

# MINUTES

Town of Wappinger Planning Board  
November 5, 2018  
Time: 7:00 PM

Town Hall  
20 Middlebush Road  
Wappingers Falls, NY

Summarized Minutes

## Members:

Mr. Flower	Chairman	Present
Mr. Ceru	Member	Present
Mr. Hussain	Member	Present
Mr. Marinaccio	Member	Present
Mr. Pesce	Member	Present
Mr. Phillips	Member	Present
Mr. Valdati:	Member	Absent

## Others Present:

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

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## SUMMARY

### Discussion:

Riverview Land Company	Resubmit
Hindu Samaj (Lot Line Consolidation)	Public Hearing on December 3, 2018 Resubmit

### Conceptual Review:

Cedar Hill Subdivision	Resubmit
N & S Supply Lot Line Realignment	No Show

**Mr. Valdati:**                               **Motion to accept the minutes from October 15, 2018.**  
**Mr. Pesce:**                                Second the Motion.  
**Vote:**                                       All present voted Aye.

**Discussion:**

**18-3390 Riverview Land Company, LLC (Amended Site Plan):** To discuss an Amended Site Plan application and Special Use Permit for the construction of two new structures totaling 54,263 sf. that will replace an existing 42,381 sf. building on 6.5 acres in a GB Zoning District. The property is located at **157 River Road North** and is identified as **Tax Grid No. 6056-01-174862** in the Town of Wappinger. (Day)

Present:                                    Mark Day – Engineer

Mr. Flower:                                Good evening.

Mr. Day:                                    Good evening, Mark Day from Day Engineering representing Riverview. This project is located on River Road next to the Hudson. It is basically a lumber supply and it has been there for quite a while. The applicant is proposing to reconstruct an existing storage shed and construct two new ones as well as develop parking area on the south side of the property. There are some proposed lighting and existing lighting that we are trying to balance. We are going to do some landscaping along the front and try to clean up what is there now.

Mr. Flower:                                Did you receive the letters from both the Town Engineer and Town Planner?

Mr. Day:                                    Yes.

Mr. Flower:                                David, you want to go over your letter?

Mr. Stolman:                              I could. Mark, do you have any issues with anything?

Mr. Day:                                    I just have issues with the acreage. It's existing and nonconforming and is it something we need to seek a variance for?

Mr. Stolman:                              No.

Mr. Horan:                                So long as you meet all of the other dimensional.

Mr. Stolman:                              We have a few comments regarding the dimensional aspects but as long as your bulk table meets the requirements that would be fine. There are some issues such as endangered species and wild life service.

- Mr. Day: I have some questions on that. Did this come up because of the EAF mapper? I'm finding it more and more that it's inaccurate. This site is developed and I can't really see how this would be an endangered species or anything on this. The site as you probably is fully developed. The EAF mapper is pulling us in every single time. There isn't one site that we work on that doesn't have something on it and I'm just starting to question the accuracy of it.
- Mr. Stolman: It is a fairly gross tool but that doesn't mean you shouldn't follow up and see if anything exists. To use your logic you would never contact D.E.C. or the Wildlife Service.
- Mr. Day: It's not that I won't contact them but it just takes a lot of time. In some cases it's obvious. My point is there are no trees on site. I don't have any problems it's just that it's time consuming.
- Mr. Stolman: I think you are taking some trees down, aren't you?
- Mr. Day: Yes. Okay, there are just some things that pop up and I'm starting to question the accuracy.
- Mr. Stolman: It's a gross tool.
- Mr. Day: Alright, we will do that.
- Mr. Stolman: Okay.
- Mr. Day: Is there anything archeologically wrong or sensitive out there?
- Mr. Stolman: I would just contact APR and see what they say.
- Mr. Day: Okay, we will do it.
- Mr. Stolman: We also need wetlands, parking calculations and I think Bob is going to address the flood plain. You need elevations, structures, some additional landscaping in various places. That's it.
- Mr. Day: Okay, we have no problem with that.
- Mr. Flower: Is this the proposed elevations?
- Mr. Day: Yes, those are the proposed elevations before you.
- Mr. Stolman: I don't think we got those in our package.

