

**TOWN OF EAST FISHKILL  
PLANNING BOARD MEETING  
MAY 21, 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, June 18, 2024, and Tuesday, July 16, 2024. He did state that the screens were not working for the evening so presenters would have to go old school with paper.

**APPROVAL OF MINUTES:**

**March 19, 2024 and April 16, 2024**

**MOTION made by Ed Myoshi, seconded by Sarah Bledsoe, to approve the minutes of the March 19, 2024, meeting. Voted and carried unanimously.**

**MOTION made by Richard Campbell, seconded by Sarah Bledsoe, to approve the minutes of the April 16, 2024, meeting. Voted and carried unanimously.**

**DECISION:**

**2024-07 – Riggio**, 228-230 Lake Walton Road (6357-04-680444, 685419, 665430)

Applicant is applying for a lot line realignment to create 2 residential lots from three existing lots. Each lot would contain a house and outbuildings

**Brian Stokosa were present.**

Mr. Stokosa stated this should be procedural. The applicant was at the last Zoning Board meeting and they are back before the Planning Board for the final approval of the lot line realignment.

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

*(Insert Resolution)*

**PUBLIC HEARING:**

**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.**

Mr. Gillespie stated that this is the golf facility out on Route 52. Right now, there is a driving range and batting cages and a small dome facility. That is now leased by the Empire State Huskies. It is a girls softball travel operation. They're looking for the installation of two fields within the front area. There is a significant area of grass between the roadway and the start of the parking area in the front. This would be for the installation of two fields specifically for the use of the Huskies. There would be no tournaments at this location and it would get the girls out of the dome when the weather is nice.

**MOTION made by Lori Gee, seconded by Sarah Bledsoe, to open the Public Hearing. Voted and carried unanimously.**

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

Ms. Robbins stated since the applicant was here last, the Town has received a few complaints regarding the parking on the weekends. The complaints provided pictures that show the parking lots very full and parking along the sides of the entrance driveway. There is also some site flooding that takes a part of the access driveway blocking proper ingress and egress. Those are concerns from its current use prior to these fields being put in.

Mr. Campbell asked if the property had currently been sold and Mr. Gillespie said yes. Mr. Campbell asked if the current application had the current property owner and the applicant. Clerk Keenan said no. Attorney Campbell asked if J.F.E. Associates was still the owner of the property. Mr. Knopf stated he was unsure if the sale had gone all the way through. Mr. Gillespie stated J.F.E. was the previous property owner. They went ahead with a site plan modification for J.F.E. because that was the original owner that the application was under. He stated that these gentlemen have had a discussion with the new property owner and they plan on continuing the lease. Mr. Knopf stated they had a new lease on the property going forward and the new owners know that they are here because this was started under J.F.E. The new owner is the East Fishkill Commons. Mr. Campbell asked if it is out of their purview to have this discussion without the actual owner being present. Attorney Cunningham stated he thought it would be okay if they had a letter submitted from current property owners saying that they support this application. Mr. Campbell asked if they had not and Attorney Cunningham stated he did not believe they have at this point. Mr. Knopf stated they could get it.

Chairman Eickman asked how long the lease runs for. Mr. Knopf stated it is for two years. Mr. Campbell verified they have a new lease with the new property owner and Mr. Knopf said yes. Mr. Campbell asked if they had a copy of that with them and Mr. Knopf said no. Attorney Cunningham stated it is within the Boards purview to keep the Public Hearing open until they get

all of the information that they would like. Mr. Gillespie stated there are a lot of applications that come before the Board that are for the lessors and not owners. No one asked them for the contract with J.F.E. when they started this application either. They will provide whatever the Board needs from the owner to prove that they are on board with moving ahead with this application.

