

Town of Wallkill
PLANNING BOARD MINUTES
May 3 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
ZBA Liaison

New Homes By Liberty SP/SUP – Rt. 302 (22-3-55) #110-16

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 3rd day of May 2017 at 7:30 pm or as soon thereafter as the matter can be heard that day on the application of Liberty Environmental Mgmt. 2629 NYS Rt. 302 Middletown NY 10941 for approval of SP and SUP for the installation of 3 model homes and an apertures located at 2594 Rt. 302 Middletown NY 10941 near NYS Rt. 17M AKA (22-3-55) under Sections 249-39 and 249-40 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 Name for the record?

T. Depuy Tom Depuy representing the applicant. Liberty is proposing the installation of 3 model homes on the southerly side of 302. The existing facility is down here in the open field area adjacent to the property. We will have an access point off of 302 and nine parking spaces. In addition we have added an interconnecting roadway over to hear – a pathway for people to walk over to the models. They are just models, no occupancy. They will have electric just for lighting on the building itself and we will have one light pole in the parking lot. There will be some light on the buildings themselves. There will be no water or sewer services to the bldgs.

G. Lake Motion to open this PH at 7:35pm. These are modular homes only that are for sale and are showrooms only. Motion to close this PH at 7:37 pm. Bill/Andy 7 ayes. Any problem with Dick's comments? (no) the landscaping, am I looking at an old plan?

T. Depuy We are going to landscape the entrance at this point and this. We are going to landscape in front of each of the models. We are supplying a cluster of trees between each of the models. There was a comment about us landscaping down the area...

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R. McGoeys You have to meet the ordinance.

G. Lake You are going to have to meet it.

T. Depuy The lot is very long, can we just meet it with the front of the buildings itself?

G. Lake this is just me but I would think if you did a little something in front..I have a question. Are you going to be changing them every now and then? (yes). Ok that answers that then, if you can do a little something in the front to meet the ordinance that is an awful long way... you did a great job cleaning it up. I'm assuming they are going to maintain the entire length.

D. Dulgarian I have no problem doing it to subject to Dick's approval of the landscaping. I don't think it needs to continue past the actual display area. What happened with the connection path where you don't have to go back out on 302?

T. Depuy We have included that on the revised drawing. That is the path over here where the box culvert is. You don't have this plan yet. WE did the drawing after we got the comments. Dick needs to review it. We show it interconnects this to over here. We gave a detail on the cross section of the path.

D.Dulgarian That needs to be reviewed by the Engineer. The rest of it I don't see a change in characteristic of the corridor. I have no issue.

J. Keegan I think it's a good fit and am in favor of only doing the landscaping in front of the area being used. I'm glad you put the access path in on the map.

B. Capozella Is there a note on the plan that limits it to 3 modulars?

T Depuy If we do any others we will have to come back. I will put a note on the plan that it is limited to 3.

C. Najac Agree on the landscaping and appreciate it being cleaned up and looking nice now. Doug started on the path back to the parking lot – is that walking or driving?

T Depuy We will have golf carts that if someone is here they can drive them over or they can walk over. We do have a detailed cross section. We will maintain the path.

A Guattery The path that crosses the culvert – that will be behind the fence?

T. Depuy Yes, there is a double fence there so no one would fall off the culvert .

A Guattery I also agree about the landscaping in front but I would like to see some landscaping towards Liberty pest along the walking path area. It would be nice so it does not just look like gravel path.

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T. Hamilton on the landscaping in front closest to the fence..is there a way to put a planter you can move out of the way when you are changing houses instead of making something permanent?

G. Lake I think it's a good fit – I like the path to keep people off 30s. Motion to accept part 3 EAF and neg dec subject to comments. Tom/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 approval subject to same – 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.

Cieslewitz 4 Lot SD – 207/217 King Rd. (12-1-58) #23-17

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 3rd day of May 2017 at 7:30 pm or as soon thereafter as the matter can be heard that day on the application of John Cieslewitz, 217 King Rd. Middletown NY 10941 for approval of a 4 lot residential S located at the intersection of the south side of Hufcut Rd. and westerly side of Lybolt Rd. (12-1-98) under Article 3, Section 3 Paragraph 4 of the SD regulation of the Town of Wallkill. All parties of interest will be heard at such time and place. I did receive the mailings.

