

Town of Wallkill

PLANNING BOARD MINUTES

November 7 , 2018

Members in Attendance: Gary Lake

Bill Capozella, A. Guattery, Doug Dulgarian

ABSENT: Tom Hamilton, Clark Najac & J. Keegan

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

Tad Barone, PB Attorney

PLEDGE OF ALLEGIANCE

7:30 PM – MEETING OPENED

**1. Silver Lake Ridge SP/SUP – Silverlake Scotchtown Rd. (90-1-1 thru 57) #03-06**

G Lake: Welcome to the Town of Wallkill Planning Board . We have no public hearings tonight so we'll go right into the regular agenda. First one is Silver Lake Ridge Scotchtown road.

Good Evening, name for the record?

J. Queenan: John Queenan from Lanc & Tully Engineering

G. Lake: Okay, go ahead

J. Queenan: Before you start with a project I think we've all been familiar with for probably the last 20 years if not longer. We have been working on engineering and conservation of that site plan that you see. Since that time we've been working on redoing the design, recreating the facilities, working on the layout of the buildings, and I've been working with Dick at a couple of worksessions going over the layout. Now I . So pretty much the sketches you have in front of you, the main sketch stayed the same, SilverLake Scotchtown road with a proposed sewer extension to extend the length of the property for this location here which would provide a potential future access for this neighboring property. In total for this site, we have a total of 124 units within the buildings that we started; we were out on the site. One of the things that we were working with before is that we had some parking that was on the street, and some parking lots that didn't marry up to certain buildings but we removed all the parking off of the street and put them into individual parking lots. What we tried to do is match the parking lot to the building so that there wasn't one building that was isolated. Building one for instance has a parking lot at its rear, building two has a parking lot on either side, building three, building four, etc. as you go around the site. So what it did was it broke up the major significant parking areas in one spot, while providing parking for all the buildings, scattered. We do meet the code for parking and then we have an additional 64 spaces for guest parking, so over what is required. That again is spread evenly throughout the site. The other thing we

were going over with Dick is I know that the board had expressed some concern that we could make it a little more, I guess, "good looking", in terms of right angles and parking lots. We did our best, I think based on the grades and utilities this is kind of what we're going to end up with. What I did talk Dick about, I think might actually make it much better, is we're going to try to put all the parking to the back of all the buildings so specifically, these two buildings here. So we've done it for most of the buildings except for these two. So we'll pull these two buildings to the front and push the parking lots around the back. So when you come around the loop here, you'll have basically buildings with the parking here, offset in between the buildings, or behind it. So that's going to be one of our more significant changes.

There's also a clubhouse and a pool, which will be situated here. In the middle of the site, we geared that towards one of the larger parking lots so in case something is going on at the clubhouse, there some extra parking there to park. Then we're going to have three playground areas, one here, one here and one here. Those playground areas right now total around 10,000 square feet. We'll get you details as to what will be included in those, (play sets, swing sets, etc.) and we'll put those details on the plan. The rest of what you see, that isn't shaded green, will not be disturbed, graded, or touched and thus will remain as you see it today. What is shaded green, you will notice in random places down here, those are proposed storm water areas. That means we may do some land grading in there but not necessarily put any pavement in there. I also did add, (talking with Dick again at one of the worksessions), we drew out the connection here to the neighbor, a second potential connection here for emergency access. Only because this is a private road so we didn't want to propose traffic going through or coming through, that would be here to this property. We did leave a 50 foot wide strip there if they want to connect in the future. This is pretty much the highlights of it, going through I have Dick's comments, and we also took elevations of the buildings. I have some copies of the board is you'd like to see. This is the front elevation of the building, basically they'll all be generally the same, some are longer, and some are shorter. The buildings average about 15 units per building, somewhere in that range. Some are a little bigger, and some are a little smaller. That's just the standard elevation. So that's really what we have for you tonight, we want to request that the board consider scheduling a public hearing. I do have Dick's comments, I went through them, and I didn't see anything that we could not address.

G Lake: I think at the work session, Dick and I talked before the meeting about a lot of these. Is there anything in particular you want to talk about again with the entire board? Then I'm going to go through the board obviously so you can get their comments.

J. Queenan: No I don't think there's anything particular, we're also going to be having some recreational trails that will extend out through here, so that they will come out and around and you will have a trail that goes around for the residence there as well. That will be added to the plans as another item we can speak about. Otherwise I don't really see anything that we couldn't address in one manner or another.