Chairman Eickman asked if the applicant was ready to respond to the letter from HVEA Engineers regarding the parking and parking study. Mr. Gillespie stated they have provided information relative to the parking indicating there is a lot of open parking during the standard usage of this property. When the original site plan was approved it showed a large area of parking. Right now, there is a significant amount of parking between the North end of the parking area and Route 52. Because it has not been used and was gravel at one time, it is overrun by weeds. Those parking spots don't seem usable. Mr. Knopf stated two weeks ago they did an empowerment for women and all of the girls in the organization that are going on to play softball at a college level were present. It was held for an hour and a half and was much bigger than he had imagined it would be. There were a lot of outside women coming to support it and there were a lot of cars there. There were a lot of spaces that were not used so there were cars that were parked where they should not have been. Ms. Robbins asked if those overgrown parking spaces are used in the calculation for the 95 spaces shown on the site plan. Mr. Knopf said yes. Ms. Robbins stated that they need to have a condition that the parking area gets mowed and is appropriate for use before anything is signed on the Site Plan.

Engineer Bryant asked how do they efficiently park cars if nothing is paved and striped and how do they establish 95 spaces. Mr. Knopf stated that was calculated before his time so he is unsure. Mr. Gillespie stated because parking has never been an issue there is not an efficient way to do that right now. The site plan was approved with gravel parking. Now there are wooden ties that provide an island sort of area. They could put some concrete barriers or something there, and Engineer Bryant stated it will be up to the applicant to ensure that they can fit 95 cars in there. He stated they will have to see what the applicant proposes. Mr. Gillespie stated the 95 spaces were based on the original site plan and the layout for that. Half of those parking spots having the nearest position never been in need. Mr. Knopf stated that they will be mowing that area and

cleaning out that area. Engineer Bryant stated he does believe it needs to be delineated. Mr. Campbell stated that the applicant is searching for a variance for a special permit. They could technically issue a one-year permit to see how this works. Attorney Cunningham stated they could make the applicant come back after one year. Mr. Knopf stated two years would match up with the lease. Mr. Campbell stated that his concern is that this Board fully understands the explanation of the use of the property. His additional concern is that one day when no one is there watching it, people will just go out and use the fields. That is a big difference between high school kids and adult men who could hit 500 feet. Mr. Knopf stated it is still private property. Mr. Campbell stated that does not necessarily preclude someone from breaking the law and coming in. Ms. Bledsoe stated especially if they are there already using the batting cages. They could put up a sign, but people ignore those. Mr. Campbell asked who is going to police it, because it should not be an issue for the Town. He does not feel this is opposition from the Board, but there does have to be some sort of parameters in case there are issues with people overstepping the usage. Mr. Gillespie stated they could put up signs. Mr. Campbell stated it will still be someone's responsibility to police the area. Mr. Knopf stated he is fine with that. Ms. Bledsoe stated an event there for female empowerment is awesome. She asked if it was the first time he had done anything like that and Mr. Knopf said yes. She asked if having these fields would allow them to do more of these types of events. He stated they have never done anything like this before and the fields they are asking for are for softball, and the event has nothing to do with softball. It was bigger than he expected. It was an hour and a half event. In the future they would probably look for a larger location. Ms. Bledsoe stated her concern is just the parking. She wants to make sure that if they had a clinic with tryouts and over 100 people they would be able to accommodate them safely or they would not be allowed to have that. Mr. Knopf stated they have gone outside for events like that in the past. The women's empowerment event was an unexpected showing and if the parking spots had been cleaned out, it would not have been a problem.

Mr. Miyoshi asked about the flooding in the parking lot and how many spaces were impacted by that. He asked how they were going to mitigate that. Engineer Bryant stated it is more on the entrance driveway.

Mr. Greenan asked if they were still planning on using the two new backstops during practice. Mr. Knopf stated that the purpose of those are to provide protection when they are using those fields. Mr. Greenan asked if they have been provided with a diagram of what they look like. Mr. Gillespie stated they have provided this information on the plan itself with the dimensions to show the backstop and where the players would be on each side.

Chairman Eickman asked if there were additional questions or comments from the Board. There were none.

Chairman Eickman asked if there were any members of the public who wanted to speak for or against this project.

