

Town of Wallkill

PLANNING BOARD MINUTES

November 1, 2017

Members in Attendance: Gary Lake

A Guattery, T. Hamilton, Clark Najac, J. Keegan  
No Bill Capozella or Tom 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 Update

G. Lake Good evening and welcome to the Town of Wallkill Planning Board. WE have no public hearings tonight.

**Caldor Self Storage SP/SUP- Ext. to final Conditional Approval**

B. Mittelman I am looking for an extension for the self-storage. We are planning to submit plans for permits within the next 4-6 weeks.

G. Lake I'll see if the board has any comments. (no comments) Motion for a one year extension to final conditional approval. Doug/Andy 5 ayes.

**Fogarty Solar Farm SP/SUP – Ext. to final Cond. Approval Lybolt Rd. (12-1-22.23) #46-16**

A. Wailing Hello I'm here from Cypress Creek Renewables.

G. Lake They are looking for a small modification. We were going to do it administratively but wanted to bring it to the Board as well. Dick – could you explain?

R. Mcgoey They are relocating their access drive and they found some modifications in the wetland that require they move some of the arrays into the main body of the arrays. I was supposed to get some maps to compare. I need the previous one and someone was supposed to verify that you did not exceed the 15 acre maximum.

A. Wailing WE did that and I will provide that to you. The original plan had not exceeded it and this is smaller. Significantly smaller than the original. We changed panels and we are reducing the size of the array. The limits of disturbance have not increased. We have reduced the footprint but keeping the

11/1/17  
PB Minutes

same leased area because we agreed with Mrs. Fogarty that we would. She has asked us to relocate the driveway. It is the landowner preference. It will be less visible if we put it where it was first proposed. I will get you the plan changes.

R. McGoey the overhead electric lines are on the right side of the driveway which will disturb trees and I asked you to move it to the left.

A. Wailing one other questions is we wondered if there was a reason the set of 6 electrical poles was not located along the road but on our access road. Is there any issue with moving them out further rather than up in the project?

R. Mcgoey That was not an issue when we met.

A. Wailing I don't know how they got switched up. We can talk about it on the 6<sup>th</sup>.

D. Dulgarian what was decided on the hedgerow?

R. McGoey That is what I just asked about moving the poles to the other side.

A. Wailing I don't foresee a problem, we would like to push them toward the main road for access to the utility.

G. Lake Motion for one year extension and modification to site plan. Andy/Jim 5 ayes. Thank you.

**Banta/LaQuinta SP/SUP – Ext. to final cond.Approval 545-551 Rt. 211e (41-1-39.52)#53-14**

**MOVED TO 11/15/17 AGENDA**

**Homeland Tower SP/SUP – 90 Slaughter Rd. (61-1-27.12) # 57-17**

D. Kenney Hello, David Kenney from Snyder and Snyder representing Homeland Towers and Verizon. We were here 10/18 and there was a question on if we would need area or setback variances. My office contacted Mr. Barone on whether or not our showing the fall zone as significantly within the property lines within 100' and the property lines being 122'. We have provided this board with the extra evidence the code requires this lesser setback than the ht of the tower plus 50' will protect the public and the intent of this zoning ordinance setback requirement as it will protect the public. It will keep the fall zone within the property line.

G. Lake Our attorney spoke to your office and came up with the agreement. The 122' you just mentioned, is that your property line to Stage Rd?

D. Kenney No 122 is to the property line – to Stage Rd. is 203'. That is detailed in the structural for the site plan and the cover letter submitted on 9/28.

G. lake We have questions on that. 84 came in but Stage Rd. was forgotten about. Can you locate any place else?

D. Kenney There were 2 supplemental submissions- on 10/27 we provided better RF maps that showed underlay so the Town could better see the locations the maps were showing. In addition, we provide an alternative letter that discussed sites that were discussed on 10/18 as well as yesterday on 10/31 we presented a supplemental analysis letter that discussed an add'l location that was in Mr. McGoey's comments.

R. McGoey Just seeing this tonight. I don't see a 10/31 one.

D. Kenney That was sent out yesterday and rec'd today. Multiple copies were fed-exed. It was delivered to your office this morning.

R. McGoey The Rykowski road site? It does not even show up but these maps are absolutely horrible and continue to be horrible. In today's technology there is no reason why you can't provide maps that are readable. I said this the last meeting and I'm saying it again.

