

Town of Wallkill
PLANNING BOARD MINUTES

October 17, 2018

Members in Attendance: Gary Lake

Tom Hamilton, Clark Najac, Bill Capozella

J. Keegan, & A. Guattery, T. Hamilton

No Doug Dulgarian

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

Tad Barone, PB Attorney

PLEDGE OF ALLEGIANCE

7:30 PM – MEETING OPENED

Hallister/Reardon SP/SUP – 709 Bloomingburg Rd. (3-1-69) #08-18

M Hunt TOWN OF WALLKILL PLANNING BOARD NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING of the Planning Board of the Town of Wallkill, Orange County, New York will be held at the Town Hall at 99 Tower Drive, Building A, Middletown, NY in said Town on the 17th day of October, 2018 at 7:30 pm or as soon thereafter as the matter can be heard that day on the application of HNR associates LLC, PO Box 4299 Middletown NY 10941 and Hallister LLC 62 Grandview Drive Bloomingburg NY 12721 for approval of site plan/special use permit on open development SD located at 709 Bloomingburg Rd. and 21 Allen Lane, Bloomingburg NY Also known as Section 3 , Block 1 Lot 69 and 7.2 1 Under Section 249-34, 249-39 and 249-9.1 of the Zoning Law of the Town of Wallkill and NYS Town Law 280a. All parties of interest will be heard at such time and place. I rec'd his mailings.

T. Depuy I am representing Hallister and HR Associates. They have an existing bldg. on Allen Lane and own the adjacent land. We had come to this Board and after some discussion it was determined that it should be an open development or private road. We went to the Town

Board and did that process and have returned to this board. This is the site and they own these properties which we are proposing 3 separate parcels that will access Allen Lane. These 3 parcels will have a road maint. Agreement over Allen Lane. These 3 residential parcels will have access over Allen Lane but will not share in the maint. Costs. As far as the site plan we have a proposal for an 8000 s.f. bldg. with a 4000 sf addn. We propose the bldg. to have a loading dock in the back. SW detention and septic system which we will have to pump to. We could not get a perc in the low area.

G. Lake You rec'd approval from the Town Board for open development? (yes) Motion to open this PH at 7:38 pm. Motion to close this PH at 7:39 pm – Bill/Andy 6 ayes. Any problems with Dick's comments?

T. Depuy No – we had submitted to KC for septic approval. The other items are mostly notes. I'll check with the Fire Inspector but we were in agreement with the 26' width.

J. Keegan It fits in with what is in there and we are banking some parking spots. I'm good.

B. Capozella It's a private road with a maint. Agreement? (yes) I like to see the flow of the traffic but this case is different.

T. Depuy It's 24' wide with 1 ' shoulders. Plenty of room for 2 lanes.

C. Najac I'm good with it.

G. Lake Good use. Motion for neg dec/part 3 EAF subject to comments. Bill/Jim

D. DULGARIAN	ABSENT
J. KEEGAN	AYE
B. CAPOZELLA	AYE
C. NAJAC	AYE
A. GUATTERY	AYE
T. HAMILTON	AYE
G. LAKE	AYE

Motion for SP/SUP and SD subject to comments Clark/Andy

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

A. GUATTERY AYE
T. HAMILTON AYE
G. LAKE AYE

Thank you and good luck.

Bounce SP – Extension to final approval- North Galleria Drive (78-2-2.1) #17-17

G. Lake Ok, their maps are signed, it's coming up on a year and they have a letter of request in for this. Motion for one year ext. to final conditional approval. Andy/Tom. 6 ayes.

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

A Laput Good Evening, I represent Alan Madnick with this project. We are proposing a self-storage center on 17K near Stone Schoolhouse Rd. We were previously here in April and we needed to go back to NYS DOT and work out issues for the entrance. This design is what they agreed to. We did get an email and forwarded it to the office. The rest of the site remains unchanged.

