

PB minutes
5/17/17

Town of Wallkill

PLANNING BOARD MINUTES

May 17, 2017

Members in Attendance: Gary Lake

D. Dulgarian, B. Capozella T. Hamilton

Absent - C. Najac & A. Guattery

Also in Attendance: Dick McGoey, MH&E PC, Consulting Engineer

Gardiner Barone, PB Attorney

PLEDGE OF ALLEGIANCE

7:30 PM – MEETING OPENED

ZBA Liaison

Warwick Properties Zone Change to R-AH Floating zone -Foster Rd. & NYS Rt. 211 (44-1-25.1, 25.2, 42.2 & 3. REFERRAL FROM TOWN BOARD

M. Hunt Town of Wallkill Planning Board notice of Public Informational Notice. Please take notice that a public informational hearing will be held by the Planning Board of the Town of Wallkill on 5/17/17 at 7:30 pm or as soon after as the matter can be heard at the Town of Wallkill Town Hall, 99 Tower Dr. Bldg. A Middletown NY 100941 to consider the petition of Warwick Properties inc./Deerfield Commons to change the Town Zoning map with respect to the parcels of property located in the T.O.W. on NYS Rt. 211 and Foster Rd. (44-1-25.1, 25.2 and 42.2 and 43) within the Town to rezone said properties to become an RAH floating zone for the purpose of constructing senior housing which will be subject to the Payment in Lieu of taxes, PILOT agreement. All parties of interest will be heard in said time and place.

G. Lake This was referred by the Town Board for a floating zone for senior housing. It is next to a condo project right now so it is pretty simple item. It's not out in the middle of nowhere, it's where it should be. Motion to open this PIH 7:37 pm. Motion to close this PIH at 7:38 pm Tom – Doug – 5 ayes. We did talk about this in the back, I'll see if the board has any comments.

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D. Dulgarian I agree, it won't change the character of the neighborhood and is a need in the Town. I have no issues.

J. Keegan No issue with the zoning change, I would like to see something done with the intersection since it already backs up there. It might add to the traffic there now, maybe look at having Foster Rd continue out to Rt. 211e at some point.

B. Capozella No issues. I see a need for it.

G. Lake Motion to send this back to the Town Board with a favorable approval.
Tom/Bill

D. Dulgarian aye
J. Keegan aye
B. Capozella aye
T. Hamilton aye
G. Lake aye

TEG. Credit Union SP/SUP & Lot Line Consolidation – Sullivan Lane – (60-1-45.12 & 46) #03-17

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 17th day of May 2017 at 7:30 pm or as soon thereafter as the matter can be heard that day on the application of TEG Credit Union, 1 Commerce St. Poughkeepsie NY 12603 for approval of a SD and SP for a bank located at Crystal Run Rd. and Sullivan Lane AKA 60-1-45.12 and 46 under Section 209 and 249 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.

J. O'Rourke John O'Rourke, Lanc & Tully Eng. As the board will recall this is a proposed Credit Union at the intersection of Ballard and Crystal Run Rd. Adjacent to Sullivan lane. It's a 2300 s.f Credit Union with office upstairs, located in the O/R zone. We are providing a new access off of Ballard. we did coordinate with the Hwy. Supt about the intersection. At a workshop we coordinated the improvements to both the proposed Sullivan Lane and the existing Sullivan Lane. The existing is owned by our property but it is a road by use. We have taken all the setbacks from the edge of the pavement. Speaking with Lou, we are going to own it and if the Town extends Sullivan Lane in the future then easements will be provide for the existing uses that use the road to continue to use that. There were questions on drainage at the area of the intersection. We spoke to Lou and we curbed the lines, the entrance road has a slope of about 1%. He is satisfied the drainage would run off the road. In the future when they extend it they will put catch basins thee and pipe it further on. It's a federal credit union, required parking is 8 and we show 13. We previously showed stacking for 16 cars in that area which exceeds what they anticipate seeing.

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G. Lake Motion to open this PH at 7:43 pm. Motion to close at 7:44 pm – Bill/Jim 5 ayes. Do you have any problem with the comments?

