

# MINUTES

**Town of Wappinger Planning Board  
July 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
Ms. Sara Brown	Planner to the Town
Mrs. Roberti	Zoning Administrator
Ms. Rose	Planning & Zoning Secretary
Mr. Paggi	Conflict Engineer

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## SUMMARIZED

**PROJECTS DISCUSSED:**

**OUTCOME**

Durants Tents & Events	Prepare Resolution for July 21st
La Fonda del Sol Redevelopment	To Submit Formal Application
Obercreek Subdivision	One Year Extension Granted
1070-1072 Route 9	Site Visit, Submit Update Health Dept Info

**Mr. Valdati:** Can I have a motion to accept the minutes from June 16, 2014?

**Ms. Visconti:** I make a motion to accept the minutes from June 16, 2014.

**Ms. Ciccarelli:** Second.

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

**Board:** Aye.

Mr. Valdati: The first item on the agenda is an Adjourned Public Hearing:

**13-3289/14-5167 Durants Tents & Events** The Town of Wappinger Planning Board will conduct a public hearing, 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. 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)

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

**Ms. Bettina:** Second.

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

**Board:** Aye.

Mr. Povall: My name is Bill Povall and I am the engineer on this project. We have been before the board with a reverse subdivision to combine two existing lots and an addition (Pointing to the map). We are planning to relocate the office and the storage building. The existing building is an L shaped building and we are looking to square it off. We are proposing to land bank 9 parking spaces to maintain a green front yard that will hold a display unit. We are planning to do this in two phases.

Mr. Valdati: Is there anyone in the audience that would like to speak concerning this project. Hearing none, do I have a motion to close the Public Hearing?

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

**Mr. Fanuele:** Second.

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

**Board:** Aye.

**Mr. Valdati:** Do I have a motion to grant or deny this application?

**Mr. Valdati:** We will have a resolution ready for the July 21<sup>st</sup> meeting. Do I have a motion to have the planner prepare a resolution?

**Mr. Fanuele:** I make a motion to have the planner draft a resolution for July 21<sup>st</sup>.

**Mr. Ciccarelli:** Second.

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

**Board:** Aye.

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

**13-3293 / 1070-1072 Route 9, LLC**-To amend the current site plan to include all the current uses present to date and to remedy the encroachment violation into the wetland buffer. The property is located at **1070-1072 Route 9** and is identified as **Tax Grid No. 6156-02-800910** in the Town of Wappinger. (Day)

Mr. Valdati: Do I have any representatives for this project? We will put this on for a second call.

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

**14-3310/ La Fonda del Sol Redevelopment** -To clarify the proposal for the construction of an approximately 4,320 square foot bank pad and 53 residential apartment units with associated parking spaces and infrastructure improvements. The property is in a HB zoning district and is on 6.45 acres. The property is located at **610 Old Route 9 North** and is identified as **Tax Grid No. 6157-02-542585**. (Chazen) (Cantor)

Mr. Cantor: After our last meeting Mike Myers and I sat down and reviewed the code. We reviewed the comments made about density. We are

proposing a mixed use project in an HB (Highway Business District) zone.

Mr. Valdati: You had two options at the last conceptual meeting. What project are you presenting to us tonight?

Mr. Myers: We are presenting the project that would leave Old Route 9 as is.

Mr. Valdati: The County has some concerns about Old Hopewell Road.

Mr. Myers: We would need permits for our entrance and we would have to comply with their comments. (Pointing to the Map) this is the bank pad and here is the residential unit. There will be between 50 and 54 units. There will be two stories and some lower level units.

Ms. Leed: This is not going to be a strip of anything; it will be just one single bank.

Mr. Myers: That is correct.

Mr. Valdati: Will these have patios or terraces?

Mr. Myers: Yes.

Mr. Valdati: Will there be a space to barbeque since you cannot barbeque on the terraces?

Mr. Myers: Yes.

Mr. Malafronte: Will there be sufficient parking for the residents and guests?

Mr. Myers: It will meet code.

Mr. Valdati: Do you have any designs to show us?

Mr. Myers: Not yet, we are working with Chazen on the designs and will be back to you with them. This is at the conceptual stage right now.

Mr. Valdati: I think a concern was if this would fit into our community.

