

**Town of Wallkill
PLANNING BOARD MINUTES
March 15th , 2017**

**Members in Attendance: Gary Lake
D. Dulgarian,C. Najac, A. Guattery, B. Capozella T. Hamilton
J. Keegan
Also in Attendance: Dick McGoey, MH&E PC , Consulting Engineer
Gardiner Barone, PB Attorney**

PLEDGE OF ALLEGIANCE

7:30 PM – MEETING OPENED

Update from ZBA Liaison

Fogarty Solar Farm SP/SUP 124 Lybolt Rd. (12-1-22.23) #46-16

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, NY will be held at the Town Hall at 99 Tower Dr. Bldg. A Middletown NY in said Town on the 15th day of March, 2017 at 7:30 pm or as soon thereafter as the matter can be heard that day on the application of Cypress Creek Renewables, 325 Ocean Park Blvd. Suite 355 Santa Monica CA for approval of a community solar farm located at 124 Lybolt Rd. crossroad Sctown Collabar Rd. aka (12-1-22.23) under Section 249-114 of the Zoning Law of the Town of Wallkill. All parties of interest will be heard at such time and place. I did receive the mailings.

G. Lake We have been meeting with this applicant for a few months. This is the PH stage of the application and they will give you a description of what they want to do. I will then go thru the board and then the public.

Anne Wailing I am from Cypress Creek Renewables. We are in the planning process and applying for permission to build a 2 megawatt community scale solar farm on Mrs. Fogarty's property on Lybolt Rd. I bought a plan to give you an idea of where the layout will be. There is a large neighborhood near the far. One of the reasons we wanted to show you the layout is to show you what impact or lack of impact this might have on you. Let me start by introducing Cypress Creek. We are a company that builds, owns and operates commercial scale community solar farms. This is a farm that is intended to serve approx.. 3 to 500 homes and power will be sold locally at market value. It's a utility scale (small) solar farm. It falls under the umbrella of the Governor's initiative to have 50% renewables by 2030. This is spawning a lot of solar development in NYS at this time. Basically this is power that is clean and renewable and produced locally. The goal is to help the state meet its energy goals and

to help the utility companies meet the mandate that has been placed on them by the state. We are falling into that community service solar and also utility solar. Our company has been building projects like this across the US and currently has 1 gigawatt of solar farms in operation. We currently have projects constructed in N.C. , and a couple of other states. We have done a lot of construction in NC and developing currently in 15 other states. I have a brochure of completed farms with me. You can see what we have done so far and how they look and fit into the communities. One of the main focuses of Cypress is that we aim to make our development something that does fit into the community and its character. We like to get public comments about the project and show you what we have planned in addition to needing to do this for the PH process. Without spending too much more time on our company I want to note that under normal circumstances we endeavor to really screen the projects so they are not visible. This is ideally suited – the main entrance along Lybolt Rd. and a big swath of wetlands and trees that will remain there. The project is sited way back in the fields where we don't believe there will be any virtual impact on the community expect for seeing the entrance road. If you look at it you will be able to see that it is a project that is in the back corner of the field and it has wood areas around it on all sides. I could say a lot more but would rather hear your questions first.

G. Lake Thank you. I'll go thru the board before public. This is a PH and the reason we are having it is that we are in the SEQRA process at this stage. You may or may not get an answer tonight. We are here to gather any info we might have missed or your questions we should know about. (All board members stated after the public).
Motion to open this PH at 7:48 pm.

M. Hunt Mark Coyne

M. Coyne I am Mark Coyne, Town Councilman, 1st Ward where this is being built. A couple of questions – one that I could not answer is how is the power going to get to the grid? Is it coming right out to Lybolt or a substation built? The other thing is will you have mineral rights to the property. There is nothing else going on but strictly a solar farm?

G. Lake I will let you answer him now since he has another meeting. Remember the answer you give him now is the answer you are going to live with.

Anne Wailing We do not build a substation. The power connects at a base line – its right by the entrance road. We will bring the power out to the main road and basically it connects to an already existing distribution line. We have a small converter in the center of the project which converts the power into a form that the grid can accept. We bring it underground up to the road and it runs up to a riser pole and connect thru the utility companies existing line. It's very simple and not obtrusive at all. We do not take mineral rights.

R. Carr Good evening. Ralph Carr, 167 Lybolt Rd. When I was formerly on the Town board this law passed after my term. During the end of my term I was strongly in favor of

this type of project. It's incumbent upon the government to encourage clean renewable energy. I had a couple concerns – primarily being the interference or any type of impact it would have on view sheds. I live down the road from the project and that is my big concern. If you are driving down one of our rural roads that it would impact it because it is so large. This project seems ideally suited for this – I don't think there is any possibility you could ever see it. I wanted to come down here and say I am in favor of this project. This looks like it ideally fits what the intent of the law is.

