

MINUTES

Town of Wappinger Planning Board
April 3, 2017
Time: 7:00 PM

Town Hall
20 Middlebush Road
Wappingers Falls, NY

Summarized Minutes

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

Others Present:

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

SUMMARY

Discussion:

Wine on 9 LLC (formerly Better Tan)	Public Hearing waived Zoning Administrator to prepare resolution
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G&G Amended Site Plan (formerly Greenbaum & Gilhooley's)	Resubmit
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Conceptual:

Communications Specialists, Inc. (formerly Stage Door Furniture)	Approved
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Ms. Visconti: **Motion to accept the minutes from March 6 & April 3, 2017.**
Ms. Bettina: Second the Motion.
Vote: All present voted Aye.

Discussion:

17-3363 Wine on 9 LLC (formerly Better Tan): To discuss a site plan application to discontinue the use of a site as tanning salon and change to liquor and wine store in an HB Zoning District. The property is located at **1622 Route 9** and is identified as **Tax Grid No. 6158-04-535308** in the Town of Wappinger (Diesing)

Present: Frank Redl – Project Manager, Redl Real Estate
David Hardisty – Managing Partner

Mr. Flower: Good evening.

Mr. Redl: Good evening, Frank Redl from Redl Real Estate. With me this evening is David Hardisty a managing member of Wine on 9. We are here to discuss 1622 Route 9 this evening which is surrounded by the old Fun Central now DC Sports Center North. The resolution for approval for Better Tan permitted a service business. The site plan approval was obtained when Better Tan moved in. We now want to change that to a liquor store. Retail was a permitted use in the HB Zoning District where this is located. We are here before you to obtain an amended site plan approval not that we are asking for any site changes. We are asking for the use of retail to be added to the final resolution.

Mr. Redl continues his overview of the project.

Ms. Visconti: Are you going to have wine tasting and will that be part of your overall marketing?

Mr. Hardisty: Yes.

Ms. Visconti: If so, you are going to have a lot of people coming to your wine tasting. I know when I went it was really packed and we want you to be very successful but if you have a limited amount of spots that might be a problem. Do you have any kind of numbers for this type of business?

Mr. Hardisty: We are size restricted because we only have roughly 2,000 sf. of floor space.

- Ms. Visconti: We want to avoid what's going on at Texas Roadhouse as possible. I want you to be successful and I'm going to come.
- Mr. Redl: We will be happy to have you.
- Mr. Hardisty: We are not expecting any major turnout for any major event. It's just going to be for the average customer.
- Ms. Visconti: David, do we have any kind of numbers for an establishment like this?
- Mr. Stolman: Are you talking about parking numbers?
- Ms. Visconti: Yes, because the parking will reflect the number of people coming to the store.
- Mrs. Roberti: This is considered retail and you just want to point out to the board that this had been retail and when Better Tan came in and instead of leaving retail with service, it was inadvertently dropped and became just service. It's really before you to add back retail use.
- Mr. Stolman: The parking requirement for retail and personal service is the same.
- Ms. Visconti: Did we address any remarks from the village?
- Mr. Stolman: Frank, you said there were some photographs that you submitted? I don't think they got to everybody.
- Mr. Redl: This is one of the signs at the exit.
- Mr. Stolman: Are there entrance signs as well?
- Mr. Redl: There's one at each of the curb cuts. There's one going in and one coming out.
- Mr. Hardisty: There's two designating in and one designating out.
- Mr. Stolman: Actually there are two out signs.
- Mr. Redl: Yes. The photo I sent you just has the one entrance.
- Mr. Hardisty: Because it's a one way road, they only face those signs one way.
- Mr. Stolman: Because of the diagonal parking, it's counter clockwise. The Village of Wappingers Falls was approaching this as far as I can tell from reading

the letter as though this is a vacant site. They talked about the height of the building that it should be low.

