

**TOWN OF WALLKILL  
PLANNING BOARD MINUTES  
June 17, 2015**

**Members in Attendance: Gary Lake, Tom Hamilton, C. Najac, D. Dulgarian & J. Keegan  
Bill Capozella, Mark Coyne**

**Absent:**

**Also in Attendance: Dick McGoey, Consulting Engineer, Gardiner Barone, PB Attorney**

**PLEDGE OF ALLEGIANCE  
7:30 PM – MEETING OPENED**

**G. Lake** Good evening – we have no public hearings tonight. We will go right into the normal agenda.

**Church of Iglesia Emmanuel Site Plan-Extension to Final –481 Cottage St. Ext.  
(40-1-21.2) # 13-74**

**C. Meade** Carlos Meade Jr. representing the Iglesia Emmanuel Church. We are looking for an extension. We are cleaning up the property and removing debris and plan to forge ahead.

**G. lake** Ok this would be your 2<sup>nd</sup> extension. Dick – anything on your list?

**R. McGoey** the Variances?

**M. Hunt** They are up to date.

**G Lake** I'll check with the Board. (all members stated no issue). Motion for a one year extension to Site Plan/Special Use permit – M. Coyne. 2<sup>nd</sup>-C. Najac. 7 ayes.

**Saddle Ridge Residential Site Plan & Special Use Permit—Ext. to preliminary approval (36-2-67.6 & 22-3-10.2) Maples Rd. # 49-10**

**J. Bergman** Good Evening, Jerry Bergman, CHA Engineer representing the owner. This is the plan that was approved at preliminary. Since then we submitted the water plans to the OC Health Dept. they were reviewed and a comment letter submitted which we resubmitted. We should hear soon from them. We have submitted the sanitary sewer plan to NYS DEC and were reviewed, commented on and we have responded to those comments. We are waiting for a final on that. There were no comments that would change the project at all – they were technical only. The Stormwater

was submitted to this Board and McGoey for review and was approved. The final site plan was submitted to Mcgoey and we have rec'd comments that we are responding to. (within 2 weeks) The rail applications have been submitted and we expect to hear from them net week. There are 3 rail crossings in the permits. The Wetlands were the big issue – they were never mapped by the DEC and we ended up having to conform with those. I went back thru the history for the conceptual plan for 310 units, the preliminary plan ended up (after we addressed the wetlands) and some other issues at 288 units. Now with negotiations with the DEC we built no units or paving in the wetland or buffer, but we did have some grading so we are now down to 273 units. 120 apts. 153 townhouses but attached and detached. We have applied to the Town Board for sewer transporation corporation and I expect they will vote on that this month.

G. Lake            you have already mentioned Dick's comments – you have no problems with any of them?

J. Bergman            No I don't. I have seen them all.

G. Lake            You have rec'd a certain amount of paperwork from our attorney which I am assuming you are working on and in agreeance with most of it?

J. Bergman            there was one mistake .. It should read Maples Road and not 17 M regarding the water main.

G. Lake            the highway comments?

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C. Najac            Just one questions – water main coming up Maples from the railroad track that cuts thru the property and cuts back to Western Ave?

D. McGoey            Yes, they are not going to continue to 17M . I agree with Lou Ingrassia.

G. Lake            Ok so there are no other comments. Motion to conditional final subject to all Dick's comments, Board comments and Barone's comments before map signature – J. Keegan. 2<sup>nd</sup>-D. Dulgarian.

D. DULGARIAN	AYE
J. KEEGAN	AYE
B. CAPOZELLA	AYE
C. NAJAC	AYE

M. COYNE                    AYE  
T. HAMILTON                AYE  
G. LAKE                      AYE

Ok – thank you.

