

**TOWN OF EAST FISHKILL
PLANNING BOARD MEETING**

June 20, 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:
July 18, 2023 & Aug 15, 2023.
- c. Approval of Minutes of Meetings Held:
March 21, 2023, April 18, 2023 & May 16, 2023

MOTION made by Richard Campbell, seconded by Donald Papae, to approve the Minutes of Meeting Held March 21, 2023. Voted and carried. John Greenan abstained.

MOTION made by Richard Campbell, seconded by Donald Papae, seconded by Richard Campbell, to approve the Minutes of Meeting Held April 18, 2023. Voted and carried. John Greenan abstained.

MOTION made by Richard Campbell, seconded by Donald Papae, to approve the Minutes of Meeting Held May 16, 2023. Voted and carried unanimously.

- d. Roll Call:

Members present during the Roll Call were John Greenan, Donald Papae, John Eickman, Richard Campbell, Ed Miyoshi and Sarah Bledsoe, and Alternate Member John Giovagnoli attended. Lori Gee was not present during the Roll Call but entered the meeting 3 minutes later.

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Town Professionals and Consultants present were: Michael Cunningham, Town Attorney, Michelle Robbins, Town Planner, Scott Bryant, Town Engineer, Christian Moore, Engineer, CPL, Rich Rennia, Town Engineer, Brendan Fitzgerald, HVEA PE Traffic Consultant.
Also present were Jackie Keenan, Planning Board Clerk., Matt Rickett, Zoning Administrator, Dave Palin, Fire Advisor Board, and Chris Jodlowski, Fire Commissioner.

EXTENSION:

- 1. **#2022 – 030 – Thom Subdivision**, 87 Stormville Road (6557-02-628790)

Applicant is requesting (2 three-month) 6-month extension for a subdivision plan that was approved on September 13, 2022.

John Thom, Applicant, was present.

Mr. Thom said he believed Michael Gillespie had sent the application to the Board for the Extension of 6 months subdivision approval.

RESOLUTION EXTENDING FINAL SUBDIVISION APPROVAL

NAME OF SUBDIVISION PLAN: Thom Subdivision
NAME OF APPLICANT: John Thom
LOCATION: 87 Stormville Road
GRID NO: 6557-02-628790

Resolution Offered by Planning Board Member: John Eickman

WHEREAS, the Thom Minor Subdivision was granted final approval for a 3-lot subdivision on September 13, 2022; and

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CHANGE OF USE:

- 2. **#2023 – 065 – 46 Foster Road**, 46 Foster Road (6456-04-235689)

Applicant is proposing change of use from professional office space to Medical office and minor site plan amendments to reflect parking lot and sidewalk improvements. No change in building footprint is proposed.

Nicholas Pasalides was present.

Mr. Pasalides stated that this is a proposed change in office space to Medical use. At this time the 2 professional buildings are on one lot and they would like to change the one lot from office space to medical use. In doing so, he said additional parking spaces are needed. There are currently 42 spaces, and he said the proposal is an increase to 52 parking spaces.

Ms. Robbins said there has been a new category for Change of Use that has come in, which is for when a change of use that typically a parking analysis would have to be done. However, she said that sometimes it is just that an existing, old site plan needs to be updated; sometimes the plan has not been updated since the 80s or even the 70s. With some, she said changes have been made, so the Town is trying to get them amended. In this case he (Mr. Pasalides) created parking and put it on the site plan, the planter in the center is being removed and, since parking was created, the site plan was amended anyway. Mr. Pasalides said the planter removal was to accommodate an additional 4 cars. Ms. Robbins stated that, for the change of use, she decided to forgo a parking analysis. She said she came up with an agreement with the applicant, it was

1 edited by staff, they had gone out to the site look at everything and it is safe to say that this is
2 ready for the Board to make any recommendations.

3
4 Mr. Eickman asked if the Fire Advisory Board has had the chance to review the new parking plan
5 and Mr. Palin replied Yes.

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7 Mr. Eickman asked if there were any further comments from Board members or Consultants. Mr.
8 Campbell asked if the fact that this is an Amended Site Plan would mean a Condition for
9 approval. Ms. Robbins responded Yes and that an amended site plan was submitted. She
10 explained that sometimes these are caught at the Building Department when applying for an
11 occupancy permit. The Building Department tells the applicant they need to go to the Planning
12 Board first and to review the parking, and comments can be made, and a revised site plan can be
13 done ahead of time. She added that this matter is a revised site plan within the Resolution.

14
15 Ms. Gee asked if this meets the Town’s parking requirements for the change of use to Medical,
16 as that is a lot. Ms. Robbins responded that there was already a lot of parking on this site anyway
17 and that the applicant made additional spaces on the plan.

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19 There were no further questions or comments from the Members or Professionals.

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RESOLUTION AMENDED SITE PLAN APPROVAL

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25 **NAME OF SITE PLAN:** 44-46 Foster Road
26 **NAME OF APPLICANT:** 46 Foster Road, LTD (Nick Pasalides)
27 **LOCATION:** 44-46 Foster Road
28 **GRID NO:** 6456-04-663029
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1 **Resolution Offered by Planning Board Member: John Eickman**

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3 **WHEREAS**, the applicant is applying for a change of use from professional office space
4 to medical office space and a minor site plan amendment to reflect parking lot and site
5 improvements including the removal of a planter, restriping, and ADA compliance; and
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7 **WHEREAS**, no change in the building footprint is proposed; and
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9 **WHEREAS**, the proposed project is a Type II action under SEQR and no further
10 environmental review is required; and
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12 **NOW, THEREFORE, BE IT RESOLVED**, that the Planning Board hereby approves
13 the change of use and minor amendments to the site plan as represented on a map entitled "44-46
14 Foster Road," prepared by CBK Engineering dated May 18, 2023 and last revised May 31, 2023
15 with the following conditions:

- 16 1. The approval is conditioned on the site meeting all Dutchess County Health
17 Department requirements.
- 18 2.

19 **BE IT FURTHER RESOLVED**, that within five (5) business days of the adoption of
20 this resolution, the Chair or other duly authorized member of the Planning Board shall cause a
21 copy of this resolution to be filed with the Town Clerk and a copy sent to the Applicant/Owner.
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23 **Resolution Seconded by Planning Board Member** **Lori Gee**

24
25 **The votes were as follows:**

26 Board Member Lori Gee	Aye
27 Board Member Ed Miyoshi	Aye
28 Board Member Sarah Bledsoe	Aye
29 Board Member Richard Campbell	Aye
30 Board Member Donald Papae	Aye
31 Board Member John Greenan	Aye
32 Chairperson John Eickman	Aye
33 Alternate Board Member John Giovagnoli	-

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39 **CHANGE OF USE**

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2 3. #2023 – 065 – Brookmeade Plaza, 967-986 Route 376 (6358-02-570572)
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4 Applicant is proposing a change of use from vacant space to a physical therapy office and
5 minor site plan amendments to reflect parking lot improvements, including additional ADA
6 spaces.
7

8 Bob LaColla was present, to represent GRNEB Group LLC, the owner of the Brookmeade Plaza.
9

10 Mr. LaColla stated that there is one space of approximately 1500 SF that is being put into use as
11 a physical therapy office. He said it was found out that it is a medical use that requires an
12 additional 2 ADA parking spaces. In the process of submitting this, he said the Town Planner had
13 requested an updated site plan. A recent certified survey has been modified by an engineer to
14 show all existing conditions. He said there is a fresh map before the Board this evening, which
15 replaces one that is maybe 35 years old on file with the Town.
16

17 Ms. Robbins noted that there is another change in the Cross Fit Gym which is expanding and is a
18 store next to it. Mr. LaColla said Yes, they are taking an additional 2 suites, but that it is a use
19 that was there before.
20

21 Ms. Robbins aid there is a parking analysis for all the existing tenants and all the parking was
22 looked at; where the handicapped spaces are, relative to the physical therapy office and the other
23 uses. She said they fixed the site plan, and all is good at this point for parking.
24

25 Ms. Gee asked Mr. LaColla if there is still additional vacant space there and Mr. LaColla replied
26 No. Mr. Campbell said he thought the spaces on the corner of the building were vacant. He
27 explained that the building goes in 2 separate ways and asked if there was a vacant space to the
28 left of the gym. Ms. Robbins and Mr. LaColla replied, saying “Giacomos” is going in there, and
29 this is the space that is left of that, between the new “Giacomos” and “Carol’s Deli”.

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2 Mr. Fire Commissioner asked if there was a Knox Box and Mr. LaColla replied that he did not
3 recall seeing one, but that it could be added. Mr. Fire Commissioner said if there is not a Knox
4 Box, he would like a recommendation that it be added. Mr. Eickman told Mr. LaColla it could be
5 added as a condition to the Resolution.

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7 Mr. Eickman asked if there were any further comments by Members or the Professionals and
8 there were none.

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11 **RESOLUTION OF CHANGE OF USE AND AMENDED SITE PLAN**
12 **APPROVAL**

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14 **NAME OF SITE PLAN:** Brookemeade Plaza
15 **NAME OF APPLICANT:** GREN Group
16 **LOCATION:** 967-986 Route 376
17 **GRID NO:** 6358-02-570572

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

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21 **WHEREAS**, the applicant is applying for a change of use from vacant space to a physical
22 therapy office and for the expansion of Cross Fit gym; and

23
24 **WHEREAS**, the changes of use will require minor site plan amendments to reflect
25 parking lot improvements including the creation of additional ADA spaces; and

26
27 **WHEREAS**, no change in the building footprint is proposed; and

28
29 **WHEREAS**, the proposed project is a Type II action under SEQR and no further
30 environmental review is required; and

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32 **NOW, THEREFORE, BE IT RESOLVED**, that the Planning Board hereby approves
33 the change of use and minor amendments to the site plan for Brookemeade Plaza as represented
34 on a map entitled "Amended Site Plan for Brookemeade Plaza," prepared by Povall Engineering,
35 PLLC and dated 5/30/23.