J. O'Rourke We have no issue. One was for the atty to coordinate how we do the ROW/Easement.

G. Barone My preference is all that gets shown on the SD map and filed. That way it is picked up by anyone searching title.

J. O'Rourke Not a problem. We have no problem with any of the comments. I spoke with Mazur and they will provide a more detailed traffic cross section of the actual lighting and changes to the intersection.

G. Lake For the board to understand what is going to happen at that intersection – can you please update us?

J. O'Rourke At the intersection there will be the traffic pole and light. It will be extended across into this new area so it will be a 4 way intersection. We are adding a left hand turn lane on Crystal Run Rd. (coming from Tetz) we are restriping the intersection of Crystal Run and Ballard. We are adding a lane per a request from the Hwy Supt. For the potential future. We don't need it but we are giving the Town additional ROW and putting a new lane in. for construction purposes when we put the new lane in we are going to mill out the new road which is rutted and install this and allow traffic to bypass and use this and come back and mill this portion. The town will mill that portion and when we put the top coat on our travel lane and our road we would pave that as well.

G. Lake There is a considerable amount of work that is going to be done by you guys along with the Town.

J. O'Rourke In addition we also have the stone wall along the front.

G. Lake The trees, I'm sure you are to code but the only thing is lately we have been seeing trees of lesser caliber than we prefer. They meet the code...

J. O'Rourke You typically get trees 2.5 or 1" caliber. These are designed for 2.5" caliber. At 5' high it should be 2.5" to being with.

R. McGoey You have a couple 1.5". Wherever your apple service berry and cherries are – they are 1-1.5" caliber.

J. O'Rourke I will change it.

G. Lake We understand it is an expense but you get 2-3 years down the road when it grabs on and the Town is looking nice from the efforts of this board with pushing the landscaping to the next notch.

D. Dulgarian Same concern- landscaping needs to be beefed up. It goes hand in hand with snow storage. You are storing it all in the one area? To the south?

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J. O'Rourke it's quite a large area. It's all curbed and this area has a drop curb specifically for that reason.

D. Dulgarian I want to make sure you are not pushing it onto the landscaping. I have no problem with the project. typically what type of trip count does this generate per day?

J. O'Rourke We did do a traffic report when we submitted it. I don't remember what it said per day. The traffic varies from day to day. The max day would be 200 typically. Typical banker business hours.

D. Dulgarian The existing Sullivan Lane will stay?

J. O'Rourke Yes, it services businesses down here. The Town has asked us to start the new Sullivan Lane and we actually grant a ROW to tie back into there so in the future the Town has a plan to interconnect this with the Park and Ride. This is just feeding into that and giving that opportunity to the Town.

R. McGoey What is the 25' easement for?

J. O'Rourke at the end of the property there is an existing 25' easement. It runs from Sullivan Lane to that back parcel. The back parcel is existing so it stays. It's a residential use back there for access. It's almost a flag lot. Most of the frontage is on Crystal Run Rd. but they have that one tie in for the 25'.

G. Barone Do we need to reroute that onto the proposed road?

J. O'Rourke No it actually touches Sullivan Lane where we tie into. There is a 25' ROW along the back property which services this lot over here. Basically that whole front is fairly wet.

D. Dulgarian I like the stone wall. The way that corridor is developing and is maintained is very important. I'm good with this.

J. Keegan I like the use. The 50' ROW is big enough for 4 lanes?

J. O'Rourke We are actually providing 60' ROW.

B. Capozella I like the traffic at the intersection. The inside traffic still does not seem to be the greatest. When you first come in you take a right and come into parking on both sides. To me, that seems like an accident waiting to happen. You then come out that way as well. I am not too thrilled about that. It seems like something could have been done better with the flow of the traffic with a couple hundred visits a day and you only have 13 parking spots.

J. O'Rourke A lot will be drive thru. Parking is only req. to be 8 so we have addl. There is an office upstairs. The main entrance to the bank is at this intersection. Most of the parking will be this area. We think it works.

T. Hamilton The new part of the road coming in, where are your utilities?

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J. O'Rourke The electric co. will not tell us that until this board approves it. I would assume off of Sullivan or Crystal Run?

