

# MINUTES

**Town of Wappinger Planning Board  
September 6, 2017**

**Time: 7:00 PM**

Summarized Minutes

**Town Hall  
20 Middlebush Road  
Wappingers Falls, NY**

<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	Present

<b><u>Others Present:</u></b>	Mr. Roberts	Town Attorney
	Ms. Valk	Conflict Attorney
	Mr. Gray	Town Engineer
	Ms. Brown for	Town Planner
	Mrs. Roberti	Zoning Administrator
	Mrs. Ogunti	Secretary

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## **SUMMARY**

### **Adjourned Public Hearing:**

Myers Corners Landing Subdivision	Vote on Negative Declaration
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### **Public Hearing:**

Quick Cash of Wappingers	Resolution approved
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### **Discussion:**

Smart Subdivision	Public Hearing on September 18, 2017
Furnia Subdivision	Resubmit
Old Hopewell Commons Subdivision	Public Hearing on October 2, 2017
Stage Door Self-Storage Unit	Resolution approved
Elgen Associates (Amended Site Plan)	Resubmit
DeGarmo Plaza – Dunkin Donuts	Public Hearing October 2, 2017

### **Extension:**

Calvary Chapel of the Hudson Valley	Six months extension granted
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### **Conceptual:**

10 Stage Door Road (Amended Site Plan)	Referred to Zoning Board of Appeals
Del-Tra Holdings, LLC	Resubmit

### **Architectural Review:**

Greenbaum Square – Building “B”	Architectural changes approved
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### **New & Old Business:**

Heart Kia on Village of Wappinger 9/7/17 Agenda	Letter to be sent to Village of Wappinger PB
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**Ms. Visconti:** **Motion to accept the minutes from August 7, 2017.**  
**Mr. Marinaccio:** Second the Motion.  
**Vote:** All present voted Aye.

**Adjourned Public Hearing:**

**16-5179 Myers Corners Landing Subdivision:** The Town of Wappinger Planning Board will conduct an Adjourned Public Hearing on an application for a 10-lot subdivision on a total of 6.10 acres on two parcels in an R-20 Zoning District. The property is located on **Myers Corners Road** and is identified as **Tax Grid No. 6158-04-894014 (5.84 acres) and 6157-02-899988 (0.26 acres)** in the Town of Wappinger. (Povall) LA 6-20-17 (opened PH 7-17-17) (closed PH 9-6-17)

**Present:** Bill Povall – Engineer

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

**Mr. Povall:** Good evening. My name is Bill Povall and I'm the engineer for the applicant RJA Holdings and I'm here with Robert Macho of RJA Holdings. An evaluation was done on the traffic and there is no impact to the traffic. I'm working with the Town engineer's office and the Water Department to connect to the water main. The applicant owns a 5.8 acres parcel. As part of the subdivision application we are including a .25 acre parcel which has an existing commercial building on it and fronts on Myers Corners Road. We are before the board tonight with a 10 lot subdivision where we are subdividing the main property into 9 lots. The 10<sup>th</sup> lot will be an adjustment in the lot line for the existing commercial building and we would turn that into a residence. The property is already in the R20 Zoning District so by converting the office to a residence we are bringing that lot into the zoning conformance as far as the use. With this plan we are proposing a 700 feet cul de sac dead end where we are having the homes fronting that new road and would access Myers Corners Road. Each of the homes will be serviced by water and sewer through a utility easement between now formerly Creighton and now formerly Bruce Homes which would lead out to Pattie Place. There would be an underground water line that's proposed at that location as well as an underground sewer lines. That would provide service for all 10 lots to the subdivision. With the water improvements we will be bringing the line out towards Myers Corners Road. What that

would do is give the Town the ability to extend or expand the water system at some point in time.

Mr. Flower: We will now open the floor to anyone who would like to speak for or against this project.

Ms. Camacho: Debra Camacho, 49 Myers Corners Road, Wappingers Falls. I have many concerns about the traffic we have there. I would also like to know what happened to the buffer behind me. When I bought my house I was given a letter regarding that 20 feet easement.

Ms. Pace: Regina Pace, 53 Myers Corners Road, Wappingers Falls. What would it cost to provide them with some trees?

