

Town of Wallkill
PLANNING BOARD MINUTES
April 5th, 2017

Members in Attendance: Gary Lake
D. Dulgarian, C. Najac, A. Guattery, B. Capozella T. Hamilton
Absent- J. Keegan
Also in Attendance: Dick McGoey, MH&E PC, Consulting Engineer
Gardiner Barone, PB Attorney

PLEDGE OF ALLEGIANCE

7:30 PM – MEETING OPENED

1. **Triple A Stairs 703 Rt. 211W -(34-7-1) #07-17**

G. Lake We have a continuation of a PH from the last meeting. It was mailed incorrectly and had to be recontinued. I will go thru the board first and we also rec'd his mailings.

J. Cella it's an existing 9000 s.f. bldg. The current owner wants to locate there stair construction facility there from the City of Middletown. We have addressed Mr. McGoey's 3/20/17 comments. We sent the surveyor out there and located all the wells adjacent. Based upon the locations the separations do work with the existing wells and septic systems that are there. To the east the well is located well over 200' and the west is 100' from our septic system, from the reserve areas it is closer to 150'.

R. McGoey I did not get them.

J. Cella we are in coordination with KC Eng. And we are going to be working with them to finalize the septic approval. We are coordinating soil testing.

G. Lake My question is did you check your septic to your neighbors well?

J. Cella Yes. All the properties.

R. McGoey The separation distance to the adjoining property is not 200'.

J. Cella No it's not 200' but the diagram the Health Dept works with is when you go out 100' parallel and you draw the boundary it works with that.

R. McGoey Ok, KC Engineering will take a look at that.

D. Dulgarian Well, at the last mtg we talked about no outside storage and o varnishes inside, it's just woodwork. It's an improvement and I have no problem giving it approval subject to the comments.

J. Cella I'll add some notes to the plans.

B. Capozella I like the project. The main issue is the septic. Our engineer will work with the applicant to verify it meets everything.

C. Najac I'm concerned on the distance between the septic and well. Let's make sure the distance is correct. I would love to see this bldg. being used.

A Guattery I agree, subject to all comments.

T. Hamilton I think it can be handled with a subject to meeting these conditions.

G. Lake Motion to reopen this PH at 7:44 pm.
Name for the record?

Ms. Gezctezi Other people have tried to do something with the well and your Town stopped them. They are putting this system the same place where it's always been. We were told it did not work there.

G.Lake I'll explain what the procedure will be to make sure your well is protected. We will send our engineers out to look at it. They work for the Town and will take the information and go out and check it. They might ask for a deep hole test, they are the engineers and the map will not be signed until our consulting engineers sign off on it. I will assume it is going to be a low impact business with the number of people. It will have to meet all standards, he might have to move it, and it's that simple. We will do everything in our power to make sure nothing happens to anybody's well in the Town. We have a great amount of resources to draw from. I understand your concern.

V. Pavey Their property borders mine and there are a lot of chemicals there. I know they said they would clean them up but are they going to bury them? You answered my well question.

G. Lake They will have to go to the Bldg. Dept after this and get building permits –they will be informed by us that people feel there are different chemicals in there and they will have to dispose of them in a legal and proper way. They won't be able to take them out back and put them in the junk. Our goal is to get the place cleaned up. I think everyone has high hopes to

make it look better- part of that is clean up. The Town has been very aggressive as far as cleaning things up – from signs along the road to garbage. If there are any chemicals they will have to do it by way of proper agencies. Our bldg. dept will now be notified there may be something there.

V. Pavey When the survey is done will we be able to look at the plans?

G. Lake Yes, he can show it to you after. The chemical issue will be taken care of. This is our chance as a Town to get it cleaned up. We will get in there and if there is something there they will take care of it.

V. Pavey It is a residential area and we have concerns. We had concerns when the auto place went in there and they have been perfect neighbors. They follow the code and it works. We want to have good relationship with this business too.

G. Lake All the right steps are being taken.

R. Pavey the PB says there is no factories in this residential/commercial thing. I think this is a factory and they are producing steps – manufacturing. How did that get thru if it's on the PB rules? It says no factories; it says hospitals, storage, restaurant, bars but no factories.

