

MINUTES

**Town of Wappinger Planning Board
June 2, 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:	Absent
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

SUMMARIZED

PROJECTS DISCUSSED:

OUTCOME

Hannaford To Go	Resolution Accepted
Durants Tents & Events	Public Hearing June 16, 2014
Farley Site Plan	Public Hearing June 16, 2014 & Prepare Resolution
Don Bosco (2014) Amended Site Plan	Submit Formal Application
La Fonda Del Sol	Six Month Extension Granted but last one

Mr. Valdati: Can I have a motion to accept the minutes from May 19, 2014?

Ms. Visconti: I make a motion to accept the minutes from May 19, 2014.

Mr. Fanuele: Second.

Mr. Valdati: All in favor?

Board: Aye.

Mr. Malafronte: Abstain; I was not at that meeting.

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

14-3303/Hannaford To Go-To vote on a resolution for the restriping of four existing parking lot spaces into two parking lot spaces creating a drive aisle where a call box and small canopy to make a grocery pickup station. The property is located at **1490 Route 9** and is identified as **Tax Grid No. 6157-02-653974** in the Town of Wappinger.

Mr. Valdati: We have a resolution that was prepared by our Zoning Administrator. Do I have a motion to accept this resolution?

Ms. Visconti: I make a motion to accept this resolution.

Ms. Leed: Second.

Mr. Valdati: Roll call vote.

Ms. Rose:	Frank Malafronte	Aye
	Marsha Leed	Aye
	June Visconti	Aye
	Victor Fanuele	Aye
	Angela Bettina	Aye
	Robert Valdati	Aye

RESOLUTION
TOWN OF WAPPINGER PLANNING BOARD

RE: **Hannaford To Go**
RESOLUTION OF AMENDED SITE DEVELOPMENT APPROVAL

At a regular meeting of the Planning Board of the Town of Wappinger, Dutchess County, New York, held at Town Hall, 20 Middlebush Road, Wappinger Falls, New York on the 2th day of June 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	_____
June Visconti	_____
Victor Fanuele	_____
Angela Bettina	_____
Max Dao	_____
Marsha Leed	_____
Francis Malafronte	_____

The following resolution was moved by _____ and seconded
By _____.

WHEREAS, the Town of Wappinger Planning Board has received the application of Hannaford To Go (the “Applicant”) on behalf of Wappinger Shopping Center, LLC (the “Owner”) for modification to their Amended Site Plan Approval to install a grocery pick-up station with a call-box and canopy, and the re-striping of four existing parking spaces, (the “Proposed Action” or “Project”); and

WHEREAS, the subject application includes the following three drawings, (to be inserted) ; and

WHEREAS, the subject property is known as tax lot 6157-02-653974 on the Town of Wappinger tax assessment maps, is located at 1488-1506 Route 9, and is situated within the Shopping Center, SC zoning district (the “Subject Property” or “Site”); and

WHEREAS, the Planning Board determined that the Project is a Type II action with respect to SEQRA Section 617.5 (c)(2) therefore no environmental review is required; and

WHEREAS, the Planning Board is familiar with the Site and all aspects of the Project and is satisfied that the Project complies with the Zoning Law including without limitation the Site Development Plan, Parking and Performance Standards of Articles IX, X and 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 grants Amended Site Development Plan Approval to allow for the installation of a grocery pick-up station with a call-box and canopy, and the re-striping of four existing parking spaces, as defined above, on the Subject Property, in accordance with the provisions of Articles IX, X, and XI of the Zoning Law.
 - a. The following shall be fulfilled prior to the signing of the amended site plan and the issuance of a building permit being issued in conjunction with their amended site plan.
 1. The property owner shall endorse and submit a copy of this resolution to the Zoning Administrator for filing.
 2. 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.
 3. The drawings listed above shall be amended to the satisfaction of the Town Planner so as to show where the different types of proposed signs are to be located and to indicate the location of the total of four reserved parking spaces other than the space(s) at the grocery pick-up station.
 4. Six final amended site plans shall be submitted for final signature by the chairman.
3. 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.

4. The continued validity of any Certificate of Occupancy issued in accordance with the approved site plan shall be subject to continued conformance with such approved Amended Site Development Plan Approval.
5. 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.
6. The Applicant must return for approval from the Planning Board if any changes to the approved plans and/or this resolution of approval are subsequently desired.

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

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

The resolution is hereby duly declared adopted.

