

**Town of Wallkill
PLANNING BOARD MINUTES
January 3, 2018**

**Members in Attendance: Gary Lake
A Guattery, T. Hamilton, Clark Najac, J. Keegan
Bill Capozella, Tom Hamilton**

**Also in Attendance: Dick McGoey, MH&E PC, Consulting Engineer
Tad Barone, PB Attorney**

**PLEDGE OF ALLEGIANCE
7:30 PM – MEETING OPENED**

**REORGANIZATION 2018
ZBA Liasion Update
Training Updates**

1. Loiodice SP/SUP – 682 Rt. 17m (36-2-62.22) # 63-16

**M. Hunt TOWN OF WALLKILL PLANNING BOARD NOTICE OF PUBLIC HEARING
NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING of the Planning Board of The Town of
Wallkill, Orange County, New York will be held at the Town Hall at 99 Tower Drive, Building A,
Middletown, New York in said Town on the third day of January, 2018 at 7:30pm or as soon
thereafter as the matter can be heard that day on the application of Loiodice Excavating, Inc.,
783 Guymard Turnpike, Otisville, New York, For approval of: Corporate Office / Service Shop
Use, Located at 682 Route 17M, Middletown, New York. Also known as Section 36, Block 2,
Lot 62.22, Under Section 249-27.1 (ENT-L Zone) of the Zoning Law of the Town of Wallkill. All
parties of interest will be heard at such time and place.**

I have rec'd the mailings.

G. Lake Thank you – state your name for the record and your proposal.

J. Loiodice James and Vincent Loiodice. WE are here to find out if we can operate a company out of this property. We are trying to get the approval to move ahead and purchase it.

G. Lake They have been before us before and to a couple worksessions. Motion to open the PH at 7:39 pm. Motion to close this PH at 7:40 pm providing you are willing to waive the 62 day timeframe until we get comments back from the State yet. (yes) Bill/Andy. 7 ayes. Dick's comments....

R. Mcgoey We went over these at the worksession. There is SW management, details of the containment area for storage etc.

J. Loiodice This is almost a complete set of engineered drawings that we would have to invest in. do we need to get that to get approval to operate and get our approval out of here?

G. Lake We need like the set here. I believe they are missing a couple details that must be placed on it before I can sign the map.

J. Loiodice Even for septic, we have to go on the property to get test holes..

G. Lake That can be handled subject to the approval. You need to get that done before you can get a building permit.

J. Loiodice I understand. We are just trying to purchase the property.

G. Lake You can get a conditional final approval so you don't have to come back to this board but you need to satisfy the issues before we sign the map. You understand the septic, how it has to be done, etc. the big thing for us is the comments from NYSDOT. They get punchy when we act before they do. We are waiting for that. That is why I asked you to waive the 62 days. They should not be too much longer.

D. Dulgarian I think it is a good use for the site. I don't have any issues with it. On the site plan are you going to have any outside storage other than the equipment in the spots shown? Typical of this business someone will start storing top soil or aggregate of some type..

J. Loiodice That is all shown on the map.

D. Dulgarian So it is all controlled.

R. McGoeY There is another enclosed storage area.

D. Dulgarian Dick the site distance is plenty? (yes) I'm good.

J. Keegan We have seen this, good use for this property.

B. Capozella Nothing other than subject to the conditions.

C. Najac I think it's a good fit for the location.

A. Guattery I think there is no reason not to move forward.

T. Hamilton It mentions on the plans they need a DOT permit and nothing can be done until it is acquired. I'm good.

J. Loiodice We contacted the building company to get a rough idea of the building. They missed a couple aspects but these are the elevations.

G. Lake Ok , good. Motion for a neg dec/part 3 EAF subject to all comments-
Tom/Andy.

D. DULGARIAN AYE

J. KEEGAN AYE

B. CAPOZELLA AYE

C. NAJAC AYE

A GUATTERY AYE

T HAMILTON AYE

G LAKE AYE

Motion for a sp/sup subject to same. Doug/Jim

D. DULGARIAN AYE

J. KEEGAN AYE

B. CAPOZELLA AYE

C. NAJAC AYE

A GUATTERY AYE

T HAMILTON AYE

G LAKE AYE

Thank you and good luck.