G. Barone The way the operation has been represented and described to the PB is assembling. Everything comes in pre made..

R. Pavey You are manufacturing, you are putting something together. They are bringing in and putting together. They will need chemicals, equipment coming in, and taking stuff out. If the PB says that there is no factories in this area why are we allowing this factory?

G. Barone Under the code manufacturing is defined as someone that starts with a raw material and does something with it. They are starting with finished materials, assembling them and taking them out to the site.

R. Pavey I want to understand this. If I own a golf cart factory or place that puts them together and all the pieces are coming from different places, and I put them together at my place am I manufacturing or a factory that is putting something together? It's the same thing.

G. Barone You are still not manufacturing, you are assembling. When you assemble something at your house it's no different than what he is doing.

R. Pavey I'm suggesting that you guys put that in your bylaws because I'm understanding that if I put something together I am manufacturing something. If I come in and I am putting burritos together isn't that manufacturing?

G. Barone Manufacturing is defined in the code as the use of raw materials. If he had raw wood that they had to....

R. Pavey I'm just trying to figure it out..

G. Lake You want to know if they are within the code and allowed to do it. We are not going to convince you otherwise. Are they under the code and are they following the law?

G. Barone As it was described in their application they are within the code.

G. Lake You used the word varnish, paint, etc. if you were here last time you would have heard they do not finish them, they are simply putting them together. As far as the finishing, it is done out of house. He is allowed under the code, that was checked when he first applied.

R. Pavey The reason is if you go to my property the people that were there before threw gallons of glass jars all over the place.

G. Lake There will be no outside storage at all. Everything is inside.

D. Dulgarian there will be notes on the plans, if he does not conform we can make him conform. The Town Building dept will be able to send a code enforcer. We rely on residents to call and tell us.

G. Lake Thank you. Motion to close this PH at 7:56 pm Doug/Andy 6 ayes.
I'll go thru the board one more time.

D. Dulgarian I'm ok with approval subject to all comments.

B Capozella No outside storage, no chemicals, no traffic impact issues.

C. Najac Subject to, no problem.

T. Hamilton Subject to Dick reviewing the septic distance and the final plan will have them on it.

RSR SITE PLAN- 55 Wes Warren Drive (41-1-70.21) # 20-17

T. Depuy This property is owned by RSR. The building is here and this is Wes Warren. The trucks pull in and back into the loading dock so they hang out onto the road. We are proposing a loading dock here and we will load in this direction and do away with that problem. Additionally we are looking to put a stacking parking lot here to alleviate some of the problems that occur on Revere Dr. This will be the staging area for the trucks to pull them down to Revere drive to the back. We will need a front yard variance for that loading dock. We are doing truck template work to show how they will come in, back in and go back out. Also to show the stacking here.

G. Lake I'm curious, the trucks will go in Wes Warren, make a U turn and back into the new dock and that will keep them totally out of the road?

T Depuy This staggers such that we are worried about them pulling out and having to stop to make the turn in, this gives them a little bit more room to turn out. If it was lined up it would have been easier. This does not line up.

R. McGoey Just a few items, you are eliminating some very nice trees in this corner that are very mature (evergreens) and also some trees over here. We should look at a very intense landscape replacement plan.

D. Dulgarian It's important to stay ahead of that, I hate to give up what we already have. No problem sending it to the ZBA. It is a definite improvement. What you are really trying to accomplish is stacking and getting them off the road. Nothing changes with the building and contents of it.

T Depuy Yes, lead is stored in here now and it won't change.

D. Dulgarian No problems.

B. Capozella It's an improvement send them to the ZBA.

C. Najac Agreed, it's a great improvement for the stacking. Refer to the ZBA and put the landscaping note on the plan.

A Guattery When this addition goes in does it affect the drainage that is there now?

T Depuy The grade, the trailer height is about here and it will be the same. We are proposing a Stormwater management pond in the front and will drain into it.

T. Hamilton I remember when they came in for their last big addition. They were going to eliminate the parking on Ballard Rd. and that did not happen. Their deliveries were going to be timed to prevent that but none of that happened.