D. Yanosh Surveyor for the owner. WE have done all the soils testing. The septic designs are done. We will submit them to KZ Eng. For a septic review. We took care of Dick's comments. Site distance and location of the houses. Question on lot 3 – I can move that further to the south and raise it up the hill. I can move the septic a little to give more clearance on the bottom. I can move it 30-40 ' to the south. The engineer has looked at it already.

G. Lake All s/f homes?

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D. Yanosh Yes, 3 on Lybolt Rd. Each one has over 200' frontage, 3 acres per zoning and lot 4 is on Hufcut Rd. where the existing barn is. We probably won't build that house but we are showing it's buildable for the future.

G. Lake Ok – thank you. Motion to open this PH at 7:45 pm –

J. Glasser Janna Glasser, 45 Brimstone Hill Road. This is the first we heard of this. We saw stakes in by the sawmill about 10 days ago. We don't know what is planned. The land we see does not look like its 3 acres per house.

G. Lake All lots in that area have to be 3 acres or better and they are. There is absolutely no variances that are need, they meet the code. They have been here for a few months now and this is now at the point where sending notices out to you so you can come in and ask questions and gain information.

J. Glasser Does the property extend past the saw mill.

G. Lake Dan , take a minute to show them the map and explain it to them. Let him explain the map to you but we need to get the questions on tape.

J. Glasser I think we are just concerned because we only see what fronts on to Lybolt Rd. and that is not a very large area. Is it my understanding that the front is only 200' for each of the lot except for the 8 acre one?

B. Capozella the 200' minimum is what he is showing – 2 lots are almost 500.

B. Gets if anyone has driven down the road in the wintertime there is a lot of snow drifts. At the top of the road there is sometimes 4-5 drifts. I don't know if that has been addressed and if there is any trees that need to be planted to help maintain safety. (Lybolt)

G. Lake We will send a note to the DPW and they may put a snow fence up – that is their call.

B. Geztesi Ok, in terms of lots, are there going to be any trees planted in between the lots? To show some landscaping?

G. Lake There are landscape regs that have to be followed. They will have to come in and seed it – landscaping goes along with any plan.

B. Geztesi Drive by this – it will be 4 houses plopped in the middle of this beautiful field. There is really not going to be consistent with the homes in the area that have tree lined lots that separate from each other. My concern is aesthetics not being consistent with that area. It won't look too nice.

J. Reed John Reed, 45 Brimstonehill Rd. the reason we moved here was bc of the rural nature of the area. It's beautiful and I find for the most part most of the houses in our area are fairly high quality, large houses, everyone seems to have enough money to afford landscapers to keep them nice. My concern is building 4 houses in a lot area where they could have twice the size lot and house and

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build 2. Obviously if you build 4 where you can build 1 you will have 4x the lawnmowers, leaf blowers and people and ¼ of the income probably of each of the residents of those 4 homes. Whereas we would all rather have someone that has a little bit more money so they can afford to keep things up with the area. I'm sure gentleman that is doing this is looking to maximize the profits. I understand that and I'm sure he is trying to do 4 lots instead of one bc he will make more money doing that. There is also 4 x as much construction sounds and my concern is the area will change quite a bit. I understand he is in the letter of the law with 3 acre lots but as far as the character I'm concerned about it and would prefer 2 houses or 1 house at best.

S. Fishman Sheila Fishman, 7 Brimstonehill Rd. and I am diagonal from the proposed area. My concern echoes what everyone else said. Are they going to be s/f homes, will they be cookie cutter homes or all different and what price range? Where will the homes open to – Lybolt or Hufcut? There are more than 3-4 school buses that come up Lybolt and Brimstonehill and Hufcut – Pine Bush and Valley Central school. It's a quick corner, wintertime I have seen cars pulled out of the pond. I have water problems at the bottom of my property because of the drainage because of the water drainage and sewerage. What will something being built do to the property lines again (affecting it). If the engineer can address some of those questions I would appreciate it.

