

**TOWN OF EAST FISHKILL
PLANNING BOARD MEETING**

October 11, 2022

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7 Planning Board Chairperson John Eickman called the meeting to order.
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11 ***CHAIRPERSON COMMENTS:***

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13 a. Mr. Eickman began the Meeting with The Pledge of Allegiance.
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16 b. Mr. Eickman announced that the Upcoming Meeting Dates are:
17 November 10, 2022 (Thursday) & December 20, 2022.
18
19 c. Approval of Minutes of Meeting Held September 13, 2022:
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21 **MOTION made by Richard Campbell, seconded by Craig Arco, to approve the**
22 **Minutes of Meeting Held September 13, 2022. Voted and carried unanimously.**
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- 24 d. Roll Call:

25
26 Members present were Don Papae, Richard Campbell, Lori Gee, John Eickman, Craig
27 Arco, Ed Miyoshi and Sarah Bledsoe.
28

29 Town Professional Consultants present were: Thomas Wood, Esq., Town Attorney, Scott Bryant,
30 Town Engineer, Brandon Fitzgerald, Traffic Consultant and Christian Moore, Engineer, CPL.,
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32 Jackie Keenan, Planning Board Clerk was also present.
33

34 **Change to Agenda:** Mr. Eickman announced that ***Hudson Valley Logistics Center**, was
35 on the agenda for the continuation of their Public Hearing. He said there are some changes being
36 made to the project so they would not be presenting this evening. The Public Hearing for this
37 matter will be further adjourned to November 10th, which is the next Planning Board meeting. He

1 told the public that, if anyone was present for the Hudson Valley Logistics Center, it is being
2 further adjourned.

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5 **EXTENSION:**
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- 7 **1. #2018-010 Morrow Crane** 216 Lime Kiln Rd (6455-00-260640) Applicant is
8 requesting an extension of site plan approval for a proposed 26,000 sq. ft. building
9 and storage yard for the assembly, maintenance, and distribution of mobile industrial
10 cranes for construction. Resolution of Final Site Plan approval was granted on May
11 18, 2021. Applicant is requesting two (2) six (6) month extensions (May 18, 2022, to
12 Nov 18, 2022 and Nov 18, 2022 to May 18, 2023).
13

14 There was no one present for the matter. Mr. Eickman announced that said this was fairly simple;
15 with two (2) six (6) month extensions that had been requested and they are still working with the
16 DEC on some environmental matters. He said he knows they are eager to get this started and that,
17 hopefully it would be done in six (6) months. He proceeded to offer the Resolution, and there
18 was no objection by Members.
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21 **RESOLUTION EXTENDING SITE PLAN APPROVAL**
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23 **NAME OF SITE PLAN** Morrow Crane
24 **NAME OF APPLICANT:** Morrow Equipment Company, LLC
25 **LOCATION:** 216 Lime Kiln Road
26 **GRID NO:** 132800-6455-00-260640
27

28 **Resolution Offered by Planning Board Member: John Eickman**
29

30 **WHEREAS, the Morrow Crane** site plan was granted site plan approval for a proposed
31 26,000 sf building and storage yard for the assembly, maintenance, and distribution of mobile
32 industrial cranes on May 18, 2021; and
33

1 **WHEREAS**, the applicant is working on resolving permitting conditions with regards to
2 NYSDEC; and
3

4 **WHEREAS**, the applicant is requesting two six month extensions for a total one year
5 extension that would extend from May 18, 2022 to May 18, 2023; and
6

7 **NOW, THEREFORE, BE IT RESOLVED**, that the Planning Board hereby extends
8 final site plan approval for the above project as represented on a map entitled "Morrow
9 Equipment New Building" prepared by LADA, P.C. Land Planners dated October 30, 2020, and
10 last revised 3/30/21; and
11

12 **BE IT FURTHER RESOLVED**, that within five (5) business days of the adoption of
13 this resolution, the Chair or other duly authorized member of the Planning Board shall cause a
14 copy of this resolution to be filed with the Town Clerk and a copy sent to the Applicant/Owner.
15

16 **Resolution Seconded by Planning Board Member Richard Campbell**

17 **The votes were as follows:**

18 Board Member Lori Gee	Aye
19 Board Member Ed Miyoshi	Aye
20 Board Member Sarah Bledsoe	Aye
21 Board Member Craig Arco	Aye
22 Board Member Richard Campbell	Aye
23 Board Member Donald Papae	Aye
24 Chairperson John Eickman	Aye

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31 **DISCUSSION:**

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- 33 2. **#2022- 034 – JG & TL Holdings, LLC**, 416 Shenandoah Rd. (6455-00-661900)
34 Applicants is proposing a 3-lot subdivision on a 5.4-acre parcel in an R1 District. The
35 existing residence and detached garage will remain on Lot # 3 and lot #1 and #2 are
36 proposed new lots.

37 Amy Bombardieri, from Day and Stokosa, PC was present.

1
2 The plan was displayed. Ms. Bombardieri stated that JG & TL Holdings was in an R1 district,
3 situate at 416 Shenandoah Road, proposing a 3-lot subdivision. She said there is 1 flag lot and
4 the flag portion meets the minimum requirement for area. The side yard portion of the home is
5 going to be demolished and she said that it won't be a variance requirement. The driveways have
6 been reviewed and discussed by the Highway Superintendent, including driveway culverts
7 agreement. There is an existing swale along the shoulder. When the driveways are done the
8 culverts will be under the driveway. Ms. Bombardieri stated that she was requesting a Public
9 Hearing for the subdivision.

10
11 Mr. Eickman told Ms. Bombardieri, that he knew she had met with the Town Professionals
12 recently, and earlier as well. He had some memos from Michelle Robbins and said there are some
13 variances that would be required, even if they are all flag lots. Ms. Bombardieri said they are not
14 all flag lots; there is only one. Mr. Eickman asked her if all the requirements have been met and
15 the variances not necessary. Ms. Bombardieri, replied that, once the portion of the house is
16 demolished that would be in the side yard, and the side yard requirement will be met for the
17 parcel. It is pre-existing, non-conformance in the front yard. The existing garage is in the 100-
18 yard set back and 384 would be the other variance required.

19
20 Mr. Eickman referred to another of Ms. Robbins' memos, stating that Lot 1 does not have 50-ft
21 of frontage and the pole width is not 50 ft of the entire length. Hew asked if this had been
22 corrected and Ms. Bombardieri, stated Yes, it had been corrected. Mr. Eickman said Lot 2 is not
23 1 ½ times the area required size without the pole and the buildable area is less than one acre. Ms.
24 Bombardieri replied that Lot 2 was not a flag lot; it has the required minimum frontage and the
25 minimum lot width. Mr. Eickman stated that he was a little unfamiliar with the regulations and
26 asked for one of the Professionals to help out. He asked if it is thought that the minimum

1 requirements have been met. Mr. Bryant said he thinks Ms. Robbins point is that the one house
2 falls behind another house that falls within the intent of a flag lot, from a technical standpoint. It
3 is not a flag lot, but he said he thinks that has been her concern. Her point, as far as the
4 orientation of the house, is the concern that it is not facing Shenandoah Road directly, but at an
5 angle, if it leads to future problems as far as side yard; where would the pool be and where is the
6 shed going to be put, what is the side yard and what is the front yard and things of that nature that
7 would inherently send that down the road. He said it needs to be tightened up. Ms. Bombardieri
8 stated that the houses are not behind one another and not a flag lot where traditionally there is the
9 portion of a house with a house in front of it. She said the way it is oriented now is not the way
10 that lies.

11

12 Mr. Eickman asked if there were any further comments before this is sent for a Public Hearing.

13

14 Ms. Gee told Ms. Bombardieri that it sounded like a referral for a variance was needed for the
15 100-yard setback for the 384. Ms. Bombardieri, said it is pre-existing, non-conformance, yes. Ms.
16 Gee told her, with the development she would have to get an approved variance and Ms.
17 Bombardieri replied Yes.

18

19 Mr. Eickman asked if the next step would be to send this to Zoning. Mr. Wood said to set the
20 Public Hearing. Mr. Eickman told Ms. Bombardieri, that this would be referred to the Zoning
21 Board and the Public Hearing would also be set. He asked if, in the meantime, she could go to
22 Zoning to have this taken care of and Ms. Bombardieri replied Yes. Ms. Gee told her if she
23 decides what she is going to do, and it waives the need to go to the Zoning Board, at least she
24 would have the referral now; if the plan were to be revised, then it is not needed. Ms.
25 Bombardieri replied, saying the garage would be taken down and it would show as demoed.

26

27 **MOTION made by Lori Gee, seconded by Ed Miyoshi, to refer the JG & TL**

1 **Holdings, LLC matter to the Zoning Bord. Voted and carried unanimously.**

2
3 **MOTION made by Richard Campbell, seconded by Craig Arco, to schedule a**
4 **Public Hearing for JG & TL Holdings, LLC, to be held November 10, 2022. Voted**
5 **and carried unanimously.**

6
7 Ms. Gee questioned the timing if this had to go to the Zoning Board; would there be enough time
8 to finish the process, which is usually a 2-meeting process. She said the Public Hearing could be
9 started but may need to be adjourned since the approval is needed. Ms. Bombardieri told the
10 Board she would discuss this with the applicant and she will let the Board and Consultants know.

11
12 Mr. Eickman said he thinks that will take care of this and told Ms. Bombardieri that the Public
13 Hearing may have to be adjourned to the following meeting but, at this point it is scheduled.

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20 **DISCUSSION:**

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22 **3. #2022– 043 – Hopewell Market, 846 Route 376. (6358-02-925555) Applicant is**
23 **seeking site plan approval for a small market on the ground floor of an existing**
24 **commercial building with two pre-existing apartments on the second floor. A single-**
25 **family residence is also located on the site. Town of East Fishkill Planning Board 330**
26 **Route 376, Hopewell Junction, New York 12533.**

27 Amy Bombardieri, from Day and Stokosa, PC was present.

28
29 Ms. Bombardieri stated that this site is across from Mike Gillespie’s office and next to the
30 Brookmeade Plaza office. There is a single-family residential home with 2 bedrooms located on
31 the parcel and also a mixed-use building on the parcel. The first floor is commercial, and the
32 second floor is an existing 1–2-bedroom apartment. The parcel is located in a B1 Zone District.

