

**TOWN OF EAST FISHKILL
PLANNING BOARD MEETING**

April 18, 2023

Planning Board Chairperson John Eickman called the meeting to order.

CHAIRPERSON COMMENTS:

- a. Mr. Eickman began the Meeting with The Pledge of Allegiance.
- b. Mr. Eickman announced the Upcoming Meeting Dates are:
May 16, 2023 & June 20, 2023.
- c. Approval of Minutes of Meeting Held:
Feb 21, 2023 & March 21, 2023

MOTION made by Sarah Bledsoe, seconded by Ed Miyoshi, to approve the Minutes of Meeting Held February 21, 2023. Voted and carried unanimously.

Mr. Eickman announced that the Approval of Minutes of Meeting Held March 21, 2023 would be held over to the next meeting.

d. Roll Call:

Members present during the Roll Call were Donald Papae, Lori Gee, Richard Campbell, John Eickman, Ed Miyoshi and Sarah Bledsoe.

Town Professional Consultants present were: Michelle Robbins, Town Planner, Scott Bryant, Town Engineer, Christian Moore, Engineer, CPL and Rich Rennia, Engineer.

Jackie Keenan, Planning Board Clerk was also present.

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TOWN BOARD REFERAL:

1. *DRAFT Updated Zoning Map:*

Mr. Eickman announced that the Planning Board was notified that there was a new Zoning Map that is available in Drop Box for review. In talking with Ms. Robbins, he said it was decided that it would be useful to have a training session for the Board at some point. He said Ms. Keenan would be asked to send out an email to poll the Board and Ms. Robbins to find a time that would work out for everyone.

DECISION:

2. #2022- 044 – Speziale Subdivision, 2808 Route 52 (6556-01-434927)

Applicant is proposing a 2-lot subdivision with a shared driveway on an 18.14-acre parcel with an existing house in an R1 District. The existing residence will remain on Lot # 1 and an existing shed and barn is proposed to remain on the new lot #2.

Salvatore Speziale,, 2808 Route 52 was present.

Mr. Eickman noted that since the last meeting this matter had been before the Zoning Board.

Mr. Speziale said yes, that this had been before the Zoning Board and he thought there was a Resolution. Mr. Eickman said there was a Resolution and asked if everything had been accomplished.

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**RESOLUTION OF FINAL SUBDIVISION APPROVAL/
SHARED DRIVEWAY SPECIAL PERMIT**

NAME OF SUBDIVISION PLAN: Speziale 2-lot Subdivision
NAME OF APPLICANT: Speziale
LOCATION: 2808 Route 52
GRID NO: 132800-6556-01-434927

Resolution Offered by Planning Board Member: John Eickman

WHEREAS, the applicant applied for a minor 2-lot subdivision of a 18.14-acre parcel which includes an existing residence; and

WHEREAS, the applicant is proposing a shared driveway for the two lots and is seeking a shared driveway special permit per § 194-67.1. Shared driveways of the East Fishkill Zoning Code; and

WHEREAS, to meet the conditions of § 194-67.1. Shared driveways special permit, the applicant obtained a 4-foot variance from the requirements of Section 194-67.1 of the Zoning Ordinance for a shared driveway measuring 12’ wide when 16’ is required; and

WHEREAS, the applicant also obtained a 3’ side yard variance for an existing 19’ x 20’ (380 s.f.) shed; and

WHEREAS, a public hearing was opened on December 20, 2022 and closed on March 21, 2023; and

WHEREAS, a negative declaration was adopted by the Planning Board on March 21, 2023; and

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board hereby grants shared driveway special permit and subdivision approval for the above project as represented on a map entitled "Speziale" prepared by Povall Engineering P.C., dated October 28, 2021 and last revised February 28, 2023 subject to the following conditions:

1. Approval from Dutchess County Board of Health.
2. Applicant shall fund an escrow in the amount to be determined by the Town Engineer for an environmental monitor during construction;
3. Satisfactory resolution of all comments on the CPL review memo dated 12/19/22;
4. Approval of the common driveway easement description by the Town Attorney;

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2 Applicant is seeking subdivision approval for a proposed 3-lot subdivision on
3 23.09 acres with one existing building lot currently under construction.
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6 **MOTION made by Lori Gee, seconded by Richard Campbell, to open the**
7 **Adjourned public Hearing for Firas Bridges Subdivision. Voted and carried**
8 **unanimously.**
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10 Brian Stokosa, P.E., from Day and Stokosa PC was present.
11

12 Mr. Stokosa displayed the plan and introduced himself, saying that this was a 3-lot subdivision
13 for Mr. Bridges. He said this has been before the Board a lot, but he thinks this is getting closer
14 to the Board and everyone being more comfortable. Since the last meeting, the SWPPP has been
15 revised, Lot #1 has been taken off the table for development, so this has gone from a 4-lot
16 subdivision to a 3-lot subdivision. There were a lot of drainage issues relating to that rear lot and
17 he said the applicant was advised that should not be considered for development back there.
18 Besides the lot coming off, and the SWPPP revised, he said there has been a constructive
19 meeting with the Town consultants. Buffering for Lot #1 was discussed, and they kept with the
20 intent of having the permanent prescriptive easement around the property, specifically towards
21 the West. It incorporates steep slopes. He said there is the buffer north and south, along the
22 property line. He said the consultants expressed concern about future cutting, shown in blue on
23 the plan. In talking with the applicant, he said, from the economic standpoint, development
24 standpoint, his perspective, he said he was happy with identifying the area and putting descriptive
25 notes on the plan. If he wants to do anything else, such as clearing, or any type of land
26 disturbance, or anyone else who owns this, the property will have to come back before the Board
27 and go through the permitting process. He said the applicant was uncomfortable placing that
28 entire area under a conservation easement, where nothing can happen, other than passive
29 recreation. Mr. Stokosa said he thought this was a fair compromise as development is not on the
30 table, from the engineering standpoint of seeking to get anything approved with that rear lot.

1 From a stormwater standpoint, he said it would be considerable and Mr. Stokosa said he is not
2 the owner. Mr. Bridges' decision was that some descriptive language be put on the plan for the
3 blue area. If he, or whomever owns that piece was to do anything with it, they specifically will
4 know to come back to this Board, if permits are required at that time.

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6 Mr. Stokosa said he believes this is the update that the Board wanted for this parcel.

7

8 Mr. Eickman wanted to confirm that the blue area as shown would be restricted for any future,
9 potential development, but also restricted for any permanent tree clearing, if he understands this
10 correctly. Mr. Stokosa said, if there is to be any tree clearing or development in the blue area
11 shown on the plan, then they have to come back to this Board, whomever owns the property,
12 whether 10, 20 or 25 years, they have to come back to this Board to seek any approvals that are
13 required. He is saying that the area in red, permanent, no disturbance, no tree clearing or
14 disturbance, that is permanent. And, the blue area, whoever buys this lot, or whomever owns this
15 lot, knows that there are restrictions on it as it relates to disturbance, clearing and development.

16

17 Ms. Robbins wanted to clarify that the applicant wants to do a conservation easement on the red
18 portion area and a non-disturbance area as part of this subdivision, on the blue portion. Mr.
19 Stokosa reiterated that, if anyone wants to come back at a future date and explore development in
20 that area, they may have that right, but they have to come back in front of this Board first.

21

22 Mr. Campbell referred to the back line, where the red starts, to the blue line, up and down, asking
23 what the distance was. Mr. Stokosa replied 300 ft. He said the area in red, to give a comparison,
24 the total lot is 18 areas and the area in red is 6 ½ acres. He said he thinks it is one of the more
25 sensitive portions where they head from the neighbors, on the downhill side of Devon Farms, it
26 totally encapsulates protecting that area and that is why it is so large a steep slope area. Mr.

