

Town of Wallkill

PLANNING BOARD MINUTES

June 7, 2017

Members in Attendance: Gary Lake

C. Najac, A. Guattery, B. Capozella T. Hamilton J. Keegan

No Doug Dulgarian

Also in Attendance: Dick McGoey, MH&E PC, Consulting Engineer

Gardiner Barone, PB Attorney

PLEDGE OF ALLEGIANCE

7:30 PM – MEETING OPENED

ZBA Liaison

**Storage Concepts SP - Ext. to Cond. Final 2673 Rt. 302 (22-3-40.4)#28-08**

T. Depuy I'm here for the applicant Columbia Storage who bought the project. we are looking to extend the SP approval. They have one bldg. left to build and they are looking to do it within the next year.

All board members had no issues.

G. lake Motion for one year extension – Bill/Andy 7 ayes. Thank you.

**Ryan 7 lot Commercial SD -Ext. to Preliminary Approval - Sullivan Lane(60-1-123) # 45-11**

J. O'Rourke I'm here for an ext. to the Ryan SD. This goes off of Rykowski Lane onto Crystal Run. We gave some land to the Town for the future extension of the road. The applicant has not sold the lots yet so we are here asking for another ext. we do have Health Dept approvals but have not found the market yet for the lots. I remember last time we were here you said this extension would be the last.

G. Lake This is only preliminary. How much do you have to do for final? (nothing)  
So everything is done?

J. O'Rourke Yes, from Health Dept approvals and engineering wise we are done he just does not have the money to post the bonds.

G. Lake I'll go thru the Board. I would hate to lose the little piece that connects, so I am willing to give the extension.

J. Keegan Commercial market has been rough so I am good with another extension.

B. Capozella I'm ok.

C. Najac How many are we allowed to do – this is the 5<sup>th</sup>.

G. Barone Unlimited with preliminary due to financial reasons.  
(no problem from all board members)

G. Lake Motion for one year ext. to preliminary – Tom/Andy 7 ayes.

**Church of Emmanuel Iglesias SP - Ext. to Cond Final-481 Cottage St.Ext. (40-1-21.2) #74-13**

Representative I am here for an extension to our project. Last year I explained that we lost our pastor. We now have a new one. Unfortunately, there have been setbacks but proceeded with some of the preliminary things we thought would be important. We are working with Liberty and they are setting us in motion to get an architect to get some numbers on the plans to proceed to make this happen. We have been in touch with several financial institutions and are waiting for the preliminary drawings before we can go ahead. Right now we are starting over after 21 years. WE are continuing to keep the area looking good.

All board members said no issues.

G. Lake Motion for one year extension to conditional final approval. Bill/Jim 7 ayes.

**Plaza At Crystal Run (Bounce) SP Revision- 400/600 N. Galleria Dr.(78-2-2.1) # 17-17**

D. Higgins I'm was here a couple months ago for Bounce Trampoline Center. This is the Petco bldg. We had talked about using the upper portion of the building and to accommodate it we were raising the roof. We have now revised to another option of putting it on the lower level and excavate the existing foundation in some areas to provide the clearance for them. Basically the Bounce is 28,401 s.f and 1554 s.f will be used as a café to reheat previously prepared foods. No cooking will be done there. Coffee and Soda machines and a seating area. We also have 2163 s.f. of the existing retail for use as owner occupied office space. Interior modifications to allow the Bounce and reoccupying the rest. We submitted the parking calcs. The calcs are a bit challenging. When the original SD was approved, the SP for the site had eating & drinking based on 6 spaces per s.f. I know the current code requires an add' 6000 ' per s.f. We provided what was done on the original

site plan. There is a decrease in the number of spaces on the site. I'm not sure why- there is one area by Olive Garden that is not striped. There are a few that were lost over the course of the site. The required parking on the approved Shopping Center was 542. We have calculated a required of 518. The site has 498. According to this there are 20 spaces deficient. We are reducing the amount of required from 542 to 518.