G Lake: Now you were coming across, you're going to pour that underneath, correct?

J. Queenan: Yes, that is correct. That border line will go down the access road, up and across Bahrenburg, across 17 and make the water loop at tower drive. Our sewer is flowing out this way through an existing town easement, hooking up to the main line running across the creek there.

G. Lake: How big is the water line coming across? Have you gotten that far yet?

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J. Queenan: I think the original plans called for 12? But we'll size it appropriately based on... that was back in 2006 so it may have increased in size.

G. Lake: The reason I ask that, is I'm just thinking about maybe for the development across the street and you now, do we take into consideration the size of the line? Or even up the new town road to the other property, should we take that into consideration? If we're going to do it, might as well do it right. Okay, let me go through the board. Doug?

D. Dulgarian: I don't really have any questions this time; this was the original Scotch Valley single family back in the day?

D. McGoey: Still on the books. They have to enroll that subdivision or delete all those lot lines, or all those lots.

T. Barone: I recommend you do that by a consolidation deed, create one unified description for all of this.

D. Dulgarian: I like that there's future connector roads, I'm glad you found a spot for an extra one just in case, who knows what that's going to look like in the back, especially for EMT. What is this going to look like from the road? From Silverlake Scotchtown road? You're not going to see much?

G. Lake: It goes pretty deep.

D. Dulgarian: You'll see a field and some brush?

G. Lake: You're going to see what you see now.

D. Dulgarian: And you're not going to see any kind of storm water retention up front? It's going to look just like it does now?

J. Queenan: Correct, the only storm water areas will be one here to catch this road, and one here for this development, and one here for the back half.

D. Dulgarian: The other thing and I never thought about this until you just mentioned it, you said "passive trails." While I understand the like of them, or the need of them, is it going to be lit? I say this because that is where kids are going to congregate away from everything.

J. Queenan: No I agree, in this case we already have trails in place from the prior development on the property so there's already a pretty good trail that comes up here. So we're going to take it back off that, just come across, and connect it in.

D. Dulgarian: It certainly wouldn't be a deal breaker from either way, but it would just create a spot that would, you know. We've seen this for a long time; this is probably the best variation of it. I like that there is something on the books that keep this hidden and still gives us the opportunity to develop. So, somebody did their homework along the way. I think it can go to the public.

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G. Lake: Bill?

B. Capozella: We're going to take these plans for public or he's going to have to come back and do some more, I mean there is a lot of detail that's not on these plans, right?

D. McGoey: We can have another work session between now and then to make sure we get some of the major issues taken care of.

B. Capozella: And then things like the pool, and the clubhouse, when are they going to actually be built? I don't know if you're going to build every single building at once, is this going to be phased in a little bit?

D. McGoey: We usually try to require the recreational stuff to be phase one.

B. Capozella: All right, you know that's my only questions.

J. Queenan: I'll discuss that with the applicant in more detail but it's not a large enough project that we need to break it into multiyear phases. We'll probably end up running two phases, or something like that but I'll double check with the applicant.

B. Capozella: Okay.

G. Lake: Andy?

A. Guattery: Just echoing what Doug was talking about with the trail, I think the trail is a great idea but perhaps wider? I know it's a conservation area and we don't want to disturb things but I think if its wider and more open it may help with keeping the kids from congregating in that little dark corner. I think you really ought to give it some thought as you are going along, it's something that you really ought to pay attention to because that could be... It's a great idea, but it could really be a monster once all is said and done. We don't want that, we want this to be a success. In really like the fact that you're moving the parking lots behind the buildings, that's also helpful, it keeps the whole project looking more like a community. I like the fact that you're doing the recreation areas. I will say this much, one of the things I see a lot when involvement like this comes along and they do include recreation areas, is they tend to forget access to get to them. It's great that they're near a parking lot but, "we're going to make a trail for them to walk on." How about if we make sure that people can walk from building A down to the pool and really think about that. Sidewalks tend to be a little bit of a forgotten step child sometimes. The sidewalk goes down the street, but we need to make sure we have good, very clear crossings to make sure that people can get to the things you're making. Other than that, I think its fine to go to public. This is a great iteration, it's coming along nicely.

