

Town of Wallkill  
PLANNING BOARD MINUTES

November 15, 2017

Members in Attendance: Gary Lake

A Guattery, T. Hamilton, Clark Najac, J. Keegan

Bill Capozella, Tom Hamilton

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

Tad Barone, PB Attorney

PLEDGE OF ALLEGIANCE

7:30 PM – MEETING OPENED

**Blumel Rd. 15 Lot SD (41-1-15.1 & 15.2) #104-16**

M. Hunt NOTICE 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 15<sup>th</sup> Day of November at 7:30 p.m. or as soon thereafter as the matter can be heard that day on the application of 491 North St. LLC for approval of Blumel Rd. 15 SF residential lots. Property is situated at 41-1-15.1 and 15.2 in the Town of Wallkill at 74 Blumel Rd. under Section 249-20 of the Zoning Law of the Town of Wallkill. All parties of interest will be heard at said time and place. I did receive the mailings.

G. Lake Give us your presentation and then I have a couple things I would like to add.

D. Lynch Good Evening, I am here with MA DAY Eng. For the applicant, Franco Fidanza. As we mentioned it's a 14.2 acre site on Blumel Rd. it is currently zone R2. It is occupied by a 2 story residence and garage. We are proposing 15 lots SF SD with the minimum lot size of  $\frac{3}{4}$  acres and the largest is about 1.2 acres. The site will be accessed thru a single road with a cul de sac entering onto Blumel Rd. across from Fortune Rd. E. The road we are proposing is 30' (larger than typical town code) to match the existing roads to the north. We are proposing a sidewalk along the entire perimeter of the roadway. A 4' grass strip from the edge of the curb to the sidewalk. 4' sidewalk and 2' strip of grass before the property. They have W/S and we are over the disturbance of one acre and will be required to meet the stormwater of quality and quantity requirements of NYS DEC. we are going to be making run off thru the accommodation of rain gardens thru landscaped buffers, swales and a SW pond located to the lower

portion of the site. We are proposing a 30' landscape buffer along the property. The dark green area is the existing tree line. The intent is to try to maintain as much vegetation as possible. There are notes on the plans for the larger trees to work that into each individual lot. We are proposing street trees along the property ROW, deciduous and evergreen. They are a little bit more mature than the smaller trees. We are proposing add'l screening along Blumel Rd. We are filling in the blank areas with add'l trees and are proposing stone retaining walls in the entrance. There are some on site – and we will rebuild the existing walls that run along Blumel and the front portion of the adjacent properties. We are also doing site lighting. 4 lights thru the site which are going to be an acorn type light. It is a decorative light with a more decorative base to it. They have been used thru the Town and we provided a photometric plan and they will be fully shielded so there will be direct light on the street as opposed towards the houses. That is basically it.

G. Lake I saw a lot of the public that is here tonight at the ZBA a couple months ago. I am going to give a little history on how it got to this point. When it came to Supervisor Depew, the applicant requested apartments, condos or townhouses. They were turned away and told no that this was a solid SF neighborhood. In the code they are allowed duplexes (8) which would have been 16 units. When we had our first look at this at worksession that is where the Engineer and I got the first look at it. We asked the applicant at that point to reconsider the duplexes and redraw the plan and bring the lots down a bit from 1.5 to  $\frac{3}{4}$  acres to fit into the neighborhood. At that point the applicant was willing to do that, he redrew it, returned to us and we took it from there. I asked him to allow me to go to Supervisor Depew and also bring it to this Board before I asked to go see the Town Board. That happened and I went to see the Town Board about the benefit to the whole area of getting the SF homes in this section. Supervisor Depew left shortly after that and Supervisor Valentin took over the position. He and I had a few meetings and he suggested a few things to kick the neighborhood up and make it nicer. We relayed it to the applicant. They were willing to do these items, wider road, etc. At that point we came back to the Planning Board. The PB saw a rough sketch of the map and the PB as a whole approved the sketch plan to send them to the ZBA. I saw a lot of you folks there. Mr. Hamilton was also there and we also have a Liaison from this board at the meeting. It was a 3 month process and the ZBA granted the variances. ZBA also asked for an aerial map showing the size of the lots that are pre-existing in comparison to what this would be. The information over those 3 months was funneled back. I give the ZBA a lot of credit, they did a very good job in presenting this in a correct way. At that point they returned to us with this map. They were back to worksession and at that point we felt we could have the PH. So this has been a long process and it's important that people know it started awhile back as a totally different project. Everyone in the town saw apartments, condos and duplexes were not the way to go in this neighborhood. We have turned down 2 family houses in this area, we have turned down an office/home occupation in this neighborhood. All the items mentioned in the ZBA, the drainage, we don't take their work for it, we have an engineer firm that looks at drainage. He will review it and the DEC is very particular about whatever falls on this property stays on this property. No new drainage will fall off this property. That is where we are at right now. I will open the PH – if you want to speak please fill out a blue card. All questions will be answered at the end of the questions.