T. Hamilton Nothing off the new road where we could get it in ahead of time rather than digging it up later?

J. O'Rourke No, typically with the 60' ROW it's put behind the curb line. Any of that type of underground utility such as lighting would go behind the curb.

T. Hamilton On the landscape sheet, there is nothing there about replacing them. Put a note on the plan. (ok)

J. O'Rourke I do this in other municipalities. We will make the property owner responsible for the landscaping in perpetuity. In five years from now you can go back and have him replace that. Typically with landscapers they give a 1-2 year warranty, we have no issue.

G. Lake Ok –motion for part 3 EAF and neg dec –Tom/Doug

D. DULGARIAN	AYE
J. KEEGAN	AYE
B. CAPOZELLA	AYE
T. HAMILTON	AYE
G. LAKE	AYE

Motion for SP/SUP subject to all comments. Jim/Tom

D. DULGARIAN	AYE
J. KEEGAN	AYE
B. CAPOZELLA	AYE
T. HAMILTON	AYE
G. LAKE	AYE

Thank you.

Motion for lot line modification and SD subject to all comments. Bill/Jim

D. DULGARIAN	AYE
J. KEEGAN	AYE
B. CAPOZELLA	AYE
T. HAMILTON	AYE
G. LAKE	AYE

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Middletown Medical SP – 15 Edgewater Drive (54-1-1, 23, 3, 4, 5, 6 & 72. 54-8-5) #13-13

J. O'Rourke I'm here with Ray VanVorhees , Architect. If you remember we had rec'd approval for a Medical Office. Since then the owners have purchased add'l properties off of Maltese Dr. which allowed us to make it a campus. Since that time we have highlighted all the property owned by Middletown Medical. This is now the road that has been dedicated from the Town to the applicant. We have a 30,000 s.f. medical office bldg. which connects to the existing hexagon bldg. here. We added massive parking in the back area. We had a WS with Dick and provided more curb islands with add'l landscaping, put in crosswalks, sidewalks to get these people easier thru the entire complex. We have added stairs and crosswalks from the upper parking lots to access the existing Mtown Medical bldg. here as well. We are tying it all into the campus. We have a new bldg. with an overpass thru here which exceeds DOT requirements so firetrucks can get underneath it. I have a swwp that was electronically submitted to Dick's office for final review. We have eliminated all the accesses onto Maltese Drive.

G. Lake No access onto Maltese?

J. O'Rourke We have it with the new road connection and where the sleep center was and we have the existing entrance . the three houses are what we are doing away with. We are here for an amended site plan approval. It was an oversight on our part that the landscape plan is missing. We will send it over and add the replacement note and caliber size on the trees. I will meet with Nick in the building Dept as per Dick's comments. We can add striping around fire zones as well. Previously we had a variance for the parking but now it meets the current code.

G. Lake The Urgent Care will move to the new bldg?

J. O'Rourke Yes, we also provide a pull off here in case ambulances have to deliver or pick up.

D. Dulgarian With all the add'l blacktop Stormwater has been met?

J. O'Rourke Yes, we need it to provide parking. We had an underground facility over here and with the latest we have Stormwater basin bio retention thru here. We also have a small portion of an underground system as well. With that much parking we need that much pavement.

D. Dulgarian The parking spaces you are showing are new. Right behind Denny's are those going away?

J. O'Rourke They are existing and they are staying – the ones shown in black are the new ones.

D. Dulgarian So the only new thing we are looking at tonight is reconfigured parking. (yes)

J. Keegan I like the connection between the bldgs.. We have seen this and I have no issues.

J. O'Rourke Now the DOT is doing the sidewalk and there is a crosswalk within our own ROW. Previously when this was not a campus it ended on this side. We put a crosswalk across to Denny's

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entrance and we are going to extend the sidewalk along the end of the road and tie into that crosswalk.

B. Capozella This is more uniform now than it was. It looks better. The only issue I see is the Stormwater runoff but I know Dick will take a look at that.

