this application?  
Hearing none, would anyone like to close the Public Hearing?
- Ms. Visconti: I make a motion to close the Public Hearing.**
- Ms. Bettina: Second.**
- Mr. Valdati: All in favor?**
- Board: Aye.**
- Mr. Valdati: Do I have a motion to accept the Negative Declaration?**
- Ms. Visconti: I make a motion to accept the Negative Declaration.**
- Mr. Dao: Second.**
- Mr. Valdati: Roll call vote.**
- |                  |                         |            |
|------------------|-------------------------|------------|
| <b>Ms. Rose:</b> | <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. Stolman: The applicant can now take the Negative Declaration to the Zoning Board.
- Mr. Valdati: The next item on the agenda is:

**11-3224 / NYCDEP Shaft 6** – To discuss minor modifications to the work time for blasting; to be allowed to have a starting time of 6:00 AM instead of 7AM. 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. Schmitt: My name is George Schmitt and I am from NYCDEP and we are requesting our contractors start one hour early then was contracted. The change would be 7am to 6am. This is a big excavation and we are finding it difficult to load the holes for blasting and staying in our blasting time frame from 8am until 3pm.

Ms. Leed: Has any complaints come in concerning contactor's traffic?

Mr. Gray: I was on the phone with Michael Fause, he has the big white house, and he has no complaints.

Ms. Bettina: Most of the traffic comes down Chelsea Road not River Road. How much traffic will be increased by this time change?

Mr. Schmitt: It would be the same people only one hour earlier. We get a delivery of explosive every three days. The rock removal is eight trucks every three days.

Mr. Gray: The trucks remain on site overnight so the traffic would be the people coming to work in their own vehicles.

Ms. Bettina: I have had residents complain about the noise and traffic.

Mrs. Roberti: Have them call the building department.

Mr. Valdati: Does anyone have a problem with this? Can I have a motion to change the start time?

**Ms. Visconti: I make a motion to have the start time changed to 6am.**

**Mr. Dao: Second.**

**Mr. Valdati: Roll call vote.**

<b>Ms. Rose:</b>	<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>No</b>
	<b>Robert Valdati</b>	<b>Aye</b>

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

**14-3298/Farley Site Plan-** To declare Lead Agency and to vote on a Negative Declaration for their proposed site plan seeking approval for an office building. The building is approximately 2,600 square feet. The property is in an R-20 zone and is currently in front of the Town Board for a commercial zone change to a CC Zoning District. The property is located at **26 Myers Corners Road** and is identified at **Tax Grid No. 6157-02-787923** in the Town of Wappinger. (Dan Koehler)(L/A 4-7-14) (Neg Dec 4-7-14)

Mr. Valdati: Do I have a motion to declare this board as Lead Agency?

**Ms. Visconti: I make a motion to declare this board Lead Agency.**

**Ms. Leed: Second.**

**Mr. Valdati: All in favor?**

**Board: Aye.**

Mr. Valdati: We have reviewed this project and understand it. Do I have a motion to vote on the Negative Declaration?

**Ms. Visconti: I make a motion to accept the Negative Declaration.**

**Ms. Leed: Second.**

Mr. Valdati: There needs to be a rezoning and the Town Board does take our recommendations seriously. Do I have a motion to have a letter sent

to the Town Board expressing our recommendation to have this rezoned to commercial use?

**Ms. Leed:** **I make a motion to have a letter sent to the Town Board with our recommendation.**

**Ms. Visconti:** **Second.**

**Mr. Valdati:** **All in favor?**

**Board:** **Aye.**

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

**13-3282/Farm to Table Bistro(Outdoor Dining)-** To vote on a resolution expanding outdoor dining into the parking lot. The property is located at **1083 Route 9** and is identified by **Tax Grid No. 6156-02-710924.**

Mr. O'Brien: My name is Chris O'Brien and what do I need to do now?