J. Bergman                    thank you Board Members.

**Cruz Home Occupation Site Plan/Special Use Permit– 19 Rondack Rd. (92-2-9)**  
**#35-15**

L. Cruz                    Dr. Laura Cruz and I am looking for a home occupation use.

G. Lake                    Tad, Dick's number 2 comment?

G. Barone                  Yes.

G. Lake                    Ok . We will have to set you a public hearing. I will go thru the board – you should have a better map when you come back to show the parking. It looks like only 3 spaces here..

L. Cruz                    I think we will have 5. There are 2 currently and we will have an add'l 3. There will only be one patient at a time.

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L. Cruz                    Yes.

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L. Cruz                    I like to give patients time. I see one patient every 20 minutes or so. If they ever start to cross paths then I will do additional parking. I don't plan on being busy like that.

G. Lake                    We will set a PH. Motion to set a PH on 8/19/15- B. Capozella. 2<sup>nd</sup> C Najac. 7 ayes. Stop and see Marylynn to give you your info for the PH notice.

**Carasquillo Site Plan/Special Use Permit – 71 Ridgewood Ave. (75-10-23) #42-15**

- C. Carasquillo            My name is Cindy and this is my husband Efraim. We own 71 Ridgewood Avenue. We would like to convert our garage into living space (apt.)
- G. Lake                    The garage, if converted will be very open like a studio?
- C. Carasquillo            One bedroom, one bath and the rest open space. It's for my mom to live in.
- G. Lake                    I have to set a PH. Have you seen Dick's comments? I see you bought a picture and you noted the other 2 family houses in the neighborhood. I'll go thru the Board first.
- D. Dulgarian              Your intention is to move a family member in. When the family member moves out will you still want to rent this?
- C. Carasquillo            Yes, my intention is to bring my mom & dad up. I would like for them to spend the rest of their lives living there. But if I am going to put the money into it I would like to be able to rent it in the future.
- D. Dulgarian              Is there going to any additional construction other than attaching to the breezeway?
- C. Carasquillo            Only on the inside.
- D. Dulgarian              My fear is that everyone with a garage on the property will be coming in to make that a living space. I have an issue with that. If they are attached to the house it is one structure but with 2 buildings it is setting a precedence.
- J. Keegan                  How long have you lived there? (10 years). Ok – that' it for now.
- B. Capozella              I understand what you are doing – we have approved Mother/Daughter type things but this is different than the normal route. I will look around the neighborhood before making a final decision but it is a concern that we will set a precedence.
- C. Najac                    I am going to have to think about this over again as well. If you were just converting a living space and they used the existing kitchen it is one thing. To make a separate house, basically, I will have to think about that.
- M. Coyne                  I will also swing by and look at it. You show three cars here – room for 4?
- C. Carasquillo            4<sup>th</sup> and 5<sup>th</sup>.
- T. Hamilton                How old is the garage?
- C. Carasquillo            The house and garage were there when we bought it – 1920?

It doesn't really say on the tax records.

T. Hamilton                When they do the garage with the side setback and it is attached to the house they would not have the correct setback from the side.

G. Lake                      You heard the comments. My only suggestion would be to talk to the building dept. about converting the garage to living space. I know there are windows, areas per room that have to be window, the sewer line etc. Stop in and ask for advice to see their take on it. I don't know what it is. I would hate to see it go thru and get approved and be surprised by the building dept requirements. In the meantime we will set up a PH. I think for your own protection though... Because of the breezeway it might be considered a separate residence.

G. Lake                      motion to set a PH for 7/1/15 – M. Coyne. C. Najac -2<sup>nd</sup>. 7 ayes.

### Finis 2 lot Subdivision– Cameron & Axworthy Lane (60-1-28.3) #41-15

J. Pfau                      Hello, Joe Pfau representing Mr. Fini. This is about an 8.5 acre parcel of land in the Town of Goshen, Hamptonburgh and Town of Wallkill. Our proposal is a 2 lot SD utilizing wells and septic. We have gone thru the soils formula and the lots comply except for the property fronting on a private road (Cameron Lane). If you have driven out there the road has been newly paved – it's 22-24' width in fantastic shape. There are 5 houses on that road, 2 in the TOW and 3 in town of Goshen. Our proposal is to add 2 more lots. on the road frontage in front of our property we have 330' improved paved roadway. The main issues with sketch is the issue with the private road and how to proceed. Whether it will be a variance of 280A or some other route – that is why we are here this evening.