G. Lake: Alright, bedrooms. Were they one or two bedrooms?

J. Queenan: Right now we're proposing 30 one bedroom units, and 94 two bedroom units.

G. Lake: And Rent? I assume this is going to be a rental project? (correct) Okay. I think Doug brought up a great point about people going down there getting lost. You know that's a pretty big area, and I'm going

to go out on a limb and say I'm not too sure we even want it there. I mean it's only one or two bedrooms, so it's either empty nesters or people just starting out most likely. There will be a few kids probably, but I don't think it's a necessarily good idea. I really don't. That's only one guy though, I don't know about the other guys, if they're going to go for it, I just think Doug said something that really made sense. Of the kids that are there, chances are they will be little kids. Do you want them running around down there by themselves?

G. Lake: Okay, I don't see anything else. Dick? We'll get them back to a worksession? We'll set your public hearing for December 5<sup>th</sup>. Motion?

B. Capozella: Motion.

G. Lake: Andy, Second?

A. Guattery: Second.

G. Lake: Doug, all in favor?

**(Everyone):** Aye.

G. Lake: Opposed, none. Okay? Very good. Thank you.

## **2. Ezra Holdings (Joshua Auto) SP/SUP – 420 Highland Ave. Ext. (36-2-41.1) #33-16**

J. Queenan: John Queenan again from Lanc and Tully, before you tonight with what they call Ezra Holdings Middletown LLC or better known as Joshua Auto Repair. The property is located at 420 Highland Avenue Extension. The property is basically adjacent to Kuhl's Highland house if you're heading out towards Mud Mills Road. The property is an existing commercial site, its 4 and a half acres in size. It's in the enterprise zone. The site is comprised of four existing buildings. The first building is on Highland Avenue extension here, it has several driveway curb cuts leading into it. There is a building here, which was AWS broadband specialists. And then the larger building here which has two users, is real time technologies and CPM. The third building is one user, National Lift. (And the Fourth building is currently Joshua and his auto repair. This application before you, is for site plan, I believe for the Auto Repair, but actually is the site as a whole. So what we've done, is we've prepared comprehensive planning for the entire site. We have done a parking plan, based on combining all of the uses on the site and applying the town code to that. Currently there are 140 spaces required if we were to stripe all the existing blacktop, per town code for space width, we would gain 147 spaces. So, we believe that we should leave the parking under shared because it's all one site. We've also gone through and identified locations for the dumpsters for each building. The AWS dumpster would be here, and the Real Time dumpster would be here. Right now National Lift has a dumpster inside the building that they roll out when they need to, so we didn't really identify a site for it just yet. He just moved in so he's probably still working out his own operation. We've identified a dumpster

for Joshua's Auto repair. We've gone through and delineated where all the doors are, and where all the garage doors are. We've also delineated where are the light fixtures are on the buildings, and we're going to go through with a little more firm details based on Dick's comments to try to get this to a level where we can proceed with this. Joshua's Auto Repair still has the cars, tires, and materials around. I've been working on that for several weeks and unfortunately there's still no movement on that, so I'm just doing my part here continuing with the site plan. Putting all the required notes and restrictions on there about the number that can be stored on the site, would be 10. At this point, I think we've got this to a level where we meet the parking requirements, it's an allowed use in the zone by special permit, and we're not doing any other site improvements than what's already there (in terms of blacktop and pavement, it would just be striping and dumpsters).

G. Lake: Okay, are you still involved with the building department?

J. Queenan: Yes, when he comes to the work sessions yes. I'm trying to make the applicant realize what's going on, I tell him "you need to get this thing moving," he says "okay." I've actually met with Joshua's Auto three or four times, they tell me "yes we'll remove all the cars tomorrow." Tomorrow comes, and nothing.

G. Lake: How about some of the other stuff?

J. Queenan: I believe all of the other issues have been cleaned up except Joshua's Auto. I believe the rest of the site has been cleaned and the dumpsters and materials that were behind National Lift have all been removed, the roll off dumpsters have been removed.

G. Lake: But the Joshua Auto site? No?

J. Queenan: No.

G. Lake: I mean that's what you're here for. I know you were supposed to be here a couple years ago for this, but it never materialized. I know the building department has had you next door, and I think they have you down there now?

J. Queenan: I don't work for Joshua Auto; I work for the property owner, so I don't know when his next court case is.

G. Lake: Dick's comments- are you going to have any problem with any of these?

J. Queenan: No, I just want to clarify comment one. I guess the owner of CPM has one or two antique cars there, it's not an actual business, and it's his hobby so I did confirm that.

