

1-15-20
PB Minutes.

Town of Wallkill

PLANNING BOARD MINUTES

January 15, 2020

Members in Attendance: Gary Lake

Clark Najac, Bill Capozella, Doug Dulgarian

Andy Guattery, Tom Hamilton, Jim Keegan

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

Tad Barone, PB Attorney

PLEDGE OF ALLEGIANCE

7:30 PM – MEETING

G Lake: Ok we have one PH tonight. Crystal Run Galleria Hotel 1 Galleria Dr. : if you want to speak at that PH please come up, fill out a card and we will call your name at the proper time. We also have two cancellations: JJPH on Dogwood and Ciliias’s site plan for 178 Watkins Ave. They have been cancelled for the night. With that I will have MaryLynn read the notice as it appeared in the paper.

1 – Crystal Run Galleria Hotel SP/SUP – 1 Galleria Dr. (78-1-92) #128-19

M Hunt: “Notice is hereby given that a public hearing with 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 15th day of January 2020 at 7:30PM or soon thereafter as the matter can be heard that day on the application of Crystal Run Galleria LLC: 4 Clinton Square Syracuse, NY. For approval of approximately 134 room hotel. Located at 1 Galleria Drive, Middletown, NY 10941 also known as Section 78 Block 1 Lot 92 under section 249-26.1 of the zoning laws of Town of Wallkill. All parties of interest will be heard, at such time and place.” Mailings have been received.

G Lake: Thank you, OK. Who’s here for the galleria. Come on up. Ok this if for only the special use permit. For the hotel on that property. The site plan will follow, at their convenience.

D Aitken: Thank you chairman, I signed in. MY name is David Aitken from the Galleria Crystal Pyramid Mgmt Group. Joined this evening by Eric Price who runs the property for us. Eric has signed in as well. We do appreciate the consideration of the planning board this evening to schedule the PH. As you indicated Chairman this is specifically for the Special Use permit we wanted to get that authorized by this board and then we would move forward. In terms of design and the other diligence and some additional WS, with the staff of the town as well as the third party. We did have the pleasure being in front of this on December 4th and covered many of the items relative to the project. Happy to reiterate any of those this evening. I also do believe that 6/7 board members were able to make it to the field

1-15-20
PB Minutes.

trip that we did on December 14th. To show the proximity of the hotel to food court area and as we have indicated focused on those things that were raised by this body. As a result of the plan we have an updated sketch plan with the joint property owners that was requested by staff. We did end up increasing a parking immediately outside the movie theatre and the JC Penney entrance. By an additional 181 spaces. As we indicated this is being modeled after other hotels that we have at two other properties within the Pyramid Portfolio. In that construct as well as we move forward into the designing phase we will take into consideration a suggestion that was made by the PB in terms having a drop off and pick up area in that area by the movie theatre. Obviously maintaining complete line of sight as well direct access to the entrances in those areas. I do know that one of the other questions that was raised previously was about ADA Parking, we will obviously, as we do today, we will exceed those requirements. I have a consultant that helps us make sure given the number of entrances onto the property and into facility. So Mr. Chairman with that I think I am going to ask if there's anything else that you would like us to

G Lake: I'll go through the board.

T Hamilton: can you turn that just in case the public needs to see. We have small ones in front of us. Let them look at it.

D Dulgarian: I'll wait

J Keegan: after the public

B Capozella: No

C Najac: after the public

A Guattery: after

T Hamilton: after the public

G Lake: I'll open the PH at 7:37PM. I don't see any cards up here. Anybody?

Motion close PH at 7:38PM **Bill/Jim 7 Ayes 0 Nays**. PH closed

OK Dick's comments. About your special use permit.

D McGoey: we did get a revised sketch plan showing the joint property owners, bulk tables the zoning districts. Looks like they can have a hotel which complies. Once we get a SP. They did revise the environmental assessment document.

G Lake: OK let me go back through the board.

D Dulgarian: actually, curious why we separated the Special Use and the SP? I don't know if I have ever seen that before.

1-15-20
PB Minutes.

D Aitken: A couple of different reasons: one in terms with working with the brand and financing just indicating that there's absolute certainty that the use of the hotel will be approved on site. I have seen it done in other ways similar to that throughout across the portfolio. Breaking it into the two steps. So this way we'll advance the design, we will work with the brand and make sure we hit all of those standards. Come in with that and meet the staff.

D Dulgarian: thank you Gary I am good.

D McGoey: Doug we did it one other time and that was for the Golden Triangle.

J Keegan: Obviously when it comes time for SP we are going to have to see a lot more detail but as far as the Special Use permit, I have no problem with a hotel in that area.

B Capozella: no issues with this special use permit.

C Najac: no issue with the special use permit.