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

Resolution Seconded by Planning Board Member Richard Campbell

The votes were as follows:

- Board Member Lori Gee Aye
- Board Member Ed Miyoshi Aye
- Board Member Sarah Bledsoe Aye
- Board Member Richard Campbell Aye
- Board Member Donald Papae Aye
- Board Member John Greenan Aye
- Chairperson John Eickman Aye
- Alternate Board Member John Giovagnoli -

DECISION:

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

Applicant is proposing a 10-lot subdivision (previously 11) 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 Engineering, present.

Mr. Eickman noted that Lead Agency needed to be declared for this matter.

MOTION made by Sara Bledsoe, seconded by Richard Campbell, for the

Planning Board to be declared as Lead Agency for Farmview/Estates at Phillips Farm. Voted and carried unanimously.

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4 Mr. Stokosa began by stating this matter had been before the Board 2 months ago and he wanted
5 to give an update on the improvements made to the subdivision. As they were asked to do, he
6 said the 100-year storm was looked at for the lower drainage basin along Route 82. He said the
7 lot that was formerly lot 10, is the building lot near the road. The drainage was revised. In
8 listening to the Board, lot 10 was taken off the plan and this went from an 11-lot subdivision to a
9 10 lot subdivision. He said comments have been addressed that were related to the stormwater.
10 There were a few things that could be left for final approval, and he said they maintained that the
11 freeboard above the pond, the 100 elevation of the pond and area above that. He said it is a level
12 of protection built into it in case of a major storm event and a level of protection built into the
13 lower holding pond. Another update I that they submitted to the NYS DOT formally for an
14 entrance permit for the commercial subdivision entrance and also individual driveway entrance
15 for what is now lot 10, which was formerly lot 11. He said they have not heard back from the
16 DOT and reached out to Casandra in the office looking for an update. He said he has not heard
17 anything, and he does not believe Mr. Rania’s office has heard anything. In dealing with
18 Cassandra, he said they did walk the site when the subdivision was originally proposed and he
19 said the site really hasn’t changed, other than taking the one lot off the plan. Verbally over the
20 phone, he said they had discussed the infiltration system and, in her mind, he said she did not
21 have a problem with it and would elevate it to the Poughkeepsie office. They still haven’t heard
22 back from the DOT yet and that is still pending. Specific to addressing the screening concerns, he
23 said that additional arborvitae had been added along Route 82. Per the Town engineer’s letter, he
24 said they were to go with a little wider berm and stacking concept. There was no issue with this
25 and he said they have a little more area now that lot 10 has come off the map. The lot lines have
26 been reconfigured to get rid of the slivers, so they are more in conformance now with what a
27 typical lot looks like. The space between lots 10, 7 and 8 was labeled as a green area and is the

1 line along the southern border of where lot 10 was. The intent is to keep the vegetation there,
2 keep it green so there is protection given to the neighbors. He said the other big thing in going
3 from the 11 lots to 10 lots is in talking to the Town Engineer, from a water service standpoint,
4 they are in agreement that water can be provided to this. Obviously, he said, they will have to
5 work with the Board of Health in securing agreements and individual permits to extend the water
6 line and water services to the individual lots, But, he said, they are backing away from the 2-
7 phased concept and having all 10 lots under one phase.

8 He said these were the items addressed since the last time this was before this Board.

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10 Ms. Robbins told Mr. Stokosa that a guide rail is currently shown along Route 82 and that she
11 knew he was not sure if it will be required by the DOT. Mr. Stokosa replied that the DOT said
12 there was not the need for it because of the berm and the trees on top of it. It is outside the right
13 of way and he said the guiderail has always been shown inside the property line. From a
14 maintenance standpoint, he said if the DOT doesn't require it, he is sure the Town would not
15 want to maintain it. He said it would be in the drainage district and, in that case, he said it could
16 be taken off the plan. Ms. Robbins said that is something that they should consider.

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18 Mr. Rennie asked if the plan with the DOT has the guide rail on it and Mr. Stokosa replied Yes,
19 the guide rail is on it, just to ask for their opinion whether or not they want it and Cassandra
20 wanted it to see what they have to say. Mr. Rennie stated if it is on their property then someone
21 in the Town has to maintain it later on. He said that what he had recommended was to raise the
22 berm up a little bit, which would let it be 2 things; the screening berm and let it be their
23 protection, the guide rail. Mr. Stokosa said, from the Town's standpoint, he was sure they would
24 gravitate towards the screening and the higher berm.

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1 Mr. Eickman asked Mr. Rennia if the applicant had answered all his questions. He replied Yes, in
2 general, and he is actually happy to see the new layout because that reduction of the one lot really
3 did solve a lot of the issues there. He said it opened up a lot more room for them and the
4 stormwater is a lot simpler now. There were 2 lots before they had the individual stormwater
5 system, with buried coal tech issues and those are gone. Those are out of the picture now, so
6 there is not the maintenance issue. The access that they were concerned about before to the
7 stormwater basin in the front is now much better since it is further up the street, and not on the
8 corner. He said it doesn't have to go a deep and, in general, everything with the reduction of the
9 lot really made everything that they are doing a lot simpler. He noted that there are a few things
10 on the Stormwater Pollution Prevention Plan ("SWPPP") report that are nuts and bolts items that
11 they need to take care of but, other than that, he said he is now much more pleased with the set of
12 plans.

13
14 M. Robbins wanted to add that there was a habitat assessment done that included some
15 mitigation measures, such as removing the trees during the time period that they are permitted to
16 remove the trees. She said there were also potential Blanding turtle's habitat. Although they do
17 not suspect they will be there, some measures that were recommended to be implemented as well
18 are in the Negative Declaration and also in the Resolution. She thinks it will also include that the
19 turtle habitat not be disturbed, which will coincide with the timing of the Bat anyway. She said it
20 is in there and kind of lengthy; it is in the Negative Declartion, as well as the Resolution and can
21 be referred to with the recommendations for the habitat assessment that was done by the
22 applicant's professional. Mr. Rennia added that all of that is incorporated in the plan.

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

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1 Mr. Fitzgerald stated that with the DOT it would need to be a condition of approval or at least
2 conceptual approval of what is on the plan. He noted that there was a vertical curve coming off
3 the entrance road, coming from Route 82, that was slightly out of the Town Code requirements
4 that would need to be minimum length. Mr. Stokosa said that this was already addressed and
5 picked up on, after submission. Mr. Fitzgerald also noted that, of significance, was the 300 FT
6 sight easement area and the sight line along the frontage. The recommendation was that the sight
7 area be shown on the plan so that if it needs to be enforced to be cleared, the vegetation is on the
8 plan, and it won't be interpreted out of a note. Ms. Robbins said she would second that, as with
9 the habitat requirements, to just put it on the plan. Mr. Stokosa noted the same.

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11 Mr. Campbell said the DOT approval would be based on the submission he sent in with the guide
12 rail on it and questioned if it was approved with that on it, would the guide rail have to stay. Mr.
13 Fitzgerald replied that it is off the right of way. His suggestion for Mr. Stokosa is to send a note
14 for clarification to the Dot stating that it is the Town's preference not to put the guide rail in, and
15 to have them look at it that way. Mr. Stokosa said, when submission was made to the Dot, there
16 was also a narrative about the guide rail. It stated that if it was required, it would be provided and
17 it is not the preferred method, but that they are trying to go with a more natural berm and trees.

18 Mr. Campbell reiterated that it is based on the submission of what was put forth. Mr. Fitzgerald
19 said that, whatever comes back in the conceptual approval, it will have to be made certain that
20 point is addressed.

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22 Attorney Cunningham noted that another condition is the Performance Bond for the internal
23 roads.

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25 Ms. Bledsoe asked about the lots being combined into one and if it was one huge lot, with a big
26 easement on it. Mr. Stokosa responded that the easement covered the stormwater management

1 bond and the access. Other than that, he said the lot is the owner's and the biggest lot. Ms.
2 Bledsoe asked how big the usable space was, outside of the easement for that lot. Mr. Stokosa
3 said it is likely 1 ¾ acres, or a hare over that.

4
5 Mr. Eickman stated that there is the Negative Declaration for the matter, and for anyone who
6 would like to see a full copy of this, a complete copy can be found in the Planning Board Office,
7 at any time. He proceeded with summarizing the document, stating:

8
9 Farmview/Estates at Phillips Farm is an unlisted action. The environmental issues identified as
10 relevant include:

11 Land Use and Zoning, Visual Character, Historic and Archeological Resources,
12 Wetlands, Plants and Animals, Traffic and Transportation, Water and Septic, and Other.

13
14 Under Land Use and Zoning Public Policy: The proposed action project would result in a
15 subdivision of an undeveloped 13.37 acre lot previously used for farming, into 10 residential lots.
16 The proposed lots for residential use would be consistent with the existing R-1 Residential
17 Zoning and the Town's Comprehensive Plan. Therefore, the proposed project would not be
18 expected to result in any significant adverse impacts.

19
20 Under Visual Character: The proposed project would result in the construction of 10 new homes
21 on Route 82, across from Phillips Farm. Several of the new residential homes would be partially
22 visible from Route 82. The required berm and screening along the stormwater basin along Route
23 82, between the existing residential properties to the south and west will also be maintained to
24 screen the views of the lots from the existing residential properties. With the implementation of
25 the berm and vegetative buffers, the proposed new home would not be expected to significantly
26 alter exiting views from the neighborhood properties and Route 82. Therefore, the proposed

1 project would not be expected to result in any significant change to visual character and no
2 significant adverse visual impacts are expected.