Motion to open this PH at 7:47 pm.

N. Kelley Hello- I spoke at the ZBA. The project seems good but I have some concerns. I live on Laddie Rd. and I already see drainage problems with the houses across the street. It's good that you will address it but how will it be remediated? The 2<sup>nd</sup> is related to traffic on Blumel Rd. It's a dangerous place with a lot of accidents. People fly down that street and we are adding more traffic. I'm wondering if the town can consider putting sidewalks up Blumel Rd. we want to make this a community. People walk in communities and you can't walk from one side of Scotchtown to the other because you have to cross a dangerous street. 3<sup>rd</sup> – perhaps you would consider a stop sign or evaluating the traffic to figure out what should go there to slow people down. Thank you.

P. Hendersen Hello – my problem with the project is the existing tree lines on the rock wall. It's not just clearing them and making it nice, it's what is there now and falling on our property. We have to put up with all the dead trees now all the way up that rock wall.

M. Gonzalez will our taxes go up?

G. Lake No, your assessment and taxes don't change. The Town has not gone above the 2% cap for a few years now and no new development will make that go above the 2%.

Mr. Davies I'm very concerned about the drainage. In the regulations under zoning it includes plan things too correct? A bunch of items I just want to mention, the definitions, and the names and maybe someone can respond. Under zoning, it mentions the site coverage ratio, waterways, buildable land, SPEDES and so on. SWWP – stormwater prevention plan, I would like some answers to those.

G. Lake Ok, as far as sidewalks on Blumel Rd, that is a County function, not Town. Usually when a sidewalk is put in a district is created or it's done thru a grant. If it's a district the homeowners of that newly formed district would pay an annual fee on their taxes. Usually it's spread out about 20 years. If it is a grant that the County would have to get them would come in and they might require taking of land from homeowners to put the sidewalk on and then the homeowners would be responsible to maintain them during winter and maintenance. I doubt the county has plans to add sidewalks up Blumel Rd. As far as dead trees, I'm sure while the applicant is there clearing where the houses and driveways will be (not clear-cutting) our engineer was there today double checking the site. As long as it's not on your property maybe you can ask him to cut some of the dead trees away. We made sure we had 30' buffer around the entire project. There is a good chance what you see is what is there today. We asked him not to disturb within 30'. We also asked for a clearance plan/plot for the houses. Traffic, it's a County Rd. In their Part 3 EAF they must address that. It is a small project, 15 houses. It probably did not show up on a traffic. The county does review it. We will not sign the final map until the County has signed off.

R. Mcgoey They just asked for sight distance and will review it once it is rec'd again.

G. Lake           A lot of agencies don't look at everything until they get preliminary approval and then they will look at it. The drainage has been discussed for quite a while. The engineer mentioned rain gardens which have been successful around the Town. When they finish designing the drainage our engineer takes a good look at it. No new water can leave the property – it must be handled on this property.

R. McGoey       Specifically with respect to Mr. Davies questions – the SWPPP plan is the Stormwater pollution prevention plan. It is required by the State of NY – DEC. it is a permit to discharge stormwater from the site so not only does it have to be collected property and put into a SW management pond and treated, the outlet control post development has to equal pre-development. That is required by the state of NY. It will be reviewed quite closely.