D. McGoey: Yea I did look at that. He's got two GTO's, one of them is a basket case, he's probably using it for parts and the other he's probably rebuilding. It's probably a one-time thing.

J. Queenan: Of the rest of those, I just had one question on comment number 10 about the landscaping. Just some direction on it would be appreciated.

G. Lake: Well, most of the stuff you look at is blacktop.

D. McGoey: You've got some land down at the end here- this little triangle. You might be able to do something down there.

G. Lake: Take a look, see if you can do a little something someplace. Like I said, we understand that most of it is blacktop, but maybe some trees or something down on that triangle piece.

D. McGoey: You know also, I want to make sure your parking calculations calls Joshua Auto Repair building its service shop. That is not a service shop, it is automobile repair. Just make sure when you advertise your public hearing, that you name everything properly.

J. Queenan: So just "Auto Repair?"

D. McGoey: Yea, I know he's got body work in there too, and I'm not sure whether that's a separate use in the ordinance or not.

J. Queenan: I don't think body work is allowable.

D. McGoey: So the body shop would have to go unless he gets a variance.

G. Lake: Okay, let me go through the board. Doug?

D. Dulgarian: What's his primary business? Just traditional auto repair? Not restoration?

J. Queenan: Collision, painting, he's pretty much doing everything but his main business is auto repair. He's got 20-25 cars there that are a mess, accidents, whatever else. But most of the other cars were oil changes, and breaks, and what not.

D. Dulgarian: Collision center, body shop, you're going to have paint pollution.

D. McGoey: He paints his fenders on the trees outside.

J. Queenan The property owner wants me to get proof for whatever he needs and then Joshua has to get out or live by it.

D. Dulgarian: If it is a project that hasn't been before us in a long time, we do take that opportunity to beef up landscaping a bit. It is our opportunity to make the businesses in Wallkill look better and we hold everybody to it.

J. Queenan: The applicant has told me to do whatever is necessary to get it done.

D. Dulgarian: I think it's ready to go to public.

G. Lake: Bill?

B. Capozella: Again, it's a perfect opportunity to look at this, the main areas of concern is with Joshua. You know what has to be done there, and you don't want to hear it over and over again but we can't move on from it. Even by setting a public hearing?

G. Lake: I'll come to that. Andy?

A Guattery: So this is the same land holder that's been called out on this twice before

G. Lake: I can't answer that directly, I know the garage has been called out.

A Guattery: The garage has been called out. The garage is a tenant on the sight.

G. Lake: Right.

A Guattery: So now we're going to go to a public hearing, take this site plan, and set some teeth to this to get it cleaned up. Does Joshua Auto understand that that's what's happening?

G. Lake: I think so.

A Guattery: And does the land owner understand that that's what's happening? That this is going to be okay, now it's time to get to the table and get it done?

J. Queenan: That's part of the building department's action.

A Guattery: I've driven past this spot for 50 years, and yes it is not the nicest looking thing in the world. It could certainly be a lot better than this. I don't have a problem with what we've got here, I would really like to see some landscaping, and I know it is kind of tough because it is a lot

of blacktop. If they are actually ready and willing to come to the table and make this happen, then I have no problem going public.

G. Lake: I'm going to put you on for a public hearing January 2<sup>nd</sup>. That gives you a little extra time to come back in to a work session between now and then. I think that not only the board should be able to go out and see an improvement, but the town as a whole would appreciate if a little effort was put in. So, motion to set a public hearing for January 2<sup>nd</sup>, 2019?

A. Guattery: Motion.

B. Capozella: Second.

G. Lake: All in favor?

Everyone: Aye.

**3. Bassi Express Citgo SP REV – 2543 Rt. 302 (24-1-49) #70-18  
(John Nosek)... from Fusco Engineering**

**Fusco:** This is the exiting gas station Citgo station on Route 302. The applicant essentially is looking to prepare griddle type breakfast sandwiches and things of that sort. Although there is no change to the site plan itself, it was determined by the building department that we need to come to the planning board so we submitted an application to the board, and here we are.

G. Lake: Unfortunately according to our code, we're going to have to set you a public hearing. There's not much we can do about that. Now with Dick's comment, are you going to have any problems with those?

