MINUTES

Town of Wappinger Planning Board
October 21, 2015
Time: 7:00 PM

Town Hall
20 Middlebush Road
Wappingers Falls, NY

Summarized Minutes

Members:			
	Mr. Valdati	Chairman	Present
	Ms. Bettina	Acting Chairman	Absent
	Mr. Pesce:	Member	Present
	Mr. Fenton:	Member	Present
	Ms. Leed:	Member	Present
	Mr. Malafronte:	Member	Present
	Ms. Visconti:	Member	Present

Others Present:

Mr. Roberts:	Attorney for Town
Mr. Gray:	Engineer for Town
Ms. Brown:	for Planner for Town
Mrs. Roberti:	Zoning Administrator
Mrs. Ogunti:	Secretary

SUMMARY

Discussion:

Baisley Farm Subdivision	- Approved Resolution as written
RADD Automotive	- Approved Resolution as amended
Mobil Station Air & Vacuum (AMENDED)	- Approved Resolution as written
Dunkin Donuts, Route 9 South (AMENDED) Utility Storage addition	- Approved Resolution as amended

Extension:

Chelsea Farm Subdivision	- Granted 6 months extension
Corporate Park-Signage	- Granted 6 months extension
Corporate Park	- Granted 6 months extension

Mr. Valdati: Let the record reflect that we do not have Mr. Stolman with us tonight but he sent his emissary instead, Sarah Brown. Also our engineer, Mr. Gray is not here and he sent Peter Hopday. Good evening.

Ms. Visconti: **Motion to accept the minutes from October 5, 2015.**
Mr. Malafronte: Second the Motion.
Vote: All present voted Aye.

15-5176 - Baisley Farm Subdivision: To vote on a resolution for preliminary and final approval for a 2 lot subdivision and lot line realignment on 9.38 acres in an R-40 Zoning District. The property is located at **806 Wheeler Hill Road** and is identified as **Tax Grid No. 6057-04-639100 / 607090** in the Town of Wappinger. (Povall) (PH opened & closed 10-5-15)

Present: Bill Povall – Engineer

Mr. Povall: Good evening. I believe we are here tonight to review a resolution.

Ms. Visconti: According to my notes everything has been included in the resolution as discussed.

Mr. Roberts: Mr. Chairman, I just have one comment Paragraph 4 (k) on Page 5. There is a reference to "All required agreements, easements, restrictive covenants, etc…shall be subject to the review and approval of the Town Attorney and the Town Engineer". It may turn out that there are no agreements, easements or covenants required and that will be determined by the engineer and planner at any point in time. I just didn't want the board to think that there was something actually mandated.

Mr. Valdati: Please clarify comment M (2) on Page 5. "The plans shall be amended to clarify if the proposed shared driveway will also service tax parcel 639100".

Mr. Povall: It will, now it's just for the two new proposed lots.

Ms. Visconti: This was discussed on September 21st and then again on October 5th.

Mr. Valdati: Did you submit a hardcopy?

Mr. Povall: No I didn't. My intention was to do that as conditions of the approval.

Ms. Visconti: It's that listed on the resolution?

Mr. Povall: It's on Page 5, item M (2).

Mr. Valdati: Item 3, it says that the drawings shall be amended to provide the full existing conditions of the site, with particular attention to existing vegetation scheduled to be removed as a part of the proposed action.

Mr. Povall: As part of our subdivision plan, we did locate all of the trees that are greater than 12 inches. There are some smaller trees along the road frontage that don't fall within that requirement so we did show them. We do have an aerial that clearly shows that pretty much all of the disturbance for the driveway, the house, septic and the well.

Ms. Visconti: Since we seem to have everything covered in the resolution covered by the planner, I move that the resolution be accepted as presented.

Mr. Valdati: Item 4, the endangered species that may reside on the site, the applicant shall contact the New State Department of Environmental Conservation with respect to the need for an incidental take permit….

Mr. Povall: We had been in contact with DEC and because the property is so close to the Hudson River and I believe two of the endangered species were fish. There are no water bodies on this property. The Indiana Bat came up but again we are not taking any large trees down and even with that, we are going to put a note on the plan.

Mr. Malafronte: We discussed the zoning district R-40/80 on the Owners Consent form and I see it's updated on the resolution. Did you address it here?

Mr. Povall: No, we have not had the opportunity to physically respond but it is a condition and we will provide that information.

Ms. Visconti: **Motion to approve Resolution of Preliminary & Final.**
Mr. Fenton: Second the Motion.
Roll Call Vote: All present voted Aye.

10/21/15

RESOLUTION
TOWN OF WAPPINGER PLANNING BOARD

RE: BAISLEY FARM SUBDIVISION – RESOLUTION OF PRELIMINARY FINAL SUBDIVISION PLAT AND LOT LINE REVISION 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 _____, 2015 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	_____
John Fenton	_____
Marsha Leed	_____
Francis Malafronte	_____
Carlo Pesce	_____
June Visconti	_____

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

WHEREAS, the Town of Wappinger Planning Board received an application from Kristin Klipp (the "Applicant") on behalf of Robert Baisley (the "Owner") for Preliminary Subdivision Plat and Lot Line Revision Approvals for the subdivision of a parcel of land totaling ± 9.38 acres into two (2) building lots, a common driveway, a lot line revision to facilitate street frontage standards and development on the building lot designated Lot 1 ("Project" or "Proposed Action"); and

WHEREAS, the subject property is known as tax lots 6057-04-639100 and 6057-04-607090 on the Town of Wappinger tax maps and are located north and west of Old State Road, River Road North, and Wheeler Avenue within an R-40 One-Family Residence District and R-80 One-Family Residence District, respectively (the "Subject Property" or "Site"); and

WHEREAS, the Applicant has submitted a Preliminary Layout Application for Subdivision of Land dated 8/12/15; a Final Subdivision Plat Approval Application dated 8/12/15; an Owner Consent Form dated 8/12/15; a Full Environmental Assessment Form (EAF) parts 1, 2 and 3 dated 8/12/15; a letter from the New York State Department of Environmental Conservation addressed to the Applicant dated 7/24/15; a letter from the New York State Department of Parks, Recreation, and Historic Preservation addressed to the Applicant dated 7/13/15; and the following plans generally entitled "Baisley Farm Subdivision," prepared by Povall Engineering, PLLC and dated 8/12/15:

1. "Layout Plan for Baisley Farm Subdivision;"

2. "Grading & Erosion Control Plan for Baisley Farm Subdivision;"

3. "Driveway Profiles for Baisley Farm Subdivision;"

4. "Details for Baisley Farm Subdivision;" 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 Town Zoning Law and the Land Subdivision Regulations; and

WHEREAS, the Planning Board determined that the Proposed Action is an Unlisted Action with respect to the New York State Environmental Quality Review Act (SEQRA) and the Town of Wappinger Environmental Quality Review (WEQR) law; and

WHEREAS, a public hearing on the Preliminary Subdivision Plat was held on 10/5/15, during which times all those interested were given the opportunity to be heard.

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. 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. Any land disturbances resulting from construction will be controlled and mitigated through proper drainage and erosion control.

3. The Planning Board hereby finds that a proper case does not exist for requiring that additional parklands be suitably located within the Town of Wappinger. However 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 is required as a condition of Final Subdivision Plat Approval.

4. The Planning Board hereby grants Preliminary Subdivision Plat Approval to the Project as herein defined and as shown on the subdivision plat drawings.

5. 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.

6. The Planning Board hereby grants Final Subdivision Plat Approval to the Project as herein defined and as shown on the subdivision plat drawings, subject to the following conditions which must be satisfied prior to the signing of the Final Subdivision Plat by the Chairman of the Planning Board:

   a. The Applicant/Owner shall endorse a copy of this resolution and submit it to the Planning Board for its files.

   b. The Applicant shall prepare and submit a Final Subdivision Plat in accordance with Appendix A, Section A-5 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 the lot.

   e. The Applicant shall apply for and obtain a street address for the newly created lot from the Dutchess County 911 Addressing Office, and shall submit evidence of same to the Planning Board.

   f. The Applicant shall fulfill the following items to the satisfaction of the Town Engineer:

      (1) The subdivision plat shall be revised and clarified.

         (a) The plat shall state the topo datum.

         (b) The plat shall identify that no Dutchess County Health Department approval is sought for Lot 2.

         (c) The metes and bounds deed description for the shared driveway shall be reviewed by the Town Engineer and forwarded to the Town Attorney upon the filing of the subdivision plat.

         (d) The plat shall identify if the frontage on Wheeler Hill Road is per deed or drawn at 25’ from the center of the road. If needed, a highway r-o-w dedication shall be shown. The metes and bounds deed description shall be

reviewed by the Town Engineer and forwarded to the Town Attorney, if necessary.

(2) The shared driveway shall be revised and clarified.

(a) Sheet 2, the grading and erosion control plan plan shall be revised to include an enlarged detail and spot elevations to show that road drainage trapped along the stone wall on Wheeler Hill Road will continue downhill as per existing conditions.

(b) The detail of the shared driveway shall be revised so as to show the final driveway layout and aprons.

(3) The drainage swale on Lot 1, Lot 2, and the existing Baisley lot shall be revised and clarified.

(a) An additional driveway centerline and driveway edge spot elevations shall be shown to define the driveway embankment that will prevent runoff from draining south across the driveway.

(b) The function of the driveway culvert between contours 260 and 256 shall be explained. If necessary, the 260 contour shall be regraded to eliminate a low spot in the swale. This shall be required at the Town Engineer's discretion.

(4) Sight distance profiles shall be revised and clarified.

(a) The profiles shall be refined to show the existing utility poles and stone walls.

(b) The sight line driver location shall be shown per Dutchess County Department of Public Works (DCDPW) standards.

(c) The sight line target height shall be shown per DCDPW standards.

(d) The sight line distance requirements shall be shown in a table per DCDPW standards.

g. The following items are subject to the review and approval of the Town Attorney:

(1) Easements and agreements regarding the shared driveway.

(2) The metes and bounds deed description for the proposed highway r-o-w dedication, if determined to be necessary by the Town Engineer.

(3) The metes and bounds deed description for the shared driveway.

h. The sight distance and curb cut at the proposed shared driveway shall be subject to the review and approval of the Town Highway Superintendent and measured per the Dutchess County Department of Public Works standards.

i. The proposed shared driveway shall be subject to the review and approval of the Town Fire Inspector to determine accessibility for a fire truck.

j. All required agreements, easements, restrictive covenants, etc. 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 Attorney and the Town Engineer.

k. All "outside agency" approvals such as approval from the Dutchess County Department of Health shall be secured for the Project.

l. The Applicant shall fulfill the following items to the satisfaction of the Town Engineer:

(1) The plans shall be amended to show potential development on "Lot 2" to ensure the Planning Board is not creating an unbuildable lot vis-a-vis this resolution of approval.

(2) The plans shall be amended to clarify if the proposed shared driveway will serve tax parcel 639100.

(3) The plans shall be amended to demonstrate that each lot is capable of independent access through their respective frontages, pursuant to Section 240-20.A(1) of the Town Zoning Law.

(4) The drawings shall be amended to provide the full existing conditions of the site, with particular attention to existing vegetation scheduled to be removed as a part of the Proposed Action.

(5) The Applicant shall contact the New York State Department of Environmental Conservation with respect to the need for an incidental take permit and any conservation measures they may recommend for the Proposed Action. The Applicant shall demonstrate compliance with any conservation measures, legally binding or otherwise, the NYSDEC may make in any subsequent memoranda to the Applicant.

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

7. 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 6 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.

8. The Planning Board Chairman shall endorse a copy of this resolution certifying its correctness. The Owner and 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 6 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 Applicant has 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.

9. 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 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.

10. 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 Attorney.

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: _____
John Fenton	Voting: _____
Marsha Leed	Voting: _____
Francis Malafronte	Voting: _____
Carlo Pesce	Voting: _____
June Visconti	Voting: _____

The resolution is hereby duly declared adopted.

