

**Town of Wallkill**  
**PLANNING BOARD MINUTES**  
**November 16, 2016**

**Members in Attendance: Gary Lake, Jim Keegan**  
**D. Dulgarian, C. Najac, A. Guattery, B. Capozella**  
**T. Hamilton**

**Also in Attendance: Dick McGoey, Consulting Engineer, Gardiner Barone, PB**  
**Attorney**

**PLEDGE OF ALLEGIANCE**

**7:30 PM – MEETING OPENED**

**Update from ZBA Liaison**

**1. Greenwood Realty project (83-07)**

G. Lake This is an extension to a 6 lot SD on Silverlake Scotchtown Rd. The representative for this project called me and explained that he was ill tonight. Does the board have any questions on this? (all board members stated no comments). Motion for one year extension to conditional s/d approval subject to all comments. Bill/Andy 7 ayes.

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**1. Smith Lesko Tetz project (100-16)**

**Smith Lesko Tetz project (101-16)**

G. Lake This is more like Town business so I will be having Mr. McGoey represent at this Point to explain it.

R. McGoey The Town has negotiated to obtain parcels along the Wallkill River for protection of their water supply wells. These lots front on Rykowski and Riverside Dr. They are two

separate Subdivisions. One is taking 3 lots and combining them into one lot and then subdividing it into 2 separate lots with lot # 2 being retained by the TOW and lot 1 which includes 3.36 acres being retained by the owner. Any further reviews of lot 1 for development will have to come back to PB for Site Plan review and approval. The second SD is on Riverside which is also near Rykowski. It backs on the Walkkill river and is a SD of one lot into 2 lots. the front will be retained by the owner and is a conforming lot which will include 2.38 acres. The remainder will be owned by the TOW and will equal 2.32 acres.

G. lake Basically this is to retain the water rights along the Walkkill.

B. Capozella The first one - what does TOW retain? (lot 2 - the larger one).

D. Dulgarian No problem.  
(all other members stated no comment)

G. Lake I'll do the 2<sup>nd</sup> item first - Motion for a neg dec part 3 EAF - Clark/Doug 7 ayes.  
Motion for SD and lot consolidation approval. Tom/Jim 7 ayes.  
Motion for a neg dec part 3 EAF - Andy- Clark. 7 ayes.  
Motion for SD and lot consolidation approval subject to comments - Andy/Doug 7 ayes.

### **3. Crystal Run Village project (62-16) (sketch)**

Doug Dulgarian recused himself from this project.

D. Higgins The application before the board is a site plan and a s/d for Crystal Run Village Inc. It is a not for profit organization that provides vocation and skill development programs for people with disabilities. You may have heard about them. They have an office on Stony Ford Road. They have 750 employees, operate 53 group residencies and serve approx. 550 individuals between Orange, Rockland and Sullivan Counties. What they are looking to do is consolidate their facilities into one bldg. this is what we have a s a SP before you - a 2 story 25,000 s.f. bldg. the site we are working with is actually owned by the Dulgarian Estate. It is 10.1 acres in size and with that it is adjacent to a property owned by Millet. The reason we have the Millet property involved as well is that the central portion of the Dulgarian Estate is occupied by the Masonic Creek and a wetland an d100 year floodplain. That basically takes out the middle of the existing property. We coordinated with the owners of the Millet property which is located to the east and fronts on Dunning broad. That is the Honda Equipment dealership. We are looking to have a lot line change to transfer approx. 2.9 acres of land from the Millet property to the Dulgarian Estate where the CRVI office bldg. is proposed. Jason Anderson, Architect is here with me tonight. We show a 25,000 s.f office bldg. shown in light brown in the middle of the site. We have access directly off Schutt Rd. Ext. that is generally just south opposite the entrance to Walkkill Living Center. We have the 2 story bldg - parking in front and rear and we show the southeast corner as 1200 sf. Maint. bldg. it will be used for

storage of landscape/Maint. equipment. We have 2 dumpster enclosures between the 2 bldgs. We have 2 conceptual bio retention areas show in blue. To the south of that is the Masonic Creek and wetlands. There is no disturbance proposed on the site. We were able to accomplish that by working in 2.9 acres of land from the Millet property. Jason has a rendering of the bldg.