**Fusco:** No, we went through the comments, there's a grease trap we're going to have to provide, and there are some notes there.

G. Lake: Let's talk about the grease trap before we get too far ahead. Your engineer is going to have to do that, you don't have town sewer out there.

**Fusco:** Correct. There was a comment regarding landscaping, but it's pretty much entirely surfaced so I don't know if you want us to put some planters or things of that sort, but there's not really a whole lot of area to do some landscaping on.

G. Lake: I'm not a big fan of planters, I think people end up throwing garbage in them and most times they end up in the way, or they get hit. That's just my opinion; I'm going to go through the board

eventually. The site is probably about 98% blacktop or concrete so I have no idea where you could even put anything. Let me go through the board. Doug?

D. Dulgarian: So, the report print doesn't change outside, the changes are to the inside of the building, and mainly that it's a food service?

**Fusco:** Correct. By food service, it would be take out only. There are no seats. It is preparation of breakfast sandwiches and things like that.

D. Dulgarian: So the parking counts don't change at all?

**Fusco:** we made a department **\*\*something\*\* (26:12)** because the building footprint is not changed. At one time there was talk about maybe trying to expand a bit, but that is not the case so that has been retracted. The footprint of the building stays the same so we provided parking calculations on page 2. We did meet the parking requirements.

D. Dulgarian: Now, you say there are 10 there now?

**Fusco:** Yes, there's an existing 10. We're going to provide 20 more.

D. Dulgarian: Would that mean you have to blacktop some more area?

**Fusco:** No, I think it is just striping. It is pretty much entirely paved so I think it is just designating the spaces as per the code requirements.

D. Dulgarian: Okay, again, if it was not a paved area, I wouldn't be for having that many spots paved because that's just overkill.

G. Lake: Doug, now that you brought up parking, **\*\*town\*\* 11 and 12, just take them out. (24:51).** That's just waiting for somebody to get hit.

D. Dulgarian: I think what he's looking for is very minimal; I don't see any problem setting a public hearing. I plan on taking a spin by there just to take a look at the landscaping, but there seems to be a lot of restrictions on what you can do.

G. Lake: Okay. Bill?

B. Capozella: I'm in favor of eliminating 10, 11, and 12. I really don't see the usage there; it's more of a headache than anything else. Landscaping- I don't know. I don't really see anything out there.

G. Lake: Andy?

A. Guattery: 10, 11, and 12 are not going to work. It's very tight in front of that. There really isn't a lot you can do for landscaping because it is all blacktop. I think take those three parking spots out of there, maybe some striping where 10 was, as a no parking area so that people can get to the diesel pump. Other than that, I'm okay with a public hearing.

G. Lake: Okay. So you're not going to have any trouble with Dick's comments?

**Fusco:** No.

D. McGoey: There is a little area on the side you may be able to do some landscaping whether it be grass or something like that.

G. Lake: Just take a look at that.

**Fusco:** You will see in the front, some existing shrubbery, not much but there is some.

G. Lake: Okay, motion to set a public hearing for December 5<sup>th</sup>.

D. Dulgarian: Motion.

G. Lake: Andy, second?

A. Guattery: Second.

G. Lake: Bill? All in favor?

Everyone: Aye.

G. Lake: Opposed, none. Dick do they need another worksession?

D. Mcgoey: Yes, to see how they modify everything.

G. Lake: Okay, thank you.

**4. Quick Start Convenience SP REV – 465 Rt. 17M (39-15-9) #76-18**

**John Fuller**

**John:** This is an existing convenience store, located on 17m. It is in the HC zone. The existing parcel is a little over 26,000 square feet. It was at one time I believe a 711. It has general convenience, food inside, a deli to make breakfast sandwiches and other lunch sandwiches. What we are trying to pursue is a full site development. There are the existing conditions which I have on the map. The proposal would be to add a second entrance on 17m, recognizing that will have to go through the state, and then have gas pumps in the front of the property with one way in, and one way out. In the process they would hope to make over the site with new blacktop and new landscaping, along with some other features. Right now, due to the nature of the sight being just over 26,000 feet, we will need an area variance because the zone for filling stations requires a minimum of 40,000 square feet. So I'd like to present the project and then request a referral to the zoning board for the variance. I know I have had worksessions with Dick, and I have pages of comments which will be reflected in future revision of the plans.

