

7/5/17  
PB MINUTES

Town of Wallkill

PLANNING BOARD MINUTES

July 5, 2017

Members in Attendance: Gary Lake

, A. Guattery, J. Keegan, , Bill Capozella

Absent: C. Najac, D. Dulgarian, T. Hamilton

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

Tad Barone PB Attorney

PLEDGE OF ALLEGIANCE

7:30 PM – MEETING OPENED

ZBA Liasion

**Kensington Manor SP/SUP – Connors Rd. (81-10-1 & 87-3-5) # 16-16**

**M. Hunt** - TOWN OF WALLKILL PLANNING BOARD NOTICE OF PUBLIC HEARINGNOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING of the Planning Board of The Town of Wallkill, Orange County, New York will be held at the Town Hall at 99 Tower Drive, Building A, Middletown, NY in said Town on the 5<sup>th</sup> day of July, 2017 at 7:30 pm or as soon thereafter as the matter can be heard that day on the application of LL Apts. LLC PO Box 2032 New City NY 10956 For expansion of 30 additional apartment units with associated parking located at the South side of Freezer Rd. Also known as Section 81 Block 10 Lot 1 and 87- 3—5 under the Section 249 of the Zoning Law of the Town of Wallkill. All parties of interest will be heard at such time and place. GARY W. LAKE CHAIRMAN

Mailings were rec'd.

J. Pfau Engineer for the applicant. Good evening, this is an expansion to the existing Kensington Manor Apt. facility. It is on the westerly side of Freezer Rd. Our proposal is to add 2 add'l bldg. on the southerly side of the project. it is coming off the southerly access, down the road and make the right hand turn where there are some old sheds and buildings now where we are proposing to put these 2 add'l bldgs., the parking and the Stormwater. That is pretty much in a nutshell what the site plan is. Everything is completely within the existing facility. It will be served by existing W&S within the site.

G. Lake Motion to open this PH at 7:33 pm.

M. Coyne I'm actually here representing Barbara Alvarez, Sandburg Ct. I have questions on the traffic in the area, how many units and basically the concern is the traffic already in the area. Also the effect on the school district.

G. Lake He will answer when we are done with the PH.

J. Donaldson my name is Jackie Donaldson and I live on 27 Connors Rd. I'm not clear on where they are planning to put the bldg. there is an empty lot between me and where I think they are proposing. Some of my property is on that lot so I want clarification on how that will affect my property. I have trees existing that I would like to keep. There is wildlife living there. I'm concerned about damage to my property – my structure and garage and driveway. One of the things I want to do is an inground pool and I don't know when they are starting and how it will affect my property.

G. lake They will not be on your property whatsoever. They are not allowed to go on your property and I will have him show you where your home is compared to the site.

J. Pfau (shows homeowner map and explains location)

J. Donaldson So we will be seeing the back?

J. Pfau yes, this actually sits about 20-25' lower than your property (house).

J. Donaldson Are you cutting into the existing area where the wildlife is?

J. Pfau Yes, we will have to for the building.

J. Donaldson How will that affect the trees, I don't want any mistake as to cutting down trees that are existing on my property.

J. Pfau We are about 50' from your property line. There is a 30' setback in that zone. We won't touch anything on your property. There are flags on the property corners.

J. Donaldson We are seeing them along the line of the property lines.

J. Pfau Probably the markers of the surveyors. There is a minimum of 30' setback there so within 30' of your property line is not being touched. We have an erosion control plan and SWWP and that deals with the dust control and erosion control. It gets filed with the State and inspections are performed either monthly or after a rain event. The Town will have instructions as well.

G. Lake The building dept controls that. If there was a major dust problem which I don't foresee, they would be contacted and inspect it. If you have that problem you could call them. I don't believe you will bc you will have a solid 30' of vegetation there. They will leave that and we will ask them to beef it up with some extra pine trees. They are not allowed to come on your property and touch your trees. If that did happen it would be a hardship on them. We don't have a start date yet, this is the beginning of the process, if they get thru the board tonight they still need to submit new plans for review, file agreements, fees etc and then proceed to bldg. dept. It could be a month or two.

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J. Pfau We are still working on the architectural – the bldg. plans will be done in about 2 months. So probably won't start for 4-5 months.