3
4 Under Historic and Archeological Resources: The EAF prepared by the applicant indicates that
5 no historic or archeological resources are located on the site. The proposed project does not
6 expect to result in any visual impacts to Phillips Farm. Therefore, no significant impacts to
7 historic or archaeological resources would be expected.

8
9 Under Wetlands, Plants and Animals: Mr. Eickman said that an earlier description was heard by
10 Ms. Robbins. Basically, he said he would come to the conclusion that, with the implementation
11 of the actions listed in the Habitat Assessment and described above, the proposed project would
12 not be expected to result in any significant impacts to Wetlands, Plants and Animals.

13
14 Under Traffic and Transportation: With the required approvals from NYS DOT, the proposed
15 action would not be expected to result in any significant adverse impacts to Traffic and
16 Transportation.

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18 Under Water and Septic: With the required approvals from the DC DBCH, the proposed action
19 as described above, would not be expected to result in any significant adverse impacts to Water
20 and Septic.

21
22 **DISCUSSION:** Ms. Robins wanted to confirm that the homes are not in the Hopewell
23 Precision -Ryan Drive Remediation and are monitored regularly by the EPA. She believes
24 that, in the past, notes were put on the subdivision plans. Looking to Ms. Gee, she said
25 there hasn't been one of these recently and she just wants to be sure that anyone
26 purchasing the lots would see that they are in that area and their wells are being

1 monitored. Ms. Gee said it is on the individual plats or the Deed. Ms. Robbins said she
2 did not know if this is something the Planning Board would want to consider here, but
3 they are ultimately hooking into Town water, so that should not be an issue. Mr. Miyoshi
4 said he could see that being a problem if they are digging a well. Mr. Bryant commented
5 that there are 2 aspects here. One is water and the other is air formation to the ground and
6 he knows homes in that area need to have certain ventilation type systems put in. He said
7 it is required as part of every building permit. Attorney Cunningham said they would be
8 notified, and it is part of the title search that they would get a copy of. Ms. Robbins
9 stated this should be added to the Conditions.

10
11 Mr. Eickman said this was the end of the Negative Declaration.

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13 MOTION made by Richard Campbell, seconded by Ed Miyoshi, to approve the
14 Adoption of the Negative Declaration for Farmview Estates. Voted and carried
15 unanimously.

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20 **RESOLUTION OF FINAL SUBDIVISION APPROVAL**

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22 **NAME OF SUBDIVISION PLAN:** Farmview Estates (aka Estates at Phillips Farm)
23 **NAME OF APPLICANT:** Route 82, LLC
24 **LOCATION:** 1196 Route 82, Hopewell Junction
25 **GRID NO:** 132800-6458-04-740330

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

28
29 **WHEREAS**, the applicant applied for a 11-lot subdivision of a 13.37-acre parcel; and

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31 **WHEREAS**, the subdivision was reduced to 10 lots to provide for additional stormwater
32 facilities and better lot arrangement; and
33

1 **WHEREAS**, a public hearing was opened on 12/20/22 and closed on 4/18/23; and

2
3 **WHEREAS**, the Planning Board declared Lead Agency under SEQR on 11/10/22 and a
4 coordinated review was undertaken; and

5
6 **WHEREAS**, a negative declaration was adopted by the Planning Board on June 20,
7 2023; and

8
9 **NOW, THEREFORE, BE IT RESOLVED**, that the Planning Board hereby grants
10 subdivision approval for the above project as represented on a map entitled "Farmview Estates,
11 NYS Route 82" Day & Stokosa Engineering, P.C. dated January 17, 2022 and last revised May
12 23, 2023 subject to the following conditions:

- 13
14 1. Approval from the Dutchess County Board of Health for on-site septic system;
15 and
16 2. Approval from the Dutchess County Board of Health for municipal water
17 distribution extension as per the Town Engineer’s letter to Brian Stokosa dated
18 6/20/23; and
19 3. Recreation fees in the amount of \$56,250 due to the Town of East Fishkill prior to
20 the signing of the subdivision plat in final form by the duly authorized officer of
21 the East Fishkill Planning Board and pursuant to a Planning Board resolution
22 granting final approval to the plat or after conditions specified in a resolution
23 granting conditional approval of the plat are completed.
24 4. Satisfactory resolution of any outstanding comments from the Rennia Engineering
25 Design, PLLC review letter dated 6/14/23.
26 5. Satisfactory resolution of any outstanding comments from Hudson Valley
27 Engineering Associates (HVEA) review letter dated 6/16/23.
28 6. NYSDOT approval of the proposed subdivision road entrance accessing nine (9)
29 lots.
30 7. NYSDOT approval of the curb cut for the proposed Lot 10 driveway on Route 82.
31
32 8. To avoid impacts to threatened and endangered species including Indiana bat and
33 Blandings Turtles, the following notes must be placed on the plan and
34 implemented as documented in the Habitat Assessment prepared for the site by
35 Michael Nowicki, the applicant’s consultant:
36 Indiana bat

- 1 a. All tree removal activities must occur only between October 1 and March
- 2 31 to avoid direct impacts to bats; and
- 3 b. All site lighting will use full cut-off fixtures to that direct light down to
- 4 minimize light pollution and interference with potential bat foraging
- 5 activities; and
- 6 c. During construction activities soil conservation and dust control best
- 7 management practices, such as watering dry disturbed soil areas to keep
- 8 dust down, and using staked, recessed silt fence and anti-tracking pads to
- 9 prevent erosion and sedimentation in surface waters on the site must be
- 10 implemented.
- 11 d. Stormwater ponds cannot be maintained with any chemicals that might
- 12 adversely affect bats or insect populations on which they may feed.

13
14 Blandings Turtles

15 The following measure will be utilized around the perimeter of the development
16 to assure that there is no possibility of impact to any turtle species during
17 construction:

- 18 a. Restrictive Barrier: A temporary restrictive barrier in the form of silt
- 19 fencing should be installed around the perimeter of the disturbance
- 20 footprint prior to any activity on the site. The barrier should be installed
- 21 during the winter hibernation period (between October 16th and
- 22 April 14th) and be maintained until the end of the construction phase of the
- 23 project or until the beginning of the next winter hibernation period
- 24 (October 16), whichever, occurs first. The barrier should be inspected daily
- 25 by the project sponsor or agent of the project sponsor and, if necessary,
- 26 repaired immediately to a fully functional condition. The barrier should be
- 27 constructed in accordance with the following design specifications:
 - 28 (i) Made of fine-mesh (1/4 inch square) filter-fabric or non woven
 - 29 geotextiles;
 - 30 (ii) A minimum of 42" high;
 - 31 (iii) Anchored into the ground with reinforcement bars placed on
 - 32 the "disturbance side" of the barrier and spaced between 6-8
 - 33 feet apart; and
 - 34 (iv) Secured at the base (barrier/ground interface) with at least
 - 35 8" of fence material covered with soil back fill
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- 37 9. Satisfactory resolution of any NYSDEC conditions.

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10. An escrow payment in the amount of \$10,000 for an environmental monitor during construction to be replenished when required.

11. A performance bond followed by a two year road maintenance bond to the satisfaction of the Town Engineer.

12. Inclusion of a vapor intrusion system is required for all lots and must be noted on the subdivision plat.

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

Resolution Seconded by Planning Board Member Rich Campbell

The votes were as follows:

- Board Member Lori Gee Aye
- Board Member Ed Miyoshi Aye
- Board Member Sarah Bledsoe Aye
- Board Member Richard Campbell Aye
- Board Member Donald Papae Aye
- Board Member John Greenan Aye
- Chairperson John Eickman Aye
- Alternate Board Member John Giovagnoli ----

ADJOURNED PUBLIC HEARING:

- 5. #2023 – 051 – Rising Sky Housing, Donovan Drive (6455-00-288434)

1 Applicant is proposing a 9,000 sf building on 2.047 acres for a contractor’s yard
2 with a building to be used for storage and equipment.
3

4 Joseph Berger, Berger Engineering & Surveying was present.
5

6 **MOTION made by Richard Campbell, seconded by Lori Gee, to open the**
7 **Adjourned Public Hearing for Rising Sky Housing. Voted and carried**
8 **unanimously.**
9

10 Mr. Eickman stated that Lead Agency needed to be declared for this matter.
11

12 **MOTION made by Richard Campbell, seconded by Lori Gee, to declare Lead**
13 **Agency for Rising Sky Housing. Voted and carried unanimously.**
14

15
16 Mr. Berger began by stating that this was a 9,000 SF contractor’s building on a parcel and that
17 there would be an onsite sewer-septic system, with a well. The stormwater will be treated with
18 both an oil and water separator with a pre-treatment infiltrator system. It will be underground and
19 recharging the stormwater and treating. He said there were some concerns the last time this was
20 before the Board with the site as to the view by the neighbors and the daycare center. The plan
21 shows the distance to the homes, which won’t really be seen with the woods there, but they are
22 situating a series of trees on the front, the western part of the cul-de-sac. They will also be putting
23 a series of trees on the eastern side, which I above this, to add additional screening in that
24 direction. He said there will be some trees on the north side but, more importantly, they are
25 putting up a nice, vinyl fence, on top of a retaining wall. He said it will block the view and also
26 block the sound. A sound study has been done and the sound was also measured from the trucks
27 coming in. It showed that, where the trucks will be parked and backing up, that the vinyl fence
28 right on the property line will omit the sound from them. He said that it should be noted that
29 most of the work will be done during the day, which the Town has no standard for the sound. The
30 sound may kick in at nighttime because, in occasional use, the contractors do have to go in and
31 out, especially during haying season, but the daycare center is closed at night. Regardless, he said

1 they still want to be a good neighbor and they are using a vinyl fence, which has a superior sound
2 attenuating than a stockade fence. He said on the plans before the Board, the sound study was
3 done since then and the fence will be extended another 30 FT, further to the East, so that there
4 will not be any skirting of the sound around it. On the final plans, he said they will have
5 additional distance, which is not on the plans already submitted, since the study wasn't done
6 then.

