

TOWN OF WALLKILL PLANNING BOARD

MEETING

AUGUST 16, 2006

MEMBERS PRESENT: G. Lake, W. Capozella, A. Dulgarian, T. Hamilton,  
C. Najac, H. Ross

MEMBERS ABSENT: R. Carr

OTHERS PRESENT: D. McGoey, S. LaBruna

1. PUBLIC HEARING 7:30 P.M. – **491 NORTH STREET L.L.C.** – SITE PLAN/SPECIAL USE PERMIT – 487-489 Route 17M (38-8-9) #06-01

G. Lake: This application has been cancelled this evening because the Public Notice was not published on time.

**MOTION made to re-schedule a PUBLIC HEARING for September 20, 2006 made by H. Ross and seconded by C. Najac.**

**A. Dulgarian: Aye**

**H. Ross: Aye**

**W. Capozella: Aye**

**C. Najac: Aye**

**T. Hamilton: Aye**

**G. Lake: Aye**

**MOTION CARRIED. 6 AYES**

2. **A & D MANAGEMENT** – SITE PLAN (Extension to Conditional Final)  
451 East Main Street (50-2-23) #33-05

G. Lake: Your name for the record, please.

S. Plass: My name is Susan Plass representing the applicant.

G. Lake: You're looking for an extension to Final?

S. Plass: Yes.

G. Lake: How come, tied up in agencies?

S. Plass: Basically the building plans weren't done and the permit ran out.

G. Lake: The approval ran out?

S. Plass: It expired.

G. Lake: This is your first extension. Let me go through the Board.

A. Dulgarian: No problem for a first extension.

H. Ross: No problem.

W. Capozella: No problem

C. Najac: No problem.

T. Hamilton: No problem.

**MOTION for a SIX (6) MONTH EXTENSION to CONDITIONAL FINAL made by A. Dulgarian and seconded by H. Ross.**

**A. Dulgarian: Aye**

**H. Ross: Aye**

**W. Capozella: Aye**

**C. Najac: Aye**

**T. Hamilton: Aye**

**G. Lake: Aye**

**MOTION CARRIED. 6 AYES**

3. **DUNKIN DONUTS** – SITE PLAN/SPECIAL USE PERMIT – East Main Street (50-2-14.11) #13-06

G. Lake: Your name for the record, please.

K. Duggan: My name is Kevin Duggan from Fellenzer Engineer representing the applicant Dunkin Donuts.

G. Lake: Okay.

K. Duggan: I believe this is our first time in front of you tonight for a first look. I was at a couple of work sessions with Mr. McGoey. Our proposal tonight is to, on the East Main Street property approximately a couple hundred yards east of the intersection with Dunning Road and the East Main Street traffic light on the south side of the property essentially across from the car wash in that area. What we're proposing to do is to install a Dunkin Donuts with a drive-thru. It will be a one-story building and on the bottom would be storage for their paper products and things of that nature. The first floor of the building would be about fourteen hundred square feet with the elevation at 502. We're looking to, this is right under the power line so we're switching the whole building. We show the right-of-way for the power lines and the location of the poles. This is about the only place on the property that would allow any type of building at this corner to stay out of Orange & Rockland's right-of-way that they require. We've been sent to the Orange County Department of Public Works and received some comments. We have responded to some of their comments. We've haven't gotten any more comments from them since our last submittal to them.

G. Lake: You responded to some of their comments?

K. Duggan: We responded to their comments and then I have not received any response back from our latest submittal to them.

G. Lake: Okay. Let me go through the Board. I know the last time, you were in before the Board.

K. Duggan: For sketch, correct.

G. Lake: And, I know I had a conversation that we pointed out some of the difficulties that the Board had at that time with the site. Mr. McGoey, you have fourteen (14) different comments? Have you had time to research some of these?

D. McGoey: I don't think we have to go through them. I think the applicant should tell the Board about the flow of the traffic. There may also be a need for a variance so you

will have to tell the applicant to solve that problem which means you will have to send him to the Zoning Board of Appeals.

G. Lake: Mr. Dulgarian, anything?

A. Dulgarian: Just like I said early on given the size and location and restrictions placed on the parcel by the power company. The intensity of the use of a drive up donut shop, I don't think it's the best location for this. There is way too much traffic on that corridor.

H. Ross: I will have a problem with the amount of traffic this would generate in that corridor.

W. Capozella: That's a busy corridor right now. I also think there may be an issue with the line of sight.

C. Najac: I have nothing further to add.

T. Hamilton: The driveway cut?

K. Duggan: The driveway cut was originally approved for the clearing of the land. The County felt that was an adequate place. When this project came before previously, the County; it wasn't this particular project, the original project had a combination driveway next door to the convenience store. At that point in time the entrance was right here. The County is requesting that the entrance for this be moved down as far as we can. We have a site distance of over five hundred feet going to the traffic light toward the west and we have in excess of four hundred feet going toward the right and down the hill. In terms of the site distance we have more than the required for the intersection.

T. Hamilton: We will need the approval from Orange & Rockland on what their restrictions are.

K. Duggan: In respect to Orange & Rockland, they're main restriction obviously no building, dumpster, or anything like that within their right-of-way. We've positioned the building and the dumpster outside of their right-of-way. That's their main requirement. We also, because of the use of the property they don't want tall light bulbs underneath the power lines because it may cause interference. In terms of the overall site, Dunkin Donuts, in talking to them, the majority of their clientele they believe are going to be people leaving Town to go to work so they feel most of the traffic that would be coming into the site will be morning traffic heading out of Middletown so there will be right hand turns coming out of Middletown and when they're leaving the site there will be right hand turns going out. Obviously that's not all but they feel that's going to be the majority of people that would be utilizing the site. In terms of the size, the old Dunkin Donuts on Route 211 was on half the size property as this one and was there for approximately twenty some years. They had about eight to ten parking spaces on the whole site. Part of

the reasons it shut down was because they did have problems. We also have the Dolson Avenue site which has limited parking spaces. We've never had a complaint. That site has no drive-thru. Everybody who goes there has to stop, get out of their cars. This will take a lot of those issues away and hope people will come through the drive-thru. They may be a few that come inside. There won't be a Baskin Robbins. It would strictly be a Dunkin Donuts. It will basically only have morning traffic. Some people do stop by in the afternoon but it's minimal compared to the morning traffic.

