

**TOWN OF EAST FISHKILL
PLANNING BOARD MEETING
MARCH 19, 2024**

Chairperson John Eickman called the meeting to order at 6:00 PM.

Members present:

John Greenan, Donald Papae, Lori Gee, John Eickman, Richard Campbell, Ed Myoshi, Sarah Bledsoe, Alternate John Giovagnoli; Scott Bryant, Engineer; Michelle Robbins, Planner; Rich Rennia, Engineer; Christian Moore, Engineer; Michael Cunningham, Attorney; Matt Rickett, Zoning Administrator; Dave Palin, Fire Advisory Board; Chris Jodlowski, Board of Fire Commissioners; Staff: Jackie Keenan, Clerk.

The meeting began with the Pledge of Allegiance.

CHAIRPERSON COMMENTS

Chairperson Eickman stated that the upcoming meetings were Tuesday, April 16, 2024, and Tuesday, May 21, 2024.

APPROVAL OF MINUTES:

February 20, 2024

MOTION made by Richard Campbell, seconded by Ed Miyoshi, to approve the minutes of the February 19, 2024, meeting. Lori Gee abstained and all others voted aye, and the motion carried.

Chairperson Eickman announced that there will be joint a Planning/Town Board Public Hearing for L.I.D.L. Warehouse on April 25, 2024, at 6:00 PM.

ADJOURNED PUBLIC HEARING:

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 sq self-storage facility in the B-1 zone

Jack Essler, Kevin Solli, Derek Gribulus, David Smith, Cosmo Marfione, and Chris Pawlowski were present.

MOTION made by Richard Campbell, seconded by Lori Gee, to re-open the Public Hearing. Voted and carried unanimously.

Mr. Essler thanked everyone for being here and for considering this project. He reviewed their proposed agenda for the evening. He introduced all of the people that were with him. He stated, as the asset manager, he wanted everyone to be aware of the community engagement that they do. They have Santa Claus and the Easter Bunny come into their sites. They have car shows at their sites. They do try to ingrain themselves into the community. They are an A Class a self-storage community and this will be their fourth facility in the country. It operates as a mom-and-pop facility. They support local Little League teams. They have people who come in daily to have coffee with our building manager in Milton. They would really like to bring that sense of community to East Fishkill.

Mr. Solli stated he has been here before. The focus of tonight is to review the changes and revisions since the last hearing. They have made a number of revisions to address all of the comments by the Engineer and the Planning Board. They really feel that this is the least impactful site development plan that could be on this property. They have incorporated a landscape berm along the northern property line to further elevate the buffer plantings interface they are proposing. It will be a very large double row of Evergreen trees that will be planted on the berm. They are proposing 6-to-8-foot trees on top of a 4-foot berm. When fully maturation, that will be a thick, extensive vegetation screen to protect and minimize any potential visual impacts to the north. They have incorporated a 6-foot-high white vinyl fence along the northerly

property line that extends around the rear drive to the end of the retaining wall which will provide additional screening from any of the properties. There is already a very extensive existing tree buffer in that area as well and it will be maintained. They have incorporated a very small retaining wall along the rear drive aisle in the back and some of the minor grading has been transitioned outside of the commercial zone. All that activity is now limited only to the commercial zone property. They are not doing anything on the residential side except for some plantings. That avoids any adverse impacts to the surrounding residential areas. The Storm Water Report has been revised. They have exceeded all of the storm water quality requirements and from a storm water detention standpoint, all of the storm water on the site will be collected, routed, treated, and then discharged into both a combination of underground and aboveground storm water basins. At the request of the Town Engineer, they have eliminated any flow from the impervious surfaces. It will be fully contained and detained on-site and there will be no discharge of any storm water off of this property. They have done several infiltration tests, and they feel there will be quite a bit of infiltration associated with this. Their design did take a conservative approach and did not take into account any of that exfiltration. There is also an additional foot of free board in both basins for surplus capacity. Without even taking exfiltration into account, they feel that this is the most comprehensive approach they have taken to storm water management, and it far exceeds the requirements from New York State DEP and DEC. They have also updated the Earthwork Memorandum to update and reflect the revised grading. They did provide the detail for the proposed monument sign, which is identified on the site plan. They also provided some cross-sections to provide the Board with a broader view of the relation between the proposed building, the existing street, some of the other berms and landscaping. They also tried to show the existing buffer that exists to the residential properties to the east. They do not believe that this proposed building will have any visual impact on any of the surrounding residential properties. They believe what their design complies with all of the applicable zoning regulations. They believe they have been able to address all of the comments from the staff. They have provided the technical analysis to support that. They also believe this project provides the least impactful potential developments for this property. This type of use really is the least impactful from a trip generation standpoint. They have coordinated with the Department of Transportation

regarding the access driveways for this. They believe that this is a very good plan and program for the site.