- Mr. Day: I apologize. I just brought them in tonight and I left one with Bea.
- Mr. Horan: Are these just sheds?
- Mr. Day: It should not look like that. They are architecturally sensitive.
- Mr. Stolman: Are they historical?
- Mr. Day: They will look historical.
- Mr. Flower: Bob, do you have any comments?
- Mr. Gray: Just a couple of questions. We discussed this in the August meeting. I want to talk to you about the predisposed development. You mentioned infiltration pond?
- Mr. Day: Do we need it?
- Mr. Gray: I don't know where it is so we better talk about that. I was trying to figure out what that was.
- Mr. Day: The pond is only a foot deep.
- Mr. Gray: The flood plain elevations and I believe these things have to be at least 3 feet above the flood elevations.
- Mr. Day: Okay.
- Mr. Gray: Pedestrian routing from the main parking lot and that's more in David's court. Some of the site lighting does not appear to show up.
- Mr. Day: The existing lighting.
- Mr. Gray: You did talk about the stormwater venting and the structure but if you are above the flood plain you don't need to do anything.
- Mr. Flower: Flood plains regulations if you are within it and he doesn't raise it 2 feet, he can get away with it.
- Mr. Gray: Right. We talked with Brian originally about that and they were going to be 3 sided. Obviously the open side you don't have to do anything about it.
- Mr. Flower: According to the flood plain regulations that would work.

- Mr. Day: We can address that with the rear of the building. We will just leave it high enough.
- Mr. Gray: He was talking about a more aggressive plan at one point and building in the flood plain and you pulled back so that is no longer an issue. We just need to see the elevations.
- Mr. Day: Okay.
- Mr. Gray: I think we should meet and discuss all of that and discuss David's stuff and you do what you need to do and resubmit.
- Mr. Day: Is it possible to set a public hearing?
- Mr. Flower: Do you guys feel comfortable enough to propose on paper or you want another submission.
- Mr. Stolman: I think it's a little early.
- Mr. Flower: Do you want to get as much of the details resolved and come back one more time and at that point if you've addressed all of the comments. It will also be up to the rest of the board as well whether or not we are going to set the public hearing.
- Mr. Day: Okay. Thank you.
- Mr. Gray: Mark, just another thing and I think I may have mentioned to Brian. You put a water service in here and I think DEP connected it to the building.
- Mr. Day: To the main building?
- Mr. Gray: Yes, in other words around the time DEP was monitoring wells on the shaft side and in exchange for monitoring wells they paved the property and this is one of them. So I would like to see you show that as well. That was done about two years ago. We may have an as built if you need it.
- Mr. Day: Alright, very well. Thank you.

**18-5196 Hindu Samaj (2-Lot Consolidation)**: To discuss a 2-lot consolidation application to combine the Temple property to the Priest house property for a total of 10.32 acres in an R40 Zoning District. Both properties are owned by the Hindu Samaj. The property is located at **3 Brown Road** and is identified as **Tax Grid Nos. 6357-01-022799 (9.32 acres) and 6357-01-003754 (1 acre)** in the Town of Wappinger. (Day)

- Present: Mark Day – Engineer
- Mr. Flower: Good evening.
- Mr. Day: Mark Day, Day Engineering. This is the existing Hindu Samaj which is located on Brown Road. They actually own property adjacent on All Angels Hills Road. I'm proposing to do a lot line consolidation with this existing residential lot they want to combine it with the main lot and they also want to connect to the existing sanitary sewer. Right now this is a subsurface septic system and they want to connect it to the existing manhole on Brown Road. There were other things proposed but right now the lot consolidation and connection to the sanitary sewer system.
- Mr. Flower: From the previous meeting I believe there's already application with the Town Board for the sewer?
- Mr. Day: I believe so. It was done by the applicant.
- Mr. Gray: You did submit a map?
- Mr. Sajnani: Yes, we did.
- Mr. Gray: I had asked you to show the manhole and looks like you've done that.
- Mr. Sajnani: Yes.
- Mr. Gray: To be honest with you I don't think we went any further with the Town Board because I never received a map back. We need to make a map planning, petition to the Town Board and we need to find out if you actually created an escrow account.
- Mr. Sajnani: We did create an escrow account.
- Mr. Gray: I thought you did.
- Mr. Sajnani: It's almost \$10,000.00.

