

Town of Wallkill
PLANNING BOARD MINUTES
April 18, 2018

Members in Attendance: Gary Lake
A Guattery, T. Hamilton, Clark Najac, J. Keegan
Tom Hamilton & Bill Capozella,

Also in Attendance: Dick McGoey, MH&E PC, Consulting Engineer
Tad Barone, PB Attorney

PLEDGE OF ALLEGIANCE

7:30 PM – MEETING OPENED

1. Scancarello SP – 40 Enterprise Place (40-1-47.1) #14-18

M. Hunt Notice is hereby given that a PH of the Planning Board of the Town of Wallkill, Orange County, NY will be held at the Town Hall at 99 Tower Drive, Bldg. A, Middletown NY in said Town on the 18th day of April, 2018 at 7:30 pm or as soon thereafter as the matter can be heard that day on the application of Michael Scancarello 19 Rosemarie Lane Monroe, NY 10950 for approval of a warehouse/site plan located at 40 Enterprise Place, cross street Tower Drive aka as Section 40-Block 1, Lot 47.1 of the Zoning Law of the Town of Wallkill. All parties of interest will be heard at such time and place. I have rec'd his mailings.

T. Hamilton Please give the board and public what you are doing.

MJS Engineering it's an existing warehouse located toward the front of the property. The proposed amended site plan includes another warehouse toward the rear of the property and there will be an additional parking for employees in the front and accessible parking for the warehouse. 7000 s.f. for office/warehouse. There is parking for trailers for deliveries and there is connection to w&s and it will be sprinklered. Standard erosion control features, silt fence. There will be some lighting added to the parking lot. 40' tall lights along the side and building mounted lights directed downward. I have prepared an elevation drawing. This is close to what it will look like. 17' tall and the colors will match the existing.

T. Hamilton Motion to open this PH at 7:35 pm. Motion to close at 7:38 pm Clark/Bill.
6 ayes (no Gary)

R. McGoey Did you meet with the F.D. yet?

MJS Yes, we did, it will be sprinklered and there will be a fire hydrant in the parking lot and a connection on the building. I will also submit the drainage calculations

D. Dulgarian All the SW runoff and detention will be addressed (yes.) How about the trees they are taking down- will they be replaced?

R. McGoey Yes, there are some trees in the parking area that they will replace.

MJS Yes, we will put up two to balance the parking lot.

D. Dulgarian No impacts – where are you putting snow storage? (in front of the existing bldg and pas the dumpsters between the 2 bldgs. I don't know if you will have enough room without killing the landscaping. I want the landscaping note on the map and the snow storage location. If you can't then you will have it removed from the site.

J. Keegan I think it's a good fit. If you get something more aggressive in use we don't want to see trucks backing up onto Enterprise Drive.

B. Capozella Good usage. Add no outside storage to the map.

C. Najac Catalog cuts on the map, snow removal and outside storage on the map.

T. Hamilton Motion for a neg dec/part 3 EAF subject to all comments. Bill/Jim.

D. Dulgarian Aye

J. Keegan Aye

B. Capozella Aye

C. Najac Aye

A Guattery Aye

T. Hamilton Aye

G. Lake Absent.

Motion for SP/SUP subject to same. Doug/Andy

D. Dulgarian Aye

J. Keegan Aye

B. Capozella Aye

C. Najac Aye

A Guattery	Aye
T. Hamilton	Aye
G. Lake	Absent.

2. JHM Tree Service – 236 Rt. 211w (49-1-16) #13-18

M. Hunt Notice is hereby given that a PH of the Planning Board of the Town of Wallkill, Orange County, NY will be held at the Town Hall at 99 Tower Drive, Bldg. A, Middletown NY in said Town on the 18th day of April, 2018 at 7:30 pm or as soon thereafter as the matter can be heard that day on the application of JHM Tree Service 230-236 Rt. 211w for approval of a site plan for a tree service business located at 230-236 Rt. 211w (49-1-15 and 16 and city of Middletown 20-2-1) under Section 249-38 of the SD regulations of the Town of Wallkill. All parties of interest will be heard at such time and place. I have rec'd his mailings.