G. Dross My name is Gary Dross, 154 Lybolt. I live directly across and alongside the parcel. I am here neither to put thumbs up or down. I do have some concerns. How big is the project? You said small, 5 or 20 acres?

Anne Wailing 15 panels and slightly larger than 20 space. It is owned by Mrs. Fogarty.

G. Lake We are not here to debate. I want to give everyone a chance to get all their questions out and they will answer that at the end so everyone can hear them.

G. Dross When you mention the wet area, I think it is directly across from my house. How far back? It sounds like it won't be able to be seen. Is there a provision for a green, trees & evergreen border? Things deer don't eat? Who maintains it? How far back are the solar panels from the road and where is the road going in? it impacts my wife and I because we are right there. I think the concept is good but a big concern is it is currently not zone for it. We live in a nice rural area with responsible development. The concern is how much this will impact the character of that end of the road. Personal example is I am in my mid 70's and we bought that house 17 years ago. It was abandoned and in bad shape. I busted my rear the last 17 years making it nice. We will be putting it up for sale in a couple of years. Will this impact my property values?

G. Lake Thank you.

A Weissburg My name is Aaron Weissburg, and I reside at 21 Melissa Terrace. I have a lot of concerns. No one explained to us about the map. One concern is property values and we invested a lot in our house and don't want property values decreased. Also, solar farm is really a misnomer. It's an industrial power plant they are proposing to put up in our back yard. With that comes a lot of concerns about pollution, environmental contamination to the air, soil, water and they have not explained to us what kind of system this is. There are some that use turbines and use steam to turn them. They could use up to 600 gallons of water which would deplete our water supply. Or if it is photovetic system? They also have environmental impact issues including toxic materials that are used in the panels themselves. Also, herbicides to control weeds. They are talking 20 acres of land – are they going to use them? We all have drilled wells which are not surrounded by concrete and you have a potential for contamination of the water supply. If you have any experience with water contamination it can travel for miles underground. It would not just impact the residents here

it could impact the people in the City of Middletown. Is there any radiation coming off the inverters? The 2 megawatt system that they are proposing, I am concerned about the health of myself and my family. We don't need medical or health issues down the road. This is a California corporation that was created 2 years ago. The engineer was asked at the meeting in October of 2016 – he said this was the first time he was doing this. That makes us the guinea pig, you are putting up something that does not have long term studies with ecological impacts, and there are wetlands there. I moved up here bc I work in Manhattan and commute 5 hours a day because I want a place with fresh air and clean water and not be next to an industrial power plant. They are proposing this literally in our back yard. I moved up here because I love the view and the area. I want to stay here with my family and keep it clean and healthy. My concerns are focused on that. This system has not been explained in any detail, the kind, the array and the potentially ecological or environmental impacts. People will drill wells and incur the cost of testing to make sure there is no contamination. If there is, who will foot the bill to fix that? We have the impact on property values as well. There is also aside from the visual blight, they are talking about putting up 9000 panels, each 6x3 and 12' in the air. This has a visual impact. I can't tell from the map exactly where it is but it will visually impact. Also, sound that is a nuisance flowing from the inverter. There is a buzzing. In the minutes from the last meeting the person from Cypress acknowledged there is a buzzing sound. Those woods have the effect of amplifying sound like an echo. I don't want to walk in my backyard and here zzzzzzzzz and live with that the rest of my life. I'm not convinced planting shrubs will stop that. They can tell us if they are intending to use herbicides or chemicals to control the growth? These are my concerns. I would appreciate it if we have advance notice on the details of this. It's the job of this board to protect us, not some California company that is looking to venture capital to make money. The job is to protect the citizens that live here, and our children and families. Thank you.

Jessica Carpino I live at 100 Lybolt Rd. I really have a couple questions. I heard this is going to be zoned commercial? Is all the area now commercial and can anything else come in to affect our property value? How long will the project take to be put up? Where is the access road going in relation to my home? I want to know if that will create a lot of traffic in and out. Right now it's 45 mph speed limit which is too high in my personal opinion. This is going to create more traffic on the road and maybe the Town should look into it. The transformers for this – where will they be located? Will it be visual? Will this project support union labor?

