

# MINUTES

Town of Wappinger Planning Board  
July 17, 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	Absent
	Mr. Valdati	Member	Absent

### **Others Present:**

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

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## **SUMMARY**

### **Public Hearing:**

Myers Corners Landing Subdivision	Adjourned to September 6, 2017
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### **Discussion:**

Smart Subdivision	Negative Declaration approved
Old Hopewell Commons Subdivision	Resubmit
Stage Door Self-Storage Unit	Town Planner to prepare Resolution for September 6, 2017

### **Extension:**

228 Myers Corners Road	Two year extension granted to August 31, 2019
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### **Conceptual:**

Furnia Subdivision	Resubmit
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As many of you may know a large portion of the property drains from Myers Corners Road down through the homes along Pattie Place. With this project we are aware of the drainage conditions that are out there and what we are proposing is a stormwater management system which complies with the NYS regulations. With the stormwater improvements that are proposed, the entire back side or low side to the north will have an infiltration basin and swale so that will capture all the runoff. That's centrally the overall improvements that we are proposing.

Mr. Povall continues his review of the project.

Mr. Flower: At this time we will open up the public hearing. We ask that you stand up, state your name and address for the secretary so she can get your information and comments for the record.

Ms. Camacho: My name is Debra Camacho and I live at 49 Myers Corners Road and I'm the white ranch house. I'm the house on the left of the existing building. At the back of my property it has always been a problem when there has been a storm because the water pools all along the back side. I'm the lowest of the property and everyone else is higher than me. What they are going to build is higher than me and I still will be at a low point. I don't want water running on my property. I have a culvert but the time that we had that terrible storm here in Dutchess County I almost had water come into my basement and water comes up from my basement.

Mr. Povall: I can address that. We did design with grading, swale and back of Lots 7 and 8, that water will actually be transported or carried down towards the overall stormwater basin on the north side.

Mr. Decina: Pasquale Decina, 5 Robert Lane. I'm the third house in. What I'm concerned with is all the traffic on Myers Corners Road. Have you people taken into consideration school buses, left turn and right turns, it's only two lanes and right now it's jammed. Are we going to have people going down Robert Lane and making a U-turn and come back? I think that's something the board has to look at. I would also like to know from the gentleman, are you fencing this side because I don't want to see this traffic.

Mr. Povall: We are not proposing any fence but we are proposing some street trees along the road.

Ms. Camacho: When I first moved here in 2001 the Town had put in a buffer behind me. When I moved here I was not a part of any community and I didn't want to be part of any community and I still do not want to be part of a

community. I would like that buffer to remain and it's all water back there anyway.

- Mr. Creighton: Tom Creighton, 13 Pattie Place and there's no easement and he has no right to do that to me.
- Mr. Povall: We have documented easements for utilities that are filed in the court's file and we do have those records from a surveyor.
- Mr. Kovacs: Mike Kovacs, 7 Robert Lane. I have a couple of issues. Every couple of months we have a major accident at that corner from someone coming in and out of that road with someone not slowing down. You are putting another one 150 feet away. How far away is it from your driveway to Robert Lane?
- Mr. Povall: About 150-200 feet.
- Mr. Kovacs: Okay, that was a guess. What's going to happen with the traffic? Now you got another 9 homes coming in there an average of two cars per home. You know what rush hour is going to be trying to get in and out? I live on Robert Lane and I have water issue every fall in front of my shed area. When are you planning on doing this and are you going to have electric on site or are we going to have to listen to everybody's generator running constantly? What are your hours of working?
- Mr. Povall: The hours will comply with the Town code which would be between 7:00am and 7:00pm Monday through Friday and the possibility of some construction on Saturday from 8:00am to 12:00pm.
- Mr. Kovacs: Are you going to build one house at a time or all at once or as you sell the property?
- Mr. Povall: That hasn't been determined on the actual construction. The intention would be to start the road and build up the lots as they are sold.
- Mr. Kovacs: What do you figure is going to happen to the traffic as your trucks come in to haul the dirt or whatever it is you are digging up? Also, what if you hit rock? Are you going to do some blasting back there?
- Mr. Povall: There's no blasting proposed. We actually did some test holes out there and from the test holes it appears that a lot of it is a shell plate rock which will be hammered if needed.
- Ms. Camacho: In front of my house I can't tell you the amount of accidents that happens on my property because they come on my property. When they make

the last turn onto Myers they speed through there. I've called the Sherriff's Department hundreds times and I told them to put a sign there or get someone to sit in a car. They can sit on my property if they want to but they don't do anything.

