

TOWN OF WALLKILL PLANNING BOARD

MEETING

OCTOBER 19, 2005

MEMBERS PRESENT: G. Lake, W. Capozella, R. Carr, A. Dulgarian, T. Hamilton,  
P. Owen, H. Ross

MEMBERS ABSENT: None

OTHERS PRESENT: J. Bacon, D. McGoey, S. LaBruna

1. PUBLIC HEARING 7:30 P.M. - **MEADOWOOD ASSOCIATES** - SITE PLAN - Route 17M (14-1-31.1) #45-05

G. Lake: Public Hearing started at 7:35 P.M. M. Hunt read the Public Hearing notice.

M. Hunt: NOTICE IS HEREBY GIVEN that a PUBLIC HEARING of the Planning Board of the Town of Wallkill, Orange County, New York, will be held at the Town Hall at 600 Route 211 East, in said Town on the 19<sup>th</sup> day of October, 2005 at 7:30 P.M. or as soon thereafter as the matter can be heard that day on the application of Meadowood Associates for approval of a Site Plan for an office building, County Route 76, under Section 249-40 of the Zoning Law of the Town of Wallkill. All parties of interest will be heard at said time and place. S/Gary Lake, Chairman

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

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

G. Lake: Since the last time you were here why don't you go over the project and get everybody back up to speed.

J. Tirolli: The property is located on the old Route 17M and consists of a existing wood frame dwelling for a conversion into an office of approximately two thousand square feet. There is an accessory on the site as well. That's going to be utilized for construction equipment. There will be an addition of 50 x 24 proposed on this site also to be used for construction equipment storage. All parking areas are proposed in front of the existing dwelling for a total of ten spaces. There will be two spaces provided for the accessory

building. The property has a septic system. There are substantial trees on the property. All but one will remain. One will be removed for the construction.

G. Lake: Had to leave meeting at this time.

T. Hamilton: I will go through the Board.

A. Dulgarian: I was just wondering, what about curbing?

D. McGoey: The County sent us a letter that they generally don't require curbing unless the Town wants it however, if curbs are permitted they must be designed according to their requirements.

A. Dulgarian: I was just trying to figure out where else we have done that in the past.

D. McGoey: Some sites on Route 17M have curbing. The Beauty Salon and the Spa.

A. Dulgarian: That's it for now.

P. Owen: I will wait.

R. Carr: I will wait.

W. Capozella: I will wait.

H. Ross: I will wait.

T. Hamilton: Is there anyone from the Public who wishes to comment on this application?

**MOTION to close the PUBLIC HEARING 7:40 P.M. made by A. Dulgarian and seconded by R. Carr.**

**A. Dulgarian: Aye**

**P. Owen: Aye**

**R. Carr: Aye**

**H. Ross: Aye**

**W. Capozella: Aye**

**T. Hamilton: Aye**

**MOTION CARRIED. 6 AYES**

T. Hamilton: I will go back to the Board.

A. Dulgarian: Other than Mr. McGoey's comments, this driveway that's shale is going to maintain a shale driveway?

J. Tirolli: Yes. We gave it some pitch. The accessory building with the shared driveway, we're going to leave that for the construction equipment.

A. Dulgarian: Just for your own use?

J. Tirolli: That's correct. And, the parking lot in front of the house will be a paved area and the reason we're not proposing curbing is because we consider it somewhat of a rural setting.

A. Dulgarian: Now, this is the old furniture refinishing place?

J. Tirolli: Yes.

A. Dulgarian: This building I'm looking at now is two different, is that just one footprint and has nothing to do with the addition that's proposed?

J. Tirolli: That's correct.

A. Dulgarian: Again, my only question is I do like the shale part. I can't see blacktopping that area. In front of the office, if it's paved, I would like to get the rest of the Board's opinion on curbing only because it's customary what we put other people through in that area and what it's going to look like down the road when the other properties develop around it. Other than that I don't see any negative impacts on this. It's a good use for the property.

P. Owen: Overall, I think it's a good use for the property. As far as the curbing done in that area, the gas stations have curbing. I would prefer to see curbing on this property.

T. Hamilton: Mr. McGoey, wouldn't we need the curbing to channelize the water runoff and whatever?

D. McGoey: There will probably be sheet runoff. They can take care of it without the curbs.

T. Hamilton: What would you recommend to handle that runoff?

D. McGoey: I think they may be appropriate from the entrance driveway to the parking lot instead of around the first couple parking spaces.

T. Hamilton: Mr. Owen, anything else?

P. Owen: No.

R. Carr: Overall, I have no problems with this. I would go along with Mr. McGoey's recommendation for curbing from the entrance driveway to the parking lot.

W. Capozella: As far as the curbing goes, I'm not ready an advocate of curbing. I think this is more like his use of the property, right and not commercial? I mean it's going to be commercial as far as the business goes but it's not a business.

J. Tirolli: No.

W. Capozella: It's more of his uses of the property, right?

J. Tirolli: Correct. His office will be there.

W. Capozella: When we were talking curbs, we're not talking both driveways?

D. McGoey: No.

A. Dulgarian: Just the blacktop one.

W. Capozella: Just the one.

A. Dulgarian: And, you don't know what it's going to be down the road.

W. Capozella: That's true. I do know that most of them have curbing. The only question I had again, I know you're showing some landscaping and you do mention it in your notes and if there will be some improvement along that line unless there's something else here that I'm missing.

J. Tirolli: We hadn't proposed any landscaping.

W. Capozella: Right, there's nothing on here.

J. Tirolli: We were just trying to show what was there.

H. Ross: The one building that you're going to add on will essentially be for equipment?

J. Tirolli: Yes. The entrance and the handicap spaces will be paved. There are no requirements for this one.

T. Hamilton: Anything else?

H. Ross: I don't have an issue with the way it is. I can live with partial curbing if we have any at all.

T. Hamilton: I agree more or less with adding the curbing. The other thing we've been working on landscaping all over the Town and this doesn't show much.

A. Dulgarian: I would be comfortable if the rest of the Board is in moving this along and granting an approval subject to Mr. McGoey signing off on the landscaping. It just has to be something to improve the site.

T. Hamilton: Everybody that has come in we've been asking for additional landscaping.

A. Dulgarian: And, Mr. McGoey's comments?

T. Hamilton: Any problem with Mr. McGoey's comments? Mr. McGoey, do you have anything else?

D. McGoey: No, just as long as he gives the proper parking calculations.

J. Tirolli: Yes. I inadvertently left it off.

T. Hamilton: And the width?

D. McGoey: Yes, it has to go to twenty four feet.

**MOTION for a NEGATIVE DECLARATION subject to all comments made by P. Owen and seconded by T. Hamilton.**

**A. Dulgarian: Aye**

**P. Owen: Aye**

**R. Carr: Aye**

**H. Ross: Aye**

**W. Capozella: Aye**

**T. Hamilton: Aye**

**MOTION CARRIED. 6 AYES**

**MOTION for LOT LINE MODIFICATION and SITE PLAN/SPECIAL USE PERMIT subject to all comments made by A. Dulgarian and seconded by P. Owen.**

**A. Dulgarian: Aye**

**P. Owen: Aye**

**R. Carr: Aye**

**H. Ross: Aye**

**W. Capozella: Aye**

**T. Hamilton: Aye**

**MOTION CARRIED. 6 AYES**

2. **NORTHSTAR ENERGY** - SITE PLAN/SPECIAL USE PERMIT - Fini Drive (41-1-108.1) #129-04

T. Hamilton: Your name for the record, please.

J. O'Rourke: My name is John O'Rourke with Lanc & Tully Engineering. We were last before you in July at which time you closed the Public Hearing. Mr. McGoey had some comments. Remember this is an approximately sixteen thousand square foot, basically major appliance store selling fireplaces, wood stoves, hot tubs, etc. on the corner of Fini Drive and Scotchtown Turnpike. The last time we had some architectural renderings.

T. Hamilton: Mr. McGoey, how did we make out with looking, because originally I brought up that there was some kind of an access to the other back lot that it doesn't come out to Route 211?

D. McGoey: They did some research on it.

J. O'Rourke: That's right. There's an easement on the other plan package through here but it's not for access. It's only for utilities. There is no access across this lot for this lot because it was part of the original approval when they broke off these subdivisions.

T. Hamilton: Did you look at that Mr. McGoey at all?

D. McGoey: The note on the plan says to provide temporary easements, no clearing, (not clear) and then it refers to note #18 which doesn't exist on the plan.

J. O'Rourke: Yes, we had cleared it up. That was on the original subdivision plan which basically

references this easement through here for utility work only.

T. Hamilton: Utility only?

D. McGoey: You should put that on the plans.

J. O'Rourke: I will put that on there along with the meets and bounds.

D. McGoey: Right.

T. Hamilton: Remember, Mr. McGoey, when that came in, we were worrying about that other parcel accessing Route 211 that close to the traffic light?

D. McGoey: Let me look.

T. Hamilton: Because, I remember that discussion about that other lot accessing right out to Route 211 that close to the traffic light on the Goshen Turnpike corner. I thought you were looking to have them go back out through Fini.