P. Bolte Peter Bolte I live across the street at 443 Hufcut Rd. I have multiple concerns. First and foremost is the water runoff. During the heavy rains, a lot of flooding and that pond takes in a lot of water. I take a lot of water runoff onto my property. You build 4 houses with paved driveways and it will be more water that won't seep into the ground, it will go into the pond and onto my property. I have to deal with it. Two- this is the first time I have heard about this. Maybe there was meetings before this but the neighbors did not hear about it until now. 3- the house across the street from me, where is the light placement and will I look at their headlights all night? I don't need headlights on my house. 5 – coming up Lybolt Rd. it's the Indy 500. You will have 3 driveways on Lybolt that will have very limited visibility when you are coming down Lybolt and going north on Lybolt. People racing, kids coming off of buses, you won't be able to see them up that hill. You will have major accidents. There is multiple problems with this. We need to review it before we go further and I think the neighbors should have been told more about this. We have been good neighbors, I have been there for 12 years paying my taxes and I really feel the Town should have been more informative with what is going on here. I also want to know what is going on with the property. This has been an eyesore for 12 years with piles of wood, there is no more wood cutting going on and the barn is deteriorating. Is this a site that is supposed to be secured because of the age of the barn? There is a garage in there – a mechanics shop going on there across the street. Is that eight more houses or what? I want to know before it goes any further.

G. Lake These are 1 family dwellings. We have already stated that. What kind of houses and price range are not PB – our job is to make sure it fits property as a SD. As far as how much they sell for we do not dictate that to anybody. I was here when Brimstonehill came along and I know there are lots that are 1.5 – some bigger, some smaller. When that came in we did not stand here and dictate each house to be different or cookie cutters, that is not our job. Our job is to make sure the septic works, the

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wells are there, the setbacks are correct and site distance, speed etc. we make people do their study and do the average speed up and down the road. If there are speeders there you can call down to the PD and they will set up the speed trailer. It is very effective and they will put it out there for you. Just ask. As far as the type houses, the engineer probably does not know that either. The barn across the street, the engineer stated he doubts that lot will be built on. We ask to see that it can be when we are doing a SD. Maybe you want to state how much land is left there....

D. Yanosh This is only my 2nd time here. PB does the procedure where I come in the first mtg, it's discussed as a conceptual plan and then they set it up for PH which is why you got notice. Every SD of this size has a PH. John has been a farmer here for over 100 years. He owns this and the one across the street from your house. I did the SD for the Petersen farm where you people all live right now. 1.5 acre lots were the zoning back then. The Town Board has now made it 3 acres. 10 years ago he could have put 7 houses on this property. We have looked at the site distances and are aware of the speed there. The engineer has checked that out. The driveway across the street that comes out to the same road, we feel it's safe. 3 more driveways is not going to affect anything out there. Headlights across the street I will look at it to see if there is anything we can do. Lining up the driveways makes it more feasible on sight distance. Drifting snow – DPW can take care of that. The barn, Mr. Cieslewitz does farm and stores hay. The equipment is in there and he probably fixes it in the barn.

G. Lake You could ask Mr. Cieslewitz to clean the area up a bit. Everyone will appreciate that.

D. Yanosh Sure.

Mr. Bolte Would the gentleman consider 2 houses instead of 4 on twice the size lots generating roughly the same revenue for him? it would limit the people moving in, the noise etc.

D. Yanosh It's not my question to answer. I work for Mr. Cieslewitz. Again, the zoning has stated that we are allowed to have a 3 acre lot. This is a good SD that meets the zoning and believe my client would like to stick with it.

G. Lake motion to close the PH – Tom/Andy 7 ayes. Have you satisfied Dick's comments?

D. Yanosh I believe so – we have met the standards for site distance and they are on the plan. The 10' minimum is not a problem. KC Eng. Will be doing the septic review and lot 3 we will move further to the south and up the hill.

G. Lake About the landscaping- are you guys going to plant some trees along the road?

D. Yanosh If you ask us to do so.

G. Lake It would be the right thing to do. This was a major SD. We would be asking for them along the road and more landscaping.

D. Yanosh is it every 40' ?

R. McGoey I think it's 50'.

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G. Lake We will check but you agree to do that? (yes, not a problem). Our problem is that we are going to look for something halfway decent – a certain caliber.

D. Dulgarian WE have a family that has owned this property for 100 plus years. It seems like he might have owned all the property there at one point. Property meets all zoning. I would rather see wider regular shaped lots but the 2 are and it does meet code. It meets the criteria we need to look at. Are you going to put a note on the map there is no further SD of this property?

