

**Town of Walkill
PLANNING BOARD MINUTES**

August 5, 2020

**Members in Attendance: Gary Lake
Clark Najac, Bill Capozella,
Andy Guattery, Tom Hamilton, Jim Keegan
Doug Dulgarian**

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

7:30 PM – MEETING

25:41

1 – Land of Berman - 525 Rte 17K EXT (5-1-3.21) #66-4

G Lake: what he's looking for guys is a one year extension. We all know he has had many extensions. I don't know if he wants to add anything as to why he needs that.

Peter Berman: yes, it was really unforeseen. We literally have the whole pile on my desk of papers that are required to complete to final. We entered into a contract to sell. So we are waiting for that party to do it. They have been low due to Corona. They signed the contract right before Corona started which was plenty of time without needing an extension. However they have been slowed in their due diligence in getting everything together and being able to take over this process. So they haven't closed yet.

G Lake: last time he was here we said that was the last one. I know we have been hoping to see development there. If he shows us the contract then he will get an extension.

D McGoey: have him bring the contract to the work session. We can have a face to face.

G Lake: I would like the flexibility to see the contract and have Dick look at it. Let me go through the board

D Dulgarian: We initially had a problem with it when we said it was the final extension last time but with the Corona virus and everything throwing a hurdle. So I agree since it was in contract before all this and when we see the contract no problem with the extension.

J Keegan: yeah given the current circumstance I have no problem.

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B Capozella: yes subject to one year.

C Najac: Given the circumstances there's no reason not to give him the extra time he needs.

A Guattery: given what's going on and as long as the contract is there. Give one year and that's the last one.

T Hamilton: no issue

G Lake: then I'm going to make a motion that as long as he supplies the contract in a work session then he gets his one year extension. Doug/Jim 7 Ayes (30:42)

2 – Middletown Solar Array – 255 Howells Rd SP/SUP (21-1-20.31) #2020-0013

Dan Csaplar also representing is Kent Randall (via ZOOM) from Ecovue Construction. Mr Stack's property on 255 Howells Rd. Is everyone kind of familiar where that is? We specialize in Solar Arrays. We have many approvals in NY. In order to incentivize the consumption of renewable energy. (*inaudible*) We have received authorization already from the utility company.

K Randall: I am with Ecovue Consulting and we are assisting with this application assisting with the special use permit. Dan was cutting in and out there. I'm sure he probably gave you a good summary of what we are proposing. Nick Vamvas from Chazen Engineering has also joined us too and he's the engineer who is going to be working on this project. I guess we are just looking for some preliminary comments and any questions that you may have.

Nick: good evening everybody

G Lake: at the work sessions, it was mentioned to be reconfigured, has that been done?

Dan: yes we have reduced to footprint to 11.37 for 2 reasons to address the off coverage issue so we have below that % threshold which is anywhere in the fence as per your request. We also reduced it to this 9 (*inaudible*).

G Lake: and Dick that removes them from having to go to ZBA?

D McGoey: I am not sure that everybody is aware of the fact that they are combining 3 lots and using those 3 lots to meet their percent coverage limit. I had Tad Barone had made a determination and let Tad have hands on a little more. I need to make it perfectly clear that there are restrictions that come along with this on the other lands of Stack that they impact his future development of those lands.

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G Barone: the code prevents lots owned by different owners and other satisfied friction with the solar farm. With respect to this property, I normally create a natural subdivision and amateur that. So here what we are allowing the land owner to do is pull the land owned and pull that together to augment the acreage to satisfy the ratio and spear cutting friction. But in exchange we are going to not let them sell the lot let them spear cut other areas of the land but let them get around later on. Benefiting them right now and take advantage of this. So as part of the final site plan they will need to submit a declaration with restriction covenant with Orange County. Provide a letter to PB signed by the owner that the owner is cognizant of restrictions and covenants that will be placed on all three lots in regard to future development and use of the lots.

G Lake: There's nothing for...Dick is reviewing them

Tad: send them over for review and comment on them and when the map is signed, we will forward them

G Lake: no I know that we talked about this at a work session. (inaudible) Where all these have been replaced. Let me go through the board we have already touched on Dick's comments. Wetland we have to get that flagged yet?

