

Town of Wallkill
PLANNING BOARD MINUTES
February 1, 2017

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

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

PLEDGE OF ALLEGIANCE

7:30 PM – MEETING OPENED

Update from ZBA Liaison

1. Rogo Properties LLC - 31 Industrial Dr.(41-1-24.221) # 70-16

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, NY in said Town on
the 1st day of February, 2017 at 7:30 p.m. or as soon thereafter as the
matter can be heard that day on the application of Rogo Properties 31
Industrial Drive Middletown NY 10941 for approval of a special
permitted use (40x70 Accessory bldg) for the existing wholesale
establishment located at 31 Industrial Drive Tax Map Section 41, Block 1,
Lot 25.221 under Section 249-38 of the Zoning Law of the Town of
Wallkill. All parties of interest will be heard at said time and place.*

M. Hunt I did receive their mailings.

G. Lake Thank you. Name for the record?

D. Yanosh Dan Yanosh, representing Rogo Properties. We want to make comments to the bldg. dept- everything was ok. He wanted no parking areas on the westerly side which we showed. Everything is existing. The distance between the buildings will be 10.6 feet. We have an existing block bldg. and the new one will be metal. The fire hazard between them is minimal. We did add some trees in the front - we added 3 red maples. There is a huge tree there now.

G. Lake Motion to open this PH on 7:43 pm Motion to close this PH at 7:44 pm. Andy/Clark 7 ayes. You have already answered Dick's comments. This will be for storage of his own equipment.

D. Dulgarian No impact and he runs a nice business up there.

J. Keegan Is this taller than the main bldg. (no smaller) Ok thank you.

B. Capozella No outside storage? (no)

No other comments from the Board.

G. Lake Motion for a Part 3 EAF/neg dec subject to comments.
Andy/Clark

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 revision subject to same. Andy/Jim.

D. DULGARIAN	AYE
J. KEEGAN	AYE
B. CAPOZELLA	AYE
C. NAJAC	AYE
A. GUATTERY	AYE
T.HAMILTON	AYE
G. LAKE	AYE

**2. Saddle Ridge SD and SP/SUP-Ext. to final conditional approval
Maples & Rt. 17M - 36-2-67.61 & 22-3-10.2 # 49-10**

J. Bergman Hello - jerry Bergman representing Harriman Dev. Corp. for Saddle Ridge. WE are asking for a 1 year ext. to our cond. Final approval. We have our approvals and still have some work to do with Metro North RR. That is the only approval we have left. Harriman Estates bought the property, it's just time consuming. This is a tough permit with Metro North bc the Town Board has to sign off on it.

D. Dulgarian No issues, this is the 2nd extension.

T.Hamilton All issues better with W&S and the intersection at Maples?

J. Bergman That is all in the resolution. I believe at the 50th until it has to be done - it's all in the agreement.
(all other members stated no issues.)

G. Lake I have nothing else. Motion for one year extension. Tom/Clark
7 ayes.

**3. Strohle 2 lot SD and 2 family houses SP/SUP - 44 Anthony St.
(75-12-24.1) # 02-17**

D. Yanosh Mr. Strohle owns this lot on Anthony St. that has a SF. his first proposal was to remove the bldg and put 2 (2 families) on them.

We were ready to go and he looked at the area and does not think the market is good for 2 family houses. He now has a 3 lot SD with 3 SF houses (1 existing - 2 new). These will be single family houses but will need a bunch of variances from the ZBA.

G. Lake I'm assuming a lot of these comments don't pertain to this change. I'll go thru the Board and then send you on to the ZBA. Back to the 2 family house - your client feels there is not a need down there?

D. Yanosh He does not feel it is the right neighborhood for 2 family houses.

G. Lake We have had a considerable amount in that area that seem to be a success. I would be curious as to what these will look like, that area has done a tremendous turnaround. I think I would like to see what they are going to look like.

D. Dulgarian I don't like cutting the lots up that small. In all of this there are houses on 50-75' lots that are pre-existing, non-conforming. There are some lots that are 100' and above, what is stopping them from coming in and making them 50'? I can remember 20 years ago when I was on the ZBA and a guy came in on Fairfax with one lot with 150' road frontage and we gave him 2 75' instead of creating 3 inferior lots. I worry about chopping this up too small. Dick - do we know what the City of Middletown is putting up on the end of Anthony ST.?

R. McGoey It was a City of Middletown project that was approved A number of years ago- it's about 100 units or so, multiple family.

D. Yanosh Would you prefer the two 2 families here instead?

D. Dulgarian My preference is not so much the single to the duplex as it is the lot size it ends up being and what we create when we do that.

