

MINUTES

Town of Wappinger Planning Board

November 17, 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
Ms. Rose	Planning & Zoning Secretary

SUMMARIZED

PROJECTS DISCUSSED:

OUTCOME

BJ's Wholesale Club-Generator Replacement	Resolution Accepted
All Angels Height Subdivision	Resolution Accepted
Regency at Wappinger (Hilltop)(Signage)	Resolution for December 1 st
Bre-Del Enterprises	One Year Extension Granted

Mr. Valdati: Roll call please.

Ms. Rose: Frank Malafronte Here
Marsha Leed Here—7:05PM
William Ciccarelli Here
June Visconti Here
Victor Fanuele Here
Angela Bettina Here
Robert Valdati Here

Mr. Valdati: Do I have a motion to accept the minutes from October 20, 2014 and November 3, 2014.

Ms. Visconti: I make a motion to accept the minutes from October 20, 2014 and November 3, 2014.

Ms. Bettina: Second.

Mr. Valdati: Roll call vote.

Ms. Rose: Frank Malafronte No
Marsha Leed Yes
William Ciccarelli Yes
June Visconti Yes
Victor Fanuele Yes
Angela Bettina Yes
Robert Valdati Yes

Mr. Valdati: Next we have the acceptance of the 2015 meeting dates.

Ms. Bettina: I make a motion to accept the 2015 meeting dates.

Mr. Ciccarelli: Second.

Mr. Valdati: All in favor?

Board: Aye.

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

14-3316/ BJ's Wholesale Club Generator Replacement-To vote on a resolution for the installation of a diesel generator set on a concrete slab. The generator is a fully contained enclosure of a 375 KVA unit including an engine, alternator, controls and a 693 gallon tank. The parcel is

located at **1357 Route 9** and is identified as **Tax Grid No. 6157-02-707773** in the Town of Wappinger. (Thorn)

Mr. Valdati: Please let the records show that Ms. Leed has arrived.

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

Ms. Visconti: Are the specks attached to the resolution?

Mr. Stolman: Yes.

Mr. Malafronte: I have a question.

Mr. Valdati: Do I have a motion for discussion?

Ms. Visconti: I make a motion for discussion.

Mr. Ciccarelli: Second.

Mr. Malafronte: The decimal levels on the specks excide the noise level and the run time is different than our code. Is that ok? If they have to run it during an emergency, it would be higher than our code.

Mr. Stolman: In times of emergency, it would be excused from our code.

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

Mr. Ciccarelli: Second.

Mr. Valdati: Roll call vote.

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

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

09-5152 / All Angels Heights Subdivision –To vote on a resolution for the proposed subdivision of 8 lots 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 8-8-13) (Preliminary Granted 10-21-13)

- Mr. Valdati: The only concern is the drainage issue. We do have a couple of options.
- Mr. Stolman: There is a paragraph that says the Planning Board can make a determination to creating a drainage district. It really is up to the Town Board based on the Superintendent of Highway, the Town Engineer and the conflict attorney. I have some alternate wording that will be replacing this wording.
- Mr. Roberts: Graham did indicate that he would like a drainage district formed.
- Mr. Valdati: Everything seems to be in place.
- Mr. Stolman: Once the policy issue is decided; this would go to the Town Board. Al would not be considered conflicted then.
- Mr. Valdati: Then Al would be able to work on this.
- Mr. Valdati: Do I have a motion to move this resolution?
- Ms. Visconti: I make a motion to move the resolution as prepared by our Planner with the changes discussed here tonight.**
- Mr. Fanuele: Second.**
- Mr. Valdati: Roll call vote.
- Ms. Rose:
- | | |
|--------------------|-----|
| Frank Malafronte | Yes |
| Marsha Leed | Yes |
| William Ciccarelli | Yes |
| June Visconti | Yes |
| Victor Fanuele | Yes |
| Angela Bettina | Yes |
| Robert Valdati | Yes |

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

14-3317/Regency at Wappinger (Hilltop)- To discuss the change to their front entry sign. The parcel is located at **All Angels Hill Road & Brentwood Drive** and is identified as **Tax Grid No. 6257-02-630770** in the Town of Wappinger.

