

**TOWN OF EAST FISHKILL
PLANNING BOARD MEETING**

February 20, 2024

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:
March 19, 2024 & April 16, 2024.
- c. **Approval of Minutes of Meetings Held: December 19, 2023 & January 16, 2024.**

MOTION made by Richard Campbell, seconded by Ed Miyoshi, to approve the Minutes of Meeting Held December 19, 2023. Voted and carried unanimously.

MOTION made by Richard Campbell, seconded by Sarah Bledsoe, to approve the Minutes of Meeting Held January 16, 2024. 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. Member Lori Gee was absent from the meeting. Alternate Member, John Giovagnoli, was present and participated in her place.

Town Professionals and Consultants present were: Michael Cunningham, Town Attorney, Michelle Robbins, Town Planner, Scott Bryant, Town Engineer, and Christian Moore, Engineer, CP and Rich Rennia, Town Engineering consultant.

Staff present were Jackie Keenan, Planning Board Clerk, Matt Rickett, Zoning Administrator, along with Dave Palin, Fire Advisory Board and Chris Jodlowski, Commissioner, Fire District.

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2 **CORRESPONDENCE:**
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4 **1. Jancare - 1061 Route 82 (6458-04-642062)**

5 Letter from applicant requesting permission to install a 16X8 trellis on the side of
6 the building. The trellis was previously approved by the ARC.
7

8 No one was present for the matter. Mr. Eickman asked Ms. Robbins to describe this for the
9 Board. Ms. Robbins stated that this was a change of use that came in from the Building
10 Department and the building is located at 1061 Route 82. A huge renovation was done on the
11 building, with ARC approval and she said the only thing is that they want to add a 16x18 trellis
12 on the side of the building. Because it is sort of a structure, she said it was brought to the
13 Planning Board so that they are made aware. The trellis is on the side of the building so that
14 those who work there can have a place to where they can sit and eat and be in the shade during
15 the summertime. She noted that the building improvements are noticeably amazing, compared to
16 what the building was before, and it looks really good. The request is just to put the trellis on the
17 side of the building, and she stated that it can be done by a Motion.
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19 Mr. Eickman asked for comments from the Professionals or Members.
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21 Mr. Campbell asked how it impeded parking; did that change. M. Robbins replied that it does not
22 change at all, because it is on the side of the building. There is a retaining wall and planters there.
23 Mr. Campbell said then it is protected. Ms. Robbins said Yes, and that the architectural drawings
24 actually showed the trellis and the ARC approved the trellis as well.
25

26 Since there were no further questions or any comments and Mr. Eickman said he would accept a
27 Motion.
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29 **MOTION made by John Greenan, seconded by Richard Campbell, to grant**

1 **permission to install a 16x8 trellis on the side of the Jancare building, located**
2 **at 1061 Route 82. Voted and carried unanimously.**
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6 **DECISION:**
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8 2. **#2023 – 062 – Formicola Subdivision**, 378 Route 376 (6457-03-392487)
9

10 Applicant is applying for a 2-lot subdivision Lot #1 will be 2 acres with the
11 existing house lot # 2 will be 1.61 acres for a future dwelling.
12

13 No one was present for the applicant. Mr. Eickman stated that there was a Public Hearing for this
14 matter at the last meeting. The Public Hearing was closed, and he said that no one was present
15 from the public to speak for or against the matter. A Negative Declaration was also passed, and
16 he said that there was a Resolution this evening.
17

18 Ms. Robbins wanted to give some background on the matter. She stated that this subdivision was
19 an existing home on a 3.61-acre lot, with a house, old garage and shed. She explained that the
20 applicant is proposing to subdivide 1.61 acres off the 3.61 acres, which would be a lot with 2
21 acres and another lot with 1.61 acres. The lot directly abuts the Hopewell Recreation Park. The
22 Town and the applicant came to an agreement to do a lot-line realignment, rather than a
23 subdivision. She said now the Town will move the lot line and the property that is within that
24 area will be added to the Hopewell Recreation Park. She stated that this is probably an excellent
25 solution because the concern was that anyone purchasing the lot would be affected by the noise
26 and lights from the baseball fields, which could mean conflicts. She said that now the Town will
27 actually acquire that property to add onto the Recreation Park.
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29 Mr. Eickman said that was excellent. Since there were no comments or questions from Board
30 Members, he proceeded to read the Resolution.

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RESOLUTION OF LOT LINE REALIGNMENT

NAME OF SUBDIVISION PLAN: Formicola Lot Line Realignment
NAME OF APPLICANT: Kenneth Formicola
LOCATION: 378 Route 376
GRID NO: 132800-6457-03-392487 (Formicola Lot) and
132800-6457-03-401388-0000 (Hopewell
Recreation Park)

Resolution Offered by Planning Board Member: John Eickman

WHEREAS, the applicant initially applied for a minor 2-lot subdivision of a 3.61-acre parcel with an existing residence, garage and shed in a R-1 zone abutting active ball fields at the Hopewell Recreation Park; and

WHEREAS, to maintain a visual buffer and reduce the potential for land use conflicts, the Town entered into an agreement to realign the existing lot line between the Formicola residence and the Park instead of subdividing the lot; and

WHEREAS, the lot line realignment would add a 1.61 acre portion of the Formicola Property to the Hopewell Recreation Park Lot (132800-6457-03-401388-0000); and

WHEREAS, a public hearing was opened on October 17, 2023 and closed January 16, 2024; and

WHEREAS, a negative declaration was adopted by the Planning Board on January 16, 2024; and

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board hereby approves the Lot Line Realignment for the above project as represented on a map entitled "Formicola Lot Line Realignment" dated February 20, 2024 and subject to the following conditions:

- 1. A 15-foot sidewalk right-of-way easement along Route 376 extending along the entire frontage of both lots; and

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

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The votes were as follows:

Board Member Lori Gee	<u>Absent</u>
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	Aye

ADJOURNED PUBLIC HEARING:

**3. #2023– 070 – Gasland East Fishkill Wine & Spirits, 893-897 Route 376.
(6358-02-796546)**

Applicant is applying for an amended site plan to convert an existing one-story 1,946 sf former garage to a two-story 2,344 sf building to house a liquor store on the ground level and (2) one-bedroom apartments approximately 1,025 sf in size on the second level. The site also contains a convenience store/gas station with two apartments on the second floor and a separate one-story garage.

Thomas Kerrigan, Civil Engineer from Labella Associates was present.

MOTION made by Richard Campbell, seconded by Ed Miyoshi, to re-open the Public Hearing for Gasland East Fishkill Wine & Spirits. Voted and carried unanimously.

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Thomas Kerrigan displayed the plan and stated that he was going to give a recap of the project. He said it had been a few months since this was before the Board. In that time, the applicant went to the ARC and his understanding is that there is ARC approval.

He proceeded to recap, stating that the applicant is looking to develop an unused garage on the site to convert the first floor into retail and the second floor into (2) apartments above. He said the prepared plans for the project include the extension of a water main. Since the last time, at the last meeting, it was requested to extend the water main out to the entire frontage to the western edge of the property. This has been done in this submission. It was also requested that the sidewalk, which runs along the front of the property but does not cross the eastern ingress and egress point, be extended further east. Again, this is to be to the edge of the property, and it is shown in the most recent set of plans. He said they have begun initiating conversations with the Health Department and the Town engineers for the water extension. A minor change was made to the plan. Before, they had shown a connection for the fire service, for the proposed liquor store and apartment building. He said there is now a single service line coming into the site and the sprinklers to feed that building will feed off of that single service. At this point, he said they are hoping, with no comments from the public, that the Board closes the Public Hearing.

Mr. Eickman said the Public Hearing has been opened and that he would start with comments from Board Members and the Professionals. He explained to the members of the public, so there would be an understanding on how this would work, that, after the Board and Professionals have completed their questions or comments, they would be asked to come to the podium if they have anything to speak in favor of, or against, the project. The request is they are to sign in with their names and that they have all their comments, as there will be only one chance to speak this evening. He said, if they think of something else after already speaking, to tell their neighbors

1 and they can come up and do that. He also asked that the comments be limited to 3 to 5 minutes
2 at the most, as much as possible. He then deferred to the Board members for their questions.

3
4 Mr. Campbell said he recalled there were questions from Fire Advisory regarding the sprinkler.
5 He knows there is a sprinkler proposed in the new building and Mr. Kerrigan said that is correct,
6 there will be, Yes. Mr. Campbell questioned that an apartment is being added in the existing
7 building that is the gas station and Mr. Kerrigan replied Yes. Mr. Campbell asked if there would
8 be fire protection installed into that building. Mr. Kerrigan replied that there is nothing proposed
9 for that building at this time and the concern is that it may be disruptive to the ongoing business
10 within that building. Looking to the Professionals, Mr. Campbell asked if there were any
11 requirements to have that there. Ms. Robbins replied, asking him if he was talking about above
12 the liquor store or above the existing gas station. Mr. Campbell said it is the existing gas station;
13 are they going to add it into the proposed apartment and the retail on the one side. He questioned
14 why they wouldn't just extend it over. Mr. Ricketts responded that it is (2) separate buildings and
15 the Fire Advisory concern was the volume of alcohol that would be in the liquor store and that is
16 why the applicant agreed to install it in that building. Mr. Campbell questioned, if they are
17 adding the apartment to the existing structure, why wouldn't fire protection be required to be
18 installed. Mr. Ricketts told him it is not a requirement.

19
20 There were no further questions from the Board or Town Professionals. Mr. Eickman announced
21 this was open for the public. He asked that the ground rules be kept in mind. He said for the first
22 person to come to the podium and sign in, give their name and let their thoughts be known.

