

6/5/19  
PB MINUTES

Town of Wallkill

PLANNING BOARD MINUTES

June 5<sup>th</sup>, 2019

Members in Attendance: Gary Lake

D. Dulgarian, J. Keegan, C. Najac, A. Guattery, B. Capozella,

Also in Attendance: Dick McGoey, MHE PC, Consulting Engineer, Gardiner Barone, PB Attorney

PLEDGE OF ALLEGIANCE

7:30 PM – MEETING OPENED

**1. Tetz Warehouse SP/SUP – 215/217 Rt. 17K (1-1-45.4) #32-19**

M. Hunt: Town of Wallkill planning board notice of public hearing. Notice is hereby given that a public hearing of the planning board of the Town of Wallkill Orange County NY, will be held at the town hall, 99 Tower Drive Building A, Middletown NY in said town on the 5<sup>th</sup> of June, 2019 at 7:30 pm. That matter can be heard on the application of E. Tetz and sons, 130 Crotty rd. Middletown NY, 10941 for approval of Tetz storage building located at 215/217 Rt. 17k also known as 1-1-45.4 under section 249-27.1 of the zoning law of the Town of Wallkill. All parties of interest will be heard at such time and place. Mailings were received.

Representative: Good evening, I am the engineer for the applicant. The site gains access through the neighboring parcel through a common driveway easement under common ownership. The site contains an existing 7,200 square foot commercial building and 1,600 square foot office space. The project proposes a 3,000 square foot storage warehouse and some additional gravel areas for access, and a relocation of some of our tanks and existing fencing.

G. Lake: Let me go through the board.

D. Dulgarian: After.

J. Keegan: After.

B. Capozella: After.

C. Najac: After.

A. Guattery: After.

G. Lake: I'll open this public hearing at 7:33. Motion to close the public hearing at 7:34.

B. Capozella: Motion.

A. Guattery: Second.

G. Lake: All in favor?

All: Aye.

G. Lake: Opposed, none. Do you have any problems with Dick's comments?

Representative: No sir.

D. Dulgarian: I believe the project is going to have very little impact. I have no issues.

J. Keegan: No issues.

B. Capozella: No issues.

C. Najac: No issues.

A Guattery: No issues.

G. Lake: I don't have any issues either. Motion for a neg dec part 3 EAF?

C. Najac: Motion.

A Guattery: Second.

G. Lake: Marylynn, call the roll.

D. Dulgarian: Yes.

J. Keegan: Yes.

B. Capozella: Yes.

C. Najac: Yes.

A Guattery: Yes.

G. Lake: Yes. Motion for site plan/special use permit subject to our comments.

D. Dulgarian: Moved.

J. Keegan: Second.

G. Lake: Marylynn, call the roll.

D. Dulgarian: Yes.

J. Keegan: Yes.

B. Capozella: Yes.

C. Najac: Yes.

A Guattery: Yes.

G. Lake: Yes. Good luck.

**2. 599 East Main St/RDM Warehouse SP/SUP - Med Parc Road (78-1-94.1) #90-18**

R. Winglovitz: Good evening. For the record my name is Ross Winglovitz, here on behalf of RDM regarding the 270,000 square foot warehouse. Jay was here in March with the concept. There was a question Dick had about buffers. We reviewed the code and we did have to add a few feet to the northwest side of the building between the Rusty Nail property and this property. Other than that, everything complied. The other issue was that I wanted to go through the consistency statement we had submitted back in March. I just want to make sure that what we submitted was acceptable or if there are any other environmental impacts the board would like us to address. We have since authorized an updated traffic study and are coordinating with the county. We are disturbing wetland; we will do wetland mitigation. That will be detailed as part of the design plans and part of the part 3.

D. McGoey: There is going to be a hotel adjoining you and I think we have to address how that will be buffered. I don't know the exact elevation differences between the roof of your structure and the top floor of the hotel; will they be looking at air conditioner units, or something else? That's something we should look into.

R. Winglovitz: Landscape buffering will be provided on the landscape plan along with a more detailed design. There is a small stream that bisects the building right now. We are going to have to relocate that. To expand on traffic; looking at the uses that are now planned compared to what we looked at originally; we are bringing the numbers down. This was a medical office so it had very high peak traffic office hours. The traffic consultants tell me that with this use, the traffic will be more spread out over the day so they believe that the project will have less of an impact.

G. Lake: I know you can't say for sure whether or not there will be a light on Dunning road since you do not have a traffic analysis.

R. Winglovitz: I don't believe there is. With the initial analysis that we did for the park, the concept itself did not need a light since there is the left lane there. I have not heard any updates from the county.

G. Lake: Let me go through the board.

D. Dulgarian: If we accept the sketch, does that mean we accept the 270,000 square foot use for the warehouse?

R. Winglovitz: Subject to the environmental study.

T. Barone: Accepting sketch just lets the applicant know you are receptive to the layout.

D. Dulgarian: So we can accept sketch, but this is not etched in stone?

G. Lake: Correct.

D. McGoey: One of my questions was if the overlay approval was actually approved by the town board? We need verification on that.

R. Winglovitz: We tried; I was told it was done at the meeting on the 16<sup>th</sup>. We foiled the minutes for the January 16<sup>th</sup> meeting and it wasn't in there. I know that Marylynn has a note from the supervisor's office saying it was approved, but we cannot find the minutes.