J. Donaldson Will we be notified when you are starting?

G. Lake We are not required to do that. You can contact the bldg. dept and ask them if you would like. Motion to close this PH at 7:42pm Bill/Andy 4 ayes. If you want to be good neighbors you can drop them a note and let them know what is going on so they are not surprised. Any problem with Dick's comments or the Hwy. Dept. We addressed them in a letter we sent to you about meeting with the Highway Dept. There was talk about doing something to Freezer Rd. to discourage parking on that roadway. The Highway Dept did not want curbing. What it does is channelize the storm water and will complicate things more. We discussed putting trees plantings or fencing and they discouraged that as well. He wants it out of the ROW and it's quite wide. There is a section where most of the parking is. It's between bldg. 6 & 9 where most of the on street parking is. That ROW is close there so our thoughts are to put a split rail fence that would deter the access from parking there and then would put no parking signs along Freezer. With some add'l enforcement that would probably stop. I did talk to Mike Aumick and our goal was not to have 30 signs, just a couple. He told me about the width of the ROW. I see the bus shelters on the corners which is good. The kids off Crane Lane walk across the street when the bus gets there. I think that will be a big problem solved by doing these simple things. How about the fire inspection outstanding issues?

J. Pfau The big issue will be whether or not we will be providing a 6 inch line into the building. A fire line and domestic. If that is the case we can show that. There are existing hydrants in close proximity. If he wants add'l we can do that. We had a workshop with the Town Board on the land and we presented the piece of property – it has not been surveyed but looks about 1.75 acres of land. We discussed a couple options. They were considering either selling or giving us the property. I give you a proposal of what we would do with it if we had the property. Add'l bldgs. Are out of the question but we were discussing being able to use it for add'l amenities for the apt. complex. We made the proposal to give to them.

J. Keegan I like the no parking signs on Freezer. 30 units, the comment about the traffic, I don't know if this will add more traffic. The problem in the neighborhood is the intersection of freezer road and Silverlake Scotchtown. If we get any other projects in this area that will need to be looked at. You can't make a left there any time of the day. We asked for a rendering of the building?

J. Pfau They are going to be different. The other bldgs. Are laid out awkwardly. The exterior we are attempting to match. This is a photo of the existing bldgs.. there is a block here and here and they are 2-3 blocks together. The rendering shows one block and another block staggered. Similar and the roof line is the same.

J. Keegan Ok – so nothing to block the views of the neighbors in the back. Looks pretty simple.

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B. Capozella one thing, this is 30 units for the record. Under the parking calcs there is an error – it says 24.

J. Pfau That’s an error and if you do the calcs you can see the 75 spaces we are providing. I will fix that.

B. Capozella The number of school children from the 30 units- we usually want the calcs at the PH.

J. Pfau I had a meeting with the school board. They were going to get me that info bc they had it. I never rec’d it. They saw the 30 units and saw no issue with the add’l kids and the bus situation.

G. Lake Whatever you get you should get a copy to us.

B. Capozella For the Donaldson property – there is a border line for her property with all her trees. We know you have a 30’ buffer you have to adhere to. I don’t know what the clearance needed is - are you planning on taking your plantings/shrubs down and replacing?

J. Pfau I do have a full landscaping plan we provided. No trees will be taken out outside the disturbance limit line. That will show up on the erosion control plan.

A. Guattery I think everything I had concerns with was addressed. Just keep the vegetation buffer up between the neighbors.

G. Lake Thank you. This is one of the most landscaped projects we have in Town. We will check the plans for landscaping when reviewed for signature. Motion to accept part 3 EAF and neg dec subject to all comments. Andy/Bill

B. KEEGAN AYE

B. CAPOZELLA AYE

A GUATTERY AYE

G. LAKE AYE. Motion for site plan approval subject to same. Andy/Jim

B. KEEGAN AYE

B. CAPOZELLA AYE

A GUATTERY AYE

G. LAKE AYE.

**REFERRAL FROM TOWN BOARD Zone Change- Smith Rd – TC to ENT-L (41-1-109 41-1-113.1 and 78-1-81)**

M Hunt-

TOWN OF WALLKILL PLANNING BOARD PUBLIC INFORMATIONAL NOTICE PLEASE TAKE NOTICE that a public informational hearing will be held by the Planning Board of the Town of Wallkill on July 5th 2017

at 7:30 pm or as soon thereafter at Town of Wallkill Town Hall, 99 Tower Drive, Building A, Middletown, New York to consider the adoption of a local law to rezone certain parcels of real property within the Town as set forth below from Town Center District to Light Enterprise District:

Address: Tax Map ID #

20 Smith Road	41-1-109
31/53 Smith Road	41-1-113.1
265 Ballard Road	78-1-81;

All parties of interest will be heard at said time and place.