G. Lake I'm going to have Mr. Barone explain what we talked about before the meeting about being able to prove your parking needs.

G. Barone Section 249-12(f) is the bulk table for parking which states how many spaces you need per use/s.f. etc. those are hard rules but when you go to Subpart C it says the applicant can request the PB to vary the requirements of the code by decreasing the required amt. of parking if the applicant provides adequate substantiation that is satisfactory to the PB that they don't need that actual number of parking and that it would be excessive for their site. They need to prove it to your satisfaction and if this use is changed in the future to something else they will have to come back to you and show that either they still don't need what the code requires or they can still fit within the lesser intensity of use. It's up to the applicant to submit proof to you. You can give them this one time waiver for this particular use. I think the burden is on you guys. The one in Poughkeepsie could be a good model if you can do that between now and the next meeting and bring it in that would help.

D. Higgins When we submitted there was a letter that came from Bounce. They indicated they expected a maximum of 300 visitors. The number seems to be right. On similar facilities in 3 other locations they had determined an average demand of 1 vehicle for every 3 visitors. 100 parking spaces. If you use the demand of 100 spaces along with the calculations we provided we do have more than enough parking. I pointed it out in the submitted letter indicating it would reduce the number of 122 spaces for the trampoline center to 100. It would be a 22 space reduction. The bottom line is we have fewer parking spaces than existing. There are some areas that can be striped to add to it by Olive Garden. The rear lot is what is going to be used though. OTB is staying but they will be relocating the gym. Everything to the left will be Bounce and the office space.

G. Lake I'll go thru the board. If the board is happy with Mr. Barone's explanation and Dick is happy with the letter for the parking it will not need ZBA.

J. Keegan I like the idea of it being in the back. It won't conflict with the parking on the upper side. Nothing will be done with the top then? (no) I think parking will be adequate in the rear for the business. I'm ok.

R. McGoeey All the construction is within the bldg. there is no exterior work.

G. Barone There will be no hearing required.

B. Capozzella I'm satisfied with this and like to see the space being used.

6/7/17

PB minutes

- C. Najac            It works out a lot better. I like the way you made it work.
- T. Hamilton        This is permitted in this zone?
- R. McGoey         I believe this is already permitted.
- A. Guatterry        What else will be on the lower level?
- D. Higgins         OTB is already there and the gym will be shifted to be adjacent to OTB. The Bounce will occupy the middle of the site and the offices on the far left. The rest will stay the same.
- A. Guatterry        I'm good.
- G. Barone          Commercial recreation requires a PH
- D. Higgins         It was originally a Discovery Zone.
- RJ SMITH          It was approved originally as Discover Zone.
- G. Barone         It's not uncommon to get all those approvals with a shopping plaza. If they were approved at that time for commercial recreation it will continue as long as it is a shopping plaza.
- A. Guatterry        so it went in when it was built? (yes)
- G. Lake            Check with the bldg. dept and water dept. about a grease trap. I know they allow under the sink ones. Normally when there is food that is a requirement.
- D. Higgins         No problem.
- G. Lake            Motion for part 3 EAF and neg dec subject to all comments - Tom/Andy 7 ayes. Motion for site plan approval subject to same and including waiver for parking. Andy/Jim 7 ayes.

**Unison Enterprises 4 Lot SD - Lake Ave. (Pocatello) (65-1-15.1) # 26-17**

J. Fuller            I'm here representing the applicant, Ben Smith with Unison who owns the property. It's a 6 acre parcel with frontage on Pocatello Rd. it is an irregular shaped lot with frontage but no rights to Lake Avenue. We are here for sketch for a 4 lot SD. We meet the minimum R2 requirements. Each of the lots are 3 acres and the other minimum requirements are met. WE have done preliminary engineering to demonstrate the best spots to build on are along the frontage of Pocatello Rd.