7
8 Ms. Robbin asked if this is along the border of the daycare center and Mr. Berger said Yes, it is
9 another 30 FT east. He said they measured the sound of a truck backing up and the sound hits the
10 fence, blows around and this is in the sound study report and on the revised plan that the Board
11 hasn't seen yet.

12
13 Mr. Berger said he had received comments from the Town's engineer, and he does not think
14 there is anything substantial.

15
16 Mr. Eickman asked Mr. Berger if he had seen the review done by Nelson on the sound
17 study that was done, and Ms. Robbins added that it just came in today. Mr. Berger said he wasn't
18 in his office today, Ms. Robbins said there was also an email from the daycare center that was
19 submitted, with some comments. Mr. Berger said the daycare center concerns are the sight,
20 which was mentioned, the sound, which was mentioned, trucks driving by, in and out a couple
21 times in the morning and evening that will give rise to the level of pollution that he does not
22 think is an issue. He said the issues are sight and sound and they are mitigated with the fence and
23 the location. They kept the trucks behind buildings specifically to block the sound going to other
24 neighbors and they have tried to minimize the visual impacts. He feels they have done what they
25 could to minimize those issues.

26

1 Ms. Robbins noted that the daycare had mentioned that they have a bus that drops off and
2 because of the cul-de-sac not being developed, the bus sits where it wants to sit. They do not
3 drop at the bottom of the daycare’s driveway and drop closer to the building, which is close to
4 the entrance of the facility in this matter. Mr. Berger said they drop off, but the daycare entrance
5 is further up Ms. Robbins told Mr. Berger if they drop off where they currently do, it won’t block
6 his entrance. Mr. Berger said they drop off and turn around in the cul-de-sac, but that won’t
7 affect him.

8
9 Mr. Eickman said there was one item previously talked about last time and it was the possibility
10 of the need for a special permit for excavation. Ms. Robbins said it was based on the calculated
11 amount and that it would be over. Mr. Moore said it was revised with the last submission, and he
12 thinks it was about 600 net export. Mr. Berger said he hoped it would not be, but there would be
13 some export. Mr. Moore said the special permit needs to be added, as a condition. Mr. Berger
14 asked if after construction it would be taken into consideration and come off. Mr. Eickman
15 asked Mr. Berger if this had been included in the advertisement for the public hearing and he
16 replied that he was not sure. Mr. Moore said this is a similar situation to the Stormville Square
17 project where they had a lot of excess material to be taken off in the back. Mr. Berger said it
18 could remain onsite, but you don’t know.

19
20 Mr. Campbell said that he knows at one time there was a fuel storage facility proposed and Mr.
21 Berger said it is not; the Board had concerns.

22
23 Mr. Eickman asked if there was anyone from the public who had come to speak for or against the
24 project and it appeared that no one was present to do so.

25
26 Mr. Eickman asked if there were any further comments from the Members or Professionals.

1
2 Mr. Fitzgerald referred to the comment concerning access and vehicle movement to address. One
3 comment he felt logistically was that he did not know how it could be accommodated. He said
4 just the fact that there will be trucks coming in and out in the early morning hours and potentially
5 in darkness on Donovan Road, which is narrow. There is a downgrade and curve that approaches
6 it, the daycare, the fact that it leads to Route 84, people heading to John Jay. He said there would
7 be traffic and it would be nice if there could be a light, or streetlight, at the end of Donovan
8 Drive. A utility pole is there and he wondered if there was a mechanism to be worked out with
9 the applicant to try to install lighting; with trucks entering and exiting, it would give more sight
10 there. He said he was talking about Donovan and Lime Kiln Road, strictly for visibility purposes.
11 He said slow moving trucks would be coming in and out and people would be in a rush to get
12 somewhere, whether to school, work or the daycare. He thinks it would be nice if the lighting
13 could be worked out. He said there was a previous application where it was talked about putting
14 a light at the end of the driveway for the crane, and that comment had also been made, but he is
15 not sure if it ever moved forward.

16
17 Mr. Miyoshi asked if it is on their property. Mr. Fitzgerald replied that, logistically, he did not
18 know how it would work for the Applicant or the Town, but there is the potential for red lights
19 from the power company and he just wanted to bring up this concern.

20
21 Mr. Eickman asked if the inclusion of the special permit in the advertising needed to be looked
22 into. Ms. Robbins said she believes it did not include the special permit. Attorney Cunningham
23 stated that they would not have to re-advertise; it is known what the site plan is all about and
24 excavation. And the Town Engineer's comments are still being reviewed.

25

1 Mr. Berger said there are plenty of spaces on the property to have nice landscapes and build
2 berms and they have access. If there was anything that needed to come back to the Board, he
3 would do that and deal with any alterations. He added that there is plenty of room to place it and
4 he thought he was being conservative and thought he could find a place for it. He added that they
5 are trying not to export.

6

7 Ms. Robbin asked about the berm with the fence on top and how high the barrier would be. Mr.
8 Berger said the wall is about 1 FT off the ground and then the 6 FT fence. Mr. Rennia said the
9 plans showed a variable height of 4 FT to 8 FT in height for the fence next to the daycare center.
10 Mr. Berger said that is a 6 FT fence. Mr. Rennia reiterated that one of the plans called for 4 FT to
11 8 FT, and the wall steps up in height as it goes along there. The idea is to keep the top of the
12 fence at one elevation and then step the bottom of the fence down, to conform to the wall. Ms.
13 Robbins said the height is essentially 7 FT. Mr. Berger said it is up off the ground and, when the
14 fence goes past the wall, with the berm it is 7 FT. It also has the sound barrier.

15

16 Ms. Bledsoe asked Mr. Berger if he had said the screening was on the back side of the lot. Mr.
17 Berger replied that the whole east side, to the top of the hill, it goes straight and then woods and
18 it is not known what will be there in the future. The barrier has 6 or 8 trees staggered along there
19 and he doesn't think they will be seen, but he wanted to add some type of screening, since it is in
20 the sight view. Ms. Bledsoe said that sound and light were more of the concern when this was
21 here at the last meeting; it is the neighborhood off the back. Mr. Berger said that sound is taken
22 into consideration with the attenuation of the trees and 45 decibels. He said it is 600 FT, they are
23 pretty far away, and it is just the attenuation sound. He said the one to the west, there is a
24 building lot and a row of trees in the front for visual, and the adjoining lot is all woods. When it
25 is developed, the woods are taken away so this was taken into consideration; the trees being put
26 in are for blockage of sound.

1
2 Mr. Eickman asked if there was any reason why the Public Hearing could not be closed this
3 evening. Ms. Robbins said the plan is being revised and the latest is being provided to the Board.
4 Mr. Eickman told Mr. Berger the Public Hearing could be closed and then there are some things
5 for him to be working on for the next meeting..

6
7 **MOTION made by Lori Gee, seconded by Richard Campbell, to close the Public**
8 **Hearing for Rising Sky Housing. Voted and carried unanimously.**
9

10 Mr. Eickman thanked Mr. Berger and he responded the same.
11
12
13
14

15 **DISCUSSION:**
16
17

18 6. #2023 – 054 – Naoclean Corporation, 92 Hosner Mnt Rd. (6556-00-332360)
19

20 Applicant is applying for a change of use and a minor site plan amendment for a
21 customer service and repair shop.
22

23 Jaewon Seo was present.
24

25 Mr. Seo stated he was applying for a change in use for his property. Ms. Robbins explained that
26 this property was the subject of an application made by Pawfect Paws, which was a doggie-
27 daycare at one point. She said this gentleman is applying to use the property for his business,
28 which is a water purifying machine. He would do repair, similar to computer repair. Ms. Robbins
29 said this was to be before the Board a few months ago, but Mr. Seo was called out of town,
30

31 Mr. Campbell said there had been discussion about getting an updated site plan since there were
32 some things going on beyond the building that was some kind of living space; the Board was not

1 sure what it was. One thing is that there was a kitchen and he said he knows Mr. Bryant had
2 mentioned this.

3
4 Ms. Robbins asked Mr. Seo to give a rundown of the structures on the property and what is there.
5 Mr. Seo said there are 2 buildings on the lot and one building has a kitchen and some rooms in
6 there but it is not living spaces. No one will be living in the buildings.

7
8 Mr. Eickman asked the number of employees. Mr. Seo said there are no employees yet, it was
9 just started and there are 2 people now. Mr. Miyoshi asked him if his expectations are for the
10 business to grow and to have more people. Mr. Seo said there will be no more than 5 and all they
11 do is repair the product. The product is received by UPS, replace parts, and send it out; that's all.
12 Mr. Campbell said then the mail building would be getting used and Mr. Seo replied that is right.
13 Mr. Campbell confirmed that the other building would remain vacant and unused and asked if
14 there was a future plan for that. Mr. Seo replied that, for now, there is no plan for the building; it
15 can probably be used for storage of parts. Mr. Bryant said the main building had a kitchen and
16 asked if anyone had been living in it; what is the kitchen for. Mr. Seo said the kitchen was there
17 when the building was bought. Mr. Bryant asked if it could be used as a break room/lunchroom
18 and Mr. Seo said Yes.