Mr. Stolman: I have some minor changes to the resolution. (Mr. Stolman reads changes). Chris has fulfilled some of the outstanding issues so we can strike those on page four.

Mr. Valdati: Do I have a motion to move this resolution?

**Ms. Visconti:** **I make a motion to move the resolution with the changes that were made by our planner.**

**Mr. Fanuele:** **Second.**

**Mr. Valdati:** **Roll call vote.**

**Ms. Rose:** **Frank Malafrente** **Aye**  
**Marsha Leed** **Aye**



<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>

04/7/14

**RESOLUTION  
TOWN OF WAPPINGER PLANNING BOARD**

**RE: FARM TO TABLE BISTRO AND JOE’S MARKET AT LAWRENCE FARMS –  
RESOLUTION OF SPECIAL USE PERMIT AND AMENDED SITE DEVELOPMENT  
PLAN APPROVALS**

At a regular meeting of the Planning Board of the Town of Wappinger, Dutchess County, New York, held at Town Hall, 20 Middlebush Road, Wappingers Falls, New York on the \_\_\_\_ day of \_\_\_\_\_, 2014 at 7:00 P.M.

The meeting was called to order by the Chairman Robert L. Valdati and the Planning Board member attendance was as follows:

Robert L. Valdati	_____
Angela Bettina	_____
Max Dao	_____
Victor Fanuele	_____
Marsha Leed	_____
Francis Malafronte	_____
June Visconti	_____

The following resolution was moved by \_\_\_\_\_ and seconded by \_\_\_\_\_.

WHEREAS, the Town of Wappinger Planning Board has received the application of K&J Partners, LLC (the “Applicant” and the “Owner”) for Special Use Permit and Amended Site Development Plan Approvals for outdoor seating and dining at the Farm to Table Bistro and Joe’s Market at Lawrence Farms (the “Project” or “Proposed Action”); and

WHEREAS, a Special Use Permit is required as per Section 240-86.S of the Zoning Law for the proposed outdoor music associated with the outdoor dining areas at the Farm to Table Bistro; and

WHEREAS, the subject commercial building is located at 1083 Route 9 in the Highway Business (HB) zoning district and is identified as tax lot 6156-02-710924 on the Town of Wappinger tax maps (the “Subject Property” or “Site”); and

WHEREAS, the Applicant submitted an application form for Site Plan Approval dated October 4, 2013; an owner’s consent form, dated 10/3/13; a Short Environmental Assessment Form (EAF) dated 10/4/13; five sheets (8½” by 11” in size) containing photos and details for the proposed planters; 17 sheets (8½” by 11” in size) containing details for the proposed roof (Eclipse SunRoof Plus); and the following plan, entitled “Sheet S-1, Site Plan, Floor Plan, Elevation, Planter Detail, Bollard Details and Fence Detail - Proposed Outdoor Seating Areas at: Lawrence Farms, Route 9, Town of Wappinger, New York,” dated September 13, 2013, last revised 3/14/14 and prepared by Mauri Associates Architects PC (the above mentioned drawing constitutes the “Amended Site Plan”); and

WHEREAS, the Project involves 30 outdoor seats in the front and 98 outdoor seats in the back at the Farm to Table Bistro, and 25 outdoor seats in front of Joe’s Market; and

WHEREAS, the Planning Board has determined that adequate parking exists on the property to accommodate the newly proposed outdoor seating areas, since the outdoor seats will be used seasonally in good weather and during that time the indoor seats are less likely to be occupied; and

WHEREAS, the Planning Board has determined that the parking needs of Lawrence Farms will continue to be adequately served by the existing number of parking spaces and that there will be no net loss of parking spaces on the property due to a reconfigured parking arrangement; and

WHEREAS, there are no new free-standing or wall-mounted signs proposed as part of the Project; and

WHEREAS, the Proposed Action is an Unlisted Action in accordance with the State Environmental Quality Review Law and the Wappinger Environmental Quality Review Law; and