Mr. Maucieri: My name is John Maucieri here representing Toll Brothers. I would like to discuss the modification of the entry sign. This sign is located at All Angels Hill and Brentwood Drive. As it is now, it is only visible as you are traveling south on All Angels Hill Road. We are proposing a perpendicular sign that would be

visible both north and south. The sign will be a little smaller than the existing sign. It will be in the current location where the original sign is now. It will be 16 feet in length. It will be a back to back sign.

- Mr. Valdati: Will there be a problem with site distance?
- Mr. Gray: Graham and I will go out there and take a look and I will contact the county.
- Mr. Malafronte: Barbara, did the original include the base or the base height.
- Mrs. Roberti: We only include the sign not the base.
- Mr. Ciccarelli: How far is the setback from the road?
- Mr. Stolman: 60.7 feet from All Angels and about 44 or 45 feet from Brentwood Drive.
- Mr. Maucieri: Is there any way we can start? We are fighting the weather.
- Mr. Valdati: You can take it down but you need to wait for the resolution to install the new one.
- Mrs. Roberti: Can we waive the Public Hearing and have a resolution ready for the next meeting?
- Mr. Stolman: We can have one ready for December 1st.
- Mr. Valdati: The next item on the agenda is:

08-3160 / Bre-Del Enterprises (Ciraolo): The applicant is requesting their fourth extension for an approved signed site plan dated December 6, 2010 for the construction of a one/two story office building in an NB zoning district on .678 acres. This extension would begin on December 7, 2014 and expire on December 6, 2015. Due to economic conditions the applicant needs the one year extension to be able to apply for a building permit. The property is located at **Route 376** and is identified as **Tax Grid No. 6259-02-508806** in the Town of Wappinger. (**Barger**)(Lead Agency sent out on September 19, 2008.)(Opened & Closed PH 12-1-08)(Final Site Plan approval granted on January 21, 2009), (First one year extension granted to December 5, 2012) (Second one year extension granted to December 5, 2013) (Third one year extension granted to December 5, 2014)

- Ms. Bettina: I make a motion to grant a one year extension.
- Mr. Ciccarelli: Second.
- Mr. Valdati: Roll call vote.**

Ms. Rose:	Frank Malafrente	Yes
	Marsha Leed	Yes
	William Ciccarelli	Yes
	June Visconti	Yes
	Victor Fanuele	Yes
	Angela Bettina	Yes
	Robert Valdati	Yes

Mr. Valdati: I received a phone call from Emily Dozier from Dutchess County Planning. She would like to meet with us to discuss the La Fonda project. Since we haven't gotten a formal application, as soon as we do I will invite her here and any of you that can make it. I plan on an afternoon meeting.

Mr. Valdati: Do I have a motion to adjourn this meeting?

Ms. Visconti: I make a motion to adjourn this meeting.

Mr. Ciccarelli: Second.

Mr. Valdati: All in favor?

Board: Aye.

Meeting ended: 7:30 PM

Respectfully,

Sue Rose, Secretary
Planning Board

11/17/14

**RESOLUTION
TOWN OF WAPPINGER PLANNING BOARD**

**RE: B.J.'S REPLACEMENT GENERATOR
RESOLUTION OF AMENDED SITE DEVELOPMENT PLAN 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, 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	_____
William Ciccarelli	_____
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 an application of BJ's Wholesale Club, Inc. (the "Applicant") on behalf of Alpine Improvements, LLC (the "Owner") for Amended Site Development Plan Approval for the replacement of an emergency generator with the existing diesel generator set on a concrete slab on grade at the northeasterly corner of the store (the "Proposed Action" or "Project"); and

WHEREAS, the generator set is a fully contained enclosure of a 375 KVA unit including an engine, alternator, controls and a 693-gallon diesel tank, and also included in the installation is the replacement of the electrical transfer switch; and

WHEREAS, the subject property, identified as 6157-02-707773 on the tax assessment maps, is located at 1357 Route 9 within the Shopping Center (SC) zoning district (the "Subject Property" or "Site"); and

WHEREAS, the Applicant has submitted an application form for Site Plan Approval signed on 2/25/14 and received by the Town on 9/24/14; an owner's consent form signed on 2/25/14 and received by the Town on 9/24/14; a project narrative from