Vincent Napolitano stated his daughter is a resident of East Fishkill and a member of the Empire State Huskies. She was a member of East Fishkill Girls Softball. The team are national champions because of these men. The goal is to improve the character and abilities of these young ladies as well as what is best for them. This is an improvement of property in the Town, not like on the Goodfellows' property next door to them. He does believe the Board should really consider this as it is what is best for the community.

Chairman Eickman asked if there were any other members of the public to speak for or against this application. There were none.

Chairman Eickman stated they were going to adjourn this public hearing to get paperwork on file regarding the current ownership of the property and a plan on how they are going to delineate the parking spaces. Engineer Bryant stated they also need to address the drainage. Mr. Rickett stated they also need to add one or more additional handicap spaces depending on the total number that they end up with. Mr. Knopf stated that the flooding issue comes from the fire department property and it flows onto his driveway. Engineer Bryant stated they should raise their driveway up. Mr. Gillespie stated they will work on cleaning up those parking spaces between now and the next meeting. They will look at the drainage and have bumper blocks or something for delineation.

**MOTION made by Richard Campbell, seconded by Sarah Bledsoe, to adjourn the Public Hearing until the June 18, 2024 meeting. Voted and carried unanimously.**

**DISCUSSIONS:**

**DISCUSSION:**

**2024-079 – Stone Castle, 7 Sprout Creek (6358-01-448555)**

Applicant is requesting site plan approval for an 8,000 sf two-story contractor's warehouse on a 2.09-acre lot in the I-3 district.

**Charles May and George Brant were present.**

Mr. May stated this project is located on Sprout Creek Road, which is off of Route 376. It is comprised of 2.09 acres. It is zoned I3, which is light industrial. They intend to have an 8000 square foot warehouse on the site. It will be comprised of one floor with a second story mezzanine. They have provided parking spaces required by the Town Code. Out of the ten parking spaces they are providing, two of them are handicap spaces. They have provided the Town with a survey of the property. Adjoining the property is a 100-year floodplain which they do not intend to have any development in. They have had their environmental scientists on the site and they have delineated the location of the wetland. There are flags that are located on the survey map. The actual area of the wetland is the Sprout Creek location, which is approximately 12,000 square feet and they did note that in the Zoning Code it states if you have 1 acre there must be a buffer of 50 feet. They do not feel that at this time they require that 50-foot buffer, but even so they are several hundred feet away from the wetland area so they will not be impacting it at all. The warehouse is intended to be a warehouse only. One of the caveats is that there will be no material stored outside. The contractor does a lot of work in Dutchess and Putnam County and they need a location to store supply materials. This would just be lumber, nails, hammers, and things along those lines. They have provided an access point off of Sprout Creek Road. They feel they can get a least a 40-foot van into the site. They will look to see if they can get anything larger on-site. He stated if they did need to get a larger truck on the site, they have space on the street to back a truck in. They have located a potential spot for the sewage disposal system. The well would be in the back of the site so they would have a 200 foot separation. The septic system

would be higher than the well. Their intent for the drainage would be to have dry wells. They will perform a pre-and post-hydrologic analysis. They would also do infiltration testing to determine the size of the dry wells. Their geotechnical engineer has already tested the deep tests they have done down to six or seven feet. They have not had any indication of a water table at that location for the dry wells. He stated Mr. Brant can elaborate further on the actual function of the warehouse.

Mr. Brant stated he is the project manager for Sprout Creek LLC. It is a subsidiary of the O'Neil Group. They are developers and builders in Dutchess County, Westchester County, Orange County, New Jersey, and Connecticut with a large and growing presence in this part of the state. They are in dire need of storage. This building will be for their own account. The first floor will store all manner of construction supplies to include flooring, roofing, compressors, hand tools, ladders, ceramic tiles, door hardware, window hardware, fixtures, etc. the second floor will be a small office for a desk and phone. That space will be storage for paper products, specifically building plans, as built drawings, operating manuals, and things of that nature. The property will be used sporadically. It will not be Monday through Friday 9 to 5 usage. It will be as needed. It will most likely have a driver and one laborer with one vehicle bringing in or taking out materials. There will be no storage outside of the building.