G. Lake                      Let's go back to the road. You say its newly paved – is it built to Town specs or just paved driveway.

J. Pfau                      Oddly it's not curbing. I don't know what is underneath that but it's worth gong out and taking a look at.

G. Lake                      At first glance is that it's a little chunk of Wallkill. I didn't realize 2 of the houses were in Wallkill. How long ago was that done?

J. Pfau                      I don't know the answer to that but in the research of the deeds that ROW used to be a Town Road that went all the way out to Mt. Joy Rd.

G. Lake                      If we proceed you would have to go to the Town Board for open development. I don't think we can turn around and give you a SD off a private road. Basically it looks like its land locked so you need open development from the Town. You are dealing with 3 Towns – Goshen, Hamptonburgh and Wallkill. They would have to be notified along with Orange County. Mr. Barone did a little research.

**G. Barone** My opinion is going to be that you need to go to the town board for a 280A Open Development Area. If they will declare it as Open Development Area – it's a longshot. If they do then you also have to go to the ZBA for a variance for frontage.

**J. Pfau** And if they do not?  
My first question is what if they want to come in for a building permit?

**g. barone** If it is not already an existing open development area and not a Town road, then my reading of Section 280 A says you don't get a building permit. Either way you need to go in front of the Town Board. Somehow you should show you have some sort of grandfathered status. My view is if you want to cut this into 2 lots you go for 280a and my sense of the law is you are going to run into a lot of legal problems. If you want a building permit I did not research it. You said it was a Town road at one point in time? That is a game changer for me..you might have some grandfather status but if you don't then you need 280a just to get a building permit on the vacant lot.

**G. lake** You say it used to be a Town Road that hooked over to Hill Road?  
Another question is who and when did it get abandoned by the Town? It's a matter of research now. I think Tom and myself and Mr. Mcgoey have been here the longest. We can safely say I never remember the Town abandoning a road.

**J. Pfau** It has been reported and I will verify this, that the Town of Goshen maintains this road even in the TOW. They plow and take care of it. It is labeled as a ROW out o Axworthy Lane.

**G. Lake** if the Town of Goshen is plowing it are they taking responsibility for it? Maybe there is a responsibility on their behalf.

**G. Barone** I think you opened up a Pandoras Box on the Highway Law under the STATE of NYwhere municipalities maintain a road as if it is a public road then there is a whole procedure being declared to be a public road. That is under the State Highway Law.

**G. Lake** I'll go thru the Board. Right now there is a lot of questions. According to what little research we have done, 4 houses and above the road is supposed to be built to real Town specs. You are telling me it might be abandoned but is it? And Goshen maintaining it might put some liability on them. How much are they responsible for and what changes would that make to your application. Again, you have to go to the Town board for open development if it is not in any way, shape or form a public road. They can only give you open development on the TOW part. I don't know what the law is on that. If they can give you it on the TOW part but not on the front part...how do you write the easements to protect the people in the back.

**J. Pfau** I believe the Town of Goshen paved It to the end.

**G. Lake** You would have to go to Goshen and have them agree that this entire road will be Open Development and so on. Right now you don't know if you have that easement so I don't see how the TB can give you open development on that little section with no public road .. that is how I always see open developments work.

J. Pfau Do you think there will be an issue with a single building permit?

G. Lake I don't know if they would – to get a building permit or a loan from the bank you need public access. I don't know if the bank or building dept would be able to do it.

J. Pfau Process is Town board and if I am successful I go to the ZBA for an actual variance .... Is that something I need to be referred from this board?