K. Berlin: Also, the existing overflow at the existing store it will decrease.

G. Lake: You were just talking about the Route 211 store. This is very high on my agenda as to the what has happened to the Route 211 store.

T. Hamilton: One quick item. How will Orange & Rockland be able to do any work on those power lines with the poles within the parking lot?

K. Duggan: The only two poles that are on the property are actually in this area right here. They could access it through here if they needed to.

T. Hamilton: Then, how is the Public going to access? Will you shut down while they're working on the poles? Either you're going to show it as a parking area.

K. Duggan: They generally would probably come up here and then they would have to shut this area down on the side of the trucks.

G. Lake: Listen. You've heard the Board's opinions so far. We're going to need certification from Orange & Rockland Utilities, we're going to need something saying what isn't okay within their right-of-way from blacktop to how they will get around the poles. The driveway cut, I guess Orange County had a difference of opinion on the scale. You will need to straighten that out. Are you going to be a twenty-four hour a day operation?

K. Bergin: We are pretty certain. I can't answer that at this time.

G. Lake: I think the Board is going to want to know that between now and the Public Hearing. As far as the Zoning Board of Appeals goes

K. Duggan: We need a variance.

G. Lake: Mr. McGoey, do we send him to the Zoning Board of Appeals?

D. McGoey: Yes.

G. Lake: Should we do that now before the Public Hearing?

D. McGoey: Yes.

G. Lake: Mr. McGoey, do you need another work session?

D. McGoey: Yes.

**MOTION to send applicant to the ZONING BOARD OF APPEALS made by H. Ross and seconded by T. Hamilton.**

**A. Dulgarian: Aye**

**H. Ross: Aye**

**W. Capozella: Aye**

**C. Najac: Aye**

**T. Hamilton: Aye**

**G. Lake: Aye**

**MOTION CARRIED. 6 AYES**

**MOTION to schedule a PUBLIC HEARING providing they get back from the Zoning Board of Appeals for October 18, 2006 made by T. Hamilton and seconded by H. Ross.**

**A. Dulgarian: Aye**

**H. Ross: Aye**

**W. Capozella: Aye**

**C. Najac: Aye**

**T. Hamilton: Aye**

**G. Lake: Aye**

**MOTION CARRIED. 6 AYES**

4. MARTINELLI – 2 LOT SUBDIVISION – Baker Road (24-1-51) #23-06

G. Lake: Your name for the record, please.

J. Tirolli: My name is John Tirolli representing the applicant.

G. Lake: Go ahead.

J. Tirolli: This is strictly for a recommendation from the Town Board to request the applicant to have this property put into the water district. This property is about four acres located off the Quickway Exit 119 heading towards Pine Bush. The site is primarily wooded. There are no houses up front. The existing Route 84 water main comes across the Quickway and heads north on to Route 302 to a subdivision that was in need of water services some years back. The new requirements are such that if you have a community water supply with a well you have to set aside two or three acres of land. It would consume a lot of land. We went to the Town Board to ask to be included in the water district and they said they would consider it and to come to you for a recommendation. As Mr. McGoey indicated we have a sketch plan for retail development including a twenty five thousand square foot retail center and office for discussion. There will be an individual disposal system. My guess is that all the traffic would be coming off of Baker Road to not create another intersection so close to the Quickway and Route 302.

G. Lake: I will go through the Board.

A. Dulgarian: I would be concerned if we have the capacity to include this project.

H. Ross: I have to agree with Mr. Dulgarian.

W. Capozella: Do we have enough water to include this project?

C. Najac: Do you have enough space for a septic system?

J. Tirolli: We've done preliminary bore testing and, first of all on the wetland issue, we have no intention of going into the wetlands. The wetlands as you see it will remain. In terms of the septic system, there are soils on the site. We're going to tailor this site to utilize. It will probably be office space which uses a minimum amount of water and certainly minimum sewage.

T. Hamilton: Without the exact use, we don't know the water usage. You want to design it the way it will fit right now to make sure it fits. How can we even think of recommending without knowing exactly what will be put in there? Everything has to fit.

J. Tirolli: We didn't make an application for a Site Plan. We wanted to find out if the Town would entertain allowing us to go into the water district so we didn't have to drill our own well. This is one of many uses that could be put on the site. The big point is that with the new regulations as of November 2005 the community water supply, not a public water system but a drilled well to serve fifty to twenty five employees (not clear). If we can have the public water supply it would be better. We don't mind doing detailed Site Plans but we really have to know if we're going to have a Public water supply or a community water supply for the project because it would make a big difference in how we design the plans.

T. Hamilton: I don't feel comfortable recommending yet without knowing the specific applicant.

G. Lake: As far as the sewer goes, I don't believe it is any closer than about two miles. I would be more concerned about the septic. Based on what you did here with roughly twenty five thousand square feet, retail office, yet you say there is a fifteen inch line there. I would have a concern. I just think the Board wants more research and any comments from the Water Superintendent to make sure we're doing the right thing recommending this for your client. I would be more concerned with the septic at this time.

J. Tirolli: If the Town Board considers it, they will need a Public Hearing. I don't have a problem with you saying you don't have enough information but we would like to move on.

G. Lake: I don't think anybody said (not clear) more information from you and especially from the Water Superintendent. There are people already connected to that line and we need to make sure it will work with an additional twenty five thousand square foot building. I think the Board needs that information. Mr. McGoey, do you want to contact Mr. Smith on this?