Dated: _____, 2015
Wappingers Falls, New York

_____ _____
Robert L. Valdati, Chairman Date
Town of Wappinger Planning Board

_____ _____
Kristin Klipp Date
Applicant

_____ _____
Robert Baisley Date
Owner

The following endorsement hereby confirms that the Owner and/or Applicant have fulfilled all of the items in Condition 6 of this resolution and authorizes the filing of the Final Subdivision Plat with the County Clerk, Division of Land Records.

_____ _____
Robert L. Valdati, Chairman Date
Town of Wappinger Planning Board

15-3325/4063 - RADD Automotive: To vote on a resolution for the construction of a 641 sf addition to an existing 1289 sf building for the continuation of automotive repair and the addition of a 2,000 sf storage building. The property is located at **1441 Route 376** in the R-20 zoning district on 2.56 acres and is identified as **Tax Grid No. 6259-04-840023** in the Town of Wappinger. (Cappelli) (Variance granted 4/28/15) (PH opened & closed 10-5-15)

Mr. Cappelli: Architect

Mr. Malafronte: Before we proceed, I would like to make a motion to discuss what's on the site plan and on the drawings before we approve this.

Mr. Valdati: Discussion with whom?

Mr. Malafronte: The architect. I would like to discuss what's on the resolution and the site plan.

Ms. Visconti: You don't need a motion for that, we can just discuss it.

Mr. Malafronte: On your site plan, when you filled out the long EAF, you said there's an aquifer on the site?

Mr. Cappelli: I don't know if there's aquifer on the site or near the site.

Mr. Malafronte: That's what's on the form.

Mr. Cappelli: I didn't come up with that.

Mr. Malafronte: So long form gets pulled out with all the environmental statements on them?

Mr. Cappelli: Yes.

Mr. Malafronte: When we add the square footage of the storage building and the expansion, these two buildings are going to have concrete floors?

Mr. Cappelli: That's correct.

Mr. Malafronte: Those two building are going to have the slab where you are going to do your work and storage of waste, fuel and coolant and refrigerants going to be in containers as required by the DEC?

Mr. Cappelli: Correct.

Mr. Malafronte: I didn't see anything on your drawings that identified that.

Mr. Cappelli: Generally if there are going to be any highly flammable, it's part of the building permit process.

Mr. Malafronte: Are they going to be enclosed?

Mr. Cappelli: Which it currently is right now.

Mr. Malafronte: One you said is outside under a canopy?

Mr. Cappelli: It's not under the canopy now. We are going to put it under the canopy.

Mr. Malafronte: Is that canopy going to be on a sled?

Mr. Cappelli: Yes, it's going to be.

Mr. Malafronte: I'm looking at the plan and it has no clarification of that.

Mr. Cappelli: It does say proposed covered slab but if you want to make it a condition, I have no problem with doing that.

Mr. Malafronte: Al, on a Special Use Permit, do you put the things in that must be in a containment unit that are required by DEC for vehicle repair?

Mr. Roberts: Whenever a Special Use Permit is issued, you can impose conditions on a SUP.

Ms. Visconti: Won't that be under the DEC regulations?

Mr. Malafronte: You have to comply with the regulations but then who is going to enforce a SUP regulation, us or the DEC?

Ms. Visconti: The DEC.

Mr. Fenton: Does it warrant?

Mr. Cappelli: They have some containment around it right now. He has that as a byproduct with whatever he has with the DEC. Again, it would be part of our construction plan when we do have it.

Mr. Roberts: We can put something in here in Paragraph 3 subject to compliance with the DEC regulations.

Mr. Cappelli: That's fine.

Mr. Malafronte: On the new building you are building, you are storing vehicles and other materials you should not have any drains at all.

Mr. Cappelli: It will not.

Mr. Malafronte: I don't see any of these things proposed where they should be.

Mr. Cappelli: Correct, we don't put drains on any buildings anymore. There is a note that says that 2,000 sf building is going to be used for storage only. There will be no motor vehicle allowed in that building.

Mr. Malafronte: On your drawings you also have 55 gallons drum as a backup.

Mr. Cappelli: We only have one and I don't even know why that's still there. In discussions, maybe somebody here asked me to put it on the plan.

Mr. Malafronte: It says it's going to be used as a backup.

Mr. Cappelli: Of course, so when they run out, that's the purpose of having the 55 gallon drums. This is for new oil.

Ms. Visconti: **Motion to approve Resolution prepared by the planner with the amendments and compliance with DEC oil containment.**
Mr. Malafronte: Second the Motion.
Roll Call Vote: All present voted Aye.

10/21/15

RESOLUTION
TOWN OF WAPPINGER PLANNING BOARD

RE: RADD AUTOMOTIVE - 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 _____ 2015 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 _____
John Fenton _____
Marsha Leed _____
Francis Malafronte _____
Carlo Pesce _____
June Visconti _____

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

WHEREAS, the Town of Wappinger Planning Board recently received the application of RADD Automotive (the "Applicant") on behalf of Rich Micheli (the "Owner") for Amended Site Development Plan and Special Use Permit Approvals for construction of a one-story 641-square foot addition, a 2,000-square foot accessory storage building and other improvements for an existing auto repair shop (the "Project" or "Proposed Action); and

WHEREAS, the Subject Property is known as Tax Lot 6259-04-840023 and is located at 1441 Route 376 within the R-20 One-Family Residence District (the "Subject Property" or "Site"); and

WHEREAS, the Applicant has submitted an Application for Site Plan Approval dated 2/9/15; a Special Use Permit form dated 2/9/15; a Full Environmental Assessment Form last revised 9/30/15; an Owner Consent Form dated 2/9/15; and the following plans prepared by Alfred A. Capelli Jr. and generally entitled "Proposed Addition to RADD Automotive (1441 Route 376 Corp.)" dated 1/30/15 and last revised 9/30/15, unless otherwise specified:

1. Sheet S1, "Proposed Site Plan;"
2. Sheet S2, "Existing Conditions Site Plan;"
3. Sheet S3, "Landscaping & Site Lighting;"
4. Sheet PRE1, "Preliminary Plans of Proposed Addition," last revised 7/1/15;
5. Sheet EX1, "Existing Conditions Plan & Elevations," dated 1/30/15; and

WHEREAS, the Planning Board determined that the Proposed Action is an Unlisted Action with respect to the New York State Environmental Quality Review Act (SEQRA) and the Town of Wappinger Environmental Quality Review (WEQR) law; and

WHEREAS, this matter was referred to the Dutchess County Department of Planning and Development (DCDPD), and the DCDPD deemed the Proposed Action a matter of local concern in a response dated 3/2/15 and recommended that the Planning Board rely on its own study of the facts of this application with due consideration of the DCDPD's comments; and

WHEREAS, at its 4/28/15 meeting, the Zoning Board of Appeals classified the subject use as a "Service" use, thereby allowing the expansion of the non-conforming auto repair use within a residential zoning district in accordance with Section 240-16.C(b) of the Zoning Law; 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 without limitation the provisions relating to Special Use Permit, 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; and

WHEREAS, on 10/5/15 the Planning Board held a public hearing on the Project at which time all those interested were given an opportunity to be heard.

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. 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 because the Proposed Action does not constitute a major increase in the intensity of land use at the Subject Property. It is also the case that drainage and erosion controls will be in place throughout the duration of construction.

3. The Planning Board hereby adopts this Resolution of Amended Site Development Plan and Special Use Permit Approvals for the construction of a one-story 641-square foot addition, a 2,000-square foot accessory storage building and other improvements for an existing auto repair shop as described above and as shown on the above listed drawings, in accordance with the provisions of Articles VII through XI of the Zoning Law and any applicable NYSDEC requirements for containments, subject to the following conditions:

    a. The following shall be fulfilled prior to the Planning Board Chairman endorsing the Amended Site Development Plan:

        (1) The Planning Board Chairman shall endorse a copy of this resolution certifying its correctness. After it has been initially endorsed by the Chairman, the Owner and Applicant shall also sign a copy of this resolution acknowledging receipt of the resolution, and shall submit the signed copy to the Zoning Administrator for filing.

(2) The above specified Owner of the Subject Property shall submit a copy of the current deed to prove its ownership of said property.

(3) The Owner 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 Applicant shall submit elevation drawings of all four (4) sides of the proposed 2,000-square foot accessory storage building which meet the satisfaction of the Planning Board and which show colors, materials, dimensions and any illumination which may be proposed.

(5) The following items shall be fulfilled to the satisfaction of the Town Engineer:

a. The Applicant shall make the sewer line and SDS visible on the plans.

b. The waste storage plan shall be such that it meets the satisfaction of the Fire Inspector. MSDS sheets shall be made available, as necessary.

(6) The following items shall be fulfilled to the satisfaction of the Town Planner:

a. The Applicant shall amend Note #2 on Sheet S1 so as to read "Other than vehicles, no outdoor storage shall take place on this site."

b. The Applicant shall revise sheet S3 so as to include lighting contours and photometric information. Lighting contours shall bear foot-candle information.

c. The Applicant shall provide a notation on the plans which states that there will be compliance with the Noise control chapter of the Wappinger Town Code.

d. The Applicant shall provide a notation on the plans which states that no outdoor storage units or containers shall ever be located on the site once the 2,000-square foot accessory storage building has been constructed.

e. The Applicant shall add a note to the plans limiting the number of vehicles to be stored outdoors on the Site at any given time to be a maximum of twenty-five (25).

When all of the sub-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 said conditions of approval and that the issuance of a Building Permit is authorized for the improvements 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 provided to the Town Building Inspector, Town Engineer, Town Highway Superintendent and Town Fire Inspector.

b. The following conditions shall be satisfied prior to the issuance of a Certificate of Occupancy:

(1) The Applicants shall fulfill all of the conditions of, and shall complete all improvements required in accordance with this resolution of Special Use Permit and 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. 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 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. 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 shall expire and become void if the approved use of the Site shall cease for more than one (1) year for any reason, if 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.

7. No Building Permit or Certificate of Occupancy shall be issued for the Project except in accordance with the approved site development plan. No further modifications to the Site shall be made without prior approval of the Planning Board. The Applicant must return for approval from the Planning Board if any changes to the endorsed plans and/or this resolution of approval are desired.

8. The continued validity of any Building Permit or Certificate of Occupancy issued in accordance with the approved Site Development Plan and Special Permit Approvals shall be subject to continued conformance with the Amended Site Development Plan and Special Permit Use Approvals.

9. Except as specifically modified herein, the prior resolutions of approval and all amendments thereto 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: _____

John Fenton	Voting: _____
Marsha Leed	Voting: _____
Francis Malafronte	Voting: _____
Carlo Pesce	Voting: _____
June Visconti	Voting: _____

The resolution is hereby duly declared adopted.

Dated: _____, 2015
Wappingers Falls, New York

_____ _____
Robert L. Valdati, Chairman Date
Town of Wappinger Planning Board

_____ _____
RADD Automotive Date
Applicant

_____ _____
Rich Micheli Date
Owner

The following endorsement hereby confirms that the Owner or Applicant has fulfilled all of the items in Conditions 3.a of this resolution and that the above mentioned plans may be endorsed by the Planning Board Chairman.

_____ _____
Robert L. Valdati, Chairman Date
Town of Wappinger Planning Board

15-3337 Mobil Station Air & Vacuum (AMENDED): To vote on a resolution for amended site plan approval for the addition of air and vacuum machines with associated electrical utility on an existing gasoline service station and convenience store in a HB Zoning District on .96 acres. The property is located at **1468 Route 9** and is identified as **Tax Grid No. 6157-02-648928** in the Town of Wappinger. (Martin)

Present:	Jillian Martin – Construction Manager
Ms. Visconti:	I would like it to be noted that Dutchess County Planning and the NYS Department of Transportation signed off.
Ms. Martin:	Good evening everyone. We are here for 1468 Route 9 Mobil Station to add an air and vacuum machine and I believe we are here for a resolution.
Ms. Visconti:	**Motion to approve Resolution prepared by the planner.**
Mr. Pesce:	Second the Motion.
Roll Call Vote:	All present voted Aye.