- Mr. Wallace: Russell Wallace, 9 Robert Lane. I just want to remind you that we have schools on Myers Corners and the traffic from the high school alone never mind the school buses. Every kid all day long is driving up and down on Myers Corners Road. I'm retired so I see it all day long. It's just a lot of traffic plus the school buses. The traffic is backed up all the way to the high school and that's every morning.
- Mr. Frawley: John Frawley, 157 Shamrock Hills Drive. What's the minimum square footage and what's the maximum square footage are you proposing to put on those houses?
- Mr. Povall: The actual home size as we have shown I believe is about 1,500 sf. and around 35 x 50. Each of these homes will comply with the setback per lot.
- Mr. Frawley: How many stories are these homes?
- Mr. Povall: They are 2-story homes. You are looking at 2,000 sf. homes with the garage.
- Ms. Versace: Janet Versace, 9 Pattie Place. Where are you saying you are going to send the water underground? Right now the water level table is extremely high at that site. Is it going underground by a pipe or are you going to grade into my yard? What if the table goes even higher?
- Mr. Povall: This is designed for the smaller storms to infiltrate into the ground.
- Ms. Versace: What happens to the big storms?
- Mr. Povall: The big storms will overflow into a concrete outlet structure which will go through piping and the piping will be connected to Pattie Place.
- Mr. Jankowski: Bill Jankowski, 39 Myers Corners Road. I'm the property that abuts the wetlands. So that drainage systems that's going underground to Pattie Place, where does that actually drain to? I'm not familiar how the system works.
- Mr. Povall: It drains into Pattie Place and I believe that drainage system continues into the wetlands. You are putting 10 houses in there and taking down all the trees, is it equipped to handle it?

- Mr. Povall: NYS has stormwater regulations that we need to follow whenever you are disturbing more than one acre. What they require for certain design storms like 1, 10 and 100 year storm is to control the runoff during those storms. They are used as guidance for most storms. What that does is the extra water that's created by the road from the homes that are impervious, that water is collected in the stormwater basin and it is temporarily stored in there. So that it is released at the same that it was in the predevelopment condition. We go through a lot of calculations and analysis and a stormwater management is submitted to the Planning Board which demonstrates that we are complying with the stormwater standards. We are not increasing the peak flows that are leaving the property.
- Mr. Jankowski: Who is the builder on the property?
- Mr. Povall: Right now this is before the board for the owner and applicant RJA Holdings.
- Mr. Jankowski: So the builder has not been named?
- Mr. Povall: No, we are before the board for an approval for the subdivision.
- Mr. Jankowski: What period of time are we talking about building the lots and then selling so you build the house one year and sell it and you build another house? Why 10 houses on that 6 acres property?
- Mr. Povall: The intention is to build the lot out as quickly as possible and that will be dictated by the market. The reason we are proposing 9 homes is that's permitted in the R20 zoning district. The Town zoning allows for 9 homes on this property.
- Mr. Jankowski: So it's roughly a little over .5 acres a spot not including road. That's a pretty small lot to put 10 homes on there. Does that include the easement you talked about?
- Mr. Povall: The easements are over the lot.
- Mr. Jankowski: I have two small kids that actually catch the bus at 39 Myers Corners Road and I'm concerned about the increased traffic as well.
- Mr. Decina: Is it going to be a Town road?
- Mr. Povall: It's proposed to be a Town road.