T Depuy There is no parking on Ballard. We do still have a problem on Revere.

T. Hamilton I just don't want to find out we don't have room here for 7 or so vehicles at one time – they need to control that.

T. Depuy You can stack 7 trucks

G. Lake Next time you come back bring us an average count of a daily truck stack.

D. Hewitt Don Hewitt with RSR. The problem is the trucks are coming in and they do have appt. times but sometimes they get delayed or come in early and show up. We tell them they have to go somewhere else and they back up in the road etc. that is where we are at right now. We are hoping this will eliminate the problem and give them a little buffer time.

G. Lake Ok – just provide us with an average daily schedule. I go by and see 6-7 trucks there and in that case now you are doubling up to what you are stacking. Maybe it will relieve some of the concerns. We have been lucky nobody has been clobbered or hit.

D. Hewitt We agree 100%.

G. Lake that new addition will be closed or an open dock?

D. Hewitt It will be enclosed in the back for the trucks to unload. Only product that is in here- lead, brick, etc. It will have lights.

D. Dulgarian Are these all RSR trucks?

D. Hewitt No contract and over the road trucks. Trucking companies have their central dispatch. They call ..

D. Dulgarian How will they know where to go when they show up?

D. Hewitt When they come to the area they will call or tell us they are arriving at 7:45 am and my appt time is 10:00 then we will advise them they are early and tell them where to park

D.Dulgarian They could technically pull onto Revere and then you have a problem.

D. Hewitt It happens all the time.

That is what we are trying to eliminate.

G. Lake Motion to send to the ZBA with a recommendation. Doug/Andy 6 ayes.

SOS Fuels SP/SUP – 17M & Gaynor Rd. (36-2-62.22) # 21-17

G. Lake I believe we have to send you to the ZBA on this?

G. Barone I reviewed the code for permitted uses and special use permits and the closest I saw were gasoline filling stations.

RJ Smith It's warehouse- storage of product. Whether it's in the bldg, outside, or in a silo or tank.

G. Barone Storage of goods, wares and merchandise. You are saying propane is a good?

RJ Smith there is no place in the Town and no definition for fuel storage in the code in any of the districts and you have it throughout the Town.

G. Barone You can send them to the ZBA for an interpretation. Under the uniform commercial code you are saying gas is a good? I see your point ...it's not allowed anywhere.

G. Lake We discussed this because Blue Flame is up the road but they were here before the new code came out. Every now and then we run into a snag with the new code. Right across the street Agway was there as well.

G. Barone my suggestion is refer them to the ZBA and in the meantime I will do some research into whether or not LP gas is a good and that is a warehouse. If I find research that supports that they can come back here.

G. lake We will begin both processes. I will put you on the next PB meeting and send you to the ZBA as well. That way we keep you moving and Mr. Barone has a couple weeks and if he finds the ZBA is the way to go you already will have an application there. If not you come back in two weeks.

T. Depuy Basically they will enter off of 17M. they will have employee parking here and a 20x20 bldg. here for an office and supplies they need. They will come in here and stack their distribution trucks. We show how the truck will come in and unload onto the propane tanks. This is where they will load the trucks that are going out for shipments. They will have storage here for empty tanks that they will be working on to ship back out. This will be fenced in and tanks will be fenced in and we will have an electric slide gate fence here.

D. Dulgarian This is for bulk delivery only? Not for BBQ tanks? Strictly their vehicles only?

T. Depuy Yes, no BBQ tanks-only their vehicles.

A Guattery You are showing a gravel driveway with blacktop at the beginning only?
(yes) Bulk delivery will be truck trailer, large trucks. Local delivery will be straight job- do you think gravel will hold up?

T. Depuy We went over it with the owners and they said their other facilities are like that now.

A Guattery When you start plowing that heavy snow...

M. Hilt Matt Hilt with Hilt Propane Systems. With this project as with most of the systems we put in are a gravel lot with a paved skirt coming in and sometimes where the truck comes in to load off will have some paving. It's very common.

