

# MINUTES

Town of Wappinger Planning Board  
March 6, 2017  
Time: 7:00 PM

Town Hall  
20 Middlebush Road  
Wappingers Falls, NY

Summarized Minutes

<b><u>Members:</u></b>	Mr. Flower	Chairman	Present
	Ms. Visconti:	Co-Chair	Present
	Ms. Bettina	Member	Present
	Mr. Marinaccio	Member	Present
	Mr. Pesce:	Member	Present
	Mr. Valdati	Member	Absent

**Others Present:**

Mr. Roberts:	Attorney for Town
Ms. Valk	Conflict Attorney for Town
Mr. Bob Gray:	Town Engineer
Mr. Stolman	Town Planner
Mrs. Roberti:	Zoning Administrator
Mrs. Ogunti	Secretary

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## **SUMMARY**

**Adjourned Public Hearing:**

Smart Subdivision	Negative Declaration granted / Public Hearing closed
Sikh Temple	Public Hearing adjourned to May 15, 2017

**Discussion:**

Southside Plaza Amended Site Plan	Resolution approved
Bank of America Amended Site Plan	Town Planner to prepare Resolution/PH waived
BMB Real Estate Corp. (Restaurant to Apts.)	Resubmit
Berisha Apartments	Vote on Resolution on March 20, 2017
G&G Amended Site Plan	Town Planner to prepare Resolution for March 20, 2017

**Conceptual Review:**

Guardian Self-Storage East	Go to ZBA and Resubmit to Planning Board
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**Extension:**

Calvery Chapel of the Hudson Valley	Six months extension granted
Farm to Table Bistro Outdoor Dining	One year extension granted

**Ms. Visconti:** **Motion to accept the Minutes from the February 6, 2017 meeting.**  
**Mr. Pesce:** Second the Motion.  
**Vote:** All present voted Aye.

**Adjourned Public Hearing:**

**15-5172 / Smart Subdivision:** The Town of Wappinger Planning Board will conduct an adjourned Public Hearing to vote on a SEQRA determination for a proposed 2-lot subdivision where there is an existing home on lot 1 and a second lot will be created in the rear of the parcel. Each lot will be served by private wells and subsurface sewage disposal systems and the existing driveway will continue to be used as a shared driveway for both lots. An individual paper driveway is shown on the plan as an alternate means of ingress/egress for Lot 2. The property is 2.059 acres and is located at **191 River Road North** and is identified as **Tax Grid No. 6056-01-241913** in an R-40 Zoning District in the Town of Wappinger. (Hudson Land Design) (Cantor) (LA January 6, 2017) (PH 2/6/17 opened) (PH 3/6/17 closed)

**Present:** Richard Cantor – Attorney  
Rebecca Valk – Conflict Attorney  
Dan Koehler – Engineer

**Mr. Flower:** Is there anyone in the audience with questions regarding the Smart Subdivision?

**Ms. Visconti:** David, do you have a draft of the Negative Declaration?

**Mr. Stolman:** We drafted a Negative Declaration with a cover letter date March 2, 2017. It goes through all the reasoning as to why a Negative Declaration is appropriate so you can adopt a resolution to adopt the Negative Declaration.

**Ms. Visconti:** Should we close the Public Hearing first and then adopt the Negative Declaration?

**Mr. Stolman:** That's a separate matter. I think we need to talk about that separately.

**Mr. Cantor:** I would ask that you take out the Negative Declaration resolution and if you adopt that you then consider closing the public hearing in that order.

**Mr. Flower:** We do have the resolution.

**Mr. Stolman:** The Negative Declaration comes first.

**Ms. Visconti:** **Motion to accept the Negative Declaration prepared by the Town Planner.**

Mr. Pesce: Second the Motion.

Roll Call Vote:

Mr. Marinaccio	AYE
Mr. Pesce	AYE
Ms. Bettina	AYE
Ms. Visconti	AYE
Mr. Flower	AYE

Mr. Cantor: I would suggest since no one is here to speak, I would ask that we close the public hearing.

Mr. Stolman: If we close the public hearing, you have a limited amount of time to make your decision on the project. They are going to go to the ZBA since they have a Negative Declaration. The ZBA can issue the variance if it wants to but we don't know how long that's going to take.

Mr. Cantor: We are happy to waive that deemed approval of the variance.

Ms. Valk: You are specifically waiting for the 62 days until after the ZBA approval of the variance?

Mr. Cantor: Correct.

Ms. Valk: With that concession and if the board wishes to close the public hearing then I believe that would be appropriate.

**Ms. Visconti:** **Motion to close the Public Hearing with condition of the ZBA decision.**

Mr. Pesce: Second the Motion.