D McGoey: yes to identify whether it's DEC wetlands or non DEC.

G Lake: by the time you come back. Let me go through the board

D Dulgarian: am I missing a map or is this all you have? Where is the three parcels, 60 acres, where is it split by the roads.

D McGoey: there is a smaller map that you are not seeing.

D Dulgarian: there's no where on here that says acreage and what's required and what's existing, bulk table, there's nothing. Three mega lot, is there something similar around here now?

Dan: I am not sure to be honest.

D Dulgarian: Can you find out so we can see

D McGoey: Town land fill, I think that might be 10mw

D Dulgarian: 10? Really?

D McGoey: and then Fogarty

D Dulgarian: what about 911 center? How big is that? That one was seven acres?

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G Lake: I thought 2megawatts was the maximum depending on the site.

Dan: The maximum (inaudible)

D Dulgarian: Lybolt/Fogarty – what did you find out about that.

D McGoey: on the right side they got site statistics

Dan: oh that was the one at the work session, it was a stamped site plan so it does not have that table on it. We have to add that.

D McGoey: he is only here for sketch, we thought we were going to send them to ZBA. Now they are not going so they will have to come back.

D Dulgarian: Ok

J Keegan: Yeah I am not against the idea but I would like to see how deep the buffer zones are going to be between the existing homes that are out there. I want to make sure that there are trees and stuff like that.

B Capozella: I like the idea

C Najac: I like the idea, I just like to know how much if it will be visible from the road.

G Lake: sight distance from the road

Dan: yeah I don't know if Kent is there. Can you speak to that

K Randall: we are certainly meeting our distances in the solar law. If it would assist the board perhaps we could provide some photos with some view scapes from Howells Rd. It is pretty dense in there in terms of vegetation. You wouldn't be able to see it from that road at all but we are certainly open to providing some photos from that vantage point to provide some context.

C Najac: I would be happy with that.

G Lake: ok then

A Guattery: so these are restricted covenants, should there be a note on the plans regarding this as well?

Tad: Yes there will be corresponding note on the plan

A Guattery: so that along with the bulk tables will be on the plans? So I would like to see all of that and the pictures as well. Until we move forward the idea is good. That's it.

T Hamilton: You have any information from the assessor's office – how to inspect the property.

G Lake: I really have no idea. At some point we will have to go back to a work session and put everything we talked about tonight. We will go over everything there and that way you can come back with everything.

Motion to accept this as sketch Bill/Tom 7 Ayes 0 Nays

G Lake: Ok so you saved one step since you don't have to go to ZBA. (46:11)

3 – Songer Plumbing – 191 Midway Rd SP (78-1-32) #2019-0106

Tom Olley for the applicant. 191 Midway road is the property that is right on the bend where Midway Rd turns into Cemetery Rd and backs up along Rte 17. The Wallkill River is the back end of the property. What the applicant is seeking to do is move his plumbing business to the site. It would be a service shop and the proposal is to construct an 8400s.f. "garage". Where it would have a small office and a service area for his equipment. But it would provide indoor storage for the a lot of the expensive equipment that he has. Things that shouldn't be out in the elements especially in the freezing weather. So we have a series of garage doors in the southern side of the building Rte 17 goes east to west and in this particular spot is almost running due North and South . Overhead doors on the front and office doors on the Rte 17 side of the building. We would have a gravel parking loading area in the front of that and we would utilize the existing driveway coming into the property and would need to be widened to meet the town standards for a commercial driveway. But we would keep it in the same location. Generally about 6 employees would be on the site only first thing in the morning and at the end of the day. Since all of their work is really done off site. We would improve the driveway. We would provide a new septic system for this building in the rear. We would tap in to the existing well and run a new water line back to the building. The existing 1 ½ story house will remain on the site and it is occupied now. The tenant has a lease that is going to continue on. So that use will remain the same. We have met a few times with Dick in work sessions and worked out a lot of details. One of them is the billboard that exists on site. There was a question on whether it could remain. The Zoning Board issued an interpretation that it is a conforming billboard. The spacing that the building inspector had questioned did not apply to this billboard. So it is conforming with the variances that were granted to it. So that billboard will remain. There is one thing that I would like the board to give us a little bit of direction on and it's addressing one of Dick's comments: In regards to the landscaping requirements and the town code requires trees 6" in diameter or larger to be located in ... The site is very heavily wooded and what I have illustrated there with the 2020 google earth image. I superimposed the site on it with the