Ms. Gee asked if the entire building was going to have a second floor or just a small portion. Mr. Brant stated it is a partial mezzanine. It is approximately 3600 square feet of the 8000 square foot footprint.

Chairman Eickman asked if there would be any hazardous materials stored on-site. Mr. Brant said no. There would be compressors and generators, but they would not store flammable materials. He does not believe there will be paint or solvents or materials of that nature.

Ms. Bledsoe asked about vehicles outside. Mr. Brant stated there would be no vehicles outside and no overnight parking.



Mr. Greenan asked if they had any idea how many vehicles would be coming or going any given day of the week. Mr. Brant stated it would be sporadic. There may be someone there two or three times a week. They have learned to acquire all of the standard features that are going into the building of the houses, and when they can purchase them in bulk, they do. They learned during the material crisis that if a builder doesn't have supplies, they go out of business. They would rather create their own space for storage than pay someone like iron mountain.

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

Ms. Robbins stated the applicant is being referred to the floodplain review person as there are a lot of floodplains on the site. She stated they will also be referred to the Architectural Review Council. She asked what the applicant is proposing for lights at the building. Mr. Brant stated that he is aware of a dark sky requirements. He stated he will provide dark sky compliant lighting. Ms. Robbins asked if they were planning on lighting the building around the clock or if it would be motion sensor. Mr. Brant stated the building will be lit for security reasons. There will be lighting to access the property in case of emergency, and it will be motion activated. There will be ground lighting and building lighting. She stated that the most motion sensors and timers that can be used the better, and to keep the lighting levels as low as possible.

Engineer Bryant stated that since the applicant stated they purchase in bulk he assumes, at some point, they will need to get a tractor-trailer into the site. The applicant had mentioned they can back the trailer in and Engineer Bryant asked if there was enough room between the entrance and where the parking lot widens out for a forklift to get onto both sides of the truck to unload it. They do not want to have a forklift out on the street.

Mr. Palin asked if there was any plan to put sprinklers in the building. Mr. Brant stated if they were storing hazardous materials, they would definitely have it sprinklered. Mr. Palin stated this will basically be an indoor lumber yard. He asked if there would be heat and smoke detectors and

Mr. Brant said yes. Mr. Brant stated they will comply with the fire department requests as well as the building department requests to make sure that the property complies in all aspects with the advice and the rules of the building code and the suggestions of the Fire Chief. Mr. Palin asked what the overall height of the building was, and Mr. Brant stated 30 feet. Commissioner Jodlowski asked if there was traffic flow all the way around the building or just in the front. Mr. Brant stated just in the front. Commissioner Jodlowski asked if there were ways of egress on all four sides of the building and Mr. Brant said yes. Commissioner Jodlowski asked if there would be fuel for the compressors and generators as well. Mr. Brant stated they generally don't keep compressors and generators filled with product. Commissioner Jodlowski asked if there would be any lithium batteries and Mr. Brant said no.

Ms. Robbins stated they need to declare intent to be lead agency and refer the applicant to the ARC.

**MOTION made by Richard Campbell, seconded by Lori Gee, to declare intent to be the Lead Agency. Voted and carried unanimously.**

**MOTION made by Sarah Bledsoe, seconded by Ed Miyoshi, to refer this application to the Architectural Review Committee. Voted and carried unanimously.**

**DISCUSSION:**

**2024-080 – Vuktilaj Pajtim, 7 Hamlet Way (6558-02-593800)**

Applicant is applying for a Tier 2 solar special permit to install ground mounted solar panels at a residence.

**Vuktilaj Pajtim was present.**

The applicant stated he is here to propose a ground mounted solar installation at 7 Hamlet Way in Hopewell Junction. The system will be a 19.68 kW system with 48 Rec 410 watt panels. They plan to do this in the backyard and provide necessary screening for both of the neighbors.

Chairman Eickman asked what the overall size of the array would be. The applicant stated 14.66' x 16.1'.

Chairman Eickman asked what the screening would consist of. The applicant stated they are proposing evergreens. They typically use Green Giants. Right now, they are proposing three on the north side and two on the south side. They are open if there is something else that would be required.