D. McGoey: A few of my comments are going to result in other variances. So, I thought maybe if the board schedules a public hearing, we could have a worksession before that so you know what types of variances you will need before that. You have to be careful, gas pumps are supposed to be 20 feet from any property line.

**John:** Currently in the plans we have it measured from the edge of the pavement and it is at 15 feet. I recognized that comment, and I think we can move those pumps to 20 feet.

G. Lake: The pumps he has 15 feet from the pavement edge, and then 15 feet on the other side, and only 15 feet to the Parking. Don't we normally go for 20 or 24 feet?

D. Mcgoey: Well, if it is one lane, it can be 12 feet. But it can't be two-way traffic through there.

**John:** The intent is to create one lane.

G. Lake: My first thought on that, is then the curb cuts have to reflect that; that you can only go in one way and out another. Right now, I can see that exit becoming an entrance and exit very easily. At the present time, how many variances are you going to need to continue on do you think?

**John:** Well I think the area variance is the largest one. Right now, the lot is a corner lot so if we interpret one as a side yard, I assume the zoning board will interpret the other as being a rear yard. Being an existing building it would be an existing variance, but request acknowledgement of that. Most of those variances are consistent with the overall lot development for this zone, meaning that they are all the same for all lots. The only one that is special is that normally any

lot in the zone has to be 20,000 feet but since it is also a filling station, the zone requires 40,000 square feet.

D. Mcgoey: I see at least 3 variances to answer your question. The gas pumps, the lot size, and the setback for new parking spaces less than 10 feet to the property line; and that's in two locations.

G. Lake: Okay, let me go through the board.

**John:** The only other thing I wanted to add, is that there is other filling stations within one to two blocks of this location that are on parcels smaller than this.

G. Lake: I realize that, but they're not here, and they've been in existence for an awful long time. I think everyone on the board is fully aware where the other filling stations are. I'm just going to tell you that it's awfully tight and that North Street quarter right there seems to be a pretty tough spot to get out of these side streets. Let me go through the board. Doug?

D. Dulgarian: Well, at first review, this is a very ambitious plan. The things that stick out to me are the size, and the tightness of everything., The gas pumps are not in visual contact of the store and any of the cashiers. Typically properties that are big enough to allow the pumps to be in front or behind the building where the attendance can be watched the whole time. These are off to the side, again because of a limited sized lot. This bothers me in terms of safety reasons. The six spaces you have are very close to the pumps. We have places now that in hindsight really don't have enough room- and they have even more room than this. It creates vehicles backing into traffic or customers that are at the gas pumps. If you go up to the far end of the building which would be the north side closest to 17m North Street; right in front of the building, what direction is that traffic going in?

D. Dulgarian: My point is, off of Commonwealth Avenue when you get down to the other entrance it says exit only and it only flows through the property in one direction which is north. So at what point is there a no fly zone.

**John:** I recognize they would have to turn around. What you're saying is that if they came in here and all these parking spaces are full they would be trapped. They would have to exit back out of the property if they could not go forward.

D. Dulgarian: Yes, so once again, we have a lot that really is inferior to allow what you're looking for, for pump reasons, for parking reasons, flow reasons, so I think you have a tough one here.

G. Lake: Bill?

B. Capozella: When you first look at this site, the first thing that comes to mind is just the flow of the traffic. Obviously we know it's a tight spot, especially with some of those parking spaces by the pumps; trying to pull out of there while others are pulling in. People are still going to try to come in and go to the front of the building anyway. As far as the Commonwealth, I don't even know if that's worthwhile to even do with the flow of the traffic. Just at first site right now, it looks difficult trying to coordinate something in there.