Mr. Redl: I got that same impression that they are treating it as new construction. The only request we have and because this previously received site plan approval, we are just asking to add retail and waiving the public hearing and consider final resolution.

Mr. Flower: Is a public hearing required for this type of action?

Mr. Roberts: It's an amendment to the resolution. To clear everything you should just waive the public hearing.

Ms. Visconti: Motion to waive the Public Hearing.

Ms. Bettina: Second the Motion.

Vote: All present voted Aye.

Ms. Visconti: Motion to authorize the Zoning Administrator to prepare a resolution to add personal service and retail to conform to what it used to be.

Ms. Bettina: Second the Motion.

Vote: All present voted Aye.

Mr. Flower: We are going to push the G & G to the end of the meeting.

Conceptual Review:

17-3365 Communications Specialists, Inc. (formerly Stage Door Furniture): To discuss their intention for storage of solar panels on 2 acres in an HB Zoning District. The property is located at 1 Stage Door Road and is identified as **Tax Grid No. 6156-02-777824** in the Town of Wappinger. (Vanguard)

Present: Frank Buyakowski – Owner
Rich Galbereth – Tenant

Mr. Buyakowski: We are looking to not change the space at all. We need temporary storage and we didn't want to put it on the front lawn at our Fishkill store so that's all we are asking to do.

Ms. Visconti: Do we have to amend something?

- Mrs. Roberti: This is just temporary storage.
- Mr. Flower: He's using it as a warehouse which this already is.
- Ms. Visconti: Do you need a resolution for that?
- Mrs. Roberti: No, if you are so inclined to vote, we've done this with car storage on different sites for temporary signs.
- Ms. Bettina: Will all the storage be inside the building?
- Mr. Buyakowski: Yes. The only thing changing outside will be the security system we are putting in to protect what's inside.
- Ms. Bettina: So this work will be done inside.
- Mr. Buyakowski: Yes, no vehicles will be outside.
- Mrs. Roberti: He will open up a building permit so we can keep track.
- Ms. Visconti: So what exactly do you want from the Planning Board?
- Mr. Buyakowski: We just need the Planning Board to approve it as temporary storage.
- Ms. Visconti: How are we going to accomplish that?
- Mrs. Roberti: It will be in the Minutes.
- Ms. Visconti: Is that good enough?
- Ms. Bettina: I don't have a problem with that.
- Ms. Bettina:** **Motion to approve temporary storage of solar panels.**
Ms. Visconti: Second the Motion.
Vote: All present voted Aye.
- Ms. Visconti:** **Motion to go into Executive Session.**
Ms. Bettina: Second the Motion.
Vote: All present voted Aye.
- Ms. Visconti:** **Motion to come out of Executive Session.**
Ms. Bettina: Second the Motion.
Vote: All present voted Aye.

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) (Approved March 20, 2017)

Present: Nick Citera – NSN
Bob Turner – Architect
Jesse Camac – Applicant

Mr. Citera: Good evening everyone. I'm Nick Citera from NSN, 1379 Route 9. I don't think I've ever met Bruce. It's my pleasure and I think I've met everyone else. We want to discuss the resolution that was approved by the board at the last meeting that obviously doesn't work for us because of Building B square footage. We've prepared a revised smaller Building B with 676 sf. less and a new parking plan that was circulated to the consultants. Bob will explain some of the technical stuff to you but I'm here to move this project forward because it was approved a long time ago.

Mr. Flower: On the previous submission that we had gotten showed the reduced size building. I think the reduced size building was tossed around through emails between the previous meetings. The number hasn't been addressed yet.

Mr. Citera: The original Building B was 7,112 sf. and the revised Building B 6,436 sf. so it decreased to 676 sf. which helped the parking study.

Mr. Flower: Was this in the email that was sent last week?

Mr. Citera: I'll pass this on to Bob and if there are any other questions, please let me know.