D. McGoey: I will have Marylynn pull the files.

J. O'Rourke: I can give you the original subdivision signed maps. We have them in the office. I didn't bring it this evening.

D. McGoey: I would also like to check the minutes of the meeting to see what the Board asked for an access in terms of that other lot.

J. O'Rourke: Again, that would have been before our purchase of the site.

A. Dulgarian: Could it be a right-of-way, then?

T. Hamilton: I thought we didn't want that other lot to come out onto Route 211. We will pull the file and double check.

J. O'Rourke: We did research the easements and the easements specifically said just utilities.

T. Hamilton: Mr. McGoey, anything else outstanding on your comments or any problems?

J. O'Rourke: No. We didn't have any problems with any of his comments.

D. McGoey: Yes. The stormwater management, there's a couple of issues which can be resolved.

J. O'Rourke: Yes. We received those comments.

D. McGoey: Any comments from the fire department?

T. Hamilton: The comment from Mr. Lippert, Highway Superintendent town specifications needed for curb and concrete drop curb.

D. McGoey: That should be able to be resolved without a problem. We just have to make sure it meets those specifications.

J. O'Rourke: And, then we did note initially that he wanted the catch basins cleaned out. We did that in a telephone conversation.

D. McGoey: And, landscaping.

T. Hamilton: I will go through the Board.

A. Dulgarian: First off, this is an improvement from the first plan but I talked to Mr. Lippert today and this is one of the projects he had a little concern about and he said to mention it to you Mr. McGoey that I guess Lanc & Tully has the Weinert property also, is that correct?

D. McGoey: Yes.

A. Dulgarian: Where they're proposing their off site runoff right in the corner of this is going to be added to this and he was just concerned that if that all that be taken into consideration. He thinks that it was just coming out of the grate down toward Occupations runoff because they don't have retention on this site?

D. McGoey: No, they do. I actually thought that the stormwater off of Weinert's was going to the other.

J. O'Rourke: Yes.

A. Dulgarian: Could you just re-check that?

J. O'Rourke: I will check that as well but to my knowledge it's not going there.

A. Dulgarian: As far as the landscaping goes, perhaps if you could beef it up a little bit and perhaps some of that old growth could be maintained. I do like the berm that currently exists off of Goshen Turnpike. I think that's a nice natural buffer. There are some nice trees there. Other than that,

that's the main concern.

P. Owen: I don't have any issues on this project as long as we buff up the landscaping.

R. Carr: I think this project is a great improvement. As far as the landscaping goes, I know it's my biggest concern. It's difficult to see because the berm that currently exists. In a sense I don't know how much more can be done.

W. Capozella: What was the, is the height of that building all the same through to the dock area?

D. Wieboldt: The height is approximately twenty four feet on the warehouse end which is the rear part of the building and approximately eighteen to twenty feet on the (not clear).

W. Capozella: The warehouse portion is what, twenty four?

D. Wieboldt: Yes.

W. Capozella: I like the layout. The only thing I wasn't totally thrilled about is where the dumpster is. I like to see them in the back and kind of hidden out of the way but I guess the way the layout of the building with the lot I don't know if there was room in the back or not.

J. O'Rourke: Yes, there wasn't really room to put it back but we do have it screened

W. Capozella: The same color?

J. O'Rourke: This fence will match the other fence which I think it a bright vinyl with green slats.

W. Capozella: Okay. It looks alright.

H. Ross: It looks okay.

T. Hamilton: The first question on that easement. On here, where is the easement on the site plan that you have in front of you?

J. O'Rourke: It's right through this lot right here.

T. Hamilton: That's where you have the small note I can read from here and it says (not clear).

D. McGoey: That's for utilities.

J. O'Rourke: The utilities are mostly underground. If they need it for water, sewer, storm drains.

T. Hamilton: And, is that a holding pond, or what is that right there?

J. O'Rourke: In this area here, yes.

T. Hamilton: How are you going to get through there?

D. McGoey: That could be a problem.

J. O'Rourke: This has more than adequate room but we can tighten it up through here.

T. Hamilton: Adequate room but you need thirty feet, because the description is thirty feet wide.

J. O'Rourke: I don't think there was anything in the easement that precluded us to do this but we can shift it off and tighten it up.

W. Capozella: Usually there are restrictions on the easements when you have a buffer.

T. Hamilton: Mr. McGoey, do you want to check out that thirty foot wide easement? I mean, he has his retention in that easement if he's going to go through with utilities?.

D. McGoey: Well, they can be six feet.

J. O'Rourke: Yes, we can actually just even bend it around a little bit.

T. Hamilton: Anything else, Mr. McGoey? Do we have anything from the Conservation?

S. LaBruna: No.

T. Hamilton: Because I don't see any paperwork here.

S. LaBruna: No.

T. Hamilton: Are you satisfied that he can handle everything there?

D. McGoey: Yes.

T. Hamilton: Were we going to beef up the landscaping?

D. McGoey: We have to maintain some existing vegetation up there. The main thing, there is a stormwater pond that may need screening and check the drainage that to make sure it isn't running toward the Weinert property.

T. Hamilton: And, Mr. McGoey, maybe they should some research on the access to the other lot

onto Route 211?

D. McGoey: Yes.

T. Hamilton: Because if the State tells him he can't put the driveway up that close to the traffic light there, then the back lot has no access. Are you satisfied with signing off on this?

D. McGoey: I think it's doable.

**MOTION for a NEGATIVE DECLARATION subject to all comments made by H. Ross and seconded by R. Carr.**

**A. Dulgarian: Aye**

**P. Owen: Aye**

**R. Carr: Aye**

**H. Ross: Aye**

**W. Capozella: Aye**

**T. Hamilton: Aye**

**MOTION CARRIED. 6 AYES**

**MOTION for SITE PLAN/SPECIAL USE PERMIT subject to all comments made by A. Dulgarian and seconded by H. Ross.**

**A. Dulgarian: Aye**

**P. Owen: Aye**

**R. Carr: Aye**

**H. Ross: Aye**

**W. Capozella: Aye**

**T. Hamilton: Aye**

**MOTION CARRIED. 6 AYES**

3. **DAVIDIM L.L.C.** (State Farm Building) - SITE PLAN REVISION - Route 211 East (41-112.1) #64-06

T. Hamilton: Your name for the record, please.

A. Nussbaumer: My name is Alex Nussbaumer.

T. Hamilton: Tell us what you want to do.

A. Nussbaumer: Well, it's just a conversion. There's a garage that's attached to an office building on the former State Farm Building. It's across the street. What we're proposing and requesting, I guess it's a change of use although my interpretation of the building code it's a garage for our use so it's not a true change of use but certainly a conversion of a garage space to an office space. What we've done is we are in the existing envelope of the zoning and some additional parking has been provided and some additional landscaping directly in the front of where the garage doors used to be and will now be a glass store front.

T. Hamilton: You made parking on the back side also?

A. Nussbaumer: Yes.

T. Hamilton: Mr. McGoey, is there anything you want to pick up on?

D. McGoey: No. I just suggested that if they wanted to indicate a couple of different special uses like a dental office, etc. that they don't necessarily have to use but they should get the approval. It would require a Public Hearing obviously but it would prevent you from having to come back. That's entirely up to you.

A. Nussbaumer: I think it would be possible for this approval and come back at a later time for that.

D. McGoey: Another suggestion, that the Board schedule a Public Hearing for the Special Use Permit and tonight get the Site Plan approval for the office but have them schedule a Public Hearing for the additional uses otherwise you would have to come back to another regular meeting.

T. Hamilton: Unless you have tenants that are looking to move right into that.

A. Nussbaumer: Unfortunately, not.

T. Hamilton: I will go through the Board.

A. Dulgarian: I think it's a good idea what Mr. McGoey suggested. Also, I don't see any problems with this change. What happened there, it was originally used by State Farm for auto inspections and they didn't require that much space?

A. Nussbaumer: State Farm is no longer in the building.

A. Dulgarian: Okay. I have no problem with this.

A. Nussbaumer: Can I ask a question? Can a retail use be a use of the property?

D. McGoey: Yes. All uses require a Special Use Permit.

T. Hamilton: Do you just want to hold it up and just go for it.

A. Nussbaumer: I would like to get the approval for this.

P. Owen: I don't have a problem with this.

R. Carr: I don't have a problem with it.

G. Lake: Came in at this time.

W. Capozella: I don't really have any issues with the request. It's just kind of an unusual layout where the building is.

A. Nussbaumer: Actually, there's an existing door that we will be using. There is another entrance.

T. Hamilton: See the piece on this end?

W. Capozella: Okay.

T. Hamilton: It's just that small piece added on the end, Mr. Capozella.

W. Capozella: Right.

T. Hamilton: That's where the garage doors are.

W. Capozella: It just doesn't look like it has an entrance.

T. Hamilton: Anything else?

W. Capozella: No.

H. Ross: Not clear.

D. McGoey: There's a photograph on the upper right corner.

T. Hamilton: It looks like the landscaping could be beefed up a little bit especially closer to the building.

A. Nussbaumer: Well, we are adding some here.

T. Hamilton: Have a sketch on what you're putting in there and have Mr. McGoey look at it. I don't see a problem with it.