Roll Call Vote:

Mr. Marinaccio	AYE
Mr. Pesce	AYE
Ms. Bettina	AYE
Ms. Visconti	AYE
Mr. Flower	AYE

Mr. Cantor: We are hoping by your next meeting we will have the area variance that we requested. The public hearing has been scheduled by the ZBA. I would ask that you consider asking David to prepare a resolution to grant preliminary subdivision and to grant final subdivision approval for you next meeting.

Mr. Stolman: We normally grant preliminary and final approval in the same resolution. What Richard is asking for is not out of the question.

**Ms. Visconti:** **Motion to authorize the Town Planner to prepare a resolution for the next meeting based on the outcome of the ZBA decision.**  
Mr. Pesce: Second the Motion.  
Vote: All present voted Aye.

Mr. Cantor: When is the next Planning Board meeting?

Mrs. Ogunti: March 20<sup>th</sup>.

Mr. Cantor: Thank you for your courtesy.

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Mr. Flower: We are going to jump into our other business and close the public hearing for now and reopen it for the Sikh Temple. We just want to get some of the other people that are on the agenda out of here.

Mr. DeResh: Could you repeat what you said about the Sikh Temple discussion?

Mr. Flower: We are going to adjourn the public hearing section right now and reopen it later in the meeting so we can get some of our other business out of the way.

**Ms. Visconti:** **Motion to adjourn the Sikh Temple Public Hearing until the second call.**

Mr. Pesce: Second the Motion.  
Vote: All present voted Aye.

Mr. DeResh: Mr. Flower, can I ask you a quick question?

Mr. Flower: With regards to what? Is it a procedural matter?

Mr. DeResh: It's in regards to the sign out front. Does it normally say there's not a board meeting tonight when there is a board meeting? I'm showing there's a board meeting on March 13<sup>th</sup> and maybe possibly not tonight. Is it normally like that?

Mr. Roberts: It's the Town Board and this is the Planning Board.

Mr. Flower: The Town Board puts their meetings on there and we don't have anything to do with that.

**Discussion:**

**16-3343 Southside Plaza (Amended Site Plan):** To vote on a resolution for an amended site plan application to construct two additions to an existing building. The first addition will be 2-stories (2,642 sf.) on the south end of the building and the second addition will be 2-stories (6,414 sf.) on the north end on 2.48 acres in an HB Zoning District. The property is located at **1315 Route 9** and is identified as **Tax Grid No. 6157-02-567518** in the Town of Wappinger. (Day) (LA October 10, 2016) (PH 2/6/17 opened/closed)

- Present: Brian Watts – Engineer
- Mr. Watts: Brian Watts from M.A. Day Engineers here on behalf of the applicant.
- Mr. Flower: We have a copy of the resolution. David, could you explain to us the changes.
- Mr. Stolman: Based upon a discussion with Al, Bob, Barbara and Mark Lieberman this afternoon we made a lot of changes.
- David explains the changes to the resolution as prepared.
- Mr. Watts: I have a couple of quick questions regarding some of the items: Item 3A (No. 4) states the date of the previous site plan approval shall be added to the site plan. It was our understanding based on previous discussions with the Planning Board that date is unknown and unable to be verified, that can be removed.
- Mr. Stolman: We might as well take that out.
- Mrs. Roberti: We do have Kids Town that was there.
- Mr. Roberts: We can reference the last amended site plan.
- Mrs. Roberti: I can give you that tomorrow.
- Ms. Visconti: We discussed that at the November 23, 2016 meeting to waive the original site plan because it cannot be found.
- Mr. Roberti: Correct. There was an amended site plan that we can find.
- Mr. Watts: Another item is raising the building across the street at the foundation we would like it to remain. It was our understanding to leave the foundation in place, just slab on grade. Leave it just flat. The as built will only pertain to the Southside Plaza only in the site plan. It should have nothing to do with the property across the street.

Mr. Roberts: No.

Mr. Gray: On the northbound when you pull into the site, there's water there all the time.

Mr. Watts: You mean the property across the street?

Mr. Gray: Yes. There's got to be a catch basin in there to the driveway across the ditch. That can be remedied.

Mr. Watts: Personally I have not been to the site but I will draw it to his attention.

Mr. Flower: Other than that, are you okay with everything else?

Mr. Watts: Yes, I am.

**Ms. Visconti: Motion to approve the resolution as amended by the Town Planner.**

Ms. Bettina: Second the Motion.