- Mr. Decina: There's a cul de sac at the end. What are you going to do about the snow removal? Is it going to go on Myers Corners Road?
- Mr. Povall: No, we actually have snow easements that encompasses over the lots and the snow will be plowed in those areas.
- Mr. Frawley: There's a mailbox in front of each house. If I had an easement there, who will maintain if something brakes?
- Mr. Povall: Essentially the Town.
- Ms. Camacho: You said the easement was between Mr. Creighton and what's the other person's name again?
- Mr. Povall: Bruce. There are actually two easements.
- Ms. Camacho: Are they on the same side?
- Mr. Povall: One is on Bruce's property and one is on the Creighton's property.
- Mr. Flower: Are there any other question to be brought up other than what has already been brought up?
- Mr. Decina: Has this been approved?
- Mr. Flower: No, this has not been approved. We are currently collecting information from the public and the neighbors regarding concerns about the property so that we can have the applicant address them prior to moving forward.
- Ms. Camacho: The traffic is going to be really bad. You have to wait a long time in your driveway to get on Myers Corners Road.
- Mr. Flower: I don't think anyone of us is a traffic engineer and we will have to get this done in order to move this forward.
- Ms. Visconti: I must make a note that all of us live in the Town so we are quite familiar with Myers Corners Road and it's not a surprise.
- Mr. Decina: Unless you live there and see it every day you won't know.
- Ms. Visconti: I have to go to work and I'm behind the buses so I know exactly what you are talking about.
- Mr. Decina: If the buses are going to stop to pick up students, you are going to back up traffic and that's what concerns me.

- Ms. Camacho: The accidents are bad.
- Mr. Flower: Right now we are just collecting information. Let's have the applicant's engineer address the questions and we will move forward.
- Mr. Decina: Are you planning additional Planning Board meetings after this?
- Mr. Flower: It's up to the rest of the board and we haven't made a decision yet. There will be additional meetings because they are not going to get approval tonight.
- Mr. Decina: Will there be another meeting where we get our questions answered?
- Mr. Flower: We have a couple open issues so we will probably adjourn the public hearing to another date.
- Ms. Camacho: Will we be notified by mail when the next one is?
- Mr. Flower: No, it will be posted on the Town's website.
- Mr. Jankowski: Who is notified on the original notice? I live at 39 Myers Corners Road and I didn't get a letter in the mail but my neighbor to the right did because I think their property touches. What are the criteria as to who got notified of this public hearing?
- Ms. Valk: Per the code, it's the adjoining properties.
- Mr. Flower: Just the adjoining properties were notified.
- Mr. Stolman: Bruce, if you are going to adjourn, you should adjourn to a date certain.
- Ms. Bettina: Just so everybody knows beside it being on the Town website, it is also posted in the Poughkeepsie Journal and I believe the Southern Dutchess News.
- Mrs. Ogunti: No, only the Southern Dutchess News.
- Mr. Flower: Bill, do you think you will be able to have some information for us for the agenda on August 7th to address some of their concerns?
- Mr. Povall: I will need about a week or two to get the information together to submit to the board.
- Mrs. Ogunti: We only have one meeting in August and then September 6<sup>th</sup>.



- Mr. Bodendorf: I do need to update the plan based on some changes that was made at the last meeting. I would like to have that squared away before the resolution in concert while we are getting on the next ZBA meeting if that's okay.
- Ms. Visconti: Do you need authorization to talk to the professionals?
- Mr. Bodendorf: Just to send them a copy to David's office and a copy to the Planning Board.
- Mrs. Roberti: Mike, they have to go through Bea's office.
- Mr. Bodendorf: Certainly. I guess the question is how many copies would you need in addition to what's going to the consultants?
- Mr. Stolman: The regular submission.
- Ms. Valk: Is that the same plan that's going to the ZBA?
- Mr. Bodendorf: Mr. Gray hasn't seen the revised grading that I have prepared on the plan. There are also some meets and bounds that need to be reviewed per the easement.
- Mr. Flower: If you can encompass all of the revision.
- Mr. Bodendorf: Okay, I don't know when the next ZBA meeting is?
- Mrs. Ogunti: July 25<sup>th</sup>.
- Mrs. Roberti: If you can get them to us by Wednesday, we can put you on the July 25<sup>th</sup> agenda.
- Mr. Stolman: Do they not have the three variance plans already?
- Mrs. Roberti: What we saw was they had preproposals so nothing tangible like this. They really need a submittal.
- Ms. Valk: Is it next Tuesday?
- Mrs. Roberti: Yes, if we get those by Wednesday morning.
- Mr. Bodendorf: Okay, thank you.