T. Hamilton motion to open this PH at 7:45 pm.

D. Yanosh Sidney Mauck is the owner of the business. JHM Tree service wants to store their equipment in there to keep them out of the weather and clean up the site. They put new doors on, fenced the northern section to store the firewood they cut to sell them. No one will come into the site- it's delivered. They work about 7:00 am, get the trucks going and leave by 7:30 and return anywhere between 3:30 and 5 pm. They will repair only minor repairs to their equipment.

Y. Wang My house is against this bldg. (unintelligible).

S. Mauck I know where you are at – you are in the city of Mtown. Basically we are only there ½ hour in the morning. At the end of the day we come back and put everything back in the garage and go home. We do any minor repairs inside. There should only be noise driving out the vehicles. We are looking to split wood there but that will be in an area that will be fenced off, plantings to shield from view and 6' high cement block wall for noise. That is the main consideration- we did talk to some of the neighbors to find out if there were any concerns. All I can say is if there is noise and/or concern I would be more than happy to adjust our time.

D. Yanosh It is in a HC zone – this is an allowed use. This used to be a MV Repair garage so this is more subdued noise during the day. We are doing a permitted use within the zone.

Public It is also residential around there. we want to come back home, have a place to rest anytime, not just a certain time. All our schedules change all the time. It is our home. It is a concern to me and my neighbors.

T. Hamilton The applicant is stating the only noise you will hear is when they leave, when they come back and if and when they do split wood they have barriers up. if there is a particular problem he is willing to work with you.

Public I researched tree service – they usually generate lots of noise.

G. Barone Are you using chainsaws to cut the firewood?

S. Mauck It's cut at site and split with a log splitter. (gasoline) It's a wood splitter. It's not a big machine, like any homeowner would have. It's equivalent to a lawnmower engine but we have a concrete block wall to protect it. It's not something we do every day. There is way too much completion. We don't chip it – it is chipped before it comes there and disposed of elsewhere.

G. Barone Basically the log splitter generates the noise equivalent to a riding lawn mower and its inside a concrete walled area that is landscaped. Would you agree not to run it at 7:00 am- what hours are we talking. (9-5 mon thru Friday)

S. Mauck In addition, the concrete area is inside the landscaped area where there is a 6' fence with the bamboo planted there. it's basically double shielded.

Public We have the same questions. We are 231 – neighbors across from him. I don't know how well bamboo can block the noise. We have both parents at home and want to provide them with rest. It is not a certain time we are able to say noise is a problem. It's not like a lawnmower – it is every day not just summer.

S. Mauck It's probably at the most one day of week and takes a couple hours. It's a side business, we only do it when we have enough to do it.

Public I do have this concern. If you don't have that much business how can you operate. You bring the trees back?

D. Yanosh He goes to the site, cuts the trees, cleans up the mess, chip the wood up and bring the logs back to cut. He is only splitting that wood. There is no chain saw constantly at this site. He is splitting it and stacking it. Years ago it was a gas station where cars were in and out constantly and could still be that use. This is a clean operation with a tall fence along the 211 side shielding it. He wants to be a good neighbor. It will look nicer than it looks today.

G. Barone Show her where her concerns are so we can hear her and move along.

D. Yanosh (points out the map and locations). You are going to hear more from 211 than his site.

T. Hamilton We have your concerns down. I don't believe you will get the noise you think you will be getting. Very few of these types of companies keep the equipment indoors. They will leave that garage and leave the site to go to where the jobs are. Different times of the year they can't even cut trees which cuts down.

S. Mauck What we sell during the winter has already been done by August as far as cutting.

T. Hamilton Motion to close this Ph – 8:00 pm – Andy/Jim 6 ayes.

D. Dulgarian I firmly believe the primary business is not going to be wood splitting. Majority is done on the site they go to. Existing business or former owner is my neighbor and you would not know he is there. I believe he will run it the same way and I don't think that is concern when you think what could go into this bldg. Let's talk about the storage on the property. Where is the bucket truck?

S Mauck Next to the wood storage area. The splitting area. There will only be one truck there. All the others fit in the garage.

D. Dulgarian Dick – we don't need to address the lot line there?

R. McGoey I don't know how to address it – It is already there within an existing non-conforming issue. Maybe the shed can be moved back on?