WHEREAS, in accordance with Sections 239-l and m of the New York State General Municipal Law, the Planning Board referred the subject applications to the Dutchess County Department of Planning and Development (DCDPD); and

WHEREAS, the DCDPD responded to the above mentioned referral by correspondence to the Planning Board dated 11/1/13 which concluded that the Proposed Action is a “Matter of Local Concern with Comments;” and

WHEREAS, the Planning Board has considered the comments from the DCDDP; and

WHEREAS, the Planning Board has determined that the Project does not rise to the level of necessitating a public hearing; and

WHEREAS, the Planning Board is familiar with the Site and all aspects of the Project and is satisfied that the Project will comply with the Zoning Law including the provisions relating to Special Permit Uses, Supplemental Special Permit Use Regulations, Site Development Plan, Parking and Performance Standards of Articles VII through XI respectively of the Zoning Law as well as other applicable laws and regulations subject to the conditions below.

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

1. The Planning Board hereby adopts and incorporates as findings and determinations the recitations and statements set forth above as if fully set forth and resolved herein.
2. The Planning Board hereby finds that the general standards for Special Permit Approval in Section 240-44 of the Zoning Law have been met.
3. The Planning Board hereby finds that the particular standards for outdoor tables and seating for restaurants or other food service establishments in Section 240-86.R and finds that the particular standards for outdoor music in Section 240-86.S of the Zoning Law have been met.
4. Pursuant to the State Environmental Quality Review regulations, the Planning Board hereby adopts a Negative Declaration on the grounds that the Proposed Action will not result in any significant adverse environmental impacts since there is no substantial exterior construction and/or land disturbance associated with the Proposed Action except for the installation of protective barriers and bollards.
5. The Planning Board hereby grants Special Use Permit Approval for outdoor music and Amended Site Development Plan Approval to the Project for outdoor dining and seating at the Farm to Table Bistro and at Joe's Market, as shown on the Amended Site Plan and as defined above, on the Subject Property in accordance with the provisions of Articles VII through XI of the Zoning Law subject to the following conditions and modifications:
  - a. The following shall be fulfilled prior to any site improvements and the issuance of a Building Permit in conjunction with this Project:

- (1) The Property Owner/Applicant shall endorse and submit a copy of this Resolution to the Zoning Administrator for filing.
  - (2) The Owner of the Subject Property shall submit a copy of the current deed to prove his ownership of said property.
  - (3) The Applicant shall submit a statement signed by the Town's Tax Collector that all taxes due on the Subject Property have been paid in full.
  - (4) The following shall be fulfilled to the satisfaction of the Town Zoning Administrator: the Amended Site Plan shall be revised to state that the proposed outdoor music shall comply with the Town's Noise Ordinance.
  - (5) The Amended Site Plan shall be revised to also provide bollards on the northern site of the seating area where the Farm Fresh Food Truck is proposed to be located to the satisfaction of the Town Engineer.
  - (6) The Applicant shall fund a post-approval escrow account in accordance with Section 122-16 of the Town Code.
- b. Each of the three outdoor dining areas shall be treated separately and independently in terms of the issuance of respective Certificates of Occupancy. No particular outdoor dining area shall be used or occupied until a Certificate of Occupancy has been issued for that specific seating/dining area.

The following conditions shall be fulfilled to the satisfaction of the Zoning Administrator prior to the issuance of the respective Certificates of Occupancy:

- (1) The Applicant shall fulfill all of the conditions of, and shall complete all improvements required in accordance with this Resolution of Special Use Permit and Amended Site Development Plan Approvals.
- (2) The Fire Prevention Bureau and the Fire Inspector shall inspect the premises, and evidence of their satisfaction shall be submitted to the Town Zoning Administrator.
- (3) Certified "as-built" drawing(s) shall be submitted to the Town Zoning Administrator.
- (4) The Farm to Table Bistro shall renew/revise its liquor license to include each outdoor dining/seating area. No outdoor liquor service shall be permitted without the approval of the New York State Liquor Authority (SLA) and/or the New York State Alcoholic

Beverage Control Board (ABC), and the Applicant shall submit proof of such approvals to the Town's Zoning Administrator.