Chairman Eickman asked if there were any questions or comments from Board members. Mr. Campbell stated he will need to recuse himself from this application as this applicant is a tenant of his.

Chairperson Eickman asked if there were any questions or comments from the Professionals. Ms. Robbins stated this will require a special permit as it is a solar facility. There are special requirements with regards to meeting the permitting so this will require a Public Hearing as it is a tier 2 ground mounted system. She asked if they were proposing removing any trees. The applicant stated he did not believe so. Ms. Robbins stated the neighbor to the south looks like they will be relatively well buffered. Mainly the northern neighbor will have the views. She would like to see some sort of landscape plans to show gets used and what will be blocked from view. The second person to the application stated they would be on page 2 of the engineering plan. They will be 6 feet tall at the time of planting and would be spaced 8 inches. The mature height is 40 to 60 feet. There will be three on the north side. Ms. Robbins stated that the applicant meets all setbacks.

Chairperson Eickman asked if the applicant would be ready for a Public Hearing on June 18 and the applicant said yes.

Mr. Palin asked if there would be any stored energy on site and the applicant said no. It is all connected to the grid.

**MOTION made by Lori Gee, seconded by Sarah Bledsoe, to set this application for a June 18, 2024 Public Hearing. Richard Campbell recused himself and all others voted aye. Motion carried.**

**DISCUSSION:**

**2024-084 – Gabriella Rose LTD, (Flory’s) (6356-04-635231)**

Applicant is applying for an amended site plan to install a new vacuum station, air station, and outside cooler as well as to gain approval for an existing propane gas exchange station and ice chest.

**Brian Stokosa was present.**

Mr. Stokosa stated this is the gas station across from John Jay High School. It has been in operation for a while. This was a redevelopment site. There is an air station in the back of the parcel where the drive through is. It is also where the refuse containers are. The air station is actually attached to the refuse enclosure. Over the course of the years, the applicant has been having a problem with people using air station and pulling the hose over onto Lake Road and leaving it there. The owner is hoping to move the air station upfront. There are two existing footings that were installed after he took over the building. He is proposing putting the air station on one of the footings and also provide a vacuum station. Doing that requires several variances from the Zoning Board. They have made an application to the board but these are considered structures as they do have footings. The air station and vacuum would need a front yard and side yard setbacks. In addition to that, the refuse enclosure is proposed to be expanded and the expansion would be for an enclosed cooler. The site is very tight and cooler space is at a premium as they do share it with Dunkin' Donuts. Since they were going before the Planning Board they would like to make a request to increase their cooler space. For that, the refuse enclosure would be extended out to almost the curb line along Lake Drive and then enclosed within that area there would be a cooler area for storage of products. That will also require several variances. They did meet with the Zoning Board who did entertain the application, but wanted feedback from the Planning Board because they need to update the site plan showing those improvements. Going through this process they discovered a propane cage and an ice chest in the back that are on site right now but were not part of the original site plan. They did incorporate those additions into both the Planning Board application and the Zoning Board application. They are here to correct the existing conditions plan and try to modify

to accommodate a few improvements on the site.

Mr. Miyoshi asked how many parking spaces they would lose by moving the air station and adding a vacuum. Mr. Stokosa stated the air station is in front of an employee parking space right now. Talking to the Zoning Board, there was discussion on how people would use these repositioned new stations. They discussed putting a restricted parking with a five-minute time limit on those spots. The spaces would still be there but that will take them free as much as possible. Mr. Campbell stated that there would then be loss of parking. Mr. Stokosa stated there would be parking that would be dedicated to those two structures. Ms. Gee stated they are not actually removing a parking space. Mr. Stokosa stated when they went through the original site plan application they acknowledged that parking is at a premium as it is a busy store. There is a parking lease agreement with the neighboring site so there is the ability to control employee parking. Mr. Campbell stated that site is very tight. He asked if backing up or additional activity would impede other activities already on site. Mr. Stokosa stated it will have the same continuity. There is a standard backup flow in front, which is easier than backing up into the drive through which is where it is now.