S. Mauck That is not part of what I am leasing.

D. Yanosh We are leasing with the option to buy. If he does he will approach the City of Middletown and get that house onto his lot. No one wants it on both sides. The lot line between Middletown and Wallkill has been there for years. It has been owned by the same person for years.

D. Dulgarian Is it not in our realm to do anything Tad?

G. Barone If they are not using that bldg as part of this use then it does not affect us. Would you accept it as a COA to have to consolidate the lots in the future should it change ownership?

D. Yanosh I can't commit to that.

G. Barone You are representing 2 lots in common ownership at the present time. I think the fact they are common ownership does not present an issue for this location.

D. Dulgarian Hour of operation how many days of week and hours?

D. Yanosh They get there at 7 am- packed and leave by 7:30 and return between 3-5 pm. There might be a day later here and there. At the most 7-6 five days a week. Occasionally Saturdays but only for really big jobs. No activity on Sundays. I can put the note on the map.

D. Dulgarian I'm good. This is a lesser impact.

J. Keegan in the mornings we start the chainsaws us on my business so keep that in mind to do that at the jobsite and not there with the neighbors.

S. Mauck My son brings them home and works on them in the evenings.

B. Capozella I understand the neighbors' concerns. You have 211 there with a lot of traffic and noise. We don't want to add to it but you will get some noise but there could be another use that is more impacted. I split wood all the time. where you are located could you hear it – probably yes. But it won't be that loud. It's like running a lawnmower. The chainsaw will be limited but you will use it. I just want to be realistic to everyone here.

S. Mauck They will be cut to proper length in the field.

C. Najac We discussed hours of operation for the business but not the log splitter. Maybe start later with the log splitter?

S. Mauck Yes, we only do it when the weather is bad. I don't think we would be doing it Saturdays. If anything only occasional. 9-4 normal day.

A Guattery on the site plan it's not noted, is there 3 concrete block walls – is there one up by the road?

D. Yanosh It's a split rail fence with stacked wood behind it. The 2 others are the concrete block walls. He's splitting here and stacking over on the side.

A Guattery Can we take his forward wall and put a couple blocks here so his splitter is here.

D. Yanosh You're right, I'll switch that around.

A. Guattery there are 3 services in that garage right now?

D. Yanosh I talked to Mr. Viserta – he thought about splitting the uses at one time. he was thinking of renting to 3 people so he put them in. we are only going to use one service. There is also City of Middletown Water there. we will call the DIG number when we do the blacktop in front and they will mark them out. The 2 houses have sewer and the garage has a septic.

T. Hamilton I have nothing further. This is a site plan since it is an appropriate use in this zone. Motion for a neg dec/part 3 EAF subject to all comments. Andy/Doug 7

. Hamilton Motion for a neg dec/part 3 EAF subject to all comments. Bill/Jim.

D. Dulgarian Aye

J. Keegan Aye

B. Capozella Aye

C. Najac Aye

A Guattery Aye

T. Hamilton Aye

G. Lake Aye

Motion for site plan subject to same. Andy/Tom

D. Dulgarian Aye

J. Keegan Aye

B. Capozella Aye

C. Najac Aye

T. Hamilton Aye

G. Lake Aye

3. BSM Properties LLC 2 lot SD – 599 Scotchtown Silverlake Rd. (24-1-36.21) #29-18

D. Yanosh This is a 2 lot SD of the Silverlake Deli property. its 13.6 acres with the Deli on it. He wants to cut 1.518 acres off for a residence. We meet all the codes, regulations for a SF house serviced by town W&S. we do show a sewer lateral across the corner of proposed lot 1. We'll draw an easement for that. he has the deli and cleaned it up but they need more revenue, taxes and it's a nice spot to put a house. Zoning calls for the use of the deli and single families.

G. Lake It's a 2 lot SD – some of Dick's comments about the dumpster enclosure etc, I know they are new owners but will you get some of this done?

D. Yanosh Upgrade W&S line, pad for the dumpster will be made bigger. The gravel drive in front we will landscape it and make it nice. We have plenty of parking for the deli. We will take care of it.