D. McGoey: Yes.

G. Lake: And then, we will get you back on as soon as we get that information from Mr. Smith. It's up to the whole Board.

A .Dulgarian: I agree.

H. Ross: I agree.

W. Capozella: I agree.

C. Najac: I agree.

T. Hamilton: I agree.

**MOTION made to TABLE for further review made by A. Dulgarian and seconded by H. Ross.**

**A. Dulgarian: Aye**

**H. Ross: Aye**

**W. Capozella: Aye**

**C. Najac: Aye**

**T. Hamilton: Aye**

**G. Lake: Aye**

**MOTION CARRIED. 6 AYES**

5. ALTA EAST – SITE PLAN/SPECIAL USE PERMIT – Route 302 (22-3-54)  
#88-03

G. Lake: Your name for the record, please.

J. O'Rourke: My name is John O'Rourke with Lanc & Tully. With me is John Cappello on behalf of the applicant. Phil Griely from John Collins Engineering. and myself, Mark Dombal.

G. Lake: Why don't you bring the Board up to date since your last work session.

J. O'Rourke: We've been gathering all the comments from the Public Hearing and also Mr. McGoey's comments. And we're here to hopefully receive subdivision approval for a two lot subdivision and Site Plan only for lot #1 and for the Board to look at the potential impacts and details on lot #2. We're just requesting Site Plan approval for lot #1 for the gas station at this time. We submitted packages to the various departments and also to the Conservation Committee. We do have a set of comments here from Mr. McGoey.

G. Lake: Your list of comments is quite long, seventeen comments. Is this on both lots or just lot #1?

D. McGoey: Just on the front lot. They should discuss with you the interior of the building with respect to the visibility of the gas pump from the cash register area

S. LaBruna: If you remember when we first looked at the Site Plan we had concerns about the grading in the parking lot on the parcel closest to the road. That lot will have the bio-retention area. That will take care of the runoff. We also recommended (not clear) near the bio-retention area. Since then, they've changed it and are only proposing one lot at this time. The soils may include an additional bio-retention area in that back corner. When they do develop the back area of the site the bio-retention area should be designed to cover the runoff from both sites. We also had a concern with the runoff coming from the roof over the gas pumps.

J. O'Rourke: Everything in the front of the gas pumps will go to the bio-retention area. There is a concrete groove around the gas pumps so if there is a spill with overflowing the gas it will end up in the groove and then would be manually removed. That is to make sure that gas doesn't run into the bio-retention area.

A. Dulgarian: My question was the attendant has the ability to clean that up?

J. O'Rourke: Gas spills, yes. There's a dry powder they put on.

A. Dulgarian: When you develop the second lot (not clear).

J. O'Rourke: We're assuming right now that the use will be for truck sales. Again, we have to come back to this Board for that approval. We're not asking for that approval at this time.

D. McGoey: Item #3, we want to know where the cash registers would be and the visibility of the gas pumps.

J. O'Rourke: Showed the Board members.

D. McGoey: Item #4 the parking calculations do not represent sit down service but your Site Plan shows seating.

J. O'Rourke: That's correct. Basically it's not like a restaurant but having coffee and a snack and leave.

D. McGoey: Your parking calculations have to include that.

J. O'Rourke: If we must, we will take the seating out completely.

G. Lake: I have to tell you, I've been to Stewart's down the road here and they have a couple of seats. There are people who spend a lot of time. I think you do have to decide.

J. O'Rourke: There are forty six (46) parking spaces.

G. Lake: The rules are in the book. That's what we go by.

J. O'Rourke: Item #5, the Planning Board should discuss the need for a traffic signal and whether to accept the offer by the applicant to make a fair share contribution to the cost of the traffic signal.

T. Hamilton: The rendering of the building.

M. Dombal: It will have two colors.

D. McGoey: Item #7, there was a question about the view from Beverly Drive at the Public Hearing and the Board was concerned about the snow storage area.

J. O'Rourke: We expanded the snow storage area along the back portion of lot #2. We also modified the landscape plan to allow for that.

D. McGoey: The architectural rendering of the building.

M. Dombal: The proposed building will be a split face block building with two color tones. It will have hip-style roof with architectural shingles and the canopy will be a (not clear) and the roof line matching the building.

D. McGoey: We recommended that the fifteen inch storm drain be relocated when building #2 is constructed. We need a drainage easement.

J. O'Rourke: We're looking into a temporary easement.

D. McGoey: And, the comments from New York State Department of Environmental Conservation.. We want to be sure that they have been addressed.

J. Cappello: We submitted to the Department of Transportation and they were okay.

D. McGoey: And, the lighting levels under the canopy? It should be on the detail sheet.

G. Lake: Let me go through the Board.

A. Dulgarian: The intensity is less right now. We don't have to worry about the late hours. My concerns have always been how it looks and it will affect the quality of life for the people on Beverly Drive and also the traffic on Route 302. I'm not totally convinced with Route 302 but I feel a little bit more confident on the impact on Beverly Drive.

J. O'Rourke: This was requested by the Department of Transportation and by the Board.

A. Dulgarian: I believe it will generate a lot of traffic into that corridor.

H. Ross: I will have an issue with the traffic in that area.

W. Capozella: I have an issue with the sign.

M. Dombal: I'm not sure what direction it's going to be here.

J. O'Rourke: It's across the Quickway up the hill about a couple thousand feet before you get there.

W. Capozella: This is the traffic light we're looking at?

J. O'Rourke: Yes, we took a picture from there. Again, you have to realize it's across the Quickway.

W. Capozella: I don't know.

J. O'Rourke: Again, that picture, that house is located over here. We don't plan on putting the sign closer.

B. Najac: I have nothing.

T. Hamilton: The location for the deliveries?

D. McGoey: It will be circulated.

T. Hamilton: Anything from the Fire Department?

J. O'Rourke: We had previously received Fire Department comments. We've addressed those. They had requested some hydrants.