Ms. Gee asked if there was any fire concern with the propane storage location. Commissioner Jodlowski stated generally not with tanks like that.

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

Ms. Robbins stated that this is a coordinated review with the Zoning Board so they need to declare their intent to be lead agency. She stated everybody knows this is a very tight site and there has been a concern in the past about a vacuum in the area there because they did not want anyone there for a long period of time. The Zoning Board is trying to make a compromise by having him add signs to limit the amount of time someone can be there. She stated they just need to make sure there is the one parking on Lake Drive. Mr. Campbell stated they need to make sure that employee parking is being enforced on the already leased space. Mr. Stokosa stated he believes it is five spaces.

**MOTION made by Richard Campbell, seconded by Lori Gee, to declare intent to be Lead Agency. Voted and carried unanimously.**

**DISCUSSION:**

**2024-086 – Shenandoah Lake Estates (Russo), Appalachian West (6454-01-117808)**

Applicant is requesting an excavation and fill special permit for an existing residential lot to bring an additional 2,884 cubic yards of fill to the site.

**Brian Stokosa was present.**

Mr. Stokosa stated this is an older subdivision. The original filed map is approximately 40 years old and was drawn by hand. Specific to lot 18 there is a client who purchased it and he is engaged in the building permit process. The subdivision has a history of septic redesigns because of the original filed map and the accuracy of the soil testings that were done. This lot was subject to a septic redesign. In that redesign, the Health Department increased the fill amount. The original filed map had 2 feet of fill described. The original filed map had no house locations, and no setbacks. It showed a septic area with 5-foot contours. No regrading was shown and just 2 feet of fill. With the septic redesigned it now requires 4 feet of fill. If you look at the topography there is approximately 60 foot of elevation difference between the road and the back of the lot. When the applicant came and they designed the house that is a front load garage. They pushed the garage up to the front yard setback and it is a walkout basement. They did try to conform as much as they could to the natural grade taking into account the decline in the site. They did submit for a building permit and it was determined that the fill is different. That is because of the Health Department and it no longer matches the filed map. They asked to come to the Planning Board to discuss the changing grade as it relates to the filed map. If you look at it from a material import there is a 375 cu.yds. max per year in the Town Code. If you look at the original filed map and bring in the 2 foot of fill to the of 15% of final grade on your septic, the bottom of the septic would have about 5 feet of material. That is about 1100 cubic yards of material just for the septic. If you look at the new septic, it is 4 feet of material. It is a smaller system with different design standards. It is still

for a four-bedroom house. If they start with 4 feet and hold a 15% grade there at 9 feet at the base of the septic system. It is approximately 1300. There is a little bit of a discrepancy and they need to bring in a little more fill now that they are meeting the current Health Department standards. They wanted to bring in the plan and show the grading that is associated with the approved septic plan and talk about grading around the house. If you are looking from the driveway entrance onto Appalachian West to the back walk out, there is almost a 20 foot elevation difference from the driveway to the back of house. In order to meet grade requirements just to fill in around the house and grade you're looking at approximately 1500 yards of material.

Ms. Robbins stated this lot is between two existing homes. She asked how many trucks it would require to bring in all of this fill and what will the final grade be in relation to the other two homes and how they make sure that fill doesn't go to the other properties and stays where it's supposed to stay. They have had problems with this with other properties. Mr. Stokosa stated from a constructability standpoint they have to work from the septic area first and install that first and then stabilize it. Then he would be into the house construction area. They are probably going to clear house foundation first as their staging area and then start importing filler for the septic system to build up. With this he believes would be an advanced plot plan that they would work through with the Engineer's office. He does believe the slopes would be stabilize with jute mesh. They would have a more intense round of inspections as it relates to construction as the fill was being brought in and placed. The newer houses out there do have elevated fill pads. Some of the older houses may not, but the majority of the new houses have 3 to 4 foot fill pads. This is probably one of the steeper lots. Ms. Robbins asked if that would mean it would be three or 4 feet higher than the other houses on either side of it. Mr. Stokosa stated the septic system will start 4 feet above grade and will be 8 to 9 feet above grade 30 feet away. Ms. Robbins stated it is one thing to bring in fill for a septic or are they bringing in fill to meet a certain house design. She asked if there could be a different house design that doesn't require this much fill. Mr. Stokosa stated as far as the septic they are at the bare minimum amount of material required. From a house design standpoint, they have designed a front load garage and pushed all the way to the 50-foot setback line from the road. Most houses do have a sideload route, so they did remove the fill that would