2. Klein SP/SUP & SD – Ext. to Cond. Final –Fortune Rd. E (41-1-94.12) # 02-15

L. Marshall We are here to request an ext to the 2 lot SD and SP. We rec'd conditional final approval on 1/4/17. That is set to expire.

G. Lake Our SD law only gave you 6 months on the SD – we can give you an extension on the site plan and special use but we can't on the SD since it ran out. You will have to reapply for that.

L. Marshall we will revise that request for sp/sup.

G. Lake Motion for a sp/sup extension for one year. Bill/Andy 7 ayes.

3. New Life Christian Church SP – (Ring) 40 Dunning Road (78-1-55) # 41-17

E. Ring We submitted all paperwork in reference to the 50 seat change of use to 40 Dunning Rd. we also took care of all the comments. The new plan show the dumpster enclosure, the parking calcs and the paperwork sent to the Highway Dept (OCDPW). We spoke with Mike Carroll and he said as long as we did not change any concrete or the road entrance that there was no problem.

G. Lake WE will need a letter from them between now and the PH.

D. Dulgarian Are you before the ZBA yet?

E. Ring We went before them and they found it was not necessary since it falls under Allowable uses in that zone. We have existing variances necessary.

D. Dulgarian So the map saying variances required is incorrect?

J. Keegan No, it's a permitted use and an empty building. I'm ok.

G. Lake Motion to set a PH for 2/7/18. Tom/Andy 7 ayes.

4. Deerfield Commons SP/SUP – 1089 Rt. 211e (44-1-25.1, 25.2 42.2 & 43) #105-16

J. Pfau Pietrzak and Pfau here for the applicant, Jonah Mandelbaum.

This project was sent to the ZBA for a number of area variances. Those had to do with the interior SD which is basically a finance SD. We rec'd a number of area variances. All of them having to do with the interior SD and we rec'd an area variance. The other change we made was we had gone to the Palisades Interstate Park and requested this board putting in some public parking in there. They contacted us and told us there was a 3 acre piece of property that was never filed that they had taken in the 1960's. it was a court case, never filed with the clerk and neve showed up on title. It only came up because of this conversation we had.

J. Mandelbaum Glad you sent us, we would have been building on someone else property. it went thru 3 title searches and was never found.

J. Pfau The plan has been changed to show this. On the SD we hatched it out to see the area that was removed. We had to modify the layout slightly. It is still looped, same number of bldgs. We are developing our plans for grading and utility. We just want to get this board to confirm the layout, finalize our design and go to PH. There are no changes to the variances. We were able to modify before we went to ZBA so they reflect this plan.

D. Dulgarian I think this is in an area that works. We are looking at sketch so I am good.

J. Keegan It fits fairly well – what happened with the Palisades and parking for residents?

J. Mandelbaum They said it is for the Town and not on our property so the TB has to make the request. The Town has to request it since the parking is for everyone on their property, not on our property.

B. Capozella These are all 1 bedrooms?

1/3/18

PB Minutes

J. Mandelbaum We have one 3 bedroom for each phase for the super. The super is there 24/7 on call.

C. Najac I'm good.

A. Guattery It's a great fit. The 3 acres did not change anything. I'm good.

T. Hamilton You mentioned the Superintendent apt. will they have kids – will there be a bus stop.

J. Mandelbaum Most of our supers don't have kids out of 25 apts. you can't tell someone they can't. Usually one of the bedrooms is an office they create for us. The state requires us to give them 3.

G. Lake Motion to accept sketch. Tom/Andy 7 ayes. Motion to set a PH on 2/7/18.
Andy/Clark 7 ayes. Return to ws.

5. InvoSS LLC SP/SUP and lot line– Old Mud Mills Rd. (36-2-27.51 & 28.1) # 84-17

L Marshall This is a sketch layout in accordance with the regulations showing the potential layout of the self-storage bldgs and the wells, the septic system and stormwater facilities on site. There are 2 existing parcels that will be combined. Without the survey and topography we don't have it to the sp requirements. We have met with Dick at ws.