1 Campbell said then that is why it would be put in a conservation easement, never to be touched.

2 Mr. Stokosa said yes, that is the area shown in red.

3

4 Ms. Gee said she could not see the topo lines due to the shading and asked where, roughly, was
5 the crest of the hill; was it in the red area or in the blue. Mr. Stokosa showed on the plan,
6 referred to the southern tip, saying that was the high point of the parcel, and said it continues
7 upward for probably another 200 ft in elevation. It is the top of Devon Farms.

8

9 Mr. Campbell said then that is towards the red area. Mr. Stokosa showed with the cursor where it
10 went down, saying as this goes north, it is going down in elevation. Mr. Campbell said then it is a
11 downward slope there.

12

13 Ms. Robbins asked about the 6 ½ acres and Mr. Stokosa said it is in the red portion, that is
14 correct. The portion in blue is maybe 10 ½ acres if he remembers correctly. He said, where the
15 blue line is established, it currently is where the applicant has his clearing and where his house is
16 constructed; it is pretty definitive.

17

18 Mr. Eickman asked if there were any further questions from the Board Members or Town
19 Professionals and there were no responses. He asked if there was anyone present from the public
20 to speak in favor or, or in opposition to the project.

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23 Rick Martin came to the podium stating that he was not opposed to the project and was just
24 looking for clarity. He introduced himself, stating 198 Devon Farms Road, and pointed to the
25 map, saying or, as shown, it is 37. He said he just wants to understand that, where (the applicant)

1 butts his property at 37, and going down the hill, that the red buffer is the woods behind al the
2 homes on Devon Farm. Someone responded Yes and Mr. Martin thanked him.

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4 Mr. Eickman confirmed that there was no one else present from the public to speak.

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6 **MOTION made by Richard Campbell, seconded by Laura Bledsoe, to close the**
7 **Public Hearing for the Firas Subdivision. Voted and carried unanimously.**

8

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10 Mr. Eickman referred to Ms. Robbins about the Negative Declaration. She responded that there
11 was a Negative Dec one and that, based on the information from Mr. Stokosa, there was an
12 additional condition that she wanted to add to the Resolution.

13

14 Mr. Eickman read that the Negative Declaration was a determination of Non-Significance and an
15 Unlisted Action on Eder Road. The name of the action is “Firas Bridges 3-lot Subdivision”. He
16 said he would summarize the document, and that the full document could be viewed in the
17 Planning Department at any time. He read:

18

19 -The proposed action would result in the subdivision of the 23.095 acre lot into 3 lots,
20 in the R2 Zoning District and the proposed residential use would be consistent with
21 zoning and neighborhood character.

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23 -The proposed project would not be expected to result in any significant adverse
24 impacts on the environment for the following reasons:

25

- 26 1. It will not generate a significant amount of additional vehicle noise or emissions levels;
- 27 2. It will not significantly affect rare endangered species of animal or plant habitat of
28 such species;
- 29 3. It will not have any impact to historic or archaeological resources;
- 30 4. It will not have any impacts relating to hazardous materials;
- 31 5. It will not result in a significant effect on air, water quality or ambient noise levels for
32 adjoining areas;
- 33 6. It will not be subject to an unacceptable risk of flooding or major geographical

- 1 hazards;
- 2 7. It will not have a substantial aesthetic effect;
- 3 8. It will not involve adversely any effect on surface water or ground water;
- 4 9. It will not allow for improper uses within specified zoning districts;
- 5 10. It will not result in adverse cumulative impacts that will not result in adverse growth
- 6 inducing impacts;
- 7 11. It will not conflict with the Town’s Comprehensive Plan.

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10 **MOTION made by Richard Campbell, seconded by Lori Gee, to accept the Negative**
11 **Declaration for the Firas Subdivision. Voted and carried unanimously.**

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17 **RESOLUTION OF FINAL SUBDIVISION APPROVAL**

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20 **NAME OF SUBDIVISION PLAN:** Firas Bridges 3-lot Subdivision
21 **NAME OF APPLICANT:** Firas Bridges
22 **LOCATION:** Eder Road
23 **GRID NO:** 132800-6656-00-819763

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25 **Resolution Offered by Planning Board Member: John Eickman**

26
27 **WHEREAS,** the applicant applied for a minor 4-lot subdivision of a 23.093-acre parcel
28 which includes a residence that is already under construction; and

29 **WHEREAS,** concerns were expressed by the public over the amount of tree removal and
30 the potential for stormwater impacts due to the site topography; and

31 **WHEREAS,** to reduce disturbance to the site and the potential for stormwater impacts
32 the proposed 4-lot subdivision was redesigned as a 3-lot subdivision; and

33 **WHEREAS,** a public hearing was opened on September 13, 2022 and closed on April
34 18, 2023; and

35 **WHEREAS,** a negative declaration was adopted by the Planning Board on April 18,
36 2023; and

37 **NOW, THEREFORE, BE IT RESOLVED,** that the Planning Board hereby grants
38 subdivision approval for the above project as represented on a map entitled "Bridges

1 Subdivision" prepared by Day & Stokosa, Engineering P.C., dated May 23, 2022 and last revised
2 March 30, 2023 subject to the following conditions:

- 3
4 1. In a form acceptable to the Town Attorney, the applicant will establish an
5 approximately 10.5-acre non-disturbance area as approved by the Planning Board
6 and shown on the sub-division plat. No disturbance or tree removal is permitted in
7 the non-disturbance area except for the removal of dead and diseased flora. Any
8 future disturbance to the non-disturbance area would require further approvals
9 from the Planning Board; and
10 2. In a form acceptable to the Town Attorney, the applicant will establish a 6.46-acre
11 conservation easement on Lot 1 as approved by the Planning Board and shown on
12 the sub-division plat; and
13 3. Approval from Dutchess County Board of Health; and
14 4. Applicant shall fund an escrow in the amount to be determined by the Town
15 Engineer for an environmental monitor during construction; and
16 5. NYSDEC tree clearing restrictions related to the protection of the Indiana bat; and
17 6. Satisfactory resolution of all comments on the CPL review memo dated 4/18/23;
18 and
19 7. Signoff from the Town Highway Department for driveway locations and site
20 distance; and
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23 **BE IT FURTHER RESOLVED**, that within five (5) business days of the adoption of
24 this resolution, the Chair or other duly authorized member of the Planning Board shall cause a
25 copy of this resolution to be filed with the Town Clerk and a copy sent to the Applicant/Owner.
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27 **Resolution Seconded by Planning Board Member Richard Campbell**
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31 **The votes were as follows:**
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33 Board Member Lori Gee	Aye
34 Board Member Ed Miyoshi	Aye
35 Board Member Sarah Bledsoe	Aye
36 Board Member Richard Campbell	Aye
37 Board Member Donald Papae	Aye
38 Chairperson John Eickman	Aye

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Discussion during the reading of the proposed Resolution:

Ms. Robbins noted that it would be a 10.5-acre non-disturbance area in Condition #1 and, in Condition #2, it would be a 6.46 acre Conservation easement as shown on the subdivision plat. Ms. Gee stated to Ms. Robbins that these Conditions regarding the Conservation Easement and the non-disturbance area were usually also subject to the approval of the Town Attorney. Ms. Robbins agreed the language should be added and Mr. Eickman told Mr. Stokosa the same.

ADJOURNED PUBLIC HEARING:

4. #2022 – 029 – Farmview/Estates at Phillips Farm, 1196 Route 82 (6458-04-added. 740330)

Applicant is proposing an 11-lot subdivision on a 13.37 acre parcel in the R-1 zone. The subdivision is proposed to be phased. Phase I includes 7 lots and Phase II 4 additional lots.