have been needed for a that. They have made the house to have a back yard step out. They could lose a little material if they did a little bit of a higher basement wall. Right now, they are at an eight- or 9-foot wall. If they went to a ten-foot height there could be some material saved. A lot of it is based on the natural location of the property. Mr. Campbell stated that 2800 cubic yards is almost 70 trucks. Engineer Bryant stated he believes it is closer to 140 trucks. It depends on if it's a 40 yard or a 20-yard truck. Mr. Stokosa stated that the old subdivision plan only had 5 foot contours and no house locations shown or the grading for the original septic. Just from the septic standpoint alone there is 1100 yards needed.

Ms. Bledsoe asked how old the houses on either of the sides were. Engineer Bryant stated the subdivision is over 40 years old. Mr. Stokosa stated it is a mix of older and newer houses. Those houses are probably from 15 to 20 years ago.

Ms. Robbins stated there are technically steep slopes on this site and you are not supposed to fill a steep slope. Mr. Stokosa stated they did identify these steep slopes. There are two ridges. One is at the very front that crosses the garage. If you look from the driveway entrance to the front of the garage there is almost a 9-foot elevation drop in 50 feet. There is a narrow band shading on the plan that showed steep slopes. There will be some filling of that, but it is just to access the site. The other band of steep slopes are in the rear yard, there are a couple of hairline steep slope areas, but they don't meet the criteria regarding the length and width requirements. Although they are stated they are not technically steep slopes.

Mr. Miyoshi asked if there was any concern with water coming down the driveway into the garage. Mr. Stokosa stated they do the drainage analysis to see what is coming down and going into the property from the neighboring properties. They try to size a stabilized swale that will be rip-rapped that can handle a 100-year design storm. It brings it down into the natural ditch. They do show the riprap lined. They show check dams spaced every 6 to 8 feet based upon the slope. In addition to that all the roof drains and footing drains empty into that swale and get slowed down with the catch basins.



Ms. Robbins asked if the Planning Board issues the Excavation and Fill Special Permit or does this go back to the Zoning Board for that. Attorney Cunningham stated this would stay with the Planning Board. Chairman Eickman asked if this required any Zoning Board approval or if it would be a coordinated review. Ms. Robbins stated the reason it is coming to the Planning Board is because this Board needs to agree to change the fill that was shown on the existing subdivision plat. Attorney Cunningham stated they will double check the code and look at the limits to see if the applicant needs to go back before the Zoning Board.

Ms. Bledsoe asked what would happen if they put the garage in the basement. Mr. Stokosa stated he cannot make the grade coming down that way. Town Code says you cannot go more than 4% for the first 30 feet. If they did that they would not meet emergency service vehicle access. This is not a wide lot as it is only 130 feet.

Attorney Cunningham stated the first step will be to have staff reviewing internally and they will get him a memo about what they see and what the process going forward will be. He believes it may be premature for the Planning Board to do a site visit at this point.

Chairperson Eickman asked if there were any other questions or comments at this time. There were none.

**DISCUSSION:**

**2024-081 – Woodland Estates (Twin Creeks), Route 376 (6457-18-344225, 343206, 300180, 398229, 406146, 473057, 402041, 355141)**

Applicant is applying for a residential development that would include 24 multi-family buildings with a total of 468 units of various sizes in the PRD District.

**David Cooper, Scott Leighton, Terri Hahn, Richard Williams, and Ron Cyprus were present.**

Mr. Cooper stated that this proposed project has been known as twin Creeks and the Herser project.

There is some history here. They are proposing a planned residential development consisting of 