**MOTION for a NEGATIVE DECLARATION subject to all comments made by W. Capozella and seconded by H. Ross.**

**A. Dulgarian: Aye**

**P. Owen: Aye**

**R. Carr: Aye**

**T. Hamilton: Aye**

**H. Ross: Aye**

**W. Capozella: Aye**

**G. Lake: Aye**

**MOTION CARRIED. 7 AYES**

**MOTION for SITE PLAN MODIFICATION subject to all comments made by W. Capozella and seconded by H. Ross.**

**A. Dulgarian: Aye**

**P. Owen: Aye**

**R. Carr: Aye**

**T. Hamilton: Aye**

**H. Ross: Aye**

**W. Capozella: Aye**

**G. Lake: Aye**

**MOTION CARRIED. 7 AYES**

**MOTION to schedule a PUBLIC HEARING for SPECIAL USES for December 21, 2005 made by P. Owen and seconded by A. Dulgarian.**

**A. Dulgarian: Aye**

**P. Owen: Aye**

**R. Carr: Aye**

**T. Hamilton: Aye**

**H. Ross: Aye**

**W. Capozella: Aye**

**G. Lake: Aye**

**MOTION CARRIED. 7 AYES**

4. **SAM'S CLUB GAS STATION** - SITE PLAN - 300 North Galleria Drive (78-2-5.12) #18-05

G. Lake: Your name for the record please.

Mrs. Snyder: My name is (not clear) Mrs. Snyder. I'm here for the applicant.

G. Lake: Do you want to introduce the others?

Mrs. Snyder: Sure. Gerard Bergman. As you recall, we were here back in June and at that time we were going to get variances which we received in September. On October 4, 2005 we provided Site Plan revision with traffic information, copies of our variance. We've also upgraded our landscaping plan as well and the lighting plan.

G. Bergman: Just to remind the Board what the project actually was. It's really a gas station on the northeast corner of the Sam's parking lot. It's a six pump, twelve station fuel position. Also included is a two hundred square foot kiosk building for an attendant. If you remember, the gasoline is only for Sam's customers and they will need a Sam's card to get gas at this station as well as a credit card. No cash will be handled at this station. The attendant in the kiosk is just for safety sake. No products will be sold, no candy bars, oil, or anything like that in the kiosk. In order to put the station in this corner of the parking lot, some parking spaces had to be reduced however, we still meet the town specification of five hundred eighty eight spaces are required and is shown on the plan and in the chart. Six hundred twelve exist after construction. The Planning Board and it's consultants had a few comments, things like traffic lighting and landscaping.

G. Lake: Do you have those comments? Do you want to go over them?

G. Bergman: I want to talk about the landscaping first. We did submit a landscaping plan and a lighting plan to Mr. McGoey. We just finished them last week and just submitted them to him. I wanted the Board to know that those plans went to him and a pretty comprehensive landscape plan was done. As you can see we showed a number of trees. We have some ground cover, some perennials and a lot of shrubs. In addition, the Board asked us to eliminate some spaces along the north entrance of the gas station and to increase the landscape area, which we did. One other thing, the applicant proposes to put shrubs in between the existing trees the entire length of North Galleria Drive as well as adjacent to the Sam's parking lot.

G. Lake: You said, you turned this landscape plan into Mr. McGoey?

G. Bergman: Yes. We will submit them to the whole Board but she just finished it.

G. Lake: Okay.

G. Bergman: I wanted Mr. McGoey to see it before it came to you.

G. Lake: I also feel that we should send this up to our consultant.

D. McGoey: Okay.

G. Lake: I don't know if you want to do that.

D. McGoey: Marylynn should do it.

G. Lake: She can send it up. Let's get that out right away.

G. Bergman: I'll submit a whole sixteen and then the extra one for her.

G. Lake: As long as we get an extra one to get up to our consultants. We're looking to tying in Route 211 and North Galleria Drive and also have them look at the different types that you're using for longevity instead of these short fifteen sixteen year longevity that some of these trees have that we've been using.

G. Bergman: Our architect is a landscape architect.

G. Lake: I realize that. I just wanted another expert on Board to get any ideas from her that may be incorporated.

G. Bergman: Certainly. We will get those to her tomorrow.

G. Lake: Okay.

G. Bergman: With me also is Gerald Hluchen from Gerard Engineering and he would like to say a few words on the lighting plan.

G. Hluchen: I'm Gerald Hluchen from Gerard Associates. I'm the lighting consultant for the project. An initial layout was submitted to Mr. McGoey and in the time it came back the levels were on the bright side and there was some concern about glare. That layout has been modified and re-submitted.

G. Bergman: Just to Mr. McGoey.

G. Hluchen: Just to Mr. McGoey for his review and what transpired is, first of all, the fixtures, we're talking specifically underneath the canopy. The fixtures that are in use are twenty four fixtures that are fully recessed up into the canopy and the lamp is fully concealed up in the lamp so if you were to look at the bottom of the canopy horizontally you would see no protrusion. There's no lens, no louver, no nothing sticking down which will add to stray lighting and glare. We've kept everything up flush and is referred to as a full cutoff fixture so that you don't get side light and it's strictly down lighting. We've also reduced the wattage of the fixtures from three hundred and twenty watts to one hundred seventy five watts per fixture which, in effect, has cut the lighting levels down to something just less than fifty percent. The guidelines that we're working to is set by the "IES" which is the Illuminating Engineering Society and we're right in line with the criteria that they set about for suburban gas fueling stations.

A. Dulgarian: What you're saying is not giving any distractions from motorists coming down?

G. Hluchen: Correct.

G. Lake: All the little . . .

G. Hluchen: They're all foot candle levels and range from thirteen on the low end to thirty two on the high end with an average of twenty two.

T. Hamilton: The canopy itself isn't going to have any lighting on it?

G. Hluchen: The canopy itself is going to have signage on four sides with a fluorescent light, sort of like an upside down billboard light which externally illuminates the sign.

T. Hamilton: Shielded enough that it's not going out, it's only hitting the sign?

G. Hluchen: Correct. This is turned in to the sign. And, Sam's Club, I guess we can address the operating hours with a, we also ran a photometric that does not appear here is that during non operational hours they cut down to about three fixtures strictly for security and we also ran photometric's for that. I'm not sure if they were submitted or not.

G. Lake: And, we are very concerned about the height of those but by the same token is there going to be enough light underneath that canopy for safety factors?

G. Hluchen: Absolutely.

D. McGoey: They're talking about thirty foot candles which is a lot higher.

G. Lake: What can we go look at that has something like this?

G. Hluchen: I went out last evening between the hours of ten P.M. and eleven P.M. and measured three fueling stations on Route 211. Starting with the Mobil station in front of Gander Mountain, the minimum foot candles of thirteen, the maximum of twenty one. Moving down to "Sunoco", they're minimum was sixteen and the maximum forty three and moving down to Getty, they're minimum is seventeen and they're maximum is forty five. So, we are below the average of existing stations out on the highway and once again, the Illuminating Engineering Society sets a target of twenty foot candles average for a rural gas station, thirty for suburban and fifty for an urban setting. The original location layout was based on urban, that's the one that Mr. McGoey saw the first time around, the second revised one is more in line with the thirty foot candle which is average for suburban and we really rolled that back to the mid twenties. We have a couple of hot spots but if you notice, the hot spots are underneath the signage and that's where that fluorescent light is up above. Under the main canopy part, we're really down to twenty two or twenty four foot candles for the most part.

G. Lake: I think that's give the Board something to go look at between now and the time you come back to get an idea.

T. Hamilton: What is the height of the canopy because I've got to some with canopies that are

supposed to protect you and they're so high that the rain drives through. Is there any reason why they have to be that high?

Unidentified Person: The bottom of the canopy (not clear).

T. Hamilton: I'm not sure what the heights were on the other ones.

H. Ross: How many lamps on this plan?

G. Hluchen: Twenty four, one hundred seven five watt metal halite which is the bluish light as opposed to some of them as high pressure sodium which is the yellowish light.

Mrs. Snyder: Not able to be heard.

G. Lake: Let's go over the comments and then we will go through the Board.

G. Bergman: Item #1. The Planning Board should determine whether the Towns traffic consultant is to review the traffic report prepared by Collins.

G. Lake: Do you see anything drastic that . . .

D. McGoey: No, I think they've made some sound recommendations. They're willing to improve the traffic signal at the Metro North, they're going to add a turning lane at Metro North. They're going to hard wire the signals on North Galleria Drive so they will work together. And, I think they also said they would make a contribution to the turning lane on Route 211 and Tower Drive.

P. Griely: His recap is correct. The contribution at Route 211 and Tower Drive is based on a formula and the preliminary numbers are probably in excess of sixty thousand dollars towards that but we'll submit that to Mr. McGoey as well as some site revisions.

D. McGoey: Mr. Bergman, one thing the internal circulation on the parking lot, the Board has a concern about that.

T. Hamilton: Yes, that was one question we had the last meeting about the people pulling in and not realizing that they had to be a member and once in line, how are they going to get back out?