B.J.'S REPLACEMENT GENERATOR
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Kimley-Horn of New York, PC and received by the Town on 9/24/14; a Short Environmental Assessment Form (Part 1) signed on 9/22/2014; five pages of specifications regarding the SD300 Generac/Industrial Power generator received by the Town on 11/1/14; and the following sheets of plans generally entitled "BJ's Wholesale Club Generator Pad Addition, 1357 Route 9 Site, Wappingers Falls, New York," dated 10/28/14 and prepared by Kimley-Horn of New York, PC:

1. Sheet C000, Cover Sheet;
2. Sheet C100, Overall Site Plan;
3. Sheet C200, Detail View; and
4. Sheet C300, Site Plan Exhibit (the four (4) above mentioned drawings constitute the "Site Plan Drawings"); and

WHEREAS, in accordance with Sections 239-1 and m of the New York State General Municipal Law, the Planning Board referred the subject Site Development Plan application to the Dutchess County Department of Planning and Development (DCDPD); and

WHEREAS, the DCDPD responded to the above mentioned referral in its correspondence dated October 8, 2014 which concluded that the Proposed Action was a "Matter of Local Concern with Comments;" and

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

WHEREAS, the Proposed Action is an Unlisted action in accordance with the State Environmental Quality Review (SEQR) and the Wappinger Environmental Quality Review (WEQR) Law; 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 Site Development Plan, Parking and Performance Standards of Articles IX through XI 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 the recitations and statements set forth above as if fully set forth and resolved herein.

B.J.'S REPLACEMENT GENERATOR
RESOLUTION OF AMENDED SITE DEVELOPMENT PLAN APPROVAL

2. Pursuant to Section 240-88.B of the Zoning Law, the Planning Board hereby waives the public hearing on the Project as the Project is considered a minor change.
3. Pursuant to 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 or operational disturbance associated with the Proposed Action.
3. The Planning Board hereby grants Amended Site Development Plan Approval to the Project for the replacement of an emergency generator with the existing diesel generator set in a fully contained enclosure including a 375 KVA unit with an engine, alternator, controls and a 693-gallon diesel tank on a concrete slab on grade at the northeasterly corner of the store, and the replacement of the electrical transfer switch, as defined above and as shown on Site Plan Drawings, on the Subject Property in accordance with the provisions of Articles IX through XI of the Zoning Law subject to the following conditions and modifications:
 - a. The following shall be fulfilled prior to the issuance of a Building Permit in conjunction with this Project:
 - (1) The Property Owner and 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.
 - b. The following conditions shall be satisfied prior to the issuance of a Certificate of Compliance:
 - (1) The Applicant shall fulfill all of the conditions of, and shall complete all improvements in accordance with this Resolution of Amended Site Development Plan Approval.
 - (2) Certified "as-built" drawing(s) shall be submitted to the Town Zoning Administrator.

B.J.'S REPLACEMENT GENERATOR
RESOLUTION OF AMENDED SITE DEVELOPMENT PLAN APPROVAL

- (3) 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.
4. 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.
5. 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 one (1) year from the date of the adoption of this resolution if an application for a Building Permit has not been made, or 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, if the construction is not prosecuted with reasonable diligence, or if the premises has been substantially vacant or inactive for more than three (3) years.

An application for extension of Site Development 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.

6. The continued validity of any Building Permit or Certificate of Compliance issued in accordance with the approved Amended Site Development Plan shall be subject to continued conformance with such approved Amended Site Development Plan.
7. 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 conditions set forth in Condition 3.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

B.J.'S REPLACEMENT GENERATOR
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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.

8. 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.
9. Except as specifically modified herein, the Resolution of Site Plan Approval and any Amended Site Plan Approval(s) for the Subject Property 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: _____
William Ciccarelli	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

BJ's Wholesale Club, Inc.
Applicant

Date

Alpine Improvements, LLC
Owner

Date

B.J.'S REPLACEMENT GENERATOR
RESOLUTION OF AMENDED SITE DEVELOPMENT PLAN APPROVAL

The following endorsement hereby confirms that the Applicant has fulfilled all of the items in Condition 3.a of this resolution of Amended Site Development Plan Approval necessary for the issuance of a Building Permit.