- Mr. Gray: That would have been the normal route. We did discuss erasing the lot line which will automatically bring you in the district and they couldn't do that.
- Mr. Day: They said no.
- Mr. Flower: So there was a previous submission and this submission.
- Mr. Gray: They never made a submission to consolidate the two lots. All they did was make an application to the Town Board.
- Mr. Flower: We did discuss it here.
- Mrs. Ogunti: It was discussed here as a conceptual review.
- Mr. Flower: It wasn't that long ago. Is it satisfactory to the point where you think we need a public hearing?
- Mr. Stolman: Yes. It's very straight forward.
- Mr. Gray: I would think this application would go quicker than getting into the sewer district.
- Mr. Flower: At this point we need to set a public hearing date. Bea, when will be the next possible date?
- Mrs. Ogunti: For this year we have November 19<sup>th</sup> and December 3<sup>rd</sup>. Going into 2019 our first meeting will be January 7<sup>th</sup>.
- Mr. Day: What was the date in December?
- Mr. Flower: December 3<sup>rd</sup>. Anybody want to make the motion?
- Mr. Marinaccio:** **Motion to set the Public Hearing for December 3, 2018.**  
Mr. Valdati: Second the Motion.  
Vote: All present voted Aye.
- Mr. Stolman: Do you want me to draft the resolution?
- Mr. Flower: So it will just be conditional approval.
- Mr. Stolman: Right, preliminary & final approval.
- Mr. Flower: So I will entertain a motion to authorize the planner to draft a resolution.

**Mr. Marinaccio:** **Motion to authorize the Town Planner to draft a Resolution.**  
**Mr. Pesce:** Second the Motion.  
**Vote:** All present voted Aye.

**Mr. Gray:** Mark, if you could address these conditions it would be better for you.

**Mr. Day:** We can do that.

**Conceptual Review:**

**18-5193 Cedar Hill Subdivision:** To discuss a conceptual review application to consolidate two parcels and construct 66 single family homes on 96.4 acres in an R40 Zoning District. The property is located at **Old Hopewell Road and Cedar Hill Road** and is identified as **Tax Grid Nos. 6257-03-420260 (6.85) and 6257-03-400122 (89.55)** in the Town of Wappinger. (Day)

**Present:** Mark Day – Engineer

**Mr. Day:** Good evening, Mark Day of Day Engineering. We are here this evening to talk about the Cedar Hill Subdivision. We have been working on a conventional lot layout and we have come up with 66 lots. What we've done is dug a road and graded as much of it as we could. We want to get an idea from the board before we hire engineering to finalize. That's really what we have right now.

**Mr. Flower:** So this is basically just the layout for the conventional and then you can go out for the overall number of lots. Have you guys looked at this at all and do you have any questions regarding what they are proposing?

**Mr. Stolman:** Bruce, is that actually going to be an average density subdivision?

**Mr. Day:** Yes.

**Mr. Stolman:** With the average density subdivision is a subdivision where lots don't conform necessarily to the lot size of the district. It starts with a conventional subdivision which meets all the requirements for the district conventional layout and this is an R40 Zoning District. Okay so every lot has to be 40,000 square feet in size. That will be based on a review that Bob, Jim and I would do and introduce to the Planning Board and eventually a lot size would be established by the Planning Board. With the average density subdivision you can go down one lot size or one district so lots could be as small as 20,000 square feet no smaller than 20,000 square feet. The reason to avoid areas that are environmentally

sensitive so I think the average size has to be at least 40,000 square feet. That's the basic concept here.

Mr. Day: I think you are right.

Mr. Stolman: It all starts with the conventional subdivision. It says the average size of lot has to be equal to or greater than the minimum lot size in the district.

Mr. Phillips: Is there any cap on the number of trade off or just the complete average.