Mr. Turner: Through a lot of negotiations and talks between Nick and Steve we are still able to provide a viable project. Basically what we've done is move the buildings northward and provided more space between Building B and Building A. By doing this it does bring down the peak demand that the plan has and has been circulated around in the revised shared parking analysis.

Mr. Turner continues his overview.

- Mr. Stolman: Bob, those stacking spaces work well when the bank is operational. They don't really if the bank is closed when people are parking in those spaces and going to the restaurant. There are actually only two stacking spaces when the bank is operational.
- Mr. Turner: If you go back and look at the parking study, it comes in at the peak demand for during the weekday hours is 89 and the overall number of parking spaces is 102.
- Mr. Flower: As I'm looking at this table, I believe I brought this up at least two other times. Looking at your weekday and weekend of the parking analysis, we all are familiar with restaurant business and I believe your peak for the restaurant is between 12pm and 2pm. You are going to do more business for lunch than you are for dinner. The parking analysis I believe is flawed and that was one of the items we brought up.
- Mr. Turner: We took the analysis that was prepared by Phil Grealy, the parking consultant during the original study. He has reference materials that have been gathered for a period of time as to what the demands are for specific uses during specific times.
- Mr. Citera: I think when Phil Grealy compiled those numbers he was accounting for the other stores to be open so the other stores are open during the day which gives you the 102.
- Mr. Flower: There are other columns. Have you read these? He's got his numbers in there for the retail and he has numbers in there for the bank. I'm talking about the ones specific to the restaurant. Restaurants typically do more for dinner than they do for lunch.
- Mr. Citera: In that case it would help us because the stores will be closed at nighttime and the restaurant will be busy.
- Mr. Flower: If it's a retail store you will have some business and you don't have any hard data to work from. You don't know what type of products they are going to be selling.
- Mr. Citera: We typically make them close 8pm the latest.
- Mr. Flower: When is your dinner hour? Is it between 5pm – 8pm?
- Mr. Citera: It depends. Friday night is later and Saturday night a little bit earlier so it changes like that.

- Mr. Turner: The actual use of Building B is being classified as a retail office use although it could become a mixed use for both retail and office.
- Mr. Flower: Maybe that building could become all office then we will give the approval for just office and not retail that would lessen the impact on the parking.
- Mr. Citera: I don't know if we can do that because if we have a retail customer we will have to come back here and we are obligated to the bank because they are the master landlord. Everything is based on our original approval. Our goal is to rent it to the tenant with the least parking usage. We want our tenants to do well.
- Mr. Flower: We have no issues with the changes to Building A.
- Mr. Citera: I apologize for not being here at the previous meetings and I thought it was just about making the changes to Building A. If I had known it was about this, I would have been at the meeting.
- Mr. Flower: We were intensifying the use of one building increasing the load on the property because it's not a very good piece of property to begin with for the amount of building that's going on it so the amount of parking comes in to play.
- Mr. Citera: We reduced Building B by almost 700 sf. and that's a big financial number so we cannot go much less than that and the project won't make any sense for us. Unfortunately, we had this approved with the bank based on the original approval so it puts us in a hard spot.
- Mr. Flower: We had discussed two options that we felt were viable. One was reduce the building by 1,400 sf. and 1,600 sf. as analyzed by the Town Planner. The other option is to take the existing footprint that you have and restrict that to office use only.
- Mr. Citera: We are putting the cart before the horse because we approved this project about a year and a half ago and everything is based on that economically with the bank. They already funded some money and we've already spent a lot of the money on the project. We may be in a legal situation with the bank for us to change things now.
- Ms. Visconti: We want you to be very successful. My concern is if the restaurant becomes very successful all of a sudden you are running into all these violations with people parking on Route 9. I go to restaurants a lot and I'm looking forward to going to your place but there are people waiting at the bar for an hour to two hours just to get seated. Then you have

people coming in at different times and this could be detrimental to the reputation of your restaurant. We are trying to find a solution for all of us so that you can be successful.