G. Lake       The speed on Blumel Rd, we can ask the P.D. to put the speed trailer there. We will make contact with them to see if we can get it out there for a week or two. Maybe we can get some radar set up. WE can't post a speed limit on a County Rd. The State decides what our speed limits are. Motion to close this PH at 8:02 pm – Bill/Doug 7 ayes. Any problem with Dick's comments?

D. Lynch       We are in the process of addressing them. The surveyor was out there this week and located the SW drains and we will revise the plans accordingly.

D. Dulgarian    The Chairman did a great job of bringing the public up to speed and refreshing our memories as well. I agree with him that the boards all did a nice job on this. I like the project but I was totally sold on it at the ZBA Meeting. Do you have the map of the adjoining lots and the sizes in comparison to these lots? I like the single entrance, the lots that are larger than the existing ones there, the limits on clearing for preservation. Our engineer was explaining the drainage that the post rate flow off the property cannot exceed whatever it is today. Even with footprints of houses and blacktop driveways and whatever else the rate of flow off the property will not exceed what we have now. It will probably solve some of the drainage problems that are there now. It makes the area a bit better. I also agree that it is the lowest impact out of all the possible uses there. For those reasons, I like this project. I also believe sidewalks should be put on Blumel, maybe talk to your County Legislator.

J. Keegan       I agree with everything Doug said. My only concerns were the traffic. The original plan had driveways coming out on Blumel which are not eliminated so I think that eases things. I would like to see the County do sidewalks as well.

B. Capozella    Back to the drainage, I can tell you from this board if you look at County Rt. 78 projects that improved the drainage issues that were there before construction. Our engineers do a great job at reviewing it. Address the traffic issue with speed signs, or policing the area.

C. Najac       This has been around for a while. We have seen many different plans. I think we all did a good job. No more driveways on Blumel, just a road coming out. The lots are at least twice the size of those around them so we are not putting a lot of houses next to the preexisting ones. The drainage, the DEC will force them to measure the amt. of water coming off the property before they can do anything.

That is the maximum amt. that can come off. They will have to do whatever they need to do to control that. That is why it takes so much time and so many people to make sure it works well. This might even slow down the water coming off this property. Just for the record, I am not a big fan of the proposed streetlights.

A Guattery I agree, we looked at this many times. We know the applicants work is good. As it is now, it is in the best interest of the neighborhood on what we could have there. The traffic off of Blumel is for safety. It should be noted that one of the people that came up was concerned with the existing dead trees on the property line. The applicant is doing a buffer that is natural, leaving the trees in place to leave the view in place. They may not be going in there to drag out dead trees and brush. You may have to approach him and ask him. They want to keep it looking natural as possible.

T. Hamilton I have been here 46 years and have seen many projects. This is the best scenario to fit into our neighborhood. The 30' buffer, I can't see the developer leaving the dead stuff in there. It can't stay there. We are looking to save the live stuff and don't want the fallen trees. They will have to remove a lot of it to sell those lots. I've walked thru there for years and see it. You are also talking 60-70' to where the homes will be. We are only going to let them clear cut what they need for the homes.

The drainage behind me exists that the town put in years ago. Some of the stuff on the other end is going the other way. There is some type of drainage in the other cul-de-sac. Down on my end I have never seen anything running off of that site. I think it is coming from our sites, from our lawns back go toward the drainage area. That area was built in the 70's and was always wet. It's a lot of existing water.

C. Najac Some of those trees are 1/2 down and resting on other trees by the wall. They will fall into someone's yard so they need to be taken care of.

G. Lake My last comment is that in my entire time on the PB, all 3 boards have never worked better on a project. It was a great effort to protect a neighborhood. I believe this is going to be a real showcase for the Town and neighborhood. Motion for a neg dec/part 3 eaf – Andy/Clark

D. DULGARIAN AYE

J. KEEGAN AYE

B CAPOZELLA AYE

C NAJAC AYE

A GUATTERY AYE

T HAMILTON AYE

G. LAKE AYE

Motion for preliminary approval subject to all comments. Tom/Andy

D. DULGARIAN AYE

J. KEEGAN AYE

B CAPOZELLA AYE

C NAJAC AYE

11/15/17  
PB minutes

A GUATTERY AYE

T HAMILTON AYE

G. LAKE AYE Thank you. You can move on now. Thank you to the public that came out again tonight, we appreciate it.

**Dunkin Donuts SP & 2 lot SD Ext. to Cond. Final– East Main St. (73-1-1.23) 29-16**

R,. Winglowitz I'm here for the applicant for an extension to this project on East Main St. We are finalizing our OCDPW submission and reviews. Hopefully we will have it in the next 90 days.