Mr. Stolman: Just the complete average.

Mr. Day: But only has much as a conventional lot layout average will bare so there is a cap.

Mr. Stolman: I think he was asking if there was a cap on the number of lots that can be 20,000 square feet.

Mr. Day: Okay, I see.

Mr. Horan: So what's the total acreage?

Mrs. Ogunti: They have 96.4 acres.

Mr. Stolman: There is practically not too much to talk about tonight. Mark needs to make a formal application and submit the conventional layout and let's review that.

Mr. Day: I think we have.

Mrs. Roberti: No, this is just a conceptual review.

Mr. Day: Say that again, I didn't understand that.

Mr. Stolman: You have to make a formal application.

Mr. Day: For the conventional?

Mr. Flower: More or less for the entire project.

Mr. Stolman: Application for the project.

Mr. Flower: Assuming what's on here is actually what it is and it meets all of the requirements and is coming up as a 66 lot count and if everybody else here on the board agrees then you can put in a full application.

- Mr. Day: Right, then we come back with the 66 count and the average density. So the consultants don't review this yet until we submit with an average density.
- Mr. Stolman: The first thing is we should establish your lot count so I would suggest a conventional and at that review when you've made a formal application.
- Mr. Flower: You need to submit a full application to the board with a full plan. This application is just for a conceptual review for the members. The consultants are just seeing it for the first time tonight. It did not go out to the professional staff for their review.
- Mr. Stolman: You can't really tell without a formal application.
- Mr. Day: Thank you.

**18-5197 N & S Supply Lot Line Realignment:** To discuss a conceptual review application to consolidate and reduce four existing lots into three newly reconfigured lots on 8.59 acres in an HB Zoning District. The property is located at **205-209 Old Route 9** and is identified as **Tax Grid Nos. 6156-02-765714 (1.11), 6156-02-765692 (3.7), 6156-02-764724 (1.18) and 6156-02-764754 (2.6)** in the Town of Wappinger. (Cerchiara)

## **APPLICANT WAS A NO SHOW**

### **Extension:**

**15-3338 – Eduardo Lauria Luxury Apartments:** Seeking their first 6 month extension while they work on the construction drawings on a site plan application to construct a 13,200 sf. building consisting of residential units and 450 sf. of commercial space on 1.10 acres in an HB Zoning District. This extension would begin retroactively on October 10, 2018 through April 9, 2019. The property is located at **102 Old Post Road** and is identified as **Tax Grid No. 6157-04-625489** in the Town of Wappinger. (Paggi) (Approved November 7, 2016) (Resolution October 10, 2017)

- Present: Kevin Lund – Applicant
- Mr. Flower: Good evening.
- Mr. Lund: Good evening everyone. The extension for this project that I purchased has expired. When I bought it I understood the extension to be good to this October which would have still been late. I just spoke with Barbara and she mentioned that it expired some time ago. I'm not asking to make any changes and I purchased it as is.

Mrs. Roberti: There was an extension that was asked for last fall for this May but when we looked it turned out that it wasn't necessary so we talked about it and it was October 10<sup>th</sup> and he's asking for an extension so it's less than a month that he's behind.

Mr. Flower: So at this point you are asking for another 6 months extension going from October 10, 2018 through April 9, 2019. I guess you are finalizing everything?

Mr. Lund: Yes.

**Mr. Valdati: Motion to grant a 6 months extension beginning October 10, 2018 through April 9, 2019.**

Mr. Marinaccio: Second the Motion.

Vote: All present voted Aye.

Mr. Lund: Thank you.

### **Miscellaneous Discussion:**

#### Red Cedar Arborists & Landscapers Change of Zone

Mr. Flower: The Town Board is looking for a recommendation for the rezone. At this point I don't think we are really prepared to make a decision.

Mr. Stolman: I have not had any time to review it and I would appreciate it if you could push this out for the next meeting.

Mr. Flower: Is everyone in agreement that we should move this out to the next week to give our consultants time to review and give us a little more information for the rezone. At that point you can go ahead and make a decision.