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improvements and proposed tree line around this and just like the hopefully you will be able to locate the trees in the vicinity of the area that we are going to clear. Or that would be cleared when we have made some modifications to the site, rather than have to locate every tree on the 3.9 acres. Especially the area that is in the rear of the property that are in the flood plane that we do not touch. Those areas along Midway Rd that we would also not be touching for quite a distance. If that's something that the board can relax the requirement and I would also request that we dub the diameter because the site is very heavily wooded. We could do something for them like a 6" tree or a 12" if that's at all possible.

G Lake: Ok so what you are asking in the parking lot, you don't want to identify those trees.

T Olley: the one's that around the perimeter and all that but Dick has a valid point that if there's a tree located within that area that we can easily modify the plan to save trees and obviously those should be located. I wouldn't say that we wouldn't locate any of them in there. We understand what the intent of the code is. We understand what it is asking for. Just want to make sure that we are not taking down trees unnecessarily.

G Lake: any other problem with any of Dick's comments?

T Olley: No

G Lake: highway?

T Olley: no, I met with the highway Superintendent the other day and

G Lake: You understand what they want?

T Olley: yes

D McGoey: are you going to pave it out to the town road?

T Olley: yes

D McGoey: can you move it away from the house?

T Olley: No, because we have a well that's just on the opposite side of the driveway there. We will address that, we will provide some fencing for safety issue and we will put a chip surface on that portion of the driveway.

D McGoey: it's right up against the house

T Olley: I know, if we tried to move it down further to the West, we run into grade issues. We are even pushing the grades right now on that side. The only other way would be to take down a lot of trees crossing that slope and wrap it around to the other side of the parking lot.

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G Lake: you can't sneak it over just a little bit?

T Olley: we can do a few feet. But I don't see how we can move it completely away from the house.

D McGoey: maybe the board would consider a narrower driveway? Because 24' is

G Lake: Yeah that's pretty substantial for a driveway. Why don't you try to steal a couple of feet and come down a little bit to a 20' driveway which would meet the fire access code.

T Olley: yes absolutely.

G Lake: let me go through the board. We are setting a PH by the way

D Dulgarian: This wouldn't be considered an accessory building, Dick?

D McGoey: No

D Dulgarian: this is a business.

D McGoey: there would be two primary

D Dulgarian: that is permitted

T Olley: it's in the O/R zone. So that principle use is the business use.

D Dulgarian: I don't believe that the elevation that you marked here it's 400 I think it would be 100 up from the road. See the little mark that says elevation 464'

T Olley: oh yeah, that should be 364.

D Dulgarian: you don't think you are going to have any problem with the water rising up from the Wallkill? Because I got to believe that was under water there awhile ago. I know the cemetery was.

T Olley: There may be times when we have a very substantial rain that the water level will inundate that driveway. If we were to try to raise it up...

D Dulgarian: Which building?

T Olley: oh this building, no. There's been flooding down here. It drops down and then raises up 12/14' and then there's a plateau there and then it drops down to the river. The most updates on FEMA on the flood maps (inaudible).. Midway Rd will flood, yes. Talking to Mike the other day, they did raise Midway Rd about 2' a few years back.

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D Dulgarian: you don't feel the need to raise that any further? Your buildings? Dick you are comfortable with that as well?

D McGoey: well they have to be 2' above the flood plane for building. Driveways there's no

D Dulgarian: I am not worried about the driveways, I'm worried where they are placing the building.

D McGoey: building has to be 2' above flood.

J Keegan: Just a couple of things said it had to be a nice looking building. How tall is it going to be height wise.

T Olley: it'll be less than 35' I will have more concrete information, but more than likely the eave height at the sides of the building will be 85'. We have been back and forth on which type of building which would change the height.