G. Lake: Anything else, Mr. Hamilton?

T. Hamilton: No.

G. Lake: Open twenty four hours or will it be limited?

M. Dombal: Twenty four hour operation.

G. Lake: I know that was a concern of the people on Beverly Drive. I was hoping it would be similar to 7-11. My only other comment is and I'm not sure of the intensity of the traffic has gone down. I actually feel better with the trucking outfit going in there than this only because I travel that area. I know you have facts and figures to back up

that intersection and saying it's not a problem. I have a gut feeling that some of the facts and figures are wrong only because I travel there so much.

J. O'Rourke: And, I don't disagree with you.

G. Lake: Surely my gut feeling isn't enough to deny somebody the right to use that property but I'm just not sure we have met that criteria. That's my own opinion and I'm only one member of the Board. I'm not even sure yet if I'm going to vote on it or abstain because I've been throwing this back and forth because I sure realize your right to use that property. Being there probably seven days a week, turning into the lumber yard right there or going down the road, we've had three excavators come off within the last month and a half. It's not your fault but I think there's a problem there.

J. O'Rourke: If you remember we did talk to the State about that and that it was your concerns.

G. Lake: Again, I realize you have facts and figures backing you up and I respect that and, that's my job on this Board to look at facts and figures. But my job also on this Board is to really think about safety. That's all I have.

**MOTION for a NEGATIVE DECLARATION subject to all of Mr. McGoey's comments and this Board's comments plus any comments our Attorney may have made by W. Capozella and seconded by A. Dulgarian.**

**A. Dulgarian: Aye**

**H. Ross: Aye**

**W. Capozella: Aye**

**C. Najac: Aye**

**T. Hamilton: Aye**

**G. Lake: Abstain**

**MOTION CARRIED. 5 AYES, 1 ABSTAIN**

**MOTION for 2 LOT SUBDIVISION subject to all of Mr. McGoey's comments and this Board's comments plus any comments our Attorney may have made by A. Dulgarian and seconded by W. Capozella.**

**A. Dulgarian: Aye**

**H. Ross: Aye**

**W. Capozella: Aye**

**C. Najac: Aye**

**T. Hamilton: Aye**

**G. Lake: Abstain**

**MOTION CARRIED. 5 AYES, 1 ABSTAIN**

**MOTION for SPECIAL USE PERMIT for GAS STATION subject to all of Mr. McGoey's comments and this Board's comments plus any comments our Attorney may have made by A. Dulgarian and seconded by T. Hamilton.**

**A. Dulgarian: Aye**

**H. Ross: Aye**

**W. Capozella: Aye**

**C. Najac: Aye**

**T. Hamilton: Aye**

**G. Lake: Abstain**

**MOTION CARRIED. 5 AYES, 1 ABSTAIN**

**MOTION for SITE PLAN approval subject to all of Mr. McGoey's comments and this Board's comments plus any comments our Attorney may have made by A. Dulgarian and seconded by H. Ross.**

**A. Dulgarian: Aye**

**H. Ross: Aye**

**W. Capozella: Aye**

**C. Najac: Aye**

**T. Hamilton: Aye**

**G. Lake: Abstain**

**MOTION CARRIED. 5 AYES, 1 ABSTAIN**

6. **DUNKIN DONUTS** – SITE PLAN/SPECIAL USE PERMIT – Route 211 East (41-1-20) #38-06

G. Lake: Your name for the record, please.

J. O'Rourke: My name is John O'Rourke with Lanc & Tully Engineering.

G. Lake: Go ahead.

J. O'Rourke: We're here tonight basically just to present a sketch plan of a proposed Dunkin Donuts on Route 211 East adjacent to Eckerd's as you're coming up. It's a one acre parcel. There's existing two road cuts now that serves the house. What we're proposing basically is a twenty one hundred square foot Dunkin Donuts with a drive-thru wrapping around and parking in the back. Basically we're here this evening to get your input. We have received some preliminary comments from Mr. McGoey's office. We certainly can address or basically try and get some direction from the Board.

G. Lake: Again, this is only here for sketch, to give them direction.

A. Dulgarian: Is there a center turn lane going up here on Route 211 a this point near the bank?

J. O'Rourke: The center turn lane is near Eckerd's. Just past where the entrance is and again, we're between the bank and Eckerd's at that part.

G. Lake: At one time that Eckerd's driveway had another lot up behind it. Any chance of tying into that? Have you explored that?

J. O'Rourke: Unfortunately there are wetlands between us and Eckerd's and that wetland actually goes up into the back. That was one of Mr. McGoey's comments. It goes all along the western side.

G. Lake: Okay. I thought it would be nice to tie into that somehow.

A. Dulgarian: My first glance looking at this why is there just one ingress? Is that because of the drive-thru?

J. O'Rourke: Yes.

A. Dulgarian: My concern about this would be what we have on all these sites and that's snow storage, proper landscaping, what the building will look like from the road, those type of things. My only worry is going to be if that road goes down from two to one right there but between now and the Public Hearing I will definitely take a look at the site. This is workable in my opinion.

G. Lake: I think the road actually narrows down in front of the bank and in front of Stoneridge, I think it is. There might be a little room for a little extra striping.

H. Ross: I think you're going to have to look at an alternative. I think your idea of perhaps taking the wetlands (not clear).

W. Capozella: I have a concern for the left hand turn going out.

B. Najac: Traffic is a concern for me. I am also an advocate for sidewalks.

G. Lake: He has talked about and we have asked our Attorney to address the sidewalk issue on some of the roads that it's needed on. Historically, it hasn't been addressed, as you know. We hope to have that answer pretty soon.

J. O'Rourke: We certainly have no issue with putting in sidewalks and if the Attorney says it's okay, we don't have a problem with that.

T. Hamilton: The fifty foot setback where the R-2 zone is, is that a part of the R-2 that was meant to take all the parking for those apartments, that's all that's on that little piece?