23
24 There was no one present from the public to speak for or against the project. With that, he stated
25 to the Board that he would accept a Motion to close the Public Hearing.

1 **MOTION made by Richard Campbell, seconded by Sarah Bledsoe, to close the**
2 **Public Hearing for Gasland East Fishkill Wine & Spirits. Voted and carried**
3 **unanimously.**
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6 Mr. Eickman stated that this is an unlisted action and proceeded to read and summarize
7 the **Negative Declaration**, stating that the proposed project would not be expected to result in
8 any significant impacts on the environment for the following reason, as follows:
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- 10 1. It will *not* generate a significant amount of additional vehicles, noise or emission levels.
- 11 2. It will *not* significantly affect rare or endangered species of animal or plant, or habitat of
12 such species.
- 13 3. It will *not* result in any impacts to historic or archeological resources.
- 14 4. It will *not* result in any impacts related to hazardous materials.
- 15 5. It will not result in a significant effect on air, water quality or ambient noise levels for
16 adjoining areas.
- 17 6. It will *not* be subjected to unacceptable risk of flooding or major geological hazards.
- 18 7. It will not have a substantial aesthetic affect.
- 19 8. It will not involve adversely affect any surface water or groundwater.
- 20 9. It will *not* allow for improper uses within specified zoning districts.
- 21 10. It will *not* result in adverse cumulative impacts.
- 22 11. It will *not* result in adverse growth-inducing impacts.
- 23 12. It will *not* conflict with the Town’s Comprehensive Plan
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28 **MOTION made by Richard Campbell, seconded by Sarah Bledsoe, to approve**
29 **the Negative Declaration for Gasland East Fishkill Wine & Spirits. Voted and**
30 **carried unanimously.**
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37 **RESOLUTION AMENDED SITE PLAN APPROVAL AND**
38 **CHANGE OF USE**
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1 NAME OF SITE PLAN: Gasland 376 Wine & Spirits
 2 NAME OF APPLICANT: Gasland East Fishkill Wine & Spirits
 3 LOCATION: 893-897 Route 376
 4 GRID NO: 6358-02-796546
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7 **Resolution Offered by Planning Board Member: John Eickman**

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9 WHEREAS, the applicant is applying for a change of use from a garage to a mixed use
10 commercial building with two residential units; and

11
12 WHEREAS, the existing garage building will be converted to a 2,081 sf two-story
13 structure with a liquor store at ground level and two apartments on the second level; and

14
15 WHEREAS, the proposed building modifications would result in an 135 sf expansion of
16 the building footprint; and

17
18 WHEREAS, a small 128 sf addition to the existing garage behind the new two-story
19 commercial building would be constructed for storage; and

20
21 WHEREAS, the applicant received ARC approval on February 1, 2024; and

22
23 WHEREAS, the Planning Board declared their intent to be lead agency on 11/21/23 and
24 adopted a negative declaration for the unlisted action on February 20, 2024; and

25
26 **NOW, THEREFORE, BE IT RESOLVED**, that the Planning Board hereby approves
27 the change of use and amendments to the site plan as represented on a map entitled "**Gasland**
28 **376 Wine & Spirits**," prepared by LaBella Engineering dated 8/31/23 and last revised 11/30/23
29 with the following conditions:

- 30
- 31 1. Approval from the Dutchess County Health Department.
 - 32 2. Satisfactory resolution of the comments in the CPL review letter dated 12/19/23.
 - 33 3. Satisfactory resolution of the comments in the HVEA review letter dated
 34 11/21/23.
 - 35 4. Highway work permit from NYSDOT.
- 36

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

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Resolution Seconded by Planning Board Member Ed Miyoshi

The votes were as follows:

- Board Member Lori Gee Absent
- 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 Aye

PUBLIC HEARING:

- 4. **#2022 - 050 – Stack-N-Stor**, 1088,1090,1096,1094, 1092 Route 82 (6458-04-702115, 720105, 714134, 701142, 723129)

Applicant is proposing an indoor, climate-controlled 82,950 sf self-storage facility in the B-1 zone.

Chris Pawlowski, PE, Solli Engineering, and Cosmo Marfione, PE, President BDC Holdings, and Derek Gribulis, Design Architect from Cotler Architects, were present.

MOTION made by Richard Campbell, seconded by Ed Miyoshi, to open the Public Hearing for Stack-N-Stor. Voted and carried unanimously.

1 Mr. Eickman announced that there would be a presentation by the applicant, who has some
2 updated information, and asked the public to follow the same procedure that he described before.

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4 The plan was displayed, and Cosmo Marfione came to the podium, introducing himself as
5 President of the BDC Group. He said the application would be recapped this evening and the site
6 plan with Chris Pawlowski who was present from engineering, along with Derek Gribulis, the
7 design architect, who would answer any questions about the elevations and some of the nuances
8 and particulars of the architecture. Mr. Marfione said there is approval from the Architectural
9 Review Council for this. He said he would like to listen to comments from the public, see if their
10 questions can be answered.

11
12 Mr. Pawlowski came to the podium and introduced himself, along with stating the project and its
13 address. He showed the rendering of property on the displayed proposed plan as it appears from
14 above, saying it fronts on Route 82, is surrounded by residential properties to the north and east.
15 The commercial development that is existing is to the south. He stated the proposal is for an
16 82,700 sf self-storage facility that has 2 access drives located off Route 82. They are both one-
17 way and he said the drive to the north is one-way in, the drive to the south is one-way out and the
18 access drives continue around the back of the building. There are 25 parking spaces scattered in
19 the front and rear of the building, in addition to 58 land-banked parking spaces, which he said
20 could be constructed at a later date, if so requested by the Planning Board or if it is determined
21 that there is a need of the applicant. He said there were some comments during discussions with
22 the Board in the past about navigating a WB 62 tractor trailer through the site. The site has been
23 redesigned to accommodate the WB 62, not only through the entrance, and around the building,
24 but also, the site design has been modified so a WB 62 tractor trailer can pass safely in front of
25 the building and exit to the south. In addition to this, the drives have been designed to
26 accommodate the fire apparatus, as well as a SU 30 box truck. Mr. Pawlowski continued, saying

1 that significant pavement markers have been added as delineated on the site plan; the site traffic
2 signage has been increased significantly to make clear the traffic patterns on the site, with the
3 addition of stop bars and pavement striping to help facilitate the one-way around the building to
4 the rear. He said the building is (2) stories, and, again 82,700 sf, which is within the FAB Town
5 requirements and meets all the Town’s regulations in terms of building height, square footage,
6 impervious coverage and setbacks, just to touch on a couple of the setbacks, which he said he
7 was sure would be heard about this evening, He said this is located about 235 ft from the rear
8 property line, to the closest part of the building. This is over 100 ft in front of the building, to the
9 front property line and approximately 60 ft + - from the residential property to the north, to the
10 proposed building. He said he would discuss the landscaping and screening throughout the site.

11
12 Mr. Pawlowski showed the plan’s truck-turning templates, stating that they are able to navigate,
13 as follows:

14 -First Truck Turning Template-shows a firetruck could navigate safely around the
15 building. In the rear of the building there is a designated fire lane, in addition to a loading zone,
16 where the striped pattern can be seen in the rear of the building, delineating that area.
17 Additionally, he said the fire truck can navigate in front of the building, which is shown by the
18 delineated orange lines.

19 -Second Truck Turning Template-shows a SU-30 box truck, which he said is the
20 anticipated to be used by majority of customers of the facility. He said this vehicle is smaller than
21 the tractor-trailer and fire apparatus and can navigate around the back of the building, as well as
22 the front of the building.

23 -Third Truck Turning Template-shows a WB 62 tractor-trailer truck, in a rare event
24 where a moving truck has to access the facility. It can enter in the one-way drive to the north, and
25 can travel either around the building, or in the front of the building, and can safely exit to the
26 south of the site.

1 -Gates – Mr. Pawlowski said the gate has been moved and relocated from the northern
2 end of the facility, closer to the east. This is so that if a tractor-trailer comes in the off hours and
3 needs to contact the facility, or has to stop for a second, or doesn't have the code, the front access
4 drives would not be blocked going into the facility. He said the rear of the facility is fenced in
5 with the gate located to the north of the building, and also another gate on the way out, which is
6 in the southeast corner.

7
8 -Grading and Drainage- Mr. Pawlowski then displayed the grading and drainage plan.
9 He pointed out the stormwater ponds in the front and said there is one that runs with Route 82,
10 directly in front of the building. Additionally, there is a stormwater pond to the south of the
11 building, in between the drive and southern property line. He said comments had been received
12 from the reviewing engineers and there had been a meeting last month; Discussions were had
13 regarding removing exfiltration rates, or infiltration rates in the ponds. Although there are A
14 quality soils, which he said are great for infiltrating stormwater, the infiltration rates were
15 removed from the design calculations in the ponds. The analysis was rerun to ensure that during a
16 100-year storm event, which is the least frequent, worse category storm event, to ensure that the
17 stormwater would not spill over the spillway, onto Route 82. To accomplish this, he said 70
18 concrete underground galleys had to be added, the general area location of which he pointed out
19 on the site. He said they are connected to the stormwater ponds and help to handle the
20 stormwater that is no longer infiltrating within the stormwater basins. He said that is not to say
21 that the basins will not infiltrate; it is during the winter that they wanted to prepare and take a
22 conservative analysis. As a worst-case scenario, he said if the ponds were to freeze up and were
23 not getting the infiltration rate that they tested for, then there are the additional 70 concrete
24 underground galleys to handle the stormwater in that situation.