G. Bergman: If I can, we did make changes to the parking lot in response to that comment from the last meeting. If you remember there was some parking as they came in. That parking has all been eliminated so, it's a straight shot in. You're not riding through the parking lot. There is no parking as you come in through here so, it's a much easier enter and exit from the gas station opening customers. If you like, I can make this plan part of the plan. This happens to be the truck radius plan.

T. Hamilton: Isn't that normally part of our packet?

D. McGoey: Yes.

G. Lake: I think the other question wasn't not only the number of trucks but what happens if somebody pulls in line are they going to be able to get out of there because they realize they can't buy gas without a Sam's Club card? Is there enough peak flow for them to get out of there?

G. Bergman: As you remember, we eliminated the parking on the north side. We eliminated some parking on the inside also. They eliminated the parking on the south side.

T. Phil: The distance between one set of pump islands to the other is forty feet which allows for, even if there's cars parked at each pump island there is room for other vehicles to get between the cars and also access on either end.

G. Lake: Mr. Dulgarian, any comment on that?

A. Dulgarian: Yes. You want all my comments or just look at this one?

G. Lake: Let's stick to the parking driving around this place.

A. Dulgarian: I know what they tried to do but they created this little parking island, if you will, and I think the intent of that was to not have traffic back up into the flow of those coming into the station. I just don't know if there's another way to do that. I'm not thrilled with the flow on this property still. I question the location of the tanks and how an eighteen wheeler is going to fill. I think we need to allow for that truck to be there when there are customers at those pumps. Also, on the same subject while you are on it, when we brought up Stop & Shop, Phil said it's not going to be the same type of thing because not just anybody can come here and, that is the question Mr. Hamilton had. At what point do you notify the consumer that you can't come in unless you have a card? Can he bale out of the deal? And, with the train station or holiday season, we're not going to know. I think the signage has to be early on coming onto this property or something.

T. Phil: It would be very easy to place some signs along here, Sam's Club members only.

A. Dulgarian: I don't know what could be done. I just think that there's some sort of need to avoid the situation that Mr. Hamilton was talking about. I think that needs to be addressed at the Public Hearing. This is leaps and bounds ahead of what they had the last time but I don't know if the flow in here is optimal. I just wonder if there's another way around that.

G. Lake: Does anybody else want to comment on the that item right now?

H. Ross: I'm agree with what everybody said on this. I'm also a little concerned about the gas line

situation routing.

T. Phil: This is all one way traffic. You have a tremendous amount, all along North Galleria Drive you have almost two lanes and you could pull in here. There could be some directional signs if ever that were the case you could work something out where you could have one way traffic. All the customers coming in here and going out this way.

G. Bergman: One thing the Board maybe wouldn't say that before that the traffic is all one way and it abuts.

A. Dulgarian: The other problem is that not all cars have the filling on the same side.

G. Bergman: Well, this allows you to go on either side, because the pumps are on either side.

P. Griely: The advantage of this plan as compared to most gas stations, most gas stations have multiple driveways coming in off the highway and you have people coming in either direction. The advantage of this and why it was planned this way isolated in the corner was so that people would first get on to the site. You have a spot where we can direct it as Sam Club customers only. Before they get into the actual area they're already in a controlled situation. It has more stacking here than any other gas station. You mentioned Stop & Shop, one of the problems there is access coming from every direction. It's just the way it was laid out. It's not necessarily the volume, it's just where it's coming from. Here, we have a controlled situation with a one way flow and the way that these pumps are laid out you can access the pumps from either side. That alleviates the situation where you have people coming in from multiple driveways. Here it actually works very well.

G. Lake: Mr. Bergman, do you want to go through the rest of the comments?

G. Bergman: Absolutely.

G. Lake: And, then I will go through the Board.

G. Bergman: Item #2. A determination has to be made as to the fair share of contribution to the left turn lane on Route 211 East and North Galleria Drive and Tower Drive. Item #3. The Planning Board should discuss the need for more landscaping. We've already discussed that. Item #4. The Site Plan should show parking calculations to verify that the existing parking and the proposed modifications will still result in an adequate number of parking spaces to serve both the Sam's and Gander Mountain facilities. We went over that. Item #5. The variance received from the Zoning Board of Appeals should be noted on the plan. We put the note on the plans. Item #5. Snow storage areas have not been shown on the Site Plan. That's true. We did place a note on the plan, it's note #3 that says that snow storage will be in the southeast patch of the parking lot and when that overflows the snow will be removed from the site. If you would like us to shade the area for the snow removal we can do that. It's along these parking spaces down here.

A. Dulgarian: Is that where you're putting all the planting?

T. Phil: No. It would be in the paved area.

G. Bergman: In fact, this is not the landscape plan. It would be in these spaces along here. The snow will be here until a point where it doesn't exceed. We need to keep the five

hundred eighty eight spaces opened and we still have a buffer of spaces over and above. After it gets beyond those spaces then we need to remove it from the site.

T. Phil: That's where they've been . . .

G. Bergman: That's where it's been stored for years as a matter of fact.

A. Dulgarian: We've had a problem with all these shopping centers with snow storage.

G. Lake: Shade out where you're going to put the snow and give us a line where the five eighty is.

G. Bergman: Okay, absolutely. It would be the same one. Item #7. We have received the lighting plan is a separate sheet. We've already discussed that.

G. Lake: Mr. Dulgarian?

A. Dulgarian: I like the road improvements. I like the landscape improvements. I like the lighting improvements. My concerns include that on site flow including the refilling of the tanks. Snow storage which you just spoke about. Is there going to be equipment on site that's left there that has to be included on the site calculations? A lot of shopping centers leave their equipment there. We spoke about the Sam's Club member. Signage, is there any other signage besides the canopy, any signage out by the road that we don't know of?

Mrs. Snyder: No.

A. Dulgarian: Hours of operation and the other thing was and I really don't know much about this but in my conversations with Mr. Lippert today he said about this hard wiring, he really like this but there was something in the wording of it that he had a question about.

D. McGoey: He may have questioned the number of lights.

A. Dulgarian: Can you touch base with him on that?

D. McGoey: I will.

A. Dulgarian: He was very happy about it and when he explained it to me, I think it was a great idea but there was something.

P. Owen: I pretty much don't really have anything to add except to say that I echo Mr. Dulgarian's comments. I feel the same way he does and have the same concerns. This plan that we have in front of us is an improvement over the last one.

R. Carr: I have to agree with everything that Mr. Dulgarian said and it's an intense use here in terms of traffic. I'm not entirely comfortable with the traffic flow but technically it's a whole lot better than it was. One of the things and I had to go back and look at the traffic study, that was based on how many of the people using it are going to be additional visitors to the site?

P. Griely: We analyzed it as if there was no sharing of trips that people were already going to Sam's. We assumed that the trips to the gas were new trips and that there was twenty five percent, what we call pass by which would be card holding members or people that were going to the Galleria. There was no additional credit for people that were shopping at Sam's Club and also getting gas at the same time. In terms of the traffic generation and what was added to the other intersections, it's probably a very high estimate based on past experience in terms of what we consider as new.

R. Carr: So, you're saying that in the traffic study about ten to twelve percent of the usage was considered . . .

P. Griely: Not clear.

R. Carr: Okay.

W. Capozella: In the traffic study as far as that twenty five percent, this access here you have coming out that's going back on to North Galleria Drive.

P. Griely: Yes.

W. Capozella: I don't remember recalling exactly what we noted on that just in terms of the twenty five percent as far as this could not necessarily be added on to that. You're actually going to have more than that because the people are going to fill up with gas, they're really going to be using that exit.

P. Griely: That's correct. In addition to the twenty five percent we looked at the patterns of the traffic on the roadways so when they left the site after they got gas we had assigned traffic to that driveway which we call Sam's driveway North Galleria Drive. The other exiting point would be out towards the Metro North Station. If I were heading back north toward North Galleria Drive towards Route 211 I would have to go out to the signal at Metro North. If I were heading towards the Galleria, towards the train station it would be on a right turn movement that you're referring to.

W. Capozella: I'm not one hundred percent certain on that left hand turn because when they come out of here there's going to be a lot of increased traffic. They're going to come out of here, go the right and take a left, right?

D. McGoey: If they're heading toward Route 211, that's correct.

W. Capozella: And how big of a left hand turn is that going to be as far as far backing up?

D. McGoey: Two lengths.

Mrs. Snyder: We're making a lane.

W. Capozella: I know we're going to make a lane but how big of a lane?

P. Griely: The lane that we're constructing is at the Metro North intersection so, if I make a right turn out of what I call Sam's driveway and I wanted to come back and make a "U" turn to connect to North Galleria Drive, today I couldn't do that. The left turn lane that we're building to handle traffic in the morning and evening going into the train station could also be used for that movement and we're providing I think six vehicle length is what we proposed there.

A. Dulgarian: Is there enough radius to do that?

P. Griely: For passing a car you could do it. The way that we're directing traffic on the site in terms of signing is North Galleria Drive is to bring them out at the signal. Bring the traffic out this way to the signal at Metro North.