A Guattery: no issue

T Hamilton: special use – no issue.

G Lake: ok then I think that little field trip did a lot of good. It answered a lot of questions right there. That was a Saturday Morning well spent guys.

Motion was NEG/DEC Part III EAF. Bill/Clark Marylynn call the role:

Mr Dulgarian: Yes

Mr Keegan: Yes

Mr Capozella: Yes

Mr Najac: Yes

Mr Guattery: Yes

Mr Hamilton: Yes

Mr Lake: Yes

Motion for a special use permit subject to our comments. Andy/Tom

Marylynn call the role:

Mr Dulgarian: Yes

Mr Keegan: Yes

1-15-20
PB Minutes.

Mr Capozella: Yes

Mr Najac: Yes

Mr Guattery: Yes

Mr Hamilton: Yes

Mr Lake: Yes

G Lake: very good, think you got it. Very good thank you!

T Hamilton: are we going to see renderings of the hotel and everything when you come back?

D Aitken: yes sir.

T Hamilton: OK

2 – Loiodice SP – Ext to Cond. Approval 682 Rt 17M (36-2-62.22) #63-16

G Lake: good evening, name for the record.

James Loiodice.

G Lake: OK you are looking for a one year?

J Loiodice: yes I believe that everything is in order with the WS set up for Friday so I am hoping to finalize at that time.

G Lake: ok let me go through the board

D Dulgarian: one year extension!

J Keegan: one year extension!

B Capozella: one year

C Najac: one year

A Guattery: one year

T Hamilton: one year, did you give us the reason? Why?

J Loiodice: we are just waiting for an outside agency, state permit took awhile.

T Hamilton: OK

1-15-20
PB Minutes.

G Lake: OK did you sign in by any chance?

J Loiodice: no

G Lake: yes please do that thank you. Anything else Tom?

T Hamilton: no that's all

G Lake: OK **motion** for one year extension **Tom/Jim 7 Ayes 0 Nays**

Ok you got one year and we will see you, I guess Friday.

3 – Holiday Lake LLC SP/SUP (60-1-41, 42, 44, 45.2 & 123) Sullivan Lane #120-19

G Lake: Did you sign in? Good Evening name for the record.

RJ Smith behalf of the applicant. And John O'Rourke from Lanc & Tully Engineering, the project engineer is here as well. What I would like to do is take a moment and just set the table for a little bit of background. Going back 20 years ago when the town and many involved with the town on this board, were lobbying the NYS to redesign/rebuild exit 122. Was a laborious project and many meetings and hearings, the state came up with multiple designs. Those of you who were around recall. The design that the town preferred was this design because it had a loop road that would link Ballard Rd Sullivan Lane through to East Main Street. Have that loop that would complement Ballard Rd that would complement Crystal Run Rd. Ultimately they came back and said they couldn't do that but they would do this design. Which is what is built today except for part of it. That design facilitated the future extension of a loop by having the commuter lot and that intersection with the light and of you look across that intersection, there's a curb cut there where this exit ramp going West was supposed to be an entrance and a slip ramp to go right onto 84 which was supposed to be second phase. Your guess is as good as mine as to when that will be built.

T Hamilton: they used the money in Westchester.

RJ Smith: but neither of that. When that happened we collaborated with the town and basically said that in order to facilitate that future loop road, you had to get all those property owners to agree to assemble their properties and work together. No small task. What brought about this development plan is the fact that after a lot of effort and one of the property owners willing to open their checkbook we now have seven properties under agreement. Three are owned by this family, the Weiss family. The other four are under contract including three residential homes all of which will be removed. So there'd be no conflicting residential homes in that immediate area in Industrial Park. Corporate Park would be bland. So with that, that enables us to have this design which will permit a through road from the commuter lot all the way through to River Side Dr. Then a lateral connector to Sullivan Lane which this board facilitated when the Credit Union was built by having that realignment and the entrance for the

1-15-20
PB Minutes.

Credit Union lined up with Ballard Rd. A light pole moved and irrevocable easement offer/dedication for the balance. What the town had envisioned twenty years ago, this project proposes to accommodate. Then Supervisor Diana had communicated with the DOT to get their cooperation and also asked Lou Ingrassia that land be dedicated along the Wallkill River for Well Head Protection and future water supply which this plan also has that. So with that I'll ask John to take you through the plan.

G Lake: the water head protection, that's what 15 acres, if I remember correctly?