19
20 Mr. Eickman asked if the equipment was for water purification systems. Mr. Seo placed the unit
21 on the table for the Board to view, saying it is called a sanitizer generator. Water runs through the
22 machine and the machine generates sanitizer with a little amount of salt. He said there are no
23 chemicals. He showed the vial with the solution that he got, saying it is food friendly, while
24 sparing it into his mouth. He said the business has been for 30 years and sold the product of
25 10,000 units all over the world. The use is for food processing to sanitize the food material
26 before it is packed, which is the purpose of the machine.

1
2 Mr. Eickman asked if all the units were this size or were larger, for larger applications. Mr. Seo
3 responded that there are several sizes; a bigger machine, smaller machine.

4
5 Mr. Greenan asked Mr. Seo if his company's function was just to repair the units. He replied that
6 there are a few clients in the states so they don't need a bigger company now, but maybe they
7 will expand in the future. Mr. Campbell confirmed with Mr. Seo that the units would not be
8 manufactured there, and Mr. Seo stated that all the manufacturing plants are outside the states
9 now.

10
11 Ms. Bledsoe asked how many units are serviced on a regular basis. Mr. Seo replied that it is one
12 or two. Ms. Bledsoe asked how often they had to be serviced and Mr. Seo replied that it is w hen
13 it is required. Mr. Miyoshi asked if it as yearly maintenance or based on usage. Mr. Seo said
14 every year.

15
16 Mr. Eickman asked if he also manufactures the new units and Mr. Seo responded not here. Mr.
17 Eickman said it was stated that they are manufactured outside the United States. Mr. Eickman
18 asked if there is a medical application for this purification system and Mr. Seo said Yes, it is an
19 Indio sterilizer/sanitizer. When the concentration goes higher, the solution is used for medical
20 purposes.

21
22 Mr. Eickman asked if there were any further comments or questions from the Board Members or
23 Professionals.

24
25 Attorney Cunningham stated that it did not appear that the site plan was being edited.

26

1 Ms. Gee asked Mr. Seo, when these are mailed to him and repaired onsite, is it primarily a
2 computer technical repair, is there a sound being made, like assembling something to repair
3 them. Mr. Seo asked if she meant assembling, like tools. Mr. Campbell explained that he thought
4 Ms. Gee was asking if there would be noise from doing the repairs. Mr. Seo replied No, they use
5 a screwdriver.

6
7

8 Mr. Palin commented that there should be a condition for a Knox Box and the refuse container
9 for trash be greater than 35 FT from the building. Mr. Seo said in the building there is a fire
10 alarm and fire extinguisher. Mr. Palin asked if there was a central station and he replied, No, just
11 a box. Mr. Campbell asked if they were subscribed to a fire system that there would be a call to a
12 fire station and a fire truck would be dispatched to the building to extinguish a fire. Mr. Seo
13 asked if that would be like ADT, which they did. Mr. Campbell said the Fire Advisory Board is
14 saying there are 3 requirements that they would like to see: that there is a central station for
15 monitoring, that there is a Knox Box and, God forbid, the fire company had to come to the site
16 and, instead of ripping the front door off, that there is a key made available there that only they
17 have access to get into the building to extinguish the fire. The last requirement is that the garbage
18 container should be at least 35 FT away so that if there was a fire inside of it, the fire would not
19 extend to the building. Mr. Seo explained that they don't have the garbage, or a trash can, near
20 the building yet. Mr. Campbell said ok, but what the Fire Advisory Board is saying is that they
21 have to have something made up that is 35 FT away from the building. He said it would be a
22 receptacle and normally there is block around it so if there is a fire in the garbage, on a poured
23 concrete pad, it is contained there. Mr. Seo said he would have to build something then. Mr.
24 Palin said if it is a receptacle 35 FT from the building, that is ok, but if closer, it has to be fire
25 resistant.

26

1 Mr. Campbell explained to Mr. Seo if it is a dumpster receptacle from a trash company, then it is
2 properly contained, and he wouldn't have to build anything. He told him that the Knox Box is
3 something he would have to get online, and the Fire Advisory Board could advise him where he
4 could get it. He reiterated that the Box would contain a key for the fire company so they could
5 have access to get into the building if there is a fire and he is not present. Mr. Eickman
6 suggested that Mr. Seo get additional information from the Fire Advisory Board as to what they
7 are asking for. Mr. Campbell said that it could be just a condition. If they go for a building
8 permit. Ms. Robbins said there will be conditions for the building permit. Mr. Campbell told Mr.
9 Seo that once he files for the building permit, then all this information will be in hand for him.
10 He said when he goes for the permit and the building process and goes for the approval, there
11 will be the requirement that these things be done. He told him that it will be explained to him and
12 even if this is not too elaborate, it still has to be done for safety purposes.

13
14 Mr. Miyoshi noted that, based on what Mr. Seo is saying, there are not a lot of flammable
15 materials for this and mostly machine components that wouldn't catch fire. Ms. Gee said it
16 would be more the packing materials than anything else.

17
18 Ms. Gee asked what the minor site plan amendment was for. Many responded that it is a Change
19 of Use. Ms. Gee said that it states Change of Use and Minor Site Plan Amendment. Ms. Robbins
20 explained that originally, in the past on the old site plans, there was a structure that no longer
21 exists; there was a container that was removed; the update shows it was removed. Ms. Gee said
22 then it is a Change of Use and a revised site plan. Accordingly, Mr. Eickman asked for a Motion.

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26 MOTION made by Richard Campbell, seconded by Ed. Miyoshi, to approve
27 Naoclean Corporation Change of Sue and Minor Site Plan Amendment, subject to

1 conditions and the comments from the Fire Advisory Board. Voted and carried
2 unanimously.

3
4 Mr. Eickman told Mr. Seo this has been passed by the Planning Board and that his next step is to
5 go to the Building Department.

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11 7. #2022 – 055 – East Fishkill Realty, 1983-1989 Route 52 (6356-04-613216)

12
13 Applicant is applying for a minor site plan amendment to install new sewer lateral
14 and increase parking capacity from 89 spaces to 110+/-.

15
16 Charles P. May, of Charles P. May Associates, was present for 1983-1989 Route 52
17

18 Mr. May displayed the plan and stated that 1982-1989 Route 52 is a Medical-Dental office
19 building and he was present to demonstrate that the parking area can be expanded. Originally
20 there were 89 spaces and now it is up to 109 spaces. He said he had a meeting with Ms. Robbins
21 and Mr. Bryant concerning the expansion of the parking area. Just recently, from a memo he
22 received from Ms. Robbins, they were able to eliminate 4 spaces on the western side of the
23 building. Upon the recommendation of the Fire Commissioner, he said they were able to expand
24 the corridor with a 20 FT width, so that there is fire access all around the peripheral of the
25 building. He said that, essentially, is where they are at this particular point. He said that Ms.
26 Robbins had additional comments to discuss.

27
28 Ms. Robbins said this item came in before the other Change of Use applications that were just
29 seen. She said this application was already in the process and not put in that category. However,
30 in this case, it is buildings, and where PM Pediatrics is located. They are converting from the
31 Real Estate Office to Medical. She explained what has happened is that there is not enough

1 parking. When this came in for the Change of Use, she said they were asked to do a parking
2 analysis since it was realized that this was really tight on the parking. It was also realized that, on
3 the West side of the building, there was a septic system and grass area there. It was thought that
4 the site circulation could be improved with added parking and having them connected to the
5 municipal sewer. It was also to create a way around the building and add more parking, which
6 they were able to do. She said it is the hope that the site will flow a lot better and that there will
7 be additional parking spaces provided. As a condition of the approval, she said they will be
8 required to hook into the sewer.

9
10 Mr. Eickman asked if there were any questions from the Board Members or comments. Ms. Gee
11 asked Ms. Robbins if the parking spaces that is going from 89 to 110 is sufficient for the Medical
12 Ms. Robbins replied that they may be shy a couple of spots but, in general it is pretty close. She
13 said it depends on how it is counted. There is Dental, Medical and PM Pediatrics there and she
14 said some of the hours are slightly off as well. She is confident that there are enough parking
15 spaces at this time. She said Matt (Rickett) was out there a number of times doing surveys and
16 they were always just about maxed out, so with the additional spaces and they should be good.

17
18 Ms. Gee asked Mr. May if this was at full capacity, fully leased and if there were no vacancies.
19 Mr. May said they are actually looking to get a Building Permit because there are units that they
20 are upgrading. Ms. Robbins said Yes, and those were counted in the the parking. Mr. May agreed
21 with her, saying they were in the parking count. Mr. Campbell said they would be even if they
22 went to medical, even the vacant ones. Ms. Robbins said they are going to Medical and are
23 expanding a Dental practice; they went to the Building Department and were kicked to here. Mr.
24 Rickett said he had 106 spaces. Mr. May said he had 109 and Mr. Rickett said there are 3 off to
25 the side. Ms. Robbins said there are still some spaces for Houlihan Lawrence there and, if that is
26 converted to medical, another parking analysis will need to be done. If they come in for a Change

1 of Use, it will be back to this Board. Mr. Rickett noted that Nesheiwat has a small office in the
2 western building, so if that converts to medical it is the same.

3
4 Ms. Bledsoe asked, if PM Pediatrics or any type of urgent care were to be open longer, would
5 that be a problem. Ms. Robbins said Mr. Rickett was out there around noon for one of the
6 parking surveys. He stated that it was pretty full. Ms. Robbins said 15 spaces are being added and
7 it is very, very tight. Even with the 15 spaces and the expansion, she said it is the same
8 Medical/Dental practice, it is just adding a couple of chairs. She said it could be tight if
9 additional Medical was added to this plaza.