T. Hamilton so the other properties you purchased are mostly for parking?

J. O'Rourke The back is parking and the front is Stormwater basin. The one house is staying for medical storage.

T. Hamilton That one parking lot the people have to walk all the way around to get to your entrance?

J. O'Rourke This is noted as employee parking. We noted on the plan the signage. We also have stairs and crosswalks to connect for the employees. There is no public parking in the back.

G. Lake WE will get the landscaping plan in for review and complete the swwp review. We can approve it subject to comments. Motion for neg dec part 3 eaf – Bill/Jim 5 ayes. Motion for site plan approval subject to all comments. Tom/Doug 5 ayes. Motion for a SD /lot consolidation – Tom/Bill 5 ayes.

R. McGoey John, if you can get that in on a separate sheet please.

J. O'Rourke Thank you.

West Hills SP Revision 121 Golf Links Rd. (73-1-26.2) # 76-16

M. Bonura Michael Bonura from West Hills Country Club.

We are looking to improve our maint. Facility at the golf course. We are going to get rid of the existing structure and replace it with 2 new bldgs.. One will be a single story cold storage bldg. clean and dry space to keep equipment in. the 2nd bldg will be in the front, a 2 story ground level structure which will be our maint. Shop to repair vehicles, store seed, fertilizer and pesticides as well as add'l storage for the equipment necessary to maintain them. The 2nd story will be seasonal staff housing. We have a need right now where we bring people in to work for the summer. We are looking to have a nicer place for they to stay.

G. Lake The people you bring in are going to live on the 2nd floor. How many? (up to 20). Tell us about what is up there. I'm asking because you point out that you are storing fertilizer, maybe fuel and other stuff that can be quite volatile. I'm curious how building will handle it. Is the building going to be sprinklered? (yes, the entire bldg) Give us a better understanding what is going to happen on the 2nd floor as far as sleeping, eating, etc.

M. Bonura That is really it, dormitory style housing, 10 double occupancy bedrooms. As well as 2 for supervisors. One is going to be vacant for our maint. Golf course Supt. To have a space to crash in case it's necessary for him to spend the night, or in the wintertime if he is plowing snow. One that will have a RA – someone to be in charge to make sure things stay neat and tidy and up to our standards. It

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will have a shared living space and shared large kitchen area. We proposed 6 unisex toilets shower toilet enclosed. We will build everything to code. We had a w/s with Dick and fire separation and everything necessary. No diesel will be stored. Fertilizer will be, that is part of why we are building it.

G. Lake I don't know how well ventilated it will be. I don't want to be the one standing here saying we did not check this out. Not saying anything is going to happen but now is the time to look into it. I'll go thru the board. We are setting a PH tonight.

D. Dulgarian While I think they have done great things down there I do have concerns. Not too long ago this was underwater. I was there taking pics of the Walkkill River. Do you have fuel on the premises.

M. Bonura We have a fuel tank that is outside the building. It is a sealed above ground storage tank. We have the proper permits thru DEC. Diesel and gasoline.

T. Hamilton What will the bldg be heated with? (natural gas).

D. Dulgarian My strongest concern is the staff living there. I don't know the legality, my fear is staff living there to help you run your business. What stops a factory guy from doing this? I think that is something we need to look at thoroughly. It will clean up the trailer situation right now but I don't think that should exist to begin with. I will be interested in discussing what precedence this will set. It's a heck of an attraction. I think they do great things but my fear is what can of worms will this open.

J. Keegan is this no longer in the 100 year floodplain?

M. Bonura We are not in the floodway, we are in the 100 year floodplain. Flood Zone AE. The existing maint bldg that is going to be removed and the 2 bldgs. That will replace it both lie in the 100 year flood.

J. Keegan Pesticides and herbicides?

J. Fuller Normally FEMA thru the FIRM program has a set of regs on how you build in a floodplain./ The finished floor elevations have to be above the base flood elevation. This is at 364 so the new structures will be built above that foot elevation a minimum of 1 ft. which is standard regs. In the event of a flood the bldgs. Will not flood out. The existing bldg to be removed is a 5000' s.f. footprint and is below the flood elevation. The 2 bldgs coming in are 4000 s.f. and 5000 s.f.