- Mr. Citera: I am a restaurant guy and I know that at certain point you have to run the restaurant a certain way to accommodate what you have.
- Ms. Visconti: You may very well want to have something in place for valet parking.
- Mr. Camac: Where will the cars actually be parked?
- Ms. Visconti: That's up to you to provide a site.
- Mr. Flower: You may be able to find a space on the property that's sectioned off to park the cars.
- Mr. Camac: We as operators have been offered that. There are two different groups the landlord and tenant. Part of the parking lot is his so we have a different interest in this situation. We want to get the restaurant and they want to get Building B built.
- Mr. Roberts: Nick, can I summarize what I think you've been saying. You financed this project based on the original site plan approval and the bank funded you based on what your original approval was. Now you come back with a change to the restaurant and the Planning Board is saying that you have to reduce the size of Building B. So you are increasing the restaurant and maybe you have to make some accommodations with rent there in order to compensate for the reduction in Building B. You can't have it both ways. You can't increase the size of the restaurant which has one parking requirement and leave it unknown to what you are going to do with Building B on a very constraint site on less than two acres.
- Mr. Citera: How much did we increase the size of the restaurant? This is not the same footprint as the original?
- Mr. Turner: That is the same footprint. What we ended up doing is adding on the second floor.
- Mr. Citera: The size of Building A is the same as Building B.
- Mr. Roberts: You were approved for 5,000 sf. We reconfigured the parking in the town for you. It was 10 feet and reduced to 9 feet so we made a number of accommodations to get you to the original site plan approval. It was very specific in that resolution as to how many square feet you could

have for restaurant space. Now you are back and you want to change it and bring in more square footage for the restaurant without addressing what the rest of this site can accommodate an appropriate parking for the authorized usage under our zoning code. You can't squeeze us on one end and ask us to trust you on the middle building. It doesn't work. The site is too constraint. You already have reduced parking spaces you have 6 stacked parking spaces with the bank which doesn't work for anybody except the bank. Now you are unwilling to commit to just office space for the middle building. You may be in a difficult situation with the lender but you are putting the town in a difficult situation on the other hand. We are trying to come to an accommodation that will help you and we want you to succeed.

Conversation continues.

- Mr. Camac: I'm not sure Nick will be okay with this but if they were to reduce their building by square footage as you guys are suggesting and then we open the restaurant and supply a new shared parking analysis so we can move forward with the project. On my end I'm completely stuck right now. I have a team of people waiting.
- Mr. Flower: We understand and we agree with the changes on your end of the plaza. That's why we suggested that you either change the square footage or reduce the building to just office space.
- Ms. Visconti: So the restaurant will be up and running before you start building?
- Ms. Citera: I can't agree because we already got approval on this. We made a commitment with the bank and their attorneys and now we are going to change everything with the bank. I don't know if I can agree with what you are asking for. There's a serious financial hardship.
- Mr. Flower: I understand that. What do we do on a Friday night when Old Route 9 is stacked with 20 or 30 cars? What's the option at that point?
- Mr. Citera: I guess the town could give tickets.
- Mr. Flower: The Town of Wappinger does not have its own police department as it doesn't have control over enforcement capabilities. So the enforcement falls on the zoning administrator and others in the building department.
- Ms. Bettina: We've all been to Poughkeepsie and have seen the signs "Do not Park here or you will be towed at your expense". You or the owner should take the responsibility to tow any cars on Old Route 9 that are not to be there immediately. Is there any way you can enforce that?