RJ Smith: correct. 14.65 on the one piece. On the Gurda piece there's still a parcel, it is more than 15

G Lake: which is going to be deeded to the Town eventually for the water head, OK

John O'Rourke: Good evening, John O'Rourke with Lanc & Tully Engineering. RJ stole most of my thunder but yeah it was over 20 years ago when luckily I have been involved in Rykowski Lane and we put the little cu-de-sac with the thought of always extending it. As RJ said when we did Gurda we had extended then as well. He has sold that property again and kept extensions but he just couldn't get a buyer for that layout so now we have Weiss coming in and we have about a total 1.25 million Sq.Ft. of warehousing we have just under a mile of improved roadways. Including water and sewer. As the chairman said we have 14.6 acres we are giving to the town for the Well Head Protection reverse. Sullivan Lane which is not highlighted on here but if you remember when we did the TEG bank, as RJ eluded to we have the design for that as well so that would be part of this project as well. So we would have the connection at River Side Dr, the park and ride, Sullivan lane and also we are going to extend more for emergency then actually traffic but the existing road that's a portion built by the pediatrician/Orthodontist/Pediatrician off of Crystal Run Rd. That would connect into here as well. We have taken seven lots, we have combined them for a lot consolidation and a SD for three new lots. These 14.6 acres would go to the town and join their existing parcel so it's actually a three lot SD and a lot line change. We are in the OR district. We have water and sewer. Again we are going to loop the water all the way through the roads end through Sullivan Lane. As well as connecting down here with the sewer which ties into your existing sewer trunk line. We are in the OR district and the town board has approved a majority of these lots, I believe.

RJ Smith: Yes the new town law because there's such a OR there's no demand for office vacancy and the town adopted a local law a couple of years ago that

G Lake: overlay district.

RJ Smith: exactly, and they did this originally with two parcels and now just passed a new resolution in December for all seven parcels. I can provide you with a copy of that.

J O'Rourke: ok again this is the general layout. It's a little bit clearer than the plan we submitted. It was kind of busy. Again this is conceptual only. I did receive some of Dick's comments. I wanted to touch on a couple of them. Probably the most important one: the only variance that we are going to be asking

1-15-20
PB Minutes.

for, and we are not sure how to do that, is for the lot pervious coverage. Because we are giving this 14 acres to the town. We now exceed the 60% that you are allowed. So I don't know

RJ Smith: actually the town board when they asked us for the dedication letter layout for the Well field protection they said that property could be used for coverage.

G Lake: can you guys get us copies of that? From Mr Ingrassia or with the new supervisor. Out of his office. Just to give up 14 acres to benefit the entire town. My own personal opinion is that yeah you ought to get some kind of credit for it.

D McGoey: are you going to use that when you go to the zoning board? Or are you going to be able to avoid going to the ZB for that Variance?

RJ Smith: No we would avoid going to the ZB. What Lou and Ed had said at the time, they called and asked for us with this plan because we had already been in to give the resolution, which they authorized, I said can you dedicate land along the river? They said to us that we could still continue to use that for coverage purposes but it would be dedicated for, not be developed, it would be green space and dedicated to the town.

D McGoey: yeah I suppose you could probably get approval and then SD it later and then give the land to the town and then meet their coverage requirements. So it's a wash but I think

G Lake: what other variances are they going to need besides this coverage thing?

D McGoey: I thought there was a side yard issue!?

RJ Smith: yeah no I double checked and I think it's because of the issues that you had reading the plan because I know it was very busy. But we meet all the rear yard and side yard issues. This is all one lot here. We have over 100'.

D McGoey: building height too? Because building height kicks in...

J O'Rourke: yeah but it's only about 40'. The building height and we have over 100' from all side yards and rear yards.

D McGoey: I'll leave that up to you so.... I just try to point out when I see them.

J O'Rourke: yeah I know and I double checked, that's why I said it's confusing. We had a lot of lines in there, so it was easy to misrepresent. Again, this is a concept plan only so we are going to have more WS that we are going to be going in front of the PB. This all now has to be designed. We have done conceptual layout, we have the water and sewer. Now we will have to do full design.

RJ Smith: another point. John mentioned that it was for warehouse. The resolution from the TB is for either manufacturing or distribution. So we are leaving it flexible designing it so it can be either or.

1-15-20

PB Minutes.

G Lake: we have that in the file, don't we?

M Hunt: I don't know if we have it but I'll get it.

J O'Rourke: thank you for that clarification. I would request again it is a type I action. Because of the area of disturbance. So at this point just to get the ball rolling, we would request that you, the board, type I action and declare their intent for lead agency. But other than that I think that we are pretty well set unless of course we have any general questions on the layout. Or any comments that you may want to add when we do the design.

G Lake: yeah, I am going to go through the board now. Dick's comments here obviously we are going to work on them from here on in. I don't think anything there is earth shattering.