D. Dulgarian Any news on the timeframe with the school schedule?

R. Winglowitz They sent it to the County for their change –any day now. We are coordinating our left turn lane and where our crossing is with what they are doing.

G. Lake (no other comments from the board members). Motion for one year extension to final cond. – Bill/Jim 7 ayes.

**Banta/LaQuinta SP/SUP- Tower Drive (41-1-39.52) Ext. to Cond. Final # 53-14**

D. Lynch Dennis Lynch with Day Eng here for the applicant. This is our 2<sup>nd</sup> extension. All the conditions of final have been resolved. The only outstanding issue is the fees which the applicant is finalizing. All the outstanding engineering issues and other issues have been addressed.

G. Lake I'll go thru the board. (no comments from the Board) Motion for one year extension to cond. Final approval. Andy/Jim 7 ayes.

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

R. Winglowitz Ross Winglowitz for the applicant. We are here on the Rt. 211e Dunkin donuts project. we had the PH about a month ago and there was a letter submitted by the owner of the plaza contesting the right on whether or not we were allowed to use the parking spots. We have provided a response to that letter. Our attorney is here and we believe we absolutely have the right to use the parking in accordance with our access easement. We have been in contact with the owner and we have agreed we would request a referral from the ZBA to pursue a variance to that.

G. Lake What are you going to the ZBA for?

R. Winglowitz To allow us to use the site with the parking as provided with the ability to use the other from time to time.

G. Lake I can understand him coming to us asking for a variance if he needed it, but I don't understand you wanting us to send them. I don't understand that. Tad – we talked about this, I would like you to intervene on what you feel our position can be.

G. Barone I referred to Section 249-12 subpart C of the code that talks about giving applicants, owners, and developer's relief from the rigid formula required under the code for parking spaces. It refers to the board having that power with respect to a mixed use. Historically the board has interpreted mixed use as a mall, which contains separate subdivided lots for stores with a shared parking agreement. Same as Pricechopper and other locations, where we have interpreted mixed use. We view this project as a mixed use. Under the code, where the applicant provides to the boards satisfaction, proof demonstrating that you don't actually need all of the parking spaces that the formula says that you should have. The board can grant you relief. I assume the board would agree with me that based upon everyone's common understanding that a food establishment such as this with a drive thru, seldom, if ever uses even ½ of their parking space. Most of the lot is empty and our experience is the drive thru is where all the activity is. I assume the engineer can attest to that fact to the board's satisfaction. At your busiest time that you are using half, my interpretation of 249-12 of the code will permit the board to grant you relief from that without telling Bernard Mittelman that we are appropriating parking spaces from his parking lot for you to satisfy the code requirement.

R. Winglowitz Yes that is the same argument we would make before the ZBA. If this board can grant us that relief we request it.

G. Lake I was here when they approved Friendly's. Under the agreement with the old Caldors it was always my impression that you had a certain amount of shared parking. Since that time we have been worked hard to cut down on the blacktop and share or bank parking. As far as I'm concerned, unless proven different, I believe you already have the right under Friendly's to use some of that parking. You had to get an easement across the property and I know Friendly's did not have enough parking. I think that is already in place and I'm going to make the suggestion to the Board that we should not put that burden on the ZBA. That is my interpretation.

T. Hamilton When you say shared parking it does not mean designated spots. You are not going to be taking certain spots.

R. Winglowitz Our peak would be in the am – the opposite of the plaza as a whole.

G. Barone Can you tell us what the experience is with how full the lots get during peak usage.

S. Sardinia The peak is from 6 – 10 am. Typically that is it. Predominantly on drive thru. 70% of the business is drive thru. From there on it dips and continues to into the evening.