Ms. Leed: I would like to see beautiful landscaping since it will be visible from Route 9.

Mr. Valdati: Is there anyone opposed to this conceptual?

Mr. Valdati: Hearing none, this seems like a good project, you will need to come back to us with engineer drawings and a formal application.

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

**11-5159/Obercreek Subdivision and Lot Line Re-alignment:** Is seeking their first one year extension 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/ 6157-01-030738** in the Town of Wappinger. **(Chazen)**(LA April 8, 2011) (Neg Dec 2-3-14) (PH opened 10-7-13) (PH closed 1-22-14)(first one year extension 7-7-14 to 7-7-15)

**Ms. Visconti: I make a motion to grant a one year extension.**

**Ms. Bettina: Second.**

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

**Board: Aye.**

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

**13-3293 / 1070-1072 Route 9, LLC-**To amend the current site plan to include all the current uses present to date and to remedy the encroachment violation into the wetland buffer. The property is located at **1070-1072 Route 9** and is identified as **Tax Grid No. 6156-02-800910** in the Town of Wappinger. (Day)

Mr. Day: (Pointing to a map) this Tassone's property, there are two industrial buildings in the back. We were before you some time ago to try to bring this property up to current standards. It was originally done in the '70's and there were a couple of issues on the property that we did get resolved. There were questions concerning the wetlands. We had a biologist ask permission to utilize all areas previously cleared which is indicated by this line here (pointing to the map). The DEC granted that as long as we don't violate that existing area where the tree line is. This property has Herring Sanitation and Villegas Landscaping on it. (Pointing to the map) they occupy these two buildings in the rear. In the front there are offices and some vacant space. There are port a potties

on the property, what we are proposing is to move them to the back of the property. (Pointing to the map) we are asking if Villegas could use this area here for employee parking. We are also asking for an area to put his mulch and gravel. There is a salt shed that we would like to relocate to the front.

Mr. Valdati: What seems to be the issue is the delineation of the wetlands. We need to see where the wetlands are. It appears the salt shed is going to be in the wetland buffer area. You said the DEC gave you permission to utilize the wetland buffer.

Mr. Day: The Wappinger wetland buffer; both actually.

Mr. Valdati: Mr. Roberts, can the DEC make the decision what can be in our wetland buffer?

Mr. Roberts: If it is a town wetland buffer, the town controls it. If it is a DEC wetland buffer, you would then need a permit from the town and the DEC.

Mr. Valdati: Do you have a hard copy of the approval from the DEC?

Mr. Day: There is no permit because we did not ask for one. What we asked for is for permission to use those. I believe there is an e-mail from the biologist that was hired and that is as far as the DEC is willing to go. This already existed when we sought their permission. Mr. Nowicki walked the site with the DEC and he said as long as you stay inside the areas that are already disturbed they are not going to make claim to it.

Mr. Valdati: There were approvals given to this site before SEQRA was in place.

Mr. Roberts: The original plan was 1973 and wetlands and SEQRA came into effect in 1977 or 1978. The DEC won't give you a formal letter?

Mr. Day: The only thing we have is an e-mail from the DEC to Mr. Nowicki.

Ms. Leed: Is this permanent?

Mr. Day: As long as we don't go past where we are now.

Ms. Leed: Is that where the port a potties are stored?

Mr. Day: Use to be; there was a lot of thing going on back then.

Mr. Valdati: We need a clear delineation of where things are going to be stored and what kind of materials are going to be stored. I also would like to see a hard copy of the e-mail from the DEC. I don't think anything should be stored in the wetland buffer. I also think we should have a topo showing adjacent wells and septic. I am going to suggest that we have a site visit. I think we should meet on the 21<sup>st</sup> of July at 6:20pm.

Mr. Roberts: I think it would be helpful to get a letter from Mr. Nowicki and attach it to the e-mail you got from the DEC.

Mr. Gray: You need to update the Health Department approvals.

Mrs. Roberti: Can you get us a number on how many port a potties they have at that site? There was a berm put there that caused flooding on the Tassone's property. I want to make sure that whatever is put there will cause no additional flooding. I have pictures from the '90's and I will make copies for you.

**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: 8:10 PM

Respectfully,

Sue Rose, Secretary  
Planning Board