J O'Rourke: no none at all

D Dulgarian: my concern is with the million and a quarter sq.ft. of distribution of course down the road is what we are going to do with the traffic. I guess it's all going to come out by the commuter lot, that direction. Having said that, when it connects to River Side, it's connecting a lot of medical type businesses, daycares and that kind of stuff. That traffic is going to be intermingled with the quickest way to get out. With all that truck traffic. That's going to be a concern. That has been developing as a medical corridor up there. Another concern that I have is with snow removal and salt issues. With the amount of black top and topo is more than 100' from the front of the property to the back. Then the other question I have on lot #3, where does that road connect?

J O'Rourke: this one here?

D Dulgarian: and the other one Sullivan?

J O'Rourke: this is Crystal Run Road here, it's already actually built, the first portion of it. If you go down by the orthopedics, as you're going down Crystal Run Rd off to your right.

D Dulgarian: it just needs to be connected?

J O'Rourke: yes there's actually a road already there. This connected previously approved to the Gerta/Ryan SD. A portion is already installed.

D Dulgarian: OK so it just needs to be connected.

J O'Rourke: that was connected. To your point – we are doing, we are actually in the process in doing a traffic study right now. The 1.25 million sq.ft. of warehouse – unfortunately this is a very expensive project. To build these roads and to do this infrastructure. That's the area that we need.

D Dulgarian: I love the idea of the connection.

1-15-20

PB Minutes.

J O'Rourke: and again we have designed this such that at least initially that our trucks would not be going in that direction. You are right you are going to get the daycare

D Dulgarian: for the same reason Tetz was denied on Crystal Run because to intermingling of additional traffic into a corridor that was developing as medical. The type of traffic that was generated. I know this is a little bit better isolated being it's not on Crystal Run and it has access right out by the ramp but I would be concerned with the traffic it would invite.

J O'Rourke: again we are doing a traffic study and this is what the town has always wanted. We will keep that in mind, if we can do anything to limit that mixture of residential and commercial vehicles we will try to do that.

D Dulgarian: that's it

J Keegan: I definitely agree, I mean, again, it fits into this area. Just like with the hotels saturation, it's like, now it's going to be all distribution warehouses. I don't know when the saturation limit is going to fit. But we have a couple on board tonight, whether approved? But I think, since it's a blank clean slate, we can actually build the roads wherever standards. Once you have that traffic study. We need to have that extra lane, turning lane all the way down, if we need to do four lanes! We just can't have it turn into another East Main St. Like we have on the other side of town. Which is an absolute disaster and there's no way to fix it. So since we have a clean slate, when you come back after, with the plans. Maybe we will look at that and see about making the road a little wider to accommodate the traffic. At this point that's all I have.

B Capozella: Yeah just to reiterate the traffic, especially the truck traffic, I think that's the real thing that we need to look at. How that's going to affect some of them side roads. That now they will be able to go out and venture out that way. I now you just mentioned something about directing the truck traffic and we will have to take a look at that.

J O'Rourke: I think that we designed this, such that, we are trying to force our vehicles straight out through here. That's why we got this large loop back and it's up a hill so it will be very difficult for a truck to easily access in that direction. We did keep that in mind.

B Capozella: To force them out. Again we will take a look at it and go from there. That's it

C Najac: I know we have been talking about this for a long time. I have been here for a long time. Listening to this and we are tying it in and it looks like it may work out. My concern is the amount of warehouse space. It's a lot of warehouse space. We are having the issue with the hotels, how many hotels can this town support?! I don't know. Your initial layout of the roads makes some sense, the only question left on the road is: I don't remember the original conversations were we thinking of coming out of the other corner of Rykowski and shooting out to Scotchtown Ave./Goshen Tpk whatever you want to call it?

J O'Rourke: we actually don't own

1-15-20
PB Minutes.

C Najac: yes but that was part of the conversation.

J O'Rourke: part of the entire conversation and you previously approved a project on Goshen Tpk. that actually shows a road coming into the property. So there was a piece of it off of there. We actually looked at that for a couple of clients, thinking of purchasing that. So the town has always considered all the way to Goshen Tpk. It's just one piece of the pie.

A Guattery: it's very early, a lot of things can change between now and then. The connector road is something that everybody has been talking about for years and years. The truck traffic is definitely going to be an issue. And the salt and the snow is going to be real important. Especially down where we have the wells. Well land is terrific, it's awesome that we get it, but we don't want to gum up what we got.

J O'Rourke: We did meet with Lou, he gave us the design that he wanted for the Storm Water Mgmt System. Which you used before. And the snow storage so, the water will have a liner in it so it'll be discharged directly up into the river. There will be no infiltration of surface water into the ground at this direction. He actually gave us a design that he has had. So we will incorporate that in there.