J. O'Rourke: We're about one thousand feet from the nearest home.

G. Lake: Anything else, gentlemen? The Board has covered everything. Mr. McGoey has new comments. I think you have the feeling of the Board.

J. O'Rourke: If I could just ask one question. Again, we're showing forty six parking spaces to a drive-thru for a Dunkin Donuts. We feel it's an awful lot. What I would like to propose is the back section to be essentially shadow parking. It would be graded and landscaped and if there became a need for parking we could put it in.

G. Lake: I'm assuming you came up with those parking spaces because of the calculations in the book?

J. O'Rourke: Yes.

G. Lake: Then, we can't do that.

J. O'Rourke: Your code does allow you to do shadow parking.

D. McGoey: No, shared parking we do.

J. O'Rourke: Shadow basically is, we design the parking. We build it. We put topsoil and seed it and then in the future if we find out that we need it we put it in. We're not going to do it. I'm just explaining.

T. Hamilton: Now, we know.

J. O'Rourke: It really is a nice idea for overflow parking.

G. Lake: Again, you're early enough in the process to seek relief.

J. O'Rourke: Yes.

A. Dulgarian: And, that not as bad as it sounds because I believe you have a case. I think if you state your case properly you can get a variance.

J. O'Rourke: We will design the whole thing. I agree that it seems a lot for parking.

G. Lake: You're early enough in the process right now because it's only at sketch and that's what you were here for.

J. O'Rourke: Yes.

G. Lake: So, I don't believe if you make that decision it's going to slow you down one way or the other.

J. O'Rourke: Exactly. I just wanted to put it to the Board to make sure you were okay.

D. McGoey: Do you plan on sending it to the Landscape Architect?

G. Lake: Yes.

**MOTION to TABLE for further review made by A. Dulgarian and seconded by H. Ross.**

**A. Dulgarian: Aye**

**H. Ross: Aye**

**W. Capozella: Aye**

**C. Najac: Aye**

**T. Hamilton: Aye**

**G. Lake: Aye**

**MOTION CARRIED. 6 AYES**

7. **AUTUMN DOG ACRES KENNEL** – SITE PLAN/SPECIAL USE PERMIT – Slaughter Road (61-1-27.1) #43-06

G. Lake: Your name for the record, please.

D. Yanosh: My name is Dan Yanosh representing the applicant. With me is Tracy Helpen. Tracy will be the owner of the property and is in contract now to purchase.

G. Lake: Will there be a kennel?

D. Yanosh: There will be a kennel and stalls. The whole nine yards. Again, this is in the RA zone. It's a permitted use. On both sides of the property, the lands are owned by Mr. Smiley and on the other side is Slaughter Road is part of the property development rights. The Town is looking to buy those two pieces of property for property development rights. The Smiley's have farmed some of this property over the years also. The applicant wishes to continue that as she goes along here doing the Site Plan.

G. Lake: I guess my question would be only because I have absolutely no idea. I guess my question would be if this is part of this development rights that the Town is buying.

D. Yanosh: This lot isn't.

G. Lake: This lot is not?

D. Yanosh: Both sides of us. This lot here is not involved.

G. Lake: I just didn't want us to get into something that we shouldn't be getting into. I misunderstood you. I'm sorry.

A. Dulgarian: I don't know what to think about it. Why are we looking at two different ones?

D. Yanosh: Just the location of the office on the site. Again we wanted to have the location to be on Stage Road and an address of Stage Road if possible because he wants to live out of his log cabin on Slaughter Road. This is just a layout. One building with kennels and an office. The other fields would be for training. She does sheep herding, birds, etc.

A. Dulgarian: Mr. Lake, are we looking strictly at sketch?

G. Lake: I would say so at this time.

A. Dulgarian: I have nothing to comment about. I have no other questions.

H. Ross: I have nothing.

W. Capozella: I kind of like the use for this piece of property. Other than that I don't have anything.

C. Najac: I have nothing.

T. Hamilton: I would be concerned about the kennels and the run wires.

D. Yanosh: When it comes time for the Public Hearing we will have an expert who will design our building for us. One of his comments was the fact that the buildings were be enclosed and have exterior runs. The building will have some outside runs. The outside units will have storage inside with the runs outside, almost like Ani-Mal. A little run for them to be outside during the day and night they come in and close the door. Night time they would always be inside and during the day time they would be outside. In this area here, hopefully if the development rights goes through on the Smiley Farm and we have Route 84 to the north of us also, there should be no problem.

G. Lake: Mr. LaBruna, do you have anything?

S. LaBruna: I don't know. Maybe a waste management plan.

D. Yanosh: The company that will design the building. We did approach the Town Board also about extending the water and sewer district down here. I understand that the Town is doing a study right now on that. We would like to put a line to our property at least for sewer eventually if it goes through. He wouldn't let us apply for that now because the study isn't finished.

G. Lake: Mr. LaBruna, is this something you would like to see more?

S. LaBruna: Yes.

G. Lake: Make sure you copy them everything you have.

D.Yanosh: The company that will be designing the building, they will design the septic system and the layout of the building and everything.

G. Lake: Mr. McGoey, do you need another work session?

D. McGoey: Yes, absolutely.

**MOTION to TABLE for further review made by H. Ross and seconded by A. Dulgarian.**

**A. Dulgarian: Aye**

**H. Ross: Aye**

**W. Capozella: Aye**

**C. Najac: Aye**

**T. Hamilton: Aye**

**G. Lake: Aye**

**MOTION CARRIED. 6 AYES**

8. **HIGHLAND PARK ASSOCIATES** – 2 LOT SUBDIVISION –(Sutton) –  
Scotchtown Collabar Road (29-1-55) #108-02

G. Lake: Your name for the record, please.

A. Fusco: My name is Al Fusco with Fusco Engineering representing the applicant.

G. Lake: Go ahead.

A. Fusco: We have a two lot subdivision and it had been before you earlier quite some time ago as a three lot subdivision. There were some wetland issues which we believe have been taken care of. We had retained Mr. Thorgensen rather to take care of those. We have had some work sessions with the Planning Board Engineer and I believe most of these issues have been worked out. There were some items that we have changed on the plan as per some earlier comments during the Spring. At this point we can move forward. We had three comments just recently that we are moving forward on. One is minor in relationship to piping. The others are comments from Mr. Lippert which

we are awaiting and the other, I guess, relates a little bit to whether or not we would need another Public Hearing and recommendation by your Attorney and he isn't present.