D. Yanosh I can't say that for that piece of property. He will farm as long as he can but that lot has a lot of frontage. If someone comes in and cleans that up and makes it feasible that lot could be subdivided. I don't want to say that right now.

D. Dulgarian Are there any other functions on that 8 acre property? Besides farming?

D. Yanosh Someone is cutting lumber, a sawmill operation.

D. Dulgarian A similar Ag. Type thing.

Audience There is a maintenance garage – I live across the street.

J. Keegan Clean up the barn area, that can be an eyesore. I like the idea of putting trees along the road. The snow drift needs to be addressed to the DPW. Other than that I have no issue.

B. Capozella the question on the water runoff- can you address that?

D. Yanosh I can have my engineer look at that.

B. Capozella That is something we need d to meet- have a note on the plan. If there is an issue with the water runoff it needs to be addressed. Another thing we do is to try and leave trees and stone walls and note that on the plan. This is why we have a PH so the public will give us their comments. The actual land itself we have to monitor to make sure it meets the code. If meets the code as it is. The headlight issue – it happens in my neighborhood. I think that is something we need to look at – the driveways don't look like they match up on Lybolt. We can address it if so.

C. Najac Kind of interesting-this meets the letter of the law. I have no issue with the long skinny lots but lot 3 has an issue with water. When you have to pump your septic to a leach field it does not make sense. If all that property is there then he can move it around even if he has to drop it to 3 lots. I'm sure with your ability you can work something out and make lot 3 look better and make the other 2 look better as well. It does meet code though.

A Guattery it does meet code. I think we should look at lot 4. If something is going on that should not be and also if he could clean it up that would help the neighborhood. Is there a reason why he is looking at building on lot 3 and not on lot 4?

D. Yanosh I think lot 3 with a pond on it is a very sellable lot. People like frontage and the water.

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A Guattery I agree, but it has its share of issues.

D. Yanosh I can adjust the house and keep it away from the water.

A Guattery Again, the landscaping as you come around Hufcut and Lybolt. We can do a lot there to help the neighborhood.

T. Hamilton Remember that with any of the landscaping we don't want to affect our site distance.

D. Yanosh They will be big trees, not shrubs.

T. Hamilton This is the first one in a long time before us that has not needed a bunch of variances.

G.Lake You have heard the comments of the board. You have managed to answer Dick's comments and are working on lot 3 – there is some concern there. We are not going to hold it up – we will call the motion. Before the maps are signed meet with Dick and let him see the landscaping and movement on lot 3. Brimstone came out nice up that hill so maybe tie it in. Whatever we can save on the lots and get some more trees along the road to make it look decent.

D. Dulgarian So we are looking at approval subject to landscaping improvements and repositioning on lot 3?

C. Najac And the water run-off?

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

D. DULGARIAN AYE

J. KEEGAN AYE

B. CAPOZELLA AYE

C. NAJAC AYE

A GUATTERY AYE

T. HAMILTON AYE

G. LAKE AYE

Motion for subdivision approval subject to same – Andy/Clark

D. DULGARIAN AYE

J. KEEGAN AYE

B. CAPOZELLA AYE

C. NAJAC AYE

A GUATTERY AYE

T. HAMILTON AYE

G. LAKE AYE

Thank you.

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

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 3rd day of May 2017 at 7:30 pm or as soon thereafter as the matter can be heard that day on the application of Sardinha Brothers Realty for the SD and SP approval for a 2000+ s.f. Dunkin Donuts located at 430/432 East Main St. (73-1-1.23) under Section 249-26 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.