10/21/15

RESOLUTION
TOWN OF WAPPINGER PLANNING BOARD

RE: MOBIL AIR & VACUUM
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 _____ 2015 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 _____
John Fenton _____
Marsha Leed _____
Francis Malafronte _____
Carlo Pesce _____
June Visconti _____

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

WHEREAS, the Town of Wappinger Planning Board recently received the application of Chestnut Petroleum (the "Applicant") on behalf of GTY NY Leasing, Inc. (the "Owner") for Amended Site Development

Plan Approval for the installation of air and vacuum equipment and associated electrical utility connections (the "Project" or "Proposed Action"); and

WHEREAS, the subject property is known as tax lot 6157-02-648928 on the Town of Wappinger Tax Assessment Maps and is located at 1468 Route 9 within the Highway Business (HB) District (the "Subject Property" or "Site"); and

WHEREAS, the Applicant has submitted an Owner Consent Form dated 9/14/15; a Certificate of Incumbency and attached "Exhibit A" dated 8/14/15; an Application for Site Plan Approval dated 9/04/15; a Short Environmental Assessment Form dated 9/14/15 and signed by Jillian Martin; and a single drawing dated 8/17/15, prepared by Steven J, Green, PLS entitled "Survey for Chestnut Petroleum Distributors, Inc."; and

WHEREAS, in a memorandum dated 9/30/15, the Dutchess County Department of Planning and Development recommended the board to rely upon its own study of the facts, commenting with respect to cross parcel access to the Wappinger Plaza/Hannaford parking lot and the need for sidewalks along Route 9 and CR 93; and

WHEREAS, the Planning Board determined that the Proposed Action is a Type II action with respect to the New York State Environmental Quality Review Act (SEQRA) and the Town of Wappinger Environmental Quality Review (WEQR) law and requires no further review to identify any potential environmental impacts; and

WHEREAS, the Planning Board had decided to waive the public hearing as the amendment of the approved site development plan had been determined to be substantively unchanged from the previously approved site development plan; 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 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:

10. 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.

11. The Planning Board hereby adopts this Resolution of Amended Site Development Plan Approval for the installation of air and vacuum equipment and associated electrical utility connections, as described above and as shown on the above listed drawings, in accordance with the provisions of Articles IX through XI of the Zoning Law subject to the following conditions:

    b. The following shall be fulfilled prior to the Planning Board Chairman endorsing the Amended Site Development Plan:

(1) The Planning Board Chairman shall endorse a copy of this resolution certifying its correctness. After it has been initially endorsed by the Chairman, the Owner and Applicant shall also sign a copy of this resolution acknowledging receipt of the resolution, and shall submit the signed copy to the Zoning Administrator for filing.

(2) The above specified Owner of the Subject Property shall submit a copy of the current deed to prove its 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 items shall be fulfilled to the satisfaction of the Town Planner:

(a) The drawing shall be revised so as to include full details of the proposed air and vacuum machines, including manufacturer, model number and other information as necessary.

(b) The drawing shall be revised so as to clearly identify the drawing as an amended site plan.

(c) The title block shall be revised with respect to the names of the municipality and County road.

When all of the sub-conditions set forth in Condition 2.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 said conditions of approval and that the issuance of a Building Permit is authorized for the improvements 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 provided to the Town Building Inspector, Town Engineer, Town Highway Superintendent and Town Fire Inspector.

b. The following conditions shall be satisfied prior to the issuance of a Certificate of Occupancy:

(1) The Applicants shall fulfill all of the conditions of, and shall complete all improvements required in accordance with this resolution of Site Development Plan Approval.

(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.

12. 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.

13. 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 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. No Building Permit or Certificate of Occupancy shall be issued for the Project except in accordance with the approved site development plan. No further modifications to the Site shall be made without prior approval of the Planning Board. The Applicant must return for approval from the Planning Board if any changes to the endorsed plans and/or this resolution of approval are desired.

7. The continued validity of any Building Permit or Certificate of Occupancy issued in accordance with the approved Site Development Plan shall be subject to continued conformance with such approved Amended Site Development Plan Approval.

8. Except as specifically modified herein, the original Resolution of Site Development Approval and all amendments thereto 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: _____
John Fenton	Voting: _____
Marsha Leed	Voting: _____
Francis Malafronte	Voting: _____
Carlo Pesce	Voting: _____
June Visconti	Voting: _____

The resolution is hereby duly declared adopted.

Dated: _____, 2015
Wappingers Falls, New York

_____ _____
Robert L. Valdati, Chairman Date
Town of Wappinger Planning Board

_____ _____
GTY NY Leasing, Inc. Date
Owner

_____ _____
Chestnut Petroleum Date
Applicant

The following endorsement hereby confirms that the Applicant has fulfilled all of the items in Conditions 2.a of this resolution and that the above mentioned plans may be endorsed by the Planning Board Chairman.

_____ _____
Robert L. Valdati, Chairman Date
Town of Wappinger Planning Board

15-3333 – Dunkin Donuts, Route 9 South (AMENDED) Utility Storage addition: To vote on a resolution for an amended site plan for the construction of a 144 sf. utility storage building addition on the northwest edge of the existing parking lot in an HB Zoning District on 1.32 acres and is identified as **Tax Grid No. 6157-02-600971**. The property is located at **1491 Route 9** in the Town of Wappinger. (Diesing)

Present: Jay Diesing – Engineer
Yuwen Chen – Applicant

Ms. Visconti: Note for the record that Dutchess County Planning and NYS Department of Transportation signed off.

Ms. Roberti: One item we just looked at and this should be amended to include the tenant occupant signing this.

Mr. Valdati: Mr. Stolman's letter dated September 3, 2015, Item 3, the applicant shall explain what is to be stored in the utility storage.

Mr. Chen: Basically shovels, Christmas decorations and stuff like that.

Mr. Valdati: Did you include a hardcopy of that with your submission?

Mr. Chen: Yes.