Roll Call Vote:

Mr. Marinaccio	AYE
Mr. Pesce	AYE
Ms. Bettina	AYE
Ms. Visconti	AYE
Mr. Flower	AYE

**16-3352 Bank of America (Amended Site Plan)**: To discuss an amended site plan application for the upgrade of exterior lighting on 1.07 acres in an HB Zoning District. The property is located at **1469 Route 9** and is identified as **Tax Grid No. 6157-02-609919** in the Town of Wappinger. (Silsbe)

Present: Kerri Silsbe – Bank of America representative  
Jerry Gardner – Houser Engineers

Ms. Silsbe: We are here to present new lighting plan for the Bank of America. We are very familiar with some of the concerns the Town have with the existing lighting on the site. Today was the first time I got to see the site at night. The existing lights are freestanding poles with exposed globes and the lights reflect outward instead of downward. I visited the Chase Bank and also the bank behind the shopping center and both of those have lights on poles that reflect downward. The proposal is to install lights that reflect downward and to remove all of the existing lighting. The lights on the building are flood lights. I noticed that the Chase Bank has one flood light on their drive thru and the rest of their lights are down lights.

- Ms. Visconti: David, will that take care of all of the brightness?
- Mr. Stolman: It seem like some of the lighting that you are proposing were the wall packs.
- Ms. Silsbe: Yes, these are the wall packs then again they reflect downward instead of outward.
- Mr. Stolman: The building sits high on Middlebush Road. Will you be able to see the source of the lighting?
- Ms. Silsbe: You should not be able to see the source of the lighting. The lamp is inserted into the casing so when you are looking from a lower elevation, this should be a tremendous improvement to what I witnessed tonight.
- Mr. Stolman: I think you still have a little bit of light on the side about a .5 foot candle.
- Mr. Gardner: We moved some of the lights back a little. It's a .9 foot candle.
- Discussion continues.
- Ms. Visconti: Have you seen the letter from the Dutchess County Department of Planning?
- Ms. Silsbe: Yes.
- Ms. Visconti: That has to be in conformance with at least NYS. We have to rely on you telling us that the foot candle that they are going to put in is not going to make a beacon on the hill.
- Mr. Stolman: If it's been adjusted for the elevation and this is actually the foot candle arrangement that we will get it should be fine.
- Mr. Gardner: We made a few adjustments.
- Mr. Stolman: We will put something in the resolution to give the Planning Board the right to go out and do a site inspection and if things need to be toned down or adjusted, they can be.
- Ms. Bettina: That's a good option.
- Ms. Silsbe: It will be similar to what you see on the Chase Bank site and actually in the parking lot with the down lights.
- Mr. Flower: Are you going to resubmit with the adjusted lights?

- Ms. Silsbe: Yes.
- Mr. Flower: Once we get that we will re-evaluate it at that point. Unless everybody feels comfortable with what's being said tonight, we can move forward with a resolution.
- Ms. Visconti: I like the idea that David said. I don't have a problem with the resolution based on the presentation we had tonight but I believe someone should go there at night to make sure it's working the way it's expected in the resolution to work.
- Ms. Bettina: Yes, and that will be in the resolution.
- Mr. Flower: That sounds like a plan to me.
- Mrs. Roberti: Do you want to waive the public hearing or do you want to have it?
- Mr. Flower: I think we should waive the public hearing and I don't see a reason to have one.
- Ms. Visconti: Motion to authorize the Town Planner to prepare a resolution based on a resubmission on what was discussed tonight and waive the public hearing. Also, the Planning Board to do a site visit and if it needs to be tweaked, it will tweak it.**
- Ms. Bettina: Second the Motion.
- Vote: All present voted Aye.

**16-3353 BMB Real Estate Corp. (Restaurant to Apartments Conversion/Formerly Lilliana's Restaurant):** To discuss a site plan application for the conversion of four apartments from an existing restaurant space on 2+ acres in a GA Zoning District. The property is located at **1639 Route 376** and is identified as **Tax Grid No. 6259-03-482346** in the Town of Wappinger. (Burns)

- Present: Steve Burns – Engineer
- Mr. Burns: Good evening everyone. I'm Steve Burns of Burns Engineering Services. I represent Barry Olah of BMB Real Estate Corp. They would like to amend the site plan at 1643 Route 376. It has two structures and created today it shows from a filed map from 1986 I believe it's an assisted living facility that was cut off the parcel leaving the two existing buildings. This building here is a one-story frame. It was a motel at one time and it's now been converted into apartments. The other building is the one closer to the road which is the old Wornock House. Inside the Wornock house is a deli and a restaurant with a banquet room, one two bedroom apartment and one three bedroom apartment that currently exists today. The owner would like to



take the deli, restaurant and the banquet suite and convert into more apartments. At the same time he would also reserve some space to use as an office to run his real estate business out of there and continue to be a mixed use.

Mr. Burns continues his overview of the project.