Mr. Horan: Barbara, you might want to explain to the board briefly what's being requested.

Mrs. Roberti: There are 4 lots on New Hackensack Road and one of them was used for farmland, one has a house on it and two of them are businesses. Right now they are in the HD zoning district which is 5 acres zoning and one the lot has more than 5 acres. HD zoning is very restrictive and right across the street is GB zoning. Are you all familiar with the tennis court on New Hackensack Road? Those 2 lots are GB and right across the street and continues past the airport on Route 376 and then heads north on Route 376. Changing to GB zoning would be consistent with every zone around

other than residential. So the gentleman who owns Red Cedar would like to put a landscaping company there and it doesn't work in HD zoning.

Mrs. Roberti continues her review of the project.

Mr. Valdati: Thank you Mrs. Roberti.

**Old Hopewell Commons:**

Mr. Horan: Do you want to discuss Old Hopewell Commons?

Mr. Flower: Yes, we probably should discuss. There have been some recent discussions regarding Old Hopewell Commons. There have been some concerns with the previously approved resolution. Mr. Horan please go ahead and address the board.

Mr. Horan: With respect to Old Hopewell Commons for the site plan resolution, there's a condition in the site plan and resolution that requires the applicant to get a Highway Work Permit from Dutchess County DPW for the newly relocated intersection with Old Hopewell Road. To date the highway work permit has not been issued because the County DPW will not commit to having two intersections so close together. They want a commitment that the existing intersection (Sgt. Palmateer Way & Old Hopewell Road) will be shut down at the time the new intersection is put in place. The existing intersection between (Sgt. Palmateer Way & Old Hopewell Road) is under the jurisdiction of New York State. That was prior to 1968 Route 9 and NYS retained that intersection as its right-of-way. So the County can't issue any permits to close that intersection unless NYS gives its approval. For the board members who are fairly recent, NYS and DPW for quite a long time wanted this intersection moved and they made that a condition of this approval. At the time this condition was put in place everyone assumed that DPW would approve the work permit at some point in time. Everyone expects the work permit to be issued but in order for the bank to issue a loan on the property they are going to need some assurance that in the event that doesn't happen that they can get certificates of occupancy for the building. The concern is that if they loan the money and the buildings are constructed and the work permit isn't issued the borrower is not going to be able to pay the construction company and the bank is going to be saddled with buildings that are built that don't have a certificate of occupancy. That was the concern the bank attorney had expressed to me. What was suggested was that we put a condition in that they have until at least next summer to obtain the work permit. In the event the County refuses to issue the work permit than they can go to an alternate configuration to stop the newly created road at the driveway in the

apartment buildings. Then Sgt. Palmateer Way will just continue where it is. The applicant said they would build the road to Town Highway specification so in the future the County ever changed its mind they can just continue it as a County road. The problem with that intersection is there are three jurisdictions that have jurisdiction over that intersection. It is the NYS right-of-way, there's a County road and a Town road. In order to abandon the intersection of Sgt. Palmateer and Old Hopewell Road you need the approval from three different governing bodies.

Mr. Horan continues.

- Mr. Marinaccio: Doesn't he already have all of those approvals?
- Mr. Horan: The way the resolution is written it says County work permit.
- Mr. Stolman: I think it says County work permit because we really want to put the responsibility on the applicant to accomplish this and we used the certification of occupancy as a hook. With all due respect to Jim, I'm not sure the solution is complete because you have to use your due diligence until next summer. I don't know how we prove they have done their due diligence. We still need to put the responsibility on the applicant to accomplish this. We don't want them to be able to walk away from them accomplishing this. I think the solution has to be more complete.
- Mr. Horan: The question that the bank has is what happens if the County doesn't issue the work permit.
- Mr. Stolman: I understand and I don't think we should have the bank dictate what's going to happen here.
- Mr. Marinaccio: What would be the reason why the Town won't allow that to go through that road?
- Mr. Horan: If NYS DOT doesn't abandon that intersection.
- Mr. Marinaccio: Even if they already agreed to do that?
- Mr. Gray: It's been three years since we've been waiting for this deal to go through.
- Mr. Marinaccio: I'm not sure that the applicant is pushing it.
- Mr. Horan: The County has been pushing it all along.
- Mr. Gray: The County really wants the road done.