Brian Stokosa, P.E., from Day and Stokosa PC was present.

MOTION made by Richard Campbell, seconded by Ed Miyoshi, to open the Adjourned Public Hearing for Farmview Estates at Phillips Farm. Voted and carried unanimously.

Mr. Stokosa displayed the map and proceeded to give the Board the updates on the plan. He said the SWPPP has been updated to include a stormwater redesign. The design in the back of the property now mimics the front property; it is an infiltration basin, taking advantage of the

1 gravelly soil that is onsite. He said, it appears when the submission was made, that the hard copy
2 made it to the Tow but the digital copy of the SWPPP report didn't make it or wasn't sent, not
3 uploaded, but it was an issue. His understanding is that the Town Engineer has not had a chance
4 to review the SWPPP yet but he looks forward to working with the Town Engineer with the
5 updated report. He said there had been a conversation with the Town Consultants regarding the
6 irregularly shaped lots. The Town Codes shows that any time there is a proposed lot line, whether
7 a new Town road or street, there should be the 90-degree angle. He said the lot lines shown on
8 this plan have the 90-degree angles on them and further dimensions can be provided to boast that
9 requirement. The one portion that was discussed last time was the 10 ft. "leg" that came down
10 from Lot #6. As discussed, he said one of the adjacent homeowners that they have been working
11 with would like to purchase Lot 6. It is the lot that has the majority of the rear stormwater on it.
12 The homeowner and his neighbors were looking for an avenue to keep a buffer between Lots 11,
13 8 and 7.

14
15 Mr. Stokosa pointed out on the displayed plan where the pond was, and changed to an infiltration
16 basin, as well as Lot 6 and the house proposed off the cul-de-sac. He pointed out the strip of land
17 that was shown and associated with Lot 6, Still pointing out on the map, he said that, originally,
18 they were trying to figure out a way that the homeowner, who wrote a letter saying that he would
19 like to purchase the lot could do it. He has family and friends with homes along there. He pointed
20 out Lots 11, 8 and 7, saying they wanted some sort of protection so that the vegetation would
21 remain. The existing homes that are located to the south of this project are very close to the
22 property lines, are very old homes with zoning, and pretty close to the sideline. He said in
23 working with them, describing how the stormwater worked, they were trying to find a
24 mechanism to keep the area green, understanding that this may create a conflict with how the
25 irregularly shaped lots are defined. They are going to move off that concept and have that be a
26 "forever green" area and will work with the Town Consultants to formulate that and realize that

1 this area would be “forever green”. He explained that, instead of having the “leg” come down, it
2 would be straight to the property line. He said he thinks the intent was there, but it may have
3 been a little of a gray area, but he said they will work with the Town Consultants to rectify that.

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5 Ms. Robbins told Mr. Stokosa that she suspects that another non-disturbance area could be
6 created, similar to what was just done.

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8 Mr. Stokosa summarized, saying that he thinks this takes care of the major comments, relating to
9 stormwater and the irregular shaped lots, He said the date of submission, they had a meeting with
10 the Town Highway department, and he went over the snow easement placement in the cul-de sac.
11 In talking with Ken Williams, the Highway Superintendent, he said the positions of both snow
12 removal areas are both the north and south side of the cul-de-sac. Some of the driveways have
13 been repositioned on Lots 7 and 8 to accommodate those snow areas. He pointed out the one cul
14 de sac, the one snow easement and the other snow easement further down, He said, when coming
15 in, it is pushing at it, rather than turning behind and more convenient than where they were for
16 the highway Department. Whomever is plowing, he said they can just push forward with natural
17 movement. While pointing it out, he said the only other thing talked about with Mr. Williams,
18 was providing access to the stormwater basin, along Lot 10. Mr. Campbell added Route 82
19 because of the equipment type. Mr. Stokosa said they do not want to be accessing off of Route 82
20 and it can be a little hairy sometimes with the speeds. He showed the location of the natural
21 drainage easement and said, when talking with Ken, he penciled in a rough area where there is a
22 turnaround. The easement was also expanded so that equipment can be brought up in behind, and
23 around, the infiltration. From a maintenance standpoint, he said there shouldn’t be a lot of
24 maintenance associated with the actual infiltration basin. There will be a hydro dynamic
25 separator right at the entrance to the subdivision and he explained that the stormwater comes
26 down, spins around, the heavier stuff drops clear water that goes down to the infiltration basin,

1 He said, with the hydro dynamic separator, there is a program that goes along with it, with certain
2 specifications and cleaning aspects of those. He said they will be detailed in the SWPPP and this
3 will be run though with the Highway Department and Town Engineer to be sure they are all on
4 the same page and correct. He reiterated that there really should not be maintenance in the
5 infiltration basin area. He said this same concept has been carried into the back and that,
6 originally, there was a bio-retention facility, plantings, maintenance, and they can become
7 tiresome, as time goes on, if forgotten about. He said they took the same concept and will have
8 that in the back, hydro dynamic separator and infiltration to the basin with the same type of
9 maintenance and cleaning responsibility associated with that pond. He said there will be access,
10 its own separate access to the rear pond, in between the property lines. There won't be any
11 traveling down the residents' driveways; they will have their own access. He said, in talking with
12 the Highway Superintendent and Town Engineer, to prevent people from putting up fences, the
13 maintenance corridor will be lined with a split-rail fence, or some kind of demarcation so that
14 they know they can't encroach in this area. Maintenance accessibility has to be maintained. He
15 said they tried to incorporate this into the rear pond design, so that people know.

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17 Mr. Stokosos continued, saying that plantings are shown along the berm and infiltration system
18 along Route 82 and when they sit down with the Town Engineer, he said that plan can be
19 bolstered, if need be, to provide additional plantings or if they want a guide rail there. Ms.
20 Bledsoe asked the height of the berm at this point. Mr. Stokosa said he believes it is 2 to 3 feet
21 and then there are 6-to-8-foot pines on top of it. Ms. Robbins asked what the separation was for
22 the edge of pavement and the end of the berm; she said she is thinking of safety for cars. She also
23 asked if there was a DOT requirement. Mr. Stokosa replied No, this is not in a DOT right of way.
24 He reviewed the plan, stating that the edge of pavement to the actual tree plantings was maybe 10
25 ft – 12 ft. He said it is the berm with the trees on top and asked about the heavy timber guide rail.
26 Ms. Robbins said she is not familiar with DOT requirements if there are basins along there and if

1 someone is near the edge of pavement and cars go off, to prevent cars from entering the basin.
2 She said she does not know if there is any sort of berm height requirement or width, or anything
3 like that. Mr. Rennia asked if they had gone in for the highway permit yet and Mr. Stokosa said
4 they had submitted for the permit. Mr. Rennia asked if anyone had looked at, because he has
5 gotten comments back on other projects where they see a pond right next to the road and they
6 want to know how it would protect or prevent vehicles from going into it. He told Mr. Stokosa
7 that this is something he would probably have to deal with. He replied that it will be either a
8 heavy timber guide rail or just a standard DOT guide rail. He thinks from a functionality
9 standpoint that the timber guide rail looks nicer.