25 Earthwork - An earthwork estimate has been provided as part of this plan and it is just
26 shy of 13,000 cubic yards to be exported from the site. There is an accompanying earthwork

1 memorandum that details the truck trips associated with completing the earthwork operation. He
2 said it works out to be between 20 to 30 trucks a day going in and out of the site, which is 2 to 3
3 truck trips per hour, entering and exiting, so 2 each.

4 -First Floor Elevation- The first-floor elevation of the building is 288 and the road is
5 somewhere between 288 and 283, in terms of elevation and the building is built into the hill. In
6 driving around both sides of the building, the elevation rises. There is a difference in the floor-to-
7 floor heights, so the rear elevation is 299 and, again, he said it is built into the hill to conceal as
8 much of the building as possible and to blend in with the surrounding landscape.

9
10 Mr. Pawlowski pointed out a couple of sections, saying they were included in the plan; one
11 section goes east-west across the plan and the other section goes north-south, which he told the
12 Board should be in the plan set before them. He said he is happy to provide more detail at the end
13 of the presentation, if requested.

14
15 -Phase 2 Grading and Drainage plan -Along with the grading and drainage plan, Mr.
16 Pawlowski said a Phase 2 grading and drainage plan had been provided. If the landbank parking
17 is requested to be installed, they have shown the additional grading and stormwater measures that
18 will be required to accommodate the 58 land banked spaces. He respectfully requested that this
19 be included as part of this application so that, if in the future it needs to be installed, then they
20 would not have to come back before the board. Associated with that is catch basins and
21 additional stormwater piping, Again, he said the land banked parking would be in the rear of this,
22 if required to be constructed, and also the expansion of the southerly stormwater basin to handle
23 the increase in impervious coverage.

24 -Soil Erosion and Sediment Control Plan – Mr. Pawlowski said this consists of
25 construction entrances with anti-tracking pads. There are silt fences, silt sacks and other soil

1 erosion sediment control measures. A SWPPP has been prepared and he said they are in the
2 process of reviewing that with the local engineering authorities.

3 -Proposed Utility Plan – Mr. Pawlowski said this does not have access to sewer and
4 will be served by a sub-surface septic system. The septic system is the rear of the site and will be
5 pumped from the front of the building, around the building, to the rear. He said this is subject to
6 review and approval by the Dutchess County Department of Public Health. Additionally, he said,
7 there is a water main located within the street. Mapping has been received from the East Fishkill
8 water department, indicating such. The proposal is to tap, trench across the street and tap into the
9 water main on the other side of the street and run water to the underground meter and vault.
10 Then, it would continue on to the building, which is equipped with a full sprinkler system, so
11 there would be a domestic water line and a fire service line. Additionally, a propane tank is
12 proposed on the northern side of the building, along with a transformer and associated electric,
13 telephone, cable, underground conduits.

14 -Proposed Landscaping Plan–Mr. Pawlowski stated that, since the beginning of this
15 project, the screening involved in the project. In the northern corner of the site, the northwest
16 corner, is a significant evergreen row that runs to the east, all along the limit of disturbance to the
17 residential property. It then runs to the north and continues along the back of the building to
18 provide screening to the east and continues down to the southern property line. In the front there
19 are a number of deciduous trees, or overstory trees to provide some nice, aesthetic appeal. He
20 said there are also a significant amount of shrubs, plants and other landscaping items. He wanted
21 to remind the commission that the entire eastern and rear of the property is to remain in its
22 natural wooded condition as seen on the plan displayed. He said the basins in the front will be
23 seeded to allow for infiltration to occur, although it was not accounted for in the analysis.

24 -Lighting Plan – Mr. Pawlowski said that dark sky compliant LED are on the site and
25 there is also a series of building lights underneath canopies and attached to the walls of the
26 building. Comments were received from the Dutchess County review that had asked them to

1 comply with bug ratings for the site, which he said they have done, as part of the submission now
2 before the Board.

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4 Mr. Pawlowski concluded, and turned the presentation over to Derek Gribulis, who he introduced
5 as the project architect, to talk about the building.

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7 Mr. Gribulis said he would give a brief summary of the architecture for the project, which he said
8 was pretty evident from the rendering displayed. He described the proposed architecture as a
9 residential theme, unimposing. The front façade that faces the road, the main façade, has been
10 articulated and pieces of it were brought out to break up the mass and create the gable ends with
11 the sloped roofs. In between the roofs and gables, he said there are residential style dormers,
12 along with a mix of different types of windows. Some are storefront and some residential themed
13 just to soften the look of it. He said there are 3 different kinds of cladding on the building; (2) are
14 metal panels in charcoal gray and almond. In the gables, a fiber cement shake panel was used, in
15 a light gray. He said Mr. Pawlowski had touched on the lighting. There are some goose neck
16 fixtures that are pleasant, low light, dark skies which help to accent the façade in different areas.
17 He said they met with the ARB, who gave them a lot of comments that have been addressed.
18 They put some architectural CMU accents around the posts, around the entrance, which he said
19 frames the entrance. The ARC also asked for some additional trim around the entrances and the
20 trim has been added. He said he thinks it came out pretty nice, with an unimposing feel to it The
21 roof can't be seen because of the false gables and residential sloped roofs in the front, which kind
22 of hide it, which does a good job of that. He said he thinks it looks pretty good overall. It is a (2)
23 story fully sprinkled commercial building, as Mr. Pawlowski said, and it is NFPA 13 Non-
24 Combustible Construction. There are elevators, stair towers and life safety covered.

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1 Mr. Pawlowski came back to the podium, stating that he wanted to add that there are no overhead
2 doors as part of this storage facility from the outside. In addition, there is no outdoor storage as
3 part of this project.

4
5 Mr. Eickman asked Mr. Pawlowski if he was ready for questions or comments, and he replied
6 Yes. Mr. Eickman proceeded to ask the Board Members if they had any questions or comments.
7 There were none from the Board and Mr. Eickman looked to the Professionals. Bryant replied
8 said there were none at this time. Mr. Eickman looked to the Fire Advisory Board. Mr. Palin said
9 they would see an internal layout of the building and the locations of the sprinkler control room,
10 the HVAC. He asked Mr. Pawlowski if they would be within the building, up in the false roof.

11
12 Mr. Gribulis returned to the podium to answer Mr. Palin’s question, stating that the plan is for
13 the HVAC to be on grade, which he said can be seen to the left of the building. Jhe said it is
14 actually screened and the screen can’t be seen. He said this was discussed with the Architectural
15 Review Board, and they requested that it all be screened, the HVAC units. He said it can be seen
16 that there is landscaping and careening to the left of the building. He said full plans would be
17 submitted for the inside. Mr. Palin told them there are some internal features that need to be
18 discussed when they are ready to look at it. He asked them the size of the propane tank. Mr.
19 Pawlowski replied it is a 1,000-gallon underground propane tank He told Mr. Palin that they
20 would be happy to include his recommendations as part of the building permit submission. Mr.
21 Palin invited them to a Fire Advisory Board meeting for things to discuss. He said it is easier
22 doing that one on one, than writing things on paper and a lot of issues can be solved before they
23 become issues. M. Pawlowski said it is understood and, again, they would be happy to do so.

24
25 Mr. Eickman said this would be opened up to the Public and while the first person was coming to
26 the podium, he had a couple of things to note. He announced that there was a letter to the Board,

1 dated November 9, 2023, which, he said, was signed by (9) residents, and that he would hold it
2 and enter it into the record, but at the end. He said he suspected that some of the (9) people may
3 be present this evening and that he would summarize this afterwards. He said the applicant would
4 be given an opportunity to respond; some of the things would be easy and others more difficult.
5 He added that they would be kept track of, and all of the questions kept track of so that when
6 they are voiced by someone, it would give the applicant a chance to respond at one time, when
7 everyone is finished.

8

9 Franco Motika came to the podium, stating that he had lived in Hopewell Junction for over 50
10 years, adjacent to the lot where the proposed building is to be built. He said he would go over the
11 general concerns that there are and would leave the more detailed concerns in the letter that the
12 Board already has. For those who did not see the note, he said he had a copy. His first general
13 concern that he has, independent of this item, is that he was surprised that the Town Board
14 allowed such a big building to be built on Route 82 in Hopewell Junction. He said to imagine
15 that the base of the building is almost the size of a football field, in the middle of a residential
16 area. He added that it is uncharacteristic for Route 82 and the Hopewell Junction area, to have
17 such a building and such a business in this particular area. He stated he was not criticizing
18 engineer work, and it is a good job, in his opinion, but he believes it is too big a building and it is
19 in the wrong place. One of the other concerns of the parties was that there were too many labels
20 all over the place on the building and he said he sees that was changed. He also could see that
21 there was some work done on the shrubbery, which he said was appreciated. He is hoping the
22 details will be addressed specifically in terms of the kind of shrubbery, the kind of trees and the
23 size of trees. Concurrently, he said he has filled in the survey for the East Fishkill Master Plan.
24 He said he looked at it carefully and that it seems this particular building is uncharacteristic, it
25 doesn't fit what the long-term plans are for East Fishkill Master Plan, from his understanding,
26 and what is intended to be done in the future. He told the Board, as mentioned, the detailed

1 concerns and some other concerns the residents have, were filed on November 9th, and he said he
2 hopes the Professional support and the Board have seen and read those concerns. In conclusion,
3 he stated that they strongly recommend the Planning Board re-evaluates this plan – or considers
4 an alternate plan. Mr. Motika thanked the Board for their attention and consideration. He
5 reiterated that, if someone needs a copy of the letter, he has additional.