G. Barone during the peak time how full is the parking lot in terms of the parking spaces?

S. Sardinia Maybe 30%, 40% if you include employee vehicles.

G. Barone If the board is satisfied it can waive the rigid application of the parking formula.

G. Lake Dick's comments, any problems?

11/15/17  
PB minutes

R. McGoey I suggest a follow up worksession. One of the items is their new site plan landscape plan shows removing a couple very nice crabapple trees in the front corner. I would like to see that not happen. I would like to discuss the landscape in more detail at ws.

D. Dulgarian I rarely disagree with our attorney but I do here. I do not think there is enough parking there as a standalone. People will park on the other side of the crosswalk and walk across. I don't think that is good. If there is some sort of proof that the shared parking goes with this project, we are okay. If we think we are going to approve it with these 21 parking spots and people are going to park there, but not really, then that is poor planning.

G. Lake Mr. Barone ws saying they have the right.

D. Dulgarian ok, if we know that then the point is moot. As long as it was not contingent on that property owner.

G. Barone It says it runs with the land. My position is that there is the shared lease agreement and the DD has rights under that agreement. People can park in the Caldor area of the parking lot but you as a board can waive the formula to this project. It is my understanding that Mr. Mittelmans concern is he does not want a formulaic allocation of parking spaces from his lot so he has fewer in the future. This permits you to grant this applicant a waiver without impairing how many spaces are left for Mr. Mittelmans use if he needs them.

D. Dulgarian I do agree that what is there is excess at built out of that. To me, 21 is not enough. I think you have to use this other parking. If you are telling me its ok, then I'm good but I am not going to approve it based on the 21.

G. Barone We are not at all saying they don't have the rights they have under that agreement, we are saying that with respect to the formula we are not taking a position where by way of appropriation we are appropriating x amt. of parking spaces from the Caldors plaza. In this instance, bc their peak uses are at different times, they don't envision their parking lot ever exceeding 20-25 spaces during the peak hours. Maybe this would be full but the rest of the day it would be empty. Under the code you can grant a waiver and Mr. Mittleman does not lose parking spaces going forward and we don't require them to create more parking spaces than they really need.

D. Dulgarian How many employees? (7-8 on a shift )That cuts down on the 21 spots to park.

S. Sardinia Given that they drive, most take taxis or walk.

J. Keegan I'm ok with that explanation. I do think people will park much closer to the store than other spots. People will do it because se it's easier and that is fine.

B. Capozella I'm ok with the interpretation about the parking. My general experience is I love the drive thru because I never use them. I park in the front spots and get in and out.

11/15/17  
PB minutes

C. Najac I understand the legal issue and it seems you have some right to use that parking. From my past experience I have never seen a DD parking lot full. I have no issue with a waiver but does it stay with the land or does it go away?

G. Barone A waiver only applies to this particular user. If someone else does come in it would have to be evaluated separately. This use only, that is what the data pertains to. A different provider might have different peak hours or multiple periods during the day that would have to be considered.

C. Najac Make that known on the plan.

A Guattery The interpretation of the parking give us the ability to move forward. I have no problem with the variance as the atty is putting it out.

T. Hamilton I agree with the waiver.

G. Lake I agree with the Attorney and the parking. Motion for a neg dec/part 3 EAF subject to all comments. Andy/Jim 7 ayes. Motion to waive pursuant to Section 249-12 subpart C to waive the parking formula requirements for this particular user and allow them to have the number of parking spaces shown on their site plan as required for this use with the understanding that when the user changes that user will have to appear before the board to revisit the parking – Andy/Tom 7 ayes. Motion for SP/SUP subject to all comments Tom/Clark 7 ayes. Thank you and good luck.

Loiodice Excavating SP/SUP- 660 Rt. 17M (36-2-62.22) # 63-16

J. Loiodice We are trying to see if this is feasible for us to bring our excavating shop/offices here. We have been to a couple worksessions.