Mr. Valdati: There is no legal document requiring them to provide trees.

Ms. Pace: You could throw trees in to make a buffer.

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

Mr. Marinaccio: Second the Motion.

Vote: All present voted Aye.

Ms. St. Pier: 9 Pattie Place, Wappingers Falls. I have concerns about standing water.

Mr. Gray: There will be outlet for the water in the easement.

Ms. St. Pier: Will there be a catch basin?

Mrs. Roberti gives overview of stormwater.

Ms. St. Pier: With all of these changes it will disturb the water. Will it be the homeowners, Town or developer that would be responsible?

Mr. Flower: Whoever is creating it is responsible but you need to speak to the Town Engineer.

Mrs. Roberti: The States have regulations.

Mr. Gray explains the reason why detention ponds are designed.

Ms. St. Pier: Thank you.

Mr. Creighton: 13 Pattie Place, Wappingers Falls. What happens to the seasonal water and standing water?

- Mr. Povall: They will be dry.
- Ms. Camacho: What about the 100 year flood plan?
- Mr. Flower: There is no regulation.
- Mr. Gray: Requires elevation and certificate on file.
- Ms. Camacho: Flood does not come into play until the entire place is flooded.
- Mr. Sanchez: Albert Sanchez, 3 Robert Lane, Wappingers Falls. Will that chicken coop be removed?
- Mr. Povall: It will be removed.
- Ms. Visconti: Motion to close the Adjourned Public Hearing.**  
Mr. Valdati: Second the Motion.  
Vote: All present voted Aye.
- Ms. Visconti: Motion to authorize the Town Planner to prepare a Negative Declaration.**  
Mr. Marinaccio: Second the Motion.  
Vote: All present voted Aye.

**Public Hearing:**

**17-3371 / 17-4075 Quick Cash of Wappingers:** The Town of Wappinger Planning Board will conduct a Public Hearing on the 6<sup>th</sup> day of September, 2017 at 7:00 p.m. at the Town Hall, 20 Middlebush Road, Wappinger Falls, NY pursuant to Article IX, Section 240-87 of the Town Law, on the application of **Quick Cash, for a proposed pawn shop requiring a Special Use Permit located in the HB zoning district.** The property is located at **1315 Route 9** and is identified as **Tax Grid No. 6157-04-567483** in the Town of Wappinger. (Bouninfante)(opened and closed PH 9-6-17)

- Present: Paul Sassano – Quick Cash of Wappingers
- Ms. Visconti: Motion to open the Public Hearing.**  
Ms. Bettina: Second the Motion.  
Vote: All present voted Aye.
- Mr. Sassano: Hello, my name is Paul Sassano and I'm here for a special use permit to comply with the zoning code.
- Mr. Flower: Is there anyone in the audience who would like to speak for or against the project?



- Mr. Berger: Good evening, Joe Berger representing the applicant, Shane Furnia on this 9-lot subdivision. This will be a new Town road named Furnia Court.
- Mr. Berger continues his overview of the project.
- Ms. Visconti: Is this a rural road?
- Mr. Berger: It's a Town road that has a swale.
- Ms. Visconti: Will there be a rain garden?
- Mr. Berger: Yes, it will be treated with a sheet floor.
- Ms. Visconti: How big will the space be?
- Mr. Berger: It will be 5' x 10'. There will be beautiful plants, colors and textures.
- Ms. Bettina: Do you have pictures?
- Mr. Furnia: I can provide you with pictures. In the past year I built 2.2 million dollars homes. I am well known in the community and have built a good reputation for myself. I recently built 12 houses in the Town of Poughkeepsie.
- Ms. Visconti: Do you have a name for the road?
- Mr. Furnia: Furnia Court.
- Mr. Berger: We've done the wetlands, traffic study, wildlife and DEC.
- Ms. Visconti: Are you in the water district?
- Mr. Berger: Yes, we are in the water district.
- Ms. Visconti: Shouldn't R20 Zoning District have water and sewer?
- Mrs. Roberti: It's a half acre zone.
- Mr. Gray: This is a small subdivision and brand new district.
- Mr. Roberts: Should the Town be responsible?
- Mr. Flower: We should require them.