A Guattery: I would like to see a mix of warehouse distribution and manufacturing only because these are things at the moment. Everybody wants warehouses, what do we do with it when it's done? When we get to next and it's something different. What are we going to do with these things. It would be nice if we had some mixed use in the site, keeps the site viable as things change. But that's is for now Gary.

T Hamilton: nothing until we get the traffic study.

G Lake: yeah I'm glad brought up the salt issue. I know on the one project, the other warehouse we did, with the special retention pond built with a liner to protect the well system from the salt. Which I guess elevated a little bit last time they did the test. That is going to be important. As far as truck traffic goes- this coming out onto Crystal Run Rd also comes our right across where the new entrance where the highway is supposed to be.

J O'Rourke: correct

G Lake: I think that is one advantage. This project does have. My colleagues are right about the overall truck traffic going the other way.

A Guattery: which one is coming out to the ...was it the redesign?

G Lake: when the redesign gets done. Right across from the park and ride. If you look the traffic light is there and the curb cut is right there.

J O'Rourke: so that puts them right onto the quickway.

G Lake: so that kind of eases my mind a little bit on that. But I also realize all outfits that do trucking can tell their trucks which way to go. If you tell them to go out onto Crystal Run Rd and not down onto River

1-15-20
PB Minutes.

Side, they pretty much have to do that. I know they have their computers and they have a route man that tells them you go A, B, C and that's how you go. So my colleagues are right but we wouldn't want to see a lot of trucks going into Rykowski and Riverside but at the same token I think that we control that.

J O'Rourke: yeah I believe we can. With the layout, the biggest issue is controlling the car traffic

G Lake: right, which you know. And again if you start earlier. I think that can be worked as each facility come in to relieve the traffic a little bit.

T Hamilton: you can also have the town, if it's going to be dedicated town roads eventually there. Have the town put weight limits on them. Going out those certain roads.

G Lake: right. We do sketch on this then? Or just

D McGoey: yeah I think you can.

G Lake: because they want to consider us as Lead Agency

D McGoey: send out the notice of intent to become Lead Agency.

G Lake: just do that? Don't do sketch?

D McGoey: up to you

T Barone: I'd prefer if you'd start handling the SEQRA like it was now. See the SEQRA is more important than the

G Lake: OK **motion** to send out notice to become **Lead Agency Bill/Clark 7 Ayes 0 Nays**

4 – Holiday Lake LLC SP/SUP 1089 Rte. 211E (44-1-25.12) #121-19

G Lake: Good Evening, name for the record.

Good Evening John O'Rourke Lanc & Tully Engineering.

G Lake: you did sign in right John

J O'Rourke: is signed is, did you want to me sign in again?

G Lake: for this project, yeah.

*J O'Rourke: I failed to mention, with the **last project** we will have all sidewalks along those roads.*

1-15-20

PB Minutes.

So we are with this project, this is again, one of the owners on the previous project, he's also purchased this as well. This is on Route 211 between Casa Mia and the trailer park on 211E. It's proposed to have 118,000+- sq.ft. warehouse/distribution along with a 3700sq.ft office space for that as well. It's a 2.1acre parcel. We meet all the bulk requirements all the setbacks requirements. We will be accessing off of DOT 211 directly. So DOT will be an involved agency as well. We have petitioned the town because we are just outside the water and sewer district. So we have petitioned the town to extend the water and sewer. You have existing water and sewer at the Goshen Tpk intersection. So we are proposing in this intersection here an 8" water line along with hydrants and valves. Our system will have a small pump station. We would have a forced main going up into that area as well. The existing trailer park has a forced main there as well. It's a small size, we initially looked into it. We can't tie into it without messing up their pumps. So we have decided to put our own little pump station in there.

G Lake: You can put that sewer into the project that he's building next door?

J O'Rourke: I think RJ was looking into that as well. I haven't gotten an answer on that one.

G Lake: instead of tearing up the road, that's all torn up now. Why can't you just talk to him maybe?

J O'Rourke: we certainly take that into consideration. I think RJ was actually approaching everyone in that area. There's some existing federal wetlands on the site. That was one of Dick's comments. They are federal wetlands. On the EAF, just to clarify. When you go on-line now it's automatically filled out with those question. The DEC does not recognize those as federal wetlands, I don't know why. But that's why it came on the EAF as none there, but we know there are wetlands there. So we have noted them on the sketch.

G Lake: wait a minute, the DEC does not recognize federal wetlands?

J O'Rourke: they do often times but when you go to the website now and you fill out the environmental assessment form certain answers are clicked automatically. Archaeological and some hazardous waste sites and some other items. Wetlands are one of them. It came back as indicating no wetlands on the site. So that's why the EAF states no wetlands but again we have been out there and it's been flagged, so we know they are. It's just a clarification. Why it came up that way I don't know.

T Hamilton: you can't click on that item there and change it?