Mike Scotto Hello I live at 35 Elise Drive. Will they be using twisted wires inside steel conduit? When they put the wiring in that is a safer method of transporting electricity. We would want that if this project goes thru. How many inverters? You mentioned one in the center. I understand there might be a noise issue. Is this a PV Plant (yes). The cooling fan noise level is a concern. How much water put Megawatt will we need monthly, weekly, etc. at the minutes you mentioned there was a pond and some lakes and streams and pointed them out. The groundwater is an issue if they are using 600-6000 gallons per day/month/ whatever, then this will eventually have a detrimental effect on the water and

houses in the area including the new project down the road from us where they are extending Elise Drive. I see that it will not be visible from my property with the trees and plants that are there. They mentioned turbines and towers. I was curious about that. They do put turbines in some of the fields if they use steam. If the NYS Code changes 5 years from now will you be able to increase the plant or live with the 2 megawatts? I know the water usage is 750 to 920 gallons per megawatt hour – that is from the US Dept of Energy, not my own numbers. One of the last things is an emergency action plan if there is a fire. In Dietz and Watson the cold cut plant in NJ had a fire that had 6000 solar panels on it. I realize it was a structural bldg. but what is there evacuation plan for the surrounding neighborhood with toxic fumes from the solar panels. I teach solar panels at the fire academy. Mostly for houses, not solar farms. The solar panels – we call them the blob. You cannot kill them, shoot them, set them on fire, they still work. If there is a fire the obvious toxic smoke that will come off of them, given the prevailing winds of the day and moment will have a direct effect on the community in 360 degree angles. I realize there have not been many fires in them but one is enough. It does draw electricity from lightning strikes, it is a power source. They can't prevent it and we can't stop it. Those are my questions the biggest being the water. If we run out of groundwater I am not digging down another 200 feet to find water. I don't know if they can guarantee them, where the water comes from? Thank you.

G. Lake They will answer what they can tonight.

Anne Wailing Thank you for your comments and questions. I can answer most of them simply. This is a solar PV plant. Photoveteic Solar, it uses no water. It creates energy simply from the sun funneling thru the panels and the electrons as they move into the collection lines thru conduit into it. There are no impacts on local water because we don't use any. I just wanted to say that off the bat. I'll address the other comments in order. The 2 Megawatt plant we are proposing would take up approx. 20 acres of space. It's about 15 acres of panels and access road that goes from Lybolt back thru the woods and the wetlands there and back into the corner. It's owned by Mrs. Fogarty who has written a letter in support of the project that I will submit for the record. Questions on how far back the road goes and the wetlands. I will be happy to bring that map in the back afterward so you can take a specific look and I can explain where all the bits and pieces are. How is the plant maintained? The maintenance is fairly simple. It needs to be mowed occasionally and is usually that is done by a local contractor. The fence perimeter needs to be walked and checked. Like any power plant it is fenced in. We do operate in accordance with all NYS and National electric codes. It fits in well with that. As far as herbicides and pesticides, we can really customize our maintenance plan to be in line with the requirements the PB puts on that. We will make an agreement with the Town that states how frequently we are mowing, if we use pesticides, we don't need to – we maintain it without them and don't use any toxic materials. WE clean off the panels with a natural spray and is entirely safe and non-toxic. In some areas still Solar PV panels did have toxic metals in them. The ones we use do not. Most of the ones made now do not have toxic metals in them. Even though the panels are inner lumps of silica glass or sand making energy, if they crack or something happens to one there is nothing in them

that is toxic – it is safe and the cleanest type of power that exists today. It does not emit anything. No vapors or anything. It simply makes electricity. Even the inverter which you have asked about, sits on a concrete pad in the middle of the projects. At the project boundaries the ambient noise changes to non- discernable and only in the day time. The only noise comes from a fan that cools the unit. When the sun is shining the fan is running to cool the unit. This does produce a sound but it is not audible at the project borders. It does not run at night since it is not making energy. There are questions on impacts on property values. We have built a lot of these farms so the one thing we can say is we have had an appraiser do work all across the country. He has done a lot of studies and is working currently in NY on an updated study to show the impact on property values. He has come to a conclusion about property valuation . Even in neighborhoods that you can see the solar panels where it was more visible than it will be here, as long as the home is 100' from panels it does not affect the valuation. This is much farther away and less visible. This should not impact the property value and we will submit this report for the records. I know that is a concern with having something like this in your Town. We have a Stormwater Pollution plan that has been filed and is available for examination. We have delineated all the wetlands. Basically when you construct this project it takes about 6-8 weeks once the construction starts. During that time you will see a bit of traffic to and from the site as we do the access road and bring the panels and racking. The panels are double racked, it goes in on post. That is the only impact, they are pushed into the ground. There is some grading done on the site to clear the surface but then the grass grows underneath and that is pretty much it. They don't require any traffic to and from, there is no lighting on them. Once a month someone will come by and check everything so it does not really increase the local traffic. We are pretty good neighbors. They do produce revenue for the Town and a bit of tax benefit and revenue for the landowner in the form of lease payments. No other drain on services, trash removal, water, school kids etc. It's a light use. I understand the feeling of being a guinea pig. Although we have not personally built a solar farm there is one in Town – a town owned one. How many transformers? I don't know the answer to that – there is one inverter in the Middle that the Town grid connects to. As far as what goes on the pole is up to the utilities companies. Regarding labor, we do use local labor as much as possible. Solar farms during the construction phase don't create permanent jobs, just local labor jobs. – Fencing installation, etc. What kind of conduit- I don't know the answer but I will find out. There is a cooling fan that runs only when the sun is shining. We follow all existing code. We have an emergency action plan. We have a fellow that works with us that is in the Volunteer F.D. that helped us with that. We will be happy to sit down with the F. D. To go over any training needs they might need. Safety is a huge concern.