- Mr. Citera: If we cease offsite parking for employees, how would that work?
- Mr. Flower: You have to come back with an agreement that you have approval to have them park on their property. Some type of written documentation will be necessary. The car dealerships are overwhelmed with overflow cars as it is and that's one of our other problems.
- Ms. Bettina: There's a security place near your place. You should speak to them about parking.
- Mr. Camac: I've spoken to everyone in the area.
- Conversation continues.
- Mr. Citera: Was the offsite parking for valet or any parking?
- Mr. Stolman: Any kind of offsite parking. It cannot be in a residential district.
- Mr. Flower: We are willing to work with you and I think this is our third or fourth option and we are starting to lose track. I wish you had come to the first meeting in January we wouldn't be sitting here today because all of those issues were put on the table. We've had multiple meetings
- Mr. Citera: I was at every single meeting when we were getting this approved. I thought it was just a small modification to the restaurant. So you are saying to approve it right away it should be all offices?
- Mr. Flower: If Building B went to all office space, it's done.
- Mr. Citera: Is it possible to do something blended like half and half?
- Mr. Flower: No. It puts the ball back in the property owner's court.
- Mr. Citera: What if we wanted to call it light retail? How would we go about that?
- Mr. Roberts: If the restaurant opens and you can demonstrate that the shared parking is working.
- Mr. Citera: That's the problem we will run into with the bank because we are supposed to have a certain amount of square feet so we can't enter into an agreement saying that we don't know what we are going to build.
- Mr. Roberts: There's no such thing as light retail.

- Mr. Citera: When would you vote on this if we come up with something that makes sense to you guys?
- Mr. Flower: If you don't want to agree to that tonight then it will have to be at the next meeting in two weeks.
- Mr. Citera: I don't think that I can agree to that tonight because Steve is not here.
- Mr. Flower: If you guys could put a proposal together and into the office then they can distribute to everyone so it can be put on the next agenda.
- Mr. Citera: If it was retail, how much does it have to be decreased by?
- Mr. Flower: We were saying 1,400 sf. to 1,600 sf.
- Mr. Citera: So all office it stays at the 7,112 sf.
- Mr. Gray: Bruce, how would you feel if the stacked parking was the employee parking? The person in the middle is no longer a factor.
- Mr. Flower: People will need to utilize the ATM. If they want to do employee parking, I would prefer to see it offsite.
- Mr. Stolman: We don't want to create a situation where people can't use the ATM.
- Mr. Citera: What's the date on the next meeting?
- Mrs. Ogunti: The next meet is April 17th.
- Mr. Flower: If you could get something to use by the end of the week so it can get out to everybody to be reviewed.
- Mrs. Roberti: I think they are looking to have a resolution immediately. Can that be done if we don't know what the variance is?
- Mr. Flower: No, we don't know what's been offered yet.
- Mrs. Roberti: So be clear if that's the case and you do decide on something on April 17th you won't get an approval until you come back on May 1st. They will authorize a resolution on April 17th.
- Mr. Citera: We can't fast track that so Jesse can keep going?
- Mr. Flower: Once we have an offer today on the table that we can vote on now authorizing the Town Planner to write a resolution to be voted on next

meeting. We don't have the opportunity and unfortunately we can't do it outside of the meeting. We can't just call each other up to collaborate.

- Mr. Citera: Can you call a special meeting if you have to?
- Mr. Flower: I don't think we have enough time and it has to be posted.
- Mr. Citera: My partner Steve is away and doesn't get home until midnight.
- Ms. Visconti: If everything comes and it's right we will authorize the planner to prepare a resolution to be approved at the May 1st meeting.
- Mr. Citera: Can Jesse keep working on the building?
- Mr. Flower: We approved for them to continue work but you can't get a CO to open until we have this resolved.
- Mr. Camac: We can't even get our inspections. We can only work on the open building permit as far as I'm concerned. We can only go as far as the open building permit.
- Mrs. Roberti: Jesse's problem is that his building permit was for a restaurant on the first floor and office space upstairs. Correct?
- Mr. Camac: That was the original site plan that these guys worked on.
- Mrs. Roberti: In January they came in and he wants to put restaurant upstairs but has no approval for that. So the building inspector asked if these plans are approved because the ones they have are different. So that's Jesse's problem.
- Mr. Flower: In January we never anticipated this to go as far as it's gotten.
- Mr. Camac: We've already reduced the building and I know the change affects the parking but there's nothing else we can do. Can I at least work within those perimeters?
- Mr. Turner: The building inspector has been doing inspections as long as we are moving so she's been working with us. There's going to be a point where she's going to say no, I can't do anymore because you are outside the limits.
- Mr. Citera: What would be outside the limits?
- Mr. Turner: The building inspector has been working within the building right now.