J Keegan: Ok that's no problem the only other thing is there going to be any outside storage or is everything pretty much going to be inside.

T Olley: The only other thing that may be outside may be some vehicles or licensed vehicles. There wouldn't be pipe materials or anything like that. I will discuss with my client that I am giving you that information and I'll let you know if we have to provide anything.

J Keegan: OK then I'm done

B Capozella: This is all just one lot and it's owned by same

T Olley: yes it's still owned by Rock City Medis. It will be all be one ownership and the billboard will be on same property, no subdivision.

C Najac: My big concern was the distance between the driveway and the house. If there are kids then there needs to be something there to provide for some safety. I heard you mention a fence. So what kind of fence? And how long?

T Olley: it'll probably go from the back corner of the house along the driveway back to the pool area. If there is any kids occupying the house in the future, it'll probably be a 4' height fence. Very likely a chain link fence.

C Najac: and how much distance between the driveway and the house.

T Olley: as Gary said we are going to steal some from the width of the driveway and we can kick it over a few feet. To maybe bring it a little closer to the well and we will put up some columns up there next to the well just to protect it. We are probably going to grab another 5-7' from

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that so it'll be about 10-12' away from the house at the nearest corner and the back will be just a little bit more.

C Najac: otherwise as long as it looks decent from the road.

T Olley: The back of the building there's a significant number of trees so that'll be well shielded. It's really just going to be the exposure of the east side of the building and what we would be seeing up front.

C Najac: Ok thank you.

A Guattery: so Tom I am a little confused about the whole elevation issue of putting the road on the other side of the well. But where are we running into the problem with grading, it looks to me like what we are doing is saving on cutting down some trees, because it's following the driveway that is already at the house. Why can't we wrap that around the other corner of the well and get it away from the house? You are asking us not to catalog every tree on the property and not look at everything. I get that, but, get it on the other side of the well and bring it into the parking area. Off set from the corner a little bit it gets it away from the pool and the house. It answers all of the things that we are bringing up as a primary concern here. I don't see how the grading is so far out of whack that you couldn't do that!? It gets you up against that FEMA Zone. I think that you can avoid that and be on the other side of the well, especially if you do a 20' driveway. Comes off the road right where the tear drop splits at the front of the house, just bend it a little further to the left and come around the other side of the well into the driveway. Have the driveway come into the parking area facing the loading area. So you are going to get it off of the end take it off the corner a little bit.

T Olley: I will look at that and present that as an alternative, so we don't delay a public hearing. Mr Songer is hopeful that his business grows and that he may need another building there. But I think that we could give that a serious thought.

A Guattery: well at that point, now you are talking about doing something different with the house, too. Am I understanding it correctly, the house is not where Songer is living, that's the leased house? OK I'd much rather see that driveway away from the house. Kids are not going to play by the rules. You can make that as narrow as you want and they will do what they are going to do and the last thing we need is.... I have no problem with the public. I would much rather see that driveway further away from the house. I don't see why we can't do that. I think for what you are asking, I don't think it's too much to ask to kick it over to the other side of the house. That's it Gary

T Hamilton: What is happening to the driveway that is up and around the house now?

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T Olley: we would keep that.

T Hamilton: you would keep that. What about the people that are going in and out with shipments.

T Olley: we would connect it over there, provide a gate and a fence. That would just connect that over.

T Hamilton: and the actual road coming into the building what was that again?

T Olley: we would bring it down to a 20' width. At least up to the loading area. Asphalt down here with the apron. Heavy duty asphalt. Because it's heavier trucks, it's a little more cost effective early on it gives us a fallible and dustless so that would cut down the issue that they raised about the dust around the house.

T Hamilton: that's it Gary

G Lake: Rudy do we have room under the 2nd?

Rudy: yes absolutely.

Gary: Let me set the public hearing for September 2nd Andy/Doug 7 Ayes 0 Naves (1:09:25)

Come back to a work session

T Olley: OK I'll call Rudy tomorrow and set that up.