G. Lake thank you. The only thing before we continue, please go over to the map and show the distance to the road for a rough idea from Lybolt Rd. Maybe a rough idea from the back property line to Elise.

Anne Wailing the entrance is going to be here on Lybolt. We have probably had about 4 times 180' feet – over 500' from panels behind a significant wetland and a bunch of existing

trees. That is from this part here. That is from parcel boundary – Lybolt is still another 300' from there. I think you are probably almost a 1000' feet from the road in that back corner. I'll bring it over outside after for everyone to take a look.

This is the panel area here. The road goes here- this is where the housing development is, the curve of Lybolt road and the entrance is here and goes way back here where the inverter will be in the middle of the parcel.

G.Lake Is there anyone that has not been up that would like to speak? Motion to close this PH at 8:21 pm – Bill/Andy 7 ayes. You have Dick's comments?

Anne Wailing I just submitted Mrs. Fogarty's letter for the record.

G. Lake Ok. The engineers comments, will you have any problem with the?

Anne Wailing No we are working on addressing them for the next meeting.

G. Lake We are going to treat this as a Type 1 Action. You will have more work to do. You will respond to all questions. Water is a big concern to everyone. Pesticides was a big one, I know the solar farm the town has on Banke Rd. they planted a slow growing grass and do not use anything, they just mow it. Whatever you are going to the panels make sure you give the proper name of what you are going to plant, the amt. of times it will need to be mowed etc. that is just in case anyone wants to see what this is going to look like, I believe you will not be able to see it from an of the property around it. Look at the Town one on Banke Rd. to see what this will actually look like. I'll go thru the board.

D. Dulgarian One clarification – the map I'm looking at here, what is the total acreage of what you are showing there?

Anne Wailing Just over 20 – 21.7? in the upper right hand corner?

D. Dulgarian The total acreage of the property?

Anne Wailing 147.65. We are showing the limits of disturbance. We have to fence it.

G. Lake This is what our zoning code allows. That fenced in area.

Anne Wailing It can never be more than 2 megawatts. We have to sign an interconnection agreement with the utilities. It will never be bigger than that.

J. Keegan there was a lot of concerns. I would like to see no pesticides. We have been to classes on solar farms so we know the low impact. You can see with it being a new type of energy that we need to try and educate people on how clean and minimal the environmental impact is on something like this.

B. Capozella I think a lot of questions were answered. One of my concerns is the noise. We should look at the decibel level to the property lines. Especially in the back where you are going to have your substation for the transfer of the electricity. From there to the nearest property line. Let us see what the decibel level is closest to your power station. (the inverter). Even though it is not at night, it has not been answered yet. We did not answer about the zoning. It is approved for the zoning.

G.Barone The Town has this blanket ordinance permitting solar installations thru out the town subject to the applicable regulations which can change over time. This proposed use fits within the confines of the existing town code.

B. Capozella Another major concern is the property values. we need to look at that and see if it affects it or not. We can't say zero but we have to come up with something.

C. Najac Thank you to the public for showing up. You bring up things that we don't think of. I had never thought of the control of the grass growing. I have panels on my roof but don't have to worry about that so I never thought about it. Gary informed me that we are using grass on our own that only requires mowing 2 x a year. Someone has already figured this out! I do have another question – the noise. Is the transformer itself making noise? Some of the older ones did buzz. If not, is the fan the only noise?