D. Kenney Were they a better quality?

R. McGoey No, not much. The roads we asked for investigation like Rykowski Lane do not show up on the map.

D. Kenney Can I send an electronic map. Some of it is lost in printing. Can I also ask the board to declare Lead Agency tonight? I also would like to schedule a balloon test for producing visual renderings.

G. Barone are you calling this a Type 1 action or unlisted?

D. Keeney We were waiting on whether or not the area variances were required. They are not so a special permit is unlisted. There are no other disturbances or triggering factors for Type 1.

D. Dulgarian this is 146' monopole? (150) What is similar to that in height?

Homeland Towers We built a 150' monopole in the Town Hall in Hamptonburgh. It's right next to it.

D. Dulgarian And this will be similar? (identical)

T. Barone Does that tower have the same collapse ability?

Homeland Towers Most of the time yes but I don't want to put it on the record until I look at the structural report.

11/1/17  
PB Minutes

T. Barone Does it change the appearance if it falls on a 50' radius or a 100'?

Homeland Tower I will look at the structural report. You could not see it from looking at it. They are just designed with a weak spot in the event of a collapse it would fall onto itself. You would not see a hinge or bolts. You can't tell where it is by looking at it.

R. McGoey Your structural calcs in your report verifies that?

D. Kenney Yes, the one submitted with the 9/28 cover letter discusses that.

G. Barone Is it built into the tower by the manufacturer? (yes)

R. McGoey Where is your analysis on the Rykowski Rd?

D. Kenney It should be with those maps. The most recent submission are the revised maps dated 10/27/17. in addition an alternative analysis letter dated 10/26 I believe.

G. Lake Dick, they sent some things in today. It was not distributed due to time constraints.

D. Dulgarian I'm concerned about the appearance from 84. The Mechanicstown tower on the Fairgrounds- is you familiar with that?

D. Kenney Near the corner of 84 and Crystal Run Rd?

R. McGoey That might be the state trooper barracks – hard to see on these maps.

D. Dulgarian And there is one at Phillipsburg on the tetz property?

D. Kenney Not sure.

G. Lake You need to do better maps.

J. Keegan I am also concerned with the way it will look. Are there any farms that have this? There is no screening, just wide open space.

D. Kenney I will try to find out.

J. Keegan I want to see the balloon test and an actual rendering of the tower on the property.

D. Kenney We are going to set the balloon test up.

C. Najac Other than the visual effect from 84 I would appreciate some specs on other locations on the view. I would prefer that the public does not have to look at it.

D. Kenney I was hoping the other properties would work but as part of the 10/27/17 submission the radio frequency engineers rejected the 3 other candidates proposed. 2 were Town Property and another on the collocation of the water tank. They don't fill the need for future need for an array to cover the area there. we also looked at the Crystal Run Village and it also does not work.

11/1/17

PB Minutes

More than just height it was proximity to existing sites. This site was very specific in that it needs to be equal distance between existing sites. It's all about location more than ht. This site is proposed to relieve capacity of the other height, it will provide better service but it is to relieve the capacity at surrounding sites which is shown on the RF analysis, they are peaking if not exceeding capacity. As far as the look, the renderings of the monopole will show that it patinas into the background. A lot of these are allocated along major interstate highways because drivers tend to just blend them in the background with the color and galvanized steel. it just blends into the background.

C Najac Galvanized metal blends in?

D Kenney It patinas, drivers don't notice it unless they are looking for them. The renderings we provide will show the visual analysis. It's almost an off white grey color. The average color of the sky is blue/greyish white and this blends in. Eventually you are not drawn to it. We can run a visual of a few different colors.

A Guattery is there a reason why this pole is all the way out in the front of the property? Why is it by Stage Rd instead of further back. You will still get the capacity you need. Why wouldn't we put the pole further back on the property so we would not be having this much of a discussion. It would blend in better if we went back up into the training facility.

D. Kenney This is the space the property owner is willing to lease. Verizon has control over this space per the lease.

A Guattery I'm going to agree with the engineer that the maps are not helpful. It seems to me that this pole, with the entrance from Slaughter Rd that they would be willing to break a small piece off in the back and not have all the issues.

D. Keeney Then you would be getting closer to homes as well.

A Guattery We can gain a lot of feet before we run into problems. Go back to the owner and talk to him.

G. Barone isn't it fair to say your lease is subject to PB approval? (yes)

D. Keeney There was a discussion on another part of the property and he was adamant about this area that he was willing to lease.

G. Lake You have heard the concerns of the Board. Schedule the balloon test and go back to the property owner. You can't send something in the day of the meeting and expect the guys to get to it. We are at a disadvantage to the new stuff you sent in. we will set a PH and you need to return to worksession. Motion to set PH on 12/6/17 Clark/Andy 5 ayes.Thank you.