10

11 Ms. Robbins told Mr. Stokosa that the concern was the berm in the front and the visual impact
12 and now, she believes, there are going to be plantings on top; the berm is going to be about 2 ft
13 tall and, assuming that is ok with DOT. She asked the width of the plantings on top and Mr.
14 Stokosa said he thought it was 5 ft. and enough for a decent size base. Ms. Robbins said she read
15 through some of the DOT requirements and somethings they will specify the height they want.
16 She said, at some point, that would need to be clarified, whether before there is approval or after
17 it would happen as part of the highway work permit. She told Mr. Stokosa that, as far as he was
18 concerned, he would want to be sure the visual integrity of the corridors is preserved, and there
19 are 2 ft with plantings on top. She asked if there had ever been plantings on top. Mr. Stokosa said
20 this is inside their property, and not in the DOT right of way. He will coordinate with the DOT,
21 from a safety standpoint and he said whatever wants, they will work with them and provide it.
22 What he has typically done, he said, is a guide rail and he did 3 of them recently along Route 82
23 and Route 52. He said it was 3 ft then they were allowed to go into a stormwater area, but if the
24 DOT wants additional plantings here, they will provide that. Ms. Robbins asked if the guide rail
25 would be placed at the base of the berm, right alongside the berm, the length of the berm only,
26 and Mr. Stokosa replied yes, there is a transition. Ms. Robbins said that is what will be seen.

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2 Mr. Eickman asked the initial height of the plantings on top of the berm. Mr. Stokosa replied it is
3 the standard, about 6 to 8 ft for tree plantings.

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5 Mr. Eickman referred to the access roads to the infiltration basins, asking if those are paved.
6 Looking to Mr. Bryant, Mr. Stokosa asked him if he wanted the roads paved or hardened surface
7 and Mr. Bryant replied hard surface. Mr. Stokosa said it would probably be like a GeoTech and
8 some gravel on top compacted.

9
10 Ms. Gee noted that between Lots 6 and 7 there was going to be a split rail on either side of the
11 right of way and she questioned who maintained those fences; would it become the Town's
12 responsibility or the property owner's responsibility. Mr. Stokosa said it will be inside a drainage
13 easement area and the applicant would have to put them up as far as the road dedication; he is
14 assuming that the maintenance responsibility would go to the district that will be created, and
15 asked Mr. Bryant. Mr. Bryant replied the drainage district is formed here, so yes. Mr. Stokosa
16 said each individual taxpayer would pay an assessment to pay for whatever drainage proposed
17 here and, in that little community, they will take care of the maintenance.

18
19 Mr. Eickman asked the Members and Town Consultants if there were any further comments.
20 There were none, and he then asked if there was anyone present from the public to speak in favor
21 or, or in opposition to the project.

22
23 Andreas Seifert approached the podium to speak, stating he was a neighbor of the project, and
24 that he had a question about Lot number 6 and the infiltration system. He asked Mr. Stokosa if it
25 was part of Lot 6, he was going to purchase that lot. Mr. Stokosa replied to him and then Mr.
26 Seifert said Lot 6 was down in the gully, not part of Lot 6; it is a different piece of property. Mr.

1 Stokosa said there will be an easement and driveway. Mr. Seifert said OK, t hen he will be
2 responsible for it. He said they work well with the developers, who communicate with them and
3 have been very kind. He thanked the Board.

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5 There was no one else present from the public to speak on the matter.

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7 Mr. Eickman told Mr. Stokosa there was still quite a bit to be done with the stormwater. Mr.
8 Rennia said that was correct; they had not yet seen the SWPPP and they would like to make sure
9 the volume in the ponds is correct, and get them moving along with finalizing the plan. He said
10 he thinks a lot of the big pieces of the puzzle are falling into place, but there are a lot of little
11 cross-checks and little items, and making sure that the details are correct. He suggested it would
12 make a lot of sense to set up a meeting at the Town Hall. Mr. Eickman said that would be helpful
13 and, as Mr. Campbell just mentioned to him, to have a little more information from the DOT as
14 to what their requirements are, and how that shakes out with the berm.

15

16 Mr. Stokosa said this is in a good position, there is a path going forward, and there were no
17 public comments on that tonight; He asked if the Public Hearing could be closed. Looking to the
18 Consultants, Mr. Eickman asked if there were any other issues to consider. Ms. Robbins said she
19 wasn't sure how likely it would be for the basins to change in size, take up increases, and if that
20 is something that would be of concern to the Board, if the basins have to be enlarged, change
21 where they are located, and if that would affect the berm. Mr. Campbell added that there were
22 some questions about lot line adjustments.

23

24 Ms. Gee said there would be a revised plan with taking out the odd shaped lot. Mr. Stokosa said
25 Yes that lot is being taken out and there has been a preliminary with the stormwater design. He
26 thinks that the basin that is of concern is the one in the front and that has not changed. He said it

1 is the one in the back that has changed. Soil testing has been submitted and he said he is
2 confident from a sizing standpoint. The basin in the front, he said he is very confident with, as
3 well as the basin in the back, but the Town Engineer has not had a chance to review that yet. He
4 said he thinks these are technical items. Specific to the area, he said they are trying to keep this as
5 compact as possible, while getting the appropriate volume. There is area to maneuver if these
6 ponds grow, maybe 3 feet in one direction, which he sees at a max. When the numbers are run,
7 he said they always try to hit under sizing because it has to be proven that they work. From a
8 sizing standpoint, he does not see any major changes. There is tinkering with grading and tree
9 placement and the guide rail, which they have to go through that motion and it is what it is – and
10 what DOT says it is. Mr. Campbell asked if DOT chimed in to change it and Mr. Stokosa said it
11 is not in the right of way.

12

13 Ms. Bledsoe said that, at one time this was discussed as 2 Phases and she asked if that was still
14 the case; Phase 1 was in the front and Phase 2 in the back. She noted that there had been a
15 question about water access and asked if this had been resolved since then. Mr. Stokosa replied
16 that this parcel was identified when the EPA funding was done and extension of Hopewell North.
17 He added that this parcel was specifically allocated 6 service connections so, technically, that is
18 why there is Phase 1, to show a certain number of lots being developed. At such time the Town
19 has capacity, and they obtain and own the system from the EPA, he said there will be the capacity
20 for them to move not Phase 2 with capacity in the system for other developments to come online.
21 He said there are certain aspects to carry this to phase 2, but the intention is to get phase 1
22 installed and, hopefully the Town has more capacity in the future. Ms. Bledsoe asked him if there
23 was a timeline as far as the capacity is concerned and Mr. Stokosa replied hopefully soon;
24 everyone would love to have the Town water at full capacity.

25

1 Since there were no further comments, Mr. Eickman announced that he would accept a Motion to
2 close the Public Hearing.

3

4 **MOTION made by Ed Miyoshi, seconded by Lori Gee, to close the Public**
5 **Hearing for Farmview Estates at Phillips Farm. Voted and carried**
6 **unanimously.**

7

8

9 Mr. Eickman told Mr. Stokosa that the Public Hearing is closed and that this would be carried
10 over to a future meeting to hear about the stormwater and other issues and that he looked forward
11 to this. Mr. Stokosa thanked the Board and told Mr. Rennie that he would reach out to him for a
12 meeting. He said to be sure Mr. Bryant is there too.

13

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19 **PUBLIC HEARING:**

20

21

22 **5. #2022- 040 – Mary Lane Subdivision, 10 Mary Ln. (6458-04-793201)**

23

24 Applicant is proposing to subdivide a 2-acre lot with an existing home into two 1 acre lots.
25 Parcel A will contain the existing home, Parcel B will be a new buildable lot.

26

27 Regina Davis, 10 Mary Lane, was present.

28

29 **MOTION made by Richard Campbell, seconded by Lori Gee, to open the**
30 **Public Hearing for Mary Lane Subdivision. Voted and carried unanimously.**

31

32 Ms. Davis said that at the last meeting, the Board was looking at the application for the septic
33 and well. She said Hopewell Septic had come the day before, to plot this out. She said it will be
34 put on the map for the Board of Health and then sent to the Board for the next meeting.