Anne Wailing The only noise is the fan because it cools. It's an inverter not a transformer.

A Guattery Most of my questions have been answered. I know we don't have noise levels but I would like to see some technical specs on this. Also- radio interference levels, if any. Along with the weed control pesticide issue we want to make sure we make note on these plans about snow removal. That is a bigger problem if we have to sand and salt. We don't want that on the ground to make access on the road. I want more info on that. Along with that I would like a copy of the emergency access plan.

T. Hamilton All the questions will be answered in our documentation that comes in here. The Town Engineer and Bldg. Dept., the local Fire Depts. And any resource that we need we will have access to for answers.

G. Lake How long will it take to put this up and how high is it? They are not 12' in the air?

Anne Wailing Does the ordinance say 12' maximum? Basically it is a 6 ' panel so we double rack and the pole is elevated and they are tilted. The math works out.

G. lake Maybe we can have you do a site distance test. What will people see from Lybolt, Elise, etc? A visual in the final report.

D. Dulgarian Like a balloon test?

G. Lake We have had people place balloons 50' etc.

Anne Wailing We have a model that will produce that.

G. Lake I think we have had some good questions tonight. Hopefully you were able to answer most. In the type 1 Action you will finish answering them.

R. McGoey The average height is 10'- the array shall not exceed 10'.

Attorney-Snyder & Snyder WE are going to go with a Type 1 Action. So, we are going to do our referrals to all the involved agencies we will be glad to help out with that process. We have a 30 day deadline for that.

G. Barone We need a motion from the Board for a NOI to act as Lead Agency. The applicant prepares a notice and submits it to Dick and me for review together with a list of involved agencies that it will be mailed to. They are responsible for the mailing and submitting proof of service.

T. Hamilton on the plans we have the footages that the public was asking for on how many feet from the road, property lines. Write it out so we can read it.

Attorney-Snyder & Snyder the other thing is 239-M – can we confirm whether a referral was done with the Town PB?

M. Hunt I did not get a response to it yet. I sent it on 2/15/17 and asked again today for a response.

Attorney-Snyder & Snyder WE have an AG statement – do we need to submit it?

B. Capozella One other thing. Normally we get the questions from the public and then the responses in writing. Make sure all the questions are answered.

G. Lake WE closed the PH but I am asking you to waive the 62 day time frame.

Attorney – S&S Yes, I waive the time frame.

G. Lake Motion to end out Intent to be Lead Agency on a Type 1 Action. Andy/Tom 7 ayes. Thank you. What is going to happen is they are going to send out (30 or 60 day process)

notice of intent. Right now they are being tabled to complete action on their Type 1. Thank you.

Triple A Stairs SP - 703 Rt. 211w (34-7-1) #07-17

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, NY will be held at the Town Hall at 99 Tower Dr. Bldg. A Middletown NY in said Town on the 15th day of March, 2017 at 7:30 pm or as soon thereafter as the matter can be heard that day on the application of 703 Rt. 211w Inc. 6 Lipa Friedman Lane, Unit 203, Monroe NY 10950 for approval of fixing up the bldg.. for Triple A Stairs for building and assembling stairs located at 703 Rt. 211w Middletown NY 10940 AKA 34-7-1 under section HC of the Zoning Law of the Town of Wallkill. All parties of interest will be heard at such time and place. I did receive the mailings.

G. Lake This was published correctly but the mailing notices that were sent to the surrounding owners had the wrong PH date on them. We are going to open this PH but because of this mistake our attorney advised us that you will have to waive the 62 day time frame and remail the mailings and republish and leave the PH open. Marylynn just informed me that we can place this on the 4/5/17 meeting.

J. Cella Can we submit the building plans to start the review?

M. Hunt Call me tomorrow and I will talk to Delores.

G. Lake Give the presentation and we will open the PH.

J. Cella existing building is 703 Rt. 211W located in the HC zone. It's an 8000 s.f bldg. that is vacant and has been purchased by the applicant, Mr. Farkas. We are proposing to put a stair manufacturing service establishment in there with an office for the business. It is 1.1 acres serviced by a well and septic system that are existing. We are proposing site improvements to clean up this site. We are going to use the current access to the property on the east and west and keep the traffic configuration with the west end entrance east end exit. We will have one way traffic thru the property circulating in a counterclockwise direction around the rear of the bldg. the applicant is Triple A Stairs and have been in business 15 years. They operated at 33 Mulberry St. in Middletown. The plans include landscaping, a small retaining wall and onsite stormwater collection to tap into the existing stormwater along Rt. 211w.