4 – West Hills Multi-family – 121 Golf Links Rd SP (73-1-26.2) #2019-0119

Joe Bonura: So we were here three months ago showing the concept of the multi-family country club. We did the SEQRA with them and we looked at renderings of what the building would look like. We had a meeting with the ZBA and the residents of Fairways. So after we worked all their things we are back here today, show you sketch tonight. Yeah we will talk about parking.

G Lake: point out some of the finer points. How tall the building is, outside parking, regular parking.

J Bonura: if you recall this building is 156 apartments. What we did is we took the density for the hole site 190 acres and we are using that density just smaller. So

what we have is a four story building with two levels underground. The way that we have designed it is to build it into the existing hill that is there. We have lined it up with the existing driveway that we have now at the clubhouse area . So the parking is split. It's underneath the building. A good percent is under the building. We have those, as we discussed months ago when we were here. We have those big breakfasts, there's a shortage of parking. So some of that parking will be built near by. We have all the parking that we need here, we are adding some there.

Jay Samuelson: engineering properties. There's 165 spaces in the parking garage. There's roughly 110 surface spaces in front of the building. There's probably about 90 new spaces that we will be building over by the maintenance as an overflow for the events. It does meet what is required for that number of units, although we believe that 90 is probably extra that we will not use. So they are going to use that over there for the overflow.

J Bonura: we are operating a building in Poughkeepsie called Waterclub, there we have 136 tenants. We have 1.33 parking spaces and we have extra parking. What you find with people like this who are downsizing that they don't all have two cars. The code requires up hill quite a bit more. I think that we have plenty in this area. Another thing that I want to point out with regards to the parking and the driveways. Is something that we have learned from operating 5-story building there in Poughkeepsie is that loading day – moving day is important. So when a moving van shows up to unload all of it's stuff, you don't want it parked right at the front door for a couple of reasons. In case of a fire. So we dedicated a spot on the southern end of the building for the moving van to pull on. Then there's an elevator at this end of the building, that'll be for moving. We did this on purpose. If you are wondering what that is all about down here. That's typically for people moving in and out of the building. So the people are not interfering with the operations of the building. So what we have to talk about is how do you get down into that parking garage. There's two ramps. So there's one ramp here that brings you into the first basement level and there's another ramp here that brings you into the lower basement level. There will also be the ability for golf

carts. There's some golf carts in this building and those golf carts will be able to drive out and get to the first tee. Doing this we have to rearrange some of the golf not a tremendous amount. The first Tee moves from here to down here. The first Tee couldn't be in the same spot that it was because the fairway shifts over. We had a golf course architect design all this. It all works and it will actually play very nicely. Then we are also going to redo the twelfth hole not because the building really interferes with it but it is one of the less desirable greens right now. So what we are going to do is relocate the Tees for that and build a new practice screen. Then this green will actually get dropped down in elevation and we are going to building a pond here. That pond will take the storm water run-off from the building and the higher portion of the parking lot. That pond will recirculate both for irrigation and also we are going to build a water quarry that will go straight. There will be a second pond over on the southern end of the site and this will serve as a detention pond for the storm water run-off on the southern end. All of that water will run off into this pond. Both of these will catch the overflows.

G Lake: comments?! Have you contacted Orange County?

J Bonura: we have

G Lake: to see what they want done.

J Bonura: we have reached out. We had our traffic consultant reach out to Orange County. We have given them a copy of the plans, they are taking a look at it. They say it's still under review, they have not gotten back to us but we anticipate them getting back to us in the next couple of weeks.

G Lake: yeah because it is a county road onto another county road. And that's 90% of the traffic.

J Bonura: we submitted preliminary, all of the preliminary work that we did for the ZBA regarding traffic, that we did, we sent everything to the County.

D McGoey: your traffic consultant reviewed it on behalf of the ZBA.

J Bonura: yeah we have a report. It was pretty extensive.

G Lake: now building, I think that you said you were changing the looks of it a little bit?

J Bonura: yeah we have that pretty well nailed down. That's a preliminary rendering of what it's going to look at. What we ended up doing was a photo realistic of what exactly it was going to look like. That's what it looks like without the building. That's what it looks like from the Fairway. If you see the grading has dropped. That one is the most faced on view that you are going to see. These were additional requests from the zoning board and we did all of these things. This slide was a question was asked of us to do a profile of the existing club house to the new building. The existing clubhouse is on the left hand side. The clubhouse is not much higher than the clubhouse because the clubhouse is sitting lower.

