

MINUTES

Town of Wappinger Planning Board
October 6, 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. Ciccarelli:	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
Mrs. Dao	Acting Planning & Zoning Secretary

SUMMARIZED

PROJECTS DISCUSSED:

OUTCOME

1070-1072 Route 9, LLC	Prepare Resolution for October 20th
Ketchum Knolls Subdivision	Prepare Resolution for October 20th
Dunkin Donuts	Prepare Resolution for October 20 th
54 Valentine Drive	Prepare Resolution for October 20 th
Prestige Mini	Authorized work to be done on adjacent property

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

13-3293 / 1070-1072 Route 9, LLC-the Town of Wappinger Planning Board will conduct a public hearing, pursuant to Article IX, Section 240-87 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 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. Day: I am Mark Day and I am representing this project. It is an existing site plan on the east side of Route 9. There is an existing office building and a building in the rear. It is currently occupied by Herring Sanitation and Villegas Landscaping. We are here to amend the site plan because of work that had been done over the years without permits. We are going to move some of the port-a-johns out of the view of Route 9. We have designated a certain area for their trucking equipment.

Mr. Stolman: We do need a list of the equipment. They have been doing things on that site without permits. We are trying to correct these.

Mr. Roberts: Can we just say construction equipment excluding cranes over a certain height?

Ms. Visconti: I think that is reasonable.

Mr. Valdati: Our concern is the safety of the site and the visual accepts to our community.

Mr. Roberts: I think a height limit should be added to the resolution.

Mr. Gray: I think 13 ½ feet should be sufficient.

- Mr. Stolman: We did discuss the storage of materials it is down to equipment now. They are not storing salt there anymore.
- Mr. Valdati: I have a question concerning signage.
- Mrs. Roberti: We cannot find any building permits for the signage in the DOT right away.
- Mr. Day: We did get a Special Use Permit for those signs.
- Mrs. Roberti: It is up to the board if both signs can stay because our code only allows one.
- Ms. Visconti: How long have these signs been there?
- Mrs. Roberti: A long time. I don't know the amount of time.
- Mr. Valdati: Is there anyone in the audience that would like to speak? 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: I think we are ready to have Mr. Stolman prepare a resolution for the next meeting.
- Ms. Visconti: I don't have a problem with it. I make a motion to leave the two signs and if a sign comes down it cannot be replaced. It would go back to one sign which is town code. It is also to include the height restriction of equipment.
- Mrs. Roberti: The resolution should also include that sign permits need to be taken out if they are replacing names of tenants.
- Ms. Bettina: Second.**

Ms. Visconti: I make a motion to have Mr. Stolman prepare a resolution.
Ms. Bettina: Second.

Mr. Valdati: The next item on the agenda is a Public Hearing on:

14-5169/Ketchum Knolls Subdivision-the Town of Wappinger Planning Board will conduct a public hearing, pursuant to Chapter 276 of the Town Law, on the application of **Ketchum Knolls Subdivision** to discuss the proposed two lot subdivision on a 1.1 acre lot. The property is in an R-20 zone. The property is located at **Ervin Drive** and is identified as **Tax Grid No. 6258-03-135030** in the Town of Wappinger.

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

Ms. Bettina: Second.

Mr. Valdati: All in favor?

Board: Aye.

Mr. Valdati: We will have Mr. Larry Paggi sitting in as conflict engineer.

Mr. Day: Mark Day here to represent Ketchum Knolls. This is a two lot subdivision on Ervin Drive.

Mr. Valdati: We have discussed drainage, site distance leaving the property and a retention pond. I will now open this up to the public.

Mr. McDonald: I live at 5 Primrose. Are these going to be private homes?

Mr. Valdati: Yes.

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

Ms. Bettina: Second.

Mr. Valdati: All in favor?

Board: Aye.

Ms. Leed: There is someone with their hand up.

Mr. Valdati: I'm sorry I didn't see you.

Ms. Rappazzo: My name is Jamie Rappazzo and I live at 14 Ervin Drive and I live next door. Are there any plans on how the houses are going to be set up?

Mr. Valdati: They are meeting the town's setbacks.

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

Ms. Bettina: Second.

Mr. Valdati: All in favor?

Board: Aye.

Ms. Visconti: I make a motion to move the resolution that was prepared by our Town Planner.

Ms. Ciccarelli: Second.

Mr. Valdati: Roll call vote.

Mrs. Dao:	June Visconti	Aye
	Victor Fanuele	Aye
	Angela Bettina	Aye
	Frank Malafronte	Aye
	Marsha Leed	Aye
	William Ciccarelli	Aye
	Robert Valdati	Aye

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

14-3314/Dunkin Donuts-Wappinger South-To discuss the proposed conversion of the former Nathan's Restaurant into a Dunkin Donuts. The property is in a HB (Highway Business) district and is located at **1491 Route 9** and is identified as **Tax Grid No. 6157-02-600971** in the Town of Wappinger. (Diesing)

Mr. Diesing: My name is Jay Diesing and I am representing Dunkin Donuts. We have been here before and have made some improvements. We have made changes to our lighting plan. We relocated one of the fixtures to reduce light spillage. We did revise the landscaping plans. We did look at the building's facade based on your comments. We removed the coffee cup graphic that was on the side of the wall. We have added additional

stone to the building. Our septic system has been looked at by Ernie Martin and he feels it is fine for our use. This is where we are from our last meeting.

Ms. Visconti: I think it is looking good.

Mr. Valdati: I believe the code states there could only be one illuminated sign on the premises. I believe we have three illuminated signs.

Ms. Visconti: Nathan had five, three is even better.

