

**MINUTES**

**Town of Wappinger  
Planning Board  
October 19, 2020  
Time: 7:00PM**

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

Summarized Minutes

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

**Others Present:**

Mr. Horan	Town Board Attorney
Mrs. Roberti	Zoning Administrator
Mrs. Ogunti	Secretary

---

**SUMMARY**

**Public Hearing:**

Tarpon Towers II, LLC Wireless Facility (Castle Point)      Scoping Session adjourned to December 7, 2020

**Discussion:**

Airgas Exterior Gas Tank Storage      Moved to November 2, 2020

**Video of the October 19, 2020 Planning Board Meeting:**

<https://www.youtube.com/watch?v=KYpBR-u5xRs>

**Mr. Marinaccio:** Motion to accept the Minutes from October 5, 2020.  
**Mr. Peratikos:** Second the Motion.  
**Vote:** All present voted Aye.

**Public Hearing:**

**19-3420 (Site Plan) 19-4085 / (Special Use Permit) Tarpon Towers II, LLC Wireless Telecommunications Facility (Castle Point):** To discuss Scoping on a Site Plan and Special Use Permit on a telecommunications facility at Castle Point on 47 acres in an R40/80 Zoning District. The proposed facility will consist of a 150-foot tall tower. The property is located at **110 Chelsea Road** and identified as **Tax Grid No.: 6056-03-339420** in the Town of Wappinger. (Cuddy & Feder) (Lead Agency: December 3, 2019) (July 20, 2020 Public Hearing closed) (September 21, 2020 approved Positive Declaration)

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

**Mr. Horan:** Mr. Chairman for the record, on October 15, 2020, Tarpon Towers commenced an action in Federal Court under the Telecommunications Act against the Planning Board and other members. The Planning Board and the Zoning Board of Appeals in the Town of Wappinger seeking relief under the Telecommunications Act. Today I was sent a copy of the summons and complaint in that action by the attorneys for the applicant. The attorney indicated that due to the pending action they would not appear tonight for the Scoping Session. When the members of the public had inquired from the Planning office whether or not this would be on this evening, the Planning Board Secretary had conveyed to them the intent of the applicant. Right now it is 7:05pm and there is no audience.

**Mr. Marinaccio:** Motion to adjourn the Public Hearing to December 7, 2020.  
**Mr. Peratikos:** Second the Motion.  
**Vote:** All present voted Aye.

**Mr. Marinaccio:** **Motion to go into Executive Session for legal advice from our attorney regarding pending litigation.**

Mr. Peratikos: Second the Motion.  
Vote: All present voted Aye.

**Mr. Peratikos:** **Motion to come out of Executive Session.**

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

**Discussion:**

**20-3428 Airgas Exterior Gas Tank Storage:** To discuss a Site Plan application to construct an air gas tank containment area on 0.52 acres in an HD Zoning District. The property is located at **1123 Route 9** and is identified as **Tax Grid No. 6157-04-671026** in the Town of Wappinger. (Day & Stokosa)

At the applicant's request, this project is being moved to the November 2, 2020 Planning Board meeting.

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

Respectfully Submitted,

Adjourned: 8:01 pm

Bea Ogunti  
Secretary  
Zoning Board of Appeals