J. Anderson                 Jason Anderson Anderson Design Group.. We are looking at a conceptual rendering looking from Schutt Rd. Ext. Crystal Run Village has been in the TOW for 30 years. They are a presence and would like to grow and be part of the community. A big part of the site layout was to create the presence they want for their consumers. It's a 2 story building, grade, no basement. Essentially they have their admin offices there but the State requires that every month they need to have training. So 750 employees have to cycle thru. They have all their houses they maintain so there always has to be someone there 24/7. They rotate thru their training thru out the month. That is why when you look at this bldg, with 25,000 s.f a big chunk of that is some training center built in. that is why when you look at the site we have parking in the back to accommodate that. What they deal with now is park in the grass and we are trying to avoid that.

G. Lake                     Dick's comments are straightforward. I don't think you will have any problems with that.

D. Higgins                 No, we did have parking calcs shown on the sketch plan sheet. We show a total of 84 being required. We do have 154 provided to provide add'l for the training events.

R. McGoey                 Any thought given to the pervious pavers with the add'l parking to cut down on paved surfaces. It might help on Stormwater mgmt. also.

D. Higgins                 We can look at it. we have not sized the SW mgmt for design work.

G. Lake                     I'll go thru the board.

J. Keegan                 It looks like it fits into the zoning there - beautiful picture of the bldg. they took care of the parking. I'm fine with sketch.

B. Capozella             I think it is a good fit for the property. A crosswalk from the parking lot to the bldg. you are entering from both front and back. I would say it's nice to have crosswalks. This is town water and sewer - we ask that you get the superintendents comments and approval.

C. Najac                    Actually it's a nice fit and location. Dick bought up the blacktop which is my concern. NO reason to have that much if you are only using it 2x month. If you can find pavers that allow water to soak thru it will help with the storm management. That's it.

A Guattery                 I think it's a great fit. I'm looking at the entrance and would like to see it line up with the Living Center. At the same time, crosswalks thru the parking lot. Can we get anything across to Price chopper for walkers?

D. Higgins        The intersection, we would love that but the land to the North is owned by someone else. It's a separate property. It is a utility easement that cuts thru as well.

T. Hamilton      The building looks great. You talk about the training and amt. of employees. Will there be a cafeteria?

D. Higgins        Yes, one on the first and one on the second. There won't be any cooking though.

T. Hamilton        Ok - mention that to W&S for grease traps.

G. Lake            The only thing I can add is the Fire Dept would like a hydrant on the property. Try and touch base with them. Get n touch with Nick Elia/Bldg. Dept. You heard the board comments. They were all positive. Motion to accept this as sketch. Jim/Bill 6 ayes. 1 recused. We will table you for further action and schedule a w/s.

D. Higgins        Because this involves a Site Plan and SD - in terms of administratively can we process the SD first? It would make the transfers easier.

G. Lake            If you want to do the SD we will put you on the January 4<sup>th</sup> meeting.

D. Higgins        in terms of agency - SEQRA , there are other agencies involved, NYS DEC.

G. Barone        If you don't hit any of the tipping points of a type 1 action then there is no coordinated review and you don't need Lead Agency status.

G. lake          Ok you are on 1/4/17 for the SD - call back in for a WS.

#### **4. Dunkin Donuts project (29-16)**

R. Winglowitz      Hello - Ross Winglowitz appearing for the applicant. I have Mario Sardhina regarding an application for a Dunkin Donuts on East Main St. across from the Willie Carter Elementary School on the Distelburger property. This is the farm the Joe currently owns and operates. The applicant is proposing a 2 lot SD of a 43 acre parcel to create one new lot of 1.2 acres on East Main St. across from the exit of the school. The site plan would be proposed on that parcel. it's 1700 s.f. Dunkin Donuts that has been to about 3 worksessions. We have met with the School District and the County DPW. The County is looking for traffic study at this intersection as part of their permit. We did note it on the plan as part of our SEQRA review. The project site regarding the queue for the cars is that we pushed the parking to the outside and allowed the queue to wrap entirely around the inside. It's a significant length for the drive thru - that is 60 % of their business. There will be ingress and egress out of each entrance. There will be a main road set up for future access into the property. W&S available in the street. In addition to the traffic study we outlined aesthetics were a concern regarding landscaping and stone walls. We will provide a detailed landscape plan as part of our submission. We will be showing landscaping, Stormwater plan to show how we comply with NYS regs.