G. Lake: Right, but in this case I don't think I need a recommendation from the Attorney for a three lot subdivision. You were here before but because of the Public that came to that Public Hearing was when we found that who ever owned the land at the time was draining the wetlands.

A. Fusco: Right.

G. Lake: And, to be honest with you, I'm guilty because I haven't gone out to see that it's been restored so that's going to give me the time to get out there and take another look at it anyway.

A. Fusco: Okay.

G. Lake: That's my recommendation to the Board, that we do hold another Public Hearing.

A. Dulgarian: Public Hearing.

H. Ross: Public Hearing.

W. Capozella: I just have a question on the acreage. It's under three acres.

A. Fusco: 2.89 acres.

W. Capozella: Aren't you supposed to have three acres? Less than ten acres, right?

G. Lake: We better check on that.

D. McGoey: I will check it. You may be right on that.

W. Capozella: Because I think (not clear).

C. Najac: The site distance.

A. Fusco: There's twelve hundred feet.

C. Najac: There is a stream close by.

G. Lake: That will have to be put on the map.

A. Fusco: This is the distance and the prevailing speed and we figured the calculations at the prevailing speed. We can provide that information.

G. Lake: Anything else, Mr. Najac?

C. Najac: No.

T. Hamilton: I'm looking up the required acreage.

G. Lake: You've heard the comments from the Board. Will you be ready by November 1, 2006?

A. Fusco: Absolutely.

**MOTION to schedule a PUBLIC HEARING for November 1, 2006 made by A. Dulgarian and seconded by H. Ross.**

**A. Dulgarian: Aye**

**H. Ross: Aye**

**W. Capozella: Aye**

**C. Najac: Aye**

**T. Hamilton: Aye**

**G. Lake: Aye**

**MOTION CARRIED. 6 AYES**

9. **MANDARIN SOY SAUCE INC.** – SITE PLAN REVISION (Fence) – Sands Station Road (39-10-22) #44-06

G. Lake: Your name for the record, please.

D. Yanosh: My name is Dan Yanosh representing the applicant.

G. Lake: Okay.

D. Yanosh: We are here before the Planning Board for a Site Plan Revision to construct a fence. We have this small little piece of property here in the Town of Wallkill and the rest of the plant is in the City of Middletown. This is their access into the site and has

been that way for years. The fence is really for security and to screen off the side of the building.

G. Lake: Do you have Mr. McGoey's comments?

D. Yanosh: Sure. I do have a copy of the deed for Thomas Gruner who owns the lot next door. There are no easements to use that access at all. The fire escape comes out the back of the building and will have to go around the side of the building. There should be room for him to get out the side door and turn to the right.

D. McGoey: I think he has roughly about fifteen feet.

D. Yanosh: There is a hill on the property. Again, we're just looking for screening for privacy and security.

D. McGoey: I think he has the security for his needs right now and there is a fence along the side of the building. It could be used to screen the building somewhat. A six foot high fence isn't going to cover much anyhow.

D. Yanosh: That's the main reason. There's not really much security in the back.

G. Lake: I will go through the Board.

A. Dulgarian: I have no issues with that.

H. Ross: I have a concern about blocking the emergency access.

D. McGoey: I looked at it out in the field and it doesn't block the emergency access. The one door out the side has six feet where you can walk and the fire exit from the second floor exits parallel to that.

H. Ross: Okay.

W. Capozella: Is there any other access on the other side of this building?

D. Yanosh: There's a gate here right now.

W. Capozella: I don't have anything else.

C. Najac: Nothing.

T. Hamilton: Nothing.

G. Lake: I don't have anything.

**MOTION for a NEGATIVE DECLARATION subject to all of Mr. McGoey's comments and this Board's comments made by T. Hamilton and seconded by A. Dulgarian.**

**A. Dulgarian: Aye**

**H. Ross: Aye**

**W. Capozella: Aye**

**C. Najac: Aye**

**T. Hamilton: Aye**

**G. Lake: Aye**

**MOTION CARRIED. 6 AYES**

**MOTION for SITE PLAN REVISION for a FENCE subject to all of Mr. McGoey's comments and this Board's comments made by H. Ross and seconded by C. Najac.**

**A. Dulgarian: Aye**

**H. Ross: Aye**

**W. Capozella: Aye**

**C. Najac: Aye**

**T. Hamilton: Aye**

**G. Lake: Aye**

**MOTION CARRIED. 6 AYES**

10. **WAKEFERN** – SITE PLAN (Change of Use) – Ballard Road (60-1-120)  
#58-06

G. Lake: Your name for the record, please.

S. Gaba: My name is Steven Gaba for the applicant.

G. Lake: Go ahead.

S. Gaba: The application is for approval of a change of use. The subject property is the Wakerfern warehouse on Ballard Road. What we would like to do is lease out a portion of the warehouse to a usage of manufacturing and warehousing. With me tonight is Jim Murray from Pannatoni Development Inc. who is the purchaser of the warehouse. We also have Andrew Featherstone.

G. Lake: You said you were going to take part of it and Ball is going to have part of it, is that what you said?

S. Gaba: No.

T. Hamilton: Are they going into the former refrigerated building?

J. Murray: Yes. You may not have known Pannatoni Development Company. It's a company that is in California and has grown across the United States and Canada. We're actually one of the largest privately owned businesses. Clancy Volganic Snacks is the first tenant for this warehouse. We're excited to be here and we're excited about the project.