G. Lake: Andy?

A Guattery: You've got a far bigger problem than just two ways in and out of Commonwealth Avenue. With your pump clearances from the curb, and your one way south to north flow. If I park a car on either side of those pumps, I've blocked up all of that, and if a fuel truck comes in, we're all done. No one comes in from the south and gets to the north. Which means the only way people can get into this site at that point, is to go up to Commonwealth avenue which turns the whole "we're trapped" problem into a disaster. That's just not going to work. It is very tight, it is too tight. I'm well aware of the property; there is not a way in the world you are going to get a curb cut south and north so that if a tanker truck comes south and turn and get on to that property, they will get where they need to go. They are going to have to come only one way. That's a problem. If you look at just your quick sketch, you've got a 60 foot canopy. If you have your standard 72 foot long truck and trailer bringing fuel, 6 spaces are out, 4 spaces are out, 2 people are at the pumps, and no one gets in or out of the property. I don't see how this can work. It's just not laid out well to do what you want to do. It's an ambitious shot, but I don't see how it's going to happen. The other problem you have is the 4 spaces. You're going to come in from the south and your driver is going to do a 120 degree turn to get into that space. They are going to have to back into the flow of traffic, and do a complete turn out to get out of here. It's just way too tight. Add to the fact that they can't see the pumps at all, and what they are going to see right here is fender bender after fender bender. I think you really have to think long and hard before you try for the next step, because I think you're going to have a tough time getting this one to work.

**John:** we appreciate all the comments and I do think there are ways around the traffic flow. A number of small stations I am familiar with usually close off the entrances, they fill on off peak hours, they cone off the entrances, things like that.

A Guattery: Well, that's something that has to be thought about as you try to move forward.

G. Lake: Now they have tables inside, so are you basing this off of eating and drinking inside also?

**John:** No, we've done this under a general convenience.

G. Lake: I just don't know if you've counted that into the number of tables you have.

**John:** No I did not.

G.Lake: Listen, I think if you want to go to ZBA I'll send you. I think you heard a lot of concerns from this board. Andy just brought up an excellent one about the tankers coming in, and I happen to agree with him 100%. If you have a tanker in there, I don't see how anybody is going to get around that site, and it's nice to say they'll come at night or on off hours, but in the real world that just does not happen. They're coming when they need gas. In terms of the perking coming out, if I were to do anything, I'd say angle it so they can't come back down to your entrance instead of just coming straight out and giving the option to turn right or left. I think its awful tight and not every site can be produced to every inch. I don't know if you want to go in for another worksession before you send in your application to the ZBA? So if you want to go to the ZBA, I will send you there now, but I have to tell you, just because I am sending you to the ZBA does not mean that this board is going to accept a site plan, because they may give you a variance for a side yard or something. Motion to send them to ZBA?

B. Capozella: Motion.

G. Lake: Andy, second?

A Guattery: Second.

G. Lake: Doug? All in Favor?

Everyone: Aye.

G. Lake: Okay, thank you.

**5. 12<sup>th</sup> Rock Ministries SP/SUP- 440 Mt. Hope Rd. (69-1-64.22)#34-13**

R. Winglowitz: I am here on behalf of 12<sup>th</sup> Rock Ministries regarding their site plan application for recreational facility. There was an extension granted for a year back in February, part of that was ironing out all of the water and sewer agreements with Middletown and District coordination. Finally the DPW approval of the entryway to the facility. All of those have been received at this point. We do have Dick's comments.

G. Lake: Are you going to have any problems with any of those comments?

R. Winglowitz: No.

G. Lake: Okay, this has been here a long time. I don't have anything myself so let me go through the board. Doug?

D. Dulgarian: Nothing.

G. Lake: Bill?

B. Capozella: The only thing I never liked is just the way it comes out onto Mt. Hope road, but the project itself is a plus for our town.

G. Lake: Andy?

A Guattery: I just have one question; this involves the whole emergency access, but what about emergency egress? There are 600 parking spaces here and if you have an event going on, how are we getting people out of here if we need to get emergency vehicles in? It's one thing if we have to bring an ambulance, that's easy. If we need fire trucks, and 600 cars are leaving in a hurry, how are we making this work? I just want to make sure that we've thought this through well so that no one gets hurt if that does happen. Other than that, I am fine with the entire thing.

R. Winglowitz: I think we're basically going to use the same route that the schools use, and use Egerton Avenue as secondary access so that fire trucks could enter from one direction or the other while cars are exiting the site. So those two access points give us two options for exits.

A Guattery: And we're making sure that the access point is wide enough that we can exit through your gravel path while emergency vehicles are arriving.

R. Winglowitz: The design is up to building code; 20 feet wide for emergency apparatus access.

A Guattery: Well now that we've all thought that though, I have absolutely no problems with this project.

G. Lake: So, motion for final site plan special permit use approval?

D. Dulgarian: Motion.

G. Lake: Andy?

A Guattery: Second.

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G. Lake: Bill? All in favor?

Everyone: Aye.

G. Lake: Opposed? None. Thank you very much.

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