G. Lake Your equipment is all heavy duty stuff? (yes) the equipment yard will be out back or in the bldg?

J. Loiodice In the rear of the bldg or in the building for repairs.

G. Lake We will be setting a PH tonight if you get thru sketch.

D. Dulgarian I don't know of any major issues with it. I would like to see how everything fits on the property in a better plan. Dick, the site distance is ok there? (yes) my concern is equipment being pulled out slow. I would be interested in what the actual speed is out there.

D. McGoey We have asked for certification of that.

D. Dulgarian I don't think it will have an impact on that area, the use. If we are talking sketch I think we can go to the next level, just submit a better plan.

G. Lake They will be sent back to w/s to make sure they get cleaned up.

J. Keegan It fits the area. I would like to see the storage plan etc. I have no issues.

B. Capozella Sketch is ok.

11/15/17  
PB minutes

C. Najac No problem with sketch. This is a good spot for that business and the line of sight is really good.

A. Guattery I have no problem with sketch. It's a good fit.

T. Hamilton No problem with sketch.

J. Loiodice The equipment does not have designated parking spots.

G. Lake I was going to address that. The board is looking to see where you are putting them behind the bldg. Where they are going to line up etc. not in the front yard, etc. Unfortunately if we don't get it on a plan it's hard to enforce. Where they will be stored, any outside storage, will it be fenced and lighted? That is why you need to come back to w/s before the PH.

D. Dulgarian Yes, if you are stockpiling any material, dirt etc, you need to show it on the plan. Put it on now.

A. Guattery I was at a NJ Transit Meeting. It's amazing to hear how many commuters will complain about all they get to see is the back of bldgs. I think it's important to point that out to you. Think of them as another neighbor. They get to look at the back of everything and we forget that. As a board we are here to make sure everybody is aware of that kind of stuff.

G. Lake Motion to accept sketch. Bill/Doug 7 ayes. Motion to set a PH for 1/3/17 Andy/Clark 7 ayes.

**Belliman Self-Storage SP/SUP – Rt. 17K (1-1-45.61) #52-17**

A Laput Good Evening, I'm here representing the applicant, Alan Madnick of Wyde Lumber for this application. We are here for self-storage on 17K. This is by Stone Schoolhouse Rd., ½ mile east of Quickway Diner. 17K is to the north. The owner would like to propose self-storage units with a signal entrance with a loop road around and typical self-storage layout. This is a sloped site. The units typically have a flat area on one side and drop a few feet below. It slopes from left to right uphill. The lines here are additional grading, there is some retaining walls on the east side of the property between 17K. we are proposing living walls, built trex, they are like silt socks like what they use for silt fence. You can build walls with this as long as you structurally enforce the soils. You will not see any retaining walls, they will be overgrown with a vegetation, grasses, etc. we are going to be grading between 17K and our site so there is a lot of existing trees that will have to come down. We have a landscape plan here per the Town Code. This is a SW plan. One of the options instead of a retention basin is underground storage. To be able to have this size of self-storage units we are using pervious pavement with storm tech chambers under and they will provide the stormwater detention basin.

G. lake These chambers, are they open like tanks?

A Laput they look like a shell, a tunnel, they are open on the bottom. They are plastic and have inlets along the sides of them. Similar to septic systems.

11/15/17  
PB minutes

G. Lake this is not too wet out there to use them?

A Laput Right now we just need it for the volume. Then we stabilize around that with stone. There will be a lot of stone around the chambers for stabilization. We will be using that to try and balance the site and grading so we don't have to haul in or haul out soils. So what we are taking out for the chambers and bringing stone in will be filled here on the lower area of the site. In between the bldgs and the loop road is all pervious pavement. Solid pavement for the entrance. This is a lighting plan – all the lighting is shown on the bldgs. It's a wooded lot so we will be clearing the lot and leaving trees where we are not doing improvements. We will have to replant along 17k because of the grade we are showing red maple and silver linden trees and forsythia, juniper and barberry and Norwood spruce along the other side. The numbers are there with the requirements for the road frontage. We are showing them at 2.5" caliber.

G. Lake We have been asking you to up it. You are cutting down a lot of trees and they need to be replaced with something more than a 5 gallon bucket tree.