**17-5183 Old Hopewell Commons Subdivision**: To discuss an application for the realignment of the southernmost section of Sgt. Palmateer Way at its intersection with Old Hopewell for a 2-lot subdivision on 6.45 acres in an HB Zoning District. The Property is at **Old Rte. 9 & Old Hopewell Road** and is identified as **Tax Grid No. 6157-02-542585** in the Town of Wappinger. (Day) (LA April 24, 2017)

Present: Dennis Lynch – Engineer

Mr. Lynch: Good evening, Dennis Lynch with Day Engineering. As you know we are here tonight to discuss the Old Hopewell Commons application. The property is located on Old Hopewell Road and Sgt. Palmateer Way. We are proposing to create multi-family apartments to the northwest of the site, realign the road with a commercial piece. As part of that we are creating two individual lots and we will need a variance for the size of the commercial piece. We were before the ZBA for approval but at this point we will need this board to declare a negative declaration before they can grant that approval.

Mr. Flower: Basically you are looking to get a negative declaration to move the process along.

Mr. Lynch: If the board feels it's appropriate to let us have a public hearing. We do have the comments from F. P. Clark dated July 13, 2017. Mike Norwicki is in the process of revising the wetlands report. This is Federal wetlands on the property and in a previous application we were proposing to put stormwater ponds in this area. We have no disturbance within the wetlands but we will need a variance from the Town requirements within 100 feet buffer. The structures are 30 feet away from the wetlands. We are showing landscaping and we can pull it out as far away from the buffer as possible. Were you looking for additional landscaping?

Mr. Stolman: Yes, that's what the zoning law requires.

Mr. Lynch: So you are just looking for landscaping along the residential?

Mr. Stolman: Yes. It seems that in several memos you've been saying we will give you this part of the application as the project progresses. You have been saying that to a number of things. When do you expect to actually submit these things?

Mr. Lynch: Which items are you looking for?

Mr. Stolman: The elevations and floor plans.

Mr. Lynch: The elevations were included as part of the last submission.

- Mr. Stolman: You've provided elevations for Buildings 100, 200, 300. The office building as noted that the additional information would be provided as the project progresses.
- Mr. Lynch: Right now we are not proposing anything for the commercial project and we are showing it as a placeholder. Regarding the small lot to the southeast side of the project, we will come back to the board once that building is finalized. We are not looking for an approval for this site right now. We will come back for an approval and we will drive the elevations at that time.
- Ms. Visconti: Do we want to do it that way?
- Mr. Stolman: I don't think so. I don't think we want to approve a site plan without elevations.
- Mr. Roberts: Can I make a suggestion. There are a number of details and this is a much more complex project than what meets the eye. If we can meet with the applicant's consultants and try to pave the way. There are issues with the relocation of the road. There are issues with the State and County and issues with water and sewer connections in addition to what David suggested. If we just met within Town Hall and just went through these things one at a time we would have a much better proposal to listen to the next time they are here.
- Ms. Visconti: That makes sense because there seems to be a lot of things hanging out there.
- Mr. Stolman: That's my feeling as well that the more that's submitted so we can see more and we can know more about the wetlands then it would be appropriate to have the public hearing. In the meantime we should meet as AI has suggested and get another submission.
- Ms. Visconti:** **Motion to authorize the applicant to meet with the consultants.**  
Ms. Bettina: Second the Motion.  
Vote: All present voted Aye.
- Mr. Roberts: Are you planning to terminate Sgt. Palmateer Way before the State transfers the property to the County? Your last set of plans show Sgt. Palmateer Way going out to Od Hopewell Road and the new road also going to Old Hopewell Road. I really want to know what you are trying to do and if you are not prepare to answer that now you can respond to us internally.