G. Lake I'll go thru the board.

D. Dulgarian This is a lot better than the plan across the street. There is more room to work with and is not restricted by a corner. As we move forward I want to see a traffic study, flow on the lot so they don't back up. I went up to the one on 17m and it appeared ok. We have had problems in the past with cars backing out into line of traffic before. Traffic will be interesting in that neighborhood.

R. Winglowitz What we have done with the queue is there is a significant width for the cars to park so they can get out and not block the queue. It will not block the queue. I know Mario is working to address the one on 211.

D. Dulgarian it looks better on the 17M one. We made the mistake with McDonalds years ago. It's a good use for there. I'm good with sketch.

J. Keegan I like the way this one is on that side - there is no parking on it which is the way the one 17M is. The parking wrapped around it - I'm fine with sketch now.

B. Capozella The bulk requirements show what is required but not what the actual is. Otherwise I'm fine.

C. Najac I like the way it looks, not sure about the measurements for distance. You have 20.1' for parking coming off the curb line and then you have 28' from the building to the end of the parking lot. You will have cars lined up in that 28'. the average car is 8' wide so you are down to 20'. Now you are telling me that everybody that pulls in will be driving a Prius or we are not going to have anyone pulling in with a GMC with 4 doors etc. seems a little tight.

R. Winglowitz The code requires for 60 degree parking in 18'. Basically we have provided 18 and 10 lane so we have room to maneuver and add'l land for that to queue in. they only cue in about 6-8 feet along the curb line. We think we have plenty of room to back out of that. If it was perpendicular parking I would be concerned, but not with the angled parking.

A. Guattery I like the sketch- I think it will be a pretty good fit. I have the same concerns; let's make sure the cars can move around. As long as we can get good spacing I'm ok with it.

T. Hamilton Sketch looks good - the crosswalk, is there a possibility of raising that walk to slow cars down for when pedestrians walk there?

G. Lake My concern about East Main St. - I'm interested to see what the County tells you. I'll tell you why, I'll use the Dunkin Donuts on 302 as an example. If you drive thru there it's a hair raising experience and the traffic is horrendous. This traffic count on East Main St. at this point is probably greater than the one on Rt. 211. The last time I heard the traffic count on East Main was about 14,000 cars a day. My big concern is because they are so successful is getting people in and getting them back out. I know you don't have your County approval but I see no lane to get people into the property without backing up. I can only see a mess judging by what I see on 302.

R. Winglowitz I envision we will end up with something like Quick Chek down the lane.

G. Lake If I don't see something to see the control of traffic in and out I won't support it.

R. Winglowitz Obviously if we do not control traffic and get people in and out it hurts us.

G. Lake I am shocked that the one on 302 which does not have the population or traffic is so back. I couldn't go to the lumberyard today for fear of the traffic. You are really going to have to convince me on the traffic. I think of the height of danger if that is where the entrance is. I could not go for it. I'm anxious to see what the County says. You heard the comments of the board. Motion to accept sketch. Andy/Tom 7 ayes.

## **5. Extended Stay & Residence Inn SP/lot line- Tower Dr. (41-1-121.1&2) #45-16**

M. Lukasik Mark Lukasik, Tectonic Engineering. Last time we were here we went thru the sketch review. We completed the engineering and addressed a couple of items on the TRC. Basically we were able to comply with most of the items. One item was the color selection - the last time we were here and now you have the color schemes in your packet. Just to show you the aesthetic and footprint. The elevations remain the same. One item that was lacking in our submittal was the lighting plan. I went back to the lighting consultant and had them rework it top to bottom. One of the items was making sure they remain downward facing - we removed that concern and reworked the lighting level to keep it within the range the Town likes. It is much more appropriate and evenly distributed across the site. EAF- couple minor comments to take care of. The Stormwater pollution prevention plan was mentioned in the review letter. There is an approved plan in effect for that project that has permits open and active with the DEC for the Stormwater basin that is constructed on the site. (by the Frassetto as part of the SD application). a couple other general comments we can certainly address with no problem. W&S and fire comments as well.

G. Lake The fire dept has not sent comments? Get in touch with Nick Elia in the Bldg. Dept. You mentioned the colors. These are the colors the chain prefers or do you want our input?

M. Lukasik They do have a number of pallets that are preferred by them. You can always deviate. Our client likes this one.