Mr. Valdati: I believe there are coffee cup logos on the awnings.

Mr. Diesing: Yes there are. They are very small.

Mr. Valdati: Mrs. Roberti, are these considered signage.

Mrs. Roberti: It is up to the board.

Mr. Valdati: What is the pleasure of the board?

Ms. Visconti: I don't have a problem with it; it looks very nice. I think it fits the site.

Mr. Valdati: The monument sign is right on the road. It is only a few feet away. I would consider two signs.

Ms. Visconti: I have a problem with the signage no matter how big the building is.

Mrs. Roberti: The free standing sign is 40 feet from the pavement. It is 5 feet from the property line and a total of 40 feet including the right away.

Mr. Roberts: It was approved previously.

Mrs. Roberti: This is where the Taco Bell sign was and the Nathan's sign was.

Mr. Valdati: Are there any other issues that we should discuss?

Mr. Valdati: We have the right to waive a Public Hearing since this is commercial and there are no private residences nearby. We could also have a resolution prepared as long as we can agree on the contents of the resolution.

Mr. Fanuele: I think we should have a Public Hearing.

Ms. Visconti: I make a motion to authorize the planner to prepare a resolution including signage, the connection of the sidewalk to the side of the building, including the waiving of the Public Hearing.

Mr. Malafronte: Second.

Mr. Stolman: How many signs are going to be permitted?

Ms. Visconti: I would say three illuminated signs; the monument and the two signs on the building.

Mr. Malafronte: Second.

Mr. Valdati: Roll call vote.

Mrs. Dao:	June Visconti	Aye
	Victor Fanuele	Nay
	Angela Bettina	Aye
	Frank Malafronte	Aye
	Marsha Leed	Aye
	William Ciccarelli	Aye
	Robert Valdati	Nay

Mr. Gray: I will speak to Ernie Martin concerning the septic system and include comments in my review letter.

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

14-3315/ 54 Valentine Drive-To discuss turning the 30' X 40' steel pole barn into a professional artist's studio after the construction of a new house to be built on the existing foundation of the house that is on this 6 acre property. The property is in R80 district and is located at **54 Valentine Drive** and is identified as **Tax Grid No. 6156-01-140562** in the Town of Wappinger.

Mrs. Goddard: My name is Cathy McErlean-Goddard.

Mr. Valdati: We did receive a letter from Mr. Stolman.

Ms. Visconti: We have to have a full EAF?

Mr. Stolman: What the Zoning Law says for a Special Use Permit there has to be a full EAF. Barbara, Al and myself are trying to change to codes to present them to the Town Board.

Ms. Visconti: Right now we do not have the discretion to change it.

Mr. Stolman: Correct.

Ms. Visconti: The narrative is very specific and the variances have been granted.

Mr. Roberts: Correct but the code is the code.

Mrs. Goddard: How much longer will this take?

Mr. Stolman: Will you be making any changes to the barn?

Mrs. Goddard: No not really.

Mr. Stolman: There is no retail sale in the barn.

Mrs. Goddard: No.

Mrs. Roberti: Would the board authorize a resolution for the next meeting? Bob and I will help her with the long EAF.

Mr. Valdati: We will waive the Public Hearing.

Ms. Visconti: I make a motion to waive the Public Hearing and have a resolution ready for the next meeting.

Ms. Bettina: Second.

Mr. Valdati: Roll call vote.

Mrs. Dao:	June Visconti	Aye
	Victor Fanuele	Aye
	Angela Bettina	Aye
	Frank Malafronte	Aye
	Marsha Leed	Aye
	William Ciccarelli	Aye
	Robert Valdati	Aye

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

Prestige Mini- To discuss the authorization to perform site preparation work on the adjoining lot, prior to the formal signing of the plot plan. The property is in an HB zone and is located at **1162-1176 Route 9** and is identified as **Tax Grid No. 6157-04-674155/659168** in the Town of Wappinger. (Paggi/VanTuyt)

Mr. Paggi: As you know your board granted us Site Plan approval, Subdivision approval and a Special Use Permit. New York State Department of Transportation permit has been issued. The Health Department has granted a verbal approval. They are just waiting for maps to be signed. We are here tonight to ask the Planning Board if the contractors can begin work on the adjacent site. The storm water agreement needs to be modified and go in front of the Town Board. The importance of doing site work on this property is they need to run piping and integrate it with the original site. We are not asking to pave or put down road. We have been asked to relocate the wet lands from the Army Corp of Engineers.

Mr. Valdati: We have given you permission for mulching and chipping before. We would need a restoration bond in place.

Mr. Paggi: There is already one in place.

Mrs. Roberti: It was a cash bond and it was just left in place.

Mr. Stolman: You said some site work.

Mr. Paggi: The berm will not be constructed. There will also be no paving of roads being constructed. We are looking to excavate the wetland area and construct the new wetland area.

Mr. Valdati: Do I have a motion to allow the applicant to move forward with the proposed minor improvements for the drainage on the adjacent property and incorporate this into the minutes?

Ms. Visconti: I'll move the resolution.

Mr. Ciccarelli: Second.

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

Mrs. Dao: **June Visconti Aye**
 Victor Fanuele Aye
 Angela Bettina Aye
 Frank Malafronte Aye
 Marsha Leed Aye
 William Ciccarelli Aye
 Robert Valdati Aye

Ms. Bettina: **I make a motion to adjourn this meeting.**

Ms. Visconti: **Second.**

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

Board: **Aye.**

Meeting ended: 8:10 PM

Respectfully,

Sue Rose, Secretary
Planning Board