- J. Keegan I feel like the 2 family map would only require 2 variances where this new plan for 3 lot requires 11 variances. That is a lot of variances for one property. I personally would prefer bigger lots.
- B. Capozella I know we have done 2 family homes out there where we have taken a single lot and made it a 2 family. i would be interested to see if we have taken a single lot in the past and divided it. this is an aggressive plan.
- C. Najac I can't remember us taking a conforming lot and making it 3 non-conforming lots. I would be tempted to go for the 2 family SD and see how that works. We have done that in the neighborhood and on a 100' lot it seems to work.
- A. Guattery I think 3 lots are too small. I think we would be setting that precedent. I would prefer 2 lots with SF or 2 families.
- T. Hamilton Lots of luck going to the ZBA with 11 variances.
- G. Lake You heard the board. Do you want to continue to ZBA or talk to your client first?
- D. Yanosh You can send me, I will talk to my client.
- G. Lake We will send you but not with a favorable recommendation. Motion to refer to the ZBA -Bill/Andy 7ayes.

4. Endecott SP/SUP - 588/590 Scotchtown Collabar Rd. (20-1-54) #05-17

G Lake You are here because the Bldg. Dept sent you here. You have an approved 2 family house and an apt. up over a garage that never had approval. they are on the same lot which does not meet code. This board can't do anything at this point. The best we can do is send you to the ZBA. I see you got on the 2/14/17 agenda tentatively... I'll go thru the board.

G. Lake Again, the 2 family is legal but the apartment is not.

D. Dulgarian Send him to the ZBA.

B Capozella Why did the Bldg. Dept. send him here, if it's illegal how does it end up here.

G. Barone If he gets his ZBA variances then you guys can talk about parking, landscaping etc on a site plan perspective.

A Guattery Tad, did you look at comment 4?

G. Barone Yes, I did, there is nothing we can do for him here.

T. Hamilton The applicant should make sure that we know exactly what the Bldg. Dept has that needs to be done.

G. Barone If you have any other code violations you will need to clarify or rectify them.

J. Endecott When I built it is was inspected as recreational use and I have a C/O. Then Chuck came out and went thru it and said not problems as far as egress, fire etc. they have no problems.

G. Lake You have a C/O?

J. Endecott it was like a "man cave". My wife passed away when I was building the house and I didn't want to live in the house.

G. Lake We are going to send you to the ZBA. Motion Andy/Tom 7 ayes. After the ZBA return to w/s.

Dunkin Donuts SD and SP - 430/432 East Main St. (73-1-1.23) # 29-16

R. Winglowitz Ross Winglowitz with Sergio Sardinia the applicant. We started this summer working thru this layout with Dick. We have come up with this which was presented at your November meeting. This allows Que for the drive thru which wraps entirely around the building without blocking parking. We can have a significant queue without blocking any parking. Since then, the board was concerned about traffic. We have completed a traffic study. Consultants and Phil Grealy prepared a study which was submitted to the Town Consultant, WSP. Comments were provided today. The traffic study indicated a recommendation for a left turn lane. It's not just a left turn lane, it would be 2 left turn lanes. This is our entrance opposite the exit to the Willie Carter School. We are direction opposite that. Here is the entrance to the school. The left turn lane will go from that entrance to past our entrance. Cars coming west on East Main ST. would have the ability to make a left and get out of traffic, sit in queue in the left turn lane and enter in. the same would be true for cars entering into the elementary school.

G. Lake I know we talked about Middletown changing their entrance. What are they going to use this one on this side for? Only for buses? (yes)

R. Winglowitz that was my next point. This entrance now is drop off for parents. They just approved a bond issue where they are going to have the parent drop off area to the rear of the bldg. They will come off of Schutt Rd. Ext. This will be for buses only. (front)

G. Lake Where are the cars coming out? On to Wisner?

D.Dulgarian Thru the drive in section of the Fairgrounds.

R. Winglowitz That is what we proposed as part of the traffic study. For our perspective, most of our traffic is morning traffic. the biggest volume on East Main ST. is going East in the morning out of the

City towards 17M. People coming here can easily make a right in, right out. What is inhibited and currently is, is left turns. Our left turn out and the left turn out of the school. That is what WSP says. Phil has a level of service D exiting and WSP says it's an F. There is a benefit for the people exiting the school. They can accept smaller gaps. That is where Phil comes up with the D-there is a way to model in the fact that there is a left turn.

T. Hamilton Is that with the buses, isn't that the bus drop?

R. Winglowitz the bus peak is actually not at our peak. We have 8 vehicles projected at that peak hour. There are some parking and vehicles coming out of here. Phil was explaining to me on the phone today there is only 8 vehicles coming out of there at the PM peak.

G. Lake One problem we have is our consultant says something different than yours. We will have to straighten that out. Where are you with the County?

R. Winglowitz We submitted just after the w/s - around 1/8/17. WE have not heard back.

G. Lake I bring up the County because we have another applicant which had to be taken off 3 agendas. We rec'd a letter from the County asking us not to do anything until they are done. It puts us in a tough position. We don't know what they want. This is probably 100 times heavier in traffic than that project. That is also your client so you are aware of the comments from them.