- Mr. Lynch: Right now we are showing the realignment of the road which will be all part of the Town road.
- Mr. Roberts: Are you planning to build before that portion of Sgt. Palmateer Way is terminated?
- Mr. Lynch: Yes, we would be.
- Mr. Roberts: That's a discussion we have to have.
- Mr. Segretti: When you say build do you mean build the apartments or you mean build the new road?
- Mr. Stolman: The issue is you are showing the Town roadway going through your property which is in doing that and closing off Sgt. Palmateer Road when the southern most part is what we would like to see. We don't want a situation where they both stay open for some reason because you can't work with State and/or the County to close off the southerly section. We don't want to be in a situation where you are building the project and you lose the shutting off of Old Route 9 south to Old Hopewell Road.
- Mr. Lynch: We can discuss that.
- Mr. Flower: It sounds like there are a lot of open ended things right now that needs to be addressed by our staff between the planner and engineer. It would be a good idea to sit down so you guys have a meeting prior to coming back to the board and hash out everything so we had a general idea of which way we are going. This should also include the phasing plan.
- Mr. Lynch: There was one comment regarding the trees to have a survey done. Would it be alright to waive that? We are going to stake out the wetlands and the trees are going to be removed from majority of the site. Would the board be willing to waive that requirement?
- Ms. Visconti: I think you should really talk with the professional because there may be other things that may be waived or changed and need consideration. I think it would be better doing it all in one sitting rather than piece meal.
- Mr. Flower: It might make this process a little easier.
- Mr. Lynch: Thank you. I will be in touch.

**17-3368 Stage Door Self-Storage Unit (formerly Stage Door Furniture)**: To discuss a site plan application and special use permit for utilizing the existing 30,000 sf. building for self-storage 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. (Buyakowski)

Present: Bill Povall – Engineer

Mr. Povall: Good evening. We are before the board tonight with a site plan application. We submitted the site plan application consistent with the conceptual discussion last month. It's an existing 30,000 sf. building at the corner of Route 9 and Old Route 9 and Stage Door Road. We are proposing self-storage unit within the existing structure and we are proposing to upgrade the graveled driveway to the rear loading dock. We are required to have 30 parking spaces per the zoning code. We have 20 existing parking spaces in the front and we are proposing 10 to the left side of the building and 6 to the back. With the application we are proposing to bank 6 of the spaces per the discussion we had with the board last month. We don't believe those parking spaces to operate. The area will be allocated for parking if need in the future. Essentially we are looking to use the existing building for self-storage with paving and improving the graveled access to the rear.

Mr. Roberts: There was a letter from the County.

Ms. Visconti: There was a letter from the County that said incomplete but I thought David addressed that.

Mr. Stolman: So if it's incomplete you will need to resubmit to the County.

Mr. Roberts: I'm familiar with the site and many years ago the firm I was with represented the original developer back in the 1980s and Bob's office did the subdivision layout and the site plan. This project was approved by the Planning Board. David wouldn't know this but he indicated that there were some potential variances. We need the original approval for the site. I don't believe any variances are required and the worse it could be is preexisting nonconforming but David wouldn't know that unless he had the prior approvals. It seems like a relatively simple change from one to another.

Mrs. Roberti: They just sent this to us after 5:00pm today.

Mrs. Ogunti: Bill, I emailed it to you and Wendy.

Mr. Povall: Oh, you did? I left the office early.

Mrs. Roberti: If you get it to us by August 6<sup>th</sup> and we send it to the County, you should be able to get on the September 6<sup>th</sup> agenda.

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

Mr. Marinaccio: Second the Motion.

Vote: All present voted Aye.

Mr. Stolman: I think we should check the old plan assuming we have it to see why the existing setbacks don't meet the HB zoning district. I don't think setbacks in the HB zoning district have changed since 1988 when this was built. It's a little bit of a mystery unless they already have variance. It's possible.

**Ms. Visconti: Motion to authorize the Town Planner to prepare the resolution to include the comments from Dutchess County Planning & Development for September 6, 2017.**

Ms. Bettina: Second the Motion.

Vote: All present voted Aye.

Mr. Povall: Thank you.

**Extension:**

**12-3252 / 228 Myers Corners Road:** To discuss an extension of their site plan approved in August 2013. Due to proposed DCDPW improvements along Myers Corners Road we are asking for an extension to August 31, 2019.