6. In accordance with the Town's Schedule of Fees, the Applicant shall be responsible for the payment of all application review fees incurred by the Planning Board in the review of this Project which are in excess of the application review fees paid by the Applicant to-date. Such fees shall be paid within thirty (30) days of the notification to the Applicant that such fees are due. If such fees are not paid within this thirty (30) day period and an extension therefore has not been granted by the Planning Board, this Resolution shall be rendered null and void. Refunds of any remaining funds within the escrow account for the applications will only made in accordance with the provisions of Chapter 240 Attachment 6:1, Planning and Zoning Departments Fees and Escrow Funds.
7. In accordance with Article IX of the Zoning Law, unless otherwise extended by the Planning Board for good cause shown, this Amended Site Development Plan Approval shall expire and become void, as follows:
  - (a) Farm to Table Bistro Front Outdoor Seating/Dining Area:
    - (1) One (1) year from the date of the adoption of this resolution if an application for a Building Permit has not been made; or
    - (2) Three (3) years from the date of the adoption of this resolution if construction in conformance with the approved Amended Site Development Plan has not been completed; or
    - (3) If the construction is not prosecuted with reasonable diligence; or
    - (4) If the premises has been substantially vacant or inactive for more than three (3) years.
  - (b) Farm to Table Bistro Back Outdoor Seating/Dining Area:
    - (1) Two (2) years from the date of the adoption of this resolution if an application for a Building Permit has not been made; or
    - (2) Three (3) years from the date of the adoption of this resolution if construction in conformance with the approved Amended Site Development Plan has not been completed; or

- (3) If the construction is not prosecuted with reasonable diligence; or
- (4) If the premises has been substantially vacant or inactive for more than three (3) years.

(c) Joe’s Market Outdoor Seating/Dining Area:

- (1) One (1) year from the date of the adoption of this resolution if an application for a Building Permit has not been made; or
- (2) Three (3) years from the date of the adoption of this resolution if construction in conformance with the approved Amended Site Development Plan has not been completed; or
- (3) If the construction is not prosecuted with reasonable diligence; or
- (4) If the premises has been substantially vacant or inactive for more than three (3) years.

An application for extension of Amended Site Plan Approval shall be made by the Applicant to the Planning Board prior to the expiration of the specific time period sought to be extended. The Planning Board may extend all time limits for good cause shown, if the Board deems such extension warranted.

- 8. In accordance with Article VII of the Zoning Law, unless otherwise extended by the Planning Board for good cause shown, this Special Use Permit Approval for the outdoor music at the Farm to Table Bistro shall expire and become void if the approved use of the Site shall cease for more than one (1) year for any reason, if Amended Site Development Plan Approval expires, or if all required improvements are not maintained and all conditions and standards complied with throughout the duration of the approved use(s).
- 9. The continued validity of any Building Permit or Certificate of Occupancy issued in accordance with the Project shall be subject to continued conformance with such approved Special Use Permit and Amended Site Development Plan Approval(s).
- 10. The Planning Board Chairman shall endorse a copy of this resolution certifying its correctness. The Applicant shall also sign a copy of this resolution after it has been initially endorsed by the Chairman acknowledging his receipt of a copy of the resolution. When all of the items set forth in Condition 5.a above have been satisfied, six (6) sets of the above referenced plans, revised as necessary, shall be submitted for endorsement by the Planning Board Chairman, certifying that the

plans comply with the terms of this resolution, at which time, the Chairman shall also endorse this resolution in the space provided below, certifying that the applicant has complied with the above conditions of approval and that the issuance of a building permit is authorized for the improvement set forth in this Project.