J O'Rourke: you can't change it, no. The only way I could change it is if I white it out. And you are not supposed to do that.

D McGoey: well you have to change it before you send it out.

J O'Rourke: we can make an asterisk next to it, but you can't change, because it's filled out on the website automatically by the DEC.

T barone: then what do you do with it?

1-15-20

PB Minutes.

D McGoey: there's wetlands there

J O'Rourke: and we note it. I mean we can put an asterisk next to it but I can't change the check box.

T Barone: why can't you print it out and manually change it?

J O'Rourke: I guess I could, usually we frown on that. If I did that I could do it for a lot of different things. I will make some modifications or put an asterisk next to it.

T Barone: maybe it would be better to change it and then put an asterisk to indicate that the auto fill feature was corrected because actual knowledge.

J O'Rourke: that's fine, we just know that there's wetlands there. Again this concept plan, although we have more plans we certainly have to go to a WS. A traffic study is in progress on this project as well. We also are having a Phase one Environmental done on this as well. And an Archaeological. This also would be a Type I action, even though the disturbance would be less if you are near a park and under the ranks it uses it and we fall in to a type one action under the seeker. Again we have to go back in front of Dick in a WS to coordinate the remaining portion of it. It fits your zoning. There's really no, other than the trailer park down below and the Jonah's project there's really not much out in this area. My understating is from RJ that the town is receptive in extending the water and sewer in this area.

G Lake: ok, Dick's comments, you are going to be coming back to WS. I don't think there's anything here that. Again you hit the wetland issue and everything else. Let me go through the board. You are looking to get sketched tonight.

J O'Rourke: we are looking to get sketch and again if the board could declare it's intent for LEAD Agency.

D Dulgarian: no problem with sketch. Is it the intent to use exit 120 or 122? I got to believe that you are going down to 120 right?

J O'Rourke: I believe so, again they are doing the traffic study but from a practical view, I think they are going to be using 120.

J Keegan: Just a couple things, I got no problem with the use itself. But again if it's going out to 120- 211 is only one lane each way up until you get to Ballard Rd there so it's already tremendous amount of traffic in the afternoons. It's another spot where you can't make a left turn out of some of those side streets for at least 2,3,4 minutes. So it's something we will have to look at with the amount of trucks going through. Also turning up onto 211, I don't know if you guys are doing the traffic study, but I bet you the prevailing speed there is somewhere around mock speed. Have you ever been on that road, it's at least 80-85 miles an hour for people that are coming up to that light. So that might be an issue with the trucks, something we have to look at.

J O'Rourke: I was going to white that out and put 20 mph.

1-15-20

PB Minutes.

J Keegan: it's incredible how fast people go to that light up on top. You are driving from Montgomery and you look into the rear view mirror, you can see the whites from persons eyes if you are not doing 90 down there.

J O'Rourke: Then again with the DOT, we might have to put in turn lanes and some other items as well.

J Keegan: You might make you do in it in the area just because of that. The only other thing is the storm water. I guess the way the site is situated, there's no other place to put it except right in front of the property. A lot of the times they put that right in the front just to kind of, it looks terrible. A lot of these places are putting them out and it does not look good.

J O'Rourke: no none of mine look terrible, they are beautiful ponds.

J Keegan: it's just something that as they are building them they just don't look nice.

J O'Rourke: and you know you are absolutely right and you are fighting the DEC reg's with how they have you design them and what's practical. Unfortunately, because of the lay of the land, it's got to be here. I may be able to redo something here and put some in through here if I put some type of retaining wall but unfortunately in this case we couldn't do it. We can heavily, we are far enough back that I think we can heavily landscape this.

J Keegan: Maybe leave some of the existing vegetation stuff like that, instead of the way that some of these look now.

J O'Rourke: I probably won't be able to leave the existing vegetation just because of the grading, I'll be honest with you. But we will have to do the landscaping.

J Keegan: ok that's it Gary.

B Capozella: you got some hurdles to overcome and right now we are just at the sketch and the LEAD Agency, I am ok with that.

C Najac: just to go further with the traffic. 211 made sense to exit 120. The issue is how many trucks will be making the left hand turn to take 17East. Right now we already have a left hand turn that almost reaches the next light, and is backed up with any event happening. We are at the DOT's, they need to do something. So that should be part of your traffic study to see what kind of traffic that you are going to be adding to that left turning lane. They already run out of the left turning lane out onto the main two lanes of 211.

J O'Rourke: yeah actually in both directions I have been stuck in the main lane for turning both ways onto that. I told that to the client and he understands it again he's hired Mazur Consulting. He's going to be doing the traffic study. He's actually doing the traffic now.

C Najac: ok that was my only concern. As far as sketch, yes it makes sense. I am glad to see that you are putting your own pumping station rather than tying in to the trailer parks.