Mr. Gribulus stated they were asked to put together superimposed images of what the project might look like from certain vantage points. They took 10 pictures from various locations around the site and then superimposed the building or proposed use onto those pictures. They also show the rendering for the Architectural Review Board. He had rendering from the following locations: View 1 – directly across Route 82, View 2 – looking northeast from Route 82, View 3 – looking southeast along Route 82, View 4 – from the neighbor to the north. The trees on the neighboring property will remain. They will be able to see the 6 foot fence which is on top of a 4 foot berm so it is really 10 feet high. There are also proposed Evergreen trees planted on top of the berm along that line. View 5 - is from the property on the south side. It is a commercial property and there is not much as far as trees or screening between those two properties. View 6 - is at 143 Clove Branch Rd. looking southwest. They will be able to see part of the fence and part of the top of the building. Most of it is covered by the grade. View 7 - is from 40 Foster Rd. looking Northwest to the site. They do believe this site will be mostly hidden from view. View 8, 9 and 10 are all from 149 Clove Branch Rd. They are putting proposed evergreens in to further screen the building but don't believe much else will be visible from there.

Mr. Solli stated that they have provided a trip generation report. They've gone through the preliminary review process with DOT regarding their proposed development and access points. They have one-way circulation with an entrance and exit. He wanted to go through the trip generation for this proposed use. They believe it is a very negligible trip generator. Their report reviews the AM peak hour, and afternoon peak hour, and Saturday peak hour. If you were putting 100 vehicles into traffic it warrants a fully detailed traffic assessment. They provided a trip generation comparison table between what is being proposed, a medical dental office, a fast food restaurant, and a gasoline/service station. During the AM peak hour this use would generate seven trips, a medical dental office would generate 62 trips, a fast food with the drive-through window would generate 205 trips, and the gas station with 10 fueling stations would generate 82

trips. During the PM peak hour self-storage would generate 12 trips, medical dental office would generate 79 trips, fast food restaurant with drive-through window would generate 152, and a gas station would generate 111. On a Saturday peak hour self-storage would generate 14 trips, medical dental would generate 60 trips, a fast food restaurant drive-through window would generate 254 trips, a gas station would generate 102 trips. These are all permitted uses for this zone. What they are proposing is a fraction of what could be proposed on this property. For daily trip generations the self-storage on a weekday would generate 120 total, medical dental office would generate 720, fast food restaurant drive-through would generate 2150, and a gas/service station would generate 1376. On a Saturday self-service warehouse would generate 146, medical dental office would generate 276, fast food restaurant drive-through window would generate 2834, and a gas station would generate 1457. We looked over the other possible proposed uses of this property this is the least impactful. He stated his conclusions, for the record are as follows; minor increase in traffic volumes associated with the proposed development is within the daily fluctuation of traffic volumes on the roadway network. Anticipated trips generated by the proposed redevelopment can be accommodated by the surrounding roadwork network without adverse impacts to the operating conditions of the adjacent roadway network. Approved land-use includes significant traffic generators such as tractor deliveries, and gas stations and grocery stores traffic.

David Smith stated he has worked with Mr. Marfione on a number of projects in the past. He has prepared a social economic and tax analysis with respect to the proposed project. They use a desktop survey methodology looking at the existing tax table for an existing facility within the Town of East Fishkill, Guardian Self Storage Facility. They looked at the assessment both for the land and the building square footage. That is how they arrived at their assessed value per square foot. They then translated that into an assessed value that could be applied to this particular application on a square foot, per acre basis. This information was supplied on March 10, 2024 in a memo directed to this Board. In addition to that, the Guardian facility is a different product than what is being considered now. Guardian is an open-air facility that you drive up to and walk to your individual unit. This proposal was for a fully enclosed facility that will be climate control

with a full series of security measures that are involved as part of accessing it. In addition to the Guardian facility they also reviewed the Life Storage facility in Fishkill located at 35 Merrit Blvd. That facility is approximately 60,000 sq ft on 3.1 acres. When they compare the two assessments there is a higher value for the newer, enclosed facility. The range is between \$32 and \$54 per square foot. They are trying to provide some reasonable expectation that the town could get for estimated tax revenue. Using the assessed value methodology they were able to project an assessed value of somewhere between \$3 million and \$4.5 million. That translates into a projected tax revenue of \$77,000-\$120,000 annually to all taxing jurisdictions. The projected increase in overall tax revenues between \$65,000 and \$109,000. That is a significant increase in tax revenue with respect to this particular project. He has worked with a number of towns that have considered self-storage facilities. This does generate anticipated tax revenue with no school-age children associated.