G. Lake            The remaining land will be on lot 3? That lake Avenue is a private road?

J. Fuller            Yes, with the deed there are no rights to it for the access off the road.

G. Lake            I'll go thru the board, I'm assuming you need to go to the County for curb cuts.

6/7/17

PB minutes

J. Keegan It looks standard -3 acre lots and the one big lot. I have no issues.

B. Capozella this line of site down that road you will need to do prevailing speed.

J. Fuller Posted speed is 45.

C. Najac Lot 3, there is not much you can do below the stream.

J. Fuller The intention is 4 building lots. Should some developer down the road want to come in and prove access off Lake avenue. We looked at it and the road is in great need of repair and would be costly for the potential yield it would give us for further development. It is a lot of residual land at this point that we have intention of doing anything with except for preserving lot 3. There are several dwellings that come off of Lake Avenue and some are very dated that have been there for a long time.

A. Guattery Clark covered it. I'm familiar with the area. We should make sure that the site lines for the driveways are on the notes. 45 mph is a suggestion but it's terrible.

R. McGoeey Before you come back give us profiles on the driveways to the County Rd.

J. Fuller We will proceed to full engineering with sketch concurrence.

G. Lake Motion to accept sketch. Andy/Clark 7 ayes.

You have sketch, set up another ws and we will go from there.

**Kensington Manor SP REV. - Connors Rd. (81-10-1) #16-16**

J. Pfau Joe Pfau representing the applicant. We have been looking into arch. Designs and have now developed a full site plan. We submitted the swwp last week to Dick's office for review. We had a ws/ and a few issues came up. One was the us drop off and pick up locations. We met with PB School District. There are 2 existing on the north side of both entrances currently. Those are the only 2 they want to maintain, they don't want to add a 3<sup>rd</sup>. the bus shelters , and they had no opinion on. We are proposing them and will maintain them.

G. Lake I agree 100% - they have ones at the south and north entrances. They also stop in the middle where there is no sidewalk. The kids walk between the cars. I mentioned it last time and it continues to this day. It's a safety hazard.

J. Pfau I mentioned that and they insisted there are only 2.

G Lake It should be addressed for next year. You have them labeled on the plan. They don't have a place for the kids to stand so I think we should get something there – a sidewalk or shelter. You can go back to them and let them know.

J. Pfau The only want 2.

6/7/17

PB minutes

G. Lake They need to make a phone call and tell them that.

J. Pfau They have no issues. They don't have an issue with people parking on the streets but the sidewalks, are you talking about a sidewalk from the parking area to the bus stop – it's probably a 100 or 200 feet away.

R. McGoey Yes that is what I thought we should ask for, from the parking spaces where the parents park to the shelter.

J. Pfau Not a problem.

G. Lake We have a decent place for people to walk on off the grass and snow. It's a well-kept place but we need a real bus stop with a shelter.

J. Pfau I'll verify that and see what I can do about that 3<sup>rd</sup> stop. The other issue is the dumpster enclosures. I have a detail that varies. There are 5 different areas on the site. I will dimension each one and label them.

R. MCgoey Someone has to survey the site – they are all over. If you want to put enclosures where they are being used that is fine.

J. Pfau I will detail each one individually. Another large issue is the Conners Rd. ROW. We spoke to \*\* and they are interested and scheduled to meet with the Town Board.

G. Lake That would be great to clean it up. The new bldg and parking will be a very high visibility and it seems to be a neighborhood dumping area. I would be willing to write a letter to the Town Board recommending it. Tell us about the building, it will be identical to existing bldgs.?

J. Pfau The interior will be different but the exterior will be similar. We will present renderings at PH.

J. Keegan I agree with the Chairman about the bus shelters. Kids are in the street and new bldgs.. will add more children. What are we doing with the parking on Freezer?

J. Pfau I'm meeting with the Highway Dept but I don't know if you or Dick had any specifics.

G. Lake Again, it's only because they keep the place so nice but you see the grass being worn away for 4-6 cars parking there non- stop. I don't know why they allow that. The times I've been thru the project it always seems to have enough parking for them.