D Dulgarian: (inaudible)

J Bonura: yes we see them and the lowest level is going to be above your flood plane. Yes we were floating the golf course operation through catering. Now there's nothing. So if we don't do something soon we will have major issues.

D Dulgarian: nothing else

J Keegan: I think it's going to be a great building. All that parking in out in the front. I know maybe some nice stone wall features? Stonewall across the front.

J Bonura: that's a great question. We did a 40' set back there on purpose because we planned to plant oak trees. That's going to be all landscaped. We don't have the landscaping down yet and that 40' area is going to be trees.

J Keegan: Good the only other thing is how are you going to get from this building to the clubhouse with safety? I was going to talk to you about that, but there's a tunnel underneath the road. It's already there. There's a two lane tunnel that goes underneath there.

B Capozella: I understand what you are doing and I like what you are doing.

C Najac: The only question that I have is: all the parking spaces are the ones on the road, are they required or is that where you were looking to use the green space.

J Bonura: the ones on the road are going to be required. We feel like underneath the building and along the road here are needed for the residents and a guest. The ones that aren't required are the new 90 that are at the maintenance on the other side.

C Najac: with your experience from the Poughkeepsie unit, are you going to need all the ones that are on the road? That would be where you would be able to keep it looking nicer rather than have a parking lot along side of the road.

J Bonura: right I think I'd like to do a little math before I just off the cup say "do I need everyone or not?" There might be some down on the southern end that I could say that we don't need. In terms of the multi-family building, in terms of the over flow and the big catered events, we would need all of the spots. I don't think they would be needed for day to day operations of the apartment building. Not every one of them anyway. But I do think that they would all be used.

C Najac: So on a large event you will need all 90 down by the maintenance but would you need to use the ones that are in front of the building?

J Bonura: I would have to do a little math before I say. I don't want to give you any wrong information.

C Najac: Thank you

A Guattery: So Joe is the parking for this building gated or no?

J Bonura: no

A Guattery: OK So I have visited Poughkeepsie and it's hardly ever full. So maybe if it's not gated then maybe we can keep some green space and your overflow down by the maintenance garage might be able to do the job and we can keep some green space down by the road. As your doing the math. It would be nicer if we kept some green space, if along the Fairway we had some green space versus

down by the maintenance shed. Other than that, I don't have any other problem with it at this point. I think that it is looking pretty good.

J Bonura: The 24 spaces that are closest to the southern pond there. It is certainly better for the wallet and the environment to not put so much blacktop down.

A Guattery: I'm good so far

T Hamilton: down in the parking lot you have room in between those parking spaces, you can landscape right in there.

J Bonura: Yeah we have 40' of trees all along the road.

T Hamilton: That's all

G Lake: look at the parking and worse comes to worse we can bank. The landscaping, in that part of town we have been pushing stone walls out in front. You know even if we build a little bit and have a nice landscape, build a little bit then we can probably compromise on the parking. If you need it, you need it. Don't get me wrong, it's best to have more parking then have people park in the roads.

OK so LEAD Agency

D McGoey: no I don't think we need that. This in unlisted and the board is automatically LEAD Agency. So put a sketch in.

G Lake: motion to accept this as sketch Bill/Doug 7 Ayes

Ok so come to a WS and go from there. Yeah we will clean up what little things you have to clean up. (1:35:03)

5 – Fair Oaks Camp Dinov – 310 Shawangunk Rd SP/SUP (3-1-49.1) #2013-035

Tom Depew:

G Lake: what fire district is this. This in the Bloomingburg FD?

T Depew: yes

G Lake: they would really appreciate. They would like to get a full blown one with maybe a few measurements on it. Some of these roads going through it.

T Depew: Yeah I talked to Chief and we were going to meet out there and everything fell.

G Lake: just to speed you along. This is going to be their responsibility.