- Mr. Gray: We should require they form a district and pay into the district this way the small developments are not burdened.
- Ms. Brown: In our comment letter we recommend that the layout of Lots 5 and 6 be reconfigured possibly by extending the cul-de-sac and realigning the property lines between Lots 5 and 6.
- Mr. Berger: We will look at it in the front lawn if it's the pleasure of the board.
- Mrs. Roberti: It will be a bigger problem for future homeowners.
- Mr. Berger: I was trying to save money for my client.
- Mrs. Roberti: You could move the house over.
- Mr. Berger: Could we possibly schedule a public hearing to get input from the public?
- Mr. Flower: Because there are some open items, you should resubmit and we go from there.
- Mr. Berger: Thank you.

**16-3348 / 17-5183 Old Hopewell Commons Subdivision:** To discuss a site plan & subdivision application to construct a 4,720 sf. office space, 3,000 sf. bank and 6,320 sf. residential unit buildings with 112 parking spaces and a two lot subdivision which includes the re-alignment of Sgt. Palmateer Way. This is 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: Mark Day – Engineer  
Dennis Lynch – Engineer

Mr. Day: Good evening, I'm Mark Day with M.A. Day Engineering representing the applicant, Old Hopewell Commons Subdivision. Also, with me is Dennis Lynch. We have responded to the comments from the professionals and they were minor. Sarah feels they are complete. We would like to set a Public Hearing for next month and schedule Robert Balkind to present.

**Ms. Visconti:** **Motion to schedule the Public Hearing for October 2, 2017.**  
Ms. Bettina: Second the Motion.  
Vote: All present voted Aye.

**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. (Povall)

- Present: Bill Povall – Engineer
- Mr. Flower: Good evening. Do you have handicap parking and land bank parking? It's not shown on the plan.
- Mr. Povall: Yes, we do and I can put that in there.
- Ms. Visconti: I show 20 parking spaces and 6 land bank parking spaces.
- Mr. Povall: Yes, we brought it down to 6 spaces.
- Ms. Visconti: Motion to approve the resolution prepared by the Town Planner as amended.**
- Ms. Bettina: Second the Motion.
- Vote: All present voted Aye.

**16-3355 Elgen Associates (Amended Site Plan)**: To discuss an amended site plan application for the reuse of two (2) of the existing three (3) buildings for residential rental and commercial office/storage use, and the removal of an existing dilapidated building on 1.78 acres in an HB Zoning District. The property is located at **561-563 Old State Road** and is identified as **Tax Grid No. 6157-02-580777** in the Town of Wappinger. (Bodendorf)

- Present: Mike Bodendorf – Engineer
- Mr. Flower: Good evening.
- Mr. Bodendorf: Good evening, Mike Bodendorf with Hudson Land Designs representing the applicant, Elgen Associates. We were before the board some time ago to discuss this project. For Phase 1, we would like to keep one house as residential and the other house as an office. In Phase 2, add extra parking lots.
- Mr. Bodendorf continues to give his review of the project.
- Mr. Roberts: David Stolman and I are working on making revisions to the zoning code and it is currently in draft form and has not been finalized. I would suggest that we have a meeting with you to go over the project.
- Mr. Bodendorf: It would make sense for us to meet.

Ms. Bettina: It would be of benefit to you to meet with the professionals.

Ms. Brown: David will be back in the office on September 20<sup>th</sup>.

Mr. Bodendorf: I will reach out to him then.

Mrs. Roberti: I will look into whether variances would be needed.

**Ms. Visconti: Motion to authorize the applicant’s engineer to meet with our professionals.**

Ms. Bettina: Second the Motion.

Vote: All present voted Aye.