G. Lake First of, it's not a bad use by the apts. and houses. When I was a kid that was a dump. Have you checked it out?

L. Marshall Yes, the contractor, Chris Ogden has been in contact with the Town and the DEC regarding the previous dump. The Town has insisted that there are no records. The DEC has told us to look on their website. We are still doing some paper digging. Nobody is disputing that.

G. Lake If you dig too far God only knows what you will run into.

L. Marshall WE are trying to find out if we can get some mapping to show the extent of the dump, any capping requirements that were set forth by DEC, and those kinds of things. We want to try and avoid that area or penetrating a cap that might have been put in place. I've walked the site and there is a lot of debris and garbage on the site.

Guattery You might want to check the records for the O&W Historical Society. Back in the 20's that used to be the ash dump when the main rail yards were off Wisner Avenue. A lot of ash and cinder got dumped there.

T. Hamilton I thought it was City of Middletown's dump.

G. Lake Also, about your well. There is no water out there?

L. Marshall These are located within the water district but no water line is available. The closest is couple hundred feet down Mud Mills Rd. The question of crossing a railbed... The ones in Woodside Knolls are located internally.

C. Dulgarian This orange dotted line is the setback? (yes) The lot line is the solid orange one, so you are not saturating the property with a bunch of bldgs. I'd be willing to see this after sketch with more details and info.

J. Keegan Low impact for that area.

B. Capozella Just the well, if it's a landfill you might have to look at it. I don't think there is room for outdoor storage, make a note on the plans.

Najac Ready for the next step. I'm good.

A. Guattery Agreed. It would be nice if you could keep that property grades up on the Mud Mills side. It's a natural buffer. Also watch your snow storage.

G. Lake Motion for sketch plan approval. Andy/Clark 7 ayes.

6. Belliman Storage SP/SUP- Rt. 17K (1-1-45.61) # 52-17 applicant a no show

7. Ascenzo Warehouse SP/SUP and 2 lot SD- 360 Banke Rd. (1-1-70.1) # 109-16

S. Buchholz Scott with Fusco Engineering. We are planning to SD 10 acres off for a warehouse for Mr. Ascenzo's business. He works in the steel business. He currently has a site on Tarbell Rd. he wants to move here. We met with the Hwy. Dept. and worked out an agreement with them to do some site enhancements on both sides of Banke Rd. we are removing stone walls, trees, brush. We have also met with Dick several times at worksessions. We would like to move forward.

G. Lake The building dept, you are working with them with the old site?

S. Bucholtz Yes, Mr. Leva was in the ws with us as well. We are working with them to resolve the issues.

R. McGoey Frank was there and he indicated to the applicant that he was going to start an action and that depending on what happened with this board and their agreement to work things out he

would not act on that action. The applicant did agree to move all the non-conforming uses from that site to this site.

G. Lake on that old site, you have a big structure made out of truck bodies? Shipping containers? Please provide the board with a better understanding of what will remain, be moved, etc.

S. Bucholtz Yes, that will remain.

N. Ascenzo the property at 290 Tarbell Rd. is a farm. My son stored some of his material on the farm, which is the what we want to move across the street.

G. Lake I think what I am asking is what are you going to use that structure you have there now for?

N. Ascenzo I have a lot of the space appropriated to chickens, goats and so on inside that structure. We maintain the farm equipment and other things related to the farm. The upper floor is storage for farm stuff – spare tires/wheels etc.

G. Lake on the new property you will be building a steel structure? (yes)
Any problem with Dick's comments? (no)

D. Dulgarian What kind of machinery will be on the gravel storage area?

N. Ascenzo Jr. WE have some trailers, man lifts... Steel shoring used on projects. This is for our Own use.

J. Keegan Along Banke Rd. are you trying to leave the trees there as screening?

N. Ascenzo If not, we will try and put up some, they want us to move the wall back and we are going to disturb a lot of that. The highway dept asked us to move the walls and some trees back and cut the bank for site.