10
11 Mr. Campbell commented that, at this point, they are basically landlocked and if more Medical
12 was added there would be no ability to add parking spaces. Ms. Robbins said they would have to
13 come back to the Planning Board and demonstrate that they have the right parking, if there was
14 any more space being converted to Medical. Ms. Bledsoe added or changed some of the function
15 of the Medical, which would not require them to come to the Planning Board. Ms. Robbins said
16 that is correct, but right now they are parked and there is sufficient parking for what they have
17 there now. She said they would be made to put a note on the plan. Mr. Bryant asked if there is
18 any stacked employee parking as well; he knows it was discussed. Ms. Robbins said not
19 currently, but it could be required. Ms. Gee said that could be waived if they need to convert. Mr.
20 Fitzgerald said he is not sure there is a location for it but it would have to be looked at. He said
21 he is a little confused and asked how many of the 45-degree spaces were added. Mr. May said he
22 thinks it was 15 and it is shown on the plan. Mr. Fitzgerald asked about the parallel parking along
23 the back of the building is also added. Mr. May said that is 12. Mr. Fitzgerald questions if it is 15
24 plus 12, how is it that there are only 15 and he is confused; it should be 15 plus a lot more. Mr.
25 Rickett said some spots lost in the front for handicapped spaces. Mr. Fitzgerald said then it is 27

1 spaces and only a couple were eliminated. He said it was 89 on the site plan. Mr. Campbell said
2 it is 17 spaces then, according to the corrections.

3
4 Mr. Eickman said, in any event, there are more than sufficient parking spaces today. Ms. Robbins
5 said, to service what is there now, it is more than sufficient. The problem comes if they convert
6 for additional spaces, then they will have to come back to the Planning Board. Mr. Campbell
7 questioned that, even with the 106, it is correct then, from the 109. Ms. Robbins said Yes, they
8 have a few extra spaces.

9
10 Mr. Rickett said the other issue, besides the handicapped spaces, is some of the spaces were 8 ½
11 FT wide and they were redone on this plan to be 10 FT wide and that is why the number of
12 spaces. Mr. Fitzgerald said that makes sense. Mr. Campbell asked about the curb depressions and
13 if they were required for this. Mr. Rickett replied that it is all there.

14
15 M. Robbins said this site should function a lot better than it did because it is all around the
16 building now.

17
18 Mr. May said, once there is approval for the parking study, he will be able to submit to some of
19 the comments from Mr. Moore, concerning the grading, the curb. The other issue was lighting
20 that was looked at and will be submitted.

21
22 Ms. Robbins said what they are trying to do with these Changes of Uses is that there are
23 contractors being lined up and businesses going in. She said they are doing the work at their risk.
24 The site plans are being approved, letting them start at risk, and pulling the Building Department;
25 they will not get their Certificate of Occupancy until all the site conditions are met. Mr. Campbell

1 said if they did have to make changes, then it is on their own and Ms. Robbins said that is
2 correct.

3

4 Mr. Eickman confirmed there were no further questions or comments.

5

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**RESOLUTION OF CHANGE OF USE AND AMENDED SITE PLAN
APPROVAL**

10

11

12 **NAME OF SITE PLAN:** 1983-1989 Route 52

13 **NAME OF APPLICANT:** East Fishkill Realty

14 **LOCATION:** 1983-1989 Route 52

15 **GRID NO:** 6356-04-613216

16

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

18

19 **WHEREAS,** the applicant is applying for a change of use from office space to medical
20 space; and

21

22 **WHEREAS,** the change of use will require additional parking and minor site plan
23 amendments; and

24

25 **WHEREAS,** the applicant proposes to abandon the existing on-site septic and connect
26 the western building to Town sewer; and

27

28 **WHEREAS,** the existing septic area will be paved and converted to a travel way and
29 parking spaces to improve circulation and provide additional required parking; and

30

31 **WHEREAS,** additional ADA parking spaces will be installed to meet requirements; and

32

33 **WHEREAS,** no change in the building footprint is proposed; and

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35 **WHEREAS,** the proposed project is a Type II action under SEQR and no further
36 environmental review is required; and

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NOW, THEREFORE, BE IT RESOLVED, that the Planning Board hereby approves the change of use and minor amendments to the site plan for 1983-1989 Route 52 as represented on a map entitled "1983-1989 Route 52," prepared by Chuck P. May and Associates and dated 2/17/23 and last revised 6/20/23 with the following conditions:

1. The approval is conditioned on the site meeting all Dutchess County Health Department requirements.
2. Proof that the building on the west side of the site is connected to sewer before a CO for the proposed interior work will be issued.

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

Resolution Seconded by Planning Board Member Richard Campbell

The votes were as follows:

Board Member Lori Gee	Aye
Board Member Ed Miyoshi	Aye
Board Member Sarah Bledsoe	Aye
Board Member Richard Campbell	Aye
Board Member Donald Papae	Aye
Board Member John Greenan	Aye
Chairperson John Eickman	Aye
Alternate Board Member John Giovagnoli	–

8. **#2023 – 062 – Formicola Subdivision**, 378 Route 376 (6457-03-392487)

Applicant is applying for a 2-lot subdivision Lot #1 will be 2 acres with the existing house lot # 2 will be 1.61acres for a future dwelling.

Brian Stokosa, PE, from Day & Stokosa Engineering, was present.

1
2 Mr. Stokosa displayed the plan, stating that this is an existing 3.6 acre parcel, located next to the
3 recreation entrance, which is an old white building, house on the corner. The applicant would
4 like to do a 2-lot subdivision and create a brand-new residential lot for a proposed 4-bedroom
5 house, with individual well and individual septic. It will require a driveway permit from the
6 NYSDOT. He said there is good sight distance and there is an application going to the DOT for
7 conceptual approval, for the signaled driveway entrance. No proposed development is shown for
8 the existing house. Because of the age of the house, he said they will have a placement for septic
9 on file with the Board of Health in case it ever needs to be installed. Bring sensitive to the
10 recreation field behind this and the ballfields behind lots 1 and 2, he said that a 30-FT no cut,
11 non-disturbance buffer has been done. It is highlighted in the hatched pattern on the plan to try to
12 have vegetation between both the parcels. Other than that, he said there is less than an acre of
13 disturbance and this is just a simple 2-lot split.

14
15 Mr. Campbell asked if the vegetation exists in the hatched-out area. Ms. Robbins responded that
16 it is wooded, mostly deciduous and she had walked this site with Mr. Rickett. She said that one
17 will be able to view the fields a little bit.

18
19 Ms. Robbins posed a question to the Planning Board. She said that there has always been talk
20 concerning potential sidewalks at some point, along that side of the road. She believes there is a
21 pretty large right of way along there. However, in any event, she suggests this be looked at to see
22 if there is an easement that may be needed, or whatever, in order to allow for a future sidewalk,
23 should the Town so chooses to install one at a future date. Mr. Eickman said he thought that was
24 a great idea.

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26 Mr. Eickman asked if there were any comments from the Board Members or Town Professionals.

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Mr. Moore stated there were a few site plan related comments that are straightforward. He asked if the 30-FT no cut buffer zone would be like a Restrictive Covenant that would go with the property. Mr. Stokosa said yes. Mr. Moore said he had no other comments at this time.

Ms. Robbins noted that the Board needed to declare Lead Agency for this.

MOTION made by Richard Campbell, seconded by Sarah Bledsoe, to declare Lead Agency for the Formicola Subdivision, Voted and carried unanimously.

Mr. Eickman asked Mr. Stokosa if he would be ready for the next meeting and he replied Yes, that the comments he was given have been relatively minor.

MOTION made by Richard Campbell, seconded by Ed Miyoshi, to schedule a Public Hearing on July 18, 2023, for the Formicola Subdivision Voted and carried unanimously.

9. **#2023 – 063 – Brian Stokosa**, 361 Devon Farm Rd. (6656-00-791599)

Applicant is applying for relief of the 5 year C.O requirement under section 194-91.c.1(b).

Brian Stokosa said he would be pulling this application to tweak it and resubmitting it for the next meeting.

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SKETCH:

10. #2023 – 064 – L.I.D.L Warehouse, East Dr. (6656-03-127232 &169074)

Applicant is applying for an 874,139 sf warehouse on 71.33 acres of undeveloped land within the iPark Campus.

Matt Bowyer, Senior Real Estate Manager, LIDL and Steve Wilson, of Bohler were present.

Mr. Bowyer introduced himself and thanked the Board for having him back to give an update on the proposal. He explained, for anyone who was not part of the last presentation, they are a grocery store chain seeking to build a distribution warehouse to support their growing network of stores. He turned the presentation over to Steve Wilson.

Mr. Wilson referred to displayed pictures of the distribution centers that LIDL has done to reflect their intent here, their pride and stores, even if it is a little store, as well as their distribution facilities in the logistics network. He said it is a well-organized, secure facility designed well for trucks entering, employees working there, etc. The goal here is to develop a similar type of facility for this site. He told the Board they are more familiar with the area than he is, but that this is next to iPark 84. He noted the location as being in the center of the displayed plan, stating that it is iPark Boulevard, and to the left is East Drive and noted where the project is going to be. It is on 70 acres undeveloped property with a small transformer facility on the north end. He said this is a sketch plan submission. They know they have a lot of work to do the designing, grading, drainage, stormwater management and traffic studies, all of which are being worked on. The goal

1 here is to get some initial discussion going to see what the key issues are so that they ca develop
2 a comprehensive package and address all the Board’s comments as soon as possible.