T Depew: yeah I wanted to meet with them to go over the roads

G Lake: yeah I think there's a sand pipe or something. I think that if you Barry is his name, he's the commissioner. Call him tomorrow.

T Depew: I am here representing Camp Dinov/ Fair Oaks Bungalows. We are in front of the board for a recommendation to ZBA. We have been to several work shops going over the camp use that we are proposing. We need multiple area variances. Anything in green here is presently occupied during the summer. These were taken out of service due to a failing septic system. We want to reactivate them.

D McGoey: they are open as a bungalow colony

T Depew: Well they are open as they always have been. We would like to reoccupy these and what's in red is all the additional use buildings that were originally approved by the planning board and their approval had lapsed. Anything in this purple color is other additional uses that they proposed. As we have been working on the overall plan. The ZBA had us come back to this board to review this and look at it and make a recommendation back to the ZBA about the other variances.

G Lake: So just to clear up our name a little bit. You had to get things with the Building department and the health department.

T Depew: Yes we had to get septic done. We have a master plan that we will build a new treatment plant down in this area here, see these four. They will all be collected and treated down in this area here.

G Lake: so the health department. Has given the a one year extension. The building department has been working through the ones in green. So it's not like they are using it without the ok.

D Dulgarian: you can't do school kids?

G Lake: that's a question for the governor? I don't know if this falls under the governor under bungalow colonies/camps and I don't know if he's not allowing bungalow colonies or camps. Maybe Dick or Tad can answer it!

D McGoey: I don't know the answer.

T Barone: the planning board really isn't concerned with Rectories of whether it prohibits this from being used as bungalow colonies or not. That's not for us. Our concern is whether going forward there is going to be decent change with whether it constitutes as a camp use or use as it has been which is a bungalow use which is not permitted. I think for clarity that the zoning board. You have to get the ZBA to render that.

G Lake: to determine whether it's bungalow colony or camp!?

T Barone: right moving forward.

T Depew: Mr **sustach** wrote that narrative statement. This is the way we are going to use and we are going to be a camp.

T Barone: it just doesn't make sense that you are going to have the same number of campers but you are increasing the number of staff in unoccupied buildings which are now going to be staffed. That would imply that it has been understaffed this whole time. That just doesn't seem logical. The ZBA is the board that has the methods for what meaningful changes there are going to be impending and how to interpret that.

G Lake: what other variances? It's a camp.

T Depew: we need a lot size variance. We need 100 acres and we have 29.3. We need front yard, we need 100 but it's 50.4 But it's on an existing building. Most of the other buildings are existing. We need a side yard of 100 and it's 18.7'. We don't need lot coverage. The other item is non CAM residential building ratio which is what's not used for camp but because of the religious use that is supposed to be .5% and it's 6% . We have them listed here. And they are listed in my letter. Anything proposed or meets the fact. Most of the stuff we are requesting is because the buildings are already there.

G Lake: let me go through the board and Dick's comments.

D Dulgarian: we are recommending them to ZBA to interpret or determination, if it's a camp?

G Lake: I think that is one of the bigger ones that has to be determined

D Dulgarian: are they asking for it to be a camp?

G Lake: yes, and for the record just because it doesn't meet "the 100 acres" then it doesn't make that zoning and the ZBA has to make that conclusion. If they want to be called camp then that's for the ZBA and it's way out of our realm.

D Dulgarian: OK send them to ZBA

J Keegan: to ZBA no other comment

Capozella: I have some other comments but send them to ZBA

C Najac: ZBA

A Guattery: ZBA

T Hamilton: how many variances do you need

T Depew: let's see we need 6 variances

Motion to send them to ZBA for determination for a bungalow or camp?

Andy/Tom 7 Ayes 0 Nays (1:46:51)

6 – Singh Gas Station – Rte 211E/Goshen Tpk SP (41-1-108.1) #2020-0053

J Ullrich: so the site is at the corner of 211 on Goshen Tpk, across from Casa Mia and it's in the ENT district and what's being proposed is a multi use: laundromat, gas station, convenient store and office above. The site's lot coverage meets and since our work session with Mr Chairman and Mr McGoey we have also added a few more parking spaces by cutting the size down to just a little bit of the town requirement which was one of the comments: to get a little more parking there for the laundromat. We expanded quite a bit there and that's really it.

