

MINUTES

**Town of Wappinger
Zoning Board of Appeals
February 3, 2020
Time: 7:00PM**

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

Summarized Minutes

<u>Members:</u>	Mr. Flower	Chairman	Present
	Mr. Ceru	Member	Present
	Mr. Freno	Member	Present
	Mr. Marinaccio	Member	Present
	Mr. Peratikos	Member	Present
	Mr. Pesce	Member	Present
	Mr. Valdati:	Member	Present

<u>Others Present:</u>	Ms. Cobb	Town Attorney
	Mr. Setaro	Town Engineer
	Mr. Stolman	Town Planner
	Mrs. Roberti	Zoning Administrator
	Mrs. Ogunti	Secretary

SUMMARY

<u>Public Hearing:</u> Hindu Samaj Amended Site Plan (Parking Lot)	Public Hearing opened & closed Town Planner authorized to prepare Resolution for March 2, 2020
Nussbickel Brothers Realty Site Plan & Lot Line Re-alignment	Public Hearing opened & closed Town Planner authorized to prepare Resolution for March 2, 2020
<u>Discussion:</u> Gasland Petroleum Rte. 9D Hughsonville	Intent to circulate for Lead Agency
NERP Holding Tractor Supply Company & Retail Store	Resubmit
<u>Extension:</u> Hindu Samaj Lot Consolidation	Ninety (90) day Extension granted
Calvary Chapel of the Hudson BAC Properties, LLC	Six (6) months Extension granted One (1) year extension granted

Mr. Freno: Motion to accept the Minutes from January 6, 2020.
Mr. Valdati: Second the Motion.
Vote: All present voted Aye.

Video of the February 3, 2020 Planning Board Meeting:

<https://www.youtube.com/watch?v=wXFPVnIV6T0>

Public Hearing:

19-3422 Hindu Samaj Amended Site Plan (Parking Lot): The Town of Wappinger will conduct a Public Hearing on an Amended Site Application for the construction of a new parking lot and to relocate the entrance for 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. (Berger) (Approved Lot Consolidation on December 3, 2018)

Present: Michele Zerfas – Engineer, Berger Engineering

Mr. Valdati: Motion to open the Public Hearing.
Mr. Peratikos: Second the Motion.
Vote: All present voted Aye.

Mr. Valdati: Motion to close the Public Hearing.
Mr. Marinaccio: Motion to close the Public Hearing.
Vote: All present voted Aye.

Mr. Marinaccio: Motion to authorize the Town Planner to prepare the Resolution for March 2, 2020.
Mr. Freno: Second the Motion.
Vote: All present voted Aye.

19-3423 (Site Plan) and 18-5197 (Lot Line Re-alignment) Nussbickel Brothers Realty Site Plan and Lot Line Realignment: The Town of Wappinger will conduct a Public Hearing on the consolidation of 4 existing non-conforming lots into 3 lots with parking 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. (Hudson Land Design)

Present: Dan Kohler – Engineer, Hudson Land Design

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

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

Mr. Marinaccio: **Motion to authorize the Town Planner to prepare the Resolution for March 2, 2020.**
Mr. Freno: Second the Motion.
Vote: All present voted Aye.

Discussion:

20-3424 (Site Plan), 20-5205 (Lot Line Consolidation), and 20-4087 (Special Use Permit) Gasland Petroleum Route 9D - Hughsonville: To discuss a Site Plan, Special Use Permit and a Lot Line Consolidation. The applicant is proposing the consolidation of two tax parcels and to install a gasoline fueling station with four fuel pumps and to construct a 2,700 sf. convenience store, two one-bedroom apartments on 1.24 acres in a HM Zoning District. The property is located at **2361 Route 9D** and is identified as **Tax Grid Nos. 6157-01-048643, 057642, 057654 & 059643** in the Town of Wappinger. (Chazen)

Present: Chris LaPine – Engineer, Chazen Companies
Applicant to resubmit.

Mr. Marinaccio: **Motion to declare our intent to circulate for Lead Agency.**
Mr. Peratikos: Second the Motion.
Vote: All present voted Aye.

19-3407 NERP Holding Tractor Supply Company & Retail Store: To discuss the felling of trees on a Site Plan application for the construction of a tractor supply retail store on vacant lot on 5.899 acres in an HB Zoning District. The property is located on **Route 9** and is identified as **Tax Grid No. 6157-04-539374** in the Town of Wappinger. (Hallisey, Pearson & Cassidy) (Lead Agency March 27, 2019) (Negative Declaration July 15, 2019) (ZBA variances granted July 23, 2019) (Resolution approved: September 16, 2019)

Present: Neil Alexander – Attorney, Cuddy & Feder
Jim Cassidy – Engineer, Hallisey, Pearson & Cassidy
Matt Darling – Applicant, NERP Holding Acquisition

Mr. Alexander gave a brief overview of the project.

Mrs. Licari spoke out on behalf of the residents of Fowlerhouse Road.

Mr. Marinaccio:

Mr. Freno:

Vote:

Motion to go into Executive Session for legal advice.

Second the Motion.

All present voted Aye.

Mr. Valdati:

Mr. Marinaccio:

Vote:

Motion to come out of Executive Session.

Second the Motion.

All present voted Aye.

No votes or decisions made in Executive Session.

Mr. Marinaccio:

Mr. Peratikos:

Vote:

Motion to approve the felling of trees.

Second the Motion.

All present voted Aye.

Extension:

18-5196 Hindu Samaj (2-Lot Consolidation): Is seeking their third 90-day extension on a 2-lot consolidation application approved on December 3, 2018 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 extension is requested to allow time to work on the final conditions of the resolution. If granted, this extension will begin February 27, 2020 May 26, 2020. 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. (Berger) (Approved Lot Consolidation on December 3, 2018)

Mr. Pesce:

Mr. Peratikos:

Vote:

Motion to grant the applicant a 90-day Extension.

Second the Motion.

All present voted Aye.

10-3199 / Calvary Chapel of the Hudson Valley: Is seeking their fifth 6 months extension on a Site Plan application approved on March 17, 2014 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. This extension is requested to allow for the review of the sign design, decision on submission timing of and building permit application. If granted, this extension would begin on March 14, 2020 through September 13, 2020. The applicant is requesting this extension in order to allow the NYDOT to complete their review and prepare their permit and approval. 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.)

Mr. Freno: Motion to grant the applicant a 6 months Extension.
Mr. Valdati: Second the Motion.
Vote: All present voted Aye.

14-3319 BAC Properties, LLC: Seeking their fifth one year extension on Site Plan approved March 2, 2015, on the application of **BAC Properties, LLC seeking re-approval for their amended site plan for the construction of a contractor equipment rental counter and display/warehouse/storage office building consisting of 19, 440 square feet in an AI Zoning District.** The applicant has a potential tenant. However, the process has been delayed due to the economy. Per the owner, there has been some interest but no long-term commitments. This extension would begin on March 2, 2020 through March 1, 2021. The property is located at **30 Airport Drive** in the Town of Wappinger and is identified as **Tax Grid No. 6259-04-578332.** (Povall) (PH 3/2/15) (Approved Amended Site Plan 3/2/15)

Mr. Valdati: Motion to grant the applicant a one year Extension.
Mr. Marinaccio: Second the Motion.
Vote: All present voted Aye.

Mr. Marinaccio: Motion to adjourn.
Mr. Pesce: Second the Motion.
Vote: All present voted Aye.

Respectfully Submitted,

Adjourned: 8:48 pm

Bea Ogunti
Secretary
Planning Board & Zoning Board of Appeals