3
4 Mr. Wilson pointed out that at the top of the displayed plan was Lime Kiln Road and to the right,
5 East Drive, so that it can be seen. On the left of the picture is the entrance to the site which can
6 be seen that it leads into tractor trailer parking. Then, it goes through that to the guard shack, to
7 the circular drive that connects to one of the loading areas on the back of the east side of the
8 building. He said that, along the east side of the building it is all 2-way traffic for the trucks but,
9 once that loading area ends, it all goes to counter-clockwise circulation, one-way around the
10 property. Then it goes out to another driveway and guard shack over on east drive. He noted that
11 employees would come in on east drive, that being the employee entrance to the building. He
12 said the building is about 874,000 SF and it will serve LIDL’ ongoing growth and future growth
13 in the market with new grocery stores. It will have approximately 250 employees once it is fully
14 worked up and they will be working over 3 shifts, 24/7, as part of the logistics network. M. Gee
15 wanted clarification of the number of employees and Mr. Wilson said it is about 250, which is in
16 total (not each shift). They are hoping to start construction by mid-2025 or sometime in 2025,
17 and to be done by mid-2027, so there will be a couple years of construction there. He said the site
18 is attractive because they have a robust and underdeveloped transportation network, water
19 infrastructure, sewer infrastructure that they are all going to be taken advantage of. Currently they
20 are in discussions with the owners of the property about connecting to the water and sewer
21 systems and there are more discussions to follow in finalizing the traffic study for the project as
22 well. They will be part of submissions.

23
24 Mr. Campbell asked if there were wetlands in that area and Mr. Wilson replied that there are
25 DEC wetlands and referred to the location on the displayed picture, saying they are encroaching
26 into the buffer. He said they have had discussion with the DEC and he would be kidding if he

1 said this was welcomed with open arms. However, they have not said “no-way”, or “forget this”.
2 He said those discussions and the application process will move forward in tandem with this.

3
4 Ms. Robbins asked if the DEC had been out to the site to have the wetlands verified and Mr.
5 Wilson said they did, the sign off on the delineation is any day.

6
7 Ms. Robbins told the Board that this is similar to Frito-Lay and that they are going for the
8 Economic Redevelopment Special Permit, because they will need the flexibility for the bulk
9 regulations. This would be potentially too for height and they are stepping off. She told Mr.
10 Wilson that there is a provision in the Town’s Code and she hasn’t looked at the measurements
11 yet, that allows them to step off from an industrial property line onto a street. The further back
12 this goes, the higher the building can get. She said she thinks they are trying to take advantage of
13 that.

14
15 Ms. Robbins said there is slightly more building coverage than what is currently allowed under
16 the typical I-1 Zoning regs. There are a couple of bulk things. Mr. Wilson said he thinks it is 6%
17 vs 25% allowed and asked if there was a potential waiver for that, or a variance. Ms. Robbins
18 told him that would have to be figured out and she is just giving him food for thought here.

19
20 Ms. Robbins said these are just preliminary comments and noted the following:

21
22 -They are currently under parked per the requirements but that is typical and it is hoped that
23 they don’t have to provide as much parking as what the Town requires.

24

1 -It appears that excavation and fill permit would be needed because they are moving a lot of
2 dirt around. She asked if the total acreage to be physically disturbed is around 47-48 acres and
3 Mr. Wilson said Yes.

4
5 -A lot of things have to be considered as far as the EAF is concerned and that there will be
6 threatened and endangered species. She is sure there will be Indiana Bat habitat, as there always
7 is. She said there may be Bog turtles there. Mr. Wilson said there was a hit for that, and it will be
8 addressed.

9
10 -This site is technically an Archeologically sensitive area and Mr. Wilson said it is Native
11 American. They have already coordinated with the New York **State Historic Preservation**
12 **Office (“SHPO”)**. **He said** a letter was received from them saying they want a Phase 1a & 1b,
13 which they are working on as well.

14 -There may be the need to blast and Mr. Wilson said potentially. When looking at the site,
15 he said it can be seen that it is tight and the stormwater system will be a challenge because of
16 that. He said they are looking at a mixture of surface and sub-surface systems that will be a part
17 of the project to meet the requirements; there will be quite a bit of earthwork, but he said they are
18 pushing towards the balanced site.

19
20 Because the site has a lot of remediation going on, Ms. Robbins said she did not know if it will
21 impact this site, noting that it is largely undeveloped and she does not know if there are any
22 issues there.

23

1 Ms. Robbins asked if a Phase 1 would be done or if it would be phased on the environmental
2 assessment. Mr. Bowyer said there is the Phase 1 and Ms. Robbins said that should gie her the
3 information hat is needed.

4

5 Ms. Robbins also noted:

6

7 - A Noise Analysis will be required, and Mr. Wilson asked if there was a typical
8 protocol for that. Ms. Robbins said the Town usually subs it out for the noise and there
9 is a consultant that they work with. She will ask then what will be required, She told
10 Mr. Wilson that the one for the Amazon facility could be provided to him, but she is not
11 sure that would be the same thing, so she would have to consult with them first.

12

13 - Visual Analysis will be needed – She suggested providing some renderings.

14

15 - Traffic – Ms. Robbins referred to Mr. Fitzgerald to handle the Traffic.

16

17 - Tree Removal – Ms. Robbins said it is 38 acres of forest so there is some
18 understanding of what that entails. Mr. Wilson said one of the other projects mentioned
19 had a biological survey done and he asked if that is what would be typically expected
20 when there is this kind of clearing. Ms. Robbins replied that a habitat assessment is
21 typically required and, if there are Indiana Bat or Bog Turtle habitat, they figure out of
22 the project is going to impact the habitat. Then it is figured out if there is any mitigative
23 action for impact avoidance that can be done as part of the project. Mr. Wilson said the
24 Indiana Bat thing is a no-brainer and he understands there will be tree clearing
25 restrictions. He asked if there was something more expected beyond those 2 issues. Ms.
26 Robbins said that just recently, the Long-Haired Bat has been listed, so it might be that

1 as well. When circulation is done for Lead Agency, she said it will be sent to all and
2 comments of what will be required will be provided. Mr. Wilson said that makes sense.

- 3
4 - Lighting - Ms. Robbins said there will be the lighting and the corner of the building is
5 relatively close to Lime Kiln. Right now the big buildings can't be seen on that campus
6 because they are pretty well hidden in the interior of the campus. She said this building
7 will be a little different and will be seen from Lime Kiln and there may be some
8 requirements related to the Visual and landscaping.

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12 Mr. Miyoshi stated his concerns with the number of warehouses going in here; there is the Frito
13 Lay coming on board as well as the Amazon, and another big warehouse in front of the Amazon .
14 There is also the Ashley Furniture project that was going to be a big warehouse there, but he
15 hasn't heard anything about that one lately. He said he is confused as to where LIDL will get the
16 250 people to work there, with all the other warehouses going up in the area.

17
18 Attorney. Cunningham stated that if it is a permitted use, then it is really their problem, and the
19 impacts. Mr. Miyoshi told him, in some ways he agrees with him, but if these are jobs that are
20 paying \$30,000 - \$40,000 a year, he is not sure how those people would be able to live in this
21 Town at all. He said they would be commuting in and this is something that the Board should at
22 least be thinking about. Mr. Wilson responded to Mr. Miyoshi that it would be part of the origin
23 destination study and rolled into the Traffic study; he understands where he is pulling from.

24
25 Mr. Eickman asked if specific chains of grocery store markets were served. Mr. Bowyer
26 responded that they are all foreign. Mr. Eickman said then it is legal and Mr. Bowyer responded

1 Yes and stores in the area. Mr. Eickman asked how big an area would be served and Mr. Bowyer
2 said, Regional, it would be near New Jersey. Mr. Campbell asked if the stores exist here today
3 and Mr. Bowyer said that some do, and they are serviced by a farther away distribution center.
4 Mr. Campbell asked him what was the closest LIDL store to this facility and Mr. Bowyer replied
5 in New Jersey. He said it is not just existing stores that can be fed, but those in the future.

6
7 Mr. Campbell said the height of the building was mentioned and asked the height. Mr. Bowyer
8 replied it was 7070 overall. The northwest corner small square is the employee office, and the
9 larger square is at the southeastern corner would be taller. It is anticipated that the larger square
10 foundation would be up to 95 FT. Mr. Campbell said this exceeds Firtio-Lay by roughly 20 FT.
11 Mr. Miyoshi and Mr. Campbell asked how the FAB felt about this and their response was a
12 comment about the ladder truck.

13
14 Ms. Robbins questioned if the building could be reconfigured so that the top taller portions are
15 more interior to the site; she is not sure how it is set up now. Mr. Wilson responded that how it is
16 set up now, is the e tallest one is in the southeast corner, which is pushed right up against the
17 wetland. Mr. Bowyer said there the comments previously and that it is pushed back as far as
18 possible. Ms. Robbins said then it is going to be towards the interior.

19
20 Mr. Campbell asked if there was any interior fire protection inside this warehouse, inside the
21 racking and retrieval. Mr. Bowyer said yes, it is. Mr. Campbell said he means beyond the
22 capacity of the building and inside the actual systems. He said sometimes they have an actual
23 interior fire protection that runs through the racking system. He explained that this is not just the
24 top of the building down, but the individual racking systems and that retrieval system. Mr.
25 Wilson said they could get more of the specifics and that the plans for the building are still in
26 progress. Mr. Rickett asked about where they would get the water and Mr. Wilson said it is tied

1 into the system there. Mr. Bryant said that should be checked, as there are other companies that
2 made that assumption as well. Mr. Wilson said on the east side of the employee parking lot there
3 is room, and they were going to put a water tank there. It is sort of a placeholder for now, until
4 there is a little more detail of the building. Mr. Campbell asked if this would be for domestic
5 water or fire protection. Mr. Palin said it is similar to another one where the water supply coming
6 in was not what was needed for fire protection and there is the water pump system and some
7 other things to look at. Mr. Jodlowski asked the expected truck traffic and Mr. Wilson responded
8 that the peak would be mostly in the morning and more than half of the trips would be in the very
9 early window.