R. Winglowitz Good evening, Ross Winglowitz of Eng. Properties. I'm here tonight with Sergio Sardinia the applicant. We are proposing a 2 lot SD of a 43 acre parcel owned by Joe Distelburger to create a 1.25 acre lot which will be the Dunkin Donuts site. The property is on East Main ST. across from Willie Carter Elementary School. The project proposed is a new entrance directly opposite the school entrance. That road will have 2 exit lanes and one entry lane. The project is a left turn lane improvement and widening East Main ST. there will be a left turn lane constructed into the site on East Main St. to improve the traffic and a left turn lane constructed into the school entrance on East Main St. 2 improvements to improve traffic flow on East Main ST. they have been approved by OCDPW. The site itself is going to be 2000 s.f. Dunkin donuts. The traffic and circulation has been vastly improved from some of the other sites. We were able to route the traffic around the bldg where we have 15 cars that can queue without blocking spots or people backing up. There are 34 parking spaces on the outside of the property. Water will be East Main ST. as well as sewer. Stormwater will be treated with 3 different Stormwater mgmt.. facilities on site – it goes from East Main St onto the property and heads south to the rear of the property. We will treat it from the site and discharge to the rear to the wetlands on the property.

G.Lake Thank you. Motion to open this PH at 8:19 pm. Motion to close the PH at 8:20 pm. Bill/Jim 7 ayes. Do you have Dick's comments – any problems?

R. Winglowitz We have either completed them or can complete them.

G. Lake No cooking in there – transported from the facility on 211 only? (yes)

R. Winglowitz They microwave eggs but no baking/frying donuts.

G. Lake Did you check with the sewer dept about a grease trap?

R. Winglowitz if it is required we will put one in.

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G. Lake My experience with food is that it's necessary. On landscaping, we got a little stone wall in front along East Main St. and up along the entryway.

D. Dulgarian I do like the landscaping. The traffic was a concern but this will not generate new traffic, it will take existing traffic and turn it into their place. It's not creating add'l traffic. You will have a ton of trips in there and the stacking has been handled. I like the stacking. The question I still have is Stormwater retention. Are you telling me bio retention in the front is going to be a grassy area?

R. Winglowitz It will be a mulch area with plantings. It will be behind the stone wall so you won't see it. The stone wall, the depressed area behind it and then the slope.

D. Dulgarian I came by Tractor Supply and I can't tell you how bad that retention looks. Snow storage?

R. Winglowitz We have indicated on the plan based on Dick's comments, a number of areas where we are able to provide snow storage. We have indicated the area where we have land banked parking and can use for snow storage. We have islands around the dumpster area.

D. Dulgarian How do you get it there to the banked parking?

R. Winglowitz It's near the drive thru – it's accessible and will be a grass area right off the edge of the pavement.

D. Dulgarian Can you put on the plans a note that if you have too much snow you will remove it from the property? (not a problem. Explain to me the front- it runs into the existing Stormwater on East Main St?

R. Winglowitz All the Stormwater runs away from East Main – there is a high point in the driveway and it's picked up here and it's a bio retention area (rain gardens). All goes to a larger pond in the back and discharges out. There is a drainage ditch that is right along Marshall and Sterling.

D. Dulgarian Joe has filled in a ton of the wetlands back there.

R. Winglowitz That is behind the barn in the paddock.

D. Dulgarian This is where it's dumping, down by the park?

R. McGoey it goes in that direction.

R. Winglowitz There is a big wetland between there and the park.

D. Dulgarian Dick says it's ok that it goes thru pre-existing wetlands on the westerly side. Tell me about the signage out front.

R. Winglowitz The plans show a maximum ht. of 16'. Mario has a new design where it will just be a sign mounted on the stone wall – 8-10'. That is what he wants to use. The 16' high is right on 211 by Bank of America.

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D. Dulgarian You don't need a 20' sign, I agree. Lighting I will defer to Clark. Welcome to the neighborhood. I think it will fit and impacts are controlled.

J. Keegan I think Doug covered a lot.

B. Capozella The plan looks like it has crosswalks but they are not labeled? (yes two of them from the sidewalk on East Main you can walk in) My issue is traffic. The entire thing hinges on City of Mtown moving their traffic to the back side of the school. That is in the works. That is one of the strong points for me. I like the stacking but I think the City of Mtown School District's plan to go forward..

G. Lake That was funded – by next fall.

C. Najac Yes, they have the money and have planned it out. You have done a nice job – the stacking is right and the improvements on East Man St. are being done. Everything will work out well when the school does their share. I was concerned about the SW mgmt.. I didn't realize everything short of your first drive in goes toward the wetland in the rear. The only thing you are adding are from your first driveway to your sidewalk.

R. Winglowitz Correct and that will be captured in the front which ultimately finds its way into the back.

C. Najac I appreciate the new LED lighting. Your numbers look good. Question is you open around the clock? If you are not do you have plans to dim the lights?