G. Lake Thank you. Motion to open this PH at 8:45 pm.

Debbie Geztezi Hello – I'm Deborah Geztezi –my property is 715 Rt. 211w. I sent the email in case I could not get here. I have to apologize I have never done this before. The only concern is my well. A couple of times in the past they have tried to do something with that property and they were stopped because they said it would contaminate my well. I would like to see this happen I just want to make sure my well will be ok. I was told there was not enough of a buffer, or setback?

G. Lake This septic will be reviewed by our engineer. He will be checking the map to make sure the distance is there. They need to do more SW management to keep things on their property. Before I sign the map Mr. McGoey checks the plan and distance between their septic in conjunction with your well- I think it's 200'? How many employees will they have- it looks like the septic goes quite far back from their property? That will be checked. KC engineering reviews the septic and I believe they will go out and do a physical check. The map won't be signed until it's approved. Motion to continue this PH to 4/5/17. Any problem with Dick's comments?

J. Cella We have added notes there will be no outdoor dust collection or outdoor storage. The building owner and applicant has rec'd arch. Plans that conform to the new International Bldg. Code.

D. Dulgarian I would like to discuss varnishes, stains etc, inside the bldg..

A Farkas Everything is raw, no finishes, no paint, no polyurethane, no chemicals, no spray booth. We are making stairs and rails with wood only.

J. Cella He is doing the exact same operation at 33 Mulberry St. and relocating.

D. Dulgarian WE can stop in anytime? (yes)

J. Keegan It's a good use – minimum employees (10) with no noise.

B. Capozella I'm ok.

C. Najac No dust collector outside?

A Farkas Each machine has its own dust collection.

C. Najac Do you have a special garbage container?

A Farkas Just regular waste.

G. Lake Ok – we will leave this open. If you get the mailings out and we will put you on 4/5/17? You will need a follow up w/s. Motion to table for further action.
Andy/Doug. 7 ayes.

Middletown Medical SP 15 Edgewater Dr.(54-8-5, 54-1-1, 23, 3,4,5,6,7.2) #13-13

Dave Higgins Hello, Lanc & Tully for the applicant. We had previously rec'd approval for the medical office bldg.. this is being submitted as a sketch plan to keep you up to speed on what we are doing. Middletown Medical has acquired land along Rt. 211. It's shown on the map. The aerial maps show the blue property line owned by Middletown Medical. Basically we are looking to increase the building size from 20,000 s.f. to 30,000 s.f. With the add'l land along 211 we will have add'l parking and Stormwater management. Sorry – it's add'l land along Maltese. As part of the plan they are looking to connect the proposed office building with a bridge and shared parking. With me tonight is Ray VanVorhees Architect.

Ray V I am the architect for the original project and this. The owners acquired the add'l land and now have enough to do the parking and drainage properly. We are looking to establish a campus and statement on the site. Dr. Gulati's mother is involved and wants this to be really nice. We are looking to combine the existing bldg. with the new bldg and with that they realized they needed more sf. On the first floor. WE stepped back the architecture. It's a similar style to before but the bridge will exit the existing 2 story bldg. – it will stay as it is with a bit of restoration to it. There is an aerial bridge span across. There will be proper clearance for fire apparatus and emergency vehicles. We will make those hts. You will have drop offs at the 2 bldgs. And there is an elevator in both facilities. Trying to make a nice campus statement. They now have the entire piece (except for Denny's) of that whole area there.

G. Lake I'll go thru the board for any comments.

D. Dulgarian Architecturally and aesthetically impact statement- it's really cool . From 2011 there is an entrance only on 211? (yes) the only offsite is off on Maltese.

Ray V Yes, Denny's comes out this entrance so I can't say there is none but it's shared onto Rt. 211. We flow in this direction to drop off here or come in here. WE cannot go back out by Denny's once we are in the campus. WE can exit out here onto Maltese. It also connects back to the existing site which takes you back onto the 111 bldg. which has an exit out to 211.

D. Dulgarian that will flow right onto that other parking lot....Maybe just show that on the map. That bridge is level? (yes)

Ray V. It has a slight pitch on the roof, this is level here. Because of the nature of this bldg.. being 2 stories and having a squat bldg. it appears to be but it is level. We are going a little bit more earth tone colors on the bldg..

J. Keegan The footprint changed a little?

Ray V Yes, if you remember before we had 20,000 s.f. and it was 5x4 , now we are doing 10,000 1st floor, 9000 on the 2nd floor and then it goes 7 and 6 but adds up to 30,000 sf. It's a stepped back bldg.. the first floor is an Urgent Care and Diagnostic Imaging which required more space. The rest are primary care suites. We have no increase – we did have variances already. It's not affecting anything closer to 211.