6
7 The next person to speak at the podium was Max Garfinkle, who introduced himself and stated
8 he is a homeowner at 1102 Route 82, which is the property directly to the north of the proposed
9 business and development. He wanted to say hello and stated to the Board that he appreciated all
10 the services provided to the community. Some general questions he has is for the Board and
11 applicant and says they are rooted in the overall size and layout and configuration of the proposed
12 development. He said he echoes what Mr. Motika said regarding the overall character of the
13 neighborhood in that general area. It is mostly residential, with mixed commercial. He lives
14 directly north of the property and the majority of the building, the entrance and exit to the
15 property will be seen from his house. He said a planting plan and screening plan were provided
16 and he was hoping the Board could ask the applicant to ensure that the screening is adequately
17 sized and adequately species specific to block the building, after development and during
18 construction. He said he has made note that the building will be fenced only in the rear portion.
19 He was hoping the November 9th letter that the fencing be along the northern boundary at least,
20 the property boundary there from essentially Route 82, running along that property boundary.
21 This is instead of just the rear portion of the building, to isolate the building from the residential
22 portions of the neighborhood that are directly abutting. Another question he has for the Board,
23 and the applicant as well, is where things stood with the DOT, the letter of permission for the (2)
24 entries or exit points or entryway and exit point. If the DOT does not agree with that, he asked
25 where this leaves the Board in the SEQR process for this if it does significantly change the
26 character of the site. He asked if the Public Hearing would be reopened at that time, if the plans

1 change essentially. He said he is also curious if the Board has been apprised of the
2 correspondence to the DOT and if they will be requiring any sort of more robust traffic study to
3 be done. He said this is especially if they are talking about bringing in tractor-trailers into an
4 office site, and why a turning lane is not being required off of Route 82. He said it is a 2-lane
5 road, with increased traffic and now truck traffic, with a light and intersection very close to that
6 location. He said he did not see any documents regarding sight line distances or anything like that
7 from entry and exit points. He concluded, saying those were his main concerns and told the
8 Board and asked if the letter from November 9th to be entered into the record and give the
9 applicant the opportunity to respond to those questions. He said maybe some of them were
10 answered by the updated plans since November and, if they were not, to consider keeping the
11 Public Hearing open until those plans can be formalized in document form, moving forward.

12
13 The next person to speak from the Public was Ron Iarossi, who lives at 5 Palen Road, which he
14 said is nowhere near this project, but he does have a concern. He said in the past he has sold
15 investment properties, many of which were public storage. Whether it was for an individual, or a
16 Limited Partnership, he said there is a plan. Looking to the applicant, he apologized if he was
17 repeating things, but he said he could not hear them, when facing away. He said, if there is a
18 plan, normally there is an investment in the property for the tax benefits knowing that, in the near
19 future, this would be sold and repurposed for something else. He added that this is a very pretty
20 building and that it would look great as a “Hilton Garden Inn”, which he said could happen. He
21 just would like to know if there is a plan or ulterior plan, other than just public storage.

22
23 Jerry Quint came to the podium, stating that he is a 35-year resident, who lives very close to the
24 project. He said he is neither for or against this. He said he was curious if iPark was ever
25 considered as a location for this, and said it just seems to him that is what it is there for. He
26 questioned if anyone that went through this has a solution, if it is no good for this business.

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Mr. Eickman said he would read the (November 9th) letter that is addressed to the Planning Board, which he said is lengthy and well done, and that he would try to summarize it, without leaving out any of the important information:

[
“The residents impacted by the proposal are surprised and deeply concerned that the East Fishkill Planning Board is considering approval of an extremely large self-storage facility on Route 82. This industrial sized 2 story high structure operating 24 hours a day would be a unique eye-sore in the local area and cause numerous negative impacts. to the surrounding homeowners and community. We write now to express our strong opposition to the project and in addition, while maintaining that the planning board should deny approval of this project altogether, we write to register our specific objections to the proposal and its current configuration. As Planning Board members, you play a critical role in shaping the future of the East Fishkill community you serve. In considering the application before the Planning Board therefore, it is incumbent upon you to ask, will yet another storage facility bring value to the community as a whole, and in years to come. We respectfully submit that it will not. Rather, the negative impacts of this project on the surrounding area and its residents far outweigh any potential benefits. Firstly, before the Planning Board can even consider the specifics of this current proposal, it must assess whether the project should be allowed to proceed at all. Such an assessment demands consideration of the following critical threshold issues, which we firmly believe will weigh against the approval of the project.

1. East Fishkill already has a surplus of self-storage facilities, including a currently operating self-storage facility, as well 15 others within a 15-mile drive from the East Fishkill Town Hall. Has the Planning Board assessed whether, yet another storage facility will provide any tangible benefits, whether such benefits are capable of outweighing the obvious negative impacts to the community articulated herein and elsewhere.
2. Is the Planning Board concerned with a large base (270 ft by 120 ft) and 2-story structure height of over 37 ft., adjacent to residential homes on Route 82?
3. The proposed development will assuredly increase traffic in an already traffic-choked community. Has a traffic study been conducted and, if not, when will one be conducted as part of the State Environmental Quality Review (SEQR) process, in coordination with New York State DOT?

- 1 4. The proposed development will cause over an acre of land disturbance. Has a
2 stormwater pollution prevention plan been filed with the state and town and, if
3 not, when will one be filed?"

4 Mr. Eickman interjected that he would not be summarizing the letter, because it all seemed to be
5 things that he did not want to leave out, in deference to the people who wrote the letter, and
6 continued, as follows:

- 7
8 5. "Has the Planning Board considered how the project will impact the drinking
9 water serviced by individual wells in the vicinity? And, what measures will
10 need to be taken to protect those wells, both during and after the construction
11 phase?"

- 12 6. If the proposed storage facility is realized, it will mark the arrival of an
13 unprecedented 24-hour commercial operation in the heart of the Hopewell
14 Junction community. Has the Planning Board considered the implications of
15 setting such a precedent, including the changes to the character and livability
16 of the community that such an operation will inevitably entail? For example,
17 will the Planning Board consider the following:

- 18 The increase of noise in the surrounding residential;
19 The potential for trespassing onto the adjacent residential properties at any
20 hour;
21 The impact of light pollution from the exterior lights;

- 22 7. The signatories to this letter have well-founded concerns, including but not
23 limited to those enumerated in this letter. That the approval of this project will
24 negatively impact the value of their respective properties.

25 Secondly, while we maintain that the Planning Board cannot proceed with the
26 approval of this project until first addressing the threshold issues outlined
27 above, we also have strong objections to the specifics of the applicant's
28 proposal, as it currently stands, which we compiled after reviewing the
29 October 18, 2023 site plan.

- 30 8. The size of the proposed storage facility is far too large, such that the
31 development would appear grossly out of context in the surrounding
32 environment. The footprint and height of the proposed facility must be
33 significantly reduced.

- 34 9. The footprint of the proposed structure should be rotated by 90 degrees and
35 adjusting the property setbacks a minimum of 60 ft to allow more natural
36 buffer to substantially reduce the impact to neighboring properties.

- 37 10. The proposal should incorporate an improved, more robust planting plan,
38 including the following:

- 39 A high evergreen tree fence along the property lines to shield against the

1 unsightly view of the enormous structure from our back yards, and a
2 landscaping maintenance plan including, but not limited to, an irrigation
3 system to the tree fence to ensure its rapid and healthy growth, to
4 guarantee that the planted vegetative screening will survive in perpetuity.

5 11. To ensure the privacy and safety to the adjacent property owners, the plan
6 should include a solid fence of the maximum permitted height built near the
7 property lines of the proposed facility and masked from the adjacent
8 homeowners' view, by the above-mentioned tree fence. A fence long-term
9 maintenance plan should be included. Such a fence would be of the utmost
10 importance to protecting the adjacent property owners from trespassing,
11 particularly if the proposed facility operates on a 24-hour basis, as
12 contemplated.

13 12. Has the Planning Board considered visiting and walking our properties and the
14 proposed site, to get a visual of how it would impact those surrounding it?
15

16 We thank the East Fishkill Planning Board for considering our concerns, and ask that
17 they weigh these points in deciding whether or not to grant approval of these plans at
18 the November 21, 2023 meeting.

19 Sincerely yours,

20 Hopewell Junction residents affected by the above proposal.”
21

22 Mr. Eickman announced that he wanted this letter to be entered into the record and that it will be
23 in the Minutes. He asked if there were any others with comments for or against the project. If not,
24 he said he would ask the applicant if he would like to respond, and that he thought there were
25 some specifics that would be fairly easy to respond to, and that he has already responded to.
26

27 Chris Pawlowski and Cosmos Marfione returned to the podium. Mr. Pawlowski spoke first,
28 saying that he would hit on a few things and then pass it over to the applicant to discuss the
29 operations of the facility and the feasibility, and some of the other questions that were asked. He
30 said, first, in regard to the location of the facility on Route 82, this property is currently for sale.
31 It is zoned commercial \, they are not asking for any waivers, zone changes or special provisions
32 as part of their application. The floor area ratio that is allowed for this site allows for a building
33 of this size to be constructed. He said the building proposed currently meets all the regulations.