G. Lake I know we asked for a rendering but I think this looks good.

M. Lukasik 125 rooms.

G. Lake I know you want a PH set tonight so I will go thru the board.

D. Dulgarian The large stuff has been resolved. We have looked at this for a long time. At PH I will be looking at pedestrian flow on the property and how it works with the neighboring properties and how you get off for safety purposes. Also in the landscaping we talked about the topo in the back with the steep back and what it will look like, how it will be maintained. I would be interested to see what you have in mind there.

J. Keegan I'm happy with the plan taking out the retail and consolidating it and having a better traffic flow.

B. Capozella I'm good.

C. Najac Looks better, glad you are discussing the lighting issue. The last question is we seem to have the snow storage up against the landscaping on the outside. Is there a way we can make sure it is not included there? Across the back..... We spend a lot of time making sure it looks nice when it's built and the first winter snow you bury the trees and they die. If we can make sure the trees are not in the middle of the snow storage.

A Guattery I'm ok with going forward.

T. Hamilton On the landscaping - can we have the note on the approval plan that any landscaping that does not survive will be replaced the next growing season. The other item I mentioned once before as an Extended Stay I would like to not see school buses picking up there like the Super 8. That is a problem with the Super 8 and Howard Johnsons- the county is putting them there. and now you have small kitchens which they don't have there.

G. Lake Your small kitchens, you don't have a stove do you?

M. Lukasik We have the cooking requirements that are required by your ordinance. I can bring them in before the PH. They have a prototype scenario I can show you.

G. Lake About 2 months ago I knocked on the door and got a tour of another extended stay. I really think it would help if the board saw what this actually looks like.

M. Lukasik I will bring the prototype and the list of equipment that are listed for it. Then it will be clear and straightforward on the record.

G. Lake I think getting rid of that extra little lot is going to turn this project into a nice corner. I have nothing else. Motion to set a PH for 1/4/17. Bill/Andy 7 ayes. Call back in and get on a w/s.

## **6. Eagle Battery project (80-16)**

G. Lake Eagle Battery has been added to this agenda. we spent time together as a board before the meeting discussing this. Name for the record?

J. Frassetto

J. Carter Eagle Battery. We are looking to do a 5 year lease at 215 Tower Dr to open a reconditioning center there. we recondition batteries, we buy spent batteries. We also have automobiles that have been in accidents that the battery is taken out and is destined to go to a smelter. We try to buy these batteries from scrapyards and wholesale distributors and bring them in to our facility. We bring them in, make an initial sort based on the condition and age of the battery. Once we do that if it fits our criteria we run it across our charging line and charge it. we let it set for 4 days to make sure it's stabilized. We run a test and if it is good at that point we strip labels off with a citrus

based cleaner and sell it as a reconditioned battery. It's kind of a misnomer, we don't do anything to the battery we look for where people make mistakes. We never get inside the batteries, we buy them in truckload quantities and sort them, 90% of them end up being scrap and going to the smelt. This location is important because the key cost in the business is transportation. We provide transportation both to us and to the smelter. The closer we can be to the smelter, the more economic. RSR is right here locally so it's beneficial for us to be in this area. We look to employ 25-30 people. As we grow we hope to employ more.

G. Lake I'll go thru the board.

D. Dulgarian Where is there a facility like this?

J. Carter Muncie , Indiana I'm not sure where the local interstate Dealer is - there are a lot of people we call battery specialists...people that buy and distribute batteries to various locations. Almost all of them do what we do, they go thru their own warranties that come back and look in their junk pile to find any good batteries. They do it on a very small scale. They don't actively try to purchase spent batteries. Our business is generated on doing that on a much larger scale. In Muncie Indiana we have been doing this for 16 years and market about 20,000 batteries a month.

J. Keegan No retail out of the business? (no)

J. Carter We sell to smaller battery specialists across the U.S. We sell in truckload and skid load quantities only. We don't sell individually.

J. Keegan Batteries come in and out the back loading dock and that is it? (yes)  
From the road there will be nothing outside?

J. Carter We do not store anything outside. You have the trucks that come here anyway and go to RSR - we will be a middle man there. we will buy them from people bringing them in to us and then sell them to RSR.

J. Keegan The building has enough loading space?

J. Carter There is 2 docks. There is also a lane alongside the bldg. we schedule the trucks in and out. There are 8-10 a day in and out throughout the day. We are doing a 2 shift operation. To utilize the equipment.