The property is located at **228 Myers Corners Rd.** and is identified by **Tax Grid 6258-02-702520** in the Town of Wappinger. (Borek)

Present: Don Walsh – Applicant

Mr. Walsh: Good evening, Don Walsh with Development Strategies of White Plains, New York. You may remember on May 1<sup>st</sup> we had our initial discussion on this matter. The board had approved the site plan. The site plan was a combination of things the Town wanted and in particular screening and an oil trap in the front and things requested by the DPW that they were going to be expanding Myers Corners Road at some point in time. Those were the key things because they involved the relocation of the front entrance and certain amounts of planting and screening. We waited and went through several years of DPW process and the DPW is still unsettled. On May 1<sup>st</sup> Barbara, Mr. Gray and I attended a meeting with Stephen Gill a representative of the County. They said they have changed their focus now and they require temporary easements. Acquiring the property is

going to be done under a series of Federal grants they are applying for and we all know what the Federal grant process is. I've been making some phone calls and there's nothing on the agenda for the next year or two. So we are requesting at the moment an extension so we don't wipe up our site plan even though we've finished everything we can. An extension to August 2019 or sooner if they come back and deal with those issues first, we just can't do anything until they come back with the money to map what they are doing because they haven't done that completely. They have been very cooperative but they are always a year or two behind in the budget process.

Ms. Visconti: Can we give a two year extension?

Mr. Flower: Yes, we can extend it for the two years. If for some reason they start the process immediately he will come back.

Mr. Walsh: If they do Mr. Chairman, I think we have to amend. I have seen two drawings that they have and both are slightly different than what we have in terms of exactly how the entrance will be located and exactly the width of what they want to move back. They said they are going to do that at their expense but I have to bring that back and show you that. I just don't want to lose the approvals we have.

Mr. Flower: I don't have a problem with that.

**Ms. Bettina: Motion to grant a two year extension to August 31, 2019.**

Ms. Visconti: Second the motion.

Vote: All present voted Aye.

### **Conceptual Review:**

**17-5185 Furnia Subdivision:** To discuss a conceptual application on a 9-lot subdivision on 7.56 acres in an R20 Zoning District. The property is located on New Hackensack Road and is identified as **Tax Grid No. 6158-02-948876** in the Town of Wappinger. (Furnia)

Present: Shane Furnia – Applicant

Mr. Furnia: Good evening. Sorry I didn't bring a clipboard. I think I made copies for everybody.

Mr. Flower: We just got them tonight.

Mr. Furnia: This is the detailed drawing with the setbacks. This is the subdivision that was started in 2010. I spoke with Bob Gray before I bought this property a

few months ago. The property is located on New Hackensack Road and it's a 7.5 acres parcel in the R20 zoning district. I'm the builder and I'm looking to subdivide it and I'm also the owner. We are looking to do 9 lots and we are gearing towards first time homebuyers. They will be lower income home like ranches and raised ranches. Last year I sold 12 houses and out of those sales the ages ranged between 23 and 35 years of age. They are all geared to the \$400,000 plus colonial style houses and unfortunately a lot of the young people cannot afford it. I'm here to seek your approval.

- Ms. Visconti: On one of your forms it says 30 employees. I don't know whether it was just a typo.
- Mr. Furnia: We normally have subcontractors coming in to do different kinds of jobs.
- Ms. Visconti: I was confused and didn't know whether you were building houses or a business.
- Mr. Furnia: I flip houses currently but the market has dried up.
- Ms. Visconti: What's the zoning on New Hackensack? Is it one acre?
- Mr. Furnia: It is R20 and half acre.
- Ms. Visconti: Is there water and sewer?
- Mr. Furnia: We are doing wells and septic.
- Ms. Visconti: Then you cannot be R20.
- Mr. Furnia: Why not, as long as you meet the setback requirements.
- Ms. Visconti: I think that's a one acre zone.
- Mr. Furnia: I just want you guys to know that there were changes from the original thing since 2010 that needed to be made so we went ahead and made the changes. There's a water retention pond on the property that was on another property that Swenson owned. We are proposing to either do the water retention pond but the engineer would like to do green and do a wetland.
- Ms. Visconti: Your plan sounds great but I don't think it fits in that zone because you have to have water and sewer for an R20 zoning district.
- Mr. Roberts: The map doesn't show that June.