A Guattery We have proposed temp storage of small tanks – this is 100 gallons?

M. Hilt Yes, they will be there to get them ready for the customer – new tanks. Occasionally if they lose a customer they may bring a tank bank. The process is to evacuate the tank – they will not be stored full, only empty. When you start filling on site is when you would get into problems. The pumps are strictly for the trucks.

T. Hamilton Dick, you will check the depth under the gravel? (yes)

M. Hilt One thing we did with the transport is the truck is nosed in and after he unloads he does the maneuver to leave and he will be a lot lighter. The bobtails will be facing the exit so they can back up, load and they are full driving straight out.

A Guattery Is there a regulation on grounding them when you are off loading?

M. Hilt We have NFPA 58 standards which does not require you ground the tanks. We do – we have a grounding lug, we install it. The point of transfer there is a stanchion that hooks up to the truck and there is a grounding reel on the truck.

G. Lake WE will make a motion to send you to the ZBA and will let you know if Mr. Barone finds anything. Motion – Bill/Doug 6 ayes.

Cieslewitz 4 lot SD - 207/217 King Rd. (12-1-58) #23-17

D. Yanosh Dan Yanosh, Surveyor. This is a 4 lot SD – lot number 3 of the 2005 SD (3 lot) . Lot 2 is a 3.6 acre lot and lot 1 was a 31 acre lot. The 31 acre lot was sold and is a horse farm now. Lot 2 has a house on it and Lot 3 is 17 acres with existing barns on it and we want to SD it into 4 lots, each over 3 acres. 1, 2 & 3 are 3 acres and lot # 4 which has the barns on it is 8.6 . the existing barns are used for hay storage and equipment.

G. Lake The house on lot 4, are you just showing that you can do it.

D. Yanosh Dick's comment is what do we do with that? We can do a house on it.

G. Lake We need to set a PH – any problem with Dick's comments?

D. Yanosh Soils look pretty good- 40B and 40C.

C. Najac So he intends on keeping the barn and selling off the rest.

T. Hamilton Dick, on distances should we have from the well to the septic on there.
(yes)

G. Lake Motion to set a PH for 5/3/17. Andy/Tom 6 ayes. Return to WS.

Strohele 2 lot SD and 2 Family SP/SUP - 44 Anthony St. (75-12-24.1) # 17-02

D. Yanosh Dan Yanosh appearing for the applicant. This is a 2 lot SD that is back before you with 1 single family (existing) and a new 2 family with a new configuration . we need variances from the ZBA.

G. Lake On lot 1 it's 200' and lot 2 is 76' across the frontage. Are these pre-existing?

D. Yanosh Existing 2 story house is on one lot.

G. Lake Ok, I didn't realize this was existing. The driveway in front of lot 2, I would like to see you do something to squeeze that out to the side instead of cars parked in front of the house. I'll go thru the board.

D. Yanosh There is 20' on one side – I can probably put a driveway thru the to the back on one side...

G. Lake I ride thru some areas and they are nice but the one guy with 14 cars sitting in front of the house drags the area down. If we can avoid it we should try to.

D. Dulgarian This is an unfortunate location of the pre-existing house because it does limit you. You are saying if you get approval for this 2 family and it flies then a couple years down the road he will want to take the SF down and put another 2 family up?

D. Yanosh Yes. We would do the first one and move this lot line to the middle. Then we would have 2 100' wide lots. The new SD would be 124 right now. It exists as 200 and we are splitting off 76.

D. Dulgarian I don't know if you have ever done a 2 family on a lot less than 100'. I have not seen that.

D. Yanosh There is no regulation that says it has to be 125' or over.

D. Dulgarian Lot frontage 100'. That would be my concern. 2 family is not a big issue but if this is the first lot that is below 100' it will be a concern.

B. Capozella I have nothing at this time.

C. Najac It's interesting, we have some 50' lots but they only have SF homes. That is small for a 2 family – a variance to 76'.

A Guattery So he does not want to take down the SF because of financial. We are looking at 2 lots that will be 9300 s.f when they are done....

