

# MINUTES

**Town of Wappinger Planning Board**  
**June 15, 2009**  
**Time: 7:00 PM**

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

**Members Present:**

Mr. Fanuele:	Chairman	Mr. Kickham:	Member
Mr. Pinto:	Member	Mr. Valdati:	Member
Ms. Leed:	Member	Mrs. Smith:	Member

**Others Present:**

Mr. Gray,	Engineer to the Town
Mr. Roberts,	Attorney to the Town
Mr. Stolman,	Planner to Town
Mrs. Lukianoff,	Zoning Administrator
Mrs. Roberti,	Secretary

---

SUMMARIZED

**PROJECTS DISCUSSED:**

**OUTCOME**

**Public Hearing:**

Mid Hudson Chinese Church	-Closed PH, to resubmit.
Rail Trail/Global Satellite	-Closed PH, vote on July 6 <sup>th</sup> , 2009.

**Discussions:**

Villa Borghese	-To resubmit.
Lloyd's Parcel	-Vote on July 6 <sup>th</sup> , 2009.

**Extensions:**

Airport Drive Properties	-Granted fourth extension on site plan approval.
Wappinger Farm Estates	-Granted fourth extension on preliminary approval.
Kirk Subdivision	-Granted fifth extension for preliminary approval.
Silver Fox Estates	-Granted first 90-day extension for subdivision approval.

**Conceptual:**

Alexander-Parcel A	-To submit a site.
AW Scrap Processors, Inc.	-To submit a site plan.
Durants Tents & Events	-To submit a site and subdivision plan.

**08-3166** / The Town of Wappinger will conduct a Public Hearing pursuant to Article IX, Section 240-87 of the Town Law on the application of **Mid Hudson Chinese Christian Church**. The applicant is seeking approval of a proposal for a new two-story 5,600 sf building which would be 2,400 sf for a gymnasium and 3,200 sf for classrooms/office in an R-40 zoning district on 4.04 acres. The property is located at **306 All Angels Hill Road** and is identified as **Tax Grid No. 6257-02-966715** in the Town of Wappinger. (Bodendorf)

Present: Mike Bodendorf - Engineer

**Mr. Kickham: Motion to open the public hearing.**

Mr. Pinto: Second the motion

Vote: All present voted aye.

Mr. Bodendorf: This is an addition for the Mid Hudson Chinese Church. We are looking to add a building to the southern side of the site. We have modified the existing parking surrounding the building and provided minimal additional impervious area. We are proposing to land bank parking spaces on the southern side and on the front side to the total of 37 land bank spaces for a net increase of 20 spaces. We have added landscaping along the front and have specified the red maples to be a larger caliper. We have a pedestrian walkway. Explained movement around the site for the PB.

Mr. Fanuele: Are there questions or comments from the audience?

Ms. Roddy: Maureen Roddy, 316 All Angels Hill Road. What are your plans for breaking ground?

Deacon Sol: This will be a two phase project. Once we get approval then we need to raise the funds.

Ms. Roddy: What about security and lighting?

Mr. Bodendorf: All additional lighting is down shield and we are not proposing any additional poles.

Ms. Roddy: What about rain run off.

Mr. Bodendorf: We are proposing detention basins and swales.

Ms. Roddy: I get run off from this parking lot from rain and snow.

Mr. Fanuele: How are you detouring the water?

Mr. Bodendorf: We could look at dry wells.

Ms. Roddy: If they don't solve this problem now I will have water in my garage later.

Mr. Gray: I would like to meet on the site with Mike to look at this.

Mr. Fanuele: Any other comments? Hearing none.

**Ms. Leed:**           **Motion to close the public hearing.**  
Mr. Pinto:           Second the motion  
Vote:                 All present voted aye.

Mr. Fanuele:         Bob and Mike will meet out there and we want written results before we go further.

Mr. Bodendorf:     Thank you.

