

Town of Wallkill  
PLANNING BOARD MINUTES  
March 28, 2018

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

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

PLEDGE OF ALLEGIANCE

7:30 PM – MEETING OPENED

**1. Ring Church SP-40 Dunning Rd. (78-1-55) # 40-17**

G. Lake This is a continuation of the PH. We rec'd notification from the OCDPW on the traffic analysis that we were waiting for so motion to reopen. Anyone from the public? No one? Motion to close this PH – Bill/Tom. 7 ayes.

I'll go thru the board. (no comments from the Board.) I have nothing additional as well. Motion for a neg dec/part 3 EAF . Tom/Bill.

D. DULGARIAN AYE

J. KEEGAN AYE

B CAPOZELLA AYE

C NAJAC AYE

A GUATTERY AYE

T. HAMILTON AYE

G. LAKE AYE. Motion for site plan approval subject to all comments.  
Jim/Doug.

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. President Container SP REV. 290 Ballard Rd. (60-1-120.2) #09-18**

M. Hunt -

NOTICE IS HEREBY GIVEN that 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, NY in said town on the 28th day of March, 2018 at 7:30 or as soon thereafter as the matter can be heard that day on the application of President Container, 290 Ballard Rd. Middletown NY 10941 for approval of an amended site plan located at 290 Ballard Rd. near Galleria Drive aka Section 60, Block 1, , Lot 120.2 under Section 249-40a (4) of the Zoning Law of the Town of Wallkill. All parties of interest will be heard at said time and place. I did receive the mailings.

A Laput Amador Laput of Fellenzer and Rich Goldberg. WE are seeking an amended site plan for the previous Wakefern. We are proposing 2 additions, one on the east and one on the south side. 98,000 on the east and 55,000 on the south. There are currently loading areas there and they will be moved to the outside of the east addition and the southern addn as well. We are maintaining 319 parking spaces and we would reduce some of the loading spaces from 84 to 76 with the proposed additions. Some of those are areas where we are not moving hydrants and valves. We are not using some of the loading spaces that would be right in front of those.

G. Lake Motion to open this PH at 7:48 pm. Anyone want to speak. Motion to close this PH at 7:49 pm. Tom/Jim 7 ayes. Dick, most of the comments are engineering?

D. Mcgoey Yes, I need some clarification on the details on the water ? holes and catch basins and why they are being left there – not a good practice, sewer manholes under a bldg.

G. Lake How about the drainage going underneath new slabs. Have you checked with the Water Dept?

A. Laput We are leaving them there....

R. Goldberg The Stormwater – there is only a couple stormwater drainage which we will need to relocate. Right now the project needs financing and we need building shape and confirmation from this board. Once we know we will take everything into account coming from the engineer and address them accordingly. The water, from what I have discussed so far with the water dept, there are a couple things that need to be moved around, nothing serious.

G. Lake           It says sanitary sewer manhole and catch basin located in the floor slab. That will be moved before the addition? (yes) Once Tim Grogan signs off on it you will move it to the location he wants?

R. Goldberg    yes. We have to take the water from the roof and we will wind up connecting and moving the lines 2 sides. Mr. Grogan has been involved.

R. Mcgoey      Make sure that is on the plan before the Chairman signs the map.

D. Dulgarian   It's great to see they are successful and growing. I can't see how this would impact any of their neighbors. This is what is supposed to be there. I don't think it will affect the aesthetics from the highway I wish I paid more attention to the snow – where are you putting the snow by losing "x" amount more of storage space?

R. Goldberg    All along this line you see snow storage areas. If we need we have this portion where the solar is located.

There are 2 big collection spots, one is here, a painted island. This area in here was snow storage and back here and here. That is on today's site. There are 3 storage areas in this area. This is all snow storage here and in the island there and back over here.

A Laput         drawing c401 identifies the snow storage areas. We are showing a triangle striped now that will remain storage. The corridor after the new addition is built we have an area.

J. Keegan      It's great to see the business, I see no impacts.

B. Capozella   You are putting in the 2 new additions, no outside storage? (no)

C. Najac        Will you be doing more solar panels?

R. Goldberg    We are looking at a solar roof right now.

G. Lake            No other comments. I'm glad to see you doing so well, you are a good resident and tenant for our town. You have no problems with Dick's comments and you will put the notes on the plans.

Motion for a neg dec/part 3 EAF . Tom/Bill.

D. DULGARIAN            AYE

J. KEEGAN                AYE

B CAPOZELLA            AYE

C NAJAC                 AYE

A GUATTERY             AYE

T. HAMILTON            AYE

G. LAKE                 AYE. Motion for site plan approval subject to all comments. Doug/Bill.

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.

