

## Work Session Agenda

TOWN OF WALLKILL  
DATE: June 10, 2020

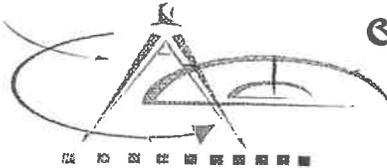
Work Session  
TIME: 6:00 PM

- Topics: COVID-19 Update/ Phase Two Reopening  
Little League  
4<sup>th</sup> of July  
Crystal Run Road Section 60 Block 1 Lot 68.2 and 121  
Holiday Lake LLC Assemblage  
MPRC Interviews
  
- Announcements: NONE
  
- Resolutions:
  1. Resolution Of The Town Board Of The Town Of Wallkill Pursuant To The Town Code 249-26.2©(13)and (14) Authorizing The Addition Of Adjacent Parcels To The Application For A Special Use Permit to Construct Of A Warehouse /Manufacturing Facility On Sullivan Lane Within The Town
  2. Resolution Of The Wallkill Town Board In Support Of New York State Senate Bill S. \_\_\_\_\_ and Assembly Bill A. \_\_\_\_\_ Amending New York State Tax Law Article 29, Part 1 Authorizing The Town Of Wallkill To Enact A Local Law Imposing A Tax On Hotel Room Occupancy

Executive Session:

Motion to Adjourn:

# FUSCO ENGINEERING & LAND SURVEYING, P.C.



*Alfred A. Fusco, Jr., P.E., Principal*

*Consulting Engineers*

*Alfred A. Fusco, III, General Manager*

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Middletown, NY 10940  
Phone: (845) 344-5863  
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Port Jervis, NY 12771  
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June 6, 2020

Honorable Frank DenDanto and Town Board  
Town of Wallkill  
99 Tower Road  
Middletown, New York 10941

RE: Crystal Run Road  
Section 60, Block 1, Lot 68.2 and 121

Dear Supervisor DenDanto and Town Board,

We represent Dominick Chiappone, the owner of the above noted property, who owns the adjacent building. The property is zoned OR which allows for warehouses and distribution with approval by the Town Board.

We went to the Planning Board for a remote conference call and were encouraged. The Planning Board gave us good direction. We are moving forward with the project but need Town Board approval to go further with the Planning Board. The project will bring jobs and ratables with no school impact.

We respectfully request a conference with you and/or the Board as appropriate for the COVID conditions.

Please advise if you have any questions (cell - 845-239-2542).

Very truly yours,

Alfred A. Fusco, Jr., P.E.

AAF/cam

Cc: Dominick Chiappone



Team RJ Commercial  
Office: 845-744-2095  
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June 4, 2020

Wallkill Town Board  
Town Government Center  
99 Tower Drive  
Middletown, NY 10941

ATTN: Supervisor Frank DenDanto

RE: Holiday Lake LLC Assemblage  
Crystal Run Road and Sullivan Lane

Dear Supervisor DenDanto:

We enclose herewith a copy of the Town tax map Section 60 on which is highlighted in yellow seven parcels for which the Town Board previously authorized the submission of a development plan to the Planning Board for manufacturing and warehouse under Town Code 249-26.2 (c) (13) and (14).

Highlighted in green are three tax parcels that have been added to this assemblage which includes land of Albert and the balance of the realigned Sullivan Lane owned by DiIorio.

We respectfully request the previously approved resolution be amended to include these three additional parcels:

60-1-46.2  
78-1-17.22  
78-1-34.22

This creates the rare opportunity to assemble ten separate parcels to be planned and designed under one development plan. This assemblage constitutes all of the vacant land from exit 122 at Crystal Run Road to Sullivan Lane to Riverside Drive.

Rather than typical piecemeal development, which is froth with challenges, this plan provides for the opportunity to construct the road and utility infrastructure the Town has been planning for decades while maximizing economic development under a single plan. This also provides the opportunity of one development group to collaborate with the Town to provide for desired wellhead protection.

Page 2  
June 4, 2020  
Supervisor Frank Dendanto

As the project has progressed before the Planning Board and is now being amended to include the additional parcels, we would appreciate the resolution amendment as soon as possible.