J. Keegan It is not currently 2 story (no, it's single story).

B. Capozella my only comment is I do agree we should send it to the bldg. dept and get comments before a PH. With the living quarters and all. Their comments would help us out.

T. Hamilton Tad, is that allowable in the zone?

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G. Barone in the R1 zone, if you have an AG operation where you are going crops or livestock you can have a limited amount of residential housing. I don't think there are those uses here...

I would seem it's not expressly permitted. I am open to hearing from them or their attorneys .

T. Hamilton with the Country Club across the street, what happened to the excess parking that was going to be brought over to the side of the road where the maint. Is to alleviate getting the cars off that road? The overflow was supposed to go to the other side. I have not seen it yet.

M. Bonura There are cars there tonight for tonight's event. This is going to allow us to bring more there. It will take the existing structure which is closer to Golf Links Rd. down and this space outlined in purple will be new gravel where that existing bldg. is and allow that to take place. When patrons come in and allow us to valet our cars they are brought there. If they self-park on the street it's hard to control. We put signs out on the road directing them in and do everything in our power to do it. This improvement will allow us to better handle the traffic.

G. Lake We have never done anything like this that I can remember. How long are the college kids coming in?

M. Bonura They typically come from Memorial Day to Labor Day. Some of them come in June till Sept.

G. Lake The golf course could be in full swing in April – do you run on a skeleton staff at that point?

M. Bonura We take what we can get. We run more on a skeleton crew until we bring the summer staff in. They are usually college students that come in late May or Mid-June.

G. Lake Where else do they do this?

M. Bonura in the golf industry in the US it is a common practice. I can list some in Westchester.

G. Lake Ok. That would be helpful. When I hear chemicals underneath sleeping quarters I get a bit concerned. I would appreciate that. The only other thing is the buildings are built above the 100 year floodplain. Are you building the area up with dirt and gravel or structural adjustment to get it above that height?

M. Bonura The area adjacent to the buildings will be brought up. The grade will be in that immediate area. The bldgs. are designed to walk out at grade level. They won't be elevated. Both of them will operate like a storage garage. The elevation existing is 362. We will be establishing the finished floor elevations at 365. The grade will slope away from those structures.

D. Dulgarian You think you will only have 3' water coming up to that building?

J. Fuller That is based upon the current FEMA map. It's the only basis we have. We are raising it an add'l foot. That is standard regulation. In the event of the river raising there would be an

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evacuation. To that end, the backside of the buildings is above that elevation. Where the water comes and floods is where the existing bldg. was, closer to the masonic creek. These are being pushed in toward the golf course where the elevation is higher. This is basically the FEMA map that shows the darkened area which is where the floodwater is. You can actually see from the photo the location of the existing maint. Bldg in the AE zone and likewise these bldgs. Will be as well. I have looked over Dick's comments.

G. Lake You will be going back to w/s before the PH.

R. McGoey We will want some landscaping and will talk about it at w/s.

G. Lake Motion to set a PH on 6/21/17. Jim/Tom 5 ayes. Thank you.

Dunkin Donuts SP – 364 Rt. 211e (50-2-46) #27-17

R. Winglowitz Ross Winglowitz, I'm here with Sergio Sardinia, the owners of the existing DD on Rt. 211 across the street from here. They are looking to purchase Friendly's site which has easement rights to access (both) points to the plaza and has easement rights to parking across the facility. They are looking to raze the existing bldg and construct a new DD drive thru which would be on the west side of the property. It would create a long queue on the east, you would come in here and queue around the building and exit either way. Internal parking lot would be separated from the drive thru. The customer parking would be one way parking with HC parking entering by the bldg. there will be parking at the far end for employees. We are looking to make some tweaks to this – relocating the dumpster based on discussion with Corporate. We are concerned with visibility with the exit lanes. The other is outdoor patio area with some outdoor tables. We may add s.f. to the bldg as we tweak the design. We think this gives us a good opportunity for drive thru here. The facility across the street would stay but would be for baking only. They bake their products there now.