Cosmo Marfione stated he is the president of the BDC Group. He stated he wanted to go over a summary of the Planning Board concerns and how they tried to mitigate those concerns. Then he will review the neighbors' concerns and how they responded to those as well. The first concern was design. At first they thought they could use three stories which is a more residential design. Then they found out they could only do two stories and they proposed a very boxy looking project. Their architect, Derek, was able to do a great job to try to get a more residential equivalent two stories. They have taken into consideration trying to close in their site as much as possible from the back inside with berms, screening, and a vinyl fence. They have accommodated the WB 62 truck turning capacity around the building and into the site. They have zero light emittance onto neighbors' properties. They have redesigned the back to include a dedicated loading and unloading area. They included several split rail fences around the retention ponds. They are compliant with all New York State DEC regulations in regard to Indiana Bat and Blanding Turtles. They have reduced the building signage and lighting as requested by the Board. They have focused a lot on noise and sediment control during construction. They have included anti-tracking pads for trucks. Vehicles will be hosed down and they will have a sprinkler system on site for dust mitigation. They will have construction fences and silt fences as

required. They will have controlled trucking hours to get trucking on site after the peak hours in the area. They will sweep the roads daily. They will have stockpiled protection and sediment traps and make sure that an engineer is there daily to do an inspection during the earthmoving operations. In regard to community concerns, they did receive two letters from the community and they are attempting to address both of those letters. One of the comments was asking if there is a demand for storage and they presented their feasibility study showing there is plenty of demand for storage facilities. In regard to building size and location they are within the zoning regulations. They are not seeking any variances. They have designed the building to make it look good from the road. Their side yard setback exceed what they need them to be for regulation. They have natural screening. They did spec the lights to be dark sky compliant. They have a 1.0 which is a very good rating for lighting. They have not done anything to cause illumination beyond the perimeter of the building. It is not a 24-hour facility. There is staff there between 9 AM and 5:30 PM. Existing clients may access the building between 6 AM and 10 PM. There were questions regarding protecting the local drinking water. Their storm water quality standards exceed New York State DEC requirements. They will not be on well. They will be connected to the Town's public water system. They will have minimum wastewater effluent. It is designed for 75 gallons a day. They have monitored their three other sites and the actual number is less than 30 gallons per day. This is definitely a minimal environmental impact compared to other permitted uses that could be here. There is 24-hour CCTV and they have access control with a 24-hour call center. They do have property managers that are trained and screen the customers. There was a request for motion sensors around the building. That is normally built into their wall packs. This facility should have very little impact on noise and traffic. Their HVAC equipment will adhere to any state and local requirements as far as noise. Another big concern was the natural barrier to the residential lots. The R1 lot will remain as a buffer and stay undeveloped. The building is set back 134 feet from the rear lot line. There will be no repurposing of the building in the future. This building is built with bearing walls every 10 feet. It would be very tough to take those out without causing a building collapse so this facility will stay a self-storage unit for a very long time. These units don't usually have any effect on property values. Mr. Marfione stated some alternative projects that could be built on this site could be as follows: for

the B1 site it could be a commercial communication tower, commercial kennel, a drive-through retail and service facilities, gas station, public utility structures, fast food restaurants, medical centers and clinics, and mortuaries. For the R1 Northeast lot it could be a nursing home, cemetery, daycare, hospital, mulch preparation, commercial communications tower, motel, or utility substation. Based on the zoning they have to be 40 feet from the front, 10 feet from either side, and 20 feet from the rear. Their proposal far exceeds that. All of the alternative possible uses would have a huge impact on traffic. As far as project benefits he stated this would have no adverse impact on the environment, no impact to the school system, minimal traffic and noise impact compared to other permitted uses. This will also be a tax generator for the town with very little impact to town services. There will be job creation as they will have 2 to 3 employees. Mr. Essler stated they do cross promotions with other businesses and the Chamber of Commerce. Any lawn care or snow removal for their facility, they hire from within the town. During the general construction there will also be a substantial amount of local contractors they will be able to employ as well. They do have an extensive referral program. They sponsor youth sports team in their local communities, they do Toys for Tots and have Santa Claus and the Easter Bunny. They do fun fair days for the children with bounce houses. They have done pet adoption events. Whatever they can get the community involved in they do try to do. At the Patterson facility they hold Chamber of Commerce breakfasts. These are things they would love to bring to the community if given the opportunity. Mr. Marfione stated for tonight their call to action would be to conclude the Public Hearing and see if the Board is ready to review the SEQRA documentation.

Mr. Essler stated over the last week or two he has been able to go and meet with some of the neighbors and sit with them to talk and take pictures. He greatly appreciated the ability to interact with everyone and have open and candid discussions. He thanked them all for considering the project and having these conversations.

Chairperson Eickman thanked them for a very detailed presentation. He asked if there were any Board members with any questions or comments. There were none. He asked if there were any

Professionals Questions or Comments.

Attorney Cunningham stated there are two points from the most recent resident letter that he is hoping the applicant can address. He asked about the trees and landscape that would be buffering the property and dust control measures they would have. Mr. Solli stated he said in error that the trees along the back of the property would be 6 to 8 feet tall and he misspoke. They will be 8 to 10 feet tall at the time of planting. That will provide a very good vegetative buffer at planting and then they will continue to grow and become more robust. They are adding 32 Evergreen trees along the northern and eastern borders. There are 13 “over story” trees in the front and along the sides. For those it will be Eastern Hemlock and White Spruce. Those trees will keep the vegetation all year. Mr. Marfione stated the pictures were taken last week and you could barely see the buildings from 143 Clove Branch Road. In a few weeks when the trees green up you will never see any of that building. They did an incredible job screening the northern and eastern property lines as well as keeping away from the property lines for the building itself. Mr. Essler stated there was a mention from one of the residential letters regarding them pressure washing their homes. He stated there is a certain liability when they start pressure washing houses they don't own so they cannot commit to that but they are taking all measures already spoken about for dust and if they need to produce a pressure washer for some of the residential neighbors to use, they would be happy to do that. Mr. Solli stated this site will also be equipped with a water truck there to provide additional dust suppression so the site does not become something that is kicking up a lot of dust. He does believe they have built-in protection measures to combat the residents' fears. Mr. Marfione stated there will be a lot of construction at the very beginning. Once they get the foundation in and the slab down, around the building will be stable. In Patterson they put the binder coat down before they started erecting the building. If they don't put the binder coat down first they will put out Item 4 so they don't create a lot of dust.