Water/sewer access on State road and the County Rd. I had two rounds of comments from the County, I know they copied the chair on the first round and since subsequently had a telephone conversation with Mike Carroll. They asked us to move this entrance a little bit, cut down the grade by a foot from site distance. So I guess a little bit for removal this site is going to be an exporting site. They did want this knob cut down a little bit. They wanted 100' stabilized construction entrance instead of the standard 50'. We have been able to build all of that in. That's really where we are, we are working on SWWP right now. We submitted to the state and we haven't had their comments back. We split the difference between these two entrances. There's also an issue there with major utility poles.

G Lake: Dick's comments. I know we talked about them at the work session. What are uses again, you are going to have gas station, convenient store, laundromat and besides those you are going to have seating. Not a restaurant?

J Ullrich: no just seating. We have it in the bulk table – eating and drinking. The first floor will be split roughly between: the project sponsor see this as the gas station use as the first element and taking some time possibly to put in a laundromat and then offices above on the second floor.

G Lake: the offices on the second floor is that for the applicant?

J Ullrich: No they will be for rent.

G Lake: will there be an elevator in there.

J Ullrich: yes

G Lake: how many uses total?

J Ullrich: really 3 no 4 if you count the eat and drink.

G Lake: the eating and drinking along with the convenient store is it like something out on 302 the DD convenient store – chairs and stuff.

J Ullrich: Quickcheck has the same set up. Just a hand full of chair and tables.

G Lake: OK anything with Dick's comments, anything there that you have a problem with?

J Ullrich: No in fact we have already made all those changes. And the next submission would be come back for a work session

G Lake: it would really be good if you could get something in writing. From Orange County the other agency.

J Ullrich: I expect it from the county soon. All the issues that we talked about in work sessions; the stonewall, landscaping purposes that's all on here.

D Dulgarian: ok what I like about it initially is the stormwater is intact. If the TOPO allows this, I like it. With loading and unloading, we have had a problem with a couple of places in town where they promised it wouldn't happen during certain business hours yet they do and they take up the spaces. Fueling they are in the way of pedestrian traffic. Snow storage, where it's going to be. The landscaping – there were some comments about that. I really don't have a problem with the location for the uses. As far as sketch that stuff has to be included.

J Keegan: yeah when I look at this one and I went down there and thought it would be perfect for a use like this. So as far as the sketch no issues

J Ullrich: as you can see one of Dick's comments were to show us where the fuel trucks. We have that here. We have also set aside just for standing deliveries – fire zones around the whole building. So unlike Quickcheck there is not going to be parking in right up against the building.

D Dulgarian: this is town water and sewage?

J Ullrich: Yes

D Dulgarian: normally I wouldn't say anything but with the laundromat, it's so important.

C Najac: it's a good location and I'm good

A Guattery: well Doug must be in a hurry to go home because he covered all of it. I'm good with accepting it as it is.

T Hamilton: I'm surprised that the entrance is right there on 211. Because previous who are trying to buy that lot they were given a hard time. So you have approval?

J Ullrich: no we don't have approval and we don't even have feedback. But I will say that the one thing that we have anticipated is: like the Valero on corner of Rte 17K and what the DOT did there with the state road and the county road. We are trying for an in and out. I live halfway between Middletown and Montgomery. I know this backs up especially in rush hour. But I also know that getting out to the left is not issue. In terms of usage you see more people coming into right and if they are going they are going that way so they are going East anyway. You don't see a lot of left turns out.

T Hamilton: Ok good luck with the state.

J Ullrich: we hope to get it for sure. We are trying to maximize our distance from the intersection. And we have adequate sight distance but again we have a pole.

G Lake: ok so we went through the board's comments and they seem to be pretty pleased. Do you know what the building is going to like yet?

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8/5/20 Minutes

J Ullrich: we can put together a rendering, if you would like?

G Lake: yes please

Motion for sketch **Tom/Clark 7 Ayes 0 Nays**

Ok so you got your sketch so call back in and get back on a work session.