- Mr. Visconti: Don't they have to have a sprinkler system? Mark Lieberman said it needs a fire alarm system also.
- Mr. Burns: It's part of the same system.
- Mr. Flower: The fire inspector can handle all of that. I believe there's been some discussion on that already.
- Ms. Visconti: Dutchess County Department of Planning and Development have to weigh in?
- Mr. Burns: It's on a state highway.
- Mr. Gray: I suggested to them to get a hold of the Dutchess County Waste Water Authority. As far as having access to the water main, the county is running a line to Dutchess Airport and will be going right past them. I believe that's going out to bid this spring.
- Ms. Visconti: Do they have to make an application?
- Mr. Gray: I think it would be wise to get on the list of interested parties.
- Mr. Burns: They were actually approached by the county as part of the planning process.
- Mr. Gray: It makes a lot of sense.
- Ms. Visconti: Steve, what is an OHW?
- Mr. Burns: Overhead wires.
- Mr. Flower: Are you planning to replace the service to the building?
- Mr. Burns: No, it would be under blacktop.
- Mr. Flower: On the plan you submitted, I see you are proposing office on the second floor?

- Mr. Burns: Yes.
- Mr. Flower: Is it going to be a public office?
- Mr. Burns: Yes.
- Mr. Flower: Are you proposing handicap access to that as well as the number of units you have? You have to abide by the Fair Housing Act and show handicap parking as well.
- Mr. Burns: All these units are grade entrance units. It's an old strip motel where it used to be 8 motel rooms and they most likely are handicap assessable. If there's a problem with the office being in the Wornock House building, there's a storage area which is substantial in the motel building that can service the same purpose as the office.
- Mr. Flower: You might want to check the handicap parking. What are you proposing for landscaping?
- Mr. Burns: There's no proposal for any kind of work outside of the building.
- Ms. Visconti: Dutchess County Department of Planning and Development would like to see landscaping because that's a big blacktop parking lot. If you are going to make apartments that people are going to call home, you really should have a little more aesthetics than just the blacktop.
- Mr. Burns: Okay. Is there anywhere in particular you would like to see the landscape added? I would suggest up near the main highway.
- Ms. Visconti: I don't have anywhere in particular but you can ask David he can help you with trees.
- Mr. Stolman: I made some comments in my memo.
- Mrs. Roberti: How many bedrooms are in each apartment?
- Mr. Burns: It depends on the building. The newer apartments that are proposed would be one 4-bedroom, one 1-bedroom and three 2-bedrooms addition.
- Mrs. Roberti: There is so much asphalt there. Are you planning any kind of play area?
- Mr. Burns: Isn't there a play area across the street on Airport Drive?
- Ms. Visconti: No, that's just soccer fields.

- Mr. Burns: We didn't have anything in mind for a playground.
- Mr. Roberts: If you are going to have 3 bedroom apartments, you might want to consider that.
- Mr. Burns: I will talk to the owner about that.
- Mr. Flower: Is there anybody else with any comments? I suggest you talk to the owner and you resubmit addressing some of the concerns and we will go from there.
- Mr. Burns: There's no way we can schedule a public hearing so we can address the concerns. The applicant would really like to progress this project.
- Mr. Stolman: This is the first time we've seen this plan.
- Mr. Flower: This is your first formal presentation to us.
- Mr. Roberts: I think there were some cross easements to the adjacent property owners.
- Mr. Burns: The cross easements are all part of a Filed No. 7825 from 1986.
- Mr. Roberts: Did you show them on the map?
- Mr. Burns: I showed them on the map and I also have a survey that was done by Robert Campbell 2005. He is actually the one who stamped the filed map as well. In 2005 there were 5 or 6 feet strip taken along Route 376 by the DOT. The take is also noted on the map that showed on the later survey.
- Mr. Flower: You should submit first and at your next meeting we will discuss the public hearing.
- Mr. Burns: Okay. Thank you.

**17-3362 Berisha Apartments:** To memorialize their site plan for 12 apartments, one single-family dwelling and the addition of a 10' x 12' shed in a R-20 Zoning District. The property is located at **2-6 Kent Road** and is identified as **Tax Grid No. 6258-03-207143** in the Town of Wappinger. (Bodendorf)

Present: Dan Koehler – Engineer

Mr. Koehler: Good evening. I'm Dan Koehler with Hudson Land Design. We are the engineers for the applicant. The parcel in question is located at the southwest corner of Myers Corners Road and Kent Road in an R20 Zoning District. It has three existing buildings on the property and

comprised of nine 1-bedroom apartments, three 2-bedroom apartments and one 3-bedroom residence. We have been back and forth between the applicant and the Town regarding permit status, certificates of occupancy, etc. We are here tonight to provide a site plan which will provide a record drawing that will serve as future reference for the applicant and the Town. We have received engineering comments to add flood plain line. So everyone is aware, there's a small portion of the flood plain based on the new zoning map that barely touches the bottom corner of the site. We also have some comments from the planner and I just wanted to say there are 22 spaces shown and you probably see these two in the corner. This says it's a Type 2 action and there's not a single shovel going into the ground for project at this point.