1-15-20
PB Minutes.

J O'Rourke: Yeah it didn't work. But we are going to look further into Jonahs project and see if we can some shared services.

A Guattery: Yeah I have no problem with the sketch. The idea is good. I think somebody mentioned traffic before. I think it would be a great idea if you just put a left hand turning lane on your warehouse and send everybody to that traffic light that's in Montgomery. They are enjoying it now, let them have it. I am ok with sketch , the way it is.

T Hamilton: I think we hit whatever we can now until they come back.

G Lake: **motion for a sketch for plan Andy/Tom 7 Ayes 0 Naves.**

Motion for intent to become LEAD Agency Andy/Clark 7 Ayes 0 Naves

J O'Rourke: thank you very much for your and I'll ask for a copy of the minutes because I want to send them over to Village of Montgomery.

M Hunt: John would you let the applicant know for Holiday Lake that he owes escrow for both projects. They only paid the application fees.

J O'Rourke: OK

5 – Sobo & Sobo SP – 141 Dunning Rd (50-2-41.2) #2020-0003

Good Evening, Jay Samuelson Engineering Properties. Here representing applicant Sobo & Sobo for 141 Dunning. That's where they currently have their office. Used to be old Dr Bower's dentist office. So you are all familiar with the location. Currently the office space there is about 1500 sq.ft. They are looking to build an addition of- footprint is roughly about 5200 sq.ft. and it will be about four stories high. For a total of 25,000 sq.ft. The fourth story won't be a full story it'll be brought in to keep the height down and the look down.

G Lake: do you have a picture of it right there?

J Samuelson: we do. I'm saving the best for last. So currently the access right now is in the middle of the turn lanes for the intersection of Gibbs Ct and the plaza where Panera and the rest of the Old Orange plaza are. We are looking to move the entrance back to the northern entrance of our property to get out of the turning lanes to get away from that intersection as far as we can. They currently have a small access road that goes around the building to a parking area in the back. We are looking to expand that parking area. This section in the back we are looking to do – it has two levels. Two levels of parking- that's why you see two plans here. Shows you an upper level and lower level. We will come in and be able to go into the lower level. Then on this parking lot you would be able to go up to the middle to the upper level. So we will have about 90-95 parking spaces total. Secondly we do have an emergency exit that we obtained through the firestone property out to Gibbs Ct. Just because we know

1-15-20

PB Minutes.

that we are limited with our entrance on Dunning Rd and the width that we have between the existing building and the property line. So we are here tonight for sketch and two variances that will be required. One will be a side yard for the building and the second will be for the buffer will be parking within the side yard. We don't need the 10' buffer but we can talk about that, how there's an existing full landscaping at the back of the firestone building that we will be parking up against. But I have Jason Anderson here tonight and he will show you the pretty picture of the building. I'm going to let him have all the thunder.

J Anderson: I hope this isn't a let down. Anderson Design Group Architect. Bring up the pretty picture. Here's the rendering of the building. If you take a look, this will be the front so if you were basically at Starbucks this is what you would be seeing. This top view here. To the left this is the existing building that we are looking to keep. We are going to change the style of it. So basically, the intent here which Mr. Greg Sobo and Mr. Gary Sobo were looking for is really a building that stands out that's more of like a manner that really has a presence for their law firm. So what we did was basically create a new four story structure and then created or kept their existing building which we tried to turn it into a really carriage house that would look like it complements the new structure that was there. So the approach that we took – we wanted to keep it close to the road, parking in the back, taking advantage as Jay mentioned of the grade that we had and how it drops down. So by doing that we created a parking deck. So if you look here at the lower portion of the rendering you will see that this parking deck is actually only 2' above the existing grade of the rest of the parking that's there. So it won't really look like a parking garage or a parking deck. You only come up 2' to get to it. What really happens is you drive around and you go down below. It's a 40' drop on the property there. Basically we are driving down from below so you really won't see a raised deck unless you walk down along the stream and look back. This rendering doesn't one of the things that we did is move the two-way entrance which they mentioned. What you see here is this will actually be the entrance coming into the building. It allows us not only for working better for traffic but also being able to approach the building appropriately. I think one last thing that we tried to do architecturally is really bring the scale of the building down so it's a four-story building but within this roofline here, that is the fourth story. It really looks like a three story building and then by this band that we created there we are actually from a human scale bringing it down a little bit further. That was the approach we took to make that happen. You will see as you look at the rear of the building as the grade drops off, that's where you actually see the full height. The probably the biggest question is, in this view, it looks like it's a larger building average is, we haven't figured it out completely but roughly around 46' is the average so. We are well under the 60'. It may not appear that way from the rendering.