One (1) set of the endorsed plans will be returned to the Applicant, one (1) set will be retained by the Planning Board, and one (1) set each will be provided to the Town Building Inspector, Town Engineer, Town Highway Superintendent and Town Fire Inspector.

- 11. The Applicant must return for approval from the Planning Board if any changes to the endorsed plans and/or this Resolution of Approval are subsequently desired.
  
- 12. The Applicant must return for approval from the Planning Board if/when any new wall-mounted and/or free-standing signage is proposed.
  
- 13. Except as specifically modified herein, the Resolution of Site Plan Approval and any Amended Site Plan Approval(s) for the Lawrence Farms previously adopted by the Planning Board shall remain valid and in full force and effect.

The question of adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Robert L. Valdati, Chairman	Voting: _____
Angela Bettina	Voting: _____
Max Dao	Voting: _____
Victor Fanuele	Voting: _____
Marsha Leed	Voting: _____
Francis Malafronte	Voting: _____

June Visconti

Voting: \_\_\_\_\_

The resolution is hereby duly declared adopted.

Dated: \_\_\_\_\_, 2014  
Wappingers Falls, New York

\_\_\_\_\_  
Robert L. Valdati, Chairman  
Town of Wappinger Planning Board

\_\_\_\_\_  
Date

\_\_\_\_\_  
K&J Partners, LLC  
Owner and Applicant

\_\_\_\_\_  
Date

The following endorsement hereby confirms that the Applicant has fulfilled all of the items in Condition 5.a of this resolution of Special Use Permit and Amended Site Development Plan Approvals necessary for site improvements and the issuance of a Building Permit.

\_\_\_\_\_  
Robert L. Valdati, Chairman  
Town of Wappinger Planning Board

\_\_\_\_\_  
Date

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

**13-3275/BJ's Wholesale Club Propane Cylinder Refill Station**-To discuss the addition of a propane refill station, including one 1,000 gallon tank, fencing, bollards & parking. In addition they are seeking approval for an existing 300 square feet outdoor display shed and existing seasonal goods storage area. The property is located at **1357 Route 9** and is identified by **Tax Grid No. 6157-02-707773** in the Town of Wappinger.

(Charles Thorn)



- Mr. Thorn: My name is Charles Thorn and I am with Kimley-Horn. We are consultants to BJ's Wholesale Club. I know previous conversations had this project in different locations at the club. This application is the location that was suggested by this board.
- Mr. Valdati: We did suggest a pull off for that area. The plan we have does not have a pull off; it only has four parking spaces.
- Mr. Thorn: That was with the last application but with this new location, we feel there is less vehicle traffic and it would not be needed.
- Mr. Valdati: It is an avenue for delivery to the back of the building.
- Mr. Thorn: I would not say that because the loading docks are on the north side of the building. The refilling of the tanks are every three days, depending on the patronize, the refilling only lasts about fifteen minutes. In case of an emergency, he would be able to leave quickly.
- Ms. Leed: Does the delivery truck fit into those four spaces?
- Mr. Thorn: We feel the truck would fit into those spaces and would not have to be in the traffic lane but if a car was there he would have to be in the lane and be there for fifteen minutes.
- Mr. Fanuele: Can the tanks and parking be reversed? The parking closer to the other parking and the tanks further away.
- Mr. Thorn: That can be done.
- Ms. Leed: The County wants some cross walks.
- Mr. Thorn: That can be done.
- Mr. Stolman: I think a pull off would work so the truck is not sitting in the traffic lane.
- Mr. Valdati: We can set a Public Hearing date for April 21<sup>st</sup>.