**17-3370 DeGarmo Plaza – Dunkin Donuts:** To discuss an amended site plan and consolidation subdivision application for the conversion of a former bank building into a new Dunkin Donuts restaurant with drive-thru in an SC Zoning District on 5.05 acres. The existing bank is 1,980 sf., the proposed restaurant is 2,132 sf. and 75 parking spaces. The property is located at **235-237 Myers Corners Road** and is identified as **Tax Grid No. 6258-02-759569** (Parcel 1 - 3.948 acres) and 6258-02-781586 (Parcel 2 – 1.106 acres) in the Town of Wappinger. (Scofield)

Present: Keith Scofield – Engineer  
Nassar Aqeel – Applicant  
Rick Pastori – Dunkin Donuts

Mr. Scofield: Good evening, Keith Scofield representing the applicant, DeGarmo Plaza – Dunkin Donuts. We have revised the lighting plan, light fixture and proposed elevations for revising the existing plaza pilon sign, a proposed Dunkin Donuts Pilon Sign. We are proposing colored Dunkin Donuts elevations with mansard roof structure. At this time, comments regarding zoning data, landscaping and the lot consolidation subdivision are currently in the hands of the engineering and we look forward to a response soon. KC Engineering provided the survey.

Mr. Scofield continues his overview of the project.

Mr. Flower: The board is happy with the new architectural look.

Mr. Marinaccio: It looks so much nicer.

Mr. Pastori: We will send the plans to headquarters to see if we can put prototype on there. The blade sign will be removed and there will be a coffee cup on the side as well as mural on the side.

- Ms. Visconti: This is a residential area and we don't need a big coffee cup on the sign. That art work is not needed.
- Mr. Pastori: We could take that out from the sign.
- Ms. Bettina: I'm bored just listening to this. I don't need to see a coffee cup while waiting in line for my coffee in the drive-thru and do you have enough space for that sign?
- Mr. Pastori: Yes, we do have a couple of lanes of space.
- Ms. Bettina: What are your hours of operation and will the lights be on after close of business?
- Mr. Pastori: Probably not.
- Ms. Bettina: So there will be no lights on inside?
- Mr. Pastori: There will be no lights on inside of the building. Did we clarify on the signage?
- Mr. Aqeel: I did approach Ms. Hanson's daughter and offered the easement for the asphalt on her property.
- Ms. Bettina: Looking at all of these, I like the brick signage.
- Mr. Flower: Bob, do you have any comments?
- Mr. Gray: No major hurdles but we need Board of Health to bless this.
- Ms. Visconti: Motion to schedule a Public Hearing on October 2, 2017.**
- Ms. Bettina: Second the Motion.
- Vote: All present voted Aye.

### **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 September 15, 2017 through March 14, 2018. 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.)

Present: Joe Berger – Engineer

Mr. Berger: Good evening, Joe Berger representing the applicant, Calvary Chapel of the Hudson Valley. We are here to request a 6 months extension on this project. We are awaiting NYDOT and DCDBCH completion of their reviews and preparation of their permits and approvals. This is just the last piece that we are waiting for.

**Ms. Visconti:** **Motion to grant a 6 months extension.**

Mr. Valdati: Second the Motion.

Vote: All present voted Aye.

**Conceptual Review:**

**17-3372 10 Stage Door Road (amended site plan):** To discuss a conceptual application on an amended site plan to add three 8' x 9' overhead garage doors to the front of the existing 30,000 sf. 2-story building on 2 acres in HB Zoning District. The property is located at **10 Stage Door Road** and is identified as **Tax Grid No. 6156-02-826836** in the Town of Wappinger. (Povall)

Present: Bill Povall – Engineer  
Glen Lois – Durants Tent Rentals

Mr. Povall: Good evening, Bill Povall representing the applicant, 10 Stage Door Road. This is an existing building for retail and warehouse. We are proposing three 8' x 9' overhead garage doors to the front of the existing 30,000 sf. 2-story building. We will need variances for the doors facing the road.

Mr. Povall continues his review of the project.

Mr. Flower: Could you give clarification on the parking?

Mr. Roberts: We will need the original site plan.

Mr. Flower: This is a warehouse.

Ms. Visconti: What do we need?

Mr. Roberts: We need a narrative from them.

Mrs. Roberti: They need to go to the ZBA.

Mr. Flower: Do we have to circulate for Lead Agency?

Mr. Povall: Is it possible for the board to send a recommendation to the ZBA?

**Ms. Visconti: Motion to authorize our Secretary to send a letter of recommendation to the Zoning Board of Appeals.**

Mr. Valdati: Second the Motion.

Vote: All present voted Aye.