- Mr. Stolman: Let me look at the Type 2 list.
- Mr. Koehler: On the Type 2 list, there's actually some in the Wappinger Environmental Quality Review that would basically serve as an actual construction. There's no construction associated with the proposal that we have before you. Based on the nature of this project, we would like to consider waiving a public hearing and authorizing a quick resolution through the planner.
- Ms. Visconti: The Fire Prevention Bureau said there a fourth building, a barn.
- Mr. Koehler: There's a small shed that's been installed in the corner as an accessory.
- Ms. Visconti: Did you get a copy of the Fire Prevention Bureau comments?
- Mr. Koehler: I got that but I don't think I have a copy with me. There is a shed and we did list it on the plan.
- Mr. Flower: I believe they wanted you to number the buildings to whatever the property number was. I'm assuming that the old barn was No. 4.
- Mr. Koehler: I'll take a look at that and make sure they are numbered. That was a comment that David had in his letter as well clarifying the table to make it a little clearer.
- Mrs. Roberti: The pole barn is now the house.
- Mr. Flower: I believe this was from the Fire Prevention meeting. This was what they discussed. I don't think we need a public hearing since this is just a legalization of the property.

**Ms. Visconti:** **Motion to waive the Public Hearing.**

Mr. Pesce: Second the Motion.

Roll call vote:  
Mr. Marinaccio AYE  
Mr. Pesce AYE  
Ms. Bettina AYE  
Ms. Visconti AYE  
Mr. Flower AYE

Mr. Flower: I guess at this point we can move to a resolution.

Mr. Stolman: We can sort out the SEQRA in between. Since we are characterizing it as an unlisted action, there's no need to list but we need to look into a designation of lead agency procedure.

Mr. Flower: Whether or not it's required.

Mr. Stolman: I will work on the resolution between now and the next meeting.

**Ms. Visconti:** **Motion to authorize the Town Planner to prepare a resolution and waive the Public Hearing.**

Ms. Bettina: Second the Motion.

Roll call vote:  
Mr. Marinaccio AYE  
Mr. Pesce AYE  
Ms. Bettina AYE  
Ms. Visconti AYE  
Mr. Flower AYE

Mr. Flower: We will wait to hear from David if we need to submit for lead agency and Barbara will notify you of that.

Mr. Burns: Thank you.

**16-3356 G&G Amended Site Plan (formerly Greenbaum & Gilhooley's):** To discuss an amended site plan with mixed use for three buildings to include retail, bank, office and restaurant. Proposed fast food drive-thru between Building A & Building B to be eliminated. To be replaced with outdoor dining patio, adding 5 new parking spaces, and adding exterior cooler to the north side of Building A on 1.89 acres in an HB Zoning District. The property is located at **1379 Route 9** and is identified as **Tax Grid No. 6157-02-594684** in the Town of Wappinger. (Tinkelman)

Present: Bob Turner – Architect

Mr. Turner: Good evening. Bob Turner with Tinkelman Architects, I'm here to address the final comments we received from the Town Engineer, Dutchess County Planning and the Town Planner. In regards to the

engineering comments, they said there were no engineering concerns. The Town Planner, special use permit and one of the requests was to combine the exhibits that were attached to the special use permit within the package. So I'm going to create a sheet which has those exhibits on it and attach at the end of the document so it will be part of the amended site plan.

Mr. Turner continues his overview of the project.

Ms. Visconti: Bollards are ugly. Can the planter do double duty and serve as planter and bollards?

Mr. Pesce: Of course.

Ms. Visconti: I don't have a problem as long as they make it look nice.

Mr. Turner: I'll just make sure that I provide you with sufficient materials so you know that this is substantial. The last comment that was part of the Town Planner's letter was the conclusion of the shared parking analysis. With the revised parking analysis, it was determined that at the peak demand on the site, we would not be impacting the parking on the property at the hours between 12pm and 1pm which is a critical time on the weekdays and weekends.

Conversation continues.

Mr. Stolman: Are there two signs on the same façade?

Mr. Turner: Correct.

Mr. Stolman: I'm not sure that's permitted.

Mr. Turner: I did not see anything that said you could not have more than one sign but I will go back and check.

Ms. Bettina: Why would you need two signs for the same building?

Mr. Turner: We are giving them two locations that they could place their signage in case they did not want to put it on the same gable.

Mr. Stolman: The Planning Board has latitude when it comes to sign regulations. The first says not more than one sign per retail or business outlet. It's a matter of you talking to the Planning Board.

Ms. Visconti: We would like to see what the rendition would look like.