- Ms. Visconti: It doesn't?
- Mr. Roberts: I don't know how he's going to get a well and septic. It does appear that it's in the R20 zoning district.
- Mr. Stolman: I'm certain it's not part of the district.
- Mr. Furnia: We are not half acre zoning.
- Mr. Gray: It has to conform to zoning and if it's not in the district he's doing well and septic but I believe Swenson had it all laid out. Joe Berger knows his zoning.
- Ms. Visconti: So is it R20?
- Mr. Gray: I don't know but it has to comply.
- Mr. Furnia: This is just a conceptual drawing to see if you are okay with me moving forward.
- Mr. Gray: No sense going too far if your plans don't fit.
- Mr. Furnia: I understand that's why I'm here to do my due diligence. I know this was brought up in 2010 because I know this was a concern then.
- Mr. Gray: Remember this was the one with the stormwater pond on the commercial property and we had a discussion and the board said you can't do that. The detention pond had to be on the residential property. Also, the corner lot didn't meet the setbacks. The setback for a County road is different from the setbacks for a Town road and Swenson didn't need that because that was going to push everything back. Those were the two things I remember we discussed.
- Mr. Furnia: I addressed those two problems and I don't know if they gave their conclusion on it. What are your thoughts? I'm here to get your feedback.
- Ms. Visconti: I think it's a big problem until we know what the zoning is then it tells you how many houses are going to be feasible for you to buy.
- Mr. Stolman: I believe the zoning is R20 as this gentleman said. I believe that Mr. Swenson came in during the comprehensive planning process and asked the Town Board to leave the zoning of this property alone. That's my recollection.
- Ms. Visconti: So you can have R20 with well and septic system on 20,000 sf.?

- Mr. Gray: Only if it works. You still have to get the Health Department approval.
- Ms. Visconti: Okay, you are the professional.
- Mr. Furnia: Just to let you know that I already purchased the property from Mr. Swenson.
- Mr. Flower: Looks like you have some items that need to be addressed with the staff prior to making another submittal. Just confirm that it is in the R20 zoning district.
- Mr. Furnia: Are you guys going to deal with it internally?
- Mr. Flower: We have to approve for you to work with the professionals prior to the meeting and you have to establish an escrow account.
- Mr. Furnia: So I would submit the plan, the application fees along with this and meet with Robert Gray and after that meeting I can get back on the agenda?
- Mr. Flower: You meet with the professionals to address the open issues on the plan and make the full submittal to the board and we can look at it.
- Mr. Furnia: I think that's what I had done.
- Mr. Gray: Joe Berger knows what he has to do for a preliminary subdivision.
- Mr. Flower: So you feel you are comfortable with what he's got there?
- Mr. Gray: It has to comply with what the zoning is. Make sure Joe knows that it has to comply with the R20 zoning district.
- Mr. Stolman: I have no reason to believe that the zoning is wrong. It says it on the map.
- Mrs. Roberti: It says public hydrant and water line.
- Mr. Stolman: Does it also say what the zoning is on there?
- Mrs. Roberti: No.
- Mr. Stolman: That's a 20,000 sf. lot.
- Mr. Roberts: There's a possibility that it could be in the water district.

- Ms. Visconti: I just don't want him to move ahead and he finds out he can't build 9 houses.
- Mr. Gray: If you have access to the water main then you have to use it.
- Mr. Furnia: The costs prohibited to do it this year.
- Mr. Gray: Well, you are not going to drill wells in a water district.
- Mr. Furnia: I did see something that we are not in the water district because it did come up.
- Ms. Visconti: I think you need to find out more answers before you spend any more money.
- Mr. Furnia: I already bought it. I am very comfortable with Joe Berger.
- Mr. Gray: He's a very good engineer.
- Mr. Furnia: So your suggestion would be to make an appointment with you guys?
- Mr. Flower: At this point you should just make the full submittal and we will start the review process.

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

Adjourned: 8:10 pm

Respectfully submitted,

Bea Ogunti, Secretary  
Town of Wappinger Planning Board