1 He said he knows the letter was written in November and since then significant changes have
2 been made, as seen to the building design and the site design, blended into the surrounding
3 neighborhood, best that they can. The applicant does not design buildings like this, he said,
4 frankly; they have much more of a commercial feel, overhead doors and outdoor storage. He said
5 they are trying to work with everyone to really blend in this project, best they can, while still
6 meeting the goals of the applicant's business. He said this can be seen that it is a residential
7 design, which was currently showing on the display of the plan. In terms of the height, he said it
8 meets all of the height requirements; 30 ft is the max and calculations show that this is less than
9 30 ft max. He said all the regulations are met for the impervious coverage and the setbacks that
10 are currently enacted and in place before the East Fishkill Planning Board. Additionally, as he
11 said he spoke in the presentation, it is 230, almost 235 feet to the rear property line. There is a
12 significant portion of that will remain wooded, protected and undisturbed. He thinks one of the
13 requests of them was that 60 ft in setback be maintained and the shortest setback is 61.9 ft. to the
14 building, and it is over the 60 ft requested as part of the letter. The front is 107 ½ ft from the
15 property line and the property line is set back an additional 10 to 15 ft from the road. Again, he
16 said, this is over 100 ft from the road, in those aspects. He reiterated that this property is for sale
17 and someone, if not them, is going to purchase it; they are under contract to buy it. He said that,
18 potentially, they could come before the Board with a different plan that may have an industrial
19 feel, more commercial activity, or will propose 100s of trips as part of a massive commercial
20 development, which he said, again, it is allowed by the Town's regulations. He wanted to point
21 out that they have submitted to the DOT and a trip generation assessment has been prepared. He
22 said that self-storage is an extremely low trip generation from this standpoint.

23 Another job was just done for them in Connecticut where they were looking to putting up a
24 residential apartment building, which he said was 200-300 trips an hour on the site for the
25 property their client had just purchased. The trips for the self-storage are in the 15 to 30 range per
26 hour which, he said, is a tenth of what would happen in that site if there was a residential

1 development, or even a larger scale commercial development. In the eyes of the DOT, he said
2 this is not a significant traffic generator. This is in Phase 1 with them and he said they are
3 reviewing the plans. The access and the one-ways shown have been reviewed and preliminary
4 approved by them. Again, he said, they are still in review and do not have anything in writing
5 because they are looking at all the designs. The site plan before the Board has ISD figures, on
6 sheet 2.11 which are, essentially, intersection sight distances when one exits the sight; being able
7 to look right- and look left, and safely exit the facility.

8
9 Mr. Pawlowski continued, saying there was another question about the trees, regarding screening
10 to the north, and a significant evergreen buffer has been provided. He thinks that every time this
11 is before the Board, they have grown it and now are at the maximum extent. In terms of the entire
12 northern side being disturbed, it is planted with an entire evergreen screen. He explained to the
13 Board that evergreens, which they may or not know, maintain their foliage year-round. Unlike
14 deciduous trees in the winter, he said there would still be the green screen that shields the
15 northern property, and the rear, in addition to the woods, from the facility. In front of the facility
16 there are the deciduous trees and they break up the front of the building façade so, again, in their
17 full bloom in the spring to the fall season, those trees will again break up the front façade, from
18 the street view.

19
20 Another question asked was about the water quality on the site and protecting the neighboring
21 wells. Mr. Pawlowski said he could discuss this further but stated that all the stormwater
22 collected in the parking lot first flows through the catch basins in the pipes. Then everything is
23 routed through what’s called a hydronic separator. It is a water quality treatment device that
24 removes floatable oils, grit and has to be maintained on a yearly basis. It essentially removes all
25 the” junk” from ending up in the parking lot, prevents it from entering the stormwater system and
26 eventually getting into the ground. Although they are not taking credit for it in their model, he

1 said the infiltration rate there was 24 inches per hour. He said they are all Class A soils where the
2 stormwater ponds are going, and the infiltration rates are very good for the soil there. Again, he
3 said, this is not accounting for the stormwater ponds in their model, but they will see infiltration
4 throughout the months that it is not frozen.

5
6 Additionally, Mr. Pawlowski said the septic is up in the back and pumped, and the septic
7 standpoint for this facility is an extremely low generator. It is less than 100 gallons per day and if
8 it were an 80,000-sf commercial facility of this size, it would be over 8,000 gallons per day for
9 that size facility, based on a .1 sf usage rate. He said this is a teeny tiny fraction for the capacity
10 septic effluent generated from this site.

11
12 Mr. Pawlowski reiterated that they are here to work with everyone, and they are trying to address
13 the concerns best they can. The SWPPP is prepared, and he said they are working with the Town
14 staff to finalize that and make sure that everything is up to the Board. He said less than 5 acres is
15 being disturbed, but more than an acre and the document is required so they are working through
16 this with the Town officials. He then passed along to Mr. Marfione who, he said, is the applicant
17 and operator of the facility, to discuss the operations and feasibility of the site.

18
19 Mr. Marfione said he thought a lot of the points were covered. The first question was the
20 feasibility of the site. He explained that, when they go into areas, they know what they are
21 looking for, but they do have a third-party feasibility study that is conducted to make sure there's
22 enough demand or met demand in an area, and they have done so in this area. When looking 15
23 miles, they look at 3 to 5 miles and, based on that, he said they feel there is a demand for this
24 structure. So does the third-party feasibility study which, he said could be supplied if the Board
25 would like. He said Mr. Pawlowski went over the second question, that this conforms with the
26 zoning. The DOT was gone over and he said he is an engineer by trade, this is done a lot and he

1 has a good relationship with the folks at the DOT. He said their main concern is always the sight
2 distance, which is a big concern, but the big main concern is the trip generation. He explained
3 that this facility, unlike residential or commercial, does not really have a lot of traffic. Folks go
4 in, it takes around 3 to 4 years for the facility to get filled up. He said he was sure people there
5 had storage, as he does, and he has not seen his stuff in the storage for 4 years. Unless it is used
6 for something else, he said most people deliver the stuff to the storage and they may come back
7 to it once a year, to maybe take stuff out for the holiday, and then put it back. He said there is not
8 a lot of traffic as there would be with alternative sites, or strip malls, or residential.

9
10 Mr. Marfione noted that the drinking water had been talked about and how alternative sites and
11 projects would have a huge impact on the water, septic. He stated that the operation is not 24
12 hours a day, but starts at 6:00 a.m., people could come in until 10:00 p.m. Even though the
13 studies were done with the big tractor trailers, he said he owns 3 of these in operation; they built
14 the one on Merrit Blvd. and then it was sold. He said there really are not big tractor trailers. They
15 usually get big U-Haul trucks maybe, but it is mostly small stuff where people put things in their
16 pickup and just bring it to the storage unit. He said most of the units are 10x10, so they are not
17 big units. He reiterated that it is not operating 24 hours.

18
19 Mr. Marfione continued, saying that, at the end of the day, this facility will not impact the
20 schools, it will not impact the resources in terms of water and sewer, and he said the biggest
21 demand on the water is the sprinkler system and, essentially, they do not want any fires. Looking
22 to the fire advisory board representatives, he said it should get filled up, and never go off. He said
23 he does not plan on selling these, he is 45-years old, and he wants to keep these. He is trying to
24 build a portfolio of his team. He is not going to sell and repurpose this. He told the public he
25 appreciates their concern; he understands with something big like this coming into the
26 neighborhood. However, alternatively, he said it could be a lot worse impact. They have built

1 something similar to this in Patterson, New York and he said it really looks great. He thinks
2 some of the Board members went out when this process first started. He said they are trying to
3 reduce how this looks by putting in the trees, making it 2 ½ stories; the back is really only 1
4 story. He thinks it will be well insulated but, at the same token, he said they want it visible from
5 the street. He said an 80,000-sf building with nobody in it is not wanted. He referred to a project
6 on Route 52 in Fishkill, saying it is another storage project. The project started, foundations are
7 in, and then that was it; it has been like that for 3-4 years. He is not sure what happened there, but
8 told the public they do not want that here, and he can assure them that, before even a shovel
9 is put in the ground. He said it is well financed, the bank loans will be in place, their equity in
10 place to make sure this is a successful project. Mr. Marfione thanked the public and the Board.

11
12 Mr. Eickman asked those from the public, with those responses, were there any other questions
13 or comments. Mr. Miyoshi said Mr. Pawlowski may want to speak to the dark sky compliant
14 lights, because he did hear a couple wondering about the lights, the view and that they would be
15 seen.

16
17 Mr. Pawlowski returned to the podium and displayed the lighting plan. He said anything to do
18 with the building lighting, he would refer to their architect, Mr. Gribulis, since his team is
19 responsible for the site lighting only. He referred to the displayed lighting plan, pointing out the
20 locations of the series of (8) pole lights, which he said are 16 to 18 ft in height, scattered
21 throughout the site, including on the sides and front. The lights are dark sky compliant LED
22 fixtures, meaning they only shine down and do not point up. If one is flying in an airplane, per se,
23 although one would not be flying this low, the lights would be seen if they were not dark sky
24 compliant. Some of the old-style fixtures that are seen in big commercial developments, he said,
25 are big bright spotlights that really do not do anything from an aesthetic standpoint and are way
26 too bright for a lot of the developments that are taking place nowadays. He reiterated that the

1 lights are LED dark sky compliant, almost shielded in a way, and directed in a way so the lights
2 only direct down and won't cast off onto other properties. He pointed out the dash lines on the
3 plan, stating that they show the foot candle limits of where the light extends to and the levels of
4 the foot candles, with the proposed lighting plan. He said it is a tricky balance that his lighting
5 team always works on because they want the drives to be lit during the night, but they don't want
6 the light to extend out onto neighboring properties – or outside the development, per se. Mr.
7 Pawlowski then turned to Mr. Gribulis to talk about the building lighting.