1
2 Mr. Eickman asked Ms. Davis if she could describe if it still encroaches in certain ways in the
3 Town right of way that is going to be deeded to the Town. Ms. Davis said it doesn't and that the
4 drawing is more formal. She gave the drawing to Ms. Keenan.

5
6 Looking to Ms. Robbins, Mr. Eickman asked if there were other issues discussed that might need
7 clarification. Ms. Robbins deferred the question to Mr. Moore for clarification, saying he was
8 just working on clarification of the existing septic fields because there is a 10-ft separation
9 distance between where the lot line goes, and where the septic fields are supposed to be. She said
10 a waiver can be obtained for it, but that he understands this better than she.

11
12 Mr. Moore said the biggest issue was where the SDS was, and to make sure it was not in the area
13 that the Town is going to take. If it is within 10 ft of the new right of way or the proposed lot
14 line, then the county Health Department can be appealed for a waiver. He said this is a matter for
15 the Health Department and he just wants to make sure that the Town isn't going to be
16 encumbered with an existing septic system that they would have to maintain. Or, if it is a case
17 where it has to be dug up or repaired, he just wants to make sure what is the applicant's and what
18 is the Town's. He said there were some small items on bookkeeping and some questions on the
19 descriptions that were provided. However, he said the septic system is the most important thing
20 that they had on this application. Mr. Eickman asked Mr. Moore if it is likely that they will need
21 to apply for a waiver, based on his comments and Mr. Moore replied that it depends on where the
22 existing system is. Mr. Eickman said then it is subject to that.

23
24 Mr. Eickman asked if there were any further comments from the Members or the Town
25 Professionals and there were not. He opened this up to the public, asking if there was anyone
26 from the public to speak for or against the project.

1
2 Matthew Segnit, 11 Maple Place approached the podium, saying he was all for the subdivision
3 but had a question that he was not sure if this was the right place for it. He owns the property to
4 the bac; both properties are back-to-back. He said he wanted to make sure that, down the line, he
5 would not be prevented from building a shed on his property, which would be almost back-to-
6 back with the houses that would be built. Mr. Bryant replied that he could speak to this and told
7 Mr. Segnit that he would have to comply with his setback requirements; anything that happens on
8 the adjoined piece would not affect him and would have to comply with his zoning setbacks, or
9 to go to the building department. It is only what is on his piece. Mr. Segnit thanked the Board.

10
11 Mr. Eickman announced that, if there were no further comments, he would accept a Motion to
12 close the Public Hearing.

13
14 **MOTION made by Richard Campbell, seconded by Lori Gee, to close open the**
15 **Public Hearing for the Mary Lane Subdivision. Voted and carried unanimously.**

16
17
18 Mr. Eickman told Ms. Davis that she would be having a map prepared and would be returning to
19 the Board, which she could choose the time and place, but that she would be likely seen at the
20 next meeting. Ms. Davis thanked the Board.

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25 **PUBLIC HEARING:**

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27
28 **6. #2023- 051 – Rising Sky Housing, Donovan Drive (6455-00-288434)**

29
30 Applicant is proposing a 9,000sf building on 2.047acres for a contractor’s yard with
31 a building to be used for storage and equipment.

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Joseph Berger, Berger Engineering & Surveying was present.

MOTION made by Richard Campbell, seconded by Lori Gee, to open the Public Hearing for Rising Sky Housing. Voted and carried unanimously.

Mr. Berger displayed the plan and introduced himself as the Engineer for the applicant, who is proposing a 9,000 SF contractors’ yard on about a 2-acre parcel. He said there would be subsets for sewer disposal for the sewage, and individual wells for water. Parking for the trucks will be in the rear and the entrance will be in the front, where employees will park, in the front. It is just for placement and storage of contractors’ vehicles and their small, internal office where they do their paperwork; it will not be for customers to come by, it is just a place for trucks to go during the evening and they are taken out during the day to do their work.

Mr. Eickman told Mr. Berger he knew it had been described before, but asked if he could describe the fencing and landscaping again, that separates their building from the childcare center next door. Mr. Berger responded that the site is next to a daycare center and the proposal is to put a berm up in the front portion, which is closer to the cul-de-sac. There will be a retainer wall since this is slightly higher. A fence will be on top of that with screening, for the first couple hundred feet. From the building back, he said there would be a series of trees and their parking lot in the rear will be cut down into the earth so that there will be a natural earth berm between the parking lot and view of the neighbor, in this case, to the North. There will be a series of trees placed and the earth berm, which they feel is more than sufficient not just for hearing the sound, but also for the visual.

Mr. Miyoshi asked Mr. Berger to talk about the mitigation for the existing homes, as to what they will be looking down on. Mr. Berger replied that there are no homes nearby and the only thing

1 nearby would be the daycare to the North. Mr. Miyoshi said that behind that property there is
2 what was described as an impact to the people, Glen Ridge Road. Mr. Berger said they are pretty
3 far away and there is the heavy woods between them; he does not think anything can be seen and,
4 if the heavy woods was cleared, then just the back of the commercial building would be seen.

5
6 Mr. Eickman asked Mr. Berger about other landscaping that is planned and that he describe the
7 lighting as well. Mr. Berger responded that the lighting would be used when the vehicles are
8 there and turned off at nighttime, when nobody is there. It is just minimum lighting, for the
9 parking lot, in the back rear. He said it would be tested and come on only when the trucks are
10 there. In the Winter, he said if the trucks are parked and no one is there, the lights would go off;
11 they will not be on 24/7. Mr. Eickman asked if the lighting was automatic, and Mr. Berger
12 replied Yes. Ms. Robbins asked the location of the lighting if it would be wall packs on the
13 building. Mr. Berger replied that there would be some light poles and wall packs, Yes. Ms.
14 Robbins told him that, typically, it is required for the wall pack fixtures to be shielded so that
15 they are full cut-off. She asked if they were shielded towards the woods and Mr. Berger replied
16 that the lighting plan shows they are shielded, pointed towards the woods and dark sky
17 compliant.

18
19 Mr. Eickman asked Mr. Berger the number of trips in and out of this site that is expected, in a
20 given day, of both trucks and cars. Mr. Berger responded that it would be 20 to 30, somewhat in
21 that range and it is not a lot. Mr. Eickman asked if that was throughout the day or normally in the
22 morning. Mr. Berger said typically the employees will come in, pick up their truck and leave. If
23 the job closes early, they come back early, which happens in normal construction and for the
24 most part, construction is during the day. There are occasions when contractors will have to work
25 at night, but those trucks would leave and then come back. He said there is not a large quantity of
26 car traffic expected for a project like this.

1

2 Mr.Eickman asked if there were any further comments from the Members or Town Professionals.

3

4 Ms. Robbins noted the visual buffering and told Mr. Berger she is concerned in the event a child
5 from the daycare center comes into his area. She asked if it was pretty much fenced off along the
6 length of the daycare property so that no children could actually enter. Mr. Berger said the fence
7 runs the whole way and that is the only place where there will be no plantings on top of the
8 retaining wall, which is the first 200 ft. Once there is room for plantings, there are plantings in
9 addition to the fence and he said they do not want anyone migrating onto the property.

10

11 Mr. Bryant asked if there would be equipment here or just trucks; what exactly is going to be
12 here. Mr. Berger replied that it is not known what contractor will rent the place but it is typically
13 construction equipment. Mr. Bryant asked if it was inside only and Mr. Berger said No, the truck
14 parking is in the back and there is room inside to bring vehicles in. Mr. Bryant said that anything
15 outside would be on a paved surface; the oil separator was talked about. Mr. Berger replied that
16 everything is paved and the entire rear parking lot drains to an oil separator. There is the wash
17 station in the corner and the wash station also drains to the oil separator.