R. Winglowitz the hours of operation are from 4 am to 10 pm. We have typically night lights – 1or 2 will be on at night for security reasons and staff.

C. Najac Ok – just want to make sure it happens. There are people in the area that can see you from their living room. We want to be as nice as possible. Last issue-snow storage and you say the land bank parking is enough?

R. Winglowitz That is probably enough. We have some islands here as well. We have areas designated and if we need to we will remove it from the site.

C. Najac Is the sign an LED? We need to know how bright – there are a couple on that stretch that are too bright.

R. Winglowitz It's LED internally lit. they are not that bright. It is a Plexiglas sign internally lit. not a reader board.

T. Hamilton we have the note on the plan that landscaping will be replaced?(ok)The deliveries, what type of truck? The tractor trailer on 211 screws up everything when he delivers.

S. Sardinia Our donut truck is 20-30'. The tractor trailer is a standard 53' truck.

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T.Hamilton How do you get him in there without blocking your stacking?

S. Sardinha We have shown we can get the fire truck thru here so we can get the tractor trailer.

G. Lake I'm surprised I figured the tractor trailer went to the one on 211 that did all the baking.

t. Hamilton He comes in the out sometimes to get in there. I didn't realize you have a tractor trailer here too. What happens here?

M. Sardinha Twice a week delivery of dry goods. It's a tractor trailer. The 20' truck is done overnight with the product around 4-4:30 am to deliver the donuts. We hope to utilize this area here when he comes in he will come around and deliver the product –he will be there about 20-30 minutes and twice a week around late am, early pm which is our off time.

C. Najac I thought we discussed the tractor trailer pulling in and there was discussion of only using the small truck here. That was a concern.

R. Winglowitz I don't' think getting in or out is the issue- it is getting thru the site will take finesse but it's only 2x a week.

G. Lake Ok. Motion to accept Part 3 EAF and neg dec subject to all comments. Doug/Tom

D. DULGARIAN AYE

J. KEEGAN AYE

B. CAPOZELLA AYE

C. NAJAC AYE

A GUATTERY AYE

T. HAMILTON AYE

G. LAKE AYE

Motion for subdivision and site plan/special use permit approval 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

Christian Faith SP Rev.(Ext. to Final Approval) – 510 M & M Rd. (14-1-29.1) #60-16

T. Depuy I'm representing the applicant for an ext. on CFF for a proposed addn on the church. Their committee is trying to approve a reduced size which is holding the project up. We have no signed maps yet.

G. Lake Any questions from the board? If not, motion for a one year extension to conditional final approval. Bill/Tom 7 ayes.

Torre Site Plan – Ext to Final Approval – 378 Bloomingburg Rd. (3-1-89.11) #59-16

T. Depuy I'm here for the applicant looking for an extension. We have been waiting on a floodplain permit application in the bldg. dept they are wrapping up. County entrance permit – we just got the insurance policies in today from the contractor. We still need the extension.

D. MCGoey Two notes that need to be put on the plan-this is not going to be an automobile service repair garage and no fuel storage on the site.

T. Depuy Ok.

G. Lake Nothing from the board? (no comment) motion for a one year ext. to cond. Final – Bill/Doug. 7ayes.

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

A Wailing Hello – Cypress Creek for Mrs. Fogarty. The last round of comments have been addressed including notes to be placed on the plan about not using herbicides and pesticides for lawn maintenance. In addition a lawn maintenance agreement was provided on the plan in note form identifying how the applicant will maintain the grass and other site improvements. We had provided an emergency action plan for filing. The SWWP has been reviewed and approved in its final form. We did not receive any notes contrary on that . the correct size of the large culvert under Lybolt Rd. should be identified as 85". The type of pipe identified has been taken care of. The final item was that a PB member had a question in regard to a question on a Town paper street which may cross thru the property. We did an alta survey and did not find anything. We had lawyers and the real estate dept review the deed today. If you have any comments about that I would be willing to do that.