D. Dulgarian What is left of lot 1 in the back – is it buildable? (no)

J. Keegan it's steep there – they have room to put the house in?

D. Yanosh Yes, we did the contours, it drops in the back by the stream.

C. Najac Only question I have is what are we doing for a buffer between the store and house.

D. Yanosh Do you want us to plant some trees between the two of them?

C. Najac Yes.

A. Guattery You have plenty of parking, what about the snow?

D. Yanosh To the left of the deli is plenty of room.

T. Hamilton Looks good and the new owners are opting to clean the parcel up.

G. Lake Motion for a neg dec/part 3 EAF subject to all comments. Bill/Jim 7 ayes.
Motion for a 2 lot SD subject to same – tom/Doug 7 ayes.

4. LAC Plaza SP/SUP – (Expansion to Parking) 53-2-28 Rt. 211e/Hillcrest Dr. #90-17
G. Lake When the board spoke before the meeting we decided we need to send you to the ZBA for variances on the parking lot/landscape buffer.

K. McManus I'm here on the behalf of the owners. The 2 parcels in question are Bert Crawford Dr. and 453 Rt. 211. There is a 3 level office bldg which was constructed in the mid 1970's. in the last couple years it has been renovated and refurbished and has now attracted a medical office potential user for the property. To convert the space we need more parking. There is no doubt we have pushed the envelope to accommodate it on this property. we have areas that we are less than 10' to the property line with the parking lot and have a couple areas where we will not have the requisite landscaping buffer as well. We have worked with the site to maximize the parking to make a legitimate reuse of this building. It's not an ideal situation but it is the best we can do. We hope the Town sees fit to use this instead of building a new building.

G. Lake Unfortunately we cannot vary from the law and have to send you to the ZBA. I think they have done a tremendous job on the refurbishing. I will go thru the board, any problem with Dick's comments? (yes) I will also ask the Board to send you to the ZBA with a positive referral.

D. Dulgarian The parking we are looking at here, is this all add'l parking or some of this exists?

k. McManus The shaded area is 114 new parking spaces. There are old ones that are going to be reused. The next submission they will be.

D. Dulgarian I want to see all parking spaces associated with this property on one map. I also still believe that your snow storage area is not anywhere near sufficient. I would like to see that proved out. I agree with the Chairman that the bldg. looks great and would be nice to see it flourish again. I have no problem helping the project along. On the same token we need to get it as good as it can be.

J. Keegan I like it and it looks great. Are we talking about any traffic improvements at that stop sign? I go that way in the morning and it backs up 25 cars at Bert Crawford.

G. lake That intersection is being looked at by the State. I understand they will redo whatever they are going to do there and at some point the Town would have to tie into it. It is on the table for the State to my knowledge.

K. McManus It's not 114 add'l – there is a net gain of a certain amt.

J. Keegan A lot of them came off onto 211 already.

K. McManus These spaces always came out on Hillcrest.

J. Keegan No issues as long as we keep the traffic to a minimum of adding cars.

B. Capozella with the extra parking is the stormwater being addressed properly?

C. Najac No issue sending it to the ZBA. You are saying the shaded spot is all your new parking and you are using the spot already just extending it. I will ask you what you are going to do instead of landscaping. You can't plant trees on a vertical hill.

K. McManus We have a plan that has been submitted and will need to be reviewed.

C. Najac We are not sending them for the parking, we are sending them for the setback.

A Guattery I don't see any lighting plan for the parking lot.

K. McManus It's down lighting and Dick has made a comment about some building mounting lighting that needs to be removed. They run down the center of the parking lot for just that reason.

A. Guattery Keep in mind you have an intersection that will be looking up at the outer perimeter of the parking lot. Your snow storage is not adequate.

K. McManus We recognize we press the envelope on the shape and size of the area. If there is a way for us to add a note to the plans that require us to remove it from the premises...

A Guattery We need to see all the parking on one map. The requirements say 174 and you list 186 and we are only seeing partial. Do we really need every spot or can we sacrifice a couple to keep the lot clean – history has shown with removing snow that it rarely happens. We need to see it all together to make a more informed decision.