Robert L. Valdati, Chairman
Town of Wappinger Planning Board

Date

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11/17/14

**RESOLUTION
TOWN OF WAPPINGER PLANNING BOARD**

RE: ALL ANGELS HEIGHTS SUBDIVISION – RESOLUTION OF FINAL SUBDIVISION PLAT AND WETLANDS PERMIT 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	_____
William Ciccarelli	_____
Victor Fanuele	_____
Marsha Leed	_____
Francis Malafronte	_____
June Visconti	_____

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

WHEREAS, the Town of Wappinger Planning Board received applications from RJA Holdings, Inc. (the “Applicant” and “Owner”) for Final Subdivision Plat and Wetlands Permit Approvals for the subdivision of one ± 23-acre parcel of land into eight (8) lots ranging in size from ±0.97 acres (Lot 1) to ±4.64 acres (Lot 5) (the “Project” or “Proposed Action”); and

WHEREAS, the subject property is known as 6259-03-410112 on the Town of Wappinger Tax Assessment Maps and is located on the northwesterly side of All Angels Hill Road within an R-40 One-Family Residence District (the “Subject Property” or “Site”); and

WHEREAS, the Applicant submitted an application form for Preliminary Subdivision Plat Approval, dated November 5, 2012; an Owner Consent Form, dated June 30, 2009; a Full Environmental Assessment Form (EAF) (Parts 1, 2 and 3), dated January 21, 2013, revised April 5, 2013; a Wetlands Functions and Values Assessment Report, dated December 4, 2007, Natural Resources Survey, dated March 27, 2008, A Wetlands Delineation Report dated May 8, 2013, an Indiana Bat/Bog Turtle Habitat Suitability Assessment Report dated May 8, 2013, all prepared by Michael Nowicki of Ecological

ALL ANGELS HEIGHTS SUBDIVISION - RESOLUTION OF FINAL SUBDIVISION PLAT AND WETLANDS PERMIT APPROVALS

Solutions, LLC; and the following plans generally entitled "All Angels Heights Subdivision, Town of Wappinger, New York," prepared by Barger & Miller, Engineering and Land Surveying, PC, dated September 15, 2008, and last revised as indicated below:

1. Sheet 1 of 10, Title Page, last revised 10/14/13;
2. Sheet 2 of 10, Subdivision Plat, last revised 7/18/14;
3. Sheet 3 of 10, Grading Plan, last revised 6/21/14;
4. Sheet 4 of 10 Road Profile, last revised 9/24/13;
5. Sheet 5 of 10, Storm Sewer, last revised 4/10/14;
6. Sheet 6 of 10, Sewage Disposal Details, last revised 8/12/14;
7. Sheet 7 of 10, Details, last revised 9/24/13;
8. Sheet 8 of 10, Erosion Control Plan, last revised 10/14/13;
9. Sheet 9 of 10, Road Entrance and Sight Distance, last revised 10/14/13; and
10. Sheet 10 of 10, Wetlands Disturbance Map and Tree Survey, last revised 10/14/13 (the ten (10) plans above constitute the "Final Subdivision Plat Drawings"); and

WHEREAS, the Planning Board is familiar with the Subject Property and its surroundings, and has reviewed the project in accordance with the standards for approval contained in the Zoning Law, the Land Subdivision Regulations and the Freshwater Wetland, Waterbody and Watercourse Protection chapter of the Town Code; and

WHEREAS, the Proposed Action is an Unlisted action with respect to both the State Environmental Quality Review Act (SEQRA) and Wappinger Environmental Quality Review (WEQR) law; and

WHEREAS, on October 21, 2013 the Planning Board adopted a Negative Declaration thereby finding that the Proposed Action will not result in any significant adverse environmental impacts and thereby ending the SEQRA process.

WHEREAS, on October 21, 2013 the Planning Board also granted Preliminary Subdivision Plat Approval to the Project.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Planning Board hereby adopts and incorporates the recitations and statements set forth above as if fully set forth and resolved herein.
2. The Planning Board hereby finds that a proper case exists for requiring that additional parklands be suitably located for playground and other recreational purposes within the Town of Wappinger since, in accordance with the Land Subdivision Regulations, seven (7) new building lots will be created within the

Town of Wappinger as a result of the eight (8) lot subdivision, and further, that lands appropriate for reservation for recreational purposes do not exist on Site, and therefore a fee in lieu of the reservation of land for recreational purposes in an amount based on the fee in existence at the time the Planning Board Chairman signs the Final Plat will be required as a condition of Final Subdivision Plat approval.