G. Lake I would like to see you do a little research first. I think we need to be kept in the loop on this one.

T. Hamilton We have found previously that there were roads that we thought were old logging roads that when researched we found they were actually Town Roads. They went from Wallkill to Crawford and no one realized they were still on paper.

J. Pfua My experience has always been that private roads are in horrible shape and this one is in great shape.

G. Lake I'm not arguing that – that is why I think on the books you are not allowed to have more than 4 residences on a private road – it's a State Law.

G. Barone yes, that is the general rule. You don't see cases where they say 4 in one Town and 4 in another Town.

J. Pfau As I've said there are already 5 houses there, 3 in Goshen and 2 in Wallkill.

G. Lake Well, they got building permits there ...I don't remember subdividing that land out there. We need to get it right for everybody.

D. Dulgarian I'm not opposed to the SD or whether the property will sustain 2 houses but if the Chairman says there is so much legal resource I have to agree. Starting with the 4 on a private road, I would like a clarification whether or not it is the same Town. Also, is it a TOW Road or does Goshen assume responsibility of that road because they maintain it. There are more questions than answers. Does it fit, yes probably but you need to figure some legal steps out. You need to find the correct route to do this.

J. Keegan No issues with the development – it just need to get done legally.

B. Capozella I would like to see what research comes out with the road issue.

C. Najac We should table this – we don't know where to send them. You need to do the research and come back and prove to us whether it is a Town road or Private Road and then we go from there.

J. Pfau Our surveyor showed it as a private road –always was but is no more. I can verify that by the Title Report and survey. It was a Town road at one time.

G. Lake            Hollywood Road in the Town of Wallkill is a paper street. I'm sure no one knows that. It doesn't mean it was abandoned by the Town even though someone rides a hay wagon down it once in a while. That is the kind of thing we are trying to get cleaned up here.

M. Coyne           I hope you get it worked out.

F. Fini              it is a Town of Goshen road up to the Town Line but they maintain it as well. The Town of Wallkill piece is not a Town Road. That is all I know.

G. Lake            We are going to table tonight. We will leave it at sketch. Come back and make sure what is what and we can make a logical decision where to send you. Maybe even to the Town Board with a recommendation. They might have abandoned the road and given up their rights to it. It could. It happened on 2<sup>nd</sup> Street, the Town had to go thru a process of abandoning part of it because of a project that went there. The Town had to go thru a formal process to sell it to that developer. Check it out and when you are ready we will put you back on. Motion to table as sketch. D. Dulgarian. 2<sup>nd</sup> – J. Keegan 7 ayes.

### **Monroe Cable Site Plan Rev(solar)– 35 Commercial Ave. (41-1-74.7)#11-15**

L. Toro            Larry Toro, Civil Tech Engineering. Some of the issues with this was they needed a formal site plan which is why I am here. We went to WS and plans were reviewed and notes were added to the plan. We have addressed all outstanding comment.s One on the modification to the SWWP is being reviewed. Last time they were here it was the solar panel people and he has not given us an actual site plan.

D. Dulgarian           I have no problem with the site plan. My question is really to our people. Are we any closer to having any laws on the books about solar panels. Were there solar panels going on the roof of this? (there are already – under building permits)

T. Hamilton           I know the building department is waiting for the State to pass the new code. There is stuff in there to contain a lot of this solar. (guidelines)

G. Lake            I have nothing else. Motion for neg dec and accept Part 3 EAF – B. Capozella. 2<sup>nd</sup> – T Hamilton 7 ayes.

### **CBR Fabrications Site Plan Revision – 90 Cemetary Rd. (78-1-27) #43-15**

J. Dillin            Surveyor for the project appearing for the applicant. This property is located on Cemetary Rd. it was the old Redwood Tennis Club. It has been vacant and the owner that is with me wants to put a warehouse in it and an outdoor fence to enclose things he wants to store within the fence. We have provided the parking – we have to stripe it and put in a HC space. We have existing lighting and are not doing too much else to it.