P. Sherry: This new tenant will be modifying half of the building. What we're looking to do is just applying three parking enclosures. Out of those twelve loading docks they will utilize seven. We will be striping the parking area. There will be a truck wash. This tenant will require one hundred parking spaces and five loading spaces. We meet those requirements or exceed.

G. Lake: When inside this plant a couple of questions. Is it just packaging or is it going to be manufacturing also?

P. Sherry: They will be manufacturing of snacks consisting of potato chip products.

G. Lake: So, you will be bringing in the raw products to make it?

P. Sherry: Right.

G. Lake: Mr. McGoey, our Water Superintendent . . .

D. McGoey: Our Water Superintendent, I asked these questions during the work session about the quality of the water.

P. Sherry: I talked to Mr. Smith and we will be putting in a treatment plant that will treat the discharge water. We will be putting in a (not clear) starch from the potatoes. We will recover that. We're probably going to circulate the water.

D. McGoey: Will the operation handle it?

P. Sherry: Not clear.

D. McGoe: Please supply a copy of the information on that.

P. Sherry: Actually when you talk about frying, it's not frying in a sense. We actually use a curtain with a very thin line of oil and then it bakes. What happens is the moisture is being taken out of the potato and takes it to the discharge area. There's no water downstream or anything like that.

G. Lake: Let me go through the Board.

A. Dulgarian: At first glance, it seems like a very good use for that building. It's in the right location. I think it's an exciting project for the Town. I'm glad that the company chose the Town of Wallkill. I hope it works out and I don't see why we can't proceed. Do we need a Public Hearing?

G. Lake: It's a change of use.

A. Dulgarian: Other than that, I think it's a good use and I'm in agreement with whatever option we're taking tonight.

H. Ross: You're going to be processing?

P. Sherry: Yes. The oil is recovered and then taken away. It's constantly being recycled.

H. Ross: I like it.

W. Capozella: I like the use for that facility. I would concur in giving us a little more information.

C. Najac: I think it's a good use.

T. Hamilton: The Town and Wakefern went to a lot of trouble to switch the trucking traffic over to the traffic light because of the problems with the trucks coming in and out along with the employee traffic. Now, your loading docks will be exiting where the employees park. How are you going to handle that?

J. Murray: There's actually all kinds of room there.

T. Hamilton: It was worked out so they wouldn't mix. That road originally was over where the employees as one drive going through. Then they shifted the truck traffic over to the traffic light and the employees using the other one.

G. Lake: You're going to have time to look at it. Unfortunately you will need a Public Hearing because of it being a change of use. I think a second look on that issue on your part for public safety and employee safety. I think it's worth it. If you want to keep it the way you have then you will have to convince him that you're right and he's wrong. Mr. McGoey, your comments?

D. McGoey: As long as the Engineer is okay with them, I have no problem.

G. Lake: Are you going to need another work session between now and the Public Hearing?

D. McGoey: I don't think so.

G. Lake: What we're going to do since a couple of Board members did ask you for more information, we can put you on October 4, 2006 which will give you sufficient time to get that information back to us and then we can hold your Public Hearing.

J. Murray: We were under the impression that this was the Public Hearing here tonight.

G. Lake: No. You have to send out notices. Contact the office. Unfortunately, our rules just don't allow us to vary from having a Public Hearing.

**MOTION to schedule a PUBLIC HEARING for October 4, 2006 made by T. Hamilton and seconded by H. Ross.**

**A. Dulgarian: Aye**

**H. Ross: Aye**

**W. Capozella: Aye**

**C. Najac: Aye**

**T. Hamilton: Aye**

**G. Lake: Aye**

**MOTION CARRIED. 6 AYES**

11. **ORANGE REGIONAL MEDICAL CENTER** – SITE PLAN/SPECIAL USE PERMIT – SEQRA LEAD AGENCY CIRCULATION – East Main Street (78-1-36, 40.2, 44.2, 71.1, 73, 74 &77) #60-06

G. Lake: Your name for the record, please.

W. Becker: My name is Wayne Becker and I'm Vice President for the new project of the Orange Regional Medical Center. I realize we're last on the agenda. We appreciate the opportunity to be here tonight. It's really our first meeting in a process towards approval of a new Orange Regional Medical Center and hospital on East Main Street in the Town of Wallkill. We have two agendas tonight. The first is the approval to adopt a resolution of Notice of Intent to become Lead Agency under SEQRA. The other is to give you a brief overview to put the project and content and to give you some background information to be more informed as to what our intentions are. What I would like to do is to give you a brief introduction and a little history about the project and then turn it over to Gary Meyer who's from "HBE", is the firm who will design and construct the facility. After his presentation, then to Mr. Art Tully, who did the site engineering and last but not least Tim Miller on the environmental impact. Before I ask Gary Meyer to come forward, I would like to introduce Scott Vitoulous. Scott is our new President and CEO. He's been with us for two and half weeks. He is here to support the project and also to get his feet wet and to understand the background information as well. Just to go back a little bit, Arden Hill and Horton Medical Center actually consolidated in 2000. We merged in 2002 and become one huge medical center and operating that way since 2002. From the beginning of that consolidation to the eventual merge and the final revision to the Board of Directors has continued to be a single site consolidation in developing a new hospital for Orange Regional Medical Center in the community. Also, to create a state-of-the-art facility; one that will have greater health care services in the community. The reason we're doing this is we have old infrastructure on both campus's. It is difficult to operate. We can't accommodate new technology. This new facility will allow for better resources. The new facility will allow us to open and improve quality health care. It will allow us to improve recruitment and retention and bring in more professionals into the area. We are building a facility that will have all private rooms. It's a requirement now and it's really a step forward for this region. Orange Regional does not have all private rooms. It's better for infection control. We began planning in 2004 just briefly. At that time our demand was four hundred fifty seven bed hospital by the year 2015. We realized early on that a four hundred fifty seven bed hospital was not affordable so we began to look at how we can break it up into little pieces and how we could phase it in. We've identified phase I as a three hundred seventy four bed hospital which is truly a three hundred fifty four bed hospital with twenty rooms large enough to accommodate two patients in an urgent situation. Another addition that we're taking in the design of this facility and realized it would probably be needed in the future to expand it horizontally and vertically expansion. We're also designing it to minimize the need for out patient services within the hospital. We're submitting a Department of Health

Certificate application this month and going to the State for their approval. We're working on a financial plan.