D. Yanosh Hopefully in the future he will take the old SF down and replace it.

C. Najac Is he creating his own hardship?

T. Hamilton Tad, can we put a stipulation on that, when the 1st 2 family sells that he has a time frame to get the other one done?

G. Barone You would have to come up with grounds and a basis to support that.

G.Lake Does the owner live in the existing house? (no). Motion to send this to the ZBA. Doug/Andy 6 ayes.

Hair By Sebo SP REV - 795 Rt. 211e (43-2-46.1) # 43-04

D. Yanosh I'm here for the owner. Site plan and SD were approved by the Board a while ago. He is trying to finish up with DOT with the entrance on Rt. 211. The Sebo's have found a buyer for lot 46.1 (parcel to the left). This is for a proposed service shop/office and we have a single access into the lot right now. The prospective buyer for that lot says he cannot get financing from the bank with the access easement across the other lot. I have submitted this site plan to the DOT for another driveway for this lot. She has a plan in Poughkeepsie and I have to write a dissertation to her. It was a separate lot many years ago and we came back and forth with the site plans. I wanted to make sure DOT was ok with it before I wasted your time. I don't need any action or PH right now. I want to wait until DOT is squared away.

G. Lake We will call it sketch. It gives you something. Then you have that to go to make your argument. (no comments from the PB members). I remember you had problems with DOT giving you the entrance years ago.

D. Yanosh There will be more landscaping there without the easement and we want to eliminate the problem with the curb to the sidewalk. I had to get an easement from the State for the sidewalk. Kim Henken was going to give into that with the small area from the curb to the sidewalk.

G. Lake Motion to accept sketch – Tom/Andy 6 ayes.

Dunkin Donuts 2 lot SD and SP- East Main St. (73-1-1.23) #29-16

R. Winglowitz I'm here tonight with the owner Mr. Sardinha. We have been dealing with the DPW and the traffic out front. We have worked thru it and their signoff. A left turn lane is proposed into the site as well as a left turn lane into the school. The left turn lane you see will be into the proposed entry drive. There will be one to the south of it into Mechanicstown School. The DPW has approved that. We have been working with Mr. McGoey's office on Stormwater circulation. Dick has a few comments. We are looking to set a PH tonight.

R. McGoey One thing I mentioned is the signage and whether we need a massive tall sign there or we can do something on a low profile. East Main St. has a lot of visibility there.

R. Winglowitz WE are looking at a similar sign to the one on 211. Freestanding sign, low profile. It's about the height of the building.

G. Lake You did straighten out with the County?

R. Winglowitz Yes, we did.

D. Dulgarian Tell me about the left turn lane. It is in front of the old farmhouse?

R. Winglowitz The proposal will be currently one in each direction on East Main, we are going to widen East Main to 3 lane sections on our side. There will be a taking ...

D. Dulgarian How does that affect Gervics and them?

R. Winglowitz There ROW is back here – ours goes right up to the edge of pavement. We are going to dedicate the same width of ROW all along the frontage. That will give us enough to do the widening – the 3 lane is in front of Distelburgers property.

D. Dulgarian There is one to the east of this that turns back into the school?
(yes)What is the detention area out by the road?

R. Winglowitz It's a bio retention area out by the road – the good thing about this is you are supposed to landscape it so there will be plantings around all the edges. There is a stone wall in front of it so it will be hidden behind it. 30" stone wall with decorative plantings. The length of the property. Bio retention is below grade, with grass and wetland plantings. It looks like a big mulch bed with plantings around it.

D. Dulgarian I have concerns about that.

R. Winglowitz There is a detailed landscaping plan.

B. Capozella You put in the crosswalks and have stacking for 15 cars. Dunkin probably uses more but it's better than others we have looked at.

R. Winglowitz It is all along the bldg. so none of it blocks the parking.

C. Najac I was concerned about the width of the road but you are telling me it's wide enough and you will retain the sidewalks. Catalog cut of the lighting?

R. Winglowitz Should be on the back page.

C. Najac New LED style? Shielded fixtures. Don't want to light up the houses behind you.

A Guattery We are not on 211 or 17 so signage should be in the 16' tall or lower. It keeps the town looking better. The bio retention area in the front, how deep is that? Does it drop much?