J. Pfau We have an indication of no parking signs on the plans.

G. Lake when you come back I would like to see what their plan is and how they will enforce it. We will go from there.

6/7/17

PB minutes

T. Hamilton Over by RSR to get the trucks off the road we put big pine trees along to keep them off there. These people are coming up the back side of the apts, walking up the road and parking there as well.

G. Lake We could ask for curbs. If that is an incentive for them to figure it out.

B. Capozella I would like to see the renderings at PH. One comment on the bulk requirements – you have a couple minimum requirements based on what you are providing and not meeting – lot frontage, rear yard that type of thing?

J. Pfau We are way over.

B. Capozella Maybe I'm reading it wrong.

J. Pfau That's an error, I'm sorry. The rear is correct, the lot frontage will be corrected.

C. Najac First I will say it's a nicer project in the area. The place is well-maintained. The 2 bus stops, are they in the right area? I would get an aerial photo and see where the grass is worn out. People are not walking where you have sidewalks and blacktop. They kids are walking out to the middle to catch the bus. The grass is worn out 3' wide since kids walk side by side. Maybe that is where the sidewalk needs to go. Maybe you might need to do a parking lot off freezer in the middle for a few select Handicap. They walk out of the apt and make a left up across the grass instead of a right to the parking lot. It needs to be looked at. 2 bus stops is the right number but I don't know about the location.

J. Pfau If the school insists they stay at both entrances and hopefully enforce that the bus does not stop at the 3<sup>rd</sup> stop.

C. Najac The school will give you 2 bus stops and you can put the shelters there. They are stopping at the intersection because that is the most logical. If you tell them you are putting the bus stop in the middle of the building with a shelter and sidewalks ... I drive thru there when the bus is there and it does not matter, the kids are still running across that field. The driver will stop and pick them up – it's a shorter work. You need to figure it out.

G. Lake If the bus stop is not there they will have to walk down to where it stops. They should be at an intersection or where the drive comes out for safety reasons. Let's get the concrete down and a bus shelter for them. It's time to get them using the two not three stops.

A. Guattery I have been up Freezer Rd. and the bus and I agree. It's a direct line from bldg. 7 straight out. The cars parking is another problem. Perhaps you should discuss the possibility of starting with curbs along Freezer Rd. it solves the parking problem and down the road we can talk about getting sidewalks in. In the end the bus driver will still stop in the middle....

6/7/17

PB minutes

T. Hamilton The layout of the project, where the entrances are is where the kids will go out to and where the shelters are. You have a few bldgs.. in the middle where they are walking up the middle.

G. Lake Ok – you have heard the comments of the board. Motion to set the PH on 7/5/17 – Jim/Andy 6 ayes. Return to worksession.

**Randall Plains SP/SUP -(73-1-5.1) Schutt Rd. #44-10**

J. O'Rourke This was reviewed and approved by the board for conceptual SP in 2011. WE went thru an extensive layout of 154 acres in 3 zones, HC, R1 and the A/R. at that time we were in front of you quite often and came up with a general layout with a proposed hotel, 30 estate homes with the high end hangars and direct access to their lots, several have group hangars. It was going to be flying community so the hotel and those lots were tied into the airport zone. We had about 76 residential – we did not get specific and said we would do that when we went thru the SDQRA process. They could be SF, 2 family, multifamily townhouses, senior etc. We did not have that locked in yet, but all permitted in zone. We have a small piece on East Main ST. across from Quick Check. The wetlands were delineated, federal and State and signed off at that time. The layout is real. We are completely in the water district. The sewer district we would have to go before the Town to go for an extension bc the Airport Zone is not in the sewer district. The remaining parcel is. At that time we approached the Town and they did not feel there was an issue. Since that time we have come up with cost estimates. The owners now have potential backers and that is why we are back. There were no zoning variances required and feel we can now move forward.