3. The Planning Board hereby waives the Public Hearing on the Final Subdivision Plat because the Final Subdivision Plat is in substantial conformance with the Preliminary Subdivision Plat.
4. The Planning Board hereby grants Final Subdivision Plat Approval for the subdivision of one ± 23-acre parcel of land into eight (8) lots ranging in size from ±0.97 acres (Lot 1) to ±4.64 acres (Lot 5), as herein defined and as shown on the Final Subdivision Plat Drawings, subject to the following conditions and modifications which must be satisfied prior to the signing of the Final Subdivision Plat by the Chairman of the Planning Board:
 - a. The Owner shall endorse a copy of this resolution and submit it to the Planning Board for its files.
 - b. The Applicant shall prepare a final subdivision plat in accordance with Section A-1 of the Town of Wappinger Land Subdivision Regulations.
 - c. 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.
 - d. The Owner of the Subject Property shall submit a copy of the current deed to prove ownership of said property.
 - e. The Applicant shall apply for and obtain street addresses for the eight (8) lots from the Dutchess County 911 Addressing Office, and shall submit evidence of same to the Planning Board.
 - f. At the discretion of the Town Board, a stormwater maintenance agreement shall be provided or a stormwater maintenance district must be formed and all associated easements shall be shown on the plans to ensure the long-term operation and maintenance of the proposed stormwater management practices.

Agreements and easements regarding the construction, operation, maintenance and enforcement of provisions regarding stormwater management systems and practices shall be subject to the review and approval of the Town's Conflict Attorney, the Town Engineer, and the Town Attorney to the extent that such matter may involve the creation of a Drainage District.

- g. The following note shall be placed on the final subdivision plat drawings and is a condition of this approval:

"No modifications to the contours or grade nor any other disturbance to the stormwater management facilities will be permitted unless a new grading permit is issued pursuant to Town Code Section 206.8 or any successor code or regulation hereafter adopted. Any such modification must continue to preserve the stormwater management function as shown and approved on the subdivision plans. If applicable, reference is made to the declaration/maintenance agreement recorded simultaneously with this subdivision map."

- h. The Applicant shall fund a post-approval escrow account in accordance with Section 122-16 of the Town Code.

- i. The subdivision drawings shall be revised to the satisfaction of the Town Planner as follows:

- (1) A construction fence shall be shown along the entire cleared part of the Vecchio property frontage, except for driveway access to the property and any area needed for proper sight distances.
- (2) Information regarding the proposed nature of the fence shall be provided.

- j. The following comments contained in the Town Engineer's letter to the Planning Board dated October 1, 2013, and all comments in any subsequent letter(s) issued, shall be fulfilled to the satisfaction of the Town Engineer:

- (1) The plat (Sheet 2) shall be revised to resolve the following comments.

- (a) The plat and the deed descriptions shall be compared against each other and all bearing and distances shall match between the two. The Town Engineer will forward the revised,

approved descriptions to the Town's Conflict Attorney (or the Town Attorney, as appropriate) for his use when the map is filed.

- (b) The plat shall be revised to place the lettering in white "text boxes" on the southerly side of the entrance road in the stippled drainage easement, and in the hatch-lined Grading Easement 3.
- (2) The plans shall be revised to add a note that a maintenance and protection of traffic plan may be required by the Dutchess County Department of Public Works (DCDPW) for a work permit at the new roadway (former driveway) entrance.
 - (3) The Storm Water Report shall be revised to resolve the following comments:
 - (a) Plan Sheet 8, the Erosion Control Plan, shall show proposed silt fence and erosion control measures to protect the wetlands and down-gradient properties from erosion and sediment.
 - (b) There are at least two acceptable methods for doing perc tests, one per the Dutchess County Department of Health (DCDOH) method and one per the Storm Water Management Design Manual (SWMDM) method. The report shall identify which percolation test method was used. The report shall show how the perc rates were applied to the drainage design.
 - (c) It appears a 100-year storm flow is assumed from the roadway drainage at the end section to the pond near Station 10+10 RT. Therefore, the report must show that in fact the roadway drainage system can intercept and convey the 100-year storm runoff to that outlet.
 - (4) The following comments that shall be resolved before the bond amount is accepted:
 - (a) The first section, that is not labeled but appears to be DRAINAGE, shall be revised to match the plan items and quantities, and item values shall be stated or revised as needed.