3. Scancarello SP REV. 40 Enterprise Place (40-1-47.1) # 14-18

B. Cleverly – MJS Eng. For the applicant. This is for sketch and to set a PH. It's an existing warehouse/distribution on Enterprise Place. The owner would like to add a 2<sup>nd</sup> warehouse for a separate tenant. Meets all zoning requirements. Both warehouses have offices since they are a different tenant.

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

R. Mcgoey        there is a lot of grading and that drainage is where a stream is – don't underestimate the amt. of water that flows thru there. Make sure you do an analysis on the stream.

G. Lake            I'll go thru the board before we set a PH.

J. Keegan         We don't know what kind of warehouse/truck traffic etc.

B. Capozella No outside storage? (no - all within the warehouse)

C Najac Any chemicals will need to be shown.

A. Guattery Nothing at this time.

G. Lake Right now you don't have a tenant? (no) Motion for sketch – Bill/Jim 7 ayes.  
Motion to set a PH on 4/18/18. Tom/Clark 7 ayes. Set up a w on 4/11/18.

4. Dunning Hotel SP/SUP – 41 Dunning Rd. ( 50-2-4.32 & 6.1) #14-18

5. Distelburger Farm Apts. SP/SUP- East Main St. (73-1-1.23) #39-17

**Valley View Mobile Home Park SP REV – final approval – Rt. 211e (46-1-68.22) #62-14**

Vijay – KC Engineering - I am here for the applicant. We have rec'd comments from Dick regarding the site plan and we have addressed them. We have comments from the State and have addressed them as well. Right now we have the Health Dept approval. Drainage along Rt. 211 is pending right now. We sent a letter to the DOT and are waiting for an response at this point.

R. McGoey They need drainage improvements along the ROW. The DOT can get back to us if you want to condition the approval to no start of work until DOT permit is obtained.

B. Capozella What if the DOT says nothing but you believe they need it?

R. MCGoey the plans are lacking how they are going to discharge the SW management basin to the State ROW. Those details have to be completed. How to handle that flow along the State ROW, right now it's ditching there in small diameter culverts under the driveways. I don't think the culverts will be able to handle the flow.

D. Dulgarian Do they still have the package plant(sewage)

R. McGoey They got an approval from the Town to pump all the sewage up 211 to Goshen Tpk. That is all finished and done. They will build a water storage tank as part of this application.

J. Keegan As long they can satisfy the comments I'm good.

C. Najac As long as they connect the SW to the DOT ROW. Include it on the map. They have been working and spending a lot of money for the pump station to Goshen Tpk.

T. Hamilton As long as Dick sees the DOT comments and DOH and bonds and stuff.

G. Lake Motion for final site plan approval subject to providing DOT, OCDOH permits – Clark/Doug 7 ayes. Thank you.

**JHM Tree Service SP- 236 Rt. 211w (49-1-16) #13-18**

Dan Yanosh Dan Yanosh and Sidney Mauck with JHM Tree Service. This is the old body shop on 211w at the border of City of Mtown. They are a tree service to cut trees and sell firewood. They want to store some firewood here and keep their vehicles inside the bldg and service them if they have to. They are wood chippers and big rigs. One will have to be parked outside since it is too big. You can see they are already cleaning the site up. they are in contract to buy it and lease for now. They are going to paint the building and put new doors on it. They are going to put fencing and landscaping. It's different than normal but we are cramped for space. We have some pictures. This is bamboo when it grows to 2-3 years. It's better than the pine tree since it grows faster.

S. Mauck The 2 back pages show the growth over 2 years. It will be in front of the fence that runs around the property. They banned 2 types of running bamboo but this is clumping bamboo which grows in one spot. With running bamboo it sends out runners all over the place and is very invasive. This is not. It loses some of its leaves in the winter but I am going for a cold hardy type from northern japan which is good to minus 20 degrees.

Dan Yanosh No public except for people possibly coming in to get a load of wood. 3 employees, 3 parking spaces. They come in , take their equipment and go out for the day. It's an improvement to the lot.

R. McGoey show where the equipment will be stored on the site plan.

D Yanosh The houses have been on this lot for year. They are rentals and they are partially in the City of Mtown. The line runs right thru the middle. I was here when the Prokopov's owned the property and they were going to swap some land with the City of Mtown and square off the property, and it never went thru back then. If the applicant gets in there he

is looking to get in there and buy that piece. It has its own septic system; the water comes from the City of Mtown for all 3 units. We are the only one that has a septic – the houses have city sewer also.

G. Lake – no trouble with the comments? (no)

D Yanosh No – we don't need a dumpster there...