J. Keegan It looks fantastic, I like the parking now that is in central areas and all. I'm happy with this.

B. Capozella I like the layout, nice parking. Just a little housekeeping on the zoning requirements – we usually put what is required and what is the actual including the variances. Note it in the table.

C. Najac Did you shift the bldg.. back?

Ray V. Yes, it went back on the site. The taking over Edgewater was a long process so once we had it and it helped us to get closer so we could connect the buildings.

A Guattery It's very eye-catching. The consolidated parking is great but we are going to need to have some crosswalks or pedestrian islands for the larger lot in the back. That is a hike when you are not feeling good and under the weather. We need people to feel safe as they are moving thru those lots. Also – snow removal must be taken into account.

Ray V. There are areas for snow.

A Guattery right, just account for the islands and stuff. Make sure we are protecting people.

D. Higgins We are right where we need for required parking. We don't have a lot to give in the way of crosswalks.

T. Hamilton one thing, can you have designated employee parking? There were problems previous to this that the employees were taking all the close parking.

Ray V It's already designated back in here.

T. Hamilton **The patients could not get close enough because they were not using it in the past – it needs to be designated and policed.**

G. Lake **I think it will be real nice addition to that property. I really have no other comments. You won't have any problem with the comments? (no). You should probably get to ws before you come back.**

Ray V **I know they are anxious and want to keep the ball rolling to get this started in this construction period soon.**

G. Lake **As soon as you are ready to get back we will put you on. It's a site plan modification. They got a good review from the board so it's in your court.**

D.Higgins **Will this need a PH again?**

G. Lake **No, you have not changed the use.**

C. Najac **since you guys are going all out, have you considered a green roof?**

Ray V **We do have some green roof. One of the ideas was that some of these will be green roofs where they can access on – we have one on the 2nd floor side for the employees. Probably not all three but at least two on the front.**

G. Lake **Motion to table for further action. Tom/Clark 7 ayes. Call in and get on ws and we will put you back on the agenda after that. Thank you.**

Plaza at Crystal Run SP REV. - North Galleria Drive (78-2-2.1) # 17-17

RJ Smith **Hello- I'm RJ Smith and I represent the family that owns the Plaza At Crystal Run. It is a retail center where Petco, Pier one and Olive Garden is. It is quite obvious the plaza has struggled since the Seaman's furniture left. They struggled with renting for numerous reasons. Going thru the changes recently, we have Sears going dark, Gander Mtn. filing bankruptcy, JCP closing up stores and it does not take much to turn the corner and all the work we have done to build this retail center. Those of us who remember north St. we remember when it was a vibrant center and the Orange Plaza was built. The internet may be to Wallkill what orange Plaza was to North ST. We have to get creative and competitive with some adaptive uses for these centers to continue to be vibrant or we will end up with a center like Caldor that went dark and took this long to bring back. That being said, what we have done is look beyond retail into entertainment and amusements, personal services. I have the project engineer, Dave Higgins here and the applicants. We have convinced the current order to sell the Plaza so that you have owner occupants. The owner is then not an**

absentee investor, he is on site- running a business and managing an office. We are hoping this is a model that will turn the center around and be an example to others.

D. Higgins What we submitted is a sketch plan for the proposed application on North Galleria Drive- the Petco Bldg. this is a part of the PCM Site plan that was approved by the Town it actually encompassed 3 parcels. The first map you have is a full size map to refer to and the 2nd map is one of the sheets from the originally approved sp for PCM showing the 3 parcels. You have the Olive Garden, the Petco Bldg and Pier one and the 3rd was originally for Bldg. 4 which is now Middletown Plaza/Acampora that has recently been before you. WE are proposing to use the upper portion of the 2 story bldg. for an indoor trampoline park for recreational use. Also they would be using approx.. 15,000 s.f on the top – the area shaded in red for the office use. They want to raise the use on the entire structure 14'. You need the vertical clearance for the trampoline use. That does not affect the s.f. of the use for the majority of the bldg.. the area shown in red is approx.. 15,000 s.f. office space created by raising the bldg. up. You have essentially a 3rd story of use on that portion of the bldg. what we show is the parking calc as originally approved shopping center. They were provided and we updated them based upon current use, the approved use for Middletown Plaza. Again, it's no longer a 20,000 s.f. bldg.. it's 15,000 of which part of it is a restaurant. Basically we used aerial imagining to calculate parking spaces provided for on all 3 parcels and came up with is that the required parking based on code for shopping centers for existing and approved use is 635 spaces and we have a total provided (existing and proposed) is part of that site plan for Middletown Plaza is 498 spaces. We have a deficiency of 137 spaces for all the uses amongst the 3 parcels. There was some reduction in the provided number of spaces from the approved PCM Site plan and SD. Some was hard to pin down . A few were lost in the main parcel. Seems like every aisle we lost one or two or some that were not striped when we did our number at the end of the Olive Garden Restaurant. Some of those may be able to be made back up but clearly not 137. We are looking to see if there is a waiver or variance that can be granted. The building and parking lot has been empty for many years. We are looking to get occupancy back in the bldg.. for local economy and tax retables' in the Town. We feel the parking is fine.