8
9 Mr. Gribulis returned to the podium and displayed the building lighting plan. He said there are a
10 couple different kinds of lights and the (9) goose neck lights were talked about before, which is
11 really all they have for accent lighting on the building. He said they are all pretty minimal and all
12 dark sky; there is no uplighting at all. Underneath the canopy there are a few recessed, square-
13 looking lights that he pointed out and around the entrance he said there are a couple wall sconces
14 to give it a little more of an accent showing it is the entrance and kind of intuitive as to where to
15 go in. He said it is all down lighting and no uplighting; there will not be any kind of glare coming
16 off the building, He said the lighting on the building is for safety and to help people understand
17 where to go, which is really all that they were trying to achieve. The aesthetic of the lights are to
18 lend themselves to a residential theme and he said there is nothing industrial, or anything like
19 that. He thanked the Board.

20
21 Mr. Eickman asked if there were any questions or comments.

22
23 Mr. Bryant stated that there was a comment by Mr. Franko, he did not get the name. Frank
24 Motika. responded from the public. Mr. Bryant introduced himself to him, saying that he had
25 made a comment about the Town Board allowing this large a building per zoning. He said he
26 does not believe that the Town Board envisioned someone buying up multiple parcels. He asked

1 how many parcels were being combined in this project. Someone responded that there were 5. He
2 said he did not think the Town Board envisioned 5 parcels being bought and combined to allow a
3 structure of this size. He explained, when parcels are combined, the setbacks are eliminated for
4 each parcel. So, instead of having that is maybe 5,000 sf, with ft on each side, he said, or
5 whatever the setbacks may be, the interim setbacks are eliminated, winding up with a structure of
6 this size. In the future, he said it might be looked at, but he does not think that was envisioned.
7 To illustrate the point, he said it could have been 20 properties bought and, if combined, an
8 Amazon could be built. He looked to the Board Members, saying he thinks they have to be
9 mindful of where this could lead. He then told Mr. Motika that he wanted to make a point to the
10 concern he had.

11
12 Mr. Bryant said there are several engineer comments. He knows someone brought up the SWPPP
13 and that Chris Moore has some comments.

14
15 Mr. Moore stated that, at the last meeting, some section views were requested for the applicant to
16 provide so that he could get an idea of the overall magnitude of the project. Two section views
17 were provided; one goes across Route 82, and one goes parallel to Route 82. He looked to the
18 Board Members, questioning if they had a chance to look at those sections. Mr. Eickman
19 responded and looked to Mr. Pawlowski, saying he was hoping that some large versions of the
20 section views could be printed out. Mr. Campbell said they would not be just for the Board, but
21 also for the public. Mr. Pawlowski said he understood and would be happy to provide this.

22
23 Regarding the grading plan, Mr. Moore commented that he noted that the northeast corner of the
24 building shows some grading going on, to the R! zoned parcel. He told Mr. Pawlowski to take a
25 look at this, because the R1 parcel cannot be used for this development.

26

1 Mr. Moore said, regarding the Stormwater Pollution Prevention Plan, the SWPPP needs to
2 include the impervious area for the future landbank parking. He said this is even though it is not
3 going to be built at this time, unless sometime in the future it is required. He said the SWPPP
4 needs to take this into account.

5
6 Mr. Moore then referred to the southerly infiltration basin, saying that right now it is currently
7 shown at a certain size. An alternate size is shown, he said, but it is if the land bank parking is
8 required to be built in the future. He said his strong recommendation is that it be constructed to
9 the larger size; the reason being the infiltration practices. The whole concept behind them is that
10 the stormwater gets into the ground. The concern is if there are disturbing activities to enlarge the
11 pond in the future, loosen fines and blind the bottom of the pond, that it will not function as
12 intended. He said his strong recommendation is to build the southerly basin to a larger extent.

13
14 Mr. Moore continued, saying there had been a strong workshop meeting with the applicant a few
15 weeks ago and to address his concerns with the functioning of the long-term infiltration basins.
16 He said they have shown some concrete flow galleys that are in the front of the building. One
17 concern he has is how those are going to be connected to the pond. He said right now the pipes
18 connecting them are at the absolute bottoms of the pond. The concern is that any debris, litter or
19 silt that is in the bottom of those ponds is going to go into the infiltrators and potentially causing
20 them not to function. He said it would maybe involve a screen or taking the pipes and just raising
21 them up so they are not at the absolute bottom of the pond. He said this is because these basins
22 are going to need to be mowed and maintained and the concern is with the long-term ability.

23 He said to provide some calculations that all the practices together can drain in a 24-hour period.

24
25 Mr. Moore also said there is no apparent way to get to the concrete galleys to maintain them.
26 Right now, he believes they are just connected with a pair of 15 inch pipes. He said some

1 additional structures may need to be put on either end to run a peg through there to jet them,
2 should they need that.

3

4 For the new infiltration area, Mr. Moore stated that additional infiltration testing would need to
5 be done and he said his office would witness that.

6

7 Mr. Moore then commented that the rest of the comments regarding the SWPPP are more
8 technical, providing a proper free board and things of that nature.

9

10 Mr. Moore then questioned where this project was at with the DOT. Mr. Pawlowski responded
11 that they had submitted to DOT; they are in stage one but have not received official. Mr. Moore
12 said this has gone back and forth so it is on the radar a couple times. Mr. Pawlowski said most of
13 the permit 33 stuff occurs during the post-approval process. He said they obviously wanted the
14 DOT to look at the driveways because it was also the Board's concern but, in terms of finalizing
15 the permits and approvals, they are not expected until following the approval here from the
16 Board. Mr. Moore said the only approval that would be received at this point is a conceptual
17 letter of approval for the DOT. The actual permit that is issued is only after there is a contractor
18 on board and his insurance, bonding has been filed.

19

20 Mr. Moore noted that, regarding stormwater, the stormwater management agreement needs to be
21 implemented. He told Mr. Pawlowski that he had sent boiler plate language for that after the
22 workshop.

23

24 Mr. Moore said there was proposed sign detail provided to the Board for review and he
25 questioned if the Board had the opportunity to look at that.

26

1 Mr. Eickman asked Mr. Pawlowski if he was able to make certain the monument sign and the
2 sign on the building both meet the Town’s sign regulations. Mr. Pawlowski replied that he
3 believed so, but that it was subject to review and approval of the Town’s staff.

4

5 Mr. Moore asked Ms. Robbins if there were any concerns about significant trees being removed
6 from the site. She replied that she was going to talk a bit about Landscaping but stated she did
7 have the opportunity to go out to the site a couple of weeks ago. She noted that there were
8 definitely significant trees. There are some very tall trees in the back and there is a natural berm
9 towards the back of the site, with some very large conifer trees along that, which makes it very
10 difficult to plant. As was experienced with a couple other sites, she said when there are plantings
11 under those trees, they just do not grow. She said she would take a good look at the landscaping
12 along the side of the property, which is where she thinks there is more concern about having
13 some visual buffering. She will take a look at what is proposed for species, and she told Mr.
14 Pawlowski she will have comments back to him over the next couple of weeks. She said she
15 wants to make sure that the right size and species are proposed, and that they can actually grow
16 under the conditions that may be experienced there. Mr. Moore stated that, for everyone’s
17 knowledge, is that the window for tree clearing is closed; he believes it is the end of March when
18 substantial trees can no longer be taken down. Ms. Robbins said, for this site, there is a letter
19 from NYDEC when they circulated, that have some pretty severe restrictions on the tree clearing.
20 She told Mr. Pawlowski there are also the turtles’ habitat that is located relatively close to this
21 site, so there are some restrictions with regard to the construction and some of the things that will
22 have to be done, in order to prevent any habitat issues or potential habitat issues with the turtles.
23 She told him she could not say at the top of her head, but that some things would have to be done
24 during construction, such as fencing, and other things, so that there is no migration of turtles onto
25 the site. Mr. Pawlowski wanted to confirm that there were no turtles on this site. Ms. Robbins
26 replied that is correct; there is no turtle habitat on this property, but the DEC is saying it is within

1 the migration distance and they could potentially come onto the site. She said there are a few
2 things that would need to be done during construction to make sure that, if the turtles come onto
3 the site, they want to make sure that they would not be killed. Ms. Robbins believes it was
4 Blandings turtles and said the DEC sent back the fact sheet that would have to be included in this
5 site plan. She told Mr. Pawlowski she will provide it to him if he did not get it. Mr. Pawlowski
6 said that was fantastic and he appreciated it.

7
8 Attorney Cunningham asked if the DOT was going to comment on the number of trucks required
9 to remove the fill or is it part of the conceptual approval letter. Mr. Pawlowski said he did not
10 believe so; they are looking strictly from a trip generation of traffic. Attorney Cunningham stated
11 that it is the concern of the Town as to the number of trucks that will go and wreck the road. Mr.
12 Pawlowski responded that it is (2) trucks in, (2) trucks out, per hour or so, minimal truck traffic
13 over a (3) month period just to conduct the earthwork. He said it is pretty standard on most of
14 their site operation projects.

15
16 Mr. Bryant wanted to add that what was found down at Route 52, in the industrial park, with
17 these large projects, is that they did not even move dirt on and off the site. All the dirt stayed on
18 the site. But, with all the construction vehicles going in and out, the concrete, materials and
19 workers, it did lead to tracking problems out on the road. This was to the point that there were (2)
20 sweepers needed out there, tires were being pressure washed every day, which they were made to
21 do. He said a ton of money was spent trying to keep the road clean. He added that, on Route 52
22 there, it is not a residential area at all; it is IBM, industrial and it was really an unintended
23 consequence. As much as was tried, he said there was still the issue. He said this project is a
24 completely different location. The concern is not only about the dirt that is going in and out for
25 that period of time, but that there is dust and noise and heavy construction equipment all
26 associated with this. There are ancillary things that come along with it, and he is questioning if

1 this is the location for all that activity. Down on 52, he said it was all taken for granted as that
2 was the spot for it. As some of the people here said earlier, he said they were questioning if this
3 is the location. It is not just the look, the dirt, but the concrete, sheetrock, the steel, the roofing,
4 the workers, the paper cups that get thrown on the ground and blow onto the neighbor's property;
5 it is all those things. He said that it is on truck trips and, although it is said only 30 truck trips per
6 day for the dirt, he would be curious about how many total truck and vehicle trips there would be
7 for a project this size. Outside of iPark and West Campus, he said there has not been a project of
8 this size. He reiterated that he is curious as to what the real total is.