R.McGoey They have a guiderail along the parking lot and we asked them to put a mesh below the guiderail to avoid debris from blowing into the pond.

R Winglowitz The retention area is 499 and the adjacent grade is 500. It's a big filter is what it is.

A Guattery The culvert coming from the road will not be above grade? (correct).
Ok – I'd like to see a build out sketch for the rest of the SD. Only so we are controlling what is happening with the entrance with the future.

R. Winglowitz We can prepare something for the w/s.

G. Lake Motion to set a PH for 5/3/17. Andy/Bill 6 ayes.

Devitt SP/SUP- 599 East Main St. (78-1-94.1) # 17-15

G. Lake We are here basically to review document on Devitt. Dick will read them and you can comment on them.

R. MCgoey this is Part 2 Environmental Summary of the potential impacts that the board should review. There is a listing of the potential impacts and an indication on whether the impact is moderate or large or whether the impact occurs and the importance of the impact. I'll go over each and the board can tell me individually as we go thru these whether you agree or disagree on what is listed at the top of each of these, moderate, short term, probably to occur and fairly important.

The first is the impact on land resources. The project proposes to disturb 32.5 acres of soil. There proposed mitigation includes the SWWP program, their soil erosion control and it is further provided that each phase of the development will include a detailed SWWP and soil erosion control plan in accordance with NYS DEC application. That is what they are proposing for mitigation. The magnitude is listed as moderate, short term and it will occur and is a fairly important impact. If everyone agrees we will move on. The impacts on the surface water, the proposed project has the potential to impact erosion and sedimentation, has the potential to create Stormwater discharge to neighboring receiving water, mitigation includes the Stormwater pollution prevention plan and again an erosion and sedimentation control plan. Each applicant for the future development of the site will be required to do a SWWP and detailed site erosion control. Again, the listed magnitude is moderate, short term impact, likely to occur and is Important. I agree with those.

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D. Dulgarian On the surface water, every time a parcel is developed the post can't increase over the previous. (correct) What about the infrastructure. When you put roads in there and that goes right into the SW and right into the creek, right? (it's treated now).

R. McGoey It's treated in the Stormwater basin, even the street water. Goes into a bio retention area much like Dunkin Donuts, goes to a lower point on the site, gets charged to a treatment area and then it is further discharged either into a wetland area or a receiving water body. There is a discharge permit required, you have to renew them. The Town is a MS4 Community, there is a Stormwater management agent for the town (normally the building inspector) .

T. Hamilton When have we checked Howard Johnsons?

R. McGoey It's being discussed. There was a meeting last week about following up on this and Hannafords.

R. Winglowitz Dick's office inspectors during construction and then there is an agreement in place that the Town has the required yearly inspections. They are signed and filed with the County.

D. Dulgarian Is that at the cost of the property owner? (yes)

C. Najac The same amount of water still ends up going away but we slow it down and run it thru a filter bed which is maintained.

R. MCgoey It treats it and maintains it so the rate of run -off doesn't change or increase.

C.Najac Does the pond/refiltration bed need to get maintained? (yes)

A Guattery Impact on surface water shows a duration of short term?
Does that fit with that?

R. McGoey The water quality will be better at the end of the day. The impact on land is short term as well because we are improving it.
Impacts on ground water – the project is currently vacant land and does not contain any on site wells. It's located over an aquifer. The DPW Commissioner and the Town Hydrologist were consulting on that aquifer and felt that the Town was not interested in developing any water supplies. At full build out they will use 73,000 potable water gallons per day from municipal supply. The town water supply is sufficient to supply that amount of water with the capacity of 2,000,000 gallons per day. The magnitude is moderate, duration is not applicable, there is no likely potential impact and the importance is fairly important. Impact on air – air quality impacts short term impacts associated with construction as well as some long term air quality impacts associated with the operation of commercial buildings once constructed. The