R. Mcgoey The pavement in the front of the bldg. is all broken up.

S. Mauck We are going to resurface what we can and dig up the rest and pave it. I will show the limits on the maps.

D. Dulgarian Explain the lot line going thru the house.  
The one story house has a lot line going right thru it.

S. Mauck Both houses are in Middletown and Wallkill. We get two tax bills.

D Dulgarian I don't see any issues – it will be about aesthetics and how everything is maintained and stored. It has seen better days so I hope this is a big improvement. What is an artistic woodpile?

S. Mauck A woodpile is a rectangle pile of wood – (showed pics) it is more for advertising. My son has been in his business for 7 years. I'm a service engineer so this is a change for me. We got John Tresch's equipment and it will all go in the garage except for one truck. The chipper, skids, the dump truck in the garage, bucket truck too big and will be parked back by the 3 spaces for vehicles.

J. Keegan It says you are selling wood on the property?

S. Mauck No displaying only, the wood is delivered.  
That is usually done by advertising, and then people call and make plans for a delivery.

B Capozella Main thing is aesthetics and it looks like an improvement.

C Najac It's an improvement and good to see someone growing their business.

A Guattery They are keeping the equipment in the garage. Small maintenance as well?

3/28/18  
PB minutes

S. Mauck Yes, sharpening blades, chainsaw, greasing the trucks etc. standard maintenance. No fuel storage on site. Hydraulic oil and whatever we need to do regular maint. No storage of chemicals or gasoline. We buy to put on the trucks and take on the trucks to top off during the day.

T. Hamilton No problems.

G. Lake Motion to set a PH for 4/18/18 . Tom/Andy 7 ayes.

**Dunning Hotel SP/SUP – 41 Dunning Rd. ( 50-2-4.32 & 6.1) #14-18**

R. Winglowitz Engineering Properties for the applicant. I am here regarding the Dunning Hotel. We were here in October for a PH that was closed and we waived the 63 days. The reason we did was we needed OCDPW approval which we rec'd today. Here is a copy for the board. The condition was clearing and grading to the exiting the building to the left. They want to make sure we do everything we can to achieve the greatest site distance up Schutt Rd. towards OC Trust. There was a traffic study done and completed. There is already a left turn lane here there were no issues with left turns. The one requirement was the grading. We do have Dick's comments and have no problems with them. Dick makes notes about what we had changed since we were last here. there are two exiting lanes out of the property – one for left and one for right turns and ultimately will have to be repainted if Devitt ever opens this entrance. We met with the FD and we added a hydrant to the plan. We got OCDOH approval for that. The mechanical engineer figured out a location for the transformer which was added to the north corner by the Power lines behind the bldg. Corporate Hilton was not happy with the lighting so we added low bollard lights (3') along the sidewalk in front of the bldg.

D Dulgarian Dick – can you bring us up to speed on the other old Distelburger (devitt) – that traffic study was for all the phases there? (yes) Did it incorporate this?

R. Mcgoey I don't remember if it incorporated this hotel.

D Dulgarian This is going to connect directly to their property with access to East Main St.

R. McGoey Phase 2 they will have the ability to cross.

R. Winglowitz This traffic study did incorporate Devitt's full build out in their analysis because this was proposed after that. Devitt was completed before this came in.

3/28/18  
PB minutes

We had conditional final approval for Devitt in October. These guys had to include Devitt and potential drive across from them when they did their study.

T. Hamilton They are both County roads so they would have picked it up one way or another.

J. Keegan With the traffic study did they recommend that a light will be there at full build out.

R. McGoey No warrants shown that a light will be necessary.

J. Keegan Ok. Just clear it as well as you can.

R. Winglowitz Yes that was triggered by the prevailing speed.

B Capozella I see you put the walkways in. I drive by these hotels every day and it's staggered when people come in and out, I'm not too concerned.

C Najac Dick – the traffic study, the bottle neck is still the bridge over 84. Any decision on that? The light at the bottom of Dunning to turn left on East main St is timed very shortly. Maybe readjusting it? It backs up now so if we change the timing the people on Dunning will get off but the East main ST. will sit longer. Where are we going with all this traffic?

R. Mcgoey Gary did write a letter and asked if we could get ahold of our traffic consulting and a meeting with them to go over the timing issues to get them resolved. We wrote a letter to the County.

R. Winglowitz Yes, dunning is not the issue it is East Main St.  
Their traffic will be opposite what the problem traffic is on East Main St.

C Najac There will be other developments coming and we will have to jump up and down to get some things resolved.