- Ms. Bettina: She's been inspecting the first and second floor?
- Mr. Turner: Yes, on both floors.
- Mr. Roberts: Isn't the issue whether or not she can do the inspection but not issue the CO? If she does the inspection and there is a resolution, ultimately she will issue a CO. The question becomes if she does the inspection and we don't have an approve amendment to the site plan, she can't issue the CO. So they are undertaking on their own risk.
- Ms. Visconti: I don't have a problem with them doing it at their own risk.
- Mr. Flower: That's what we did from the get go.
- Ms. Visconti: Who is doing the inspections?
- Mr. Flower: No, Susan is. Has your office submitted new plans to the building department?
- Mr. Turner: We provided them with an amended building permit application set so that way she's working with the current drawings for what they are looking to have as a final building.
- Mr. Roberts: Technically a building permit for a new commercial site can only be issued if there's a site plan in place. We started with the original 5,000 sf. for a restaurant then we made an accommodation that they could proceed with upstairs. The approved site plan now does not include the upstairs so they are doing this at their risk and we are starting to thread on thin ice for everybody.
- Mrs. Roberti: What are you looking at as an approximate open date?
- Mr. Camac: We have the ability to be open early to mid-May.
- Mrs. Roberti: So you want to open the first or second week in May?
- Mr. Camac: Not open but we want to get in the kitchen and start cooking and feeling the space but our goal is early June to be open.
- Mrs. Roberti: It is doable with a May 1st approval date.
- Mr. Flower: You haven't done any work on the second floor?
- Mr. Camac: We are just working at our own risk but we would like to be working with you guys to make sure everything is working right.

- Mrs. Roberti: You are doing work on the second floor without an inspection?
- Mr. Camac: I don't know. I will have to ask my contractor.
- Mr. Turner: They have been having inspections. This much I'm aware of because I've gotten copies of the inspection reports in my office.
- Mrs. Roberti: How far are you on the second floor?
- Mr. Turner: The second floor is full framed and is inspected.
- Mrs. Roberti: Were you given the go ahead to insulate?
- Mr. Turner: That's supposed to have happened on Friday. I will check to see if they've done that.
- Mrs. Roberti: Please don't go any further with this being a problem.
- Mr. Turner: They've been working with Sue.
- Mrs. Roberti: I just want to make it clear and on the record that you will not do anything until Susan inspects it.
- Ms. Bettina: Al, what's your opinion from a legal perspective?
- Mr. Roberts: Legally, I would like the site plan approval in place and the appropriate building permit in place for the second floor because that's what the code requires. They are not supposed to build unless you have an approved site plan and everybody is taking a risk here. If we don't come up with an accommodation they won't be able to occupy upstairs, they are not going to get a CO. We have to verify from Susan that she has done the inspection to date and I wouldn't do anything to close up until we got this approved. Let's talk in executive session briefly.
- Ms. Visconti:** **Motion to go into Executive Session for legal advice.**
Mr. Valdati: Second the motion.
Vote: All present voted Aye.
- Ms. Visconti:** **Motion to come out of Executive Session.**
Ms. Bettina: Second the Motion.
Vote: All present voted Aye.
- Mr. Citera: Again, I apologize for not being prepared because I thought I was coming here to talk about the parking and that we had everything

resolved. Obviously it's not. I was not aware of the severity of how you guys felt about everything. I came here tonight to the 646 sf. approved and you said no to that and I understand why you are saying no. You are saying if it was all office we could do 7,112 sf. so I have no way of reaching Steve who is my partner. What if we did the 5,696 sf. of retail and only 676 sf. of office which lessens the parking? There's a compromise but I'm willing to do that tonight.