Christian Moore stated that they have submitted but he has not had a chance to review the submission yet. They will be going through it to make sure everything has been addressed. They have taken steps to make sure everything is pretty much over designed and that is due to the fact

that the DOT Highway has no drainage at all. They will be going through the plans and checking all of the materials.

Chairperson Eickman stated there was a second letter received that was dated on March 12, 2024. Parties to the letter are Joe Diano, Mar Garfinkle, Franco Matika, Sandra Sanchez, and Tim Tarp. There was also a note sent by Michael Amirisano. He believes all of the issues stated in these letters were addressed during the presentation.

Chairperson Eickman asked if there was anyone from the public to speak for or against this application. There was no one.

Engineer Bryant stated that he knows that the WB62 will make it around the building, but he asked if the fire district's ladder truck can make it all the way around the building. Mr. Solli stated yes it will. Engineer Bryant asked what the maximum depth cuts in the rear of the building would be. Mr. Pawlowski stated the rear grade where the rear drive is existing is about 300 and their first-floor elevation is 288 so there is about a 12-foot cut. They did try to build the building into the hill. Engineer Bryant asked if they have done test pits and Mr. Pawlowski said they have done substantial test pits in the front, along the side, and in the rear of the building. Engineer Bryant asked if they could go down 12 feet without any issues, so they don't need to do any hammering. Mr. Pawlowski stated that they have done borings and they should be okay but, as ground can be unpredictable, they will address that if it arises. Mr. Solli stated they do have a Geotech report and the borings are within the limits of the building and they are not anticipating getting any rock. Engineer Bryant asked where the A/C units would be located and Mr. Pawlowski stated they are along the side of the building. Engineer Bryant asked if there was a screening around the those. Mr. Pawlowski stated that there is a fence that surrounds the units themselves as well as around the building. There is also a berm with plantings on it. Engineer Bryant asked what the finish floor elevation was versus the Route 82 elevation. Mr. Pawlowski stated route 82 elevation is just shy of 282 and their first-floor is a 288. Engineer Bryant asked if there was a berm at Route 82 at the pond. Mr. Solli stated they bring the grade adjacent to the

pond at 287. The trees that are shown on the picture are actually elevated approximately 5 feet. You should not be able to see the pond from the roadway. Mr. Moore stated that typically the DEC frowns upon putting trees in a berm that is to provide an embankment just in case high wind takes up the trees it does not compromise the integrity of the berm. Mr. Solli stated he does believe the landscape plan accurately depicts where the trees are more in relation closer to the roadway then on the berm.

Engineer Bryant stated their assessment valuation had it at approximately \$35 square foot. Mr. Smith stated that the guardian storage was at \$32 per square foot and the one in Fishkill was \$56 per square foot. Engineer Bryant stated he believes the numbers are under what they will actually be. Mr. Smith stated they are trying to be very conservative about what the assessment could be.

MOTION made by Richard Campbell, seconded by Lori Gee, to adjourn the Public Hearing. Voted and carried unanimously.

Chairperson Eickman stated they still have some storm water review to go over as it came in a little late. They will see the applicant at the next meeting. Mr. Marfione asked if it would be possible at the next meeting to review the SEQRA for appropriateness. He asked what would need to happen for the Board to vote on SEQRA. Ms. Robbins stated they just need to finish their storm water review. After that is done the Board should be ready to review SEQRA at the next meeting. Mr. Marfione asked if there was anything else they needed to submit. Attorney Cunningham stated that Mr. Moore is still reviewing everything and if there is anything else needed, the Town Professionals will contact them.

One resident did asked if the Board would still accept letters from people from the public who were not able to be here tonight. Attorney Cunningham stated the Board normally keeps things opened for 20 days for additional comment letters from the public.

DISCUSSIONS:

DISCUSSION:

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

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

Steve Wilson was present.