- Mr. Flower: There is more history to this. There was a meeting here in this room actually 2.5 years ago. I was in attendance and Mr. Valdati was also here and we sat around the table with the State DOT, the County DOT, and Highway Superintendent. At the end of that meeting everybody was in agreement of moving that intersection. Even the County said they would forego some of the other things that we may require somebody to do such as the left turn lane. They would do without it for now. They just wanted to see that intersection moved down.
- Mr. Stolman: Right.
- Mr. Flower: I don't think there's a real issue.
- Mr. Marinaccio: Is that in writing to prove it?
- Mr. Flower: I don't remember that Minutes were taken at that meeting.
- Mr. Marinaccio: Wasn't that written down in the Minutes?
- Mr. Horan: The way this has to transpire, the State would have handed their interest in the intersection to the County. In 1968 or 1970 there was an order of abandonment for Sgt. Palmateer Way but it did not include that intersection so the State still owns a portion of that road.
- Mrs. Ogunti: Bruce, I was at that meeting and we have a full audio of that meeting. I believe it was May 5, 2017 around May 5<sup>th</sup> or 6<sup>th</sup>.
- Mr. Flower: That sounds about right.
- Mrs. Roberti: It was about 18 of us here.
- Mr. Flower: I remember we had the room full.
- Mr. Horan: The issue is technically the abandonment from the County has to be approved by the Dutchess County Legislature.
- Mr. Marinaccio: Didn't they already have that in place?
- Mr. Horan: No.
- Mr. Marinaccio: So they just went ahead and did all of this without having the approval from the legislature?
- Mr. Horan: Right. The legislature will not approve it until you have metes and bounds description of what's being abandoned.

- Mr. Gray: The State hasn't given the County the deed yet.
- Mr. Marinaccio: So somebody in that department is lagging.
- Mr. Horan: Yes.
- Mr. Gray: The guy who was the County engineer was pushing for this intersection to be moved was Greg Bentley. Greg has since gone to work for the DOT so I think we could pretty easily get the status of this and I don't know why this is taking so long.
- Mr. Horan: It is supposedly on the Attorney General's desk. The issue right now is that they are trying to get financing as I'm told unless there is a change in the condition they can't get financing for the project.
- Mr. Marinaccio: Does that fall back on us?
- Mr. Horan: The question is if we don't amend the resolution they will probably stop work because they are running out of money.
- Mr. Flower: Regarding the whole process that came to the board a couple of times and floated around for a couple of years. Would the State just be able to go ahead and give them the conditional approval to abandon that section of roadway?
- Mr. Horan: I believe they have more than the letter. From what I've been told is we can follow up with Balkind. What we have been told is there is a quit claim deed prepared by the State to quit claim their interest in the intersection to Dutchess County. It has not been reviewed and approved. From what we've been told that is the hold up for the County moving forward.
- Mr. Flower: Maybe do it as a 3-step process if the State DOT is willing to go ahead and provide that.
- Mr. Horan: If we change it from a letter the County DPW will be able to tell you that they will issue a work permit condition upon receiving the quit claim deed from the State. The applicant agrees to do the work and be bound by that. I think that would be sufficient for the bank.
- Mr. Marinaccio: What if it doesn't happen?
- Mr. Gray: Remember the applicant is going to dedicate that land and they want the old right-of-way going to Sgt. Palmateer Way. They are giving it away and not getting anything so I don't know how they are going to feel about that.