increased air emissions will come from combustion of fossil fuels in vehicles traveling to and from the site. Heating and cooling hot water systems and generated dust by future activity. The size of the disturbance area during each phase of the project will be minimized and disturbed soil will be stabilized within 14 days of obtaining final grade. Maint. Of existing trees around the perimeter will assist in suppressing the dust levels. Use of mulch and seeding as temp cover to exposed cover to help reduce dust. During dry weather, spraying of water on unpaved areas will be utilized as dust control. Stabilization of construction entrances will be utilized. Post construction impacts on the ambient air quality due to greenhouse gas emissions from traffic and natural gas associated with onsite mechanical equipment are not expected to be significant. Due to the traffic mitigation proposed by the applicant there is no significant reduction in the level of service at the study area of the intersections, therefore no significant air quality impacts are anticipated. All heating and cooling equipment will comply with EPA requirements. Emission controlled devices will be installed. Air emission permits are required and they will be obtained prior to final approval. There is a small potential impact, the duration is short and there is likelihood to occur and a fairly important impact.

C. Najac Magnitude of the impact, right now the traffic on East Main St is pretty bad. We are going to increase the amount of traffic with a multiplier and increase the amount of air pollution in that area. It can't be small; it has to be medium to large. When is the last traffic study we did out there?

A Guattery We have times when it's over 4 minutes to get out of Michaels Appliance. It can be worse making a left turn. That is where we asked for a back access road again, and will address at a later date. Impact on air, if I'm getting this right the magnitude is small or large? We are talking a lot of vehicles so I can't see how this would be a small.

R. McGoey The question is you already have an issue out there. What does this add to it?

C. Najac it's cumulative though.

R. Winglowitz One of the thresholds for air is anything that increases delay times then there is a potential to increase air pollution. Our mitigation reduces the delay times to what they were previously.

A Guattery The controlling factor for this is to make sure your mitigation is actually doing something.

G. Lake That could be an adjustment of the red light at that intersection. Or turning lanes, or a road going out onto Dunning Road.

A Guattery We had the County do the light in front of Quick Chek several times. It just is a never-ending stream of traffic the minute the light changes it's a never ending left turn coming out of Quick Check. Now we are going to add several hundred parking spaces and a couple

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hotels, you won't get out anytime soon. You are going to try to take the right on red down and we are slowing traffic again. We have some new technology in the store that tracks cellular data. It reaches out to the road signaling area and we found out that a certain points of the day traffic is actually slow enough, sitting there for 45 seconds in front of – upwards of 6 and 7000 cell phones a day sitting in front of the store – we can show this data now. The traffic is horrific. If the magnitude of impact is going to be small on air then access roads and how we handle it will be very important.

R. Winglowitz This if for you guys to decide, how you are going to determine if it's moderate or large.

A Guattery I think large, I don't see small..

D. Dulgarian That is for air not traffic?

R. McGoey Ok, we will make it large. Agricultural resources- project will irreversibly convert 36.7 acres of ag land to not ag use. This represents a small portion of the agricultural lands in Orange County and relatively small area of agricultural soils involved in the fact that the site is almost entirely surrounded by developed parcels so the ag value is limited and therefore no significant impacts to ag uses are considered. It's suggested it be moderate, it's irreversible, it will occur and it is important.

D. Dulgarian Farming is not viable anymore.

C. Najac It probably is a small impact – has not been farmed in years.

R. McGoey Aesthetic resources, the site is within 5 miles of the Highland Lake State Park and the ORMC as well as adjacent to State 84 where it can be viewed by the traveling public. The site will not be visible from the Highland State Park. Visibility from Interstate 84 has been analyzed and is partially screened by existing trees that will remain after construction. In addition the applicant has committed to use aesthetically pleasing architecture, natural colors, detailed landscaping and lighting plans with each site plan application. With the proposed mitigation of potential impacts on aesthetic resources – with the moderate, long term impact it will occur it is fairly important. Cultural resources, to determine the site sensitivity to historical and pre-historic culture resources a request was sent to the NY Office of Parks and Recreation on the 16th of March to initiate a project review. Correspondence rec'd on 11th of March indicated a Phase 1 Archeological investigation was warranted. This was conducted by Tracker Archeological to determine the potential impact. Based on the recommendations of the Phase 1 , literature search and study, a Phase 1 B investigation was conducted to determine whether varied cultural remains are located within the project. Site – no cultural materials associated with Native American occupation of the area as it was determined there was no impact on historical or archeological resources on or adjacent to the project site. It's moderate, duration of the impact, moderate.