18

19 Mr. Bryant referred to the times and hours of operation and asked about back-up alarms. Whether
20 someone comes in at 4 AM and another at 11:00 PM, he said back-up alarms can be offensive to
21 people. He added that they may not see the building, but will hear the back-ip alarms. Mr. Berger
22 said most trucks do have them and they may come on. Mr. Bryant said then there may be some
23 time restrictions; the sound may bounce off of the building, particularly in the winter months; he
24 would like it looked into. Mr. Berger said there are a lot of trees but he will look at it; there may
25 be something that could be done on the top to attenuate. Even with a lot of trees, he said they

1 could see if there is an issue with sighting and will also look into the sound simulation on the
2 hill.

3
4 Mr. Moore stated that his comments were fairly straightforward and that the SWPPP still had to
5 be provided. He said there are some questions as to how stormwater will be handled. Regarding
6 the lighting plan, he told Mr. Berger that he should have his consultant look at it since there are
7 some very high levels. Mr. Berger said Yes, he is aware of this and it was sent back for some
8 modifications; it came in the day of the deadline and Yes, they will be cut down.

9
10 Mr. Moore summarized that it is basically just lighting and drainage then at this point, but visual
11 still needs to be provided. Ms. Robbins said, ideally, to keep a maximum of 5 ft candles since
12 that is the maximum. She said, with the candles, there is plenty of light and Mr. Berger said yes,
13 they will try to keep it at 5. He said they did not have the second chance for the deadline and they
14 do have a modified one.

15
16 Mr. Berger said this was with the Health Department for water and sewage and they basically
17 signed off; they are waiting on SEQR before it is sent in, He said the SWPPP is under design,
18 which will get to the Town Engineer shortly.

19
20 Mr. Bryant asked if there was a plan for salt storage and Mr. Berger said No, there are no outdoor
21 materials.

22
23 There were no further comments from the Professionals at this point and Mr, Eickman opened
24 up to the public, asking if there was anyone present to speak about the project. He asked that
25 anyone sign in and state the name.

26

1 George Krajieski came to the podium, stating he lived at 96 E. Hook Cross Road and that he
2 thinks his is the closest residence to the project. The rear of his property line backs up to a
3 property line, which backs up to the rear of the property line in question. He showed that he had a
4 visual with him, saying that it looks like he is approximately 440 ft, plus or minus, from the site.
5 He said one of his his concerns, as a homeowner, is an environmental concern, with any fuel
6 storage. He is on a well and so are the neighboring properties. His concern is whether the fuel
7 storage would be diesel, gas or whatever chemicals may be there. The hours of operation are also
8 a concern and he said the backup beepers were mentioned. He reiterated he is only 440 ft, plus or
9 minus away and the hours of operation are a concern, idling engines, music, shouting, voices and
10 potentially very early hours. As a homeowner, he said these would be a concern and he wanted to
11 have it on record that there are some residential properties close by since there has been talk that
12 there is woods close by and no residential properties. His site is above this and when looking
13 down on the commercial property, the lighting is also a concern; what hours are these lights on
14 and the brightness. He wanted his concerns on record because he is a homeowner and close by.

15

16 Mr. Eickman asked Mr. Berger to respond to the question about fuel storage and he returned to
17 the podium. He said they had taken another look at the fuel storage and removed the tank from
18 the plan, deciding not to do that after listening to the Board, about the neighbors, and decided to
19 just remove it. There is no fuel for the trucks and no fuel storage other than the propane tank for
20 heating and there is a large fuel tank there, but it was decided to remove it. There is no storing of
21 any chemicals, no salt or sand.

22

23 Adam Tinter came to the podium, stating he lives at 11 Tamarack Drive. His concern is if any
24 infrastructure has been taken into consideration now that there is tall on the 20 to 30 more heavy
25 duty size trucks coming in and out of the neighborhood. He said it is a 2-lane road which already
26 services the Highway Department and now, the Amazon warehouse when one comes off of

1 Route 84, with Lime Kiln only a few hundred feet up the road. He asked if any infrastructure had
2 been discussed besides quality of life such as lighting, sound, to the residents in the residential
3 neighborhood. He said he does not live directly adjacent to the property, but he does live in the
4 Wicopee neighborhood; infrastructure issues, traffic, noise, those are quality of life. He said
5 hardware issues are also of concern.

6
7 Mr. Eickman stated that he thinks 20 to 30 vehicles per day seem a relatively minor addition to
8 traffic and he is not aware of any infrastructure things at this point. Mr. Bryant said it is an
9 Industrial parcel and it is not being rezoned; it has always been zoned Industrial.

10
11 Elaine Lee came to the podium, stating that she lives on Griffin Lane and that there are 100 acres
12 of property behind her property on Griffin Lane that is before the Board for a 700,000-sf
13 warehouse and a 200,000 sf warehouse, and that 100 acres abuts up to this property. She said she
14 wants to know how many acres this property is that is being talked about today and how this will
15 affect what is before the Board. Mr. Eickman responded to her, saying that the project she is
16 referring to is a sketch plan brought in purely for discussion. There is not an application before
17 the Board at this point, so it is not being considered. This project is considerably different in that
18 it is a 9,000-sf building on, basically, 2 acres. He told Ms. Lee that, if the other project that she is
19 referring to was to make an actual application, there will be a fairly long process for
20 consideration and public hearings held for that as well. He told her she would be notified. She
21 said if there are 20 to 30 heavy duty trucks coming in from this property, that warehouse is going
22 to be affected and there will be a lot of activity, as homeowners. She understands that this is
23 Industrial and said it has been Industrial forever. She would like to make sure that the number of
24 trucks going in and out of this property remains at 20 to 30, or whatever they said it was going to
25 be and that they don't get an increase of another 30 and they keep adding on over the years. She
26 said it would be a logistic nightmare for the homeowners and that is her concern. Mr. Bryant

1 wanted to address the sketch plan project that Ms. Lee had mentioned, and he pointed out that
2 there was a preliminary comment that there would need to be infrastructure improvement on that
3 section of Lime Kiln Road to handle that volume of traffic. He said it is not thought that this
4 warrants that volume but anything of that magnitude would require improvement.

5
6 Mr. Tinter returned to the podium, stating he knows there are 20 to 30 in and out trips of the
7 property but, is there a limitation of capacity, like parking spaces and how many vehicles can be
8 stored and the size of the vehicles. He asked if there were any restrictions to a 4-ton vehicle, like
9 a landscaping dump truck may not be suitable for a space. He knows there are different classes of
10 Industrial vehicles and asked if that had been discussed at all. Mr. Eickman called for Mr. Berger
11 to respond to the number of spaces, saying there is just for the size of the property. Mr. Berger
12 said there are 17 truck spots shown for a large, typical contractor's truck, which he said are not
13 huge tractor trailers, but contractor size trucks. The cars in the front are standard 9 x 18 spots for
14 residential cars. There are spaces withing the building for a smaller truck, pick up truck, small
15 dump truck to go inside. He said if it is a landscaper who rents the spot, they will probably put
16 their leaf machine and chipper in there. It is limited and they cannot put in anymore and, if there
17 are any changes, he said that he would obviously come back to the Board for approval. Whatever
18 is built, he said it would be kept at that limit and there is no method for this to grow over time.
19 Ms. Robbins wanted to respond to this, and referred to the General Use Regulations that are in
20 the Zoning Code. Any vehicle that is stored overnight, in any contractor's yard, must be a site
21 plan approved parking space. Whatever number of parking spaces are approved as part of this
22 site plan would be the capacity that they could have on that site, unless they come back to the
23 Board to have additional spaces approved. She asked Mr. Berger the number of parking spaces
24 on the site and he responded that there are 12 passenger spaces and Ms. Robbins said there are 17
25 for trucks. Mr. Berger said those are just for the employees. Mr. Bryant asked if the outdoor was
26 limited to just the tenants of the building themselves and not renting outdoor spaces, and this

1 comes with the indoor spaces. Mr. Berger replied that the indoor spaces would be relevant to the
2 tenants and a note could be put on there. Their intent is not to rent spaces to some with a large
3 truck unless they also rent the spot and he told Mr. Bryant if he would like to add that, they
4 would.