**09-5148** The Town of Wappinger will conduct a Public Hearing pursuant to Article IX, Section 240-87 of the Town Law on the application of **Rail Trail / Global Satellite, LLC.** The applicant is seeking approval for a commercial driveway to gain access to their property. The location is at the **end of Airport Drive** and is identified as **Tax Grid No. 6259-04-908414** in the Town of Wappinger. (Povall)

Present:             Bill Povall                 - Engineer  
                       Frank Buyakowski       - Applicant

**Mr. Kickham:**       **Motion to open the public hearing.**  
Mr. Pinto:           Second the motion  
Vote:                 All present voted aye.

Mr. Povall:         This is a 115 acre site that is currently empty at the end of Airport Drive. We are proposing to cross the DEC stream as well as a Town Wetland and ACOE to construct a driveway and to provide access to the property. We must mitigate the disturbance area by adding back to the wetland. The DEC finds the area chosen to be a good location.

Mr. Fanuele:         Do you have any idea what might go in there?

Mr. Povall:         No. We would need to come back with a new site plan and have another public hearing.

Mr. Thurman:        Mr. Thurman, 3 Harbor Hill Dr. Will this be a covered bridge?

Mr. Povall:         This will have arched culverts.

Mr. Keane:          Bill Keane, 86 Hackensack Hgts. Will you be opening up Hackensack Hgts Road?

Mr. Povall:         No.

Ms. Hogg:          Marion Hogg, 54 Hackensack Hgts. Why do you want access without a project?

Mr. Povall:         In order to maintain the site. This will be a commercial width with two way traffic.

Mr. Fanuele:         Any other comments? Hearing none.

**Mr. Valdati:**       **Motion to close the public hearing.**  
Mrs. Smith:         Second the motion  
Vote:                 All present voted aye.

**Mr. Valdati:** Motion to authorize David to write a resolution of site plan approval.  
**Ms. Leed:** Second the motion  
**Vote:** All present voted aye.

**08-3153 / Villa Borghese** – To discuss amending their site plan to include additional parking. The property is located at **70 Widmer Road** and is identified as **Tax Grid No. 6158-02-880530** in the Town of Wappinger. (Fiorese)

**Present:** Jon Adams - Attorney

**Mr. Adams:** The consultants and owners met last week and we are revising aspects of the site plan. I believe this project has moved along far enough to request a public hearing.

**Mr. Fanuele:** I feel as well as other members that we need another exit in case of fire.

**Mr. Roberts:** Have Barbara write to Graham for approval of another exit.

**Mr. Gray:** It will be steep, probably 4 or 5 feet by Widmer Road.

**Mr. Adams:** We will leave that to Graham.

**Mr. Valdati:** What's on the other side of the Jersey barriers?

**Mr. Gray:** Cranberry Hills.

**Ms. Leed:** It seems far for patrons to walk from.

**Mr. Gray:** This map shows 186 here and 180 at Widmer Road, so this would be more than 5%.

**Mr. Valdati:** Has the buffer been encroached upon?

**Mr. Stolman:** The property shows 10 ft. instead of 20' with a lot of trees.

**Mr. Pinto:** There are a lot of outstanding issues that should be resolved before a public hearing.

**Mr. Gray:** I agree. There should be one more submission before a public hearing.

**Mr. Adams:** Thank you.

**09-3184 / Lloyd's Parcel:** To discuss amending the June 13, 2006 site plan approval to remove the sidewalk from the plan, to include a stockade fence and to relocate proposed trees. The project is located **between Old Route 9 and Route 9** and is identified as **Tax Grid No. 6157-02-604765** in the Town of Wappinger. (Povall)

**Present:** Bill Povall - Engineer

- Mr. Povall: We have our final site plan approval but we would like to put up a 5 ft. stockade fence on the north side and relocate the evergreens to the Route 9 side and also remove the sidewalk along the front of the building because it goes nowhere.
- Mr. Stolman: So you will eliminate it completely?
- Mr. Povall: Yes.
- Mr. Fanuele: How far will the fence be from the property line?
- Mr. Povall: About 3 feet.
- Ms. Leed: The County seems annoyed that we are not following the master plan.
- Mr. Valdati: Are there any other parcels being done with sidewalks on Old Route 9?
- Mr. Stolman: No.
- Discussion took place regarding the County's letter.
- Mr. Fanuele: I agree with more landscaping and no sidewalk. It looks like we have five members in favor so you can write a resolution for this David.
- Mr. Stolman: I will have the resolution ready for July 6<sup>th</sup>.
- Mr. Povall: Thank you.