D. Dulgarian: Like everyone else, I am very interested in seeing this traffic study and especially the part that says "65-70 foot trucks and a 270,000 square foot warehouse coming out to a signalized intersection, making a 90 degree turn, have less impact than cars."

J. Keegan: Are you guys going to put a sidewalk going out to Dunning road and connect it with the rest of the project?

R. Winglovitz: We are going to begin with the site plan at the front where the entrance is now, and that site plan will have sidewalk along the frontage of East Main Street. I think we are then going to put sidewalk throughout this project, along the connector road, out to Dunning.

J. Keegan: Okay good that was the only concern I had. We have restaurants, hotels, and apartments on one end of Dunning; we really wouldn't want people dodging trucks and what not. Other than that, I'm fine.

B. Capozella: I think we just need to wait to see what the traffic study says, and then we can go from there.

C. Najac: If we end up with a warehouse, it will definitely be a smaller number of vehicles going through. Now it's just the traffic study.

A Guattery: Like everybody else said, it's just the traffic now. The back of that on Dunning Road is going to be abutting the apartment building, right?

R. Winglovitz: Correct.

A Guattery: How many stories is that apartment building?

R. Winglovitz: It is four stories.

A Guattery: How tall is the warehouse?

R. Winglovitz: It is going to be 35 feet.

A Guattery: We just have to make sure that the building is tall enough and all the buffers are correct. Other than that, I'm good.

G. Lake: Have you made any contact with the fire department?

R. Winglovitz: No, not yet.

G. Lake: Motion to accept sketch?

A Guattery: Motion.

B. Capozella: Second.

G. Lake: All in favor?

All: Aye.

G. Lake: Opposed, none. Thank you.

**3. Michaels Appliance SP REV – (78-1-50 and 78-1-94.1) 585 East Main St. #50-19**

**\*A. Guattery recused\***

R. Winglovitz: For the record, Ross Winglovitz with engineering and surveying properties. We're here on behalf of Michael's Appliances regarding an application for an accessory warehouse building at the rear of the property. This is where we got the lot line adjustment into the Devitt parcel. It is about 6,600 square feet. There will be some service in the building, warehouse, and loading docks. We have laid it out with Andrew to make sure he can fit a WB67 in these loading docks. We show a dedicated area for his garbage and recycling, and a small patio area at the rear of the building as well. What we are looking to do, is to move this forward to a public hearing. It is going to connect to the existing drainage system. Water and sewer is likely to come from East Main Street. There is an alternative we are discussing through the Devitt East Main Street project.

G. Lake: Okay, let me go through the board.

D. Dulgarian: So this is going to be an accessory to the existing building?

R. Winglovitz: Yes, it is on the same property. There are no new businesses; they are just moving part of their operation.

D. Dulgarian: The truck traffic is going to be very similar to how it is now? Are they just delivering to a different building?

R. Winglovitz: Correct.

D. Dulgarian: This doesn't require any on site stormwater management?

R. Winglovitz: No, we are below an acre of disturbance. We will tap into existing stormwater.

D. Dulgarian: I've got nothing.

J. Keegan: I'm all for it.

B. Capozella: I have no issues.

C. Najac: I have no problems.

G. Lake: Motion to set a public hearing for July 3<sup>rd</sup>.

B. Capozella: Motion.

C. Najac: Second.

G. Lake: All in favor?

All: Aye.

G. Lake: Opposed, none. Thank you.

D. McGoey: Can I have the opinion on something from the planning board attorney please? The existing impervious coverage at Michael's Appliance is 76.1. The new lot and the new building will result in a reduction of that from 76.1 to 74.4%. I just want to make sure from the planning board attorney that we do not need a variance for that.

T. Barone: No variances required. That would be the intent and the statute is to promote projects that reduce the impervious surface

**4. 281 Rt. 211e SP/SUP - 281 Rt. 211e (50-1-24, 50-1-25, 50-7-22) #69-17**

B. Watts: Good evening, my name is Brain Watts from MA Day engineering. The project ran into some issues with getting rezoned. Going through that process, we have reexamined our variances required more carefully to make sure the rezoning is accounted for. We did make some changes. Instead of 5 large buildings, they have been split in the middle to allow further separation between the buildings; we are proposing 88 feet to meet the code. The southern building, in which we were proposing the single units, has been slightly shrunk to accommodate the building setbacks. The parking error was corrected, and will require offsite parking spots to be leased for 50 years. This will be behind the plaza that the applicant also owns. They will still

provide sidewalk access to those spots and the parking has been delineated on the site plan. Other than that, the plan has remained mostly as it was before.

G. Lake: Let me send you to the board before we send you to the ZBA.

D. Dulgarian: Didn't we originally talk about one central taller building and a generally open site plan?

B. Watts: We do have 10 buildings now, but that is because the footprint is small. We just broke each unit apart into 2 buildings, and provided about 13 feet in between the buildings, and that was to facilitate meeting the code for building setbacks.

D. Dulgarian: Okay, all we're looking to do is send him to ZBA?

G. Lake: Correct.

D. Dulgarian: Okay, I have no issues.

J. Keegan: Looking at this, it's better than the original plan. I would recommend it to zoning board.

B. Capozella: ZBA.

C. Najac: Send them to ZBA.

A Guattery: Recommendation to ZBA.

G. Lake: Motion to send to the ZBA with a recommendation?

A Guattery: Motion.

C. Najac: Second.

G. Lake: All in favor?

All: Aye.

G. Lake: Opposed, none. Thank you.

Motion to adjourn.