A. Dulgarian: But I think that's a valid point. If somebody just came in off of Route 211 and wants to go right back out, they're going to try that. The left turn that you're proposing is great by the way, I think that's very much needed but like the one in front of Wal-Mart, it's going to be used for "U" turns and if it's going to be there we're going to have to allow for that.

P. Griely: If the Board would like, when we do that final design, we can work a curb line on the other side if you want to have that ability.

A. Dulgarian: I think you have to.

P. Griely: This curb line in here could be shifted back.

A. Dulgarian: Making a "U" turn off of the left turn.

P. Griely: There is an ability to widen this here to accommodate that if you would like us to do that.

G. Lake: Mr. Capozella, anything else?

W. Capozella: I guess my general comment still is, I mean I don't have a problem with the gas station where it is. The main thing, again, is, being somebody on the Planning Board and looking to approve this with the traffic flow, what type of suggestions would really make it. We could look at all the reports we want with traffic flows but the bottom line here it's definitely going to be affected in that area. There's definitely going to be congested. That's my main concern as far as the use.

T. Phil: Are you concerned more with on site or off site?

W. Capozella: Actually more on-site. The off site . . .

T. Phil: One of the reasons we chose this location, I mean anytime you go by there, you can look. This area is totally unused. We were there even during the Christmas season last year. Nobody parks over here. It's totally unused. We looked at in different places but this is the area that nobody uses. The employees park over here. This area is totally unused by the customers.

W. Capozella: Again, my concern is the people parking up here and then going into the store and come out and after Sam's Club I will get gas. They will be traveling in this direction along with anybody else that's going to be entering. Now, you're basically increasing in that area.

G. Lake: Enough is enough. You are still talking about the traffic flow. I think by now and you're asking us to set a Public Hearing for tonight, you really haven't satisfied as far as I can tell the full traffic flow. I don't know if it's your best spot or not your best spot but we just spent twenty minutes talking about the things we talked about. Like Mr. Dulgarian said, it's come a long way. Obviously the answers aren't here yet about the traffic flow. I think these guys are right. They live here and you're right that spot isn't used that much. I understand that but I don't think it's going to happen. I think as Mr. Dulgarian said, getting out, do you have the turning radius out there? I have a pick-up truck and it's tough getting out of there. I just think this should have been solved better than this by now when you're asking us to set a Public Hearing. Listening to the same thing the third time in a row doesn't make sense to me.

H. Ross: When you say seventy five percent, how many trips are you estimating?

P. Griely: In the course of an hour seven trips per fueling position. There's twelve fueling positions. The maximum is eighty vehicles in an hour.

T. Phil: That was also the standards for regular gas stations.

P. Griely: What we used was basically the highest generation as if this is a gas station that's opened to everyone and we designed it with those numbers to be conservatively high. Based on the Sam's

numbers, they're numbers show lower but we went to the higher standard generation numbers.

W. Capozella: The confusing part is you have people coming in from two basic directions, right?

P. Griely: No.

W. Capozella: Don't you have them coming in from this way and then this way, or no?

Mrs. Snyder: No.

P. Griely: You could access the gas from either of those islands as if you're coming out of the aisles and the main drive aisle from the front of the store.

Mrs. Snyder: Yes.

P. Griely: You're not coming off of Route 211 or North Galleria Drive.

Mrs. Snyder: Maybe you can tell them that you put the island in.

P. Griely: On that plan, just to understand, those are raised islands. It is not striping. That was added. One of the earlier discussions, we wanted to cut out any potential conflicts between vehicles entering and exiting parking spaces, cutting across parking areas. Those islands, of which some of them are landscaped islands, it's to control the traffic. We do not want to encourage more people making the "U" turn on North Galleria Drive and that's why we were directing them internally to come out at the control signal at Metro North Drive because we're going to be upgrading that signal and fixing the operation. We can incorporate that additional width to accommodate the return.

H. Ross: My next question is, I heard a lane on the outbound side of North Galleria Drive, they're still going to be doing "U" turns and also the left turns but I do think that the turning lane on the inbound side should be more than six queuing lengths long.

P. Griely: We can extend that.

H. Ross: The train is a public amenity.

P. Griely: The other point, not only are we providing the turn lane but also the actuation and we're fixing the actuation signals. We also will be repairing the route detectors coming out of Metro North Drive.

T. Hamilton. I think everything's been brought up. I'm glad to see you cut that curb back from out of Lowe's here because everybody making that turn are running over that curb. Mr. McGoey, Lowe's Drive, that's not a Town road, it's private?

D. McGoey: Right.

T. Hamilton: Is there any input as to owns that road and putting this impact on that road if it's a private road?

D. McGoey: I don't know, unless there's cross easements.

T. Hamilton: Can you check on that because Lowe's Drive is a private road. It is not a Town road and we're adding twenty five percent more traffic on it. How does that work out with cross easements on how much they can impact that road without doing something to it?

J. Bacon: Usually they don't specify a cutoff.

T. Hamilton: If it's a Town road we can request them to make improvements.

A. Dulgarian: Mr. Griely, can you tell us how often we're going to get fuel deliveries to give us an idea on that?

G. Lake: You have Mr. McGoey's comments and you have the comments of this Board. Obviously between now and December 21, 2005. We will put you on tentatively for the Public Hearing.

G. Bergman: Can we schedule a work session?

G. Lake: I would suggest that's a good idea if you can get in so we can iron out. I really think the Board is doing you a favor as liking this a little bit better but at the same token I don't think you're close to selling this Board on the traffic flow and some of the problems that are there. I think you have between now and December 21, 2005 to straighten this out. Maybe we're just not getting it.

A. Dulgarian: That would be the way to do it.

G. Lake: With all the comments, we shouldn't have had to spend this much time on something we've been talking about for about three meetings in work sessions.

**MOTION to schedule a PUBLIC HEARING for December 21, 2005 made by A. Dulgarian and seconded by W. Capozella.**

**A. Dulgarian: Aye**

**P. Owen: Aye**

**R. Carr: Aye**

**T. Hamilton: Aye**

**H. Ross: Aye**

**W. Capozella: Aye**

**G. Lake: Aye**

**MOTION CARRIED. 6 AYES**

5. **ST. JAMES CHURCH** - SITE PLAN/SPECIAL USE PERMIT - Bloomingburg Road (3-1-42) #67-05

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

T. DePuy: My name is Tom DePuy and with me is Rev. & Patricia Best.

G. Lake: Go ahead. This is on for discussion and sketch only.

T. DePuy: Basically St. James Church is looking to relocate in the Town of Wallkill on County Route 76 which is the old Route 17M and it's just up from Gillen Road. Basically, they're proposing an eleven thousand five hundred eighty square foot building of which about fifty six hundred square feet will be for the church, about sixteen hundred square feet for the fellowship and then they have a living area of about forty four hundred square feet. One of the big items for discussion for the proposal is you have the parsonage but also we have three residential units. I have the Reverend here and he can give an explanation of what they're for. It is a question from Mr. McGoey and we have been with the Town Attorney. It's a question of whether it's an allowable accessory use for the church.

A. Dulgarian: Is there before where the landscape job is?

T. DePuy: Yes.

G. Lake: Reverend, if you can tell us what the three apartments are?

Rev. Best: I will let my wife speak.

P. Best: Good evening. The purpose of the three units is we have a program presently where we

have families who are in need, many who have normally gone astray. What we have in the whole package in which we have housing for people. One of the units would have four men in there. They would be counseled by Rev. Best and myself or someone else on the staff of the church. The other two apartments are for families for whatever reason. We help them to become home owners of their own. It's not permanent housing. It's temporary and usually for two or three years to get them on their feet.

G. Lake: How about the one used for men? How long will they be living there?

P. Best: Normally we keep them at least twelve months. Some of them stay up to twenty four months and they've gone on and gotten their own apartment. There have been in the past in different situations maybe up to thirty six months for whatever reason.

T. Hamilton: I think the main thing is for our Attorney to give us a ruling on whether that use is an accessory use to the church.

J. Bacon: Well, in the HC zone, it says the church is allowed an accessory use permit. I looked through the code pretty carefully and, indeed, the closest definition of a lodging housing that is probably the closest that would fit with the use. It wasn't clear to me but are these apartments going to be have some sort of a fee or on a sliding scale? Obviously, the church is not-for-profit organization.

P. Best: No.

J. Bacon: You're not in it to be charging rent and making money off of it.

P. Best: What they're basically paying for, is that the apartments are furnished. We take care of all the electric. If need be we do provide food. All that's provided by the church. Basically it's only the minimal. They have to contribution but we're not making any money off of it.

J. Bacon: Well, sometimes they contribute to labor or something?

P. Best: They can work it off by taking care of the grounds such as removing the snow, also helping other members around the church. We do try to help them. It's about getting on the right path and helping them to get there.

G. Lake: I will go through the Board to give you a minute to decipher that if you want. We will keep moving along while you do that.

J. Bacon: The definition of a church does include administrative rooms. So, if the Board thought that was similar. I think an administrative room might be a bit of (not clear) from a dwelling unit but there is not a definition. If you look at a motel, it's not exactly a lodging house because . . .