A Laput There will be a security fence with a sliding gate to come in the DOT entrance. Pervious pavement, storm check chambers with stone, catch basins and this is some of the details of the living wall and how it stabilizes the soil.

G. Lake Give that to our engineer to look at.

A Laput We have Mr. McGoey's comments, have had 2 w/s and felt the comments were minor. We made changes on the drawings and the SWWP.

G. lake Is there going to be an office on site?

A Laput No we are proposing both sites with no office, they will be remotely serviced where they will have to call and arrange to meet at the site.

R. Mcgoey I want to suggest the board take a look at some of the other storage units in the Town that are not looking so good.

G. Lake That is why I bought up the office. I know of one that no one is at and it's not good. That is my fear without having onsite. How many units?

A Laput About 52,000 sf. We have not made up the units.

G. Lake It seems like an awful lot to run on automatic. When I ride around and see nobody in attendance it's not good. I would push for a change for that. I have a hard time thinking you have that much s.f. of this running on automatic. That is pretty substantial. You have used every inch. I just have trouble and it looks like an invitation on the edge of the Town all by itself. You said you took care of Dick's comments?

R. Mcgoey Did you check that survey over?

A. Laput Yes, there is a ditch, it's not shown on the topo that is running diagonal thru the lot. We show that on the plans, it goes 6-7'. In the resubmission we will include that. It's a drainage ditch.

R. MCgoey It almost looks like a floodplain overflow area where the stream flows over the banks.

A. Laput We are not moving it, we are regrading it.

G. Lake DEC lets them do that?

R. McGoey We have to determine what the elevation of the ditch is accurately and then we compare it to the floodplain elevations to determine whether it's actually in the floodplain or not. If they are filling it then they have to do floodplain mgmt..

D. Dulgarian With all due respect, I don't see one thing I like about this. It will look horrible on a major corridor in Town. I don't know what the lot coverage is but it is maxxed. The snow storage around the outside by the fence is not enough. You are going to jam it in the fence and bend the fence. Not having an office on site will not work. Pervious pavement what do you use. (it's a pervious asphalt), I thought that did not work in the northeast bc of sand and salt clogging it.

A Laput There is a maintenance associated with it.

D. Dulgarian Every time we have seen it before the board the drawback was it does not work in the winter, it gets clogged, then your underground storage goes to crap. We don't want the runoff but we have never approved anything with it, it has no proof it works. Lot coverage, snow storage, the look of it from the corridor and it's just like trying to stuff 50 lbs. in a 10 lb. bag. The stream is there?

R. McGoey It's on the property – it crosses.

D. Dulgarian I don't like one thing about it.

A Laput If I were to address the coverage on C101 map. Allowable is 60%

J. Keegan It does seem aggressive for this area. I have a question on site distance. Left turn onto road says you are required to have 610' and you only have 560'.

A Laput DOT has gotten the plan but has not given us comments yet. We are going to have to work it out with them.

J. Keegan Anything that is even close is not going to be enough- the speed on 17K is not even close to what people are really going. Trying to turn out of Schoolhouse Rd you can see that. Especially making a left hand turn. We will have to work on that also. I agree with the rest of Doug's comments.

B. Capozella I was going to mention that outside storage should be put on the map – you have no room for RV's etc. (we are not proposing that).

C. Najac I think Doug did a fairly good job covering everything.

A Guattery I'm with Clark. I think Doug hit it right on the head.

T. Hamilton You talk about site distance. You show the speed limit but we go by prevailing. We don't go by the speed limit. You are talking that no one is on site. A person comes in, how do they get in the gate? (a code) What does that code activate? (the gate) There is no codes for his own unit? If no one is on that site once someone gets into that front gate he can cut a lock and get in any one of these units.

A. Laput His door should be tied in with the code.

T. Hamilton What if someone gets into these units with no one there? is there an alarm?

A. Laput There would be an alarm if the unit is opened. They are coded doors.

T. Hamilton It's packed in there, no room for snow, in the middle of nowhere and no one on site.

G. Lake You have heard the board. I think they would like you to look at it a little closer. Maybe you need to satisfy some of the questions. I have a problem with the stream and you might have to get involved with the DEC, the topo was not correct. I am going to table you for tonight. I don't think you will even get sketch tonight as it sits. Until you provide us with floodplain, stream info you will need to return to ws. Dick heard all the comments.