G. Lake            What will be stored outside?

J. Dillin            Some automobiles. Hopefully just temporary. This is a personal warehouse.

D. Dulgarian            Explain to me what will be in the building .

Mr. Dyne            Personal property – my father passed away 5-6 years ago and he has a house in Tuxedo Park. He dealt with truck engines and transmissions so there are quite a few of them we need to get out of there. We are going to store them her for now. They are all drained of fluids and are on pallets. He had some cars – he has a 47 Lincoln that I don't want to get rid of. There are probably 4-5 vehicles we will get rid of eventually .

D. Dulgarian            Is this floor space only or shelving?

Mr. Dyne            We might get some pallet racking. We might need a forklift on site. It's only myself and my two sons – no public. It's storage only.

D. Dulgarian            it seems like a low impact – I like the fencing. I'm ok.

J. Keegan            I think it is an appropriate use.

B. Capozella            My only comment is the actual dimensions are not on the site plan (bulk requirements).

C. Najac            Pre-existing building and we are going to clean it up and put it to use- I'm good.

M. Coyne            Eventually you will get rid of the cars?

Mr. Dyne            yes, eventually. The house is costing us \$23,000.00 a year to keep it. We need to get rid of the house.

T. Hamilton            Standard 8' high stockade fence? (yes).

G. Lake            Motion to set a PH for 78/1/15. B. Capozella. 2<sup>nd</sup> – D. Dulgarian 7 ayes.

**MOTION TO ADJOURN.**

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G. Lake                    motion to set a PH for 7/1/15 – M. Coyne. C. Najac -2<sup>nd</sup>. 7 ayes.

### **Finis 2 lot Subdivision– Cameron & Axworthy Lane (60-1-28.3) #41-15**

J. Pfau                    Hello, Joe Pfau representing Mr. Fini. This is about an 8.5 acre parcel of land in the Town of Goshen, Hamptonburgh and Town of Wallkill. Our proposal is a 2 lot SD utilizing wells and septic. We have gone thru the soils formula and the lots comply except for the property fronting on a private road (Cameron Lane). If you have driven out there the road has been newly paved – it's 22-24' width in fantastic shape. There are 5 houses on that road, 2 in the TOW and 3 in town of Goshen. Our proposal is to add 2 more lots. on the road frontage in front of our property we have 330' improved paved roadway. The main issues with sketch is the issue with the private road and how to proceed. Whether it will be a variance of 280A or some other route – that is why we are here this evening.

G. Lake                    Let's go back to the road. You say it's newly paved – is it built to Town specs or just paved driveway.

J. Pfau                    Oddly it's not curbing. I don't know what is underneath that but it's worth going out and taking a look at.

G. Lake                    At first glance is that it's a little chunk of Wallkill. I didn't realize 2 of the houses were in Wallkill. How long ago was that done?

J. Pfau                    I don't know the answer to that but in the research of the deeds that ROW used to be a Town Road that went all the way out to Mt. Joy Rd.

G. Lake                    If we proceed you would have to go to the Town Board for open development. I don't think we can turn around and give you a SD off a private road. Basically it looks like its land locked so you need open development from the Town. You are dealing with 3 Towns – Goshen, Hamptonburgh and Wallkill. They would have to be notified along with Orange County. Mr. Barone did a little research.

**G. Barone** My opinion is going to be that you need to go to the town board for a 280A Open Development Area. If they will declare it as Open Development Area – it's a longshot. If they do then you also have to go to the ZBA for a variance for frontage.