Ms. Visconti: Motion to approve the Resolution prepared by the town planner as amended to include tenant name, list of storage items and door replacement.
Mr. Fenton: Second the Motion.
Roll Call Vote: All present voted Aye.

10/21/15

RESOLUTION
TOWN OF WAPPINGER PLANNING BOARD

RE: DUNKIN DONUTS – WAPPINGER SOUTH
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 _____ 2015 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 _____
John Fenton _____
Marsha Leed _____
Francis Malafronte _____
Carlo Pesce _____
June Visconti _____

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

WHEREAS, the Town of Wappinger Planning Board recently received the application of Jay Diesing of Mauri Architects, P.C. (the "Applicant") on behalf of John Davis (the "Owner") for Amended Site Development Plan Approval for the installation of a 9' by 16' accessory storage building addition (the "Project" or "Proposed Action"); and

WHEREAS, the subject property is known as tax lot 6157-02-600971 on the Town of Wappinger Tax Assessment Maps and is located at 1491 Route 9 within the Highway Business (HB) District (the "Subject Property" or "Site"); and

WHEREAS, the Applicant has submitted an Application for Site Plan Approval, dated 7/23/15; an Owner Consent Form dated 7/23/15; and the following plan entitled "Sheet PB-1, As-Built Landscaping Plan/Accessory Building Expansion Plan," prepared by Mauri Architects, P.C. and dated 9/9/15; and

WHEREAS, the Proposed Action would result in the removal of six (6) arborvitae in order to construct the proposed addition, with no other changes to Site landscaping proposed; and

WHEREAS, the Proposed Action was referred to the New York State Department of Transportation who, in a memorandum dated 9/8/15, stated the Proposed Action would have no impact on the State Highway system and had no further comments at that time; and

WHEREAS, the Proposed Action was referred to Dutchess County Department of Planning and Development who, in a response dated 8/10/15, deemed the Proposed Action a matter of local concern and had no further comments at that time; and

WHEREAS, the Planning Board determined that the Proposed Action is a Type II action with respect to the New York State Environmental Quality Review Act (SEQRA) and the Town of Wappinger Environmental Quality Review (WEQR) law and requires no further review to identify any potential environmental impacts; and

WHEREAS, the Planning Board had decided to waive the public hearing as the amendment of the approved site development plan had been determined to be substantively unchanged from the previously approved site development plan; 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 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:

14. 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.

15. The Planning Board hereby adopts this Resolution of Amended Site Development Plan Approval for the installation of air and vacuum machines and associated electrical utility connections, as described above and as shown on the above listed drawings, in accordance with the provisions of Articles IX through XI of the Zoning Law subject to the following conditions:

    c. The following shall be fulfilled prior to the Planning Board Chairman endorsing the Amended Site Development Plan:

(1) The Planning Board Chairman shall endorse a copy of this resolution certifying its correctness. After it has been initially endorsed by the Chairman, the Owner and Applicant shall also sign a copy of this resolution acknowledging receipt of the resolution, and shall submit the signed copy to the Zoning Administrator for filing.

(2) The above specified Owner of the Subject Property shall submit a copy of the current deed to prove its 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 conditions shall be fulfilled to the satisfaction of the Town Planner:

(a) The tax grid number given in the drawing shall be corrected.

(b) The drawing shall be revised so as denote that no flammable or hazardous materials will be stored within the proposed addition.

(c) The six Arborvitae scheduled to be removed in favor of the proposed addition shall be relocated south of the existing refuse enclosure to create a net-zero loss of landscaping on the Site.

(5) The Applicant shall submit a list of items to be stored in the shed.

When all of the sub-conditions set forth in Condition 2.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 said conditions of approval and that the issuance of a Building Permit is authorized for the improvements 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 provided to the Town Building Inspector, Town Engineer, Town Highway Superintendent and Town Fire Inspector.

b. The following conditions shall be satisfied prior to the issuance of a Certificate of Occupancy:

(1) The Applicants shall fulfill all of the conditions of, and shall complete all improvements required in accordance with this resolution of Site Development Plan Approval.

(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.

16. 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.

17. 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 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. No Building Permit or Certificate of Occupancy shall be issued for the Project except in accordance with the approved site development plan. No further modifications to the Site shall be made without prior approval of the Planning Board. The Applicant must return for approval from the Planning Board if any changes to the endorsed plans and/or this resolution of approval are desired.

7. The continued validity of any Building Permit or Certificate of Occupancy issued in accordance with the approved Site Development Plan shall be subject to continued conformance with such approved Amended Site Development Plan Approval.

8. Except as specifically modified herein, the original Resolution of Site Development Approval and all amendments thereto 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: _____
John Fenton	Voting: _____
Marsha Leed	Voting: _____
Francis Malafronte	Voting: _____
Carlo Pesce	Voting: _____

June Visconti Voting: _____

The resolution is hereby duly declared adopted.

Dated: _____, 2015
Wappingers Falls, New York

_____ _____
Robert L. Valdati, Chairman Date
Town of Wappinger Planning Board

_____ _____
Jay Diesing Date
Applicant

The following endorsement hereby confirms that the Applicant has fulfilled all of the items in Conditions 2.a of this resolution and that the above mentioned plans may be endorsed by the Planning Board Chairman.

_____ _____
Robert L. Valdati, Chairman Date
Town of Wappinger Planning Board

Extension:

10-5155 – Chelsea Farm Subdivision: Is seeking their second extension on their preliminary approval for the proposed subdivision of a 17 lot subdivision in an R-40/80 Zoning District on 186.8 acres. This 6 month extension will begin on November 2, 2015 through May 2, 2016. This parcel is located on **Chelsea Road (County Route 92) & North River Road** and is identified as **Tax Grid No. 6056-01-138527 (102.7 acres) & 6056-01-190688 (84.1 acres)** in the Town of Wappinger. (Koehler) (LA 4/9/10)

Mrs. Roberti: Usually on a 2 lot subdivision, you grant preliminary approval and that's only good for 6 months and then they need to ask you for an extension. A lot of times they are busy with the DEC, Army Core or some agency that's holding them up. So you give them extensions until they can come to final and in this case, they are ready for extension but they have actually come back for final. In fact, they had a Public Hearing at the last meeting. This extension is just so they can keep their preliminary approval until such time that you are satisfied and grant them final.

Mr. Malafronte: Morris Associates letter dated August 21, 2015 they are asking for an extension.

Ms. Visconti: They are asking because Morris letter had a comment letter requirement and they don't have time to complete it.

Mrs. Roberti: They want to move on to their preliminary while they work on the comment letter.

Mr. Malafronte: It took this long?

Mrs. Roberti: They just had Public Hearing two weeks ago.

Mr. Malafronte: This letter is dated August 21, 2015.

Mrs. Roberti: We are one of the few towns that actually remind clients that they are getting ready to expire. Instead of telling them you lost it, we tend to call them a month or two ahead of time and tell them you are going to need an extension if you are not going to be back. So a lot of times they just get the letter to us ahead of time and we throw them on a future agenda so it's not forgotten. But the extension doesn't expire until whatever date it expires so it's going to expire on November 2, 2015 and we don't have another meeting before then that's why it's here tonight and it will run through May 2, 2016. Most likely it's going to get final within the next few months prior to May.

Mr. Roberts: Our subdivision regulations do imply that preliminary can be granted up to 5 years. After 5 years, we have to be worried about the end date. The continued extensions are nothing out of the ordinary and this is a complicated site and I know they've had issues with the Health Department and with the floodplain designation. There's been a lot of engineering work and we've had meetings going back a year and the half.

Mr. Fenton: How long has it been? There's a date down here that says April 10, 2010.

Mrs. Roberti: That was their Lead Agency. This is their second extension so at best they only received preliminary a year and a half ago since this is their second 6 months.

Mr. Malafronte: Are there any major issue in the letter that Morris Associates sent out?

Mr. Roberts: Whether they are major or not, it's irrelevant, they have to address them. That's the whole point of getting the extension.

Mr. Malafronte: If they come back again, can I open that discussion to go over these things?

Mr. Roberts: Absolutely. Quite frankly, that would be the time to address any issues.

Ms. Visconti: **Motion to approve a 6 months extension.**
Mr. Malafronte: Second the Motion.
Roll Call Vote: All present voted Aye.

14-3305/ Corporate Park-Signage: At the September 21, 2015 Planning Board meeting, the board granted a final extension to October 26, 2015 on a resolution for additional roof mounted sign to an existing building. The sign will be 2' X 10'. The property is located at **1289 Route 9** and is identified as **Tax Grid No. 6157-04-573456** in the Town of Wappinger. (Lund)

Mrs. Roberti: This particular extension, you gave them until Monday, October 26, 2015 at which time both projects will expire and that was the drop dead date for the owner. It was put on the agenda just in case he comes back and he's not here tonight. Just so the board is aware that these will expire on Monday.

Mr. Malafronte: I was looking at this because I had a question about 18,000 sf. change of office space to 12,000 sf., did we approve that at the September 21, 2015?

Mrs. Roberti: You mean the change in the use? What we basically approved in a nut shell was legalize the two offices that were put in Buildings 2 and 3 in the back building. You approved the use to allow retail in there and we went through a lot of revisions for the parking calculations so that there would be enough parking should he get retail. Josh Podell actually came in with his own project and it just so happen that Kevin Lund was in legalizing the two offices in the rear of the other building and because it's on the same site, it was combined. In a sense by losing this extension, Mr. Podell is losing his right to use retail.

Ms. Visconti: Can they ask for an extension?

Mrs. Roberti: Twice we gave them extension.

Mr. Roberts: For the record, two offices and not two apartments.

Mr. Malafronte: Didn't he put an office in when he should not have put one in?

Mrs. Roberti: Yes and that's what he came for to legalize at the same time as the other owner of the building.

Mr. Roberts: They are separately owned.

Mrs. Roberti: In hindsight they should have been kept separate because now the other owner is losing his approval because this is lapsing.

Mr. Roberts: It's my understanding that it's lapsing because he hasn't paid his taxes for his building.

Mrs. Roberti: Correct.

Mr. Roberts: He expressed to Barbara and me that he is having difficulties with his partners. He said this was going to be resolved three months ago. I cannot answer why it is not paid yet.

Mrs. Roberti: So the final extension you gave him drop dead date, his son appeared because he had a family emergency and that's when you gave him another extension to October 26, 2015.

Ms. Visconti: So if this isn't granted, he will have to start all over again.

Mrs. Roberti: So is the other gentleman.

Mr. Valdati: Mr. Roberts, can the Planning Board act on this on Mr. Lund's behalf if he is in arears of his obligations?

Mr. Roberts: Yes, you can. This is not in any violation of any code. We have a routine paragraphs that one of the requirements is that all taxes be paid and current. As I understand it, they are current with the other building but not the building that Kevin and his partner own.

Mrs. Roberti: So the back building which is Mr. Podell's building which he did come in with his own site plan amendment, his taxes are current but because it was bundled, he's being held hostage for the front building.

Mr. Fenton: Not really, he could pay Kevin's taxes.

Mr. Roberts: John, they are separate taxes.

Ms. Visconti: So what do we want to do here? Holding one person hostage is not good.

Ms. Leed: Are they asking for an extension?

Mrs. Roberti: Mr. Podell called me this morning and he would like to stop having his escrow attacked since this was approved a year ago. He would like to know that if he comes in to me with a Change of Occupancy for a retail establishment if he's going to get that change of occupant. Technically, I cannot issue that.

Mr. Fenton: Why aren't they here pleading their case?

Mrs. Roberti: I don't think Mr. Podell realizes that this is ending because it's been on Kevin Lund because he was holding it up not paying taxes on the front building which is a separate grid.