9
10 Mr. Bryant asked about the roof drains, saying they are going through the side and front, but is
11 there any way they could go to the rear? He said then the pond in the front could be made
12 smaller, to have more room for landscaping. Mr. Pawlowski said the drains go to the rear and
13 then around the front. Mr. Bryant asked him if they could be routed to the back, with the pond
14 on the side, or another pond in the back since there is the higher elevation. He commented that
15 the pond in the front could be made a little narrower maybe, to make more room for landscaping;
16 there is only a single row of trees right now. He said he would normally like to see a double
17 staggered row of trees.

18
19 Mr. Bryant asked Ms. Robbins if there was going to be a noise study for the HVAC/heating and
20 air conditioning units. She replied that there certainly can be. Mr. Marfione came to the podium,
21 saying that specs were submitted for the HVAC unit, which has the decibel. Mr. Bryant said there
22 have been sound studies for other larger projects, but he would leave this up to Ms. Robbins. He
23 asked Mr. Marfione the size of the maximum size unit in the building. Looking to Mr. Gribulis to
24 clarify, he stated 10x25 should be the maximum size. Mr. Bryant told him, to his point, about the
25 pickup trucks, that it is a big unit and there could be a North American Van Line to fill in that
26 12x30; it may not be just pickup loads. He knows there are the smaller units, but he saw some

1 large units in the displayed plan. He added that there will be contractors in there having materials
2 delivered because there is a heated space, so there are many things that could be. He said it may
3 not be just “happy” homeowners, and there could be businesses in there.

4
5 Mr. Pawlowski wanted to respond to some of the comments, saying that, specifically, the sheet
6 rock trucks, a lot of times the sheet rock will be up when the building is constructed, the site is
7 paved or at least rough stone subgrade. He said all of the items mentioned are manageable \.
8 Sprinklers can be added to the site to control dust and if a sprinkler has to come up to spray water
9 to control the dust, there is already one anti-tracking pad at the construction entrance. He said he
10 knows there was a comment that another would be added, so now there are 2 antis running. Mr.
11 Bryant told him, with that much dirt, the reality is that they will have to be replaced daily and if it
12 doesn't rain, there are then dust problems and it is “feast or famine” Mr. Pawlowski said, again,
13 it is managed and there are solutions. Mr. Bryant said he sure there will be an environmental
14 monitor, if it gets that far.

15
16 Mr. Pawlowski responded to the comment about adding another pond in the back, saying there
17 are the setbacks from the septic systems, and they have to be maintained. He said that is why the
18 ponds are located where they are. The pump is uphill from the site, so it is difficult. He said they
19 also cannot go within the residential property, to the corner, so all of those play into the pond
20 design. He said he appreciated the comments offered and thanked Mr. Bryant.

21
22 Mr. Moore said a special permit for land excavations and filling, under Section 19475 would
23 have to be added, just like what was done for Stormville Square. He told Mr. Pawlowski It is just
24 one more item of what would have to be done and that it getst added to the Resolution. Mr.
25 Pawlowski said agreed and thanked him.

26

1 Mr. Bryant said he hated to keep dwelling on the truck trips, but said, down in iPark and the west
2 campus, one of the favorable things was the access off of Route 84. He cannot say that every
3 truck did not come through the Hamlet, but that a large majority of the trucks came off of Route
4 84. Here, in this project, he said he did not know what the impact would be to the Hamlet or to
5 surrounding areas and the construction equipment certainly is not adjacent to the interstate. He
6 said that is a point of concern as well. Mr. Pawlowski thanked him.

7

8 Mr. Pawlowski said there was a comment about the sections, which he displayed, and he said he
9 would be happy to dive into them, through the site. Mr. Campbell said they are very difficult to
10 see understood and he would like to see them on poster board form, again, for the public to
11 understand. He said there is just sight line, or height, and it is not from the different purviews that
12 people would see them. He said it is how people would view it from a residential home, from
13 their property and they are trying to understand, because of the magnitude of the building; how
14 will it impact visually. He told Mr. Pawlowski that the front of the building was improved greatly
15 but, again, how will the general public view this property from different angles; how are they
16 going to see it. He said it is not entirely impossible to have some imagery to be able to have an
17 understanding of how people are going to see this. He said it could be the neighbor, it could be
18 (3) doors down, whatever it may be, but he thinks that people are concerned, again, because of
19 the magnitude of the building. It is that these properties are being joined. And he referred to Mr.
20 Bryant's comment, which he said is a very valid point, of how this eliminated setbacks from all
21 the different properties, because they are being conjoined. He added that there is obviously a lot
22 of concern here from the public. He said there is also the concern of the Board, and that he was
23 not going to lie. Mr. Pawlowski said it is understood and that he would provide the perspectives
24 and the sections as requested and thanked Mr. Campbell. Mr. Campbell added, to reaffirm what
25 Ms. Robbins said, there is the buffering, the neighboring property, the plantings discussed that
26 will be had, but the major consideration is how they will be planted; are they going to be 10 ft tall

1 – or 2 ft tall. He said that, obviously, the impact of a 10 ft evergreen will be much different from
2 the onset of construction as opposed to a seedling that would be put in the ground, besides the
3 fact of if they are going to live and continue to flourish on the site if, in fact, this is allowed to be
4 built. Mr. Pawlowski addressed the evergreens, saying they are 6 to 8 ft and 8 to 10 ft height
5 upon planting. Mr. Campbell asked the grade level there, and if it is flat, is there a grade level
6 difference. He looked to the gentleman from the public, saying he lives next door to this project
7 on that side. He asked if there would be a berm; how would this be affected. He said he knows
8 there are already trees that exist there, and he knows there will be adjustments. He asked how this
9 landscape plan would be and said he would be genuinely concerned if he was the gentleman who
10 lived right next door, having this imposing building being built next door to me and how does it
11 impact me walking out of my house every day now. Mr. Pawlowski responded, saying he
12 understood and appreciated the concerns. He told Mr. Campbell, to address his comments
13 regarding the grades and elevations, the road is essentially the low point and their property to the
14 north and this property, essentially from the road, slopes up. He said there is a 30-35 ft elevation
15 change between the road and the rear of the site. He said they are essentially on the same plan, as
16 it continues to progress towards the rear. Mr. Campbell said, again, that his question is not the
17 back and front, but that it is the left and the right.

18
19 Mr. Eickman stated to Mr. Pawlowski that one thing that could maybe be used as an example,
20 was an apartment project down on Route 52 and Palen Road. He said the kind of mockups that
21 they did was what it would look like from the neighborhood to the apartment building. He
22 suggested that Mr. Robbins could help him with understanding what the Board is thinking about.
23 He said it is basically, what does this look like when standing in the back yard and what am I
24 seeing. He said that, hopefully, the screening is taking care of exactly what is trying to be done.
25 Mr. Pawlowski said yes, it should be demonstrated. He said, to understand this, it would be
26 provided for the northern property that is residential, and for the eastern property. He said this is

1 to be sure he is addressing the Board. Mr. Campbell said the visual displayed is for the one side
2 of how it would look just down that one side of the building. He said the Board is trying to
3 understand this on each side and how it will look for everyone. He said he understands the
4 elevation going up in the back, and referred again to the gentlemen who lives next door. He is
5 questioning how will it be viewed when he steps out his front door and walks to the end of his
6 property line, the end of his driveway, and what he will see. Mr. Pawlowski said he understands,
7 and he believes that, when he is done, the Board will see that with the existing natural screening
8 and the additional screening that is proposed, and hopefully it will work out on both ends. He
9 reiterated that he is happy to provide the request. Mr. Motika called out from the public audience,
10 saying that it also goes for the back and both sides and the big building will be seen through the
11 trees.

12
13 Mr. Eickman announced that there are still some things to be worked through, in terms of details
14 and the Public Hearing will be adjourned until the next meeting.

15
16 Mr. Motika returned to the podium to speak, saying that one question he has is about the R-1 in
17 the back, that there will be no construction on it, and he asked if that is correct. He asked if
18 everyone understands that. Mr. Eickman said that is correct. Mr. Motika then stated that there
19 were neighbors, people who were not aware of this project. He asked if it is proper for them to
20 submit their concerns, at a later time. Mr. Eickman replied certainly and that the Public Hearing
21 was about to be adjourned. This means that the Public Hearing will actually be re-opened next
22 month, at the next meeting. He told Mr. Motika that they can come to that meeting or, if they
23 prefer, they can submit anything in writing, which can easily be done, and that would be entered
24 into the record like what was done this evening. Mr. Motika wanted to follow up on one last
25 question, with respect to the trees. He said at one time there was presumably a fence that was

1 going around and that it would be nice to have the detail of what this fence consists of. He asked
2 if there was a fence planned, or not, he would like to know. He then thanked the Board.