G Lake: yeah I left the pamphlet on the desk so somebody could get a sneak peek. I wanted them to see the big picture.

J Anderson: well I think the key is Mr Sobo is looking to really invest. Jay mentioned that we have parking for about 95. We have 75 employees that would immediately be here. So this is really going to be a center piece establishing themselves here, long term in the town.

1-15-20

PB Minutes.

G Lake: let me go through the board. Let me see if they have any other questions. We are here for sketch and we got to send them over to ZBA. What variance are you going to need? Side Yard?

J Anderson: side variance and a variance for the buffer for parking on the side yard.

G Lake: oh that's right you are by Let me talk about that a bit for the board. I know we talked about it at the WS why we hope the ZBA will

J Anderson: so this is the Bridgestone/Firestone building on the corner. This is the back of their building and this is all heavily wooded with pine trees. So we do have parking along this section here, that's not pavement no, this section is not pavement now. This is all paved right along the property line all the way up to about here now. WE are looking to do three parallel spots here. Here we will be able to do a little bit of landscaping, it's about 5'-6'. But to get these extra spots in we are about 2' off the property line. Which backs up to the back of Firestone tire place.

G Lake: and what's there will be left there?

J Anderson: yes what's there will be left there.

G Lake: and then their buffer would actually be to a back of a building where there's no windows in.

J Anderson: there's no access to the back of that building.

G Lake: I just wanted to hit that, before the board. So they understood why we asked you to come and show it to them. Why we thought you could go to the ZBA and ask for that without a problem.

D Dulgarian: besides this location, do you have another location in town?

J Samuelson: Yes

D Dulgarian: would everything be consolidated here?

J Samuelson: no we are going to keep the Dolson Ave location. We have another location in town that we rent but are going to give that up.

D Dulgarian: so if you are coming off of Dunning is that part of the upper level parking?

J Samuelson: so when we come in off of Dunning, you would be able to go around the building. This will be all at level to get into the first floor of the building. You will then go up the 2—3' up the parking deck here as you get passed that entrance this will start to drop off as it comes down and around to the lower level. So this will be at the lower level.

D Dulgarian: so you will be able to access parking from Gibbs and Dunning?

J Sameulson: yes. Like we said we have and easement from Firestone to get out to Gibbs Ct. Which we a have a full two way access in and out to all buildings.

1-15-20
PB Minutes.

D Dulgarian: so is it going to be like employee parking off of Gibbs and ...

J Samuelson: yeah we only really three spots up in the front. We could have pushed the parking limit there and pushed for the variance as well but we wanted to pull the access road back and be able to landscape the front and not do so much parking in the front. So we kind of moved everything to the back.

D Dulgarian: alright, I am glad, impressed, whatever that they would like to create this type of business in our town. Looks fantastic, highly traveled area, it's one of our main corridors. My concerns moving forward: TOPO – the protection of the Creek. Snow removal from the site. I'd like to see the landscaping equal the style and class of the building. I think it will be a great addition.

J Keegan: I agree, we have nothing but warehouse and distribution centers and hotels for the last three years. This is an amazing project so I think it will fit in well. I have no problem with the variances, it's a commercial area – you won't need a side area, I don't think for Firestone. As we go forward just going to look at some minor details but I love the concept.

B Capozella: again I like the project. I think at this stage it has to go the zoning board. So we will let that happen first.

C Najac: On your pictures there the bottom one. Is that showing a stone wall foundation?

J Samuelson: yeah so at the moment, what we are showing is essentially this base. That we are going to run around. Is a stone cladding.

C Najac: rather than doing landscaping against Firestone which is already landscaped. Maybe we can continue a stone wall feature in the front on Dunning and maybe we can start Dunning looking like the rest of the town. I'd be happy with the something like that, it would be kind of interesting. But sketch, no problem, it looks really good.

A Guattery: looks good. And we don't have to send any traffic to Montgomery. I'm all with what Clark is saying, if we can continue the stone feature in the front. Listen it's a beautiful design and maybe we can get Dunning Road to start looking like, not Indira's Kitchens/AT&T. I think it's great. It's a great place to put it.

T Hamilton: project look is great. That's it.

G Lake: **motion for sketch Andy/Clark 7 Ayes 0 Nays**

Motion to send them to the ZBA with a recommendation Doug/Jim 7 Ayes 0 Nays.

Ok so what we will do, when I said recommendation, we will send a letter. Telling them that we talked about that side yard and we think that it's a great idea.

1-15-20

PB Minutes.

We have to set PH information hearing. For the Galleria residence. The Smith Rd and Galleria Drive on the corner by the old quick roll.

We can set that for **Feb 5th** **Tom/Doug 7 Ayes 0 Naves** Again that's for an informational PH.