- i. It appears that the 36-inch culvert has been increased to a 42-inch diameter.
 - ii. It appears that a 24x36 open bottom culvert is proposed and it and associated stone and headwalls/end sections, etc. shall be added to the bond calculation. The bond shall include costs for stream diversion while the culvert is installed.
 - iii. It appears that 11 catch basins are proposed.
 - iv. The drainage work in the section titled EARTH WORK shall be relocated.
 - v. The outlet control structure (in the pond) shall be added.
- (b) Other parts of the bond estimate that shall be revised:
- i. The bond shall include amounts and costs for silt fence at the toe of all roadway embankments.
 - ii. The bond shall include amounts and costs for clearing and grubbing.
 - iii. The bond shall include amounts and costs for fine grading all embankment areas and roadside shallers and for topsoil, seed and mulch.
 - iv. The bond shall include amounts and costs for roadway name and stop signs, and for a stop bar.
 - v. The bond shall include amounts and costs for survey monuments.
 - vi. The bond shall include amounts and costs for traffic control along the County road at the entrance.
- (c) The Town inspection fee amount shall be stated. Payment of the Town inspection fee will be required before construction begins.

- (5) All required signatures and seals (owner, engineer, surveyor) shall be shown on the final drawings before the plat is presented for Planning Board signature.
 - (6) Evidence of all required permits, or evidence that such permits will be granted, and outside agency approvals (e.g., DCDOH, DCDPW, possibly ACOE) shall also be provided.
- k. All known application review fees shall be paid in full.
5. Conditional approval of the Final Plat shall expire one hundred eighty (180) days from the date of this resolution unless all of the items contained in Condition 4 above have been certified as completed. However, the Planning Board may extend for periods of ninety (90) days each, the time in which a conditionally approved plat must be submitted for signature if, in the Planning Board's opinion, such extension(s) is/are warranted by the particular circumstances.
6. The Planning Board Chairman shall endorse a copy of this resolution certifying its correctness. The Owner/Applicant shall also sign a copy of this resolution after it has been initially endorsed by the Chairman acknowledging receipt of a copy of the resolution. When all of the items set forth in Condition 4 above have been satisfied, a copy of the Final Subdivision Plat, 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 Owner/Applicant have complied with the above conditions of approval and that the Final Plat is authorized for filing with the County Clerk, Division of Land Records.

After said filing, two (2) copies of the Final Plat certified by Dutchess County and six (6) copies of the certified copies of the Final Plat shall be submitted to the Planning Board. One (1) certified copy of the Final Plat shall be retained by the Planning Board and the other certified copy shall be transmitted to the Town Clerk along with a signed copy of this resolution.

Regarding the six (6) copies of the certified copies of the Final Plat, one (1) copy each will be provided to the Town Building Inspector, Town Engineer, Town Planner, Town Highway Superintendent, Town Zoning Enforcement Officer and the Dutchess County 911 Addressing Office.

7. 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 review of this Project which are in excess of the application review fees paid by the

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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 therefor 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 not be made until six (6) months after the filing of the subdivision plat.

8. Prior to the issuance of the first Building Permit for the Project the Applicant shall record all required easements, declarations, etc. in the Dutchess County Clerk's Office and shall provide fully executed copies and proof of recording to the Town's Conflict Attorney (or Town Attorney, as appropriate).

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: _____
William Ciccarelli	Voting: _____
Victor Fanuele	Voting: _____
Marsha Leed	Voting: _____
Francis Malafrente	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

RJA Holdings, Inc.
Applicant and Owner

Date

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The following endorsement hereby confirms that the Owner/Applicant has fulfilled all of the items in Condition 4 of this Resolution of Final Subdivision Plat Approval and authorizes the filing of the Final Subdivision Plat with the County Clerk, Division of Land Records.

Robert L. Valdati, Chairman
Town of Wappinger Planning Board

Date

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