1 The space for the commercial use is 800 sf. She said the only proposed improvements to the site
2 are pavement striping, potentially installing additional parking areas, behind the current paved
3 area, and making improvements to the residence, which would be siding, a new roof and
4 windows. There will be proposed plantings, site lighting, She said there is snow storage, a small
5 refuse enclosure that will allow bins, which she thinks is all that is needed. Traffic movement is
6 shown for the site parking lot for undersized, non-commercial vehicles and there is a loading
7 zone. There is Health Department approval for the existing septic system, with conditions; the
8 site can't be a public water supply. The proposed market is to sell only dry goods and refrigerated
9 items; no prepared items such as coffee or tea. Currently 8 spaces are required, based on the uses.
10 There are 6 spaces shown, with an additional 2 spaces that are banked, in the rear. She said she
11 does not know if they will definitely be required, but will be put in, if the Board wants them.
12 Because it is residential and commercial, she said she is thinking there may be a space for a shred
13 parking arrangement. Mr. Arco asked if this is for just the commercial or including the house.
14 Ms. Bombardieri replied it is also the house; it is the same site. Mr. Arco asked the number of
15 parking spaces for the house, and she answered there are 2. Mr. Arco asked her about the
16 commercial side, saying it is tight and there is blacktop already on that property. She answered
17 that right now, 6 spaces can be fit on the site, with the 2 extra proposed as banked, in the rear,
18 and there is room to put more than 2; there could even be 2 more banked.

19
20 Mr. Campbell asked about the sitting area, or something going in the front going on, and if that
21 would be eradicated. Mr. Arco said there are bollards and an ice cream shoppe. Mr. Campbell
22 said if he was asked, to him it is almost too close to the road. Ms. Bombardieri said, at this point,
23 there is no intent for that to be removed. She said the bollards should probably be there. Mr.
24 Fitzgerald told Ms. Bombardieri that, from the maps that were presented, it looks like it is in the
25 NYS DOT right-of-way. He said if it is going to remain there, then there would need to be an
26 occupancy permit with the DOT. Ms. Bombaradieri said they are not married to them (bollards)

1 and they can be taken out. Mr. Fitzgerald asked if there is a TOD permit for that and Ms.
2 Bombardieri replied that she doesn't know that there is. She spoke with Dan Pizerilli, who is the
3 owner of Rita's, and she is not sure if, when Rita's put them in, whether or not there is a permit.
4 However, she said, she will look into this.

5
6 Mr. Bryant said, with regard to the parking, as mentioned by M. Arco, when he and Ms. Robbins
7 were looking at this, they were thinking more like 9 or 10 spaces, versus the 6, or 8. He said there
8 is a 2-bedroom apartment upstairs, which could easily be a total of 2 cars. Regarding the house,
9 he said there is 2 bedrooms and that would make it a total of 4 spaces. Employees would bring
10 the number of spaces to 5 or 6, plus the 800 sf retail spaces, which is more like 10 total, and who
11 would be for which spaces. Ms. Bombardieri said if there is no shared parking used, then there
12 will be designation for the residential space, with either pavement marking, or signage. Mr.
13 Bryant said, right now 6 spaces are shown, and he was not quite sure how this was 6, unless one
14 is behind the other one. Ms. Bombardieri said there are 2 parallel spaces behind the building, at
15 the edge of the pavement. Mr. Bryant asked her if the spaces butt each other, end to end and she
16 said they are parallel, end to end. Mr. Bryant said it didn't seem like there was enough room for
17 the first car getting into the space and she replied it is 22 feet long; there is room to move things
18 around there. Mr. Bryant said the parking needs to be looked at. Mr. Eickman asked if there
19 residential spaces were considered to be put behind the house and Ms. Bombardieri said there
20 may be space. Ms. Gee questioned if shared parking was mentioned and Ms. Bombardieri said
21 she did mention that but, if it is not going to work then it is not going to work. She said maybe 8
22 spaces could be put in and see if a couple more could be banked; there is room to move spaces
23 around. Mr. Bryant said he did not know if that could be chased. Mr. Eickman suggested that, if
24 8 spaces are being created, then create 10, instead of looking at which are required. He said he
25 saw a version that showed diagonal spaces on the side and that there was a question of whether
26 fire trucks and delivery trucks could get through, with the angled spaces. Ms. Bombardieri said

1 van turning movement around the building is shown, and it does not interfere with the parking
2 spaces or the loading dock, or the emergency stairs. Regarding a fire truck, she said there is room
3 to pull up in the front, even with the bollards. Mr. Campbell asked if she had spoken with anyone
4 in the Fire Advisory and she replied that she had not. Mr. Campbell suggested this. Mr.
5 Fitzgerald said, even if it had to be shown to maneuver, it would have get to the back of the
6 building, if necessary, or to the side of the house, since there are 2 dwellings there. He questioned
7 the rationale regarding the van. Ms. Bombardieri said it is a bigger, non-commercial vehicle. Mr.
8 Fitzgerald asked her about whatever they are going to sell, and deliveries. She replied there is the
9 loading dock and the space is there. Mr. Fitzgerald asked if they were going to back out and Ms.
10 Bombardieri answered that she would show the circulation would work. Mr. Bryant noted that, at
11 the first diagonal parking space, what if someone is backing up and someone is pulling in. Mr.
12 Fitzgerald said it needs to be looked at and, if this is going to be re-laid out, he is suggesting that
13 more parking be realized in the rear of the building, as opposed to the angled spots. He said it
14 looks like a conflict is being created there. Mr. Campbell asked if there is septic there. Ms.
15 Bombardieri said there are some septic components, but there is room. Mr. Fitzgerald noted the
16 hatched area and she replied that it was a no-parking space. He said it had a random geometry,
17 honeycombed pattern on it. She explained that was the snow storage.

18
19 Ms. Gee questioned if this is a change of use and Ms. Bombardieri said that she does not think it
20 is, personally. Mr. Campbell stated that, years ago it used to be a store and Ms. Bombardieri said
21 Yes, it is a B1 District use and considered retail. She said the Tattoo shop is also personal service
22 and in the same block of the schedule permitted uses in the B1 District. Ms. Gee explained that
23 she is not saying whether or not it is a permitted use. She is asking if it is considered a change of
24 use, which is considered when parking or other things are changing with the use of the property,
25 and something that would be formalized. Ms. Bombardieri replied Yes. Mr. Eickman told the
26 Board that there is no prior site plan that has been approved for this property, which was found

1 after a diligent search. Withstanding that fact, he said this could be considered, if everyone
2 agreed that this is a minor change.

3
4 Mr. Bryant wanted to add that the prior use was ice cream, which he said was usually considered
5 an afternoon or evening peak and there is the Tattoo place, which he is not sure that people get
6 up early in the morning for. At Van Wyck, he said it is a zoo in the morning and this is a market
7 that he is thinking would be open at that hour, so there are some operational factors to be
8 considered.

9
10 Ms. Bombardieri said there was a deli before it was Rita's. Mr. Miyoshi asked her if there was a
11 residential component with that and she replied that there are some residential houses on the
12 same parcel. He said he was just thinking that his father in-law owned a general store that was
13 connected but it was in an R1 District that had an exception for the store. He said, after one year,
14 the business zoning part of it goes away. Ms. Bombardieri told him this is a B1 District and a
15 permitted use in the district. Mr. Bryant said, in a B1 District, one caretaker unit is permitted, so
16 he thinks there is a pre-existing, non-conforming component to this. Once the site is revisited, he
17 said he is not sure how this plays out. Ms. Bledsoe asked which one would be considered the
18 caretaker unit; was it above. Mr. Campbell questioned if it must be connected in a caretaker
19 situation, or could it be separate. Mr. Bryant said it would have to be identified. Ms. Gee said,
20 with Joe's Mothers Road, it was separate, but that was a larger parcel, and this could be either.

21
22 Mr. Eickman told Ms. Bombardieri that there is additional work to be done on the layout and
23 showing parking, circulation of fire equipment and, perhaps, maybe take a look at some of the
24 questions raised here with regard to prior use and times of day of operation.

25

1 Ms. Bombardieri questioned, since this is a Type 2 action, was there a possibility of waiving the
2 Public Hearing. Mr. Eickman said he would take a poll of the rest of the Board. Mr. Campbell
3 asked if the Board was considering this a minor change. Mr. Eickman replied that he could go
4 with the fact that it is a minor change.

5
6 Mr. Papae stated that he had a question regarding the edge of the blacktop. He asked if this could
7 be extended, to create more parking, behind the building. Ms. Bombardieri said Yes, behind the
8 building, Mr. Papae said he did not know if it would have to be blacktopped, but he was thinking
9 there would be more space from what is now the existing edge of the blacktop. Ms. Bombardieri
10 said there are actually 2 spaces shown there now, with a drive aisle and turning area to pull out.
11 She said there is room there and septic components that they have to be sure to avoid.

12
13 Mr. Campbell asked, based on the bollard situation that he had opened up for the discussion, and
14 the fact that Ms. Bombardieri has to have the discussion with DOT, would that change this from
15 Minor. Looking to Mmr. Fitzgerald, Mr. Bryant said he thinks that the DOT is going to take a
16 look at the entrances. Mr. Fitzgerald said they are going to have to take a look at this; it has been
17 there for a while and he doesn't know if they have known about it, or if there was some potential
18 that this was permitted. He said that would have to be answered and they have to know whether
19 or not it was permitted. Ms. Gee told Mr. Fitzgerald that it may be in the right-of-way, outside
20 the e site plan technically, and not part of it Mr. Fitzgerald said, it is, according to the map.
21 Attorney Wood suggested to the Board to wait for the revised map to come back and then the
22 Decision could be made as to what has been done, what is major, minor, etc.

23
24 Mr. Eickman asked Ms. Bombardieri if she could be at the next meeting. And she said Yes. Mr.
25 Arco asked if there would be seating in the front of the building, market and Ms. Bombardieri

1 said No, not if there are no bollards; it would not be safe without bollards. Mr. Arco said that is
2 why the bollards were put in, for the seating.