**J. Pfau** And if they do not?  
My first question is what if they want to come in for a building permit?

**g. Barone** If it is not already an existing open development area and not a Town road, then my reading of Section 280 A says you don't get a building permit. Either way you need to go in front of the Town Board. Somehow you should show you have some sort of grandfathered status. My view is if you want to cut this into 2 lots you go for 280a and my sense of the law is you are going to run into a lot of legal problems. If you want a building permit I did not research it. You said it was a Town road at one point in time? That is a game changer for me..you might have some grandfather status but if you don't then you need 280a just to get a building permit on the vacant lot.

**G. lake** You say it used to be a Town Road that hooked over to Hill Road?  
Another question is who and when did it get abandoned by the Town? It's a matter of research now. I think Tom and myself and Mr. Mcgoey have been here the longest. We can safely say I never remember the Town abandoning a road.

**J. Pfau** It has been reported and I will verify this, that the Town of Goshen maintains this road even in the TOW. They plow and take care of it. It is labeled as a ROW out o Axworthy Lane.

**G. Lake** if the Town of Goshen is plowing it are they taking responsibility for it? Maybe there is a responsibility on their behalf.

**G. Barone** I think you opened up a Pandoras Box on the Highway Law under the STATE of NY where municipalities maintain a road as if it is a public road then there is a whole procedure being declared to be a public road. That is under the State Highway Law.

**G. Lake** I'll go thru the Board. Right now there is a lot of questions. According to what little research we have done, 4 houses and above the road is supposed to be built to real Town specs. You are telling me it might be abandoned but is it? And Goshen maintaining it might put some liability on them. How much are they responsible for and what changes would that make to your application. Again, you have to go to the Town board for open development if it is not in any way, shape or form a public road. They can only give you open development on the TOW part. I don't know what the law is on that. If they can give you it on the TOW part but not on the front part...how do you write the easements to protect the people in the back.

**J. Pfau** I believe the Town of Goshen paved It to the end.

**G. Lake** You would have to go to Goshen and have them agree that this entire road will be Open Development and so on. Right now you don't know if you have that easement so I don't see how the TB can give you open development on that little section with no public road .. that is how I always see open developments work.

- J. Pfau            Do you think there will be an issue with a single building permit?
- G. Lake            I don't know if they would – to get a building permit or a loan from the bank you need public access. I don't know if the bank or building dept would be able to do it.
- J. Pfau            Process is Town board and if I am successful I go to the ZBA for an actual variance .... Is that something I need to be referred from this board?
- G. Lake            I would like to see you do a little research first. I think we need to be kept in the loop on this one.
- T. Hamilton            We have found previously that there were roads that we thought were old logging roads that when researched we found they were actually Town Roads. They went from Walkkill to Crawford and no one realized they were still on paper.
- J. Pfau            My experience has always been that private roads are in horrible shape and this one is in great shape.
- G. Lake            I'm not arguing that – that is why I think on the books you are not allowed to have more than 4 residences on a private road – it's a State Law.
- G. Barone            yes that is the general rule. You don't see cases where they say 4 in one Town and 4 in another Town.
- J. Pfau            As I've said there are already 5 houses there, 3 in Goshen and 2 in Walkkill.
- G. Lake            Well, they got building permits there ...I don't remember subdividing that land out there. We need to get it right for everybody.
- D. Dulgarian            I'm not opposed to the SD or whether the property will sustain 2 houses but if the Chairman says there is so much legal resource I have to agree. Starting with the 4 on a private road, I would like a clarification whether or not it is the same Town. Also, is it a TOW Road or does Goshen assume responsibility of that road because they maintain it. There are more questions than answers. Does it fit, yes probably but you need to figure some legal steps out. You need to find the correct route to do this.
- J. Keegan            No issues with the development – it just need to get done legally.
- B. Capozella            I would like to see what research comes out with the road issue.
- C. Najac            We should table this – we don't know where to send them. You need to do the research and come back and prove to us whether it is a Town road or Private Road and then we go from there.
- J. Pfau            Our surveyor showed it as a private road –always was but is no more. I can verify that by the Title Report and survey. It was a Town road at one time.