3
4 Mr. Pawlowski returned to the podium to respond to Mr. Motika, saying there is a fence that
5 begins on the northern side of the building and wraps around the site. It extends along the eastern
6 side of the building and then terminates in the southeast corner. He said there is not a fence along
7 the property line, as the evergreens are year-round, 8 to 10 ft height screening. He said the fence
8 would not serve a purpose, in their minds, because the evergreens are right along the entire
9 property line. The fence is chain-link, and Mr. Campbell asked if there were slats in it. Mr.
10 Pawlowski replied Yes, and in the front of the building, around the stormwater basins, there are
11 post and rail fences with a black vinyl mesh that cannot really be seen; it blends in. He said,
12 again, that it is in the front of the building for aesthetic purposes, using a different fence type. Mr.
13 Palin asked if the chain-link was filled with the slats and Mr. Pawlowski replied No, not in the
14 front of the facility, but on the sides. Mr. Campbell asked if it was black and height wise. Mr.
15 Pawlowski responded Yes, and confirmed it is 6 ft, with privacy slats, which can be made black,
16 if requested. He told Mr. Eickman that Yes, he respectfully requested that the Public Hearing be
17 adjourned. Mr. Eickman responded thank you to him and again requested a motion to adjourn
18 this.

19
20 MOTION made by Richard Campbell, seconded by Ed Miyoshi, to adjourn the
21 Public Hearing for Stack-N-Stor to next month's Planning Board meeting (March
22 19, 2024). Voted and carried unanimously.

23
24 Mr. Eickman announced thank you to all, for the comments and the responses. Additionally, he
25 announced to the public that anyone who did not have an opportunity or chose not to speak this
26 evening will have an opportunity next month to do so. He said he was sure he would see many
27 again.

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McDonald's

Mr. Eickman announced that the meeting would continue, and the McDonald's matter was next on the agenda. However, there was no one present for the matter and he said they may still be working on some architectural plans. He said he presumes they will be seen at the meeting next month so this matter would be deferred.

DISCUSSION:

5. #2022 – 029 – **Farmview/Estates at Phillips Farm,** 1196 Route 82 (6458-04-740330)

Applicant is requesting permission to clear the property prior to obtaining a site plan signature.

Brian Stokosa, P.E., Day Stokosa Engineering, was present.

Mr. Stokosa approached the podium and displayed the plan, while introducing himself. He stated that they have the Highway Work Permit from NYS DOT, and there is Board of Health approval. A copy of their latest plan was sent to HVEA and reviewed, and he said he thinks they are in a good position with them. The only thing they are waiting for is the official approval from the Highway Department. He said they have the latest set of plans and everything they wanted has been has been incorporated into the set. He thinks this is right around the corner from the Highway's blessing. He explained this is before the Board this evening to request taking down some trees before the Indiana Bat guidelines start to begin. He noted the highlighted area on the

1 plan, saying these are the disturbance areas that incorporate the driveway, house on the site and
2 the SEC locations, as well as stormwater He said most have driven past the site, but there is a
3 clearing in the front and everything shaded past is the area of the tree canopy. He pointed out the
4 grading would be in the area that is greyed out. He said the clearing would fall in basic sequence
5 that is shown in the sediment erosion control plan This would be limited to just felling the trees,
6 stumps won't be pulled and there will be a stabilized construction entrance, minimized
7 disturbance. It is just to meet the tree deadline, cut the trees in an orderly fashion, not create a
8 mess. Any branches on site will be chipped and he said he needs permission from the Board to go
9 ahead and do that. It is probably a month away from the filing of the plat; he said everything is in
10 order and they intend to do that. He reiterated that he was just present to get the permission to cut
11 the trees.

12

13 Mr. Eickman responded to Mr. Stokosa that he thinks the Board is inclined to accommodate him,
14 but it will be with some conditions.

15

16 Ms. Robbins then spoke that some of the conditions are from Rich Rennie's memo to the Board,
17 which she said she would give to Mr. Stokosa:

18

- 19 - Prior to any tree cutting shall be staked by a professional engineer land surveyor.
- 20 - The surveyor shall flag the edge of disturbance to allow for the Town to visually confirm
- 21 compliance with the tree clearing plan.
- 22 - Clearing and disturbance shall be minimized to the maximum amount practical.
- 23 - Maintain stumps in place until the Subdivision plat is filed and authorization has been
- 24 granted from the Town to begin site grading work.
- 25 - All fell tree branches to be mulched or removed from the site.
- 26 - All logs shall be removed from the site, or neatly stacked in accessible piles, not in public
- 27 view.
- 28 - All cleared areas not subject to construction for more than 14 days shall be seeded with a
- 29 temporary cover crop.
- 30 - Must contain and saw and maintain a stabilized construction entrance for duration of
- 31 work, as approved by the Town engineer, prior to tree clearing.

- 1 - Recreation fees and Town inspection fees to be paid prior to tree clearing
- 2 - Restoration bond in the amount of \$10,000 set up and then a \$2,500 escrow for an
- 3 environmental monitor.

4
5 There were no comments or questions from the Board Members. Mr. Eickman said he would
6 accept a Motion to approve the plan, subject to the conditions.

7
8 Mr. Bryant said he had one detail, and asked Mr. Stokosa if a permit was needed from the DOT
9 to access the site, to do this work – or did he already have his DOT permit. Mr. Stokosa replied
10 that he already has the Highway permit and there may be an acknowledgement within the permit.
11 He said he would ask Cassandra if something is needed, something separate. Mr. Bryant said he
12 wanted to see a sign-off from DOT that, wherever the construction entrance is put, that the DOT
13 is okay with that.

14
15 Mr. Eickman said that would be an added condition to Ms. Robbins’s list and again said he
16 would accept a Motion to approve the site-clearing plans, subject to all of the conditions just
17 mentioned,

18
19 MOTION made by Richard Campbell, seconded by Ed Miyoshi, to approve the
20 Farmview Estates/Phillips Farm site-clearing plans, subject to all of the conditions
21 noted this evening. Voted and carried unanimously.

22
23 Mr. Bryant wanted to add that it be made clear that the site-clearing would not be done on
24 Saturdays or Sundays.

25
26 MOTION made by Richard Campbell, seconded by Ed Miyoshi, to accept the
27 **Amended** Farmview Estates/Phillips Farm site-clearing plans, with the additional
28 condition that there would be no site clearing on Saturdays or Sundays. Voted and
29 carried unanimously.

30 -----

1 ***Additional Item from the Floor:***

2 ***RIGGIO LOT-LINE REALIGNMENT***

3
4 Mr. Eickman announced that there was an additional item from the floor. Ms. Robbins stated that
5 there was a Lot Line Realignment for an existing (3) parcels that have (2) older homes that were
6 built in the 50s, plus several structures, i.e. sheds, garages . She said there are multiple driveways
7 right now and the driveways connect the (2) houses and explained there is one lot, with a smaller
8 lot behind it that is vacant. The applicant is proposing to combine (2) lots into (1) lot and then
9 move a lot-line so that some of the existing structures from the one lot end up on another lot.
10 She said there are (3) garages on the one lot and they want to move it around. Basically, she said,
11 what they are doing is making this a little more compliant lot because they are increasing the
12 acreage that is no longer non-conforming for size. They are also trying to adjust the lot line so
13 that buildings have larger setbacks; she said they are not going to meet the setbacks .and/or there
14 are not multiple, like (4) structures on the one lot with the house. She said they are also going to
15 be removing some of the driveway so that there are just (2) clear driveways accessing each lot.
16 The applicant is going to the Zoning Board for some variances and she said there needs to be a
17 coordinated SEQR Review. She explained that the Zoning Board is asking this Board to declare
18 its intent to be Lead Agency and to refer the application to the Zoning Board. At one point it will
19 come back to the Planning Board and she said they are trying to create a process that is a little
20 more streamlined, so that these people are not bounced back and forth between the Boards for
21 like (4) months. She said she thinks the Planning Board will just be told what is happening, ask
22 this Board to be declared Lead Agency, and then, once this goes to the Zoning Board, and if they
23 get the variance, they would then come back to the Planning Board.

24
25 Mr. Campbell asked if this would be subject to the updated Building Codes, such as the
26 structures that are not the houses; are they up to Code and he asked how this would work. Ms.
27 Robbins replied that they are not proposing to touch the structures at all and this is just a lot-line

1 realignment. She thinks all of them are from 1955, when she looked at them, and someone from
2 the Board called out that they pre-date. Mr. Campbell questioned if they would be subject to,
3 once the can of worms is opened up and asked if they should be reevaluated at that point. Mr.
4 Ricketts said they are not proposing any work to the structures. Mr. Campbell said he
5 understands that, but commented that they should still be looked at, especially if they go back
6 that far; what if they are unstable. Ms. Robbins said, until they actually propose work on the
7 structures, there is no way to go in and open that. She said it looks to her as though they may be
8 getting ready to sell the lots so, at that point, she said they probably would have to come in for
9 any building permits because she is sure there will be upgrades to the property for the buyers.

10
11 MOTION made by Richard Campbell, seconded by John Greenan, to declare the
12 Planning Board’s intent to be Lead Agency for Riggio Lot-Line Realignment.
13 Voted and carried unanimously.
14

15 MOTION made by Ed Miyoshi, seconded by Richard Campbell, to refer the
16 Riggio Lot-Line Realignment to the Zoning Board. Voted and carried
17 unanimously.
18

19
20
21 -----
22 Mr. Palin wanted to make a point for clarification, stating that, April Planning Board meeting
23 would be in the year 2024, not 2023 as stated on the agenda.
24

25 -----
26
27 Mr. Eickman confirmed that there was no further business this evening.
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31 **ADJOURNMENT**
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MOTION made by Richard Campbell, seconded by Sarah Bledsoe, to adjourn the Planning Board meeting. Voted and carried unanimously.

Respectfully submitted:

Kathleen Mahodil, Meeting Secretary
East Fishkill Planning Board