R. McGoey I tried to convince the Highway to let them leave the wall and the hedgerow, it's a perfect buffer but they want the stone walls moved out of the ROW. Anything outside of it can stay.

B. Capozella The outside storage has been answered. I'm good.

C. Najac You are going to move the stone wall?

N. Ascenzo We were trying to keep it there. We will try and push it back if we can.

C Najac The old stone walls look nice.

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PB Minutes

A Guattery Ok, we are all on the same page with making the Town look nicer. Just keep it all in mind so it still looks presentable. Otherwise I have nothing else.

T. Hamilton You are moving from Tarbell, will this all fit on the site? (yes)

G. Lake Motion to set a PH for 2/7/18. Bill/Doug 7 ayes. Return to WS.

8. Home Pro SP/SUP – 24 Bahrenburg Rd. (40-1-34) #75-16

S. Bucholtz Fusco Engineering, here for the applicant. You are familiar with the red barn on Bahrenburg Rd. Home Pro is a siding/window business that is relocating here with their showroom/storage and workplace. He wants to keep the integrity of the red barn and add some nice windows and paint it barn red with white trim.

G. Lake This is the rendering? (yes)Except for the ramp out front?

S. Bucholtz He has done away with the HC ramp and will put a lift in. I believe the ramp would have to be a distance of 69' long and was not going to work to get people into the front of the bldg.

R. Mcgoey Did someone check with the bldg. dept to see if a lift was going to conform?

S. Bucholtz I believe Ken Bovo checked with them. I will check on that.

G. Lake No problem with Dick's comments? (no)

S. Bucholtz We have had a PH on this already.

G. Lake Yes, if you have no problems with the comments and checking with the bldg. dept we hope to approve you tonight. Is there anything there you don't feel you can achieve?

S. Buchholz No problem with comment 1, I will check with bldg. dept. Catalog cuts are on the plan already. Aisle spaces, I will check the plan and the architect elevations you have.

Dulgarian You are showing main floor and loft floor. If you look from the side there is 4 floors?

S. Bucholtz There is basement which will be storage. It's 2 stories.

Dulgarian You are looking to develop the 2 levels you are showing here that have public access and a basement for storage and all this upstairs is for storage also?

S. Bucholtz Yes, storage for products.

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PB Minutes

Dulgarian It looks like the bldg. is 3-4 levels and you are showing 2. I see no basement storage or upstairs storage? It's a visible bldg. and keeping the integrity of the bldg is great.

C Najac Any lighting coming off the billboard there?

S. Bucholtz No, it's about 500' away from there.
It does not affect our site.

C Najac Your pole and catalog cut? You have a horizontal one and an angled one –which is going on there. You are showing 2 different fixtures. You show 11.1 lumens. It's already lit up by the billboard. It's a lot of light.

S. Bucholtz Some are going on the bldg. and others are going in the parking area.
I'll clarify that and label them.

A Guattery We are taking the ramp out in the front and using a HC lift. The west elevation is good, the standard site plan shows the proposed roof overhang and the pitch runs in such a way that we will be raining down on the front half of the lift. Let's make sure we get that underneath the roof.

T. Hamilton Doug was questioning the drawing showing ground floors where you have storage. We are asking about the upper portion above the main floor. You need to show the loft floor and what will be there.

S. Bucholtz I was told storage. I will clarify that.

G. Lake Dick – if they have storage (3 floors) and have storage on 2 of them, is the parking sufficient?

R. McGoey If it isn't they have plenty of room for banked parking.

G. Lake Ok just want to make sure they are ok. Show the s.f. of the storage if there is any in the top floor. I have to assume that it's pretty wide open in there. Motion for a neg dec/part 3 eaf-Andy/Tom 7 ayes. Motion for site plan approval subject to same. Doug/Jim 7 ayes.

MOTION TO ADJOURN.

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PB Minutes