**Airport Drive Properties** - Requesting their fourth extension for one year for Final Site Plan Approval that was granted on January 4<sup>th</sup>, 2006. This extension would run from July 1, 2009 through June 30, 2010. The property is located on **Airport Drive** and is identified as **Tax Grid Nos. 6259-04-667424 (Parcel C) and 6259-04-686450 (Parcel D)** in the Town of Wappinger. (Povall) *(Final approval was granted on January 4, 2006 and expired on January 3, 2007 at which time they were granted their first extension to July 3, 2007, a second 1 year extension to July 2, 2008 and a third extension to July 1, 2009.)*

Mr. Povall: We just got through the DCHD and we are addressing all the conditions.

**Mr. Pinto: Motion to grant the fourth extension.**

Ms. Leed: Second the motion.

Vote: All present voted aye.

**05-5110 / Wappinger Farm Estates.** The applicant is requesting their fourth extension for preliminary approval for 6 months for a 19 lot subdivision on 60.620 acres. The extension would start on July 1, 2009 and expire on January 1, 2010. The property is located on **Robinson Lane** and is identified as **Tax Grid No. 6459-03-110235** in the Town of Wappinger. (M. White)(PH: 2-6-06 Closed PH 3-19-07 / LA: 9-19-05)(Granted Re-Zone 12-26-07 /Preliminary granted 1-7-08, first extension Jan.2, 2009, second on Feb, 2, 2009 and third July 2, 2009.)

**Mr. Pinto: Motion to grant the fourth extension for preliminary approval.**

Mr. Valdati: Second the motion.

Vote: All present voted aye.

**06-5122 / Kirk Subdivision** – The applicant is seeking their fifth extension for six months on amended preliminary subdivision approval for a 3 lot subdivision on 4.4 acres in an R-40 zoning district. The extension would start on July 1, 2009 and expire on December 31, 2009. The property is located at **97-99 Pye Lane** and is identified as **Tax Grid Number 6358-03-240218** in the Town of Wappinger. (Barger) *(The public hearing was closed on January 3, 2007 and they received preliminary approval on March 5, 2007. Amended preliminary approval on January 7, 2008, first extension until October 5, 2008, second extension to Jan. 3, 2009, third to April 1, 2009 & their fourth to July 1, 2009.)*

**Ms. Leed:** Motion to grant the fifth extension for preliminary approval.  
**Mr. Kickham:** Second the motion.  
**Vote:** All present voted aye.

**02-5062 / Silver Fox Estates-** Seeking their first 90-day extension on final subdivision approval for a 6 lot subdivision on 10.89 acres in an R-40 zoning district that will run from July 1, 2009 through September 29, 2009. The property is located between **Scotse Road and Losee Road** and is identified as **Tax Grid No. 6157-02-892694** in the Town of Wappinger. (Paggi) *(Preliminary approval was granted on February 5, 2007 and final subdivision approval was granted on January 5, 2009.)*

**Mr. Valdati:** Motion to grant the first 90- day extension for final subdivision approval.  
**Mr. Kickham:** Second the motion.  
**Vote:** All present voted aye.

**09-3187 / Alexander – Parcel A:** To discuss leasing a portion of an existing contractor yard for the purpose of parking trucks and servicing vehicles for Bottini Fuel Oil Co. in a GB zoning district on 6.36 acres. The property is located at **300 New Hackensack Road** and is identified as **Tax Grid No. 6259-03-483156** in the Town of Wappinger. (Barger)

**Present:** Dick Barger - Engineer

**Mr. Barger:** This site has been a contractor’s yard since 1948. The owner would like to partition off a section for the Bottini fuel oil trucks. They will fix the fence, put trees on the berm and clean up the entrance.