G. Lake: I guess . Let me go through the Board.

A. Dulgarian: It is a very difficult situation. First off, I like to commend you people for what you do. I think the world would be a better place if there was more people like you. What scares me about it is we also have an obligation to the people who are already in that area. The only thing I worry about is, you talk about people from “Camp Laguardia” or whatever. I know we have that youth project down the road. I don’t remember the name but did we ever have any problems there or that worked out pretty good?

G. Lake: That is there. It is running.

A. Dulgarian: Everybody was concerned about those kids that had serious problems.

G. Lake: I can’t say as far as the police department goes. I can tell you that the fire department goes at times. The only time we have been there, I think in the entire time was once for food on the stove. Another time there was a little scuffle between a couple young boys and they hit the fire box. Those are the only times.

A. Dulgarian: At first sight, I like it and I think something like this is needed but I do have reservations on it. I am wondering about, they’re proposing four. I’m wondering if there were two if that would lessen the impact and you try it.

G. Lake: I think one is for you people, yes?

P. Best: Yes. We’re going to be there. We have two small children.

A. Dulgarian: You’re also talking about needy families that are struggling or individuals that are struggling?

Rev. Best: We’re talking about bringing two families and then one for men.

A. Dulgarian: So in other words, there’s one residence that would be for just some guys that are down for whatever?

Rev. Best: That’s correct.

A. Dulgarian: How many guys would be in that room?

P. Best: Four men which would include no pedophile’s. We would not take anyone with that kind of behavior of that nature.

A. Dulgarian: So you screen . . .

Rev. Best: Yes.

P. Best: Like I said, we're going to be there.

Rev. Best: We're presently doing that now. We screen everybody that comes in. We have a couple of social workers in the church.

A. Dulgarian: I'm more comfortable knowing that they're going to live there also and if they're not concerned but my concern is these people on Gillan Road that have lived there for thirty years. We're going to have to answer to them at some point and we have to be comfortable with it also and have the right answers. Are you folks doing this now somewhere?

Rev. Best: Yes. We're doing it now.

A. Dulgarian: Where is it happening now?

P. Best: Linden Avenue in Middletown.

Rev. Best: If you know anything about Middletown, we've not had one incident in twelve years and we were grand-fathered in.

A. Dulgarian: I believe I recognize your name from the papers. I know you do a lot of good things.

G. Lake: It's surely something different that we haven't seen before.

P. Owen: I don't know whether or not it's a permitted use or an accessory use. The closest thing I would think would be lodging. Sometimes they don't conform.

Rev. Best: They get the boot. We've done it before because it just didn't work out. They get thirty days notice along those lines and then a year later they were ready to come back and complied and everything worked out fine.

P. Best: Typically they do understand when they come in. There are guidelines that they must follow from the group that they came from, but when you come here, that's part of the church and we have certain guidelines that must be adhered to and if you don't you're out.

Rev. Best: There's no alcohol or tobacco.

G. Lake: Anything else, Mr. Owen?

P. Owen: No.

R. Carr: I share the same concerns. For the people that's in that area, I would interpret that the use is lodging. Besides that, I would say that the parking. If you could put the parking someplace else to make it more attractive.

T. DePuy: We have no problem. We can rotate the building and put the parking down the side. That would leave some green space.

R. Carr: The only other thing would be just (not clear).

W. Capozella: I guess, what were the number of dwellings again or the number of people that would be living in the entire facility, not counting yourselves? You said there was a unit for four individuals that would be living there and then two family units?

P. Best: Four men in one unit with two family units. They might have a single occupancy, maybe an older woman or an older man but typically in the past we've had more women than men stay at the apartment.

Rev. Best: Our family consists of four with two children.

P. Best: Two small children, small little girls.

W. Capozella: I don't really find that an issue. The issue would be especially when you read everything from Camp Laguardia and everything else we could be starting something like that and setting a precedence for that. I don't know what type of limited uses we could recommend to you as well as that goes. I can personally tell you that I think we would have a problem passing it if we ever got to the Public Hearing. I don't think it would be favorable. Right now, it's something for us to think about.

H. Ross: There's two existing dwellings, are you taking them down?

T. DePuy: When we develop the overall site, they'll be removed.

H. Ross: I'm a little concerned with the access and egress to the roads, the supervision.

Rev. Best: We're all in the same building.

H. Ross: So, your supervision would be critical.

P. Best: Yes.

H. Ross: Probably lodging would fit.

T. Hamilton: Just the answer on where those units are that they have their only entrance somewhere where you don't have the ability to monitor comings and goings.

T. DePuy: That's something we can work on.

Rev. Best: I would just say that when we bring people in is that they would abide by the rules and we do supervise every day.

G. Lake: Are there curfews involved?

Rev. Best: Definitely.

T. Hamilton: The other item also is the location of this project benefit. You're doing the same type of thing as on Linden Avenue in the City of Middletown but now we have a building at the other end of town where they're not going to live in the City atmosphere where these people can at least leave and go to a store. How are they going to back and forth and so forth. The other thing is, they don't get in you give them the boot. Then, where are they going? Now we have them out in this area. Where are they going to go?

P. Best: They go back.

T. Hamilton: If they are in the City there is a Section 8 where they can take these people in and so forth but out in this area there is nothing available to keep them occupied or even shopping. The other item that we kept back on was lodging. If you read the definition of lodging in our book it says without meals. You're giving meals so it doesn't fit the lodging definition in our book.

P. Best: Let me clarify the meals. Food pantry.

G. Lake: So, there would be no kitchens in any of these units?

P. Best: We will have microwaves and a refrigeration for them to store.

G. Lake: Mr. Bacon?

J. Bacon: The lodging, as Mr. Hamilton said, that meals are not provided.

G. Lake: I think you need to do a couple of things. For one we need to give our Attorney a little time to make some kind of a recommendation to us if this is going to fit. If it doesn't your option obviously is go to the Zoning Board of Appeals for an interpretation or a variance for whatever is needed. By the same token if you go to the Zoning Board of Appeals for a meeting for a determination of what category unless you just want to go for an interpretation. I think you've heard some of the concerns of the Board. I think maybe we will have you back after everybody has a

chance to think about it a little more. By the time he researches this back to us and maybe have you back in by that time you can show us your program a little bit better. I don't think it's a negative response but I think the Board would surely like to understand it better.

Rev. Best: My wife said Camp Laguardia. I don't even know if we ever had anybody from there?

P. Best: Maybe about three or four years ago.

Rev. Best: Maybe one person from there but normally these people that come through either get referred from someone or they come to the church itself and they're in need of something. They will seek me out and then they go through the process with a social worker.

G. Lake: I think what we have right now is to give our Attorney a little time to tell us in which direction to try and figure out. You might have to come back or we could just send him to the Zoning Board of Appeals?

J. Bacon: From what I've looked at the code, this doesn't fit in.

G. Lake: If they go to the Zoning Board of Appeals.

J. Bacon: I have one question for the applicant. Are you going to keep the operation in Middletown going?

Rev. Best: No.

A. Dulgarian: How many members do you have on a Sunday in your congregation?

Rev. Best: Approximately now about forty to sixty. It's gone down quite a bit because the neighborhood has changed.

**MOTION to TABLE for further review made by H. Ross and seconded by T. Hamilton.**

**A. Dulgarian: Aye**

**P. Owen: Aye**

**R. Carr: Aye**

**T. Hamilton: Aye**

**H. Ross: Aye**

**W. Capozella: Aye**

**G. Lake: Aye**

**MOTION CARRIED. 7 AYES**

6. **LeBARON WAREHOUSE** - SITE PLAN/SPECIAL USE PERMIT - Goshen Turnpike  
(60-1-24) #49-05

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

L. Fizzell: My name is Lee Fizzell, I'm an Architect. My client is Chester LeBaron.

G. Lake: Mr. McGoey, was he in a work session?

D. McGoey: Yes. He's only here to set a Public Hearing date.

G. Lake: Right. I was just looking at sixteen comments.

D. McGoey: Yes.

G. Lake: Tell the Board what you want to do.

L. Fizzell: My client has approximately nine and a half acres off of Goshen Turnpike near the Wallkill River. What we're proposing is to build a fourteen thousand square foot warehouse, metal building basically. Seven feet wide and two hundred feet long with a small office in the front of the building. There currently exists a paved driveway which extends back to the Town of Wallkill Water Pumping Station which rests on the property behind it. We propose to use that for our access for our building as well. We have a small parking area in the front and would be a gravel surface and a driveway that goes around the back to the loading dock or drive in head doors. We propose landscaping. We also propose to maintain as many of the old growth trees that we have. I do have some pictures.

A. Dulgarian: The footprint has been cleared already, correct?

L. Fizzell: No.

A. Dulgarian: What is that clear path in there now?

C. LeBaron: That was to start (not clear on tape).

A. Dulgarian: In other words, that is somewhere where the parking lot is now?

L. Fizzell: No. His entrance is up in this part of the parcel where the building goes closer to the access drive.

G. Lake: What it is going to be?

L. Fizzell: It will be used by my client to store his expensive car collection. He has quite a number of antique and classic cars in various locations and would like them in one place.