T. Hamilton Also – the underground drainage, how do we know they will continue working. I have a problem with the Howard Johnsons and the underground storage tanks. We have nothing in our code on when they are being inspected to see if they are still working.

R. McGoey More recent town requirements are that the applicants enter into a SWWP agreement with the Town that requires them to maintain these facilities or the Town can go on the property.

T. Hamilton Who inspects them? We don't have a list. They have been there how long at Howard Johnsons and no one has ever gone to see if they are working.

G. Barone The new maintenance agreement requires the property owner to have annual inspections certified by and engineer that is performed per the Town requirements and submitted to the bldg. dept.

A. Laput In lieu of an office on site would a maint. Agreement with security personnel be acceptable without having an office on site? Someone that would travel to the self-storage area.

G. Lake Come back with a proposal to review – this is a big facility Ok. WE have another one in Town that is this big but they have an on-site office. Another one that has an office on site even got broke into once. I shudder to think of something this big with no one on site. Come up with something

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and return to ws. 52,000 s.f is substantial. Motion to table for further review. Return to ws. Andy/Clark 7 ayes.

**Belliman Self-Storage SP/SUP – 319-329 Bloomingburg Rd. (3-1-35.1) # 53-17**

A Laput This is next to Blue Flame propane between that the convenience store. (Fair Oaks Deli) it's a vacant lot. Similar to the previous proposal, this lot is different – there is an existing billboard. Dick said to look at the billboard with Town Code. Its right up against the property line. It talks about existing non-conforming billboards. If you approve the site it has to come down. Mr. Madnick would like to keep the billboard and seek an area variance for the distance to the property line and the size of the billboard.

D. Mcgoey There are other issues you have to look at with respect to distances between billboards on Rt. 17. It's not just a setback issue.

A. Laput I saw the distance as 2500'. Digital ones are not allowed. North of M&M and south of Fair Oaks Drive in. This layout is a different configuration. A single entrance, loop road also using pervious pavement between bldgs. And no office at this site. Security fencing, sliding gate with a code and the code is tied into the storage unit.

G., Lake No wetlands here? (no)

A Laput Also heavily wooded which would be cleared and we would balance the grading. This is 46,500 s.f.

G. Lake I guess you want to go to the ZBA?

A Laput Correct.

G. Lake You have a lot of comments here. It seems to be a lot you need to straighten out yet. You already know my feelings of this without an office on site.

D. Dulgarian I can just flip the page over to the last one – same issues. No on site offices, the lot coverage is very ambitious. The same question on pervious pavement and problem on snow storage. It's not going to be a good appearance and it's on a main corridor again. My problem on 17k was the visibility from 17K, this one has 17M and NYS 17. I almost would lose the last bldg. and build a buffer there. I would question what the rest of it would look like. it's too much.

J. Keegan Especially with 17 you can see the back of these properties. Come up with a plan to have this place secured or with an office on site.

B. Capozella My comment on outside storage – note no outside storage on plan. Maybe if there is not office it gets policed once a day?

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A. Guattery The snow storage is not sufficient. Pervious pavement is not landscaping. There is nothing we are blowing out a wooded lot, throw a fence and metal bldgs. Up that is going to be seen by 100,000 people a day and keep the billboard to boot. You are going to have to be a lot more ambitious with me to make it look more like the town we want to live in for my vote. Way too aggressive. It needs to fit the character of the town and it doesn't even come close.

T. Hamilton motion to table for further review?

G. Lake I will say my other comment is the retention pond out front. We have been trying to work with applicants along this corridor to try to make it look more attractive. Retention pond right on Bloomingburg Rd. is not a good idea. They grow over and become junk collectors. I would like to see that moved off the front.

A. Laput We are trying to eliminate it.

G. Lake Motion to send to ZBA – Bill/Jim 7 ayes. Motion to table for further review. Andy/Clark 7 ayes.

MOTION TO ADJOURN