G. lake 2011, did you check the zoning to make sure it fits the zoning? (yes).

J. O'Rourke Again, we have water and sewer on most. The hotel and about 12 lots is in the Airport Zone. The hotel is on Schutt but we would not have an access there , it would be off the connector road only.

G. Lake Ok so the road goes thru to East Main St.

J. O'Rourke Yes, it's 153 acres for the entire parcel.

J. Keegan it's my first time seeing this. It's a big use that is adding to existing multi family developments in that area. This road is not going to be gated (no it will be a Town Road). I would have to see it spec out – it will end up being a cut thru for everyone.

J. O'Rourke That was one of the issues and it has bends and swings around so it is not a straight cut thru. This will be our neighborhood with high end homes. That is the last thing we wanted to happen. The board at the time felt it was important to connect the two areas.

J. Keegan Ok – it will still happen. It lists 2.5 acres of recreational space?

6/7/17

PB minutes

J. O'Rourke At the time it was a pocket park. If we went with the townhouse/apt or a mix we would have the area spread out – it was specific for pocket parks.

J. Keegan Ok – it will be a lot of homes so we need something.

O'Rourke it will be 76 houses.

B. Capozella I was here the first time this came thru. Now that you are going to build this out I'm going to assume you will have more traffic. What about the FAA do they regulate the airport? You are increasing the usage so is there any regulations the PB needs to know? Is there info you can provide?

J. O'Rourke The FAA is our biggest cheerleader. A lot of small airports are going under and they are pushing to have them. They are happy we are going to extend it and will get the info. We realize this is a large project and anticipate a positive dec and going thru the entire process for scoping, traffic, drainage etc.

B. Capozella And noise. I'm sure that will come up at PH.

C. Najac I remember this. You were here before Quick Chek and when they came I remember asking if we were going to line up to use the same light.

J. O'Rourke It does not line up. We realize this and also the proximity to the bridge as well. We anticipate a whole traffic analysis and looking into the signalization in that area. Also a County road so we need to coordinate with them as well.

A. Guattery the traffic on East Main is a disaster so it will be a hot topic. I like the concept but don't forget about snow. I see a lot of small lots/townhouses and there is no place to put the snow. It can hurt the entire operation.

J. O'Rourke It's a large scale plan. They look small but they are ¼ acre or more. We will take care of it. There is no intention to change the runways or make them bigger. A taxiway to the house and a taxiway thru here to access the runway for these few hangers.

C. Najac I'm thinking we do a joint traffic study like we did for Tower and 211. We are reaching a point with development in that are with Distelburger and this project.

J. O'Rourke We have no objection to that. We would take all the potential developments or open space that could be maxed out at development and include that.

A. Guattery How far out of alignment is it?

J. O'Rourke If it was way out I would be happy. It's very limited. Probably 150'. We are going to have 2 lights that will be timed so that Quick Chek will go and then East Main ST.

T. Hamilton The same thing up at Goshen Tpk and 302 in Circleville, staggered and it works. Maybe not as much traffic, but it works.

6/7/17

PB minutes

A. Guattery A pause might put a break in the traffic. Nothing more for now.

T. Hamilton We have seen Mr. Brodie's ideas for a long time. It's good to see this move ahead.

G. Lake You said pocket parks. Wasn't there some kind of arrangement with Maple Fields II? They cleared a soccer field area already.

J. O'Rourke That was not on our property.

R. MCgoey IN August of 2011 we noted the PB likes to have improvements constructed by one of the two developers, the cost being shared by both. We discussed the fact that Maple Fields would be the first being developed and therefore arrangements shall be made to have the land dedicated in some fashion by Randall Plains and the playground equipment, ballfield , pavilions constructed by Maple Fields.

G. Lake If you notice they already cleared where the one is. I would like a little research done on that. The thought back then was the amount of residents that live along Schutt and now this. There was no significant Town Park out that way. If I remember that was our goal to create that.

