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September 25, 2020

Mr. Roger de Roziere, Chairman
Town of Wallkill Zoning Board of Appeals
99 Tower Drive
Middletown, NY 10941

Re: 360 Route 211, LLC/ Safe
Haven Indoor Self Storage
Tax Lot 50-2-68

Dear Mr. de Roziere and Members of the Zoning Board of Appeals,

Please find enclosed the following:

- Ten (10) copies of a plan set entitled, "Amended Site Plan Prepared for 360 Route 211, LLC", dated September 24, 2020
- Ten (10) copies of a completed Short Environmental Assessment Form, dated September 25, 2020
- Ten (10) copies of a completed Application Form and Applicant Disclosure Form

These documents are provided in connection with the commercial plaza located at 360 Route 211 East (formerly known as the Caldor Plaza). A check for the application fee will be provided by the applicant under separate cover. Plans for the Safe Haven Indoor Self Storage facility which is located in this plaza were approved by the Planning Board in 2018 and renovation of the building for the 32,000 square foot indoor self storage facility were completed in 2019. In May 2020, the Planning Board approved an expansion of the indoor self-storage facility which increased the square footage to 79,630 square feet.

As there is an increased demand for indoor self storage facilities and a reduced need for retail space, the applicant desired to further increase the square footage of the indoor self storage. Portions of the proposed area were leased by Part Zone USA which left the property several years ago and the space has been vacant since. However, §249-26.C.14 of the Town Code limits the square footage of self-storage facilities in the HC Zoning District to 80,000 square feet. At a recent pre-application worksession with the Planning Board Chairman and Town Engineer, it was recommended that the applicant apply to the Building Department and request referral to the Town Zoning Board of Appeals for an area variance to allow the increase. After discussing this application with the Building Inspector, the application has been referred to the Zoning Board of Appeals. Therefore, on behalf of the applicant, I respectfully request placement of the project on the next available ZBA meeting agenda. If you have any questions or require any additional materials, please do not hesitate to contact me. Thank you.

Very truly yours,


David Higgins, P.E.

cc: Bernard Mittelman



**McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS D.P.C.**

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**TOWN OF WALLKILL
PLANNING BOARD
RECORD OF APPEARANCE**

PROJECT NAME: CALDOR PLAZA
PROJECT NUMBER: 20-66
PROJECT LOCATION: 360 ROUTE 211 EAST/50-2-68
MEETING DATE: 24 AUGUST 2020
REPRESENTATIVE: DAVID HIGGINS & BERNARD MITTELMAN
TOWN REPRESENTATIVES: GARY LAKE & RICHARD D. McGOEY, P.E.

1. The Applicant would like to expand the mini storage warehouse space to provide individual warehouse areas for companies who sell online products. There was some substantial discussion in regard to whether this could be considered retail. It was agreed by the Town Representatives that this does not constitute retail sales but could be considered mini storage warehouse similar to that which is presently on going on the site.
2. Bernard noted that he is at the 80,000 square-foot maximum allowed by Section 249-26 Paragraph 14 Self Storage Warehouse, which is provided for by the ordinance. He therefore indicated that a variance may be necessary.
3. We recommended that the Applicant go directly to the Building Department and request that he be sent to the Zoning Board for consideration of a variance to allow the additional square footage if the Applicant is successful in receiving a variance the Applicant should return to the Planning Board for site plan approval.