Mr. Wilson stated that since their last time before the Board they have made quite a sizable submission. The submission from February most importantly included a full drawing set, a storm water prevention pollution plan, and various environmental documents with their application. They have also been active with other boards in Town. They were before the Town Board last week to start the process for the Special Economic Development Permit. They have attended two ARC meetings in February and March and will be back there in April. They feel like they're getting close to being set with the elevations of the building. They have added some color and striping to break up the massing. The plan set tonight is not up to date, as the new one does have a little more color to it. It is still a work in progress with the ARC. They met with the Fire Advisory Board and got some good feedback in February. They just received some recent comments, which they will be addressing. They received comments from the Army Corps of Engineers on their Wetland Application and they are working on addressing those. They are waiting on DEC to send their comments and they are hoping to get them this week. A key issue they are working on is a leftover "landfill" that is approximately 1 acre in footprint on the property. Reportedly all the material that was once there that may be classified as a landfill has since been removed years ago. That area just remains have enough classification. They have a meeting with DEC hopefully soon to discuss and see if there's a way to remove that labeling. The Office of Parks Recreation Historic Preservation had asked for a Phase 1 and a 1B done. That was done and they have signed off on it. Unfortunately, they feel that the park and the buildings are now in excess of 50 years of age. That means they could be historically significant. They are pressing the applicant to do a photo inventory of the park to confirm that none of the buildings

on the property are historically significant. The applicant has tried to push back on this, as it is not technically their problem. He cannot get this part of the project signed off until they provide the photographic inventory. Mr. Wilson stated he just received four comment letters today. He did not see any big problems with addressing those issues but he is still reviewing them. That will include revising the traffic study for the next submission. The building size, height, parking layout, and circulation all remains the same. They are really getting into the design and the issues related to infrastructure, the storm water management system, and all of the details going to the project. They are hoping to get the submission in by the end of month so they can be back before the Board in April.

Chairperson Eickman asked if the co-applicant, iPark, was also making progress. That would be in regard to moving the water tower. Mr. Wilson stated yes. Their FEIS covers both projects. Square footage and disturbance area are all calculated based on two projects.

Mr. Campbell asked if the landfill designations has caused environmental testing to be done. Mr. Wilson stated supposedly it has been. It has been cleaned up and it is kind of a remnant of the site that still has that designation. Mr. Campbell thought a Phase 1 Environmental would have to be done within the last year to be considered current for this application. Mr. Wilson stated they have a Phase 1 that was submitted with their last packet. It appears the cleanup of this area happened several years ago. Mr. Campbell asked if there were test wells there. Mr. Wilson stated there are test wells around the property, but he does not believe there are any in that area.

Chairman Eickman asked if there were any questions or comments from Board members. There were none. He asked if there were any other questions or comments from Town Professionals.

Engineer Bryant stated they have talked in the past about routing the truck traffic onto iPark Boulevard. He asked if that was still the intent and Mr. Wilson said yes. They control the fleet so their front door will be the Shenandoah Road side.

Ms. Robbins asked were they currently before the ARC. Mr. Wilson stated they have met twice, and they continue to revise the building as they receive comments. They will be back for the ARC's April meeting with revised elevations. Ms. Robbins stated they will need to bring these elevations to the Planning Board Public Hearing. Attorney Cunningham verified they will have an architectural strategy by the April 25 meeting. Mr. Wilson said yes. Ms. Robbins stated that the Town Board will be holding a joint Public Hearing. They will be seeking Lead Agent. They are also reviewing the application for an Economic Redevelopment Special Permit. The Planning Board cannot continue their review until after the Town Board has finished issuing the permit. Assuming all goes well, they will close the Town Board Public Hearing and refer the applicant back to the Planning Board for continuation of the Site Plan Public Hearing. It is the same special permit that Amazon had. Mr. Wilson asked if they had already solicited for lead agency. Attorney Cunningham stated he would check into it.

Mr. Jodlowski asked how many workforce shifts it would be adding. Mr. Wilson eight and some would be overlapping. Mr. Jodlowski asked if they can be supplied with the time shifts since they are sharing the road with the school. They need to make sure it does not conflict with student drop off or pick up. The idea would be to keep as much of the traffic as possible on I Park Boulevard and not Route 52. Mr. Wilson stated there will be a 5 AM to 3 PM shift, that would be the biggest. Then there is an overlapping 8 AM to 6 PM shift, a 12 PM to 10 PM and then about 30 people on the overnight shift. They will supply that summary statistics that were asked for in the other comments.

Chairperson Eickman thanked them for their time. They will be back next month. Mr. Wilson asked if they had comment letters should they go directly to the professionals or do they need to go through staff. Ms. Robbins stated they should go through staff.

DISCUSSION:

2023-067 – J.F.E. Associates, 2528 Route 52 (6456-02-885563)

Applicant is applying to amend their site plan and their special permit to install two practice softball fields.

Mike Gillespie and John Knopf were present.

Chairperson Eickman stated at the last meeting Mr. Gilbert was represented applicant and the Zoning Board had suggested they meet with the Recreation Board and the Fire Advisor Board.

Mr. Gillespie stated he is now working with this applicant. Mr. Knopf is with the Husky's Girls Softball Team and can answer questions about the setup and takedown and safety and training much better than he can. Mr. Gillespie did state last time they were here, one of the larger issues was that they were trying to cram three fields into this one area in the front of the parcel. After looking and re-evaluating the area, they decided that two fields work well. That does reduce the number of issues with safety. Currently the girls use the dome and since the weather has not been conducive to playing outside, they have not rushed to get back before the Board. Spring is coming so they want to start moving forward again.