- Mr. Horan: One of the things they are committing to is that they are going to get it from the Greer family that owns the Toyota property. They will get a waiver of their interest in Sgt. Palmateer Way and the site plan for that newly created lot would have 6 parking spaces for access to Sgt. Palmateer Way. Right now there is an easement between Greer Toyota and the Town to obligate Toyota to provide 6 parking spaces. For whatever reason the County doesn't issue they can't put the road out there.
- Mr. Marinaccio: So if the County doesn't issue that he can't finish his project and we can't give him his certificate of occupancy?
- Mr. Horan: That's the question because right now as the resolution is drafted he cannot get his certificate of occupancy if the County does not allow the road to go in.
- Mr. Marinaccio: He wouldn't be able to finish if that doesn't happen.
- Mr. Horan: He could come back with an amended site plan because that won't be a separate lot.
- Discussion continues.
- Mr. Pesce: They needed that property to meet the requirements to establish that.
- Mr. Flower: They got a variance to create that lot. They went to the ZBA before we could give an approval.
- Mr. Gray: This is something DOT and the County want to see happen. I am messaging Greg Bentley right now why this is taking so long.
- Mr. Horan: We are looking at various options. We are going to call Greg Bentley at DOT and Balkind at Dutchess County DPW for some kind of time table as to when we expect this to happen. We can put some of the dates in the resolution.
- Mr. Flower: Just to have some kind of ballpark.
- Mr. Horan: The bank doesn't want to get saddled with buildings that don't have certificate of occupancy.
- Mr. Marinaccio: So we are going to give them a guarantee that we are going to give them a certificate of occupancy to continue with this project?
- Mr. Horan: Again, that's the question we are looking at right now.

- Mr. Flower: The original resolution said they had to have all of these things in place prior to getting a building permit. They wanted to get going right away. Right before we voted we changed the verbiage to obtaining a certificate of occupancy which was basically putting him at his own risk.
- Mr. Horan: Frankly, in my experience if they went to another bank they would have gotten the money but this bank attorney is very thorough.

**Attendance:**

- Mr. Flower: At the last meeting there were three members absent and we need four members in order to have a quorum. Nobody reached out to anybody and it's just as simple as picking up the phone and calling the secretary. You can call me and I don't know if you have Bea's cell phone number? She's here during the day and Barbara is here as well.
- Mrs. Roberti: You have my cell.
- Mr. Flower: At least prior to the meeting everyone knows and if we need to call you to say we need one more person in. The other item was just getting everybody involved is a big thing. Sometimes it's tough when you get all this paperwork and sitting there looking at it is like what does this all mean? For me it comes easy because I'm in the business and I deal with this on a regular basis. It's a day-to-day thing with my job so I understand what's going on here. With new board members coming in it might be hard to pick up. One of my emails I suggested we do a workshop meeting. We could do a 3<sup>rd</sup> meeting out of the month and have the information to cover at least two meetings going forward. We could also do something prior to the meeting. It would have to be a couple of hours prior to the meeting only because there will be 7 of us there sitting around the table discussing stuff. No matter what we do whether a workshop before or at another time we have to publish it as a public meeting because we most likely would have a quorum. Since we are a 7 member board and have 4 members in a meeting the public needs to know.
- Mr. Horan: The only exception would be a site visit.
- Mr. Gray: Bruce, what you could do for a workshop you could move the regular meeting to 7:30pm and maybe start at 5:30pm to 7:30pm. The Town Board starts at 7:30pm.
- Mrs. Roberti: We used to start at 7:30pm and it got changed to 7:00pm when we were really busy and we were here until mid-night with three page agendas and it just stayed that way.

- Mr. Gray: Rather than the third night out.
- Mr. Flower: That's why I threw out the two options out.
- Mr. Gray: Sometimes it's tough getting out from work.
- Mr. Flower: How do you guys feel? Would a workshop be helpful prior to the meeting?
- Mr. Marinaccio: Yes, it only helps.
- Mr. Flower: The stuff I go through with the staff is coordination and no one is really reviewing anything 100%. It's more or less to push it in the direction it is going and to move it forward. To have a workshop will be beneficial to everyone.
- Discussion continues.
- Mr. Flower: Will everybody be able to make it at 5:00pm or so?
- Mr. Hussain: I could do 5:30pm.
- Mr. Marinaccio: I will do my best.
- Mr. Flower: If you come a little late it's no problem. We are not going to be making any decisions. Obviously, you are getting all of the information anyway so it's just a formality.
- Mrs. Roberti: Bea is going to be submitting the calendar for next year and it will be on the next meeting agenda because it has to get approved and go to the Town Board. Would you like to change the meeting time to 7:30pm for next year?
- Mr. Flower: Worst case scenario if we have to bump somebody to a future meeting because the agenda is getting too full.
- Mr. Marinaccio: For me 7:30pm works.
- Mrs. Roberti: How do the rest of you feel about moving to 7:30pm?
- All members approved moving Planning Board meeting to 7:30pm.
- Mr. Horan: So are we doing two workshops a month or one?
- Mr. Flower: It would probably be easier to do it prior to the meeting. It gives the opportunity for everybody to raise a question and discuss it. Hopefully we