R. Winglowitz We fully understand. You are going to want to hear back from the County before you set a PH. We will work thru all the issues like Stormwater before that.

G. Lake the next thing we should do is set a w/s up with the traffic consultants.

R. Winglowitz I agree - the only other mitigation is to put a light there. Then East Main St. has to wait for 8 cars...

G. Lake We will cross that bridge when the rest of the property is developed. You are aware of the County and my fear of moving forward to a PH when we have nothing from them yet. Dick's comments?

R. Winglowitz the only other available mitigation would be to put a light there. He does not think that will ever meet the warrants for them to mitigate the light.

G. Lake Some day when the rest of the property is developed that is the bridge we will have to cross. At this point it's tough getting out there. Dick's comments?

R. Winglowitz So you are asking for crosswalks to be designed as raised? (yes) The sewer line we upgraded to an 8" line coming into the property with a 6" service. Comment 8 talks about the aesthetic value. It's in the plan set that we have a landscape plan. we are providing a stone wall around our East Main St. frontage entrance. It is for aesthetic and also because it is a low area where we are going to put our storm water treatment.

R. Mcgoey Can we put some landscaping behind the stone wall?

G. Lake Let's not go where it will block vision for drivers. Keep in mind what it will be in 5-6 years.

D. Dulgarian Back to your traffic. I'm guessing these movements are N, W, S & Eastbound.. that is TR? (Turn right). these level F's southbound left, right, what is LR?

R. Winglowitz Southbound is coming out of the school trying to make a left turn. The top table is for left turns coming out of the school. This is before the school reorients the traffic flow to the parents coming in the

back. without the mitigation when they are putting people in the back. a left turn out of there in the a.m. is an F - in the pm is an F. Below is the seconds of delay - est. the wait time 120 seconds in the current condition. The table 2 represents with the traffic pattern, redistributed with the parents in the back and buses in the front. Exit out. The peak here is different that the bus traffic.

D. Dulgarian I have concerns on the bio retention. I like the idea of the stone wall. I guess topo restricts it?

R. Winglowitz We have our high point thru the site here. We are forced with the driveway to do something to pick up and treat the water from the driveway. It all flows toward East Main St. The bio retention ponds are the more attractive ones, they are landscaped. There is one similar to this behind one of the Crystal Run Bldgs. I'll get some pics for you . this project is a SD of a 1.3 acres off the Distelburger Farm and as part of that we will do an easement granting.

D. Dulgarian Do we have a future development plans (no). That's it for now.

J. Keegan I have no issues with the layout of the property - the traffic study is alarming. Did we ask for a sketch on the build out of the property? I would like to see what it will look like at full build out and how many cars will be going out on that road. We might need to take that into consideration. I think it was asked for - a sketch of what it might look like at build out.

R. McGoey We did not ask for it but it is appropriate.

J. Keegan I just want to make sure it works with the whole property.

B. Capozella I agree with the traffic. when is Mtown thinking of doing the change to the school?

R. Winglowitz I'm not sure of the start date but I'm sure it will take the school district a year or so to get it done. If you look at the conditions WSP put together there is actually an improvement from the build to the no build with the project. if you look at Table 2 the left turn lane does improve.

B Capozella Everything comes down to the left turn lane.

C Najac What is the overlap in the timeframe between the school district and you putting a shovel in the ground.

R. Winglowitz We are looking at 2018 opening (spring).

A Guattery I agree it would be better if you opened after the school made the changes. I can see this adding to the traffic. I think it's important to really take a look at the traffic. I would like to see a sketch for the other 42 acres.

T. Hamilton My hold up is not knowing when the school will finish the changes. We really don't know much.

G. Lake You can get their time frame for us. It is a bond issue so I don't think they can take the money and spend it elsewhere.

R. Winglowitz The store on Rt. 211 has one of the highest capture rates for traffic going by. A lot of traffic that is already on the street is what they pick up. That's a good thing.

G. Lake We will table you for tonight. the guys would like to see an idea of what the whole property could eventually be. I have no doubt that we will be looking at a red light there eventually. I think you can find out the Schools time frame while you are waiting for County comments. Return to WS with both traffic consultants.

R. Winglowitz Phil did run an analysis with a light in place and it was a B or C. it does do the trick. He does not think it will permitted

with this use but ultimately the use of the entire property might trigger the warrants.

R. Winglowitz We did meet with the County last summer and explained the School changes to them.

C Najac Coming out of the exit closest to East Main - how many cars can you stack there?

R. Winglowitz at least 4 cars in the left queue before we would block anyone coming in the driveway. We added in the left turn lane so people waiting to make a left were not blocking everyone else in.

G. Lake Motion to table for further action. Jim/Bill 7 ayes.
Thank you.

MOTION TO ADJOURN.