Mr. Knopf stated this is a nonprofit girls' softball program and they practice and train at the facility on Route 52. They have been there for approximately 10 years. They use this area all winter and in the spring and summer they try to get fields to train the girls outside. They would like to get their own fields on that property so they can train on that one site. Mr. Gillespie stated he believes a lot of the issues were regarding the backstop and some protection for the kids on the side. His daughter was involved with this group for a while and there are things that you can use in order to provide temporary protection. He does not feel there is any intent to try to install a permanent backstop. The organization does have a relationship with Bownet. He does believe he handed that information out as part of the previous submission.

Mr. Knopf stated they travel all over the country playing. The main objective is to get the girls in college and play at the collegiate level. They have done this successfully for 19 years. There are big sponsors out there and one of them is Bownet. This community helps baseball and softball and

youth programs and they have offered to get back stops and bring them in to train with it. In the winter it will get taken down and put away so it is not up all the time. He is not looking to do something looking war-torn out there. This is solely for training of the girls. There is nowhere for girls at this level to play and to be seen by college coaches to get to the next level. The Northeast is just not conducive for that. That is why they have to travel. The nets are made to be put up and taken down whenever you need them. They make back stops as well. That is what they're looking to do for two fields in the front. Mr. Gillespie stated these will be taken down daily and they will not be left up overnight. Mr. Miyoshi stated he has taken his children to the batting cages and within a year or two there were holes in the screens. He asked if taking them in and out would prevent some of that wear and tear and Mr. Knopf said yes. He stated they take them with them when they travel. If somebody is driving they send them with that person. If not, Bownet will come to the tournaments and they can be rented. The rental costs \$275 per team to rent them. Chairperson Eichman stated he would like to see some more detail on those, as it was a long time ago that they reviewed it. He stated some of their other concerns were balls having the potential to hit the parking lots, passing cars or people. They could potentially also be hit out onto the highway. He would like to understand how that can be prevented. Mr. Knopf stated with the two fields, he believes there is plenty of room so that they will not hit the parking lot or driveway. They will definitely not reach out to Route 52. If the girls hit a softball 200 feet, it is a home run. If she gets 225 she is playing D1. He does believe they have a 100 foot buffer after the 200 feet. Of the 275 kids that now play college that he has trained, he has never had anybody hit a ball 300 feet. He has not even seen a 250 foot hit there. Mr. Campbell stated the concern is not just the hitting of the home run, it is the foul ball or errant hit. They also discussed some kind of formal layout for egress safety. The Board also did not know exactly where the parking is or how high the nets are. The parking is gravel so it is hard to determine exactly where the parking is. He believes parking has already been allotted for what is there now, and by adding this into the mix they will need more parking. This could be a new attraction that would have these two fields functioning and in addition, have people inside as well. He also stated he remembered the Fire Advisory board having concerns about emergency vehicle access. Mr. Palin stated that based on their current submission they are not as concerned that, as they did away with the field that didn't have access. Both of the proposed

fields are closer to the parking lot and accessible for emergency equipment. Mr. Campbell stated he does still feel that the best thing for the Board would be to see the actual rendering not just a one-dimensional picture. He would like it to show how it would look when they are at a state of maximum capacity. Without having dugouts there were how far off the line along the field does this go from the plate to the people on the sidelines. If a foul ball goes off, it could hit a bystander or one of the other players. Mr. Knopf stated they are 12 foot high nets, which is higher than most softball field fencing in any town. They are also 24 feet long so they will go all the way down from the backstop to protect people. This would only be for training and it is the same training that they do in winter. They would just be able to go outside if the weather is good. Nobody really wants to be in the dome when it is hot out. Mr. Miyoshi stated this will be training only. They will not be having games with four teams all at one time. Mr. Knopf stated that is not what this is for. There will be no games there. It is only a training facility. Mr. Campbell stated he still would like to see some sort of as of sample of how this works. Mr. Gillespie stated they have the layout of the fields. Then there is a 100 foot buffer. There is also the shoulder on Route 52. He stated he plays on field three at the Rec and if someone is to hit a foul ball, it usually heads towards the front row of parking spaces on the other side of the basketball court, which is only approximately 50 feet to the first row of cars. During sports events that row is usually empty unless a visitor who doesn't know parks there. He is never seen a ball hit over the back or past that. For this application, they are talking twice that distance. The only alteration to the land that is out there now is that some grass will be removed and some clay will be installed. He can show locations as to where these temporary installations will go. Mr. Campbell stated that is basically what he is trying to understand. He's deferring to the Fire Advisory Board to make sure that they are accessible. He does remember there was a question originally regarding the parking and what is originally approved for. He asked if this would garner anymore traffic. Mr. Knopf stated he does not believe anything will change because it's either two teams practicing in the dome or two teams practicing outside. Mr. Campbell stated who's going to make sure that this does not change into something that becomes full-scale four teams and departments.