G. Lake: Go ahead, Mr. Dulgarian.

A. Dulgarian: That was my main concern, the use of it. Do you still do any machine work or stuff like that?

C. LeBaron: In Goshen, (could not hear on tape).

A. Dulgarian: I know the name. You're a bit of a legend. This is strictly for your own personal use, no commercial.

C. LeBaron: Just to keep my vehicles in one place.

A. Dulgarian: Are you going to fence these in for security or anything like that?

C. LeBaron: We have an alarm system.

A. Dulgarian: Those are the only questions I have at this point.

P. Owen: I don't have any questions.

R. Carr: My only concern would be the preserving of the trees along the road.

L. Fizzell: We can pull that back.

R. Carr: I have no other comments.

W. Capozella: I don't really have any issues. Is this a metal building you're going to build there?

C. LeBaron: Yes.

H. Ross: As long as there is screening to make sure the building isn't seen.

L. Fizzell: This represents the trees that are already there and we are going to back it up with additional landscaping as well because we want to screen the property as much as possible also. We're also going to have some landscaping out in the front.

T. Hamilton: Mr. McGoey make sure we look at color schemes so we don't end up with a bright yellow.

L. Fizzell: Our plans for colors are actually a stone gray color for the siding and dark green.

T. Hamilton: We've found that if we don't actually stipulate some sort of color scheme you can be surprised.

C. LeBaron: It's a light gray.

G. Lake: Have you been in contact with Mr. Smith at all regarding the Town well system?

L. Fizzell: Yes.

G. Lake: Not too far behind you and it's the main pump house.

L. Fizzell: Yes.

G. Lake: The easement, are you working on the agreement with him on that?

L. Fizzell: The location of that, I don't believe it was actually acted upon as an actual right-of-way but this part of the project in order to approve that as an access right-of-way.

G. Lake: I think, Mr. Bacon, the Town has a road shooting back to one of their main water houses back there.

J. Bacon: Right.

G. Lake: I assume you will have to work out some sort of easement or whatever the case may be if we haven't already. Mr. McGoey, you had sixteen comments here.

D. McGoey: Right.

G. Lake: Do you want to discuss any of them or maybe handle them between now and the Public Hearing?

D. McGoey: Can you address these comments?

L. Fizzell: Sure.

D. McGoey: Are there any you may have problems with?

L. Fizzell: No. In fact, I think we've addressed all of them.

D. McGoey: I suggest we have another work session before the Public Hearing.

**MOTION to schedule a PUBLIC HEARING for December 21, 2005 made by A. Dulgarian and seconded by R. Carr.**

**A. Dulgarian: Aye**

**P. Owen: Aye**

**R. Carr: Aye**

**T. Hamilton: Aye**

**H. Ross: Aye**

**W. Capozella: Aye**

**G. Lake: Aye**

**MOTION CARRIED. 7 AYES**

7. **ISLANDIA STORAGE** - SITE PLAN REVISION - Goshen Turnpike (44-1-35.22) #23-04

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

J. Dillin: My name is Jim Dillin. I'm representing Islandia Properties. We have an approved Site Plan at the beginning of the year. We started the project and the applicant wanted to instead of having to build two hundred thirty feet by thirty feet, he wanted to reduce the size of the building to thirty by one hundred and thirty by one hundred. The reason is he wanted some small units which is in more demand. That one building only accesses from the front. That's really the only reason for the applicant to change.

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

J. Dillin: I have his comments.

G. Lake: Do you want to go over them?

J. Dillin: Note #2 I have done.

D. McGoey: Okay.

J. Dillin: And, Mr. McGoey made a comment possibly about not putting the building over the existing storm drain. It's a concrete pipe, original pipe. All the pipes run together. It's not really an issue because the pipes are down seven feet at the shallowest point. They are "CP" pipes and the foundations are monolithic pours which are only eighteen inches deep. It really has no effect on the drainage that's already there.

G. Lake: Are you satisfied with that, Mr. McGoey?

D. McGoey: I don't have a problem.

G. Lake: I will go through the Board.

A. Dulgarian: This is a lesser impact than what was previously approved?

J. Dillin: Yes.

A. Dulgarian: Outdoor storage was approved before?

J. Dillin: Yes it was.

A. Dulgarian: No problem.

P. Owen: I don't have a problem with it.

R. Carr: No problem.

W. Capozella: I didn't understand, you said something about these two or one large unit?

J. Dillin: One large building.

W. Capozella: How many square feet?

J. Dillin: It was two hundred thirty by thirty feet.

W. Capozella: So, it's these two here?

J. Dillin: Right. We're taking away nine hundred square feet.

W. Capozella: Okay.

H. Ross: No problem.

T. Hamilton: No problem.

**MOTION for a NEGATIVE DECLARATION subject to all comments made by A. Dulgarian and seconded by T. Hamilton.**

**A. Dulgarian: Aye**

**P. Owen: Aye**

**R. Carr: Aye**

**T. Hamilton: Aye**

**H. Ross: Aye**

**W. Capozella: Aye**

**G. Lake: Aye**

**MOTION CARRIED. 7 AYES**

**MOTION for SITE PLAN/SPECIAL USE PERMIT subject to all comments made by A. Dulgarian and seconded by P. Owen.**

**A. Dulgarian: Aye**

**P. Owen: Aye**

**R. Carr: Aye**

**T. Hamilton: Aye**

**H. Ross: Aye**

**W. Capozella: Aye**

**G. Lake: Aye**

**MOTION CARRIED. 7 AYES**

8. **FAIRWAYS** - SITE PLAN REVISION - Golf Links Road (73-1-31.2) #120-02

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

J. VanTile: My name is Jennifer VanTile and Jeff O'Connell whom I think you remember from a previous application and Gary Lovitt who is an acquisition development at GEC. We're here tonight for a minor Site Plan amendment to the project. Overall it retains the same number of units. It's a reduction in the number of bedrooms by nine and a reduction and an elimination of two buildings. Now, if you want to follow as we go along we distributed a number of copies for comparison. I will just go through it quickly. The first modification is in this section of the site and all we're doing is instead of having two four unit buildings, we're replacing it with one five unit building. It opened up the site here and reduces it by three units. The second change we're just noting for your information is that the retaining wall here has actually been reduced in height from what it was. I'm going to pass over #3, the change in the recreation area because that's an issue that Mr. McGoey has some concerns about so we will come back to that. Figure #4, you will see right here we had two single family units and we're proposing to replace that with four townhouses. It covers the same area.

A. Dulgarian: Is that next to other townhouses?

J. VanTile: No. It's really on it's own.

A. Dulgarian: So, to the left of it you have single family?

J. VanTile: Yes.

G. Lovitt: We have some on the street and further down the right is single family but there are also semi-detached homes along the main road.

J. VanTile: This is really a separate street. Then if we go to this area here the only modification is taking one unit from this building on the top and adding it to the building that's down here. So, it's just a movement of one unit from the top of the circle. Again, this is being done to allow more

space for landscaping and just a better layout of the unit. The next change is as it turns out we've learned something from marketing the units and we found that the master down townhouse units is far and away the most popular unit in the project and demand is far outstripping supply. These are the units if you recall, several of the units that are over on the golf course on this side. We have been searching for ways somewhere on this site to provide at least two more of these units. We're proposing here at the end of Fairways Drive where there is a fair amount of room to replace this unit with one of the other ones.

A. Dulgarian: So, #51 is gone?

J. VanTile: #51 would be replaced.

A. Dulgarian: Now, this is a two family?

J. VanTile: Yes.

G. Lovitt: Not a two-family but two units that are attached.

J. VanTile: Again, this is the most popular unit and we have duplex units here on Fairways Drive also as well as duplex units here so we don't consider it to be an improper unit type. These are very desirable units. In fact, some people would rather have the duplex than have a two-family. Again, these are changes that are geared to marketing what people have expressed a desire to have.

J. O'Connell: One other thing, we just added additional parking.

J. VanTile: Overall we have a net reduction of the number of bedroom units as compared to the original. And then, the last three sheets just shows some very minor changes in footprint. Again, this is geared to re-design of unit types and putting in more of the master single family type. You can actually see it much better on the small drawings. I think the changes in footprint are really very minor. Same with the drawing #8 of #9 you can see that the changes here actually result in a re-design of the "L" unit so, the "L" unit has a smaller footprint which is just a little bit different. Same with #9 of #9, a very minor change in unit type. Again, this is all geared to marketing.

G. Lake: The school bus turn-around?

T. Hamilton: What happened to it?

J. O'Connell: Oh, because they come inside.

D. McGoey: They decided to go inside the development.

T. Hamilton: What school district is this?

D. McGoey: Middletown. There was a reason for that, I can't remember what it was?

J. VanTile: The school district decided that it was safer to come in. There were concerns as I recall about all the mothers, parking, etc. They've agreed to come in the project and they're going around the loop road. The kids can wait in the clubhouse.

G. Lake: Do you have that in writing?

T. Hamilton: Can I have a copy of it because I went to a meeting with the school board about another project and, they would not go on private property with school busses is what I was told. I asked them about this project and they didn't know what I was talking about.