G. Lake I'm not disagreeing, but the County and State and Federal Govt. is not going to spend millions of dollars to put the lane in. Look how long it took to get the exit done and it's only half done. I don't think it would be a big deal to add to that bridge but I'm not an engineer. I don't think anyone disagrees with you but we have done as much as we can do as

3/28/18  
PB minutes

far as sending letters, asking for better timing etc at these rush hour times. If someone comes up with a better idea how to get action I'm all for it. If we couldn't get it with ORMC ...

R. Winglowitz Mazur is doing consulting work with the County and they were looking at this corridor to see what they can do.

A Guattery Now that we know the traffic will be a mess, refresh my memory with the parking lot. The ground is grading up toward OC Trust?

R. Winglowitz There is an 8' cut here and a fill along here. The basin will be used for the snow removal.

A Guattery the sidewalks are in and you are trying to address the public coming in and out on foot traffic... I think that is good.

T. Hamilton What if we ask the applicant if he can (from the County) put a sign out of their parking lot directing to Rt. 17 to 120 instead of directing them the East Main ST. way? A directional sign?

R. Winglowitz We would have no problem – I will commit to putting it there subject to the County approving it.

Motion for a neg dec/part 3 EAF – Bill/Andy 7 ayes.

Motion for site plan/special use permit subject to all comments. Andy/Jim 7ayes.

### **Distelburger Farm Apts. SP/SUP- East Main St. (73-1-1.23) #39-17**

R. Winglowitz The applicant and the owner of the property are here as well. As you recall we have been going thru the conservation density sd and showing maximum development of lot 1. Potentially about 15,000 s.f. retail and 3000 sf of bank just to give you an idea what could be built there. we did a traffic study as part of the potential traffic impacts. We do have Dick's comments. Sketch – a couple revisions to the plan based on the board comments based on conservation density criteria. I submitted a letter outlining how we felt we complied with it. sEQRA, we have prepared a part 2 EAF and a draft of an outline of what would be a part 3 EAF addressing the potential impacts that we hit on the part 2. Dick recommends we include a few more. We do have wetland impacts covered, historical and arch. Is in there. other significant issues that Dick points out – emergency services to add, a section on community services which

will include that and schools. Fiscal impacts, we will do an analysis and include that as well as a habitat assessment. We have no problem adding those to the scope of the EAF part 3. status of the traffic study should be discussed. We made an initial submission to the county. They came back requesting a traffic study. we had outlined the traffic study in the part 3 outline on page 2. Impact on transportation we suggested 3 intersections. East Main St. & Wisner intersection, east main St. proposed entrance to Mech. Elementary school. And also East Main and Schutt Rd.

R. McGoey That list will probably get extended to go all the way to the exit ramps.

R. Winglowitz Quick Chek, Hospital, all the intersections. We will coordinate with your traffic consultant and the County.

R Mcgoey Maybe get our guy involved at this point.

D Dulgarian Traffic is the biggest issue here. When you are doing your traffic study you are taking the Anthony ST. into consideration as well? (yes) What about the school entrance dumping out to the other intersection of Wisner and East Main St.

R. Winglowitz That will be picked up in the Wisner traffic, they asked us when we were doing the final permitting for Dunkin Donuts that we redo the studies to include the project in Middletown and the school so it addressed the reconfiguration of the school traffic. It will come in on Schutt and out on Wisner.

D Dulgarian Any other projects coming in Dick? That would impact Schutt/East Main St.

R. McGoey There is a commercial SD on Crystal Run Rd. that will add traffic.

D Dulgarian Maybe it's time for a comprehensive traffic study like we did years ago the way this corridor is growing. We have to pay attention to everything that is going on to see where we will be in 5-10 years. This property abuts Belmont Avenue? That is the park, correct? (yes)

J. Keegan Other than the traffic, it does not look like there is any recreation at all. There is 8-+ 2 bedroom apts. Maybe we consider walking paths going to Belmont toward the park? With that amt. of housing and kids there is nothing proposed, not even a swing set.

3/28/18  
PB minutes

R McGoey     The ordinance does require some recreation. They will have to do it.

J. Keegan     I would like to see a rendering next time as well.

A Guattery    We know it's a traffic issue, I agree with Mr. Keegan about the path to the park. The only other thing is snow storage – it's always a problem.

T. Hamilton    From that lot into the proposed conservation part can we get a walkway thru to that park.

R. Winglowitz We have proposed it as a conservation SD or a dedication to the town existing park. If there is a way to do a walking path it makes sense.

G. Lake I have nothing else – motion to accept as sketch Andy/Bill 7 ayes. Motion to send out Notice for Lead Agency. Andy/Tom. 7 ayes.

MOTION TO ADJOURN.