- Mr. Turner: That's something that has not been addressed. I believe they will be coming before you with a separate application for the sign. For now, I can just remove one of the signs from the site plan. The last comment that was part of their letter was the monument sign. I'm not sure why they brought that up since it was part of the original site plan.
- Ms. Visconti: Are you going to get to the outdoor dining with the music and speakers?
- Mr. Turner: Correct. That was part of the special use permit that was submitted for review.
- Ms. Visconti: Are your hours going to be from 11:30am to 11pm? I have a little bit of problem with the type of music. I know people have had problems with the auto dealerships and their music and speakers.
- Mr. Roberts: I already sent them a letter about the noise code. I believe the noise level is 10pm and not 11pm.
- Ms. Visconti: If music is going to be outdoors I'm wondering if you should turn the music off earlier than 11pm.
- Mr. Stolman: Did you apply for a special use permit?
- Mr. Turner: Yes, we submitted a special use permit on that.
- Mr. Stolman: I would like to comment a little bit on the parking analysis. Just to recap, Robert did a parking analysis and our conclusion after reviewing that was that there would not be enough parking. One of the rooms on the second floor which is about 916 sf. would be eliminated from the usable floor area of the restaurant. Enforceability is always an issue but if the 916 sf. is excluded from the usable floor area, the share parking analysis works.
- Mrs. Roberti: Mark Lieberman issued a fire alarm permit on March 1, 2017<sup>t</sup> based on plans dated March 20, 2016 but received in our office on March 1, 2017 and this shows you using that area upstairs.
- Mr. Turner: That's not correct.
- Mrs. Roberti: So we need new plans to be representative of what you are talking about.
- Mr. Roberts: These are the plans that had been submitted to the liquor authority so you better get that straightened out.

- Mr. Flower: Are there any other questions from the professionals?
- Mr. Roberts: We need some clarifications as to what they are going to do upstairs, what's going to be submitted to the liquor authority and is there going to be sufficient parking with the reduced upstairs floor area removed.
- Ms. Visconti: So then the 108 parking works?
- Mr. Stolman: Yes.
- Mr. Roberts: Yes, if upstairs is removed.
- Mr. Stolman: There's a specific traffic review memo for shared parking analysis dated February 21, 2017 and that was the second parking memo we wrote.
- Mrs. Roberti: Are you planning on putting a sign in the back on the Old Route 9 side? Ulster Savings Bank has come to me on a number of occasions that when people are coming on the back road they are not sure where the bank is. If they come down that road and they cannot see the restaurant you might want to think about that now.
- Ms. Visconti: I don't have a problem with that because I feel it's directional. It's not a form of advertising but it may be helpful to the people to know where to make a turn.
- Mr. Turner: I know we had designated on the back of the original scheme that there was a signage panel area that could be allotted not specifically for the restaurant but for future use.
- Mr. Roberts: It's still going to be used as a restaurant that you are showing so you should address it with the owner and get it resolved and put on the site plan.
- Mr. Turner: We will be resubmitting the drawings to you and is it possible to be able to move forward and getting a resolution drafted?
- Ms. Visconti: I don't have a problem with it?
- Ms. Bettina: Motion to authorize the Town Planner to prepare a resolution.**
- Ms. Visconti: Second the Motion.
- Roll call vote:
- |                |     |
|----------------|-----|
| Mr. Marinaccio | AYE |
| Mr. Pesce      | AYE |
| Ms. Bettina    | AYE |
| Ms. Visconti   | AYE |
| Mr. Flower     | AYE |



**Conceptual Review:**

**17-3361 Guardian Self Storage East:** To discuss the construction of a temperature controlled self-storage building on 0.62 acres in an HB Zoning District. The property is located at **1084 Route 9** and is identified as **Tax Grid No. 6156-02-753949** in the Town of Wappinger.

Present: Frank Redl – Applicant  
Kelly Redl Hardisty – Guardian Self-Storage

Mr. Redl: Good evening Mr. Chairman and members of the board. My name is Frank Redl and I'm the property manager for Herb Redl Properties. With me tonight is Kelly Redl Hardisty, one of the members of Guardian Self-Storage. Right now Guardian Self-Storage owns a piece of property at 1084 Route 9. There used to be a Meineke dealer there. That tenant has left the building now and it's empty. We were going to market the property to put an auto body shop but Kelly had the idea that since her self-storage facility was right next door, we should consolidate it to additional self-storage. Right now it's two separate tax parcels and when we analyze using the existing building which is 2,600 sf. the amount of investment to go into it financially doesn't make it feasible. We are proposing to enlarge the building to about 5,000 sf. I had some conversations with the zoning administrator and the use, building and everything is code compliant with the exception of the front yard setback. The edge of the property is about 40 feet off the property line and that's a dimensional nonconformity. Our plan is to enlarge the building which would be about 25 feet off the property line. We asked to get on the agenda to introduce our plan to you to see if the board has any thoughts or concerns that we may be able to take into consideration when we make our application.