G. lake Marylynn, did we get that email? (yes) How many s.f are you covering and how many units?

A Laput Once we brought the setback to 100' from the property line it cut off the front of the units. We have no laid out how many 5', 10', etc will be in them but we show the coverage. Allowable coverage here is 71,968 and we are proposing 39,180 s.f. bldg. coverage. The impervious allowed is 119,000 and we are proposing 61626.

G. Lake This is the landscaping from 17K?

A Laput Yes, coming from the East. The trees look bigger but they are 3.5 inch caliber so we are drawing them at 18-20 height. They are maples and silver lindens. We picked the brick – it's either brick or stone in the zoning. And some shrubbery along the front. this is some existing trees here. this is a pretty dense patch of existing trees. We wanted to clarify with the board that it is required to have the stone or brick. We are going to do the fronts and the long sides of each end.

G. Lake Any problem with Dick's comments?

A Laput No. We are still looking to use the plastic grid paving. This has been around for some time. One of the comments was about the installation of the living wall. We have a retaining wall that is about 8 ' high about ½ of it. We are going to excavate back for that – it's not clear on the details that we are not encroaching on the property line so we will show that.

R. McGoey You will have to convince me that you are not going to encroach. Maybe you can do a cross section.

A Laput C903 shows the details of how the wall is built. It shows the dimensions for this pitch on the front of the wall. It goes back 4.5 inches for every foot out.

G. Lake We will examine that before we sign the maps.

R. McGoey Do a cross section that shows the property line accurately.

A Laput There is a comment about the storm drain and the curbing. We are showing the curb at the center of it- this is a field basin, everything is flat around it. Dick – should I show this in profile, the curb and the return down to grade?

R. McGoey I've never seen a curb come into a center of a catch basin.

A Laput It would be a flat field grade. Curb we can move one way or another.

R. McGoey The velocity of the water coming down will rip that grass apart.

A Laput We feel it's a water quality issue but we can pave that.

G. Lake Let's get together at WS and work that out to everyone's satisfaction as far as the 8% or 5%. We want to be on the same page when it is constructed.

A Laput This section is paved here to that field basin.

J. Keegan What is on the side that you are encroaching on.

A Laput It's undeveloped.

J. Keegan It is a bit better but we had issues with storage units of this size in Town . there is still not office bldg and I understand it's not in the code but I feel the Board has recommended something. We don't make them lightly and a good applicant would work with us. I feel like you are not really listening to us. It's not going to hold up the project and I have nothing else at this point.

A Laput We offered to show a maintenance contract.

B. Capozella that is what I was going to ask you about. Since there is no office what type of agreement is it and do we need to look at it carefully to make any other suggestions. Will it be maintained and cleaned, what happens if there is a break in? it is something we need to see in it – some type of verbiage.

C. Najac Yes, a concern that there is no security and no place to put a security office if you need it. You are banking on the fact that this will all work. We don't have anything to fall back on if this does not work – stormwater as well. Maybe a smaller footprint until you can prove that works.

A Guattery I see in the notes you have landscaping and maintenance contract. The concerns are clear about no office on site. We have all been looking at these recently. Those that were built without them now have them they have returned and put in an office. It would be in your best interest to talk that out with the applicant. There are a lot of units there. there seems to be issues that have caused the other to put offices in. As for the permeable pavers I have done my homework. I have a little question about your detail c902. You are showing an 8" minimum depth for the drainage stone. I have been talking to this company directly, 6-8 " minimum is the standard and the minimum. Heavier loads they are asking for more. What is it that you think is going to be pulling into this facility? I can tell you that they are telling us for a 24' straight truck they want 11" minimum. I think you might want to take a closer look at that. you have heard our concerns about the drainage. I think the concern will be the degradation of the material itself and loss of the parking lot that will cause problems. Other than that I have nothing.

T. Hamilton I don't like the fact that no one is on site. I have seen a parking lot that used some of this and you start to see more and more of the grid because the gravel is shifting around. What happens when you try and plow and you hit it and damage it?