G. Lake Thank you. What this is for a quick overview is that we have 3 light industries that are in the Town Center zone, which is right next to the ENT zone. When they redrew the maps that line did not get changed. All those businesses that have been in the Town for 20 plus years are now in the wrong zone. We do have one of the manufacturing facilities that is vacant and we have someone interested but it is hard to allow them in there. The town board has sent this referral down to correct the line. I would also recommend that we send down a recommendation to look at the 2 parcels next to these 3 parcels and make sure they get in the right zone. Motion to open this PIH at 7:55 pm. Motion to close this PIH at 7:56 pm Jim/Bill 4 ayes. Motion to send this down with a recommendation to the Town Board along with additional parcels spoken about pre-meeting. Bill/Jim

B. KEEGAN AYE

B. CAPOZELLA AYE

A GUATTERY AYE

G. LAKE AYE Thank you.

3. Residence Inn SP/SUP & lot line – Ext. to Cond. Final - 59 Tower Dr. (41-1-121.1 & 120) #45-16

G. Lake This is here for an extension to conditional final approval.

M. Lukasic Tectonic here for the applicant. We are looking for a one year extension. The owner wants to be able to go 100% thru it without worrying about the seasonal break. We are not 100% certain we will be ready to go. As of late June our applicant does now own the property. The agreements are being sorted out. Marriott has completed their architectural review at the 30% level and are finalizing the documents to bring back to Marriot for Bldg. Permit applications.

(no issues from the board)

G. Lake Motion for a one year ext. Andy/Bill 4 ayes.

**4. Napolitano SP – Ext. to Cond. Final - 468 E. Main St. (77-1-4, 2 & 3)#67-3**

J. Fucci Joe Fucci, Architect. We are here for an extension. We submitted to the County 2 months ago and have not heard back from them yet.

G. Lake (no issues from the Board) Motion for a one year extension. Jim/Andy 4 ayes.

**5. RSR SP Revision -55 Wes Warren Drive – (41-1-70.121) #20-17**

T. Depuy I'm representing RSR. We are in front of the board after obtaining the variances from the ZBA. We have a small bldg. loading dock here that was to alleviate the problem with the trucks going into Wes Warren Dr.. We are going to put an addn on here. There was no real parking on site so we proposed a small parking lot here and our calculation indicates add'l parking from a zoning standpoint but we would like to bank these parking areas. Only have 1-2 employees that will be here anytime and have to park here. We have also given a HC parking space which will have access and a HC that will have access into the bldg. the bldg. does not have it here at this time. We provide add'l parking here and we are trying to alleviate some of the queuing that happens so we provide for about 7 trucks here that will be called and then come down and around to the RSR facility. The building itself is for warehousing the lead. (finished product) We will probably have 2 employees so parking is not a big issue. We have shown there is enough room to provide the necessary parking spaces if need be.

G. Lake As long as we have it banked the board is usually good with that.

J. Keegan We are not changing the driveways?

T. Depuy We are providing a driveway here and here and enlarging the driveway here. It is to allow the trucks to get in and come around this way. It will be for the queuing.

B. Capozella I'm ok with the banked parking as well. The purpose of this is to stage the trucks. Time will tell if this will be accomplished.

A Guattery are they warehousing there now? (yes) I ask because I see that there is a note that there is no dumpster. That won't change with queuing trucks. I'm good with the land banking as well.

G. Lake How big is the loading dock 40x32? (yes) I'm not sure who to ask, is there a 15% allowance for this?

G. Barone the 15% onetime expansion for non-conforming use is permitted provide no increase in any other non-conformity.

T. Depuy what happened dis we encroached into the front yard setback with the variance.

G. Lake Ok. Motion to set a PH on 8/16/17. Andy/Jim 4 ayes.

**6. Unison Enterprises SD – Lake Avenue (65-1-15.1) # 26-17**

J. Fuller john Fuller, engineer for the applicant and I'm here with Ben Smith. We were here last month for sketch which was granted. Nothing has changed but we added technical detail We will address Dick's comments. It is an existing parcel on Pocatello Rd. it is approx. 61 acres and the proposal is a 4 lot SD with all lots having frontage and driveways on Pocatello. We have done the engineering mainly soil designs for septics and everything checks out. We have more comments from Dick to address but have no problem.

J. Keegan no issues – I'm ok setting a PH.

B. Capozella I think the one thing that we brought up was the prevailing speed coming down. Eventually we can ask the Town to put signs up. people need to get used to the extra driveways. I think he has plenty of line of sight.

A. Guattery I'm good.

G. Lake talking about coming down the hill, we did at one time we asked an applicant to put up a sign for 6 months with a flashing light. I don't know what the expense would be but it worked out well. Motion to set a Ph on 8/16/17 and return to w/s- Bill/Jim 4 ayes.