**17-3375 / Del-Tra Holdings, LLC (Daycare Center):** To discuss a conceptual application on an amended site for an existing 2,970 sf. office building to a 2,970 day care facility inclusive of a 40' x 70' fenced in play area in an NB Zoning District on .678 acres. The property is located at **1811 Route 376** and is identified as **Tax Grid No. 6259-02-508806** in the Town of Wappinger. (Day)

Present: Mark Day – Engineer  
Dennis Lynch – Engineer  
Nick DeLuccia – Applicant  
Scott Travis – Daycare owner

Mr. DeLuccia: Good evening, I'm Nick DeLuccia. I want to thank Bea for getting me on this agenda on a last minute basis. We were last here in April to discuss a proposal for a daycare center at 1811 Route 376. There were some concerns about the traffic flow in and out of the plaza. I have purchased the bookworm and this should resolve your concerns about the traffic.

Mr. DeLuccia continues his overview of the project.

Mr. Flower: Now you have two properties?

Mr. DeLuccia: There will be a cross easement, drop off and pick up.

Ms. Visconti: How many children will you have at this daycare?

Mr. DeLuccia: About 25-30 children. Right now we don't know what we are going to do about the bookworm.

Mr. Gray: Is it going to be one way in?

June Visconti gives an example of her granddaughter's daycare center.

Ms. Visconti: I am for daycare centers. I was a single mom and I used them so I am all for it.

Ms. Bettina: How many kids were at your granddaughter's daycare?

Ms. Visconti: About 45 kids.

- Mr. Gray: How many spaces do you have for employees?
- Mr. Day: We have 6 spaces for employees.
- Mr. Marinaccio: Is it going to be one way coming in?
- Mr. DeLuccia: I need to know if I should go ahead with my project based on the information I have provided to you so far.
- Ms. Visconti: Do you know what the daycare owner wants?
- Mr. DeLuccia: Yes, I have and they are 100 percent for this.
- Mr. Travis discusses his experiences with daycares.
- Mr. Flower: It looks good so you should submit a full site plan application.
- Mr. DeLuccia: Thank you.

**Architectural Review:**

**17-3373 Greenbaum Square – Building “B”**: To discuss an architectural application on Building “B” for minor changes to the windows, doors and siding on 1.89 acres in an HB Zoning District. The building size and elevations have already been reviewed and approved as part of an amended site plan. The property is located at **1383 Route 9** and is identified as **Tax Grid No. 6157-02-594684** in the Town of Wappinger. (Tinkelman)

Present: Steve Tinkelman – Applicant

Mr. Tinkelman: Good evening, I’m Steve Tinkelman. We have started to build on the middle building. We are here to propose minor architectural review application for Building “B”. The building size and elevations have already been reviewed and approved. We have slight modification to the windows, doors and siding of the building. On the east elevation we changed the design of the left tower, front window and the entrance doors. On the south elevation we changed the window design, siding design on tower. On the west elevation we made changes to the siding design on tower, ramp and railing, extended roof to cover doors. On the north elevation we changed the window designs, siding on right tower and windows in left tower to match Building “A”.

Mr. Tinkelman continues his review of the project.

Mr. Flower: Any questions?  
**Ms. Visconti: Motion to approve the architectural changes.**  
Ms. Bettina: Second the Motion.  
Vote: All present voted Aye.

**New and Old Business:**

Heart Kia on Village of Wappinger, September 7, 2017 agenda

Mrs. Roberti gives overview of the illegal parking of cars.  
Bruce will attend Village of Wappinger Planning Board meeting regarding our concerns. Mrs. Robert will write letter to Village of Wappinger Planning Board and hand deliver to Village Clerk.

**Ms. Visconti: Motion to authorize Zoning Administrator to write and deliver letter to Village of Wappinger Planning Board and Village Clerk.**  
Ms. Bettina: Second the Motion.  
Vote: All present voted Aye.

**Ms. Bettina: Motion to Adjourn.**  
Mr. Valdati: Second the Motion.  
Vote: All present voted Aye.

Adjourned: 9:20 pm

Respectfully submitted,

Bea Ogunti, Secretary  
Town of Wappinger Planning Board