will be done with everything and we can transition to the regular meeting at 7:30pm.

- Mrs. Roberti: Last time we had one item on the agenda so if you have a light agenda Bruce can make the decision to start it at 6:30pm that week rather than 5:30pm.
- Mr. Marinaccio: So are you going to text us with that change?
- Mr. Flower: I have to make sure I have everybody's cell phone numbers. I have no problem with texting the information to you. Bea can also take care of it has well.
- Mrs. Ogunti: I can text as well.
- Mr. Flower: Either way we will get the message out.
- Mr. Horan: You are going to have to do that fairly far in advance since it is a public meeting. You are going to have to advice the public of any changes in the workshop.
- Mrs. Roberti: How many days in advance?
- Mr. Horan: There is no set timeframe because it's a workshop.
- Mr. Flower: In terms of publication, say we are going to have a workshop prior to every meeting at 5:30pm and the meeting starts at 7:30pm and we publish it the beginning of the year.
- Mr. Horan: You only have to notice of the changes?
- Mr. Flower: When we do make those changes should it be published or can it just be posted?
- Mr. Horan: It would be posted and then you would report it to the media. You don't have to publish a legal notice. You would just have to inform the media and just post it that the meeting was being changed.
- Mrs. Roberti: How early?
- Mr. Horan: As early as possible.
- Mrs. Roberti: We could notify the papers the Friday before and put it on our web site.

- Mr. Flower: So going forward for next year we will schedule workshops prior to every meeting.
- The last thing is in case I cannot make a meeting we need a vice chair.
- Mr. Hussain:** **Motion to appoint Robert Valdati as Vice Chair of the Planning Board.**  
Mr. Pesce: Second the Motion.  
Vote: All present voted Aye.
- Mr. Valdati: I would be glad to step in anytime it is necessary.
- Mr. Gray: Bruce, do you need minutes for the workshop?
- Mr. Horan: Technically you don't. Any municipal board needs to have minutes of any formal actions that are taken so technically all you need for meeting purposes would be any resolutions or actions that are taken. You also have to have minutes of any public hearings. The workshop meeting will not be a public hearing.
- Mr. Stolman: Normally, the discussion of the regular meeting is going to mirror the discussion at the workshop.
- Mrs. Roberti: So the audio will just be kept in case you need it.
- Flower: If it needs to be addressed you can just go to the audio file to answer any questions not to burden the secretary.
- Mrs. Ogunti: With this workshop will the public be allowed to participate?
- Mr. Horan: No.
- Mr. Flower: No participation. It's more for the board and staff to discuss the projects.
- Mr. Horan: The reason why it's good to have some type of a historical record is for purposes of litigation.
- Mr. Flower: As long as the electronic file is adequate and that's the easiest way to get it.
- Mr. Horan: It's good to have for legal challenges.
- Mrs. Roberti: Just one last thing. Please make sure that your education is done for this year. You need all four hours to be complete. We get asked about this by the Town Board all the time. There have been reminders sent out to you.

They ask us periodically about the education and attendance recap if everybody has met their credits. Keep that in mind if you haven't done it to get it done and if you have done it make sure Bea has your information.

**Mr. Marinaccio:**

Mr. Pesce:

Vote:

**Motion to Adjourn.**

Second the Motion.

All present voted Aye.

Adjourned: 8:30 pm

Respectfully submitted,

Bea Ogunti, Secretary  
Town of Wappinger Planning Board