

## MINUTES

**Town of Wappinger  
Planning Board  
July 7, 2021  
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
	Ms. Versaci	Member	Present

### **Others Present:**

Mr. Ackermann	Planning Board Attorney
Mr. Wood	Legal Counsel
Tom Harvey	Planning Board Engineer
Mr. Simpson	Town Planner
Ms. Subrize for	Planning Board Secretary

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## **SUMMARY**

### **Adjourned Public Hearing:**

Smith 3-Lot Subdivision

Public Hearing closed  
Resubmit

### **Public Hearing:**

Popeye's Wappingers Falls Chicken,  
LLC, Amended Site Plan

Public Hearing Closed  
Town Planner authorized to prepare  
Resolution

### **Discussion:**

Back2Health Yoga

Resubmit

Tassone Court addition of Commercial Use  
Amended Site Plan

Resubmit

Gasland Petroleum Route 9D – Hughsonville

Town Planner authorized to prepare  
Negative Declaration  
Town Planner authorized to prepare  
Resolution

### **Extension:**

Wappinger Farm Estates Subdivision

90 Day Extension granted

**Mr. Marinaccio:** **Motion to accept the Minutes from June 21, 2021.**  
**Mr. Maselli:** Second the Motion.  
**Roll Call Vote:** All present voted Aye.

**Video of the July 7, 2021 Planning Board Meeting:**

[https://www.youtube.com/watch?v=bPJ71\\_0yWGA&list=PLcCjg2q5NIglET7dXiSaUzTtSP1wGpkSl&index=29](https://www.youtube.com/watch?v=bPJ71_0yWGA&list=PLcCjg2q5NIglET7dXiSaUzTtSP1wGpkSl&index=29)

**20-5211 Smith 3-Lot Subdivision:** The Town of Wappinger Planning Board will conduct an adjourned public hearing on a 3-Lot Subdivision application on 3.98 acres in an R-20 Zoning District. The applicant is proposing to subdivide the existing lot that consists of a residential house with a carriage house and garage into 3 residential lots. The property is located at **3 Losee Road** and is identified as **Tax Grid No. 6157-02-899515** in the Town of Wappinger. (Paggi) (Public Hearing opened: February 1, 2021)

**Present:** Andrew Bulson – Engineer

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

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

**Public Hearing:**

**20-3433 Popeye's Wappingers Falls Chicken, LLC – Amended Site Plan:** The Town of Wappinger Planning Board will conduct a public hearing on an Amended Site Plan application to convert an existing 2,700 square foot restaurant into the latest proto-type Popeye's Chicken on 12.98 acres in a SC Zoning District. The property is located at **1488-1506 Route 9** and is identified as **Tax Grid No.: 6157-02-653974** in the Town of Wappinger. (Chazen)

**Present:** Chris Lapine – Engineer  
Nick Ward-Wallis – Attorney

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

**Mr. Marinaccio:** **Motion to authorize the Town Planner to prepare a Resolution for July 19, 2021.**  
**Ms. Versaci:** Second the Motion.  
**Vote:** All present voted Aye.

**Discussion:**

**21-4092 Back2Health Yoga:** To discuss a Special Use Permit application. The applicant is proposing to operate a home occupation specializing in individualized therapeutic yoga on 0.67 acres in an R10 Zoning District. The property is located at **6 Broadway Avenue** and is identified as **Tax Grid No.: 5956-12-975587** in the Town of Wappinger. (Roy)

Present: Cristina Roy – Applicant

Applicant to resubmit

**21-3442 Tassone Court addition of Commercial Use – Amended Site Plan:** To discuss an Amended Site Plan application. The applicant is proposing to amend their site plan to include service use on 2.57 acres in an HB Zoning District. The property is located at **3-17 Route 9** and is identified as **Tax Grid No.: 6156-02-777882** in the Town of Wappinger. (Burns)

Present: Steve Burns – Engineer

Applicant to resubmit

**20-3424 (Site Plan), 20-5205 (Lot Line Consolidation), and 20-4087 (Special Use Permit) Gasland Petroleum Route 9D - Hughsonville:** To discuss an application for an amended Site Plan, two Special Use Permits, and a Lot Line Consolidation to include the corner lot. The applicant is proposing to consolidate 5 tax parcels and to develop a gasoline filling station (4 pumps with 8 fueling stations), a 3,800 square foot convenience store, with 3 one-bedroom apartments located above in a single 7,860 square foot building, and 32 parking spaces, on 1.8 acres in a HM Zoning District. The property is located at **123-125 New Hamburg Road, 2357 Route 9D, 2361-2365 Route 9D** and is identified as **Tax Grid Nos. 6157-01-048643 (0.21 acres), 057642 (0.20 acres), 057654 (0.69 acres), 059643 (0.14 acres) & 040637 (0.55 acres)** in the Town of Wappinger. (Chazen) (Lead Agency: October 7, 2020) (Public Hearing October 5, 2020; adjourned to November 2, 2020, adjourned to December 7, 2020, adjourned to February 1, 2021, Discussion only: March 15, 2021, Public Hearing adjourned to May 5, 2021) (Amended Lead Agency: March 26, 2021) (Public Hearing closed: May 3, 2021)

Present: Chris Lapine – Engineer  
Nick Ward-Wallis – Attorney  
Mitch Nesheiwat – Applicant  
Zeidan Nesheiwat – Applicant

**Mr. Peratikos:** **Motion to authorize the Town Planner to prepare the Negative Declaration.**

Ms. Versaci: Second the Motion.

Vote: All present voted Aye.

**Mr. Marinaccio:** **Motion to authorize the Town Planner to prepare a Resolution for the Lot Line Consolidation, Special Use Permit and Site Plan.**

Ms. Versaci: Second the Motion.

Vote: All present voted Aye.

**Extension:**

**18-5194 Wappingers Farm Estates Subdivision:** Seeking a 90-day extensions on a subdivision application for the construction of 11 single family residents on 61.00 acres in an R40/80 Zoning District. This extension is being requested to allow time for Health Department approval. If granted, this extension will begin retroactively from July 29, 2021 through October 29, 2021. The property is located at **105 Robinson Lane** and is identified as **Tax Grid No. 6459-03-110235** in the Town of Wappinger (Day) (Lead Agency August 14, 2018) (PH closed November 4, 2019) (Resolution approved: July 20, 2020)

**Mr. Peratikos:** **Motion to grant an Extension retroactively from July 29, 2021 through October 29, 2021.**

Mr. Marinaccio: Second the Motion.

Roll Call Vote: All present voted Aye.

**Mr. Marinaccio:** **Motion to Adjourn.**

Mr. Maselli: Second the Motion.

Roll Call Vote: All present voted Aye.

Respectfully Submitted,

Adjourned: 8:20 PM

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Secretary

Planning / Zoning Board of Appeals