Mr. Stolman: What's the total size of Building B?

Mr. Citera: Building B will be 6,372 sf.

Conversation continues.

Mr. Flower: The option was instead of going to 1,400 sf. we reduced by 1,000 sf. That then brings you to 6,112 sf.

Mr. Citera: I can do it. Consider it done.

Mr. Flower: So you agree with 6,112 sf. retail?

Mr. Citera: Yes, 100 percent.

Mr. Flower: The parking analysis has to be revised and it should be certified by the original person who did the survey. They should revise it with the new numbers.

Mr. Citera: Phil Grealy the number one parking engineer in the area.

Mr. Flower: There's one more thing we need in the resolution is in case we have an issue with offsite parking, we end up with overflow parking onto the public highways you will have to provide mitigation plans at that point in time. That would mean some type of offsite parking.

Mr. Stolman: Could you go through the numbers one more time and slowly.

Mr. Citera: We are proposing the building to be 6,112 sf. of retail.

Mr. Roberts: Retail or office.

Mr. Flower: It's going to be a maximum square footage as we discussed with a reduction of 1,000 sf.

Mr. Stolman: So the building will be 1,000 sf. smaller regardless and it could either be retail, personal service or office.

- Mr. Camac: Is this resolution contingent on that shared parking analysis or you want that updated.
- Mr. Flower: We want that updated and to be certified by a design professional.
- Mr. Citera: Thank you.
- Mr. Flower: David, you want to go over this to make sure you have that right?
- Mr. Stolman: In terms of numbers, that Building B will be a total of 6,112 sf. of retail, personal service and/or office. The Planning Board reserves the right for a parking mitigation plan if there's any problem with the parking as per the zoning administrator.
- Mr. Citera: Is the mitigation plan all landlord responsibility or tenant and landlord responsibility?
- Mr. Stolman: Ultimately, the property owner is responsible. The mitigation plan can include valet parking for offsite parking for the employees. You can come back with a parking analysis after the restaurant is operational to show that the parking demand is not as great as we think it may be.
- Mr. Citera: Can we increase the building then?
- Mr. Stolman: Perhaps. Any applicant has the ability to come back for an amended site plan.
- Mr. Roberts: So 6,112 sf. of retail or personal service. The contingency is that we get a certification from a design traffic engineer that the traffic provided on site will work for the reduced size of the building.
- Mr. Citera: Bruce, that's not what you said to us. You said to certify what we have.
- Mr. Flower: We are certifying the parking analysis for this project as we are proposing today with the amended parking for the restaurant.
- Mr. Stolman: It has to show that with the shared parking analysis things will work. It doesn't have to be exactly like what Bob did with Maser's stamp on it.
- Mr. Roberts: Now that we have the framework, what are we doing about the construction upstairs? Robert raised a good point and until we get this analysis in, the resolution is not finalized. When can you get the analysis in?
- Mr. Turner: I'll be in contact with Phil in the morning.

Ms. Visconti: **Motion to authorize the Town Planner to prepare for the April 17th meeting based on our discussions tonight.**

Ms. Bettina: Second the Motion.

Vote: All present voted Aye.

Mr. Valdati: We should have no more work done until we have approvals.

Mr. Roberts: That's only for the second floor. They have approval for the first floor.

Mr. Camac: Essentially we cannot work outside the building until we supply the parking analysis and come back on April 17th for the approval.

Mr. Flower: **Motion to Adjourn.**

Ms. Bettina: Second the Motion.

Vote: All present voted Aye.

Adjourned: 9:20 pm

Respectfully submitted,

Bea Ogunti, Secretary
Town of Wappinger Planning Board