Dated: June 2, 2014

Wappingers Falls, New York

Robert L. Valdati, Chairman
Town of Wappinger Planning Board

Date

Hannaford Bros Co, LLC
Applicant:

Date

Robert L. Valdati, Chairman
Town of Wappinger Planning Board

Date

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

13-3289/14-5167 Durants Tents & Events-To discuss the proposal of combining their two lots and removing 1,138 square feet from an existing building to add 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. In addition 4 additional parking spaces will be added. 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)

Mr. Povall: My name is Bill Povall and I represent this project. We were before the Zoning Board and did receive our variance. One of the concerns was the display unit. We did set up the biggest item, which is 15 feet high. It is about 2 feet lower than where the grade will be. (Showing the picture) this is how it will look in the display area.

Mr. Valdati: Does the board have any ideas on how many items can be on display? There was a list of items that Durants want to put out front and we should discuss the height requirement.

Mr. Povall: Typically there would be no more than two items. He would like the ability to display the tables and chairs under the canopy. He does not do that often. The display items will be changed on a daily basis. The display area is about 60 or 70 feet long. He is limited to the amount of items that could be put there.

Mr. Valdati: The moveable man cannot be displayed outside because the movement is distracting to drivers.

Ms. Visconti: I think two blow up displays are enough.

Mr. Valdati: I think one blow up and one other display at one time.

Mr. Povall: I will need to take this back and talk to Mr. Lois about this.

Mr. Valdati: There is also an issue about parking. The applicant would like to land bank the spaces up front. I would like the spaces land banked in the back of the building.

- Mr. Stolman: I think the preference would be as little parking up front as possible.
- Mr. Malafronte: Is there anything in the code that talks about the safety of these blow up displays?
- Ms. Roberti: I think since they rent these they would have them anchored correctly. I think it should be noted in the resolution that no display should be moving.
- Mr. Povall: I would like to go back to the parking. (Pointing to the map) back here is the storage area. It is an area that parking would not make sense because we are proposing some retail up front. The back is an area where they load equipment into trucks. It is not an area to have parking for the retail. We think we are proposing a good plan. We are proposing parking in the front that will accommodate the retail stores. He wants the ability to build those land bank spots if the retail takes off.
- Ms. Visconti: Route 9 is higher than the store; I don't think the land bank parking would be as intrusive as the car dealership directly level on Route 9.
- Mr. Stolman: A compromise could be if they go in, a small hedge could be planted in front of the spots. As far as the display items, did you agree on one inflatable and one tent with other items displayed under it?
- Ms. Visconti: Two inflatable's and the display inside.
- Mr. Povall: If it is two items and you want to keep it to chairs and tables under the tent, I don't think he'll have a problem with that.
- Mr. Valdati: So he will be allowed two items, a blow up and a canopy with tables and chairs displayed under it.
- Mr. Malafronte: How many times a year and do you need a permit for this?
- Ms. Bettina: They said all year round.
- Ms. Roberti: No, it is part of their site plan approval.
- Mr. Povall: The inflatable's are for the warmer weather.
- Mr. Valdati: Did we set a height limit?
- Ms. Visconti: Fifteen feet.

Mr. Povall: I would like to discuss the phasing of this project. The applicant would like to make all the improvements in phase 1 and the addition would be phase 2.

Mr. Valdati: We would need to set a time frame for this.

Mr. Stolman: The resolution would need to have a time frame in it.

Mr. Povall: At this time we are looking at one to two years.

Mr. Stolman: It would be good if you put the phasing on the plan.

Mr. Valdati: Do I have a motion to have a Public Hearing for the next meeting?

Ms. Visconti: I make a motion to schedule the Public Hearing for June 16th.

Ms. Bettina: Second.

Mr. Valdati: All in favor?

Board: Aye.

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

14-3298/Farley Site Plan-To discuss the proposed site plan for an office company. The building is approximately 2,600 square feet. The property is in an R-20 zone and is in front of the Town Board for a zoning change. 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)

Mr. Mann: My name is Richard Mann and I am the attorney for this project. We have been in front of the Town Board for a zoning change and it was granted. My client, Pat Farley, would be operating his business from there. He would have four full time employees and three part time employees. This business deals with military retail. Business hours will be 9am to 6pm. There will be no inventory and no customers. Everything is done over the phone and on the internet.

Mr. Kohler: My name is Dan Kohler and I am the engineer for this project. There is very little change to the site plan. We may have to expand the gravel area to increase the parking spaces that are required.

Mr. Valdati: I would like to set the Public Hearing for June 16th.