G. Lake what was brought back to us by a board member is that there is something on the really old maps. I don't know if it's active. On the sharp bend on Lybolt Rd. that used to run next to the old barn that was there was what was known as Hollywood Road. It went over to Gap Rd. and Tice Lane and they all connected in the middle. We talk a little to our attorney ahead of time and I doubt if it is even registered anymore. You can find it on a couple old maps. If you did your research and it's not there then I am going to leave that determination up to our attorney to give us guidance. I doubt it will ever be built. We don't know if it will impact your project. Mr. Barone – can we proceed?

T. Barone You may. I was provided with a title report which shows no evidence that this paper street is a matter of public record. Any member of Joe Public can lay claim to its use and if it's a road that at some point in time is offered for dedication to the Town there is no evidence that the Town accepted it. It gives us a high level of confidence that we don't need to be concerned with it at the present time.

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D. Dulgarian At the PH all the concerns seemed to be addressed by the applicant. As I stated before this solar project (farms) are similar to what we saw 10-15 years ago with cellular. There is not enough info to know the long term impacts. The information we were given makes it seem fairly mundane. I'm interested to see how this goes. I have no problem with the project.

J. Keegan I have no issues with the project. I don't see any problem with the noise from the inverters. They won't hear it or see it. For housekeeping, before you submit the emergency access plan I think you have the wrong fire dept – it should be Circleville. Just clean it up.

B. Capozella We addressed everything we could accept for property values. We do our due diligence as a PB and this is uncharted territory for us. This is a small project. there are big ones out west. we had not seen any effects, pros or cons. One thing I will say is if you look up the State of NY there is a mandate 50% of NYS in 2030 – the goal will be to have renewable energy, solar is one of the energies. That is dictated by the State. Going back to the home value. You gave us on page 6 the property appraisal area. I'm looking at the pictures and they are great and there are only one or two homes in the whole picture. Then you go to your chart that you listed it says in Wallkill no sales data available to verify sales of home. It doesn't say does it or doesn't it affect. I'm getting it on record to say we don't have the data to show that. We get tax revenue from the property and we are not increasing our school district which is the biggest tax in NYS. It does not affect that. Another thing I noticed on your Full EAF on page 13 is it is not signed or dated.

A Wailing We do have an executed copy.

B. Capozella Originally I saw a signed one , the copy you put in here is not signed or dated. So this is our record as of today. The one thing I wanted to ask was NEMA for decibel values for the Kilowatts – when you look this chart up it says KVA is that kilovolts. (yes) it only goes up to 1000. What size is your project? (2 megawatts) if you can give us a decibel value on the chart they list on line for National Electrical Manufacturers Association. I believe you covered it in your book here. You mentioned 64 or 65 decibels at 30'. I got the chart on line and it does not even list 2000. Also – in our code 249-114 permits solar farms in the RA zone.

C. Najac Most of the questions were answered. I was the one that bought up the issue – I did find the road on the map but I don't know which property is landlocked without it. If our attorney says it's good then it's fine by me.

A Wailing I did discuss it with the landowner and she did say if there is a ROW needed she has no problem with it. The intent is not on her part to leave anyone landlocked.

A Guattery it was a lot of reading I spent some time researching the inverter. At the 2060 kva it is a maximum of 82 decibels. It drops almost immediately when the cooling fans come on. It drops to 65 decibels. At night without the fans running it drops to 40 decibels. That was my big concern. After that I think it is a great addition to the Town.

G. Lake I have nothing more. Motion for Part 3 EAF Neg Dec subject to all comments. Tom/Andy 7 ayes.

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

Devitt SP/SUP – Phase 1 – 599 East Main St. (78-1-94.1) #17-15

R. Winglowitz Good Evening, I'm here for the applicant for sketch plan approval for Phase 1 of the development for a 4 story hotel. This was the plan we originally came here with in 2016. 'What Mark wanted to do was an analysis of the overall property and what we potentially could do. This is really what he wants to do – he has developed hotels before. This is his most viable option to start with on this property. This would use East Main St. entrance by Quick Chek. We would improve the entrance to extend the exit and left turn and exit right turn lanes. We would also consider installing a left turn improvements as part of this initial phase. I did talk to Mark and he will do that so all the improvements for the East Main ST. entrance would be done now was part of the hotel construction. The hotel would then follow the road alignment we had in our overall concept. SW pond would be towards 84. It's a 93 room hotel. He has franchise approval for IHG product.