B. Capozella In the pamphlet we got that talks about your business. You mentioned standard PO that has requirements that can or cannot as far as accepting batteries, is that something we could see. Just so we can look at it to see what you are accepting and not.

j. Carter It's strictly automotive, marine...

B. Capozella Yes, but there is probably something in there that states no leakage etc..i think we want to see that.

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J. Carter Standard DOT procedures. They have to be wrapped properly. The smelters like to do business with us because we know what we are doing. Some scrapyards are not as careful.

B. Capozella Maybe a standard PO is your protection methods for trucking. God Forbid, a battery is leaking in a standard truck as he is driving around. Is there some type of protection method or procedure that you have?

J. Carter for the most part they are commercial carriers and the trucking co. is responsible to make sure the product is wrapped properly before going out on the truck. The trucking co. is also responsible for making sure there are no leakages on that truck.

B. Capozella Some verbiage on the plans or something along that line to cover us. I like the idea you don't alter the batteries. My last question is that you are working 2 shifts, the batteries that you're loading are not unattended. The shift when you are done charging your batteries just don't leave them charged, ..

J. Carter We do leave them unattended in Muncie. Here because of the shift set up we will have someone here on the 3<sup>rd</sup> shift as well.

C. Najac The flow of the operation - you are bringing in batteries..10% of them. 90% are no good and have to get shipped out to the smelters.

J. Carter Yes usually come in and out within a day.

C. Najac you unload, take out the 10% good and the 90% that are no good sit on the floor in the warehouse until you have a full truckload? How often is that?

J. Carter WE normally have 8-10 trucks coming in and the same going out. We ship them out as quickly as possible. We have no reason for them to sit. Scrap batteries are tremendously expensive. You are looking at \$18-20,000.0 per truckload. It would be tying up that money by leaving them sit around.

C. Najac In your process you deserve curing?

J. Carter it's more when we charge the battery it needs to stabilize and you are generating a little bit of oxygen gas when you charge a battery. As soon as they come off charge almost all of them are good. We run them across our chargers and let them sit a full four days.

A Guattery You are running 2 shifts, trucks in and out both shifts?

J. Carter Mainly on day shift. The only exception would be if they had a driver called and asked to be in if he is running late.

A Guattery You are talking 10 truckloads a day so 5000 or better coming in a day? And I'm assuming you are gang charging?

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J. Carter About 1000 a truckload.

A Guattery

It's a series type charger. Each line has about 17-18 batteries on it. It's about 200 volt. DC. if you leave them overnight there will be someone there to monitor it? (yes) So you are thinking down the road that Frassetto will be finding you a bigger space. They do a great job with everything they do in the town.

J. Carter Yes, in Muncie we do 20,000 a month but it's a 40,000 s.f. warehouse. Here we are repositioning things and using multi shift to use this space effectively. So this is about 17,000 s.f. One of the things I need to point out is it sounds like we are a battery manufacturer of sorts - We are looking for people to make mistakes with the battery. It has to be good to come in to send it out as a reconditioned battery. I don't go in and replace anything. One, it's expensive and two you get into environmental issues.

A Guattery WE are peeling the labels out and the citrus cleaner is bio degradable, the labels can just go in the trash? (yes)

C. Najac In Muncie you are doing 20,000 batteries so that is the 10% (yes)

T. Hamilton On air circulation and ventilation?

J. Carter Again, we don't get inside the battery, we don't generate anything.

T. Hamilton in the picture the people have a mask on...

J. Carter They are like painters masks and they are more for the dust than anything else. I wish you could see the Muncie plant - you could eat off the floor. We are bringing in spent batteries that are 10-15 years old that may have come from a scrapyard and sat outside in the dirt before it came to us. We don't have lead dust but we do have dirt.

T. Hamilton I don't want to see or smell anything coming out the exhaust fan that we will smell the battery place when you go by there.

J. Carter You are generating hydrogen oxygen gases but that is part of the charging cycle. It recombines in the battery. If you overcharge the battery you may smell a little bit.

T. Hamilton Buy if a little bit comes out of each one - you have a lot of batteries. I don't want to smell this stuff in the air.

J. Carter You won't.

G. Lake Ok, I have talked to you numerous times. WE are going to set you a PH for 12/7/16. Motion- Andy/Tom all ayes. Thank you.

MOTION TO ADJOURN.

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