T. Hamilton nothing at this point until we see what the ZBA decides.

G. Lake The only variances you need are the setback to the parking lot?

R. Mcgoey The setback to the property line and the landscape buffer.

G. Lake Ok. Motion to send to the ZBA with a positive recommendation.
Doug/Andy 7 ayes. Good Luck.

5. Fleet Logistics SP/SUP- 618 Rt. 17M (36-1-47.1) # 12-17

E. Johnson I'm here for the applicant – I'm the surveyor on this project. this project is on 618 North St. It's a one acre lot with 2 bldgs- part of the Lyons SD that was done a couple years ago. My client would like to have a wholesale car distributor there. he would fix the cars inside and take them to the auction. It would be cars and vans. Strictly fixing them and taking them to the Auction in Newburgh.

G. Lake How many trips a day?

Applicant One or two a day – transported via flatbed..

G. Lake Mr. Barone – action required? I will come back to you.

D. Dulgarian I was trying to get the layout correct. The barber shop is on a separate lot (yes) these were the old storage bldgs. For the old lumber yard?

E. Johnson mostly, this one has an opening underneath where they used to park cars

Applicant We are going to be buying cars for maintenance and then wholesaling. The cars come from auctions. We service and fix and resell at the auction.

D. Dulgarian Will body work be done on site?

Applicant We don't know yet, mostly not.

D. Dulgarian Where is the storage of parts/cars that type of thing?

Applicant Mostly they come and go. There are some that will be parked in the lot.

D. Dulgarian As this progresses my biggest concern is going to be what is inside the bldg and what is outside. Also the number of units you are looking to store. That will play a big role on the impact this will have. Typically you are going to end up with a lot outside.

Applicant Whatever is allowed we will keep outside.

D. Dulgarian That is what we are going to determine.

G. Barone So, in the HC zone you are allowed to sell and repair, boats, atv's motorcycles, watercraft etc. it doesn't allow you to sell and/or repair motor vehicles. By the fact that they identified all those types of things and left out 2 of the obvious things that would go along with it, it meant their intent was to exclude cars, vans etc. the applicant would need to go to the ZBA for a use variance or an interpretation on whether the repair of automobiles would fit within that code.

D. Dulgarian It will be extremely difficult to get a use and an interpretation saying they meant to keep automotive in would set a precedence for anyone else that comes in HC and automatically gets a pass card. Either way it's tough. I don't know why it's not included in the zone – it used to be and they removed it in 2007/2009.

J. Keegan You will be picking them up from auction and they don't need major work – not coming in on flatbeds?

Applicant They are not junk cars.

J. Keegan I'm ok with ZBA.

A. Guattery ZBA – it needs to show what we are doing with chemicals and oil on site.
Also, doesn't this lot have Brian Doty's construction equipment on this lot?

E. Johnson It's all cleaned up over there.
Nothing there now.

R. McGoey there was some junk back there. There is cars stored on this site, there is a dumpster.

G. Lake Motion to send to the ZBA – Bill/Tom 7 ayes.

6. NY Truck Parts SP/SUP – 299 Bloomingburg Rd. (3-3-33.21) #03-18

R. Smithem Engineer for the applicant. This has been before the board before. It's 7500 s.f. truck repair. It is also a 2400 s.f storage facility. It is in the ENT L zone. We have been working with Dick Mcgoey on the technical review comments.

G. Lake This is where the old diner is and it will be demolished. Any problem with the comments? Have you talked to the County?

R. Smithem There was comments about the entrance that we have addressed.

G. Lake This will require a public hearing. I'll go thru the board.

D. Dulgarian When you guys come back I will be interested to see the outside rendering. There is a note on Dick's comments about no outside storage. I expect it will be nice and I want to see it on the site plan. Tow trucks parked here too?

G. Mann a storage area – where is it on the map? We are not really going to store a lot of parts. This section here, there is a wall here in the building where we plan on keeping the equipment – inside. On this side there is a lower roof down one side that is where we will store supplies/parts. My other business is used parts, there will not be junk trucks or parts on this site.

D. Dulgarian ok nothing outside. No further questions.

J. Keegan Are you planning on a large sign with 17 in the back? We would like to see that on the plan.

G. Mann I would love to have that. Whatever I can.

G. lake We like to look at them but it's under the jurisdiction of the bldg. dept.

April 18, 2018
PB MINUTES

(no further questions from the Board).

G. Lake Motion to set a PH on 5/16/18. Andy/Clark 7 ayes.

MOTION TO ADJOURN.