G. Lake Hollywood Road in the Town of Wallkill is a paper street. I'm sure no one knows that. It doesn't mean it was abandoned by the Town even though someone rides a hay wagon down it once in a while. That is the kind of thing we are trying to get cleaned up here.

M. Coyne I hope you get it worked out.

F. Fini it is a Town of Goshen road up to the Town Line but they maintain it as well. The Town of Wallkill piece is not a Town Road. That is all I know.

G. Lake We are going to table tonight. We will leave it at sketch. Come back and make sure what is what and we can make a logical decision where to send you. Maybe even to the Town Board with a recommendation. They might have abandoned the road and given up their rights to it. It could. It happened on 2<sup>nd</sup> Street, the Town had to go thru a process of abandoning part of it because of a project that went there. The Town had to go thru a formal process to sell it to that developer. Check it out and when you are ready we will put you back on. Motion to table as sketch. D. Dulgarian. 2<sup>nd</sup> – J. Keegan 7 ayes.

### Monroe Cable Site Plan Rev(solar)– 35 Commercial Ave. (41-1-74.7)#11-15

L. Toro Larry Toro, Civil Tech Engineering. Some of the issues with this was they needed a formal site plan which is why I am here. We went to WS and plans were reviewed and notes were added to the plan. We have addressed all outstanding comments One on the modification to the SWWP is being reviewed. Last time they were here it was the solar panel people and he has not given us an actual site plan.

D. Dulgarian I have no problem with the site plan. My question is really to our people. Are we any closer to having any laws on the books about solar panels. Were there solar panels going on the roof of this? (there are already – under building permits)

T. Hamilton I know the building department is waiting for the State to pass the new code. There is stuff in there to contain a lot of this solar. (guidelines)

G. Lake I have nothing else. Motion for neg dec and accept Part 3 EAF – B. Capozella. 2<sup>nd</sup> – T Hamilton 7 ayes.

### CBR Fabrications Site Plan Revision – 90 Cemetary Rd. (78-1-27) #43-15

J. Dillin Surveyor for the project appearing for the applicant. This property is located on Cemetary Rd. it was the old Redwood Tennis Club. It has been vacant and the owner that is with me wants to put a warehouse in it and an outdoor fence to enclose things he wants to store within the fence. We have provided the parking – we have to stripe it and put in a HC space. We have existing lighting and are not doing too much else to it.

G. Lake What will be stored outside?

J. Dillin                    Some automobiles. Hopefully just temporary. This is a personal warehouse.

D. Dulgarian                Explain to me what will be in the building .

Mr. Dyne                    Personal property – my father passed away 5-6 years ago and he has a house in Tuxedo Park. He dealt with truck engines and transmissions so there are quite a few of them we need to get out of there. We are going to store them her for now. They are all drained of fluids and are on pallets. He had some cars – he has a 47 Lincoln that I don't want to get rid of. There are probably 4-5 vehicles we will get rid of eventually .

D. Dulgarian                Is this floor space only or shelving?

Mr. Dyne                    We might get some pallet racking. We might need a forklift on site. It's only myself and my two sons – no public. It's storage only.

D. Dulgarian                it seems like a low impact – I like the fencing. I'm ok.

J. Keegan                    I think it is an appropriate use.

B. Capozella                My only comment is the actual dimensions are not on the site plan (bulk requirements).

C. Najac                    Pre-existing building and we are going to clean it up and put it to use- I'm good.

M. Coyne                    Eventually you will get rid of the cars?

Mr. Dyne                    yes, eventually. The house is costing us \$23,000.00 a year to keep it. We need to get rid of the house.

T. Hamilton                Standard 8' high stockade fence? (yes).

G. Lake                    Motion to set a PH for 78/1/15. B. Capozella. 2<sup>nd</sup> – D. Dulgarian 7 ayes.

**MOTION TO ADJOURN.**