3
4 Ms. Bombardieri said there is an application with the Building Department to make
5 improvements to the house, which is being held up because of this process. She said the applicant
6 wants to put new siding on the house, new windows and a new roof and is running out of time
7 due to weather. Ms. Gee asked her if the footprint of the house was changing, was there anything
8 structural. Ms. Bombardieri replied No, just those three things. She said she knows that is not a
9 Planning Board decision but asked if there was any way to move ahead with these three things.
10 Mr. Eickman stated he would accept a Motion to permit the improvements that are proposed for
11 the house, being siding, windows and roof. Mr. Campbell added that there would be no change to
12 structure height, width. Ms. Bombardieri said that is correct; it will be changed with plantings in
13 the spring but not now, and no structural changes are being made.

14
15 **MOTION made by Richard Campbell, seconded by Lori Gee, to permit the**
16 **proposed improvements for the house, being siding, windows and roof, with no**
17 **structural changes to be made to change the footprint. Voted and carried**
18 **unanimously.**

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20 The matter will return to the Planning Board next month.

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25 **DISCUSSION:**

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27 **4. #2022- 044 – Speziale Subdivision, 2808 Route 52 (6556-01-434927) Applicant is**
28 **proposing a 2-lot subdivision with a shared driveway on an 18.14-acre parcel with an**
29 **existing house in an R1 District. The existing residence will remain on Lot # 1 and an**
30 **existing shed and barn is proposed to remain on the new lot #2.**

31 Bill Povall, Engineer, Povall Engineering PLLC was present.
32

1 The plan was displayed, and Mr. Povall said Salvatore Speziale owns an 18-acre parcel, which is
2 on the south side of Route 52, between the Carpenter Road intersection. There is an existing
3 house and barn on the property. The proposal is for the creation of a 2-lot subdivision, which
4 would create a lot for the existing house, about 1.6 acres, which would allow the building of a
5 second house, on the second lot, which would be next to the barn. He pointed out the existing
6 house, the existing barn and the location of the proposed house on the plan. He said that, right
7 now there is an existing gravel driveway, and they would like to use this as a shared driveway. It
8 would need to be widened to meet the Town’s width requirements for a shared driveway and he
9 said about 2 ft on each side would need to be added, to create the 16 ft. With that, he said, there
10 would not be a new driveway entrance onto Route 52. The new house would be supplied by a
11 new well and new septic system for sewage.

12
13 Ms. Gee noted that it is an 18-acre parcel and questioned if there was any further subdivision
14 intended, or able to be done, in the future. Mr. Povall replied that there were no plans for further
15 subdivision in the future. The majority of the property in the back is DEC wetlands, according to
16 the mapper. There is floodplain in the rear of the lot. There is a flood area in the front yard of the
17 existing building. Ms. Gee asked if it was the existing house or the existing barn. He pointed out
18 the existing house and Route 52 on the map, saying that, given the parameters and existing
19 conditions on the lot, it does not lend itself to subdivide this into a big subdivision; there are a lot
20 of restrictions.

21
22 Mr. Campbell asked if any of the existing structures shown on the map were going to be
23 eradicated and Mr. Povall answered No, they were not; it will all remain.

24
25 Ms. Gee asked if the setbacks were all met and what about variances. Mr. Povall said No, all
26 meet the requirements o the Zoning, which is R1 and t here is plenty of room for this project,

1 with a lot of flexibility. Mr. Eickman said the Planning Department was trying to determine if the
2 setbacks were adequate and weren't able to tell. He asked Mr. Povall if this was something that
3 he might have surveyed, to show the distances for the setbacks on the outbuildings. He responded
4 that they are included on the plan and the setbacks were 12.3 ft. Ms. Gee asked if it would be a
5 25 ft requirement or 15 ft. Mr. Povall said the shed must be pre-existing, non-conforming. Ms.
6 Gee told him he is creating a new lot, with the shed on it, so it must be removed or moved. He
7 replied that, if need be, the shed could come down or it will be moved.

8
9 Mr. Eickman told Mr. Povall another thing that needs to be shown is that a driveway could be
10 created for the second lot; it is just something that needs to be shown on the plan. He responded
11 that is not a problem.

12
13 Mr. Fitzgerald said, regarding the driveway, the proposal is for a shared driveway, and approval
14 from the DOT is needed, for them to see it and if they are happy with it. He said if it is graveled
15 all the way to the highway, their requirements are for a paved apron and that needs to be dealt
16 with. Mr. Povall said it is understood.

17
18 Mr. Campbell asked in keeping with the driveways, about access, fire access, safety access, once
19 this is added, to get to the new house and the existing structures. He asked if there were
20 allowances for this. Mr. Povall pointed out the existing driveway turnaround area by the existing
21 house and the driveway that goes to the barn. He said there is actually a whole turnaround that
22 exists there and there is no proposal now to change that; maneuverability between the 2 lots
23 would be very good.

24
25 Mr. Moore said, regarding the base flood elevation, this property is in a Zone A, which is an
26 approximate zone, with minimum development proposed. The Town needs to determine if a

1 floodplain permit is required for section 108-11. Regarding the limits of the floodplain, he said it
2 is a Zone A and if it is traced over from parcel access FEMA maps, the question is what the
3 elevation of the Base Flood Elevation (BEF) is, because that may determine the buildable area
4 for Lot 1. He said $\frac{3}{4}$ of an acre is needed and, depending on where the line is drawn, it is .751
5 acres for Lot 1. Depending upon the elevation of the base flood it is shown with an elevation of
6 309 n the back and 307 in the front. He thinks that is a little too close to make the determination
7 of whether there is the buildable area. He asked that this be nailed down. Mr. Povall said that is
8 something that they can do. When the floodplain was shown on this map, he said he was actually
9 more conservative about the 306, and he bumped it up to 308, just to be conservative, to meet the
10 threshold for the environmentally sensitive lands area. Mr. Moore said they want to be sure since
11 the Lot 1 is right on the threshold and to determine what the BFE for the lot being created is
12 sufficiently above the BFE. He said to make sure the approximate limit of DEC wetlands line
13 because the Town will determine if a field delineation is warranted or not. He said Mr. Fitzgerald
14 already mentioned the DOT will determine the location of the driveway and additional comments
15 will be added, depending on where this is at.

16

17 There were no further comments from Board Members of the professionals.

18

19 Mr. Eickman told Mr. Povall there were just a few things to clarify. Mr. Povall asked if this
20 would have to go through the process of having the wetlands mapped out in the back. He said it
21 is a few hundred feet and definitely in excess of 200-250 ft from the back of the barn. When he
22 went and walked the property, he said he showed the wetlands, per the general mapping. The
23 DEC puts it out there publicly, but the wetland boundaries were not physically located and he
24 thinks the question is whether or not the Board will require this to be done. Mr. Eickman asked
25 the Professionals what the standard is when it is that close. Mr. Moore responded that, in this
26 case, where the wetland is shown, unless it could be determined that the wetland is actually

1 closer, by a good margin to where the proposed improvements are going, the BFE would
2 probably determine the minimal buildable area for Lot 2. He said he thinks it is a judgment call
3 for the Board; there is no proposal to do anything back there. He said he did not know if a site
4 visit would be warranted. A stream runs through the property. Mr. Povall said that, where the
5 house is being proposed, the septic system is 2 ft higher in elevation at its lowest point in the
6 existing house and that is another added comfort knowing that area would not be in the wetlands,
7 for good portion. Mr. Campbell asked if it could be a conditional standpoint and Mr. Moore
8 replied that, if the Board determines, it will be required. Ms. Gee asked how old the mapping
9 was, or had it never been flagged. Mr. Povall replied that he did not believe it had ever been
10 flagged; it was just the DEC general mapping that is offered. He said, what is being proposed for
11 the house and septic is a lawn area that is maintained. He pointed out the proposed house and
12 septic said the light green area was the lawn and the existing tree area is in the back. He also
13 pointed out the wetland boundary, saying said it was overlaid, the 100 ft and the other 100 ft
14 where the proposed septic system area is, and the 300 ft. to the barn from the house. Mr.
15 Eickman said that to him it seems reasonable and nothing more would need to be done for that.
16 Ms. Gee questioned how the BFE would be determined if it is not mapped. Mr. Moore said
17 FEMA would have to be contacted and they may have the information to determine the what the
18 BFE is. He said it is a very large approximate zone that goes 3 to 4 properties off to the northeast
19 on the map and covers a very wide area which, generally would probably be very flat. There is no
20 detailed study area for a mile, half a mile further downstream. He said FEMA would have to be
21 contacted to get that determination, and to make sure of the topical surveys on the appropriate
22 vertical data.

23

24 Mr. Campbell asked if perc tests had been done and Mr. Povall said it is all gravel and bank run.

25

1 Ms. Gee said that as long as the BFE can be determined, she is okay with this. Mr. Eickman told
2 Mr. Povall he can come back with that. Mr. Povall asked if there was a way to schedule a Public
3 Hearing at this point and Mr. Eickman replied that he thought there was, and it could go ahead, if
4 without objection. Mr. Povall asked the meeting date for December, stating he would out of
5 Town for the November 10th meeting. Mr. Eickman told him then that would give this plenty of
6 time.

7

8 **MOTION made by Richard Campbell, seconded by Sarah Bledsoe to**
9 **schedule a Public Hearing to be held on December 20, 2022, for the Speziale**
10 **Subdivision. Voted and carried unanimously.**

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13 Mr. Povall thanked the Board.

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21 **5. #2022– 045 – Sadhis Rivas, 199 Blue Hill Rd. (6456-04-674315) Applicant is**
22 **proposing to install two ground mounted solar arrays on a residential lot. Array #1 is**
772.40sf and Array #2 is 849.64sf.

23

24

25 “Courtney” from Empire Solar System was present on behalf of the homeowner, and “Stephanie”
26 was also present.

