MINUTES

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

Town Hall
20 Middlebush Road
Wappingers Falls, NY

Summarized Minutes

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

Others Present:

Mr. Roberts:	Attorney for Town
Mr. Bob Gray:	Town Engineer
Mr. Chace Cottrell:	for Town Planner
Mrs. Roberti:	Zoning Administrator
Mrs. Ogunti:	Secretary

SUMMARY

Adjourned Public Hearing:

Chelsea Farm Subdivision - Adjourned Public Hearing to January 20, 2016

Discussion:

Theoseau & Kondzielsaski Subdivision - Approved Resolution as Written
Subdivision (Lot Line Realignment)

Extension:

The Ridges at Old Hopewell Estates - Granted 6 months extension

Conceptual:

Cedar Hill Subdivision - Applicant/Engineer failed to show

Ms. Visconti: **Motion to accept the minutes from November 16, 2015.**
Ms. Bettina: Second the Motion.
Vote: All present voted Aye.

Mr. Valdati: Hi, we have a new face here tonight. Please introduce yourself.

Mr. Cottrell: Hi, I'm Chace Cottrell, Senior Associate at F.P. Clark Associates.

Mr. Valdati: Thank you.

Adjourned Public Hearing:

10-5155 – Chelsea Farm Subdivision: The Town of Wappinger Planning Board will conduct a Public Hearing on a final subdivision application for Chelsea Farms Subdivision for their proposed 17 lot subdivision in an R-40/80 Zoning District on 186.8 acres. 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) (Rec'd preliminary subdivision approval 11-3-14)

Ms. Visconti: **Motion to open the Public Hearing.**
Ms. Bettina: Second the Motion.
Vote: All present voted Aye.

Mr. Valdati: **Motion to adjourn the Public Hearing to January 20, 2016.**
Ms. Bettina: Second the Motion.
Vote: All present voted Aye.

Discussion:

15-5177 – Theoseau & Kondzielaski Subdivision (Lot Line Realignment): To discuss a preliminary application for a 2 lot, lot line realignment on 10.4 acres in an R-40/80 Zoning District. The property is located at **6 Natures Way** and is identified as **Tax Grid Nos. 6056-01-428983 / 6057-03-406024** in the Town of Wappinger. (Martin)

Present: Ernie Martin – Engineer

Ms. Visconti: **Motion to approve the Resolution prepared by the Town Planner as written.**
Ms. Bettina: Second the Motion.
Vote: All present voted Aye.

12/7/15

RESOLUTION
TOWN OF WAPPINGER PLANNING BOARD

RE: **THEODOSEAU & KONDZIELASKI** – RESOLUTION OF PRELIMINARY AND FINAL SUBDIVISION PLAT APPROVALS FOR LOT LINE REALIGNMENT _____

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 the application of Sandra Kondzielaski and Mathew Theodoseau (the "Applicant(s)" and "Owner(s)") for Preliminary and Final Subdivision Plat Approval to adjust the lot line between 14 Nature's Way and 6 Nature's Way (the "Project" or "Proposed Action"); and

WHEREAS, as a result of the proposed lot line adjustment 0.894 acres of land would be conveyed from 14 Nature's Way to 6 Nature's Way; and

WHEREAS, the Proposed Action does not involve any physical activity on either property; and

WHEREAS, the subject properties are 7.271 (14 Nature's Way) and 3.291 (6 Natures Way) acres in size and are known as tax lots 6057-03-406024 and 6056-01-428983, respectively (the "Subject Properties"); and

WHEREAS, the Subject Properties are located on Nature's Way within an R-80 (14 Nature's Way) One-Family Residence District and an R-40 One Family District (6 Nature's Way); and

WHEREAS, The Applicants submitted a letter to the Planning Board dated 10/19/15 prepared by KC Engineering and Land Surveying PC; a Preliminary Layout Application for Subdivision of Land dated 10/15/15; an Owner Consent Form dated 10/19/15; a Short Environmental Assessment Form dated 10/15/15; and a plan entitled "Property Line Realignment for Theodoseau & Kondzielaski" dated 10/15/15, and prepared by KC Engineering and Land Surveying PC; and

WHEREAS, the Planning Board is familiar with the Subject Properties and their surroundings, and has reviewed the Project in accordance with the standards for approval contained in the Zoning Law and the Land Subdivision Regulations; and

WHEREAS, the Planning Board determined that the subdivision will not result in the creation of any new building lots; and

WHEREAS, the Planning Board determined that the Project is an Unlisted action with respect to SEQR and WEQR; and

WHEREAS, the Planning Board waived the Public Hearing on the Project pursuant to Section 217-12.H(2) of Subdivision Regulations, since the Project consists solely of the realignment of a common lot line between two adjacent lots.

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 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 environmental impacts since there is no construction and/or land disturbance associated with the proposed subdivision.

3. The Planning Board hereby grants Preliminary Subdivision Plat Approval to the Project as herein defined.

4. The Planning Board hereby grants Final Subdivision Plat Approval for the Lot Line Realignment to adjust the lot lines between 14 and 6 Nature's Way, as shown on the Subdivision Plat and as defined above, 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 Property Owners shall endorse and submit a copy of this Resolution to the Zoning Administrator for filing.

b. The Applicant shall prepare a final subdivision plat in accordance with 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 Properties have been paid in full.

d. The Owners of the Subject Properties shall submit a copy of the current deeds to prove their ownership of said properties.

e. A proof of Dutchess County Health Department permission to file shall be obtained and submitted to the satisfaction of the Town Engineer.

5. Conditional approval of the Final Plat shall expire one hundred eighty (180) days after the date of this resolution unless all requirements 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. In accordance with the Town's Schedule of Fees, the Owners 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 Owners to-date. Such fees shall be paid within thirty (30) days of the notification to the Owners 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.

7. The Planning Board Chairman shall endorse a copy of this resolution certifying its correctness. The Property Owners 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 conditions set forth in the conditions 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 and/or 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 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.

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

_____ _____
Sandra Kondzielaski Date
Applicant and Owner

_____ _____
Mathew Theodoseau Date
Applicant and Owner

The following endorsement hereby confirms that the Owners and/or Applicant have fulfilled all of the conditions of this Resolution of Preliminary and 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 Date
Town of Wappinger Planning Board

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Extension:

14-5168 / The Ridges At Old Hopewell Estates: Is seeking their second extension on their final approval for preliminary and final plat approval for the proposed subdivision of 15.95 acres into 8 additional lots. This 6 month extension will begin on January 5, 2016 through July 4, 2016. The existing residence will remain on a 5.9 acre parcel and the remaining 10.05 acres will be divided into 8 building lots of approximately 40,000 square feet each with any necessary improvements. The property is located at **383 Old Hopewell Road** and is identified as **Tax Grid No. 6257-04-616448** in the Town of Wappinger. (Cantor) (Day) (L/A 5/14/14) (PH opened & closed 6/1/15) (Final Subdivision approval 7/6/15) (1st extension granted on 1/5/16)

Ms. Visconti: **Motion to approve 6 months extension**.
Ms. Bettina: Second the Motion.
Vote: All present voted Aye.

Conceptual:

Cedar Hill Subdivision Applicant/Engineer failed to show.

New & Old Business

DC Referral Exemptions:

Mr. Valdati: **Motion to have Planning Board Secretary, Bea Ogunti to send a letter to the Town Board with our recommendation in favor of the town entering into a one year municipal agreement with the County.**

Ms. Bettina: Second the Motion.
Vote: All present voted Aye.

2016 Proposed Meeting Dates:

Mr. Valdati: Motion to approve the 2016 Proposed Meeting Dates.
Ms. Visconti: Second the Motion.
Vote: All present voted Aye.

Christmas Party:

Christmas party will be held at Longobardi's Restaurant at 6:00pm on December 15, 2015.

Ms. Visconti: Motion to Adjourn.
Ms. Bettina: Second the Motion.
Vote: All present voted Aye.

Adjourned: 7:30 pm

Respectfully submitted,

Bea Ogunti, Secretary
Town of Wappinger Planning Board