**Mr. Fanuele:** Will these trucks be used on a daily basis?

**Mr. Barger:** Yes. Mostly in the winter.

**Mr. Valdati:** Are the spaces large enough.

**Mr. Barger:** They are 10 ft. spaces, 32 of them.

**Mr. Valdati:** Is it fair to say that most of these trucks will be diesel?

**Mr. Barger:** I believe so. There are trucks in there now.

**Mr. Fanuele:** Will they go down New Hackensack Road?

**Mr. Barger:** They will go in the direction of the business for that day.

**Mrs. Lukianoff:** As a contractor’s yard, this is allowed. This site received PB approval on July 6, 1964.

- Mr. Kickham: Conceptually I don't have a problem with this.
- Mr. Pinto: I agree.
- Mr. Gray: Will this be asphalt or gravel?
- Mr. Barger: Gravel.
- Mr. Fanuele: The County will have to approve the entrance. Ok come back with an amended site plan application.
- Mr. Barger: Thank you.

**09-3188 / AW Scrap Processors, Inc.:** To discuss their site plan for the processing of second hand materials for recycling and the sale of used auto parts. The property is in an R-80 zoning district on 26.423 acres and is located at 1980 Route 9D and is identified as **Tax Grid No. 6056-02-688723** in the Town of Wappinger. (Barger)

- Present: Dick Barger - Engineer  
John Sarcone - Attorney
- Mr. Barger: I met with David Stolman and George Kolb regarding this. We are proposing a berm for screening, some box trucks along here and a sound barrier that is moveable in front of the crusher. The berm will be 5 to 8 feet high with plantings on top. The sound barrier is like the one on River Rd. at the DEP project.
- Mr. Roberts: There have been extensive negotiations here. Our noise ordinance is un-enforceable and archaic. David's office is developing a new prototype for the noise ordinance and the TB will soon be adopting it. This site plan is a resolution for those complaints and gives us what is currently there.
- Mr. Stolman: We have had an acoustical noise specialist involved with this project.
- Mr. Roberts: This will serve as a predicate for future licenses. This will require a public hearing.
- Mr. Fanuele: That is Central Hudson in that passageway, correct?
- Mr. Barger: Yes. They can't store in it but they can pass through it.
- Mrs. Smith: What about the DEC?
- Mr. Sarcone: They inspect this every year and no violations have been found.
- Mr. Fanuele: How long has the crusher been there?
- Mr. Sarcone: Since the 40's or 50's.
- Mr. Stolman: Make a formal submission and then we'll move with Lead Agency.

Mr. Barger: Thank you.

**09-3189 / Durants Tents & Events:** To discuss combining existing two lots, adding additional sq. footage, creating 14 additional parking spaces and the removal of an existing house and garage. The property is in an HB zoning district and the combined lots total 1.81 acres. The location is **1155 Route 9 and 5 Osborne Hill Road** and is identified as **Tax Grid Nos. 6157-04-627103 & 632086** in the Town of Wappinger. (Povall)

Present: Bill Povall - Engineer

Mr. Povall: This is a 1.5 acre site on Route 9 and Osborne Hill Road. We would like to square off the building for more storage here and the second addition would be for a larger showroom. The additions would be 3,600 sq.ft for storage and 748 sq. ft would be for retail and we would also be adding additional parking spaces. The existing septic would be removed and relocated. At this time the company is for party rentals but would like to expand into construction rentals.

*Discussion took place regarding the site and improvements.*

Mr. Roberts: You will need to identify the storage area.

Mr. Valdati: Do you plan on keeping the propane fill up?

Mr. Povall: Yes, its here and it is proposed to remain.

Mr. Fanuele: Do you propose additional landscaping facing residents on Osborne Hill Road?

Mr. Povall: Yes.

Mr. Fanuele: Resubmit this as an amended site plan and lot line revision.

Mr. Povall: Thank you.

---

**Mr. Kickham: Move to go into executive session.**

Mr. Pinto: Second the motion.

Vote: All present voted aye.

**Mr. Valdati: Move to come out of executive session.**

Mr. Pinto: Second the motion.

Vote: All present voted aye.

**Mr. Pinto:**           **Motion to adjourn.**  
Mr. Valdati:       Second the motion.  
Vote:               All present voted aye.

The meeting ended at 9:10 p.m.

Respectfully submitted,

Barbara Roberti, Secretary  
Town of Wappinger Planning Board