**Ms. Visconti:** I move to have a Public Hearing on April 21<sup>st</sup>

**Mr. Dao:** Second.

**Mr. Valdati:** All in favor?

**Board:** Aye.

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

**10-3199 / Calvary Chapel of the Hudson Valley:** - To discuss permission to obtain a permit for site work for the proposed site plan prior to the resolution and maps being signed 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)(PH opened 10-7-13) (PH closed 1-22-14)

Mr. Cantor: This gentleman is Tom Morris and he is a member of the church and the foremen for this project. We are here to ask for your help. We did get preliminary approval from you but there are third party government approvals that we are waiting for. DEC, DOT, Dept of Health and Army Corp of Engineers; the Army Corp permit is about to expire in May 2014. The permit is to connect two wetlands. We know we cannot do physical work on the site that requires DEC, Dept of Health or Army Corp approval. We are here to ask for permission to do work on the site prior to Dept of Health or DEC approval.

Mr. Morris: We have an existing well on the site and because of the cutting of the trees and leaving them on the ground; we boxed ourselves out into getting to our well. We have to give the Dept of Health another water submission. We have to get a generator back there to produce another sample. That is why we would like to remove some of the trees and do some grading. We would like to do the construction entrance. We would like to join the two wetland together.

- Mr. Valdati: What is permissible so we don't leave ourselves open to these agencies? Would we leave the town with a liability?
- Mr. Stolman: We need more information. This is the first time we are being presented with this; if we had more time we would have some answers. We did receive a drawing today. Is this the grading that needs to be done?
- Mr. Morris: We are not doing anything that they don't want us to do. What we need is permission from the board giving us permission to remove the stumps and do some grading.
- Mr. Roberts: We need to identify exactly what you want to do in writing along with copies of the permits you have. I don't want to respond to anything until I get a complete packet.
- Mr. Stolman: In the past there has been a restoration bond.
- Mr. Morris: Calvary Chapel does not have the funds to put up a restoration bond.
- Mr. Gray: You are going to need to address the DOT and I understand you will not have approval for the improvements but you would need a construction permit. What was wrong with the water?
- Mr. Morris: Some of the particles were high.
- Mr. Gray: I would like to see the report. We are going to need a narrative explaining everything that is going to be done. A restoration bond is going to be needed.
- Mr. Roberts: We never had a project this big without a restoration bond and there is still a question of what is it they want to exactly do. I would like the board to authorize a meeting with them and our professionals. I don't want any approvals given this evening based on this presentation.

**Mr. Valdati:** **I move that the applicant meet with our professional to discuss this new phase of the project.**

**Ms. Bettina:** **Second.**

**Mr. Valdati:** **All in favor?**

**Board:** **Aye.**

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

**09-5152 / All Angels Heights Subdivision** – Is seeking their first extension on their preliminary site plan for their proposed subdivision of an 8 lot subdivision on a 22.84 acre parcel in an R-40 zoning district. The property is located on the west side of **All Angels Hill Road** and is identified as **Tax Grid No. 6259-03-410112** in the Town of Wappinger. (Burns) (PH Opened 8/5/13) (PH Closed 10/21/13) (Preliminary Resolution Accepted 10/21/13)

**Ms. Visconti:** **I make a motion to grant a six month extension.**

**Mr. Dao:** **Second.**

**Mr. Valdati:** **All in favor?**

**Board:** **Aye.**

Mrs. Roberti: Mr. Bice, from AT&T, would like to have a meeting point the days the balloon test is scheduled and he would like to know who will be going. The dates are April 12<sup>th</sup> 9am to 1pm, with a rain date of April 27<sup>th</sup> and April 26<sup>th</sup> 9 am to 1pm, with a rain date of May 3<sup>rd</sup>.

Mr. Valdati: Is anyone available on the 12<sup>th</sup>?

Mrs. Roberti: Anyone going to go on the 12<sup>th</sup>?

Board: No.

Mrs. Roberti: Anyone going on the 26<sup>th</sup>? Robert, Angela, and Max.

Mr. Valdati: Any new or old business.

Ms. Visconti: I would like to talk about reviewing the professional vouchers. I would like an easier system maybe something on an excel sheet.  
*Discussion continued.*

**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.**

Meeting ended 9:00 pm

Respectfully,

Sue Rose, Secretary  
Planning Board