Respectfully submitted,

**MCGOEY, HAUSER & EDSALL
CONSULTING ENGINEERS**

Richard D. McGoey, P.E.
Engineer for the Town

Zoning Board Application

APPEAL # Z-2020-021

1	Application Date	09/21/2020
2	Applicant(s) Name	360 ROUTE 211 LLC
3	Address	PO BOX 467 HIGHLAND MILLS, NY 10930
4	Phone Number	917-439-0408
5	Email Address	bmittelman@mbhdevelopment.com
6	Property Owners Name	360 ROUTE 211 LLC
7	Property Address	360 ROUTE 211 EAST MIDDLETOWN, NY 10940
8	Phone Number	845-827-5161
9	Email Address	bmittelman@mbhdevelopment.com
10	Date owner acquired the property	2005
11	Tax Map Location (Section-Block-Lot)	50-2-68
12	Street Address	
13	Zoning District (circle one)	RA / RA-1/ R1/ R2/ R-AH/ RM-B/ NC/ TC/ OR <input checked="" type="checkbox"/> HC/ ENT-L/ ENT
14	Lot Size and Acreage	16 Acres
15	Soil Type described in Town Code	
16	Application fee	(Check or Cash) Amount-\$ <u>825.00</u>

Appeal Request:

Any Appeal is made or requested by the applicant for the following:

- Interpretation of the Zoning Law
- Commercial Variance
- Use Variance
- Sign Variance
- Area Variance
- Residential (Decks, Shed, Pool, Addition, Accessory bldg. /structure) (New Structure)
- Accessory building larger than 28ft x 28ft

Other:

Front / Side / Rear / Yard setback from _____ to _____ Section _____

Front / Side / Rear / Yard setback from _____ to _____ Section _____

Front / Side / Rear / Yard setback from _____ to _____ Section _____

Front / Side / Rear / Yard setback from _____ to _____ Section _____

Lot area from _____ to _____ Section _____

State reason and purpose for Request:

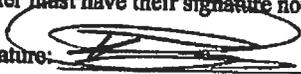
Increase size of storage and warehouse

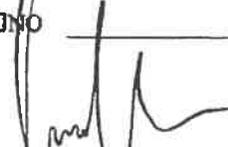
Applicant must print and submit Environmental Assessment Form. This form must be filled out by going to the following link and following the steps given: www.dec.ny.gov/cafmapper

Has this proposal appeared before the Planning Board? YES NO

Property taxes up to date with the Town of Wallkill? YES NO

Property owner must have their signature notarized on this application:

Owners Signature: 

Notary Public: 

Sworn to before me this date: SEPTEMBER 21, 2020

Applicant same as owner

State of New York
County of Orange

Building Inspector signature: 

Date: 9/29/2020

YISROEL MANNES
NOTARY PUBLIC-STATE OF NEW YORK
No. 01MA6355263
Qualified in Rockland County
My Commission Expires 03-06-2021

APPLICANT DISCLOSURE FORM – ORANGE COUNTY, NY REVIEW UNDER SECTION 239-M OF GENERAL MUNICIPAL LAW

The following is information relative to the below named project which is presently pending before the _____
(City/Town/Village) of _____ (Planning/Zoning/City/Town/Village) _____ Board.

Title of Project: Storage

Municipality: Town/Village/City of Walkkill

(underline one of above)

Nature of Owner or Owners (LLC, Corporation, Partnership, Joint Venture, natural person, professional corporation or other type of business entity or combination of the above):

LLC

The names of the Members, Officers, Shareholders, Directors, Beneficial Owners owning at least five percent of the Stock or Membership or Partnership Interest or Beneficial Interest in the project are:

Bernard Mittelman - James Diamond

Walkkill Acquisitions

Short Environmental Assessment Form

Part 1 - Project Information

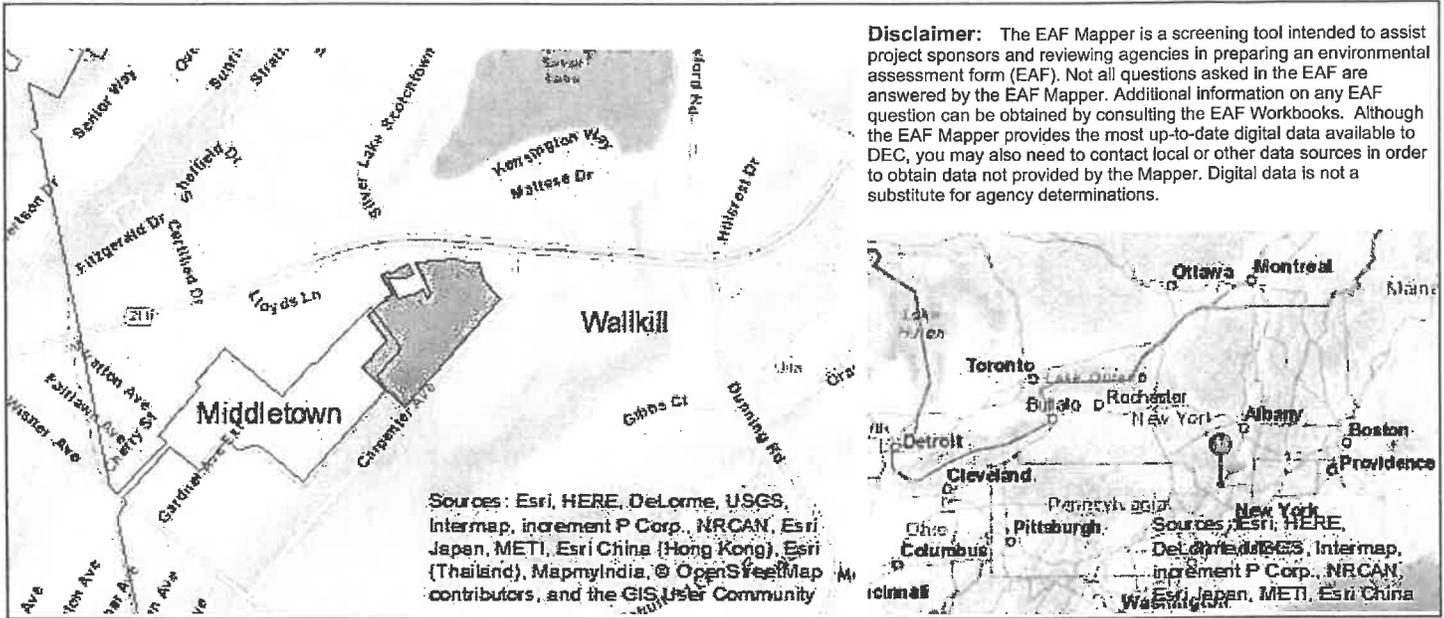
Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
360 Route 211, LLC			
Name of Action or Project: CALDOR PLAZA - INDOOR SELF STORAGE			
Project Location (describe, and attach a location map): 360 Route 211 E, Middletown, NY 10940			
Brief Description of Proposed Action: Proposed addition to indoor self storage of (29,297 sq. ft.) to existing (79,600 sq. ft.) indoor self storage, with an associated office (1,000 sq. ft.) within the existing building, totaling (108,897 sq. ft).			
Name of Applicant or Sponsor: 360 Route 211, LLC		Telephone: 914-439-0408	
		E-Mail: bmittelman@mbhdevelopment.com	
Address: P.O. Box 467			
City/PO: Highland Mills		State: NY	Zip Code: 10930
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: Proposed use is not permitted in the Highway Commercial Zoning District and requires a change in the allowable uses in the District by the Town Board or a use variance by the Town Zoning Board of Appeals			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		15.9± acres	
b. Total acreage to be physically disturbed?		0.00± acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		16.4± acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?</p> <p>If Yes, explain purpose and size: _____</p> <p>_____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</p> <p>If Yes, describe: _____</p> <p>_____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</p> <p>If Yes, describe: _____</p> <p>_____</p> <p>_____</p>	<p>NO</p> <p><input type="checkbox"/></p>	<p>YES</p> <p><input checked="" type="checkbox"/></p>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p>		
<p>Applicant/sponsor name: <u>DAVID HIGGINS (PROJECT ENGINEER)</u> Date: <u>9-25-2020</u></p> <p>Signature: <u> PE</u></p>		



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National Register of Historic Places]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	Yes