4/5/17

PB MINUTES

Transportation, a primary access for the site is East Main St. via the extension of the Quick Check access road. The secondary access is proposed for Dunning Road. Internal roadways connect all proposed bldgs. And parking areas. Based on the build out of the site there will be significant traffic generated during the weekday AM and PM peak hours. The traffic, if left unmitigated could have a potential impact. To mitigate the potential impacts the following is proposed – the sites primary access on East Main St. at Quick Chek, the south bound approach a right turn and left turn exit lanes for the site be lengthened a total of 155 ‘ to accommodate add’l left turn lanes into the site from East Main Street, the left turn lane on East main Street will be improved by adding an add’l 100’ to the left turn lane storage. This add’l storage will provide stacking room for 8 vehicles. At the site access on Dunning road a separate right and left turn lane are proposed to promote traffic flow. Prior to construction of this improvement the applicants engineer will work with the OC DPW and the Town Traffic Consultant to establish the length of the lanes needed. It is suggested this be a moderate, long term impact that will occur and is fairly important. You want to make that Large?

C. Najac Absolutely.

D. Dulgarian someone mentioned the Smith Rd. access that used to go across 17 – it’s abandoned. We talked about connecting the two malls – anyway we can use some of that? Does that come into the traffic plan? You have the narrow ROW by the Rusty Nail (it’s 70’ wide).

A Guattery Isn’t Smith Rd. by the high tension road? I think the back of their property is the old railbed.

R. Winglowitz The hold up on this is to get Orange County to sign off on this. We met with them on 2/10/17 and the conceptually agreed to everything at the meeting but wanted add’l information. We gave it to them on 2/22 and it was too late for a response.

G. lake So, you are still in with OCDPW. Are they looking at both roads now? *(yes)
When you come back they will tell you what they are willing to have you do.

D. Dulgarian This traffic- the project hinges on that. The East Main St. corridor is brutal and it will only get worse. I don’t know how you mitigate something of that size. How many intersections can you have that are acceptable? Isn’t an F a failure?

G. Lake If you remember during the years we have always gotten extra room to widen East Main St. – the bridge is the problem. It’s one way each way. I don’t know if the County owns it or 84 –

C. Najac it’s the state – DOT takes care of it.

G. Lake This s a good time to send a letter to Region 3 and start looking at it.

The problem is until the bridge is fixed or redone...

D. Dulgarian Then maybe you don't do something that generates 1000 trips, you do something that generates 200 trips.

A Guatterry Is it still 2 hotels that they are proposing? (yes) Between that and the research office we have to be cognizant of the fact there will be major traffic wanting to leave the site making a left turn down East Main to go back down 17 and 84. One of the things we have noticed since they redid Exit 122 is more traffic.

R. Winglowitz So our own traffic was projected to be a D but the thru traffic on East main would be worse case level C. 33 second delay, 34 second delay.

R. McGoey Impact on odor and light resources – proposed action will result in noise, odor and light generation during the construction phase, however the supposed site design uses best management practice outlined in the Part 3 EAF . that was a moderate, short term, action that will occur and is fairly important. We have basically 2 revisions to the document. Impact on air to LARGE. Impact to traffic- LARGE. The importance should be changed to very important.

A Guatterry The impact on noise, odor and light should be very important as well.

D. Dulgarian What generates that? There are not a lot of houses there.

G. Lake I don't see that as being very important either.

B. Capozella No, I don't see that.

G. Lake You have seen what the board wants.

R. Winglowitz We will revise this and hope to hear back from the DPW so we can get on a meeting for SEQRA action. We have prepared a draft neg dec to look at.

G. Lake I think the county comments on the traffic mitigation is going to be important. The board is quite interested. Motion to table for further action. Tom/Andy 6 ayes.

MEETING ADJOURNED.