Ms. Visconti: So you are going to end up with 25 feet and how much are you going to need to conform?

Mr. Redl: The front yard setback is 75 feet in the HB Zoning District.

Mr. Roberts: How far are you from the edge of pavement?

Mr. Redl: We are 57 feet from edge of pavement.

Mr. Flower: What is the alternate corner?

Mr. Redl: It's beyond the 75 feet

Ms. Visconti: They will need a variance.

- Mr. Flower: Yes, we will have to refer them to the ZBA.
- Mr. Redl: What we would like to do with your permission is before we make application for the site plan go directly to the ZBA to obtain the variance. The variance is extremely important for the rest of the application to move forward.
- Ms. Visconti: Do we have to make a recommendation to the ZBA?
- Mr. Roberts: As I understand the current law, they can go directly to the ZBA since there's no site plan for us to review.
- Ms. Visconti: I have no problem with that.
- Mr. Redl: We are hoping the ZBA will look favorably upon it. This is one of the gateways coming from the south on Route 9. If we put a new building there and nice new landscaping and dress it up, I think it will improve that particular area on Route 9.
- Ms. Hardisty: We will do a nice elevation on it.
- Mr. Flower: Are there going to be doors on the front of the garage on Route 9 side?
- Ms. Hardisty: We always try to keep a gable roof but I haven't gotten that far yet.
- Mr. Redl: It's going to be a temperature controlled unit so most of the access is going to be from the inside.
- Ms. Hardisty: We have a 60 feet corridor thing we have to work with and make sure we can get through it. There has to be some way to get in and out.
- Mrs. Roberti: Just remember if you are going to use garage doors in the front as accesses, you will need variances.
- Ms. Hardisty: We don't need garage doors in the front. We just need doors that open to get down the halls.
- Mr. Redl: What we've done recently in East Fishkill, we put faux doors there for esthetics only but they were not operational. It was just a design on the front of the building and there was no ingress or egress of doors. Thank you everybody.

**Extension**

**10-3199 / Calvary Chapel of the Hudson Valley:** Seeking a 6 months extension while awaiting NYDOT and DCDBCH completion of their reviews and preparation of their permits and approvals on Site Plan approval for a place of worship that would consist of 24,000 sq. ft. and 200 parking spaces and 133 proposed parking spaces to be land banked for a total of 333 spaces on 48.86 acres in a CC & R-40 Zoning District. The extension would begin on March 15, 2017 through September 14, 2017. The property is located on **Route 376 and Diddell Road** and is identified as **Tax Grid No. 6359-03-176082** in the Town of Wappinger. (Berger)(LA June 1, 2010)(Neg Dec 9-16-13)(PH opened 10-7-13)(PH closed 1-22-14)(Final approval granted on March 17, 2014.)

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

**13-3282 Farm to Table Bistro (Outdoor Dining):** Seeking a one year extension on an approved Resolution dated April 7, 2014, Phase II expanding outdoor dining into the rear parking lot. Due to the current state of the local economy, it does not create enough business to support this endeavor therefore an extension is warranted. This extension would begin April 7, 2017 through April 6, 2019. The property is located at **1083 Route 9** and is identified by **Tax Grid No. 6156-02-710924.** (O'Brien)

**Present:** Chris O'Brien – Owner

**Mr. O'Brien:** It's been two when we put a nice plan together for you guys and you liked it. A lot of time, work and effort went into it on both sides. We have the Meineke building empty across the street, my landlord has three empty units and the Plant Depot disappeared in the last couple of years. We spent a lot of time to get this project through and we don't want to lose it but to prolong a little bit so it makes more financial sense for us.

**Mr. Flower:** Do you feel you need the two years?

**Mr. O'Brien:** I don't think we need two years but if we get two years, I'll take it. I would certainly like to get it done before that.

**Mr. Flower:** Two years is quite a while.

**Ms. Bettina:** I think we should grant only one year. Also, when you get this up and running, will there be music playing?

Mr. O'Brien: We are not a late place and we've never been a late place. Part of our original site plan was a music permit we had to purchase site plan and it cost \$1,000.00.

Ms. Bettina: We just want to make sure we are on the same page.

**Ms. Bettina: Motion to grant a one year extension.**

Ms. Visconti: Second the Motion.

Vote: All present voted Aye.

Mr. O'Brien: Thank you for your time.

**Adjourned Public Hearing:**

**15-3330 Sikh Temple:** The Town of Wappinger Planning Board will conduct an Adjourned Public Hearing on a Site Plan application for construction of a new Sikh Temple consisting of 20,000 sf. The property is located at the corner of **Old Hopewell Road & All Angels Hill Road** in the R-40 Zoning District and is identified as **Tax Grid No. 6257-04-919433** in the Town of Wappinger. (Cappelli) (PH opened 12/5/2016) (LA 2/4/16)

**Ms. Visconti: Motion to open the Adjourned Public Hearing.**

Ms. Bettina: Second the Motion.

Vote: All present voted Aye.

Present: Alfred Cappelli – Architect  
Michael Norwicki –

Mr. Cappelli: Good evening. We are here tonight to continue the adjourned public hearing we had back in December. Since that time we've gained some headway with the central water and sewer situation at the site with the Town Board and professionals. We made an attempt to finalize some of those engineering and planning issues that Bob and David had. We tried to address in a memo that we recently sent to the board most of the questions that were asked at the last public hearing. We have with us this evening as requested by the board, Mike Norwicki, our habitat, wetlands consultant to answer any direct questions that the board and public may have.

Mr. Flower: Before we go any further and to everyone in the audience, there's a copy of the questions from the last meeting with answers. If anybody didn't get a copy of it, it's on the podium in the back to review. We will ask Mr. Norwicki to describe some of the issues regarding the site and after that we will open the floor to public comments. We would like to hold the

public comments to new comments. If the question has been posed and answered we wouldn't like to have it repeated. Anything that needs to be addressed should be addressed to the board and we will take down the information, get your answers and will distribute at a later date.

Mr. Norwicki:

Hi everybody, Mike Norwicki, Biologist for the project. I completed the endangered species including the blanding turtles habitat assessment for the project and the delineation of the pond at the top of the site. My purpose for being here is the blanding turtles. New York States Threatened Species utilizes a complex of habitats through its lifecycle. According to the DEC, the biggest reason for blanding turtles mortality is roadkill. They have trouble making it across roads that are well traveled such as All Angels Hills and Old Hopewell Road. It would be extremely difficult for an adult turtle to reach this site. The habitat complex is across All Angels Hills Road that may provide habitat for it. There are some habitats off the site on that side of the road which could be considered core habitat.

Mr. Norwicki continues his overview.

**Please see under separate cover transcript from the Sikh Temple's public hearing:**

**Ms. Bettina:**

Ms. Visconti:

Roll Call Vote:

**Motion to adjourn the Adjourned Public Hearing to May 15, 2017.**

Second the Motion.

Mr. Marinaccio AYE

Mr. Pesce AYE

Ms. Bettina AYE

Ms. Visconti AYE

Mr. Flower AYE

**New & Old Business:**

**15-3329 / DeGarmo Plaza:** Referral from Town Board to discuss rezoning of existing shopping center from NB (Neighborhood Business) to SC (Shopping Center). The property is located at: **235-237 Myers Corners Road** in a NB zoning district. The property is identified by **Tax Grid No. 6258-02-759569** in the Town of Wappinger. (Scofield)

David Stolman discussed the rezoning of the existing shopping center from NB (Neighborhood Business) to SC (Shopping Center)

**Ms. Visconti:** **Motion to authorize the Planning Board Secretary to send a letter to the Town Board on behalf of the Planning Board advising that the board voted favorably to the rezoning of DeGarmo Plaza from NB (Neighborhood Business) to SC (Shopping Center) Zoning District.**

Mr. Marinaccio: Second the Motion.

Roll Call Vote:

Mr. Marinaccio	AYE
Mr. Pesce	AYE
Ms. Bettina	AYE
Ms. Visconti	AYE
Mr. Flower	AYE

**Miscellaneous:**

Projector / Permanent Easel

**Ms. Visconti:** **Motion to authorize the Planning Board Secretary to send a letter to the Town Board on behalf of the Planning Board requesting that they look into provide the board with a projector and/or permanent easel for display and discussion of projects.**

Ms. Bettina: Second the Motion.

Vote: All present voted Aye.

Planning Board/ZBA meetings dates on Town Hall Marquee

**Ms. Visconti:** **Motion to authorize the Planning Board Secretary to send a letter to the Town Board on behalf of the Planning Board requesting that the board and ZBA meeting dates put on the Town Hall Marquee.**

Ms. Bettina: Second the Motion.

Vote: All present voted Aye.

Smart Subdivision

**Ms. Visconti:** **Motion to authorize the Planning Board Secretary to send a letter to the ZBA that the board is in a positive mode about this project.**

Ms. Bettina: Second the Motion.

Roll Call Vote:

Mr. Marinaccio	AYE
Mr. Pesce	AYE
Ms. Bettina	AYE
Ms. Visconti	AYE
Mr. Flower	AYE

**Ms. Bettina:**  
Ms. Visconti:  
Vote:

**Motion to Adjourn.**  
Second the Motion.  
All present voted Aye.

Adjourned: 9:35 pm

Respectfully submitted,

Bea Ogunti, Secretary  
Town of Wappinger Planning Board