G. Meyer: I'm Gary Meyer, Vice President of Project Development of "HBE" located in St. Louis, Missouri, Illinois. We've been in business forty five years designing new hospitals. What we're proposing tonight, this is an aerial view rendering of the proposed building. It's a seven level building, six hundred and six thousand square feet approximately. The main level will have four entrances. One will be divided up as a main entrance for the public and visitors. An entrance for out patient services, an entrance for walk-ins and new patients. On the east side on the lower level would be the receiving level. The lower level basically will be service areas such as dietary and storage, mechanical systems. There will be a separate boiler plant on the side of the building. It will be shown on the Site Plan. The main level will have the ancillary services and the upper five levels will be patient accommodations. There will be on the site a heliport pad which is shown.

A. Tully: If you're familiar with the site which is on East Main Street not too far from the former Wehran Engineering building across the street, Cemetery Road is over here. Midway Park Drive over here and Route 84 across the back and Route 17 over here. It's a sixty two acre site. As described it will be a seven story building of approximately six hundred thousand square feet. The main entrance to the site will be off of East Main Street at this location here. There will be a secondary access to the site through Midway Park Drive which currently comes back to here and it will be extended to the back of the site. As Mr. Meyer had explained the main entrance of the building is here and as you come around the side there will be Doctor and staff parking through here. The emergency room parking and access in this portion. Coming around through here, this is the service area for the hospital. There will be more staff parking here. Visitor parking will be here. There will be a ring road around the site so as you enter you will be able to drive around the site where you will be able to get into the various areas of the hospital as your needs require. The site will be serviced by Town water and sewer. There is an existing water main in East Main Street. That will be looped through the site and come back out through Midway Park Drive. There is also an existing sanitary sewer here on East Main Street that will come in a short distance. Storm drainage, the site will meet all the requirements. We are providing several detention areas around the site and will be discharging either to the existing stream or to the road side swales. That's pretty much the way it's laid out right now. We re-submitted the environmental assessment form and we're asking for you tonight to do the intent for Lead Agency and we would like to move forward with the environmental process as well as the Site Plan.

T. Miller: Mr. McGoey's office provided us with comments on the environmental assessment form. The first is a resolution for you to become Lead Agency. We have done a long environmental assessment form. The notice of intent is pretty straight forward. A little bit of background on the first three paragraphs. It's a Type 1 action. We will submit to the various agencies within the next thirty days.

G. Lake: Let me go through the Board. I've talked to the Board a little bit about the work session that we did have so this is going to be their first chance to ask questions before we take action.

A. Dulgarian: I know this is very early and you want to move along. I'm just curious about Exit 122 and how it fits in.

G. Lake: We, surely, at the work session brought up the fact and we surely hope that it can move along.

A.Dulgarian: So, there's no time frame right now?

W. Becker: I attended a meeting a couple of months ago with the Department of Transportation and presented the plan. Actually their time line whether they meet it or not, I can't guarantee that but actually preceded when we would actually open up the hospital and that about 2009 the interchange would be completed. That's if they meet their established time, it would happen before us.

G. Lake: I think everybody realizes that.

A. Dulgarian: I think a year or two ago we talked about this kind of hinged on that happening.

P. Griely: We have forwarded our plans to the Department of Transportation and we're hoping that this will move it along. So far, the alternative has been narrowed down and hopefully by the end of this year.

A. Dulgarian: Okay.

H. Ross: I have a concern with the water and sewer capacity and your usage will be intensive.

G. Meyer: We have had conversations with Mr. Smith regarding this and so far he hasn't raised any issues about the applicant using the Town water and sewer system.

H. Ross: I trust his judgment but this is a huge project.

G. Meyer: Of course, this is something that we will address as we go along. The other thing is this site did have an approval for a very large warehouse at one time so there was water and sewer anticipated for the warehouse uses. I realize the hospital is greater.

W. Capozella: It will improve the area. There are a lot of issues to work out.

C.Najac: I have a concern about traffic seeing if for the first time.

G. Meyer: This will be a two way street. There's two things that will affect that. Number one is with what the Department of Transportation is doing with the interchange and number two you will see in the other handouts we gave you that the elevation here is about a fifty foot rise in elevation. We did look at trying to get a road up through there and it would require snaking the road which doesn't seem to be appropriate. We're going to keep that in mind but we're going to have to wait and see what the selective alternative for the change will be.

C.Najac: I can't envision elderly people driving through there.

T. Hamilton: On the parking calculations where the employees park and you're leaving this left hand side as future parking. You know, I've been at a lot of hospitals and you're constantly driving trying to find a spot. And, if you're planning on future development down the road, we should have all the parking now so we wouldn't have to worry about it later, otherwise you may need variances.

G. Meyer: It's in the hospital's best interest to have an adequate amount of parking and the parking we indicate on this plan is in excess so we're well above the Town standards and this is dictated by the hospital to make sure they have enough parking.

G. Lake: You know what, outline your property line.

G. Meyer: The property line is here and around the back and over here and in the back. Show the members on the map.

G. Lake: Okay. I don't have anything further. We're going to make a motion to send out the intent to become Lead Agency.

**MOTION for the INTENT of the PLANNING BOARD to become LEAD AGENCY made by T. Hamilton and seconded by C. Najac.**

**A. Dulgarian: Aye**

**H. Ross: Aye**

**W. Capozella: Aye**

**C. Najac: Aye**

**T. Hamilton: Aye**

**G. Lake: Aye**

**MOTION CARRIED. 6 AYES**