5
6 Ms. Gee asked if there was a way to arrange the parking so there is less necessity for the trucks to
7 have to back up, being able to pull into a spot and then pull out and move forward; is there a way
8 to do the circulation so it is like a one-way circulation. Mr. Berger replied not really, no. It was
9 placed so that when they pull in, they have to back up afterwards, so there will always be a back
10 up; there is no way to just pull in and pull straight, not for the trucks.

11
12 Mr. Miyoshi asked how this would react to any emergency vehicles getting up there. Mr. Berger
13 replied that there is more than enough room for a fire truck to come in and back up; it is a very
14 large area, over 60 ft of area for a vehicle to come in, back up. He said they believe it is more
15 than sufficient for a fire truck. Ms. Gee asked the professionals if this site had been looked at for
16 circulation just to see the truck turns for the site. Mr. Berger said he had provided the structure.
17 Mr. Moore said he was not sure if HVEA had reviewed that specifically and Ms. Robbins added
18 that she was not sure either. She said she did not have comments from them on that. Mr.
19 Eickman said there would be an opportunity to review this at the next meeting.

20
21 Mr. Eickman asked if there were any other comments from the public.

22
23 Brian and Susan Smallhorn came to the podium. Ms. Smallhorn said they lived on Glen Ridge
24 Road and that she wanted to reiterate with the gentleman regarding the noise concern. She said,
25 in the past, this Board denied an applicant a kennel on their property because of the noise that
26 echoes off that mountain. She said a lot of trees were lost during the microburst tornado and the

1 woods are not as thick as they may look, especially once the leaves are down. On her street they
2 can hear the DOT trucks when they are moving and filling up for road conditions in the morning
3 and at night when they are coming back. She said there will be a lot of noise, reiterating the
4 gentleman’s comment, and that they feel it will not be as quiet as people think. She is not sure if
5 they can see the lights for the facility from her street, but said they can hear the noise, for sure.

6
7 Brian Smallhorn spoke next, saying he lived at 14 Glen Ridge Road, and that he had a question
8 about the wash basin: Was it going to be contained for washing off all those vehicles, or is it
9 being washed onto the pavement. He asked if it is self-contained and will it get trapped. Mr.
10 Berger came to the podium to address the questions. He said the wash area, as well as the parking
11 lot, goes through a water-oil separator, entering drains into an infiltrator system; It will be
12 infiltrating in the ground and overflow will go through the storm basins. Mr. Bryant said then the
13 oil is contained in the trap. Mr. Berger said just the wash area. The trucks are washed, and back
14 off, and they felt not to limit the area with a small oil water separator and sized it for the entire
15 back parking.

16
17 Mr. Eickman asked if there were any further comments by the public and there were not.

18
19 Mr. Eickman told Mr. Berger that there would be a few items to be addressed and brought up
20 tonight, so the Public Hearing will be kept open for another meeting. He asked for a Motion to
21 adjourn the Public Hearing and asked Mr. Berger if he would be prepared to address the
22 comments at the next meeting, which would be the May 16, 2023, meeting and Mr. Berger
23 replied Yes.

24
25
26 **MOTION made by Richard Campbell, seconded by Ed Miyoshi, to Adjourn the**
27 **Public Hearing for Rising Sky Housing to the May 16, 2023, Planning Board**
28 **meeting. Voted and carried unanimously.**

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DISCUSSION:

7. #2023 – 058 – Valley Christian Church, 1072 Route 82 (6458-04-688075/678055)

Applicant is applying for an amended site plan to expand and connect 2 parking lots on each property.

Stephen A. Whalen, R.A. Whalen Architecture, and Dan Gilman, Operations Pastor, Valley Christian Church (“Valley”), were present.

Mr. Whalen displayed the plan and stated that the proposal is for the expansion, and connection of 2 parking lots. Right now they are on 2 separate parcels, but Valley owns both properties. They own the church property and then the adjacent property, to the Southwest. The church is in the process now of merging those 2 lots into one. The property on the Southwest, where “Unshattered” is now, they are in the process of moving out and Valley is going to be taking over that building. Hence, they want to join the 2 properties together, as well as join the 2 parking lots together. Mr. Whalen said the letter had been received from Christian Moore with the list of things to be addressed, such as grading, soil, erosion, but they wanted to get before the Board to see if there are any comments. He said they know what has to be done as far as civil drawings and a civil engineer has been engaged to address those things. He said this is just a preliminary for feedback from the Board and make sure they are headed in the right direction and be sure this project can move forward.

1 Ms. Gee asked if there is a height difference between the 2 existing lots that are being connected.
2 Mr. Whalen said he would bring pictures for the next Planning Board meeting. He pointed out on
3 the displayed plan where the pone lot is a few feet higher than another, where there would be
4 grading. He said that obviously stormwater would be an issue, and regrading would have to be
5 done in that area.

6
7 Ms. Gee asked if they are trying to change any of the ingress or egress points with the
8 connection, or just connecting the 2. Mr. Whalen explained it is just connecting the 2 because,
9 right now anything shown in gray on this site plan will be new asphalt paving. The “Unshattered”
10 lot stops short from how far back the property goes. They are trying to make the “Unshattered”
11 lot bigger, for the overflow of parking, which he said would help with the ingress and egress. He
12 said that, right now, the church does use the “Unshattered” lot, but he pointed out on the
13 displayed plan where the main lot for the church has a 2-way in and 1-way out. He showed
14 where, in front of the church it is only a 1-way. They are hoping that, with joining the 2 lots, it
15 will create a lot better flow.

16
17 Mr. Eickman asked the number of parking spaces that would result from this. Mr. Miyoshi said it
18 shows that there would be an expansion of 31 spaces, for a total of 145. Mr. Whalen said there
19 are 115 now and with 40 added, it is a total of 145.

20
21 Mr. Campbell asked if this is attributed to growth in the congregation. Mr. Gilman said it is
22 growing and, the past Sunday it was the highest, between online and in person, like 1300 people.
23 He said they are definitely growing, which is a great problem to have. Mr. Whalen said it is
24 spread out over 3 services, and not 1300 people showing up all at once. Mr. Gilman said the
25 parking is the first gate to get past.

26

1 Ms. Gee asked if there is any additional pedestrian access or sidewalks that are needed if
2 connecting the 2 and people walking longer distance. Mr. Gilman said Yes; this is just a
3 preliminary sketch for the Board to see if there is anything where the Board may see something
4 jumping out that it does not want and to move forward. He said they are definitely going to
5 engage with a site engineer to incorporate with the site plan that will be brought back to the
6 Board.

7
8 Ms. Bledsoe asked what would become of the building that “Unshattered” is moving out of. Mr.
9 Gilman said that offices would be there. Ms. Bledsoe asked if they would be used during the
10 week, on Sundays, and would it make parking need to be designated for that as well. Mr. Gilman
11 replied that, during the week people would be parking there and there are about 12 people on
12 staff; some will be parking at the church building, and some will park at the old “Unshattered”
13 building. Mr. Whalen said that wouldn’t be on Sunday; there won’t be people in the offices and
14 at the church at the same time. Mr. Gilman said the parking spots at the old “Unshattered” could
15 be used by the staff to make more room for church parking. He said, in the past, they have run
16 out and luckily they’ve had the Vets, on the other side, who let parking be there.