**East Main St. Millhouse SP – 758 East Main St. (78-2-34.4) #71-17**

D. Higgins        Dave Higgins, Lanc & Tully appearing for the applicant. This is for East Main Millhouse, Donna and Chris Foster. They would like to utilize the old building that was Ed Silvers Engineering. It is the old East Main St. To the west is Midway Road and beyond that is the ORMC entrance. They would like to take the 2 floors of the 5000 s.f. house and use the upper for office space and lower for café/bakery use. We had a ws with Dick with an initial layout. We based the parking on bakery which I think we then realized that part said fast food. I think we were using the wrong parking code. We talked about using eating/drinking as the basis for the parking. We have that on the map now. It shows parking based on patron area for a total of 43.1 parking spaces. We show 44 spaces on the map. 3 of the spaces are currently banked. The owner agrees that we won't need as many as the code calcs work out to be. the existing parking is a drive in front of the building with pavement all along here. We used this area for parking to get the number the code showed. We show a one way access drive around the back and parking around the back. Utilizing that would be 3 spaces that would show here as being banked. We prefer to leave that area landscaped up front. We provide 44 with those banked. One of the things we came up with was the applicant had noted there is one tree here we are preserving and 2 trees back here – one is a very nice oak tree.

R. McGoey        the applicant may want to consider if they are interested they can take ownership of the Town Road and make it part of your property.

D. Higgins        Basically there are 2 nice trees. Probably about a 30" diameter on one of them. The applicant would like to preserve them and put a picnic table out there. What I show is relocating the dumpster enclosure to over here and screen it with landscaping and an enclosure and eliminate parking space # 13 to preserve the 2 trees. I also show to make up for the parking, that losing the one by the trees we could widen this a bit and provide 6 parallel parking spaces along the back of the building along the one way stretch.

G. Lake I have no problem with you banking these spots. You are putting a wraparound porch on?

D. Higgins        Yes, overhanging around the outside of the building. It shows there is a difference in grade from the parking area to the building so we show a ramp around the back to get up to the porch. You come in the door in the back or come around the porch to this entrance. There is a difference in grade from the lower part of the café and this one here – is about 14". We have a short ramp up front. With regards to the office space we are under the threshold for requiring ADA access upstairs. At some point in time they may look at putting in an elevator.

G. Lake Any eating, or seating on the porch?

D. Higgins        We show chairs on the porch.

G. Lake I think it's a great use. I know this is here for sketch to keep moving.

11/1/17  
PB Minutes

D. Higgins We will review the floodplain permit with the architect. It is issued by the Building Dept? Filling in the floodplain... We may actually be cutting into that.

D. Dulgarian The architecture is what is there now and added to?

D. Higgins They met with an architect and they do know they want to preserve the beauty of the building and restore it. They want the overhang porch to fit the time period of the house. They advised me of the need to keep it beautiful.

D. Dulgarian It's similar to me like the Mason Bldg. in New Hampton. I think that's cool. I would love to see it built. Dick, does it have to benefit them that it is a pre-existing condition with the floodplains? If they don't change the footprint does it affect them?

R. Mcgoey I suggest that there may be a provision in the ordinance that talks about if it is a substantial rehabilitation of the bldg. of more than 50% of it they may have to have the bldg. itself flood proof. The lower elevations below the flood point may have to be flood proofed. It's not a PB issue but a financial issue for them. If they raise the grade of the outside sight that also requires a floodplain permit. That is not a big issue just more paperwork.

J. Keegan I agree, great use. Cooking/baking done on premises? (yes) no need for turnaround for delivery trucks then. Good Luck.

C. Najac I'm worried about the floodplain. I was there when the last storm hit and could not get around the road. (the old East Main) How much of your building is lower than the roadbed of the old turn? That is still in front of the building.

D. Higgins 502.76 – looks like the road grade in front is 502/503 – it depends on which part of the road you are looking at.

C.Najac I would love to see you do it but we need to make sure you have enough elevation.

A. Guattery I agree, do your homework on the floods. I'd like you to get in there, make it work!

I would like to see the old growth stay. Make sure you think of snow storage as well. It's a great use.

G. Lake I think we covered everything. Everyone likes the idea. Motion for sketch plan approval – Andy/Clark 5 ayes. Motion to set a PH on 12/6/17. Andy/Jim 5 ayes.

MOTION TO ADJOURN.