G. Lake this is a trampoline facility like the one in Poughkeepsie? It's the same type of operation? (yes). Same franchise... I know the one there and it's a wonderful thing and have nothing bad to say about the operation. It seems to be gaining in popularity . As far as the parking you think you are short 137?

D. Higgins Based on what we calculated. We have all the uses accounted for on the map and using retail s.f. – I did not differentiate between vacant and occupied. We did that when we did Caldors, if that is an option?

G. Lake I'll go thru the board. The additional office space – is there an need for it? We seem to have a lot of extra office space in the Town right now.

RJ Smith **Actually it's their own personal offices. Corporate office for this space and other corps. They have.**

D. Dulgarian **I agree with RJ, we need to be a step ahead about what is going on in that industry and thinking outside the box. I dread another Orange Plaza or Caldors Plaza. If we can avoid it then it won't have an impact as far as changing the characteristic there. It goes with what is going on with the mall, entertainment factor. I like the idea. The parking worries me with the restaurant and primary store out front since the counts include all 4 bldgs. The restaurant in the front and main bldg.. typically have different hours. They are more night time and they don't expect that at the trampoline center.**

D. Dulgarian **I think they coincide but we can work with it.**

J. Keegan **It's a great business. My kids love it. You can't park there – it's a high density business and the turnover is massive – even to 10 pm. The place will be packed but we need to figure out parking. There is no chance you will fit them. If you can funnel people in from the back parking lot, maybe? It's a great business but it's mobbed all the time and it's a high turnover. You get wristbands for 1 – 2 hours so there is a huge turnaround for cars.**

B. Capozella **I agree with the use. I work in a 600,000 s.f. bldg.. that used to be all office space and now has ¼ of the bldg. with some of these activities, the trampoline place, race track, bowling alley, fitness etc. it does get busy but most of the time the hours are during the day and afternoon after school. I do like the idea.**

C. Najac **I like the fact that we are trying to get ahead of the curve. It makes sense to get double use of the building. We need to look at the parking in the back. I'm amazed that there is that much demand for this!**

A Guattery **I agree, great idea and good fit. Bldg. 4 is not there yet. If you can get the bottom parking directed to the top it would work well.**

T. Hamilton **Where the trampoline center is do you need the loading docks on that end?**

D. Higgins **It's the loading dock that Petco uses. It has an inside corridor.**
(alleyway)

G. Lake **I think as far as sketch that you see a definite approval by the Board. I'll call that vote. As far as the parking goes since you have the advantage of the one in Poughkeepsie and it is extremely busy, you should be able to get some kind of traffic count or turnover or some way for us to gauge the parking. I appreciate Jim telling us about the one on Long Island. I assume the population is different than up here and maybe the numbers might not be as drastic.**

D. Dulgarian The new business and the offices – are they going to be only reachable from the front restaurant side or can there be parking in the back and they can go thru the bldg.. by stairway?

Owner we do have a plan to do an elevator that they can access from there as well.

D. Dulgarian So some of that parking from Bldg. 4 can be used.
I like the idea.

Owner The office space, we use about 10,000 for the trampoline park. We would like to consider birthday party rooms too.

G. Lake I'm happy to hear about the elevator on the back side. I didn't notice it until you got talking about how much they can use the back. The back may become their main entrance. It's the first place they can turn in by the rear of the building. You may want to take that into consideration in your planning. The back lot is never full.

D. Higgins What we did with Caldor plaza is getting approvals for uses as they come. Part of that approval and the parking was essentially banked. In this case, we don't have an area for banking but have a lot of vacancies in the bldg.. if we come back with info from the Poughkeepsie facility and can supply parking spaces, would it make sense to provide a table occupancy to include parking and subtract out other vacant areas.

G. Lake motion for sketch plan approval. Bill/Jim 7 ayes. Thank you.

MOTION TO ADJOURN.