Ms. Robbins stated at the last meeting they did discuss the Board going to the Recreation Committee. She asked if anyone had spoken to them. Mr. Gillespie stated he has not, but he can.

He does not know what feedback they will have other than asking if these will be available for Town use. Ms. Robbins asked if they were correct on their submission stating there is approximately 90 spaces. Mr. Gillespie said there is a total of 95 parking spaces that are gravel. They have batting cages that are not used in the winter. They have golf that is transitory because people are staying there for half an hour with a bucket of balls, and the done. The dome is probably the largest traffic generator here. Half of the parking lot is never used. He stated there is no way that what is being proposed here will require more than 95 spots. Mr. Miyoshi asked if parking along the entrance would be allowed and Mr. Gillespie said no. When he used to be involved with the Town's girls softball league the dome would be gracious enough to allow them to use it for tryouts. That was probably one of the largest turnouts of people at one time that would be there. Even then it was only half full. Ms. Bledsoe asked if adding these two fields would increase their potential for doing tryouts, clinics, or camps. Mr. Knopf stated no. Whatever he is doing now is what they will be doing later. They would be increasing their usage for training only. Ms. Bledsoe stated the potential is there, so does the parking have enough space for a camp, clinic, or tryouts in addition to the golf, mini golf, and cages. Mr. Knopf stated he has been there 10 years and has never seen that part of the parking ever full. He stated not all parents stay either. They drop their kids off to practice and come back later.

Ms. Robbins stated she was going to consult with the Traffic Engineer and the Planner to look at some of the traffic because they do have to consider all the different uses on site to come up with a realistic number of parking spaces for the site. She asked if the narrative outlines all of the different things happening on the site right now. Mr. Gillespie stated he is not sure but he will check. He stated he is not even sure the minigolf is still functional. Ms. Robbins asked if there was any overflow area for parking. He stated when they put it in it was all gravel and the area that doesn't get used does have weeds growing through it. Mr. Campbell stated they could still try to understand by square footage. Ms. Robbins stated she could have the traffic engineer supply some numbers.

Mr. Gillespie stated they will get the numbers for parking tighter. They will work out a rendering

and he will have a meeting with Recreation. Mr. Campbell asked for the brand name so he could look them up. Ms. Gee asked if they would be put up and taken down every day or put up at the beginning of the season and left up. Mr. Knopf stated they would come down every day and get put away. They are not cheap so they do not want to leave them out. Mr. Gillespie stated they will be back next month.

DISCUSSION:

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

Applicant is looking to revise the proposed parking lot layout and add 10 additional spaces

Joseph DeMarco was present.

Ms. Robbins stated that Valley Christian Church was in front of the Board a few months ago. They wanted to expand their parking. They are coming back to revise their approved plan because they found an area where there was landscaping and they wanted to add an additional 10 spaces. They are going to move the ADA parking spaces closer to the building and they are going to add additional landscaping in another location to mitigate the landscaping that they are getting rid of. The 10 spaces will be added where the connection happens between what used to be a driveway connecting to a separate parking lot. If the Board so desires, it would be just a minor amendment to their approved site plan. It could be amended and adopted by a resolution. The plan was approved but not signed so they are just revising it.

Dave Palin asked if they were sure that the fire apparatus can still make the turning motions throughout the site. Ms. Robbins stated they could put a condition in the resolution that it is subject to review of the Fire Advisory Board.

Mr. DeMarco stated they would provide an updated site plan showing the additional 10 spaces and

where everything is moved to.

NAME OF SITE PLAN: Valley Christian Church
NAME OF APPLICANT: Valley Church
LOCATION: 1072 Route 82
GRID NO: 6458-04-678055/688075

Resolution Offered by Planning Board Member: John Eickman

WHEREAS, the applicant received an amended site plan approval for a minor site plan approval to expand the existing Valley Christian Church parking lot on October 17, 2023; and

WHEREAS, the applicant is proposing additional revisions to the site plan to reduce the size and number of landscaped islands to allow for (10) additional parking spaces; and

WHEREAS, the applicant is also proposing to relocate the handicapped parking spaces closer to the Valley Church office building; and

WHEREAS, additional landscaping will be added to the perimeter of the parking lot in the area of new work to mitigate for the loss of the landscaping due to the ten new spaces; and

WHEREAS, the Planning Board determined the proposed action is a minor site plan amendment and per Section 194.25 D. of the East Fishkill Zoning Code waives the requirement for a Public Hearing; and

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board hereby approves the minor parking amendments as represented on a map entitled " for "Valley Church 1072 Route 82, Hopewell Junction, NY," prepared by Whalen Architecture and dated October 1, 2022 and last revised 3/5/24 with the following condition.

1. Approval from the FAB.

Resolution Seconded by Planning Board Member: Lori Gee

The votes were as follows:

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

The 2024-0277 – Enoteca Wine Bar, 811 Route 82 (6457-01-247570)

Change of use from accountant's office to proposed wine bar

Mr. Russo was present.

