

MINUTES

**Town of Wappinger
Planning Board
October 16, 2023
Time: 7:00PM**

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

<u>Members:</u>	Mr. Flower	Chairman	Present
	Mr. Ceru	Co-Chair	Present
	Mr. Anjos	Member	Absent
	Mr. Freno	Member	Present
	Mr. Maselli	Member	Present
	Mr. Peratikos	Member	Present
	Ms. Versaci	Member	Present

Others Present:

Mr. Horan	Planning Board Attorney
Mr. Simpson	Town Engineer
Mr. Bodendorf	Planning Board Engineer
Mrs. Roberti	Zoning Administrator
Mrs. Ogunti	Secretary

SUMMARY

Adjourned Public Hearing:

Verizon Wireless Communications – Diddell Rd	Adjourned to November 6, 2023
Verizon Wireless – Spook Hill Park	Adjourned to November 6, 2023

Discussion:

Verizon Wireless – Kent Road	Resolution approved as amended
Downey Energy Liquid Propane Storage	Moved to November 6, 2023

Video of the October 16, 2023 Planning Board Meeting:

Part 1

<https://www.youtube.com/watch?v=bzTGTWBSKkA&list=PLcCig2q5NIqIET7dXiSaUzTtSP1wGpkSI&index=78>

Part 2

https://www.youtube.com/watch?v=Rsv0Ba9_w30

Mr. Freno: Motion to accept the Minutes from
October 2, 2023.

Mr. Peratikos: Second the Motion.

Vote: All present voted Aye.

Adjourned Public Hearing:

23-3470 (Site Plan) and 23-4107 (Special Use Permit) Verizon Wireless

Communications Facility – Diddell Road: The Town of Wappinger Planning Board will conduct an Adjourned Public Hearing on a Site Plan application and Special Use Permit application. The applicant is proposing to install 124 foot height monopole and operate a wireless service facility in an R-40/80 and R-3A Zoning Districts. The property is located off **Diddell Road** and is identified as **Tax Grid No.: 6359-01-480600** in the Town of Wappinger. (Young / Sommer) (Public Hearing opened on July 17, 2023 and adjourned: to September 6, 2023) (Public Hearing Adjourned to October 16, 2023)

Present: Scott Olson – Attorney, Young & Sommer

Mr. Maselli: Motion to open the Adjourned Public Hearing.

Mr. Peratikos: Second the Motion.

Vote: All present voted Aye.

PUBLIC COMMENTS:

Tim & Jessica Toulan
87 Diddell Road
Wappingers Falls, NY 12590

Jose Seco
117 Diddell Road
Wappingers Falls, NY 12590

Ms. Versaci: **Motion to adjourn the Public Hearing to November 6, 2023.**
Mr. Freno: Second the Motion.
Vote: All present voted Aye.

23-3478 (Site Plan) and 23-4110 (Special Use Permit) Verizon Wireless – Spook Hill Park Small Wireless Facility: The Town of Wappinger Planning Board will conduct an Adjourned Public Hearing on a Site Plan application and Special Use Permit application. The applicant is proposing to install a 50 foot (Class 2) wooden utility pole with one (1) antenna, equipment and utilities in an R20 Zoning District. The property is located at the corner of **Nancy Aleen Drive and Spook Hill Road** and is identified as **Tax Grid No.: 6157-01353724** in the Town of Wappinger. (Young / Sommer) (Public Hearing opened on July 17, 2023 and adjourned: to September 6, 2023) (Adjourned to October 16, 2023)

Present: Scott Olson – Attorney, Young & Sommer

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

PUBLIC COMMENTS:

Delia & Jason Engstrom
21 Spook Hill Road
Wappingers Falls, NY 12590

Sharon Adler
1 Mina Drive
Wappingers Falls, NY 12590

Mr. Peratikos: **Motion to adjourn the Public Hearing to November 6, 2023.**
Mr. Maselli: Second the Motion.
Vote: All present voted Aye.

Discussion:

23-3477 (Site Plan) and 23-4109 (Special Use Permit) Verizon Wireless – Kent Road Small Wireless Facility: To vote on a Site Plan application and Special Use Permit application. The applicant is proposing to install a 50 foot (Class 2) wooden utility pole with one (1) antenna, equipment and utilities in an R20 Zoning District. The property is located at the corner of **Kent Road and Baldwin Drive** and is identified as **Tax Grid No.: 6157-01353724** in the Town of Wappinger. (Public Hearing opened and adjourned: to September 6, 2023) (Young / Sommer)

Present: Scott Olson – Attorney, Young & Sommer

Mr. Peratikos:	Motion to approve the resolution as amended.
Mr. Maselli:	Second the Motion.
Vote:	All present voted Aye.

AT THE REQUEST OF THE APPLICANT'S ATTORNEY, THIS PROJECT IS REMOVED FROM TONIGHT'S AGENDA AND WILL BE PLACED ON THE NOVEMBER 6TH AGENDA.

20-3425 (Site Plan) / 20-4088 (SUP) Downey Energy Liquid Propane Storage:
To discuss submission of the Draft DEIS on a Site Plan application and Special Use Permit for a proposed liquid propane bulk storage facility on 5.4 acres in an HB Zoning District. The property is located at **199 Old Route 9** and is identified as **Tax Grid No.: 6156-02-763656** in the Town of Wappinger. (Cappelli) (Lead Agency: March 30, 2020) (Public Hearing closed: April 19, 2021) (Positive Declaration approved: April 4, 2022)

Mr. Freno:	Motion to go into Executive Session for legal advice.
Mr. Maselli:	Second the Motion.
Vote:	All present voted Aye.

Mr. Maselli:	Motion to come out of Executive Session.
Mr. Ceru:	Second the Motion.
Vote:	All present voted Aye.

Mr. Flower: For the record the Board went into Executive Session to discuss a legal issue.

Mr. Freno: **Motion to request assistance from the Town Board to allow staff to hire a conflict attorney for guidance to move forward with the current litigation.**

Mr. Maselli: Second the Motion.

Vote: All present voted Aye.

Mr. Freno: **Motion to adjourn.**

Mr. Maselli: Second the Motion.

Vote: All present voted Aye.

Respectfully Submitted,

Adjourned: 8:45 pm

Bea Ogunti
Secretary
Zoning Board of Appeals