G. Lake I think you heard the concerns of the board. The office really bothers me. I was not going to bring it up but I did the first time you were here, I feel it's a good sized facility and I ride around the Town where they do have someone on site. They are the ones that have held up and expanded and done well. I ride by a couple with no office on site and it's a different story. I am disappointed that a facility this big has no office. Why they feel they don't need it and that I should just run on automatic. I thought this board made it clear but it was not addressed. I can't understand the amount of money going into this and the fact that the owners don't feel they need anyone there to patrol it and make sure it is not broken into. I have been to ones that have been broken into- cut right thru the roof. The couple things we need to clean up we can leave to Dick. Or we can table it to return to worksession. We have a problem with a couple of things but I will leave it up to the Board. Do you want to call the vote?

R. McGoey I'm fine – he just needs to return to worksession.

G. Lake I will call the vote but when you come back with the next one on 17M you should think of putting in an office on that one. A project of this size needs it.

Motion for neg dec/part 3 EAF subject to comments. Andy/Bill

D. DULGARIAN	ABSENT
J. KEEGAN	AYE
B. CAPOZELLA	AYE
C. NAJAC	AYE
A. GUATTERY	AYE
T. HAMILTON	AYE
G. LAKE	AYE

Motion for SP/SUP and SD subject to comments Andy/Tom

D. DULGARIAN	ABSENT
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T. HAMILTON	AYE
G. LAKE	AYE

Weatherly Estates 7 Lot SD – Howells Rd. (32-1-29.22) #36-15

J. Atzl Hello – I am the engineer for the design.

G. Lake You are here for a sketch to determine which way to go from here. Tell the board what you want to do.

J. Atzl We have been to numerous worksessions – this started out as an 8 lot SD. We inherited it from Dan Yanosh – it was a conservation layout and we came out with a conventional where we could only get 7 lots. We reduced the conservation down to 7 lots also. Almost 10 years ago there was a perc test. Based on the conservation layout and why we prefer it is we had to play around with it to get lots to perc. The septic and homes on the conservation layout is where the perc tests were done and passed. They are not more than 10 years old and some are still valid. The other reason we prefer the conservation layout is as you enter it off of 211 all the lots on Pennsylvania and California Drive are small lots. We grouped them all together as you do on a conservation layout and kept the homes closer together. It does meet the criteria of the zoning and bulk tables. The easements are owned by the homeowners with deed restrictions typical of a conservation easement.

G. Lake Are you doing individual wells or tapping into the Town. (individual wells). Did you check into it – I'm not sure if that little system there would support an extra seven or not. Maybe look at it. I don't see the big advantage for the Town and the ownership of the conservation area, you say it will be a homeowners association?

J. Atzl Each conservation area would be under the individual homeowner in deeds. They will own their portion of the conservation area.

G. Lake I thought the conservation area was left in whole.

R. McGoey Not necessarily – the Crossview SD is an example.

G. Lake Basically the only reason you want this is to get the houses closer to the road and add the useable lot a bit smaller?

J. Keegan I think the conventional SD is nicer but I see his point when you look at the other lots surrounding it. They are similar small lots and closer to the road so it would fit in. I'm fine with it.

B. Capozella I don't see this as a conventional SD – the only advantage you might see is the septic. Why can't the septic be where they are on the conventional one. I'm not too clear on why the differences. In all honesty I don't see the advantage of the property. The whole concept of conservation is that other people can use the land and this is not the case with this plan. Normally we have an idea that has extra green space but since they are responsible for the lots the conservation doesn't make sense. It does not define conservation in my eyes

C. Najac Either plan the lot lines run all the way in both directions .we are not leaving conservation land as a separate piece. They are pretty close. You shift a couple lines and there is not much difference. I really don't see a big difference. I can understand doing a conservation to protect the wetlands but you are still putting the septic systems pretty close to where they were originally – I don't understand why you are going thru the extra work to do a conservation sd.