Ms. Robbins stated this is an existing business owner who owns the wine store building and rents the space. He would like to take over the space that was the accountant's space and put a wine bar there. He is coming to the Planning Board because there is no existing site plan for that plaza. He wanted to go straight to the Building Department, but because it is a change of use and there is no existing site plan they wanted to look at the parking. That particular plaza only has parking in the front. There is a dirt lot in the back where they might be able to put some spaces but it is unpaved and there is a storm water basin back there. The applicant is trying to get an opinion from the Planning Board because he does not want to spend the money to do a site plan unless he thinks this is something that will move forward. He does realize that parking is a potential issue. This will be a space for approximately 30 seats for patrons. It will be a bar that seats approximately 15 people and tables that seat 14. There will be a small stage area for live music. There will be a kitchen built in with a light food menu, mostly tapis style. Their expected hours of operation would be 6 PM to 10 PM or midnight depending on the day. It will be used opposite time from some of the other business is in the plaza. The total parking available in the plaza is 21 spaces in the front. He is saying there are 10 more in the rear, but the rear is treacherous. Engineer Bryant stated there is a drainage issue that would have to be fixed. Ms. Robbins stated that during the evening when they are open the applicant is saying that none of the other businesses in the plaza are open. Mr. Miyoshi stated that the building next-door has Dunkin' Donuts, El Guacamole, and the barbershop. They have evening parking as well. Ms. Robbins stated she does believe that El Guacamole's parking does go over sometimes. Ms. Robbins stated she does believe he needs to do a site plan to show what he will be doing with parking. Engineer Bryant asked if it was a permitted use and Ms.

Robbins said yes. Ms. Robbins stated she believed capacity would be held at 29 because there is only one egress. Mr. Campbell asked what the formula was from the building capacity to car capacity. Ms. Robbins stated there is a standard restaurant number that they use which is based on every 50 square feet of patron use is supposed to have one parking space. Based on that there is approximately 600 square feet dedicated to patron space which equates to approximately 12 spaces. Ms. Robbins stated she believes that is low because it does not include staff in that number. Ms. Bledsoe asked if they fixed the drainage issue could they park in the back. Chairman Eickman asked if there was a paved piece in the back. Engineer Bryant stated there is a paved piece in the back. It does pond at times and would need to be corrected. He's not sure about pedestrian access either.

Ms. Bledsoe asked if the applicant owns the building. Ms. Robbins stated that ultimately the owner of the building should be coming in to revise their site plan. He is the applicant tenant. Mr. Russo is the owner of the building and he stated that he is on board with making these improvements. Chairman Eickman stated it sounds like the plan makes a lot of sense and it is upscale for Hopewell Junction. He does agree with getting the site plan and understanding the parking requirements a little bit better. Ms. Robbins stated they should also look at pedestrian walkways and lighting and the refuse container. Mr. Russo stated right now the refuse container is in the rear of the building. Mr. Russo asked if the front area was where the 12 parking spaces would be allocated for this use. Ms. Robbins stated they would have to look at the site plan to see how all the different spaces are parked. That was what the applicant's narrative had said. If the parking lot is empty, people will park closest to where they want to get in.

Attorney Cunningham stated the next step would be to have an engineer hired to create a site plan. Mr. Russo stated that is in progress. He asked if the rear was required for this proposal and Ms. Robbins stated she would have to review the site plan and see where everything is. Mr. Russo stated the engineer wanted a scope of work to define what planning was necessary. Ms. Robbins stated everything the engineer should need is in the code, but he is more than welcome to call her. Mr. Russo stated they were thinking about re-designing for this purpose and if the back area would not be necessary. Ms. Robbins stated they will have to include handicap spaces and that number is based on the total number of spaces required. It will either be one or two. Mr. Russo asked if

there were rules about what businesses were allowed to use what parking spaces. He stated a lot of patrons from the neighboring plaza going to El Guacamole park in their parking lot. Attorney Cunningham stated that is a trespassing issue and is not something that this Board can handle. Mr. Russo stated they want to be friendly neighbors. Attorney Cunningham stated sometimes businesses have an agreement for overflow parking, which is something that they may want to consider. If they are permitting the other businesses to park there, it is not trespassing. Mr. Russo stated they were all gentlemen's agreements in the past but the change in use to the other plaza made the popular restaurant's changing the circulation of the site so he is learning as they go. Engineer Bryant asked if this was where the flower shop was and Mr. Russo said yes. Ms. Robbins stated the post office is actually on that site, so that area could technically be overflow parking. That is all things that they will have to look at when the applicant provides the list of uses. Mr. Russo asked what things did he have to have turned in to be on the next meeting. Ms. Robbins stated to be on April 16 agenda he will need to submit by the last day of this month before noon. Mr. Palin asked if there was a working fire alarm system in the building. Mr. Russo said he believes the liquor store has a burglar alarm. Mr. Palin stated that it would be required, and they will also need a Knox box.

Chairperson Eickman asked if there was any further business to be brought before the Board. There was not.

ADJOURNMENT

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

Respectfully submitted:

Julie J. Beyer, Meeting Secretary
East Fishkill Planning Board