G. Lake They are going to close that one for coffee?

R. Winglowitz Yes, they currently use that building for that now.

G. Lake I look at it as eastbound and westbound on 211. Now people going westbound have to turn and cross over to this one for a cup of coffee.

R. Winglowitz yes, there is a controlled intersection there already.

G. Lake When that first came in we were told the one up on 211 at the City line was going to stay open and then it closed and made this one overrun. I am curious if that can't support....

R. Winglowitz We got Dick's comments. We apologize for this survey it's a bit busy. Sidewalks – the new survey will pick that up and look how to connect. There is a big slope here so we will look at it from either end.

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G. Lake You are here for sketch. I'll go thru the board.

D. Dulgarian That mall has come leaps and bounds from 10 years ago. I think this will be fine as well. There is already food service on the property. My concern is the flow of traffic which may need some work. It does fit.

J. Keegan The map is hard to read with the diagonal parking and arrows going in and out.

B. Capozella Depending upon how the parking is will determine whether or not we need a crosswalk. Going into the bldg.

T. Hamilton Landscaping, we have not seen that.

G. Lake It is only here for sketch right now. I think it will be a plus. We know the restaurant will go downhill if something does not happen there. I would like to see a rendering when you come back with the landscaping as well and kick it up a notch.

R. Winglowitz They do a nice job with their buildings.

G. Lake Ok, motion to accept sketch. Doug/Jim 5 ayes.

Dunning Road Hotel SP/SUP- Dunning Rd. (50-2-4.32 & 6.1) # 30-17

R. Winglowitz I'm here with the Patel's. They are the contract vendees purchasing the property across from the Dunning Rd. Exit to the Devitt Property. The Rusty Nail property is across the road. The power line runs thru a portion of one of the two lots that are part of the application. Dick asked if we should combine these, we don't have a problem with that. We have some of the improvements that go across the lot line on part of the parking lot. We can provide a copy of the deed which allows us to build driveways and so forth underneath the power line. It's on the north side of the property. The big trunk sewer main that was installed a few years back runs thru the back of the property as well as the sewer main on Dunning Rd. Lou does not think there is an issue with capacity for this project. we will obviously need to do fire flow testing. The hotel is proposed 4 story 98 room hotel. As yet, we have not identified who it will be – they have a couple options. We are here looking for concept approval. The main entrance is across from the Dunning Rd. Devitt entrance. There is a turn lane there and we will look with the County to see how we can change that from *** left turn to a dedicated left turn. We have provided space for the Stormwater and parking around the entire building.

R. McGoey One thing I asked for was for consideration of use of that old ROW for a rail trail. The Town is looking at collecting those easements. We talked to the owners...

R. Winglowitz I did talk to the owners about this being a potential .. it becomes an asset to the hotel.

D. Dulgarian This driveway will line up with Devitt? (yes) it will be nice to see the sidewalk to nowhere from the Honda space happen. Obviously someone has done a study about the saturation of

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hotels and we can use more? (yes). I see no problem with the area. Both roads have good traffic flow and signalized.

J. Keegan It's a good fit in the TC zone. Sidewalk in front and center. Landscaping will improve the area, and the use with the rail trail next to it will be nice. I'm ok with the concept.

B. Capozella We don't have a view of the hotel, a rendering. At this point for sketch I'm ok.

T. Hamilton 4 stories? It looks awfully close to the road. It will be right up there in front of you- it can't be moved back?

R. Winglowitz We would love to but there is a wetland area that has been delineated in the back of the property. It splits the property in half. We have frontage on Schutt Ext. We did set back the building 100' from the road.

R. Winglowitz the rear yard has to be 50' or equal to the ht. of the building. Not the front.

D. Dulgarian Who is the owner of this property? I think it's owned by Kamperland, the Palmer family.

G. Lake Motion to accept sketch. Bill/Jim 5 ayes.

R. Winglowitz We may SD this property – the piece that fronts on Schutt Rd. Ext. There is usable property on that side. Just want to make sure there would be no objection.

G. Lake Just make sure lot coverage works and we will talk about it. Thank you.

MOTION TO ADJOURN