We remain available to review this with you and the Board. Thank you for your consideration.

Sincerely yours,



Richard "RJ" Smith  
RE Associate Broker

cc: Councilman Eric Valentin  
Councilman Mark Coyne  
Council Neil Meyer  
Councilman Eric Johnson  
Town Clerk Louisa Ingrassia  
Commissioner of Public Works Lou Ingrassia  
Planning Board Chair Gary Lake  
William Frank Esq.



**THE TOWN OF WALLKILL  
TOWN BOARD**

**ROLL CALL VOTE**

Names	Ayes	Noes	Abstain	Absent
<i>Councilman</i> <b>Mr. Coyne</b>				
<i>Councilman</i> <b>Mr. Valentin</b>				
<i>Councilman</i> <b>Mr. Meyer</b>				
<i>Councilman</i> <b>Mr. Johnson</b>				
<i>Supervisor</i> <b>Mr. DenDanto III</b>				
<b>TOTAL</b>				

The following was presented

By: \_\_\_\_\_

Sec'd by: \_\_\_\_\_

Date of Adoption: \_\_\_\_\_

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL PURSUANT TO TOWN CODE §249-26.2(C)(13) and (14) AUTHORIZING THE ADDITION OF ADJACENT PARCELS TO THE APPLICATION FOR A SPECIAL USE PERMIT TO CONSTRUCT OF A WAREHOUSE/MANUFACTURING FACILITY ON SULLIVAN LANE WITHIN THE TOWN**

**WHEREAS**, by Town Board Resolution adopted on April 26, 2018, Holiday Lake LLC was authorized by to apply to the Town Planning Board to construct and operate a warehouse/manufacturing facility within the Town of Wallkill (the "Project") on a 46 acre parcel of land located in the Office and Research (OR) District of the Town on Sullivan Lane known as Tax Map # 60-1-41 (the "Project Site"); and

**WHEREAS**, by Town Board Resolution adopted on February 28, 2019, additional parcels on Sullivan Lane identified as Tax Map #'s 60-1-42 and 60-1-44 were added to the warehouse/manufacturing facility Project Site plan; and

**WHEREAS**, by Town Board Resolution #173 adopted on December 19, 2019, additional parcels on Sullivan Lane identified as Tax Map #'s 60-1-43 and 60-1-4.11, 60-1-123 and 60-1-45.2 were added to the warehouse/manufacturing facility Project Site plan; and

**WHEREAS**, the development of a warehouse/manufacturing facility in the OR District of the Town is a special permit use which must be approved by the Town Planning Board; and

**WHEREAS**, in accordance with Town Code §249-26.2(C)(13) and (14), as a condition precedent to filing a special use permit application with the Town Planning Board, the applicant must obtain a resolution supporting the proposed use from the Town Board with respect to any parcels to be included in the Project Site plan; and

Resolution No. : \_\_\_ of 2020

**WHEREAS**, Holiday Lake LLC has requested that the Town Board consider the addition of additional parcels to the Project Site plan; and

**WHEREAS**, the Town Board does not object to the proposed Project, the development of same at the Project Site or the inclusion of each of the parcels listed below; and

**WHEREAS**, notwithstanding the Town Board's support, the Project must continue to comply with the local planning, zoning and relevant environmental review processes for any required approvals in order to ensure the protection of the health, safety and welfare of the residents of the community; and

**WHEREAS**, the continued support of the Town Board for the project is conditioned upon the continued adherence by the applicant of each of the criteria set forth in the prior Resolutions of Approval adopted on April 26, 2018, February 28, 2019 and December 19, 2019 with the exception of the total square footage of the project, which has increased due to the inclusion of additional parcels,

**NOW THEREFORE, IT IS HEREBY**

**RESOLVED**, that the Town Board of the Town of Wallkill continues to support the application filed by Holiday Lake LLC with the Town Planning Board to construct and operate a warehouse/manufacturing facility within the Town of Wallkill on land located in the Office and Research (OR) District of the Town on Sullivan Lane; and it is further

**RESOLVED**, that the Town Board hereby approves the inclusion of each of the following parcels in the Project Site plan