27

28

29 Courtney said the proposal is to install two ground mounted solar arrays on a residential lot. The
30 total system size is 30.24 kw but will be tied to 2 meters that does exceed the residential limit,
but the system will be separated into 2 separate Central Hudson residential meters. She said was
not quite sure what specifically the Board would want to know about this project in order to

1 move it forward, other than what was already highlighted in the plans. She asked if there are any
2 specific questions that the Board might have.

3

4 Ms. Gee asked Attorney Wood if the Board had the ability to waive the residential requirement
5 or allow it to be exceeded. She said she believed this had come up before. Mr. Wood replied that
6 it is usually a review of the location, with respect to the residence and boundary lines. Courtney
7 said that they got Zoning approval last month. The property is just over 7 acres, a very narrow
8 and long parcel and a variance was needed for the setback requirements. She referred to page 2 of
9 the plans, which she said shows the boundary lines, with the setbacks that were approved by the
10 ZBA. Instead of 100 ft, at the north there is 91 ft 2 inches and 88 ft 5 inches on the southern
11 property line 67 ft 10 inches and 69 ft 7 inches respectively. Considering that the property is so
12 narrow, she said the Zoning Board did acknowledge it. Mr. Wood asked if there was a plan to
13 show the Planning Board. Courtney said she did not have a big board but offered for the plan she
14 had at the podium to be seen and gave it to Mr. Papae and Mr. Campbell. They reviewed it and
15 then passed it along to other members for the same.

16

17 Ms. Gee asked the reason, if it was oversized, for residential use. Ms. Rivas said it is between 2
18 different Central Hudson accounts and based on the annual average use of those 2 accounts. Ms.
19 Gee questioned if it was a single-family home with 2 separate Central Hudson accounts.
20 Courtney said she believed it was a residence with a separate apartment.

21

22 Mr. Eickman said, as this is a solar installation, it is required to schedule a Public Hearing. He
23 said he believes this is a Minor Site Plan, but asked Courtney if a public hearing was scheduled,
24 would she be ready for that. She answered Yes, absolutely. Ms. Gee told her it would include
25 notice to the neighboring property and asked if the neighbors were aware. Courtney replied yes,

1 and that the property owners were notified for the ZBA Public Hearing and there was a sign in
2 place on the property for that.

3

4 **MOTION made by Richard Campbell, seconded by Craig Arco to schedule a**
5 **Public Hearing to be held on November 10, 2022, for the Sadhis Rivas solar**
6 **system. Voted and carried unanimously.**

7

8

9 Courtney asked if a site visit was required. Mr. Eickman said he would leave that up to the Board
10 members. She said that a lot of photos of the property had been provided with the application and
11 that, if there is anything that may be missing, additional photos could be provided as well.

12

13 Mr. Miyoshi said there is brush, shrubs on the front of the property, along Blue Hill Road.
14 Courtney said there is a decent amount of natural screening already existing there. Mr. Miyoshi
15 said he is wondering just how visible this would be from the road. Courtney said, from the road,
16 there may be a blip seen while traveling on Blue Hill from the south, while going north. She said,
17 when going past the neighbor, there are the trees and displayed that the only way one could see
18 them is if they are looking back, over their shoulder. When looking to the parcel to the north, she
19 doesn't think there is a residence, but a tree. Then, neighbor to the south, where the house is
20 situated, there is no view to the proposed location. Mr. Miyoshi said he thinks the owner of that
21 house passed away and that the house may not be in use right now, but that could, however,
22 change. Mr. Arco asked him if he was talking about the house with the red roof on it, in the
23 photo. Courtney said she believed so and while retrieving the viewed plan from the Members,
24 Mr. Arco said it looked like there was a direct view of the solar farm, without any brush. He
25 pointed this out to her and Stephanie, on the plan. Courtney said the only way they could see it is
26 if they out on their back deck. She pointed out where the ground mounts were. The brush is
27 covering it from being seen from the side windows. In the back, she said one would have to have
28 the window open and head sticking out to see it. The plan would be to plant a few trees.

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Ms. Bledsoe asked how the panels were angled; were they angled towards to the house
Mr. Miyoshi said they point south.

Courtney passed out individual copies of the plan to the members, saying that the rays are oriented south, at 180 degrees, and the way they are shown on the plan is the way they will be installed.

Mr. Arco noted that, on the submittal drawing, some trees are shown along the property line. Courtney asked if it was on what she just handed out to the members. She said that was the one they came with and basically wanted to get the Board’s opinion and input of whether the screening was necessary. She said the one thing that is always considered when installing solars is screening and she asked if that would shade the Array. Mr. Miyoshi said they wouldn’t want trees that would get too tall. She said yes, and sometimes spruces are done, other times Arborvitae; Sometimes the trees get quite tall and she said, if the homeowner isn’t equipped to be able to do the trimming to keep the trees at 6 to 8 feet, it can affect the production. She said they tend to stay away from it unless it is required. Mr. Arco said as long as they are not impacting one’s view, whether from a backyard or wherever. He told Courtney that would like to see trees on the line, away from the solar panels and the height; whatever the restrictions are on that. He said it is also the road and if they can be seen anyone can be impacted by this. The shrubs should be something like conifer, something that is 365 days per year.

Ms. Bledsoe asked the height requirements and Ms. Gee asked the height of the Arrays. Courtney replied that, at the tallest point, the Array is 12 ft max; sometimes it is lower.

1 Ms. Gee referred to the flood zone map that was given to the Board, saying the light blue area
2 was very close to the Array. She asked if there was a required setback. Courtney said they did not
3 find a required setback, nor did the Zoning Board have an answer for that. However, she said if
4 there is a requirement from the physical structure, she believes there is space to shift it closer to
5 the house, if necessary, further away from the flood zone. She said there was a comment in the
6 engineering comments she received this day, stating that, because of the proximity to the flood
7 zone, the electrical equipment should be located away from that, but installed on the exterior of
8 the house or at the meter. She said this would include the emergency disconnect switch, the
9 inverters, and those are usually installed on the house, opposite the wall where the service panel
10 is.

11
12 Mr. Moore said, regarding the BFE, it is not so much the setbacks but the vertical separation and
13 that this is very similar to the last application. It is in a Zone A and the exact elevation is not
14 known. He said whatever elevation the electrical gear is set at, be sure to set it above the BFE. He
15 said he was not sure if it is super critical that the BFE be established for this, or if it falls under
16 the Town Building Department review. Ms. Gee said that is why it has to be set back from the
17 flood area; one of them is sitting right on the edge. Mr. Moore said the line is drawn based on old
18 topography and the FEMA map goes back to 2012. Attorney Wood said the electrical work is
19 inspected and the electrical Code has provisions and conditions for these types of situations.
20 Courtney stated that all their projects are inspected by a third party.

21
22 Mr. Arco noted that it was said the meter and inverter are on the house and are shown on the
23 utility pole. Courtney said there are 2 driveways; one on the north side of the property and one on
24 the south; the meter is located at the top of the north driveway. She said it is not always typical,
25 but it is not unheard of. She said the inverter will probably be on the house, but the disconnect is

1 usually attached at the meter for emergency situations. She said it is not for electrical wiring
2 reasons and on the exterior of the house.

3
4 Mr. Eickman asked if there were any additional questions or comments and there were none. He
5 told Courtney and Stephanie that the Public Hearing date had been established and the Board
6 looked forward to having them back. Ms. Gee noted that the meeting was on a Thursday and
7 Courtney asked if it was the same time, at 7:00 pm., and Mr. Eickman said yes. She asked who
8 should be contacted about the sign posting and Mr. Eickman said it would be Jackie Keenan in
9 the Planning Department. Courtney asked if it would include the 500, which was part of the
10 application and she confirmed it would be 2 weeks before the hearing date.

11
12 Courtney thanked the Board.

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18 **ADJOURNED PUBLIC HEARING:**

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21 **6. #2021 – 013A - iPark Building A, 200 North Road (6456-03-958962).**

22
23 Applicant is seeking Site Plan approval to add a 250,000 sf furniture distribution
24 warehouse.

25
26 Mr. Eickman announced that the Public Hearing for this matter was previously adjourned,
27 relative to the Site Plan and that a new Public Hearing needed to be opened, to consider both the
28 Subdivision and the Site Plan.

29
30 **Troy Wojciekofsky, Engineer with Stantec, was present, and Joseph Cotter, from National**
31 **Resources also was present, later in the meeting.**
32

1 While Mr. Wojciekofsky displayed the plan, the Members opened the Public Hearing.

2
3 **MOTION made by Richard Campbell, seconded by Sarah Bledsoe, to open the**
4 **Public Hearing for both the Subdivision and Site Plan for iPark Building A.**
5 **Voted and carried unanimously.**
6

7 Mr. Wojciekofsky started that Joseph Cotter from National Resources was on his way and asked
8 if another matter could be pushed ahead on the agenda, to give time for him to arrive to the
9 meeting.

10 **Mr. Eickman said the Public Hearing could be temporarily delayed and went to the next**
11 **agenda item, in the meantime. NOTE; This matter resumed after the Firas Subdivision**
12 **matter was heard.**

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17 **ADJOURNED PUBLIC HEARING:**
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- 19 7. #2022- 039 – **Hudson Valley Logistics Center**, 500 South Drive (6356-04-587105)
20 Applicant is proposing a 540,000 sf warehouse distribution center on the former IBM
21 Campus (formerly the proposed Sports Dome Site).
22

23 ****THE MATTER WAS FURTHER ADJOURNED TO NOVEMBER 10, 2022****
24

25 **ANNOUNCEMENT:** Mr. Eickman stated that the Public Hearing for HUDSON VALLEY
26 LOGISTICS CENTER was to be adjourned, as announced at the beginning of the meeting.
27

28 **MOTION made by Richard Campbell, seconded by Sarah Bledsoe, to Adjourn**
29 **the Public Hearing for Hudson Valley Logistics Center, to November 10, 2022.**
30 **Voted and carried unanimously.**
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ADJOURNED PUBLIC HEARING:

- 8. #2022 – 037 – Firas Bridges Subdivision, Eder Road (6656-00-819763)**
Applicant is seeking subdivision approval for a proposed 4-lot subdivision with one existing building lot currently under construction.

Amy Bombardieri, from Day and Stokosa PC was present.