J. O'Rourke That is why we were having the small pocket parks interior.

G. Lake We talked about having a place for the kids and families and I know you guys committed to being part of that. Motion to accept sketch – Jim/Andy – 6 ayes.

**Stewarts SP/SUP - Cty Rt. 78- (69-1-64.3) #49-16**

J. Samuelson Jay Samuelson for the applicant. We were last here in November 2016 for the PH. It was closed and we waived our 62 day time frame to work with the County DPW. Since that time we have been in discussion and we have got them to agree if we will provide left turn lanes at both entrances into the site – both will be full access to County Rt. 11 and County Rt. 78. We did receive a comment letter from them last week with a few minor issues that we do have to address. We have no issues with them. The other change we made is there was 2 canopies and we revised that to make it one canopy with all the pumps under it. The other thing is eliminate the pavement around the back of the building. There was a lot of fill required and would have been used rarely. We provide a loading area on one end and truck turning templates have been provided. We don't block any parking space to make the necessary deliveries. We have Dick's comments and the SWWP has been approved.

G. Lake No problem with the comments (no). the County, are they asking you to do anything with the light or just the turning lane?

J. Samuelson No, never discussion or any request with the light. We are going to do striping at both intersections to provide left turn lanes into both entrances we are going to extend the left turn lane on 78 approaching Cty. Rt. 11 and it will decrease the stacking to make a left turn from 78 as you had south and we are doing the same on 78 as well. We are increasing the left turn lanes while providing left turns.

6/7/17

PB minutes

B. Capozella Stacking for 78 and 11 looks like at least 2 cars?

J. Samuelson On Cty Rt. 11 to make a left there is stacking for 2 cars. For the turn lane on 78 there is room for 5 cars. There was 4 and we extended it to make 5. On 78 going into the site there is room for 5 cars to make a left and 5 to make a left onto 11.

J. Keegan You have County approvals?

J. Samuelson I have 4-5 comments to address but no problem with them. I need to finalize a couple minor things.

B. Capozella My main concern was traffic and the fact he got stacking on both 78 and 11 makes me feel more comfortable. I'm ok.

C. Najac On the parking around the building you show parking space as 18' long. The top looks the same but the front toward the canopy looks shorter. (it's 18' as well.) 31' to the canopy overhang as well.

J. Samuelson We have left plenty of space to get out and they are angled.

C. Najac The lighting under the canopy is ok but the entrance by the sign is overdone. The biggest thing is the fact that your sign still has LED lights. The Stewarts is back lit with regular florescent but your numbers are red and green LED's. I have yet to see any of those work. I want to know what the lumen is on that. How far away can I be and still be bothered by your LED sign?

J. Samuelson We can get that info for you. The lights are on a timer and dim at night. They are brightest during the day when it's light out. The glare you see at night is diminished because it is dimmed. There is a controllable timer on it that goes with daylight. I'll get you the numbers.

A. Guattery Deliveries will always be box trucks? (yes) so we don't have to worry about turning. We have gone to a single canopy as well. The truck trailers coming in for fuel will be on the outer side? We have plenty of room and they won't block traffic (yes). Again, snow and clearing around the building. Make sure you have plenty of room to push it off the property.

J. Samuelson On the north side everything beyond the parking lot and building drops off. Plenty of room.

A. Guattery where the upper exit starts coming off the parking lot you have a small snow storage area there –is that a retaining wall that you are dropping down?

J. Samuelson yes, both walls are about 4-6'.

A. Guattery Ok. I'm good.

T. Hamilton Dick, the comment for replacing landscaping is that on the plan?

J. Samuelson We will get that on there.

6/7/17

PB minutes

G. Lake            Motion to accept Part 3 EAF and neg dec subject to all comments. Jim/Tom 6 ayes.

Motion for SD approval subject to same – Andy /Jim 6 ayes.

Motion for SP approval subject to same – Jim/Bill 6 ayes.

Thank you and good luck.

MOTION TO ADJOURN