**7. Rossi 2 lot & 2 family SP/SUP- 9-11 Muller Rd. (8-1-24.2) #29-17**

D. Yanosh Dan Yanosh for the applicant. This is an existing 9.9 acre parcel on Rt. 302 and Muller Lane and owned by them since 1984 as exists today. Lot # 1 will have a 2 family and lot #2 will have the SF. Mr. Rossi Jr. was going to do renovations on the 2 family house and found it illegal. It's been that way for years and he has to do some work in the basement now for the windows and code, which led to the SD of the property to 2 lots to get a legal 2 family on lot 1 and the single family on lot 2. Once we get this approval we will take care of the building dept. comments for permit.

G. Lake I believe because we have a 2 family house you need a public hearing. It will be a special use permit.

J. Keegan It's been there for 33 years? (yes, at least). If you do come back to PH we want to see what other 2 family homes are in the area.

B. Capozella One thing I don't understand about the minimum requirements is the 2 family has less than the one family?

G. Lake Yes, that is the way the code is written.

B. Capozella s/f is 200 ft. and 2 family is 50' – doesn't make sense. That's it.

R. McGoey We generally ask the building dept to let us know whether or not it can be converted to a 2 family. Before the PH we should get that in.

- D. Yanosh we can get a note from them saying once they do this they can get a building permit.
- R. McGoev 2 separate wells? (yes) and 2 separate septics(yes) we need some easements as well.
- G. Barone Yes, the common driveway. I don't like the idea of blocking it off, the common driveway agreement is a better fix.
- D. Yanosh He doesn't plan on selling it right now, the mom has the property.
- G. Barone It's a simple 2 page agreement plus the descriptions and I can email it.
- D. Yanosh We would have to metes and bounds it all the way thru. (yes).
- R. MCgoev If you share utilities across property lines (20'easement across lot # 2)
- G. Lake Get back to ws to straighten that out. Motion to set a PH on 8/16/17. Jim/Bill 4 ayes.

**8. Fianza/Blumel Rd. SD – Sketch – 74 Blumel Rd. (41-1-15.1 & 15.2) #104-16**

D. Lynch MA Day Eng. Representing Blumel Rd. SD. It is a 14.16 acre parcel consisting of 2 parcels, one located here with a single family dwelling and the remainder vacant. We are proposing to sd the property into 15 s/f homes. The current zoning is for 1.5 acre parcels. We are proposing  $\frac{3}{4}$  acre lots. We will need an area variance from the ZBA. We had several w/s and we increased the width of the road to match the existing roads. The code calls for 34 and we are proposing 30. We are having a 4' strip area, 4' sidewalk and then a 2' strip for the property line. We have a color rendering of the landscaping plan. We are providing street trees, trying to maintain the green of the existing landscaping as much as possible. We also provide a stone wall along the front of the entrance. One lot will be accessed from Blumel Rd. the remainder will be from the cul de sac.

G. Lake I spent time with the board explaining to them that we have had several w/s and have met with the supervisor as well. I'm glad the supervisor is here. We come out of that feeling good that this can go to sketch and refer you to the ZBA for an area variance along with a letter from this board. These are just some of the things discussed at these meetings. The nice entrance and sidewalks and bigger trees. We talked about lighting, not you're normal but a nicely decorated light. This is your chance to have the board look at it and see what they think.

J. Keegan I'm fine with the  $\frac{3}{4}$  acre with w/s – it fits the area. It's actually more than what people have there and I'm sure it will be done well. I don't like the one home that has a driveway out on Blumel. I know that the turn there going left on Woodstock traffic is fast. Also, if there are kids there that would be an extra bus stop. Other than that the project is fine.

B. Capozella We are sending this to the ZBA? (yes)

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A. Guattery I like the idea, I don't like the house on Blumel, traffic is bad there. Not sure what we could do but it needs to be looked at .

E. Valentin Off Woodstock, how wide is the road? (30')

D. Lynch Code calls for 24'. We are proposing from curb to curb 30' and then on each side of the road will be a 4' grass strip and a 4' sidewalk and then a 2' grass strip. It will match Fortune and Woodstock at 30'.

G. Lake I wanted to point out that the applicant is also going to build this. We have seen what he has done in the Town so far so it makes it comfortable for me.

E. Valentin So each lot is  $\frac{3}{4}$  or more?

D. Lynch Range in size from  $\frac{3}{4}$  to 1 and 1.2 – there is a mixture.

E. Valentin Thank you.

G. Lake When I spoke to Supervisor Valentin that the feeling was that the zoning was printed wrong or misunderstood since they are in the water and sewer. That is why we are going this route to bring them in line with current lots.

E. Valentin This will match the neighborhood and improve it. They are bigger lots but match what reflects the neighborhood.

G. Lake Motion to send to the ZBA with a recommendation. Andy/Jim 4 ayes.

MOTION TO ADJOURN.