G. Lake So the hotel is the only sketch for tonight. Not the other building across the street.

R. Winglowitz Yes. Dick's comments – Applicant asking for Phase 1 to include the hotel and has removed the pad sites that front on East Main St. our overall plan we had 2 pad site adjacent to Quick Chek. We don't have them in Phase 1- we don't have a user for them yet. He needs to move the hotel along. We spent a lot of time doing the overall concept and SEQRA evaluation. The letter from OCDPW was rec'd and we have had another one clarifying some of the comments of the 12th letter. We are revising and resubmitting our report. They had some new counts for Quick Chek that were done in October that were higher than our counts. We analyzed that and they came back in April and had given us the counts for the other intersection and we were consistent with everything we did and hope to have that resolved soon.

G. Lake What has the County asked for? Is it going to be light modification?

R. Winglowitz That is that last consideration and that is what we are looking at now. They have asked us to lengthen the 2 exit lanes for the most queuing we can get, they have asked us to evaluate the East Main St. and the length of that left turn lane. We know we are going to put it in it's just a matter what the extent we can get with the ROW there. Even at 165' we propose, it meets the queuing requirements for the project. We are looking to see if we can do any better than that. That is what they asked for. The last thing they asked us to look at is if we can do anything with the signal timing to improve that including a dedicated left turn light. There is no green arrow right now so we can look at potentially adding that in there. Hopefully that will be resolved soon. We will do those as part of the hotel. We have no problem with a stone wall feature. Maybe we will do something small at the entrance? We don't know what we are building there and don't want to have to move it. SWWP will be provided for the hotel site specifically. Last month we went thru line by line of the Part 3 EAF – when I know what

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the County's determination is we will incorporate that into it. I'll provide the board with a revised evaluation and draft information. This would be the thru connection onto Dunning – this is a significant amount of road. We would propose that there is a wetland corridor that bisects the site here. If anything can be built on the west side of the corridor it would then trigger the need to construct the entrance onto Dunning. That hotel and pad sites would not trigger the need. The traffic study was done and 70% of the traffic going out to East Main St. that would keep us below that threshold.

D. Dulgarian Were you the rep on the Caldor Property? They have a threshold as well. (no) We have seen this many times, I have no problem with sketch for the Phase 1 bldg. we are talking about a traffic study, nothing has been accepted on the study yet?

R. McGoey still with OCDPW.

D. Dulgarian What we have always done on this corridor is try to include all properties that would affect this corridor. Has the new City of Mtown project been included? (Miamisburg)

R. McGoey Housing

R. Winglowitz Now is the time to look since we are reevaluating their comments.

D. Dulgarian What about the Maple Fields expansion? (yes it has been included)

R. Winglowitz The hospital screwed up our traffic counts. We were done May but then the County did theirs in October. They opened between May and October. That set us back.

D. Dulgarian It's on Anthony St.

M. Hunt It's 130 or 150 units – I have a pdf of it.

G. Lake I can't believe OCDPW does not have that information in front of them by now. Its' dead on the City line and you can see where they have cleared.

R. Winglowitz They have not brought it up.

J. Keegan Is it another extended stay? (no typical recreation hotel – holiday inn product).

B. Capozella Just looking at this is traffic traffic traffic. With the hotel only – traffic isn't a great impact at this point. They all go out different times and not on peak hours.

C. Najac Traffic – we are looking at a cumulative effect, to get to 17 you have to go over 84. That is only a single lane each way and that is the bottleneck right now. Just make sure the numbers are right. Somewhere along the line someone will have to build a new bridge.

A Guattery I understand the 2 pads up front, originally the build out plan showed an 8000 pad between Quick Chek and hotel. (the very original plan) That is out now? I have no problem with the sketch as it is but we now have a jog in the road now?

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R. Winglowitz Just because of the hotel it's a little wider here.

A Guattery Going to keep a close eye on what happens with the traffic. We have a vested interest with the business that is there. It's important there is so much traffic on East Main St. We need to get this right.

G. Lake Motion to accept sketch. Andy/Doug 7 ayes.

G. Lake Lastly, we need to set a PIH for Warwick Properties Zone Change which has been referred to this board by the Town Board. Motion to SET PIH or 5/17/17 – Andy/Jim 7 ayes.

MOTION TO ADJOURN.