J. VanTile: I do recall and it is in our SEQRA and we have it and we will definitely get it to you.

T. Hamilton: They didn't know what I was talking about when I mentioned that you had it and I wanted it for another project.

G. Lake: Let me go through the Board about the changes..

A. Dulgarian: First off, this project is coming out very nice. Secondly, I like the way this was done. It's very easy to follow and very professional. The only thing I have is I'm not thrilled with figure #4. I have an issue with that.

T. Hamilton: Why not move it over where the other ones are?

A. Dulgarian: Everything else is fine. I understand the marketing and that's fine.

P. Owen: I have a problem with figure #4 as well.

R. Carr: I really don't have a problem. It would be one thing if it were on a public road but I have no problem with that.

W. Capozella: Figure #1, we talked about decreasing the retaining wall?

G. Lovitt: Figure #2. That's actually a previous field change worked out by McGoey, Hauser & Edsall.

W. Capozella: You already have the retaining wall.

J. VanTile: Yes.

G. Lovitt: It was designed to be much bigger and once we were out in the field we realized we could reduce it.

G. Lake: Mr. Capozella, what happens sometimes once they get out in the field the Town also actually goes out and checks. They don't do a project change on their own. In this case, our Engineer was out.

W. Capozella: I was just questioning just the fact just the way it would look in relationship to the one already there.

J. VanTile: It is built.

G. Lake: That one is built.

J. VanTile: We're just doing a full disclosure coming out and telling you.

W. Capozella: After the fact, okay.

G. Lake: No, no. It's not after the fact. They got the okay from our people before they did that.

W. Capozella: Okay.

H. Ross: The changes aren't bad. #4?

J. O'Connell: #4 is a fourplex town home instead of two single family homes. However, it is the same width as the two, from end to end on either side of the single family homes.

J. VanTile: It would be like. Mr. O'Connell is right, it covers the same width.

A. Dulgarian: How close to the single family?

J. O'Connell: It has the same rear yard. The units aren't as wide.

J. VanTile: They're smaller units too, and it helps the project. Remember, we were talking about this before that one of the things that the Board liked was that we had different types of units at different price points.

G. Lake: Mr. Ross, anything else?

H. Ross: No.

T. Hamilton: They're going to put them on the other side where the Walkill River is.

G. Lake: I think we own that. Let's go back to item #2 on Mr. McGoey's comments. The change that we did in this area.

J. VanTie: Does everybody have the diagram because I think this might be pretty important to think about. The first thing that I want to point out about this is that this is not a modification that had anything to do with withdrawing anything, making it smaller, making it cheaper. In fact, if you look at the diagram you will see that actually we're proposing to make the recreation area actually a fair amount larger. This is all brought about by a report by the marketing firm for comprehensive evaluation of the recreation in all of their projects and the result of that survey that they did including talking to the management companies that ran the facilities said that these sports courts are very under-utilized. People just don't use them because the courts themselves aren't regulation courts. It's not a regulation sized basketball court. It's not a regulation size tennis court. People tend not to use them. On the other hand, people go crazy just using a pool. The pool is a heated pool so it has a very extended season and what the marketing people said is that the pool that we originally designed which was based on prototypes we've used before tends to be tight because people like to have a lot of tables outside, etc. I think everyone knows that one of the things that "GDC" did was they've added the putting green area when you first drive in to the site. I know Mr. McGoey was concerned about not having recreation out of season but I think that we share the same concern and it turns out that the sports court is taking up a lot of space and the people tell us it's just not going to be used. We think that this plan which actually has a place for young children allows them to be with their parents supervising them while they're there and actually it expands the overall square footage of this area plus the putting green provides a better form of recreation and one that the marketing people tell us will be more appreciated by our residents.

J. O'Connell: Also, just to add to that within the putting green . . . actually we never had the putting green in our initial design. When we designed the sales center at that time we added the putting green in as an additional amenity. We had this marketing report back in February but we were looking for an original site plan approval. Another thing this allows us to do when you look at the right side of the drawing it allows us to pull back the sidewalk and increase the landscape buffer between the rear of #22 and we will add another berm.

J. VanTie: Again, just to sum up this is really based on information we're getting on what our residents really want to let, what they're really going to use and what they're really going to want.

G. Lake: Anything else from the Board?

A. Dulgarian: Where are you going to store snow on this site?

J. O'Connell: I couldn't tell you and operations will handle that. That's something that I hadn't thought about but I'm sure it will be taken care of and it will be kept very neat.

T. Hamilton: Do you have enough parking around that clubhouse, pool and whatever? It doesn't look like enough spaces.

J. O'Connell: Yes. Actually you can see it in this plan as well. Again, when we designed the sales center we actually added about ten additional parking spaces. We were going to make them temporary but I designed just to add more additional parking.

J. VanTile: Drawing #3 shows the extra parking.

A. Dulgarian: Do we have to give this a Negative Declaration?

J. VanTile: I think you could just confirm that the original Negative Declaration covers it because it doesn't really change anything. It's really a reduction.

A. Dulgarian: I still don't like that one four unit.

G. Lake: That's okay.

**MOTION for a NEGATIVE DECLARATION subject to all comments made by R. Carr and seconded by W. Capozella.**

**A. Dulgarian: Aye**

**P. Owen: Aye**

**R. Carr: Aye**

**T. Hamilton: Aye**

**H. Ross: Aye**

**W. Capozella: Aye**

**G. Lake: Aye**

**MOTION CARRIED. 7 AYES**

**MOTION for SITE PLAN MODIFICATION subject to all comments made by R. Carr and seconded by H. Ross.**

**A. Dulgarian: Nay**

**P. Owen: Nay**

**R. Carr: Aye**

**T. Hamilton: Nay**

**H. Ross: Aye**

**W. Capozella: Aye**

**G. Lake: Aye**

**MOTION CARRIED. 4 AYES, 3 NAYS**

9. **GOLDEN TRIANGLE** (Phase 1) - SITE PLAN/SPECIAL USE PERMIT - Silver Lake Scotchtown Road (40-1-16) #74-02

**Cancelled.**

10. **PERRIWONG REALTY L.L.C.** - SITE PLAN REVISION - Dunning Road (78-1-48.1) #33-04

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

T. Anderson: My name is Todd Anderson with Chanis Anderson Architects and with me also is John Sokel with the same firm.

G. Lake: Go ahead, tell us what you want to do.

T. Anderson: The project consists of an addition which we are building at 60 Dunning Road. Currently now the building is made up of four tenant spaces, two upstairs, two that are kind of like a walk out at the lower level. Right now, the physical rehab occupies the two lower tenant spaces which is separated right now by a mechanical room. Upstairs, the two tenant spaces are separated by an open plaza. The idea is that they would like to move upstairs and enclose the plaza so that they can take advantage of the entire upper level.

G. Lake: So, basically you're just enclosing that upper portion?

T. Anderson: Yes, and then renovating the whole space.

A. Dulgarian: On both?

T. Anderson: Only on the upper floor.

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

J. Sokel: Yes.

G. Lake: Do you want to go through them?

J. Sokel: Sure. Item #1 is exactly what Mr. Anderson just explained to you. Item #2. The site plan represents that no additional parking is required. We did have a work session with Mr. McGoey and at that point we went with the existing site plan which had sixty eight parking spaces. When we went to the site and did a field visit there were seventy one spaces.

D. McGoey: Okay.

J. Sokel: Per the actual requirements of the parking we are within the limits. Item #3. The area location map has been upgraded. Item #4. The pavement details of the parking lot has been modified. Item #5. We requested that the applicant verify with the Planning Office that approvals including a special use was granted. The records don't actually go back that far but it was determined that there was a special use permit. Item #6. Photographs should be provided of the site. Again, we had a couple of photographs showing the existing landscaping. Some of the pictures were taken in April so, they're a little sparse. And, by the discussions that you all have had in the past couple of meetings, it would be a decision on your part. Part of the plan here is to upgrade them, clean them and crop them. Item #7. The existing dumpster enclosure, part of the actual site plan shows the proposed dumpster enclosure.

G. Lake: Let me go through the Board.

A. Dulgarian: I've always liked this building. I have no problem with the addition. I agree with beefing up the landscaping a little bit.

P. Owen: I agree.

R. Carr: I agree.

W. Capozella: I agree.

H. Ross: Nice and simple. No issues.

T. Hamilton: No problem.

**MOTION for a NEGATIVE DECLARATION subject to all comments and beefing up the landscaping made by T. Hamilton and seconded by A. Dulgarian.**

**A. Dulgarian: Aye**

**P. Owen: Aye**

**R. Carr: Aye**

**T. Hamilton: Aye**

**H. Ross: Aye**

**W. Capozella: Aye**

**G. Lake: Aye**

**MOTION CARRIED. 7 AYES**

**MOTION for SITE PLAN subject to all comments made in the Negative Declaration made by R. Carr and seconded by A. Dulgarian.**

**A. Dulgarian: Aye**

**P. Owen: Aye**

**R. Carr: Aye**

**T. Hamilton: Aye**

**H. Ross: Aye**

**W. Capozella: Aye**

**G. Lake: Aye**

**MOTION CARRIED. 7 AYES**

D. McGoey: