

MINUTES OF THE PLANNING BOARD MEETING HELD APRIL 11, 2013

Present: Tom Morris, Chairman, John Regan, Don McCormick, Mike Kocan, George Moran (Alternate)

Absent: Bonnie Kieffer

Others Present:

Don Swartz	Barbara Gutzler
Bob Gray	Robert Valdati
Dave Stenger	Trustee Komornik
Jay Paggi	Michele Greig
Jennifer Van Tuyl	Jason Pitingaro

Meeting was called to order at 7:30 p.m. Mr. Morris stated there were a few amendments to the minutes of the March 7, 2013 meeting – Page 2, 7th line from top should read, “...subtle **matte** finish...”, Page 4, third line from top should read, “...reduce the height of the proposed fixtures from an 18’ mounting height (20 ft. decorative pole height)...” and line 21 should read, “...to include a 14” x 14” wood faced column...” and under General Discussions – it should be added that Mr. Morris asked secretary to send a copy of all meeting agendas to both the Town of Poughkeepsie and the Town of Wappinger. Mr. McCormick made a motion to approve the minutes as amended, seconded by Mr. Regan. Unanimously carried.

NUVO CIGARETTES, 16 MARKET STREET

This item was removed from the agenda – applicant notified the Zoning Office earlier in the day that they would not be attending the meeting.

EAT, PAINT, LOVE STUDIO, 2689 WEST MAIN STREET

First item on the agenda that the Board can take action on is the proposal from Eat, Paint, Love Studio, 2689 W. Main Street. Ms. Meghan Hines the owner of the business was not present but she had her husband there to answer any questions. It was stated that there is a consent form on file from the owner of the building. Mr. Hines stated what they are basically doing is putting up two decals in the window that say Eat, Paint, Love Studio on one window and the other window says Eat. Paint Love Boutique Paint and Party Studio. There are paint cans with lights in them lighting up the window. It was stated Mr. Murphy, Code Enforcement Officer had reviewed this proposal and states it conforms to all codes. They will be white letters. Mr. McCormick made a motion to approve the proposal as presented, seconded by Mr. Moran. Unanimously carried. Applicant was reminded to see the Code Enforcement Officer for the necessary permits.

PROPOSED SUBDIVISION – 7-9 FRANKLINDALE AVENUE

Next on the agenda was the proposed subdivision for 7-9 Franklindale Avenue. No one was present.

KC ENGINEERING AND LAND SURVEYING, PC FOR TRI-MUNICIPAL SEWER

Next on the agenda was the public hearing from KC Engineering and Land Surveying, PC representing Tri-Municipal Sewer Commission for a building to house a self cleaning bar screen that will remove rags and debris before the sewerage enters the pump station at 128 Market Street. Mr. Jason Pitingaro representing KC Engineering was present. Mr. Moran made a

motion to open the public hearing, seconded by Mr. Regan. On roll call vote – Mr. McCormick – Aye, Mr. Regan – Aye, Mr. Moran – Aye, Mr. Kocan – Aye and Mr. Morris – Aye. Mr. Pitingaro gave a quick description of the project. The sewers from the Town of Wappinger, Village of Wappingers and parts of the Town of Poughkeepsie come to the same pump station and when there is a storm there is a surge of infiltration in the sewer pipes which leak because they are old. To handle the extra surge of water they have built two tanks. The proposal is for a building to be built (16' x 23') which will house a self cleaning bar screen. The bar screen breaks off the debris that catches on the screen – takes it up to the top and puts it in a washer/compactor and gets all the materials off the rags and squeezes them and they are put into a big plastic bag and disposed of. The building will be in between the pump station and the extension of Franklindale Avenue. The building will be a split faced concrete block with a gable roof, vinyl siding, aluminum roof and fiberglass doors. Ms. Greig from Greenplan, Inc. reviewed her comment letter dated March 28, 2013 (a copy which is on file in the Planning/Zoning offices). Ms. Greig stated they have been working with the applicant on the proposed landscaping – they proposed honeysuckles which is a vine that they will be planting along the fence – which will help to screen the fence and spruce trees to provide some evergreen screening and forsythia which they are proposing to plant along some key locations – along Franklindale Avenue they plant some type of juniper that grows a little lower and will not interfere with the electrical lines. There was also a maintenance clause added stating that the landscaping as shown on the plan will be maintained by the applicant throughout the duration of the use. Ms. Greig went on to state that they did address the landscaping issues on the plans but there one additional comment regarding SEQRA – it was classified as a Type II action under SEQRA but the Board of Trustees circulated for Lead Agency and the Board of Trustees will either have to reclassify the action or conclude the SEQRA review before the Planning Board can take action on the site plan. Ms. Cobb stated that she has been informed that the Board of Trustees did not take any action at their last meeting. Therefore, the Planning Board can take no action this evening. Next, the comment letter from Paggi, Martin and DelBene was reviewed (letter dated March 27, 2013 and is on file in the Planning/Zoning offices). It stated that there are no engineering related concerns associated with this proposal. Mr. Paggi did suggest that the plantings along Creek Road be pushed back so they do not impede site distance. Mr. Robert Valdati from the Planning Board in the Town of Wappinger stated he feels this project is a good fit and the Town is glad there is going to be some landscaping done – he did agree with Mr. Paggi's comment about the landscaping along Creek Road being pushed back. Mr. McCormick made a motion to close the public hearing, seconded by Mr. Kocan. On roll call vote – Mr. Regan – Aye, Mr. Kocan – Aye, Mr. Moran – Aye, Mr. McCormick – Aye and Mr. Morris – Aye.

HUDSON VALLEY HOUSING DEVELOPMENT FUND FOR 2675 W. MAIN STREET AND 1 GIVANS AVENUE

Next on the agenda was the proposal from Hudson Valley Housing Development Fund Co., Inc. with a proposal for exterior renovations at 2675 W. Main Street and 1 Givans Avenue. Mr. Don Swartz, Architect for the project and Ms. Jennifer Van Tuyl, Attorney for applicant were present. Mr. Swartz stated tonight's appearance is a continuation of the Architectural Review for the project. The bulk of the work is proposed for the first floor – where they are basically taking out

two doors and working with the central hallway creating doors off of the hallway into two spaces. Mr. Swartz pointed out that one of the spaces would be a commercial space and one would be residential space (describing 1 Givens Avenue). Ms. Cobb stated she understands from Counsel for the applicant that the only thing they are before the Board with tonight is for the fascia. Mr. Kocan stated he is concerned about this proposal – he feels the way the fascia is going to dictate the way the plan is built and it does not lend itself to commercial use. He went on to state that he is very concerned that the area will be turned into residential space and not be kept commercial. Mr. Morris stated Mr. Kocan’s point is duly noted but before the Planning Board tonight is only architectural review of the building. Mr. Swartz stated basically what he is doing is from the edge of masonry opening to the edge of masonry opening there will be one lintel and if construction allows they will get it up higher so for all intent this section will be curtain walled – the windows that they are putting in would be able to be taken out and a large expansive glass put in – there will not be a structural column in the center – so there is the opportunity to modify the windows at a later date. The continuation of the apartment use necessitates operable windows and does not allow the installation of solid fixed glass. Mr. McCormick asked applicant if the space that is presently commercial will remain commercial and Mr. Swartz stated it will remain commercial space. Mr. Regan asked how they mitigated the water coming from the downspouts and Mr. Swartz stated what they are going to be doing is having a field meeting with the NYS DOT about tying into their system. Mr. Swartz presented the Board with all color samples of the new façade. Mr. Regan made a motion to approve the exterior renovations and façade for 1 Givans Avenue and 2675 W. Main Street as presented this evening. Motion was seconded by Mr. Moran. Vote – Mr. McCormick – Abstain, Mr. Moran – Aye, Mr. Regan – Aye, Mr. Kocan – Aye and Mr. Morris – Aye.

CREEKSIDE SPRINGS/EROSION CONTROL BOND

Next on the agenda was a discussion with Creekside Springs, LLC regarding reduction in their Erosion Control Bond for their site plan for three buildings (44 units) at Franklindale Avenue. Mr. Dave Stenger, Developer for the site was present. We have a letter on file (letter on file in the Planning/Zoning Offices) from Paggi, Martin and DelBene dated January 25, 2013 recommending to the Planning Board that the Erosion Control Bond could be reduced from the original \$145,000.00 to \$50,000.00. Mr. Paggi stated that Mr. Stenger has site plan approval for the project. He has started his work and completed his bulk grading and has stabilized the site. The erosion control perimeter and interior erosion control measures are up and are being maintained on a regular basis. The SWPPS inspections are being done bi-weekly and both Paggi, Martin and DelBene and the Code Enforcement Officer are receiving copies. Mr. Paggi feels the entire \$145,000.00 bond is not necessary and he felt that the bond could be reduced to \$50,000.00 for the duration of the project which would insure maintenance of the erosion control measures until final stabilization has taken place. Mr. Paggi wanted to make sure the Board understood this bond is for erosion control only. Mr. Kocan made a motion approving the reduction of the Erosion Control Bond from \$145,000.00 to \$50,000.00. Motion was seconded by Mr. McCormick. Unanimously carried.

VILLAGE HIGHWAY GARAGE, 100 MARKET STREET

Next on the agenda was the review and discussion of the proposed Village Highway Garage to be located at 100 Market Street. Mr. Morris stated that the Board had already reviewed the exterior of the garage and the Board leaves the interior of the building up to the Code Enforcement Officer and Engineers. Mr. Paggi stated that they have received feedback from Highway Supt. Pete Paggi to make sure they have the

right dimensions – they have measured all of the equipment to make sure it goes through the doors – they have looked at dimensions of newer equipment for the future – and they feel that have everything accounted for. Mr. Paggi also stated any chemicals that leak from vehicles will go into floor drains and be deposited of properly. Mr. Regan asked who is doing the construction of the building and Mr. Paggi stated the external shell of the building will be built by Mr. Dave Stenger of Creekside Springs and the floor and drainage will be done by the Village. The village will prepare a pad and Mr. Stenger will then do the excavation for the footings, heating/ventilation, plumbing, electric, sheetrock, floor slab. The approximate cost for the Village if \$617,000.00 Mr. Regan made a motion that the Planning Board concurs with the work for the Highway Garage, seconded by Mr. Moran. Unanimously carried.

VALERO/PETROLEUM PRESTIGE, 2558 SOUTH AVENUE

Next on the agenda was the review and discussion on substitution of material for Prestige Petroleum, 2558 South Avenue. According to our final resolution the materials for the trim would be wood. Prestige Petroleum has proposed an alternative saying it has a longer life and will look better for a longer period of time. Mr. Morris stated he personally does not have a problem with the change but it had to come back before the Board because the resolution will have to be updated to accept the change. Mr. McCormick made a motion to substitute the wood on the trim with manmade materials. Motion was seconded by Mr. Kocan. Unanimously carried. The resolution will have to be updated to reflect this change.

GENERAL DISCUSSION

It was noted that behind Café Maya they have taken down quite a few trees. Secretary was asked to find out from the Code Enforcement Officer why they are doing this.

Mr. Moran made a motion to adjourn the meeting, seconded by Mr. McCormick. Meeting was adjourned at 8:10 p.m.

At 8:15 p.m. Mr. McCormick made a motion to reopen the meeting, seconded by Mr. Moran. Mr. McCormick then made a motion to elect Mr. Morris as Chairman for the next fiscal year (June 1, 2013 through May 31, 2014.) Motion was seconded by Mr. Regan. On roll call vote – Mr. Regan – Aye, Mr. McCormick – Aye, Mr. Moran – Aye, Mr. Kocan – Aye and Mr. Morris – Abstain.

At the present time Ms. Kieffer is Vice Chairperson and she was absent from the meeting. The Board wanted to wait for her to be back before voting on Vice Chairperson.

Mr. McCormick made a motion to adjourn the meeting, seconded by Mr. Moran. Meeting was adjourned at 8:20 p.m.

Respectfully submitted,

MARY ANN LONCTO, Secretary
Planning Board