MOTION made by Richard Campbell, seconded by Craig Arco, to re-open the Public Hearing for Firas Bridges Subdivision. Voted and carried unanimously.

Mr. Eickman told Ms. Bombardieri that there were several items still outstanding at the last meeting and asked that she begin by addressing those items.

Ms. Bombardieri said she recalled one of the items was the deed restrictions and stated that there are No deed restrictions on this parcel.

There are a number of concerns about Drainage, and she said level spreaders have been proposed to alleviate runoff from any impervious from the house side, going towards Devon Farms. There are rip rap swales going down both sides of the proposed driveway, that will enter 2 new catch basins, which will then convert into an additional catch basin on the other side of Eder Road.

Clearing is minimum and Ms. Bombardieri said it is really around the driveway and house sites. The owner is going to live in the house that is constructed now and then will probably build another house on one of the other parcels. With regard to the remaining parcel, she said she was not sure if the owner would sell as buildable parcels or just build on them and sell houses; she did not know.

1 Mr. Eickman asked Ms. Bombardieri if any changes had been made to the plan with regard to the
2 Drainage since the last meeting. She responded that additional Drainage was added to the houses.
3 She said there is a level spreader from the roof leader on the proposed Lot 1 and that will level
4 out. She said it should enter the swale along the driveway, which is also rip rap swale, and then
5 enter into the catch basins. She said the highway Superintendent was also consulted on the
6 Drainage and the driveway locations; She said he was fine with that.

7
8 There is a proposed Site Distance Easement along the roads to improve the Sight Distance from
9 the 2 driveways, which will cut back the vegetation. Ms. Bombardieri said there may be minor
10 regrading to improve the Sight Distance there.

11
12 Mr. Fitzgerald asked if the plan showed what the Sight Distance is; it shows the easement. When
13 he looked at the plan, he said he couldn't readily find it. Ms. Bombardieri looked at the plan,
14 stating it is shown on Key 3. She said the Sight distance to the left is 308.9 and to the right,
15 315.2, and that the vegetation is to be removed from the Town right-of-way. Mr. Fitzgerald asked
16 the scenario about the maintaining of the clearing. Ms. Bombardieri said the easement is there;
17 the Town can maintain the vegetation. Ms. Gee asked if it was for the Town official and Mr.
18 Fitzgerald said as long as he is willing to take on that responsibility to keep it clear. Ms. Gee
19 asked if the Distance was sufficient. Mr. Fitzgerald told Ms. Bombardieri she would need
20 something back from "Ira" with that understanding that he would be maintaining the vegetation.
21 She said she did not know for sure but is assuming that is why the easement is there. Mr. Bryant
22 said it is outside the Town highway; the easement is on private property. Ms. Bombardieri said
23 yes. Mr. Fitzgerald said it is also for more than one driveway and asked if the easement covers
24 both driveways. Ms. Bombardieri said there is a small portion of it on Lot 4 and most of it is on
25 Lot 3. Mr. Eickman asked if this was something that could be added as a condition to the plan, as
26 confirmation of maintenance. Attorney Wood said usually that the property owner would have to

1 maintain it and if the owner failed to do so, the Town would have the right to do it and charge it
2 back to the property. Ms. Bombardieri said that is how the stormwater drainage is.

3

4 Mr. Bryant wanted to add one more thing about the Drainage, stating that this is tying into the
5 Town drainage across the street. He asked Ms. Bombardieri if the driveways had been checked
6 just downstream from across the street; did she walk those. She replied that she had not and that
7 Mr. Stokosa did run the culvert based on a 10-year storm for all driveway crossing that are
8 proposed and then, across the street it is an 18 inch pipe on the other side that it is being tied into.

9 Mr. Bryant said across the street, down from 2 driveways. One driveway he thinks is two 12-inch
10 corrugated metal culverts and another driveway that is 18 inches. He said one driveway the
11 culverts that are there are getting closed to end-of-life and his concern is any additional water that
12 is discharged could impact those offsite driveways. Ms. Bombardieri asked if it was to the north
13 and Mr. Bryant replied downstream, heading downhill. Ms. Bombardieri said this would be
14 looked at. Mr. Bryant said he thinks that is what the neighbors are going to say if the driveway
15 fail, he doesn't know if they would be satisfied with a 10-year analysis. He said it seems like a
16 10-year happens once a year anymore.

17
18 Mr. Eickman asked if there were any further comments from Board Member and there were not.
19 He asked if there was anyone present from the public to speak for, or against the project.

20

21 Richard Martin, 198 Devon Farms Road came to the podium, stating that he is neither for or
22 against the project at this point and wants more information. He said he has heard a lot of
23 information on drainage but told the Board Members it is not heard as well in the audience as
24 what they hear. He said he does not know from the drawings about the lots, but he knows one lot
25 affects him in Devon Farms and would like to know about the drainage on that side of the road.
26 He said he would have to defer to the Town experts here, as he knows nothing about it. He does

1 know that when it rains there, the water comes pouring out of the woods and on their properties.
2 He has put 7 drains in himself, and his property is pretty well protected at this point. He is very
3 concerned about a Clear-Cut situation that abuts his property and there is water from there at a
4 very good pace now with trees there; it is basically a forest there. He said if those trees are cut out
5 of there, he is going to be underwater in seconds. He said that is his primary concern and he has
6 to rely on the experts present, as he does not know anything about what is being talked about
7 here. He does know that his property is in jeopardy, and he is very concerned about the 15-acre
8 parcel that butts up to Lot 37 on Firas Farms. He said if that is clear cut, he would be underwater
9 in a couple of hours in a 10-year storm. He said that is his concern; he is neither for or opposed
10 this, but he has concerns about his property and does not want to appear selfish; he has a million
11 dollars invested that he has to protect. He said those are his concerns and, if someone could
12 answer this for him, he could tell if he is aye or nae.

13
14 Mr. Eickman told Mr. Martin that the rest of the comments could be collected from the public
15 and then Ms. Bombardieri would be asked to come back to the podium to answer specifically,
16 those 2 issues for him. Mr. Martin said he also wanted to say that the last time this was here at
17 the Board, there was something about bats, but he did not hear that mentioned this evening. He
18 just wanted to reference what was referenced in the original meeting last month. Mr. Miyoshi
19 told him that has to do with when they can cut the trees down, with regard to the bats. Ms. Gee
20 told Mr. Martin this is not unique to this property and is for anyone doing any kind of tree
21 cutting. On a plan that the Board is approving, there are restrictions on the timing of when it can
22 be done, because of preserving the bats. Mr. martin said that is not an issue to him and he doesn't
23 are when they do that. He said his issue is the buffer Clear-Cut by his property, and the same for
24 the folks on the other side; he is not exposed to that but certainly understands and is sympathetic
25 to that. Mr. Miyoshi said he thought that Ms. Bombardieri mentioned early on that there wasn't
26 going to be Clear-Cutting, but she can respond to that. Mr. Martin said he heard that it would be

1 kept to a minimal but, to him, he doesn't know what that means. Mr. Campbell said it is where
2 the home and driveway are being put, the way it was stated. Mr. Martin told him he understands
3 that, but, if it is being kept to a minimum, it could be 10 ft, it could be 4 or 5 acres; he doesn't
4 know. Mr. Eickman said Ms. Bombardieri will respond to that for the applicant. Mr. Bryant
5 asked Mr. Martin what lot he was referring to, and he replied 37.

6

7 There were no other comments from the public. Mr. Eickman asked Ms. Bombardieri to come
8 back to the podium and to face the public to speak, with regard to Drainage, Clear-Cutting, and
9 the Bats.

10

11 Ms. Bombardieri said, due to the Bat population being in jeopardy, trees can only be cut from
12 November 1st through March 31st. The Bats are not there during those times, and she said they
13 are safe.

14

15 Ms. Bombardieri held up the plan and pointed to Lot 1, asking him if that was the lot he was
16 concerned about. Mr. Martin said yes. She showed that the area is very steep and, to get to
17 machinery back there to Clear-Cut, she said, would be very costly and very difficult. She told Mr.
18 Martin the clearing to get would provide him with approximately over 300 ft of separation. He
19 asked about the building envelope behind Devon Farms and she said it is 37, 36, 35, 34 and 33.
20 Mr. Martin said the house is not behind 37 and Ms. Bombardieri said it is 33. She said she does
21 not know why someone would spend the money to buy a parcel as isolated as this, just to Clear-
22 Cut, and put their house right in the corner. She told Mr. Martin they are so much higher than
23 him now and would go lower towards his property. He responded that there are 3 houses down,
24 they are not higher. Ms. Bombardieri looked at the elevation and said they are lower.

25

1 Someone from the public asked if this was creating a flag lot and Ms. Bombardieri responded no,
2 but maybe. The gentleman said it is behind someone's home. Ms. Bombardieri said it is very far
3 away and told him the scale is 1 in. equals 80, and it is 10 inches, which is about 800 ft. to his
4 property from the lot, which is pretty far. She didn't realize where his property was at first, when
5 she said 300 ft. and that it is more like 400-500 ft. Because of the steep slope, she said it would
6 be very difficult to build a house anywhere other than what is shown on the plan Mr. Martin said
7 many years ago he heard from the Town Supervisor and others that there could never be building
8 there because of the topography He said he has a beautiful forest back there and would like to
9 continue the private life that he has there with the views that he has.

10

11 Mr. Eickman asked Ms. Bombardieri about what was found in the application regarding tree
12 cutting and that it would be fairly minimal because of the size of the lot. He asked if she would
13 give the data on this again. She said yes, it is going to be minimal, but that she couldn't give the data
14 on it. Mr. Eickman questioned if it was in the actual application. Ms. Bombardieri said the
15 proposed limit of disturbance was less than an acre on that lot. Out of 13 acres, she said it is not
16 even 10%. Ms. Bledsoe said something came up though, that the plan was .3 of the total lot,
17 which did not seem like a reasonable number. Ms. Bombardieri said this was the vegetation
18 cover, which was in the EAF and wasn't forested. She said it was about the existing condition of
19 the parcel. Ms. Bledsoe asked if there was an answer on that; was it verified. Ms. Bombardieri
20 apologized that she did not know.

21

22 Mr. Eickman stated that there still seems to be questions about the vegetation, tree cutting and
23 stormwater. Ms. Bombardieri addressed the stormwater question about the culverts and showed
24 on the plan where there is now runoff from the rain, towards the property. The way the top
25 works, she said, is that it looks as though it is draining the other way. She showed where the
26 proposed house was to be constructed and said the roof leaders and run off from the driveway at

1 that portion, are going to hit a level spreader. She said this is basically it. Mr. Martin said he is
2 not concerned about runoff from the actual home, but the concern is if the trees are all being cut
3 out, the water will be right in his back yard. Ms. Bombardieri said she is 99% positive that all of
4 the trees will not be cut down in the 800 ft to his house. Mr. Martin said he would agree with
5 that.

6
7 Ms. Bombardieri asked the Board members if they wanted it to be a bigger backyard restriction.
8 Attorney Wood asked if it was about an area of non-disturbance, t hat there would be no
9 disturbance beyond a certain point. Ms. Gee asked if that would be for just this builder or in
10 perpetuity. Attorney Wood said it would be in perpetuity and Ms. Bombardieri said it would be
11 by deed restriction. Mr. Eickman told her that the application had quite a substantial limitation on
12 it and he thought a line could easily be drawn that would ne more than satisfactory to the
13 neighbor. She said then it would be on the map and basically a deed restriction and Attorney
14 Wood said that was correct, and that it gets recorded. Mr. Martin said that is fine with him and it
15 is the expert panel about the drainage issues. Ms. Bombardieri said he is concerned about it
16 running off, through the property. What Mr. Bryant had mentioned was the culverts on the road.
17 Mr. Miyoshi said the runoff is in a different direction. Ms. Bombardieri said it does not look like
18 the runoff from the house will affect his parcel, the way the topo is. Ms. Gee told Mr. Martin that
19 said the rest of the property then has a non-disturbance easement, where no one can cut the trees
20 down and asked if that brought him comfort. Mr. Martin replied ok.

21
22 Aris Cabrera, 190 Devon Farms Road came to the podium, stating that she is one of thousands of
23 city people that has moved here. When she moved here, she said they researched their property
24 and noticed that this land had just been purchased. Privacy was very important, and she said they
25 asked, and were assured that no one would be able to build behind them. Now she is hearing that
26 anything can change and, even if it is hard to build back there, she now feels that it is not

1 impossible. She asked the Board what could be done to assure her that there will be no building
2 back there. Once they buy it, she said they can do whatever they want. When she bought her
3 house, she said there was a list of rules that had to be followed, such as the truck could not be
4 parked in the driveway, and such. She said there was some kind of requirement that they can put
5 some sort of fence that had to be a certain distance from the property line. Mr. Eickman
6 responded that yes, there are restrictions on outbuildings, fences, fence heights, distances from
7 side yards and front yards. He said those are codified in the Town Zoning Attorney Wood said
8 she may be right and asked her if this was the upper part of Devon Farms Road. Ms. Cabrera
9 replied yes, right behind her property it is very steep. Attorney Wood said, the upper side of
10 Devon Farms, when it was originally approved by the Planning Board, it had an area of non-
11 disturbance, as a ring all around the property. It was done as a cluster subdivision. He said that
12 the developer went bankrupt, and the lower part was ultimately developed by Toll Brothers
13 towards the end, as well as by some local builders. He doesn't believe there is an area of non-
14 disturbance in that lower part of Devon Farms Road. Ms. Gee said the restriction about a truck
15 not being allowed to be parked in a driveway is different to that. Attorney Wood said the Zoning
16 Code has limitations as to what can be done or not done, with respect to trucks, fences. But,
17 when some developers record the restrictions deeds to properties, there are restrictions that are
18 specific to all of the lots in a subdivision, He said he did not know what she was referring to in
19 her subdivision. For instance, that the Town does not prohibit outdoor clotheslines, but private
20 restrictions in most subdivisions do Ms. Cabrera said she just purchased a house and sacrificed a
21 lot to purchase it. She said it is their dream home and everything was going great until they got
22 the notice about this. It is like one of their worst nightmares is coming true since they do not
23 want to have a construction zone right behind their yard. Looking at this now, she said she sees it
24 doesn't really affect her at the moment because the house that is being built is further down. She
25 just wants to make sure that it is not going to be a n issues in the future. Right now it is being
26 said that it is going to be built, but someone crazy enough could come in and say they want a

1 house here; it is one of her concerns. She said there is a lot of building going on. The reason why
2 she moved to East Fishkill is because she wanted to get away from the chaos of the city, she
3 wanted her children to grow up in a quiet environment, surrounded by nature, embrace the
4 nature, and get them out of electronics. She said today it is like they are stuck on their electronics
5 and here she finds they are able to go through the yard, embrace nature, and they are not
6 disturbing anyone. It is sad to her that so much building is going on. The more people there are,
7 the more problems that are being brought in. She said she sees in the news about cars being
8 stolen from home driveways, a lot of crime, and she hears people say it is the city people coming
9 up, from down there. She said she understands and doesn't want to take offense to it because the
10 city right now is a mess. She moved here because they wanted something quiet and to be
11 surrounded by nature. She told the Board that every time they approve a new home build, they
12 are killing a part of East Fishkill; it is sad to see the trees gone. The focus should be on the
13 building for the youth, for the teenagers, and focus on something for them to do to entertain
14 them, instead of them being on their electronics, and going out there and causing trouble.
15 Another point that she wanted to bring up, which she said may be a little off topic, is that, when
16 they first moved here, there were 3 school threats for the high school and she received emails
17 about them, which was a shock. Here she was, moving her children out of the city and crime and
18 craziness and, as soon as she came here, there was a school threat at John Jay. She thinks the
19 problem is that teenagers don't have much to do here; they get bored and maybe just have a crazy
20 idea. She said this is really unfortunate and she thinks the focus should be on building for the
21 kids; give them an ice-skating rink, something to do in town, rather than knocking down all these
22 trees, building houses and bringing in all these new people into Town and creating more of a
23 problem.

24

25 Mr. Eickman thanked Ms. Cabrera for her comments and asked if there was anyone else that
26 wished to speak.

1
2 Jean DiLeo, 546 Eder Road, came to the podium, saying that, as the Board knows, there was a lot
3 of rain. Her husband was coming up the hill and saw the amount of water coming down Eder and
4 coming off this property. She told Mr. Martin that she was the same as him; she is not against
5 this, or for it, but she is hearing more drainage is being put in. She said she had a video and asked
6 if the drainage would take care of this amount of water. She asked Ms. Bombardieri if she
7 wanted to see the video and showed her parcel on the plan. She said they are down past the
8 original Eder house. Ms. Bombardieri told her rip rap swales are being put in, all along Eder
9 Road, which would slow that water down. Ms. DiLeo told her she may not have anything to do
10 with this part but wanted to show the amount of water coming down and where the new
11 construction, new building is. She pointed out the Eder house, as she calls it and the water on
12 Eder Road. Ms. Bombardieri said that they cannot take care of an existing condition. Mr. Bryant
13 asked if she was downstream from the new house and Ms. DiLeo responded No, that she is up.
14 Ms. Bombardieri said that, once the rip rap swale is along the side of the road, it would slow this
15 down. She said it would have depth to it so there will be a little bit of storage in the swale. She
16 said there are also swales along the driveways, coming down the driveways, that will also slow it
17 down. Ms. DiLeo said it was coming from the top too and she wanted to be sure. The amount
18 that was cleared out there, the trees area all gone from there, and it seems to be a lot more, but
19 once that is put in then that should alleviate it. Ms. Bombardieri said if it is exposed soil right
20 now, once there is vegetation, that will slow it down as well, with more absorption. Ms. DiLeo
21 thanked her and the Board.

22
23 Mr. Moore said one of his comments was regarding the storm water, it was noted to assess the
24 impact of the Town drainage system and the need to repair existing conditions, to evaluate the
25 proposed construction affects. He said that, right now, the property as split up into 3 catch areas,
26 but this is only proposed. He needs to see what the existing drainage patterns are like. Ms. Gee

1 asked if a video of the existing drainage system be helpful, as it looks like there may be one. Ms.
2 Bombardieri said that is just along the road. Mr. Moore said it depends on where the video was
3 taken. Ms. Bombardieri said it is hard to see with the wipers condition. Mr. Moore said when the
4 Town system is being evaluated, it is not just what they are contributing that comes into account,
5 but all the tributary to the Town system. He said they may need to go uphill and include some of
6 the areas that the lady was talking about and assess the total impact on the Town infrastructure.
7 He said he believes it is all going to an 18-inch culvert and the model that was provided is just
8 showing it for a 10-year storm, 5 inches of rainfall. They may also need to examine a few other
9 storm frequencies, at least the 25-years storm and probably the one-year storm analysis would be
10 good since that is the more frequent one; it is the one that has basically a 100% chance of
11 statistically occurring every calendar year. Ms. Gee asked Ms. DiLeo if she would be willing to
12 share the videos with the Town and she responded yes.

13
14 Mr. Eickman told Ms. Bombardieri that Mr. Moore’s comments needed to be responded to. Mr.
15 Bryant had some questions about downstream driveways and culverts that need to be responded
16 to. He added that there is also the line of no disturbance that was discussed.

17
18 Mr. Eickman confirmed that there were no other questions or comments from the public, the
19 Board, or Professionals. He said the Public Hearing for this would be kept open, to get responses
20 on those issues.

21
22
23 **MOTION made by Craig Arco, seconded by Sarah Bledsoe, to Adjourn the**
24 **Public Hearing for Firas Bridges Subdivision, to November 10, 2022. Voted and**
25 **carried unanimously.**

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1

2 **RESUMED: #2021 – 013A - iPark Building A**, 200 North Road (6456-03-958962).

3

4 Mr. Eickman said that the iPark Building A Public Hearing had been opened earlier in the
5 meeting.

6

7 The plan was displayed and Troy Wojciekofsky, Engineer stated that Joseph Cotter, from
8 National Resources was still expected and to show up in the next 10 minutes or so. He noted that
9 there weren't very many people present from the public so did not want to bore the Board with
10 the basics of the project and said he would go through what had happened since he last met with
11 the Board. Mr. Eickman told him that was perfect.

12

13 He explained that they had submitted for the Subdivision and then revised the application to
14 include the subdivision, the parcel with the Ashley Furniture is going to be owned by Ashley
15 Furniture (“Ashley”), unlike all the other tenants who are basically leasing from National
16 Resources. Ashley will actually own their parcel and that is why the subdivision was added to the
17 application. Some other things have happened. He said the wetlands were flagged by the water
18 biologist and surveyed, so they are on the latest plans. He said they were verified by the DEC in
19 the field and, as expected, there are very minor impacts to the 100 ft regulated adjacent area,
20 which comes across West Drive in a couple spots and nips the southwest corner entrance. He
21 said it is all paved, with the exception of 2 new culverts across West Drive that discharge into the
22 drainage ditch on that side. He said there are no wetland disturbances, and it is just the 100 ft
23 regulated adjacent area. That application is being prepared by the wetland biologist. They expect
24 it to be submitted, probably by the end of the week. He thinks it will be an administrative
25 procedure with the DEC, considering that the project benefits the wetlands and the fact that the
26 proposal is for water quality treatment for the stormwater runoff, which is not there now. He said

1 they are actually decreasing the impervious area that contributes to the wetlands, so it is hopeful
2 that this will be a pretty straightforward process.

3

4 The plan as displayed, Mr. Wojciekofsky, said, is the parking plan, and it has also been a focus.
5 He said more information was added to it. The color coding has to do with the spaces for the
6 individual tenant spaces. There is also a summary table that he said is off to the right, which
7 shows that enough parking is provided for all the existing tenants, considering that the large
8 parking lot is being taken away to build the Ashley project. The plan basically shows the parking
9 for the tenants and parking is not proposed 900 ft away from the entrance, for the tenant. He
10 pointed out that, to the north of the Ashley project, there is parking for tenants on the north end
11 of Building 700. He said there are new proposed handicapped spaces along the face of Building
12 700 and then there is additional parking for the southern tenants on the south end of Building
13 700. There is also a surplus of parking on the iPark property, of 250 excess spaces, so there is
14 still a surplus of parking, even though the parking lot for the Ashley project is being taken away.
15 He said this project is basically self-parked on its lot, with the exception of 46 spaces that can be
16 seen south of Building 700, which is per the Zoning parking requirements, whether those 46
17 spaces will be required. They are not sure, but those spaces are being provided on the south side
18 of Building 700. He said there will be a parking easement to benefit Ashley Furniture for access
19 to those 46 spaces. The applicant has indicated that utility easements are not required, even
20 though this is going to be a parcel that is owned by Ashley Furniture. Apparently, there are
21 existing agreements in place to serve utilities to the warehouse. Mr. Miyoshi asked if this
22 includes the water. Mr. Wojciekofsky, said the water was the next big item that he will talk
23 about.

24

25 Ms. Gee asked Mr. Wojciekofsky, which utilities does he mean, when he says utilities. He
26 responded sanitary, sewer, and dry utilities, such as gas, electric, communications. The details for

1 that still need to be worked out and he said this is not usually gotten into at the Planning Board
2 level, where those will actually come from, whether internally, or closer to the street. He said
3 they will have to speak to the utility providers. He said the water as the big bomb shell for him, at
4 the last meeting and he was hijacked by the Global Foundries representative. Since then, he said
5 the applicant has been working with the Town, and the Town has provided a well for water out of
6 a district user, to connect to the Town's water system. Mr. Bryant asked him if the connection
7 was shown yet on this plan and Mr. Wojciekofsky, brought up and displayed the added plan so it
8 could be viewed. He said it is not specifically shown but pointed out with the cursor where it is
9 basically, which is north along West Drive. He showed where the water line would run along
10 West drive, up the side to the building. He said that was big. Mr. Bryant said that some of the
11 work, if not most of it, was being the roadway, which he realizes is not the Town's, but he still
12 recommends a traffic maintenance and protection plan. Mr. Moore added that any other
13 regulatory approvals that may be required for that, and Health Department is needed. Mr.
14 Wojciechowski, said they would provide the Health Department approval extension for that. Mr.
15 Bryant said there is still the dialogue needed about fire protection. Mr. Wojciekofsky, said that is
16 correct, and right now Ashley's building engineers are figuring out the water storage needed for
17 fire protection, but it remains to be seen. It is providing domestic water service and fire and
18 water, but not the fire storage capacity. Ashley's building engineers are figuring tha tout now.
19 Mr. Bryant said, then potentially, there would be a tank on the site and Mr. Wojciekofsky,
20 responded yes, potentially a tank. Mr. Bryant asked if he knew the location of where it would go.
21 Mr. Wojciekofsky, said right now it is shown on the plan up by Route 52, on the northwest
22 corner of the iPark property. He told Mr. Bryant it is really very tentative, and he did not know if
23 he had recommended that location when it was in discussion. He responded that at one point they
24 were trying to do something jointly, but he didn't know if everyone wanted to participate in it.
25 Attorney Wood asked about the battery that had been proposed and Mr. Bryant said there may be
26 room for both. He said the Health Department will want to know this for sure. Mr. Wojciekofsky,

1 said for sure, and that will have to be worked out on the Ashley parcel itself. It would have to be
2 an underground tank just because there is no room for an above ground tank. He said that remain
3 to be seen, once the information is back from the Ashley engineers, as to that. He said there is a
4 source for the water, so that is a good thing.

5
6 Ms. Gee questioned if this was going to be something if, it was decided to be subdivided further
7 in the future, would the issue with the water continue to come up, or was it just because of this
8 particular lot. Mr. Wojciekofsky, said it is to this lot, in general, and that Mr. Bryant could speak
9 to this further. He said that this water will likely tie into the iPark system and provide water for
10 other users, which would include possible future users on undeveloped portions of the project.
11 He said, at this point, there is no agreement for that and that is the big mission for this. Ms. Gee
12 asked if the understanding was, if this wasn't subdivided, that the water would have been
13 provided through the existing agreement with Global Foundries. Attorney Wood said that is the
14 dispute with Global Foundries and iPark, back when there was the 8 or 9 lot subdivision was
15 approved. The Water Transportation Corporation was established that is owned by Global
16 Foundries. The Town was going to provide water o the lots and they have now taken a position
17 that it is only for existing buildings. He said they thought they were going to hold the Town
18 hostage, by coming here with this application at the last few meetings. He said that failed because
19 of the fact that the Town is taking over the West campus. The water line comes down and then
20 Ashley can connect to that water line and provide service by the Town. There is now a
21 proceeding with the Public Service Commission, to work out the issues and disputes.

22
23 Mr. Wojciekofsky said Mr. Bryant had mentioned that there be a sign schedule on the plan, and it
24 is on one of the detail sheets. He said they had Ashley beef it up to show more directional signs.
25 He brought up the plan, saying there was an existing scheme for the directional signs on the
26 campus. He displayed a photo of on, saying that the signs would be similar to the existing ones,

1 this being IBM Shipping and Receiving. He said there would be additions to the existing signs
2 and it is very close, on the south side of Building 700. There would be additions to the bottom of
3 the sign he was showing. New signs are proposed along West Drive and South Drive that he said
4 would be of the same scheme. The details have been included in the sign schedule, in the plans.
5 Mr. Bryant said that would be onsite, on the grounds signs as well, employee parking, stop signs,
6 all of that. Mr. Wojciekofsky said that is correct. Attorney Wood said it had been developed and
7 they are still developing a Master Parking Plan with iPark, because, as indicated, there will be an
8 easement for the 46 spaces, and they don't want the next application to come in. No one would
9 remember that those 46 spaces were already used up by this He said that is the big grunt with the
10 parking on the site. AS Mr. Wojciekofsky has indicated, the distance from the entrance of the
11 work site to the car parking is all the way across. Ms. Gee said they would have to run a trolley
12 service.

13
14 Mr. Bryant asked Mr. Wojciekofsky, to speak to the truck parking and up along West Drive, He
15 said he thinks it shows double parking, with vehicles back-to-back. He asked him to blow up the
16 picture for better viewing.

17
18 Mr. Fitzgerald said he is trying to understand was that the allocation of the parking was 100%
19 Code-driven. He said he knows it was asked in the last round of comments, was for data. The
20 data he got was based on information provided by Ashley and sort of modeled off of what was
21 understood as the Edison facility. He said that particular information was never provided, in
22 terms of the number of employees, the amount of parking there, the truck traffic. He said the
23 parking that is being shown, with the number 269 spaces, is much in disproportion to the traffic
24 generation that is being provided. He said the peak hours he has are not anywhere close to that
25 amount of traffic. He said they have to come to that resolve and his initial comment was
26 questioning if all that parking was needed, or, if it is Code-driven, it could be banked and maybe

1 that is the solution to across the street and there should be a better understanding of that. He
2 asked for the number of employees that Ashley intends to employ. Joseph Cotter had just arrived
3 and spoke from the audience, saying there were approximately 300 employees, with different
4 shifts, which are (2) 8- hour shifts. Mr. Wojciekofsky, said there is parking switchover, between
5 the shifts. He told Mr. Cotter that Mr. Fitzgerald was looking for the data on the Edison facility
6 that apparently is similar to this one, as far as traffic generation per employee. Mr. Cotter said
7 there were 298-300 employees expected in the 2 shifts, with 2/3 of them in the regular shift, and
8 1/3 in the night shift, when some of the furniture is assembled.

9
10 Mr. Bryant said, for other projects that are starting to come along, there are provisions for the
11 Loop Bus drop off. He asked, with the 300 employees, had that been considered at all. Mr.
12 Fitzgerald said it could be on South Drive. Ms. Bledsoe said this is public transportation, Mr.
13 Miyoshi said it is so the workers don't have to have a ride. Attorney Wood asked if there was a
14 Stop where employees could get on and off. Mr. Bryant said that Amazon has employees who
15 take the Loop bus and, with this having 300 employees, there would be anticipation by some
16 employees to have the public transportation. Mr. Cotter said Stops are there now, apparently in
17 the circle. There is one for their office and one for Global. He said he is not sure if there is one on
18 South Drive but said he would definitely look into it. He said in the beginning they had looked
19 into if it would be advantageous for them to have a shuttle bus from the Beacon Train station and
20 that is sometimes used for companies, but there wasn't much interest, and at least it was offered.

21
22 Mr. Bryant readdressed the spaces, saying they look like they are stacked. Mr. Wojciekofsky said
23 it is basically the storage of the trailer in that location. Mr. Fitzgerald asked what was off to the
24 right and said he thinks it says containers, which looks like a double-parking space, and it has
25 always been a little confusing to him. He asked if it is a tandem truck, smaller stacked trucks. Mr.
26 Bryant explained that there is a line through it, which makes it look liked stacked parking space.

1 It is longer than the container. Mr. Wojciekofsky said that layout was provided by Ashley, and it
2 is intentional for the stacked spaces to be there. Mr. Bryant asked for what and Mr. Cotter said it
3 is for trailers. Mr. Bryant questioned that there would be trailers stacked there and Mr.
4 Wojciekofsky said that is what they asked for. Mr. Fitzgerald asked if there was a link for that
5 and said to look at the container parking just south of there, where it says “11”. He said snow
6 storage is also being shown and that the follow up question would be that, if it is needed, what
7 happens during the time period when the parking is displaced because of snow; would it result in
8 the site being in disorder, or how would it be needed only seasonally. To compound this one step
9 further, he said that also helps to create the area that is encroaching on the road right-of-way,
10 which iPark owns.

11
12 Mr. Cotter wanted to make it clear that Ashley, in its own planning and with its own engineers,
13 wanted to max the site with what they could use for storage, parking etc., and that was an attempt
14 by them to get more trailer parking in that second line. He said the point about the other parking
15 and land banking, he thinks is a good one, which he tends to like. Unfortunately, in this case, the
16 parking is already paved, and it is not as though there is lawn being taken and turned into
17 parking. If anything, he said they are giving back impervious and that is why the land banking is
18 not as attractive as it would be. Mr. Fitzgerald reiterated, as the review for this is finalized, the
19 data can be correlated that was provided, in terms of what is being stated as the traffic and
20 amount of traffic shown and the number of employees. Mr. Cotter said the relationship with
21 Ashley is that they plan on being a long-term tenant. They are looking at what they can do with
22 the flexibility of the building and have been concerned about a lot of the utilities, things not only
23 for their use, but if things had to change, he thinks certainly they are looking for the number of
24 parking spaces. He told Mr. Fitzgerald he appreciated his point in looking at the peak traffic, it
25 does not look like they would have more than 150-160. They are purchasing the property and that

1 is something that is based on their past experience. He said they are accommodating them, as the
2 tenant.

3
4 Mr. Bryant said the spaces do not appear to be the same length each in the loading dock and the
5 trailers are stacked back-to-back. Mr. Cotter asked Mr. Wojciekofsky how long they were and
6 said maybe they are 24. He responded that this could go back to Ashley for this information,
7 since they are just speculating. Mr. Bryant said he just wants to be clear on the intent. He said
8 this leads to the next thing, which would be some kind of screening for whatever is intended to
9 be there. Mr. Wojciekofsky said there is already heavy landscape screening there and pulled up
10 the plan so it could be viewed. Mr. Bryant explained that it is not they are opposed to the use, it
11 is just to make sure. Mr. Cotter told Mr. Bryant he also wants to see screening. Mr. Bryant said it
12 is all projects now and a lot of projects are coming to the Town now, so they want to be sure it of
13 it. He said it is one thing to have cars parked, but another to have trucks 13 ft high lined up 100 ft
14 deep and seen from the road; it is 2 different things.

15
16 Mr. Fitzgerald said there isn't anything from security standpoint on the plan; there is no fencing
17 shown on the plan. Mr. Wojciekofsky said Ashley was relying on United Parcel for security at
18 this point. Mr. Bryant said the landscaping shows the drip line encroaching into the parking
19 spaces; it is tight. Mr. Cotter said he doesn't want to see the trailers either. Mr. Bryant said,
20 besides landscaping he thinks there could be screen fencing of some type, slats, something. He
21 said this is something up to the Board, but he is thinking it is a long lot, with a lot of trailers
22 abutting the road. Mr. Cotter said sometimes a fence is more attractive, it depends. Mr. Bryant
23 said the back of a truck isn't attractive, no matter what. Mr. Cotter said if the request is for a
24 fence to screen it, they can certainly consider this. Mr. Bryant said he does not think it is anything
25 unreasonable. Mr. Arco stated that he agrees with screening, with the number of trucks that
26 would be parked there, absolutely, fencing with fabric, slats, something. He said this is also for

1 the other tenants moving in. Mr. Cotter said he understands Mr. Cotter would prefer the fabric
2 fencing over the slats; it is a little more attractive and the fabric behind the landscaping is better
3 and a more desired effect.

4
5 Mr. Eickman asked if parking of the trucks had been considered on the other side of the building,
6 and the car parking on that side. Mr. Cotter said they did it 2 different ways but from a safety
7 standpoint, it is having the trucks closer to the road and not mixing or merging the passenger
8 cars. Mr. Wojciekofsky said it is the grading as well, as the sit slopes down and it is 4 ft from the
9 finished floor to the loading docks; this works with the grading.

10
11 Mr. Cotter said they did get a lot of parking that they fought for and they feel that is what is
12 needed, by Code. Mr. Bryant said it is not a problem with utilizing the space as long as there is
13 proper screening. He asked if there had been answers to the whether they are jockey trucks; is
14 there a gate house, idling trucks. He said they are looking at the cumulative effects of all the
15 similar projects that are coming along, with noise, emissions, and he asked if any of those studies
16 have been done. Mr. Cotter responded that they, unlike Frito Lay, are not looking to do a
17 maintenance building and they seem to be more like old school, truck by truck and don't seem to
18 have a mission. He said Amazon is loading up, with convoys and things like that; they haven't
19 expressed any special needs. Mr. Miyoshi said the question is more whether or not there would
20 be big tractor trailers or 12 dt trucks like one gets from U-Haul, or a van. Mr. Cotter said, it is his
21 understanding that they would be a combination of tractor trailers that deliver, the main
22 distribution and the deliveries are more like big box trucks, such as the big Fed Ex trucks as he
23 understands. Mr. Arco said that is where the double stacked parking comes from then. The trucks
24 would be staked nose to tail and , when they leave, they leave in order; they are maximizing the
25 property.

26

1 Mr. Fitzgerald has a couple questions regarding circulation, saying that, obviously, there needs to
2 be circulation around the entire building, which there is. But he was looking at the one-way lane
3 on the north side of the building and asked if that would be restricted in any way. He said there
4 was the necessity of separating and mixing and they wouldn't want the employees to come out
5 and drive through the truck area to exit. He asked if there was a gate or some other kind of
6 control. He said the signs are at a minimum, but it would have to be more positive than that. Mr.
7 Wojciekofsky said he did not know about that; these are going to be employees and not visitors,
8 and not heavy use. He said the employees are going to be told how to get to their parking spaces;
9 it is not something where they would change their routine day in and day out. He said that,
10 basically, he does not think it is necessary to have some type of gate or anything. Mr. Fitzgerald
11 said he is saying this also in relation to fact that there is a mix of trucks and there may only be
12 suitable access for a tractor trailer along West Drive but, if it is a smaller box truck, it could enter
13 the site anywhere. He is not sure that this is advantageous either if it is really going to be a
14 separation between the 2. Mr. Cotter said the trucks are going to do the one-way and they have
15 found the at employees take the easiest way, the quickest route. He said they feel most will come
16 in at South Drive, frankly, rather than weave through the site. Mr. Wojciekofsky said that is the
17 same for the trucks; they are going to know their route as well, the side of the building they are
18 going to and where the came in the day before. He said there will not be a lot of strangers coming
19 in, visitors or shoppers; it is not that kind of use. He does not think they want to get into a gate or
20 fence for the North Drive. Mr. Cotter said they agree with good signage. Mr. Fitzgerald said he
21 knows there are the wayfinding signs but will there be any restriction signs. Mr. Cotter said there
22 could be a No Trucks sign. Mr. Fitzgerald asked if they wanted all trucks to go down to West
23 Drive and Mr. Wojciekofsky responded that he thinks that is how it was specified. He looked at
24 the plan and said there is a sign at South Drive, Building 700, No Trucks and Straight Ahead,
25 Ashley Furniture.

26

1 Ms. Bledsoe noted that, on the right side of the building there was a loading and a pick up that
2 were removed, or just cut off. Mr. Wojciekofsky said that is still part of the project. Ms. Bledsoe
3 asked if there was the potential that it could be used a lot more in the future. The obviously own
4 the building and want the flexibility. Mr. Cotter said they would have to come back and have
5 been specific about that. If they want to change that, or expand, they will have to come back to
6 this Board.

7
8 Mr. Bryant referred to the trucks that would come out on West Drive and get to Lime Kiln, iPark
9 Boulevard, and asked Mr. Cotter about signage. He said the intersection can't e reconfigured, so
10 the signage would be for All Trucks. Mr. Cotter said that was an excellent point since the last
11 thing one would want is for the trucks to make the right.

12
13 There were no further comments from the Board Members or Professionals. Mr. Eickman told
14 Mr. Wojciekofsky an Mr. Cotter that there were a few things that they still needed to check on
15 and add to the plan. He said, based on tonight's meeting, it appears that the public has been
16 satisfied in general. He said, unless there was some objection, he thought the Public Hearing
17 could be closed.

18
19 **MOTION made by Richard Campbell, seconded by Craig Arco, to Close the**
20 **Public Hearing for iPark Building A. Voted and carried unanimously.**
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22 Mr. Cotter thanked the Board and Professionals and said it is tricky when someone wants the
23 parking and Mr. Bryant said it is what it is for.

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ADJOURNMENT

MOTION made by Richard Campbell, seconded by Lori Gee, to adjourn the Planning Board meeting. Voted and carried unanimously.

Respectfully submitted:

**Kathleen Mahodil, Meeting Secretary
East Fishkill Planning Board**