Ms. Visconti: **Motion to grant a 6 months extension.**
Ms. Leed: Second the Motion.
Roll Call Vote:

Mr. Malafronte	Nay
Ms. Leed	Aye
Ms. Visconti	Aye
Mr. Fenton	Nay
Mr. Pesce	Aye
Mr. Valdati	Nay

13-3273/14-3304 - Corporate Park: At the September 21, 2015 Planning Board meeting, the board granted a final extension to October 26, 2015 on a resolution for the following changes to the Corporate Park Site. Building #3 is seeking a change in use from 18,000 square feet of office space to 12,000 square feet of office space and 6, 000 square feet of retail. Building #2 is to approve additional offices in the rear of the building. The property is in a HB zone and is located at **1285 Route 9** and is identified as Tax Grid No. **6157-04-555439** in the Town of Wappinger. (Josh Podell/Kevin Lund)

Ms. Visconti:	**Motion to grant a 6 months extension.**	
Ms. Leed:	Second the Motion.	
Roll Call Vote:	Mr. Malafronte	Nay
	Ms. Leed	Aye
	Ms. Visconti	Aye
	Mr. Fenton	Nay
	Mr. Pesce	Aye
	Mr. Valdati	Nay

New and Old Business:

Executive Park Sign:

Mrs. Roberti: Couple of months ago I brought you signs for the park there on Route 9. They wanted everybody names on it and everyone thought that was a terrible idea. They have a new sign company and they are proposing this sign, it's a little bit taller and it meets the code. The reason they are asking for this is because it's a little closer and you can see from the road. Apparently some of the tenants were complaining that the Executive Park sign that's existing is low and hard to seen until someone is practically up on top the entrance. Do you like the color as well?

Ms. Visconti: Yes.

Mr. Valdati: I don't know about the red. The previous signs were burgundy and more palatable.

Ms. Visconti: Do we need to give some advice?

Mrs. Roberti: You just need to let me know if it's okay with you and is the color okay so I can let the sign company know.

Ms. Visconti: I like the whole thing.

Ms. Leed: Do we need to make a motion?

Ms. Visconti: **Motion to approve the new signage as rendered in the photo which has been shown to us.**
Mr. Fenton: Second the Motion.
Roll Call Vote: All present voted Aye.

Future Plans Submission:

Mr. Fenton: Can we have the plans sent to us electronically? It will save a lot of money.

Mrs. Roberti: We can ask them to and it would be easier for us postage wise and to be able to get them on disc or have them email it to us and we email to you. How would you like to receive future plans?

Roll Call Vote:

Mr. Valdati	No, paper
Mr. Malafronte	No, paper
Ms. Visconti	Yes, electronically
Ms. Leed	Yes, electronically
Mr. Fenton	Yes, electronically
Mr. Pesce	Yes, electronically

Mr. Malafronte: I don't have the capability to print or expand the CD.

Ms. Roberti: I will ask Angela since she's absent. We will do that with any engineer or architect that has that capability.

Review Letters:

Mr. Malafronte: I know we adjusted the time for the professionals to send their comments in, it seems like we are still getting our information the day or two days before our meetings. Can we request to get it the Monday before the meeting?

Mrs. Roberti: Are you referring to the review letters?

Mr. Malafronte: Yes, the comment letters.

Mr. Roberts: Past practice you were to receive them the Wednesday before the meeting.

Mr. Malafronte: Sometimes it's the last minute or the same day.

Mr. Roberts: I think you should insist to get it the Wednesday before the meeting.

Christmas Party:

Ms. Visconti: Is anyone was interested in a Christmas Party? Barbara, can I ask you to set it up?

Mrs. Roberti: Yes.

NYC Shaft:

Mrs. Roberti: Bob is working on setting up the tour with the DEP with whoever is interested.

Codes:

Mr. Malafronte: Do you have any pending revisions on our codes?

Mr. Roberts: Zoning codes?

Mrs. Roberti: Everything is up to date and online.

Mr. Malafronte: This one that you gave me is dated 2013.

Mrs. Roberti: That's what we had until two days ago. The reason I did not buy new books is because they are very expensive and we were passing revisions. There was no point in buying books for a couple of hundred dollars that weren't going to be current in a few months. They apparently only update July and September and the Town Board had just okay in April a lot of revisions. So in September I ordered a few books to sell.

Mr. Malafronte: Again, if you look I don't see the lots on there.

Mrs. Roberti: The lots won't be on there. They will be on the maps.

Mr. Malafronte: What's about the Zoning map?

Mrs. Roberti: David was kind enough get Al's son to put the Zoning map online as well. So you can look at any piece of property in the town and see what zone it is.

Solar Panels:

Mr. Roberts: The Town Board introduced a moratorium on all solar panels that are not attached to the roof of an existing accessory building in a residential zone. All other solar panels are going to be subject to the new zoning changes and Barbara has at least one application in a residential zone.

Mrs. Roberti: They first came in with three solar raise ground mounted and one was 37 feet wide and two 30 feet wide in a residential zone. I turned it down and found reasons so they changed it and now they want two 51 feet wide x 12 feet high.

Mr. Fenton: I can't understand why they cannot be removed from there.

Mrs. Roberti: There point is this is a little house. Instead of just saying no, I've asked for a lot of study and without regulations, this is a dangerous time unless we put them in place.

Mr. Roberts: By reason of analogy, I believe this room is 50 feet wide and can you imagine two of these in a residential zone.

Mrs. Roberti: It would be double the size of the house.

Mr. Malafronte: I know we discussed RADD, when looking at the code, I read 52 and 70 for repair garage and there should be more details in those two areas.

Mr. Roberts: When you say 52, you mean the subset?

Mrs. Roberti: Yes, Section 240-52.

Mr. Roberts: I totally agree with you Frank, we have to spring the Town Board to spend the money to have it researched and addressed correctly. There are a lot of things that need updating but the board does not want to spend the money to totally revamp.

Mr. Malafronte: How much does it cost for one code change?

Mrs. Roberti: This last time in April, we must have changed about 25 different codes. This time we are working on solar and we are also looking at signs.

Ms. Visconti: **Motion to Adjourn.**
Mr. Pesce: Second the Motion.
Vote: All present voted Aye.

Adjourned: 8:09 pm

Respectfully submitted,

Bea Ogunti, Secretary
Town of Wappinger Planning Board