J. Atzl The conservation layout that we have got all the lots to perc. Lots 1, 2 & 3 were very good perc's. The areas you could not get to perc were 4, 5 and 6. We have proof we can get them to perc but on the conventional we are not so sure.

A. Guattery When you put these conservation lots as part of the homeowner's lot what does that do to their taxes. Is it taxed the same rate?

G. Lake I ask because if we turn it into conservation we are making smaller lots to fix the neighborhood but will they be paying taxes on 90 acres of property they can't touch? Personally I think the conventional layout makes a nicer SD although it does not fit the neighborhood. I'm not against this, I question why lot 7 is a great big lot and there is still a perc issue?

J. Atzl It used to be lot 7 and 8 but we could not get 8 lots on a conventional. In the original lots 7 and 8 had the most trouble. We now only have to get 1 septic in there which we did get a perc.

T. Hamilton Each individual has a big piece of property they can't do anything with. they are taking the burden and it is not used like a normal conservation easement area.

G. Lake we have not done a lot of these SD's. Dick – is there a percentage of the conservation SD that has to be usable land?

R. McGoey I think he has provided the analysis of that.

J. Atzl If you choose to go with the conservation and you want it in a separate entity for the overall SD we don't have an issue with it. It is cleaner and simpler for the homeowner to take possession and have deed restrictions.

G. Lake No. the bottom line is that has always been part of the problem, who ends up with it, uses it and is liable for it? At the same token, the people around there on Howells Rd. cannot come on that conservation land. If you decide to continue on with the conservation SD with the individual homeowners keeping it then I have to assume they go to the Assessor and she will assess on 10 acre/ 2 acre lot etc. I don't know if she separates the wetland etc. for value.

J. Atzl In some other municipalities it is taxed at a lesser rate.

G. Lake I think we have done 3 or 4 of these, none built yet. It's not on top of my list. I like conventional, they give a nice clean SD. If you want to move forward you have the right. You have a bit more work to get back here. Right now we will accept both as sketch – motion to accept conventional or conservation as sketch Jim/Bill 6 ayes. Return to worksession.

Middletown Medical SP REV. Parking Lot (55-8-3 & 55-8-8) #72-18

J. O'Rourke Lanc & Tully and I am here for Middletown Medical. They employ approx.. 500 people in the Town of Wallkill. We were in front of the board for an expansion on Maltese Drive. Since then another bldg. on Dunning Road was purchased and is moving that portion of the medical use there. the existing approval we rec'd about 2 years ago is not going to happen. They would like to do a minor amended site plan to add some parking. We plan on doing a 60+ parking area for employees. The main parking by the bldgs. Will be for patrons only. It is located next to this bldg. that they are currently using as storage/office space. We hope to do it this year.

G. Lake any problem with Dick's comments? (no)

R. McGoey Access drive into the interior roadway?

J. O'Rourke We will lose some parking but we should be able to do that.

R. McGoey The board had some concerns with pedestrian passage between the parking lot – how do you propose to make that safe? They are walking out in the road right now.

J. O'Rourke Yes, previously it was more of a medical complex with patients walking back and forth but this is only employees. We propose to some striping where we make the interconnect

to the inner road here with a crosswalk and stripes down this drive to here and then a crosswalk and stripe here. there is no room for sidewalks or expansions. We are trying to solve the existing parking problem.

J. O'Rourke The access into the parking is off the existing drive for employees only. It will open up more spots by the bldgs.

J. Keegan Parking is an issue and this will alleviate the problem. The only thing is try to keep the employees off of Maltese. We don't want people up and down that road, prevailing speed is fast. No other issues.

B. Capozella I like the crosswalks. No issues.

C. Najac This will be an improvement. No issues.

A Guattery Good idea. No issues.

T. Hamilton No issues.

G. Lake I have no issues, it's a good idea. Motion for neg dec/part 3 EAF subject to all comments. Tom/Andy 6 ayes. Motion for site plan revision subject to same. Andy/Jim 6 ayes.

MOTION TO ADJOURN.