Ms. Visconti: I make a motion to set the Public Hearing for June 16th.

Ms. Bettina: Second.

Mr. Valdati: All in favor?

Board: Aye.

Mr. Roberts: Can we authorize David to prepare a resolution?

Mr. Valdati: Yes.

Ms. Visconti: I make a motion to have David Stolman prepare a resolution for the next meeting.

Ms. Bettina: Second.

Mr. Valdati: All in favor?

Board: Aye.

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

14-3306/Don Bosco Blvd. (2014) Amended Site Plan-To discuss the construction of a 6,600 square foot (50' X 132') building for additional shop area. The proposed building will have a total of 8 service bays, which will be used for truck repair/maintenance. The property is at **26 Don Bosco Blvd** and is identified as **Tax Grid No. 6259-04-647405** in the Town of Wappinger.

(Povall)

Mr. Povall: My name is Bill Povall and I am the engineer for this project. (Pointing to the picture) this originally has 3 bays for truck repair. Now that they are in and the site is functioning well, they would like to move the rest of the trucks for repairs to this location. Right now they are located in the village and would like to centralize that part of their business. In doing so, they would like to add another service bay to the existing building. (Pointing the map) the truck parking is down here; they would like to move the parking to here and build an 8 bay garage. They would have to reorganize the tracker trailer parking and move these trucks up here. We would extend our landscaping and screening.

- Mr. Valdati: How close is the new parking are to the property line?
- Mr. Povall: (Pointing to the map) not very close. The property line is here and the proposed construction is here; approximately 200 feet.
- Ms. Visconti: Have we gotten any complaints from anyone over there?
- Mrs. Roberti: Not recently.
- Mr. Valdati: What do you plan on doing with the fluids that come from the trucks?
- Mr. Povall: Any repairs will be done inside the building.
- Ms. Visconti: My concern is the hours of operation. It says here that sometimes truck may leave at 4 AM.
- Mr. Povall: That was part of the original site plan. If someone runs out of oil in the middle of the night, it will be an emergency. This application is really only to relocate their repair service.
- Mr. Valdati: This looks like it has some merit; we would just need a formal application.
- Mr. Valdati: The next item on the agenda is an extension:

05-3116/ La Fonda Del Sol –Seeking their tenth extension for six month for final site plan approval for a revised site plan for a restaurant, retail space and a standalone bank totaling 27,225 square feet in an HB zoning district. This extension would begin on June 14, 2014 and run through December 13, 2014. The property is located on the corner of **Old Hopewell Road & Old Route 9** and is identified as **Tax Grid No. 6157-02-542585** in the Town of Wappinger. (**Day**) (PH: 2-6-06 / LA: 1-17-06)(Closed PH 3-3-08, received an extension from the applicant to November 5, 2008.) (Received final site plan approval on July 21, 2008). First 6 month extension granted to January 15, 2010, second granted to June 14, 2010, third granted to December 14, 2010, forth granted to June 14, 2011, fifth granted to December 14, 2011, sixth granted to December 14, 2012, seventh granted to June 13, 2013, eighth granted to December 13, 2013, ninth granted from December 13, 2013 to June 13, 2014.)

- Ms. Visconti: I move to grant the extension.
- Mr. Fanuele: I don't know if we should grant an extension on an application that is five years old.
- Mr. Valdati: I understand that the new owner is in front of the Town Board to tweak the application. They have concerns about the road and the

town and county have to weigh in on it but it will eventually have to come back to us. There are a number of substantial changes and they will require a new plan.

- Mr. Gray: The new proposal will be new owners. The current owner does not want to lose his current plan; that is why he is asking for extensions.
- Ms. Visconti: It makes sense to me.
- Mr. Valdati: I understand but how about one more time?
- Ms. Bettina: Yes, one more time.
- Ms. Visconti: I make a motion to grant a six month extension for one more time.**
- Ms. Bettina: Second.**
- Mr. Valdati: All in favor?**
- Board: Aye.**
- Mr. Valdati: Can I have a motion to go into executive session?**
- Ms. Visconti: I make a motion to go into execution session.**
- Ms. Bettina: Second.**
- Mr. Valdati: All in favor?**
- Board: Aye.**
- Mr. Valdati: Can I have a motion to come out of executive session?**
- Ms. Visconti: I make a motion of come out of executive session.**
- Ms. Bettina: Second.**
- Mr. Valdati: All in favor?**
- Board: Aye**
- 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: 8:40 PM

Respectfully,

Sue Rose, Secretary
Planning Board