10

11 Mr. Bryant said that Amazon constructed a Loop Bus drop off on Patriot Way. It is a Town road
12 and with a private road, he is not sure about the county, but it is something they should think
13 about. Ms. Gee explained further to Mr. Bowyer and Mr. Wilson that there is a public bus system
14 in the county called the Loop Bus that may have a Stop scheduled near this site. Mr. Campbell
15 said this would be advantageous for employees. Ms. Gee added that allows more people more
16 access to the site.

17

18 Mr. Fitzgerald had a question about the access path from Route 84, since the entrance of the
19 facility for the trucks is sort of in the middle. He asked if they expected the trucks to come in
20 South Drive and down East Drive. - or, go up to Shenandoah and then in. Mr. Wilson said they
21 will look at it. Mr. Campbell said the follow up to that is that trucks are stacked which is normal
22 for an operation like this would and questioned how fire trucks would have emergency egress
23 into the site, to avoid what could be potential backup there, with regard to an emergency on the
24 site. Mr. Wilson responded that about half the site is one-way traffic. If trucks entering stack, a
25 fire truck could run against the traffic, basically, going against the one-way, in an emergency, if
26 needed.

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2 Ms. Gee asked what the fire equipment would be needed for a new 70 FT building and a 90 FT
3 building. Mr. Campbell said it would be a big ladder truck and Mr. Pallin said the piece they
4 have just makes it at 80 and a 95 FT ladder and it depends and how close they can get and then
5 the ladder needs to be straight up and down. Mr. Campbell asked if there was the ability for that
6 truck to be retrofitted to exceed the capacity it is at now or is it maxed out. Mr. Palin said it is
7 maxed out. Mr. Wilson asked how they do things now and how do they handle the tall buildings.
8 Mr. Campbell said they don't have tall buildings. Mr. Wilson said the larger buildings have to
9 deal with the emergency access issues and asked if there were any taller buildings like this in
10 town. Mr. Palin said No and Mr. Campbell noted Frito-Lay was probably the tallest, it is about
11 75 FT.

12
13 Mr. Fitzgerald asked about the access road and is wondering about Lime Kiln, iPark Boulevard,
14 South Drive, East Drive. Mr. Wilson said it is there and Mr. Fitzgerald said that is the primary
15 access. He noted the 2-way circulation behind the building and asked if this is to facilitate
16 maneuvering. Mr. Wilson said that is right, He said maneuvering was tight on the sight, so it was
17 dropped down to single, one-way, after that. Mr. Fitzgerald asked if the employee parking had a
18 separate access and Mr. Wilson replied that is right. Mr. Fitzgerald asked if this was the opposite
19 of where the back lot was proposed. Ms. Robbins said Yes. He said he sees some offset between
20 what looks like existing infrastructure and access. He suggested looking at this a little closer to
21 see how that lines up and Mr. Wilson said Yes, with the existing driveway.

22
23 Mr. Fitzgerald said completing a traffic impact study was talked about and a lot has been done by
24 his company and the developers here, so there is already a lot of information for this. Mr. Bryant
25 mentioned a traffic signal at the end of South Drive and it is a 4-lane road there. Mr. Fitzgerald
26 said they need to look at something. Mr. Miyoshi said he and Mr. Campbell were talking about

1 how this could impact people going to direct John Jay up through there. If there are all these
2 trucks in the morning, he said this could be an issue. Mr. Fitzgerald said right; he brought up the
3 idea of where their entrance is, they may be able to come up with a way to configure using
4 Shenandoah as access. Mr. Bryant said directly onto Lime Kiln and Mr. Fitzgerald said Yes. Mr.
5 Bryant noted that this signal is not active now and Mr. Fitzgerald said No, that signal is active.
6 He said, so everyone understands, this is eliminating Gate 5. Mr. Miyoshi said it is Gate 3. Mr.
7 Fitzgerald said it is gated now but with elimination of that gate entirely, Shenandoah has a light.
8 While viewing the displayed plan, Mr. Bryant asked where the truck entrance was and Mr.
9 Fitzgerald replied it is right off of East Drive. Mr. Campbell noted for them to look all the way
10 down to the extreme left of the display. Mr. Bryant asked if it was by the Trail parking area and
11 Mr. Fitzgerald said that is not the entrance. That I primary and the exists are up on the other end.
12 Mr. Fitzgerald said maybe that helps that situation a little bit. Mr. Bryant said they want to
13 circulate opposite to what the logistics center said it needed to be. Mr. Fitzgerald asked if
14 counterclockwise was the preferred. Mr. Wilson said it depends on the developers; it is actually
15 clockwise on the site, from the back to the front. Mr. Fitzgerald noted there is lots of stuff under
16 construction and on the table and told Mr. Wilson and Mr. Bowyer they could coordinate with
17 getting all that with some of the other connections. He said the corner of South Drive and East
18 Drive is very mixed use, and not necessarily all trucks. He said South Drive is a Town Road that
19 connects to the high school, so there is some sensitivity there to be award of. Ms. Gee asked Mr.
20 Fitzgerald if he was thinking that trucks would end up over there since it wouldn't make any
21 sense getting on and off Route 84. He replied No and Mr. Bryant said there will be signage,
22 curbing.

23

24 Ms. Gee said there are up to 300 trucks a day for this and asked Mr. Wilson and Mr. Bowyer if
25 there is any intent to have fuel storage, truck was or repairs onsite. Mr. Wilson replied No. Mr.
26 Campbell asked if there would be trailers kept that are not connected to tractors. Mr. Wilson

1 replied that the 2 parking lots, all the way in, to the north end of the site are designated for trailer
2 parking only. Mr. Campbell questioned if this is in addition to the 300 trucks traveling in and out.
3 Mr. Wilson said it is total and the trailer parking like staging; empty trailers in and out ,and a
4 loading dock for a variety of things on the site. Mr. Campbell said then a trailer there would get
5 jockeyed to the gate and the loading doc. Mr. Bowyer commented that basically there is first the
6 guard area, truck arrives, gets access to and goes to the loading dock. Mr. Campbell asked if the
7 trucks would normally be idling when there; do they have requirements. Ms. Gee said it probably
8 depends on the time of year. Mr. Campbell agreed, saying if it is wintertime, the tractor has to
9 run and it is diesel.

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11 Mr. Palin asked about the products moving inside the building and what would they be powered
12 with. Mr. Bowyer asked if he meant electricity. Mr. Campbell said even if is automated, is there
13 hydraulic housing. Mr. Bowyer referred to the northwest corner on the displayed plan, saying
14 there are charging stations. For the automated portion, he said he would speak with them.

15

16 Mr. Fitzgerald told Mr. Wilson and Mr. Bowyer there is quantitative data they can take from
17 other sites around the country, in terms of truck volume, operations, any of those things justifying
18 the amount of parking that will be needed. He said any of that data can be provided from the
19 existing facilities and it will help the Board a lot. Mr. Campbell said it would help if it is
20 inclusive of how many facilities it might serve, and if it is the same size and capacity. He told
21 them they may have on that is half a million square feet, but if it is different than this operation it
22 might be 800 thousand square feet. He said the Board would like to understand how it functions
23 across the country or however many places they have.

24

25 Mr. Wilson asked about the Town establishing escrow as part of this. Ms. Robbins replied,
26 saying that will be when an application is done; right now it is a Sketch Plan, When a formal

1 application is done, then an escrow will be established. Mr. Wilson asked for clarification as to
2 what is expected for a formal application. Ms. Robbins replied that, if a plan was already
3 submitted, then the formal application would be with additional details provided, including
4 stormwater. She told him she would give him an actual checklist for a typical application, which
5 is the best way to do it. Any additional studies at some point would come as part of the formal
6 application. She said that SEQR will be flushed out as part of the formal application process and
7 she acknowledged that an EAF was already done. Mr. Wilson asked if it would be a full plan set
8 with the SWPPP, traffic study as part of a formal application. Ms. Robbin told him Yes, but that
9 the SWPPP typically does not get completed right away. Whatever information he has gets
10 submitted, then as this goes on, with the iterations of discussions, more and more detail is
11 submitted. She reiterated that there is a list of information provided initially as part of the formal
12 application. She added that this site has a lot of moving parts and she knows this is on more than
13 one lot. However she does not know what lots they are and she knows some of the lots there have
14 been counted out. All the different stuff that is happening there needs to be looked at and she said
15 there may have to be other actions included. As an example, she said part of this site may be part
16 of another site plan that has already been approved, which will need to be figured out. She gave
17 an example of the water tower and if it is going to be moved as part of this project. Wherever it
18 would be moved to may – or may not-become part of this application, depending on how that
19 occurs. She summarized, saying it is things like that being flushed out more during the formal
20 application process.

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22 Mr. Bryant asked about the tank and if it was part of their scope. Mr. Wilson replied that it is by
23 the others, who plan on demolishing it.

24

1 Mr. Wilson confirmed that it is the formal application submitted and then the Town establishes
2 an escrow amount. Ms. Robbins said that is correct and, when the formal application is
3 submitted, the fees will be figured out for him.

4
5 Mr. Wilson asked if there should be an offline discussion about building coverage, parking and
6 the height issues and how they will be addressed. Ms. Robbins replied that, because this was a
7 Sketch plan and there are no escrow fees, light review is done. She said she has not looked at it
8 all in depth, but it will be figured out. She added that it may behoove everyone to sit down
9 outside of a Planning Board meeting and Mr. Wilson expressed he thought that would be great.

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11 Mr. Eickman said thank you and that he would see them again. Mr. Bowyer and Mr. Wilson also
12 extended their thank you.

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

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

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Respectfully submitted:

Kathleen Mahodil, Meeting Secretary
East Fishkill Planning Board