Tax Map #'s	60-1-41
	60-1-42
	60-1-43
	60-1-44
	60-1-123
	60-1-45.2
	60-1-4.11,
	60-1-46.2
	78-1-17.22
	78-1-34.22, and it is further

**RESOLVED**, that the applicant shall continue to adhere to each of the criteria set forth in the prior Resolutions of Approval adopted by the Town Board on April 26, 2018, February 28, 2019 and December 19, 2019 with respect to the instant Project, with the exception of the total square footage of the project, which has increased due to the inclusion of additional parcels, and failure to do so will result in a rescission of this Resolution the April 26, 2018, February 28, 2019 and December 19, 2019 Resolutions, and it is further

Resolution No. : \_\_\_ of 2020

**RESOLVED**, that in the event that the special use permit application is denied by Town Planning Board for any reason, this Resolution, the April 26, 2018, February 28, 2019 and December 19, 2019 Resolutions shall become null and void upon such denial, and it is further

**RESOLVED**, that the Town Clerk is hereby directed to forward a certified copy of this Resolution to the Chairman of the Town of Walkill Planning Board.

Resolution No. : \_\_\_ of 2020

**THE TOWN OF WALLKILL  
TOWN BOARD**

**ROLL CALL VOTE**

Names	Ayes	Noes	Abstain	Absent
<i>Councilman</i> <b>Mr. Coyne</b>				
<i>Councilman</i> <b>Mr. Valentin</b>				
<i>Councilman</i> <b>Mr. Meyer</b>				
<i>Councilman</i> <b>Mr. Johnson</b>				
<i>Supervisor</i> <b>Mr. DenDanto III</b>				
<b>TOTAL</b>				

The following was presented

By: \_\_\_\_\_

Sec'd by: \_\_\_\_\_

Date of Adoption: \_\_\_\_\_

**RESOLUTION OF THE WALLKILL TOWN BOARD IN SUPPORT OF NEW YORK STATE SENATE BILL S. \_\_\_\_\_ AND ASSEMBLY BILL A. \_\_\_\_\_ AMENDING NEW YORK STATE TAX LAW ARTICLE 29, PART 1 AUTHORIZING THE TOWN OF WALLKILL TO ENACT A LOCAL LAW IMPOSING A TAX ON HOTEL ROOM OCCUPANCY**

**WHEREAS**, the Town Board of the Town of Wallkill is of the opinion that it would be beneficial to the economy of the Town if a local tax was imposed on hotel room occupancy; and

**WHEREAS**, it was necessary to petition the New York State Legislature for a home rule request to authorize local legislation to impose a hotel occupancy tax within the Town,

**WHEREAS**, by Resolution dated November 16, 2017, the Town Board authorized the Town Supervisor, or his designee, to initiate proceedings and take all necessary steps to seek an amendment to Chapter 21, Article 1 of the New York State Tax Law to authorize and empower the Town to enact a local law imposing a tax on hotel room occupancy; and

**WHEREAS**, current New York State Senate Bill S. \_\_\_\_\_ and New York State Assembly Bill A. \_\_\_\_\_ have been introduced during the current legislative session which would amend the New York State Tax Law to allow the Town to adopt a local law establishing the aforesaid hotel tax; and

**WHEREAS**, it is the opinion of the Town Board, that in the interest of fiscal responsibility, it is necessary to support the passage of the pending Senate and Assembly bills and move forward with the enactment of a local law establishing a hotel tax,

Resolution No. : \_\_\_ of 2020

**NOW, THEREFORE, IT IS HEREBY**

**RESOLVED**, that the Town of Wallkill Town Board, in its capacity as governing body of the Town of Wallkill, does hereby support and recommend the passage of New York State Senate Bill S. \_\_\_\_\_ and New York State Assembly Bill A. \_\_\_\_\_ amending Chapter 21, Article 1 of the New York State Tax Law to authorize and empower the Town of Wallkill to enact a local law imposing a tax on hotel room occupancy; and it is further

**RESOLVED**, that the Town Supervisor and/or the Town Clerk, or their designees, are hereby directed to execute and deliver the appropriate Home Rule Requests to the State Senate and State Assembly and forward certified copies of this Resolution to the New York State Senate, the New York State Assembly and the Office of the Governor of the State of New York.