17
18 Ms. Bledsoe asked if there is a lot of overlap on Sundays between services; is that part of the
19 problem or is it just that there are that many people. Mr. Gilman said it is both. There is a 9:00
20 service that goes to 10:0 and then the next service starts at 10:30, so there is a half hour to get
21 people out and get people in, which is typically how it goes. This past Easter the service was cut
22 short so that there would be a little more time, since more people were anticipated. He said they
23 try to manage that.

24
25 Ms. Gee told him, she does not know the layout of the buildings, and asked are there doors that
26 people might use that they don’t now. One thing to consider as they are expanding, she

1 suggested, is accessible sites and parking spots near doors that are thought to be used so the
2 layout can be looked at for access to the buildings. Mr. Whalen said he would locate them when
3 this is resubmitted. He pointed out on the plan where the handicapped spots are presently and the
4 2 entrances. Even with that said, and the expanded parking lot, they could put in an accessible
5 ramp if needed. Mr. Gilman said in the corner there is a ramp and one in the front, with 4 spots
6 designated for handicapped. He said it will all be on the site plan so it can be understood.

7
8 Mr. Campbell asked if, with the expansion of parking on Sundays, would it alleviate from having
9 to park at the neighbors'. The concern is about them walking on the road, which is a very busy
10 road, or how they would make their way from those points over; would the new parking then
11 eliminate that need. Mr. Gilman said it was a great question and a great point. He said they do
12 have pathways for the buildings so people do not have to go out to the road to walk over.
13 Sometimes there is the use of the Veterinarian's parking and there is also a cut over between
14 parking lots so people are not going into the road, which they avoid at all costs.

15
16 Mr. Campbell asked, with the addition of this parking, and what is going on there on Sundays, or
17 whenever the services take place, is fire equipment able to freely move through the parking lot,
18 based on a full lot. Mr. Whalen stated that he thinks it will be better now.

19
20 A Fire Commissioner present stated that, when the plan was reviewed, it actually gave them
21 more freedom. The only problem is the parking in the front of the building and accessing that
22 with a fire truck. He said he has been there many times, when people park there. He would like to
23 see that become a Fire Zone, with No Parking. He knows it is used for handicapped and if it is a
24 drop off, that is fine. But, for parking, they can't get in there. Mr. Campbell said this is very
25 important, especially if there was a full service and an emergency. Mr. Whalen asked if the spots
26 for handicapped should be eliminated for there. Ms. Gee said it can be made a drop-off, loading

1 and unloading. Mr. Gilman said that was a very good point. Mr. Whalen said they could look into
2 downsizing the island that is there as well. He said the signage is there, but maybe the 2 of them
3 could be blended together. It would still be the handicapped, but also have the Fire Zone and No
4 parking area. He said when the civil engineer is engaged this will be addressed. Mr. Fire Board
5 said, if a ladder truck was set up there, it is another 5 ft on each side with the out riggers and
6 would take up the whole space. Mr. Whalen said then the turning radii will also be shown for
7 some of the apparatus.

8
9 Ms. Bledsoe noted that it was said this is the first part of the plan and asked what comes after
10 this; what is the long term. It was said this would help with entrances and exits, but that this is
11 part of a bigger plan. Mr. Gilman said they are investigating buying the back of a neighbor's
12 property. They spoke with the neighbor and they are open to it, but not at present due to some
13 things they are dealing with. Ms. Bledsoe asked if this was for parking. Mr. Gilman said it is the
14 end of the lot and can't be used for anything except if they were to expand their dog area. What
15 was shared with the neighbor was the area they use for their animals, and they could go 10 ft past
16 that spot and buy what is about ½ acre. He said that could open this up to more parking, about 20
17 spots. He said they let them use the church parking all week and they let the church use their
18 parking on Sundays. He said since they are open to this, it could be another addition to this
19 parking improvement plan. With that, he said they were possibly thinking of making 1-way in, in
20 the front of the church, and 1- way out at the east shared car park. They will work with the
21 highway department to see if there is a better way to have the traffic flow. However, he said, they
22 are not even close to that, and this is just phase 1, between making the new offices and making
23 this work.

24
25 Another Fire Commissioner stated that this would be reviewed by the DOT, not the Highway
26 Department. It is 2 parcels being combined into one and there are 3 access points onto Route 82.

1 It is something that may be considered by DOT, but they are existing, and this is a sketch right
2 now. The other thing is that, as Mr. Bryant responded in the letter earlier today, it is the well and
3 septic; they are on town water and the County parcel access is lagging behind. He asked if this
4 was on sewer and Mr. Gilman said No, but the septic is all in the front. He said “Unshattered” is
5 totally in the front and everything is in the front of the secondary building off the church. There is
6 no septic or leach that goes behind the building or encroaches. The Commissioner said the
7 survey that he saw for Lot C was the South lot, which indicated a tank behind “Unshattered”, but
8 it didn’t say what kind it was, whether a septic tank or propane tank. Mr. Gilman said they came
9 up with a plan that would be incorporated into the site plan for the Board to review, on moving
10 the 1,000 gallon take out, putting (2) 500-gallon tanks in behind the “Unshattered” building,
11 away from any playground area. The plan is to relocate the tank so it is not anywhere it should
12 not be.

13
14 The Commissioner said he is glad this is growing and to just keep in mind that the amount of
15 parking does not outpace the safe capacity of the building itself and to keep that in mind as this
16 continues to grow. Mr. Gilman said he appreciates that.

17
18 Mr. Eickman told Mr. Gilman that, based on his response to some of the issues that came up this
19 evening, and some of the things already in the works, the Board is favorably to the project and
20 looks forward to the next iteration and they can go from there.

21
22 Ms. Robbins told the Members that she did not know if it was appropriate for this evening, but at
23 some point, the Board will have to consider whether or not this would be a minor site plan
24 amendment and not require a public hearing, or if the changes to the site would require a public
25 hearing and at that point, it would be set. She said they have some work to do before that.

26

1 Mr. Campbell said a point brought up by the Fire Commissioner was, based on the additional
2 parking, what it would require, based on capacity. Ms. Robbins said she asked that question
3 when they met, that there is capacity in the building right now, and the parking requirement was
4 pretty low. Right now it is 1 space for every 5 seats, which is how church parking is done. There
5 are only 60 or 70 spots required and said this is double right now that they are providing.
6 However, they do have the capacity that can't be rolled over, based on public assembly. Mr.
7 Campbell asked for the maximum allowable capacity inside the building. Mr. Gilman responded
8 that he thought it was 300 total. Mr. Whalen asked when the building was built and Mr. Gilman
9 responded it was the early 80's. Mr. Whalen said, per the green code book, the assembly has
10 definitely changed since then. As this process is being done, he said he will update the building
11 code analysis. The Fire commissioner asked the total spot count, saying, if it is 100, it gets to 500
12 people, assuming 5 people per car. Mr. Gilman responded that, if there are 500 people, they will
13 find the seats. The Fire Commissioner said he did not want him to find they are in a spot where
14 more parking has been created than what the building will hold. Mr. Gilman said there is also a
15 loft area that is not being used. For seating, which is probably another 100 seats to use. They are
16 looking at all things and he said, at the rate of growth being experienced, they will have to, which
17 is a great problem to have and they feel very blessed. Whatever is done, they want the Board to
18 sign off and Mr. Whalen added that they will definitely be mindful of the Codes.

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20 Mr. Eickman said this is definitely moving in the right direction.

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1 Mr. Eickman confirmed that there was no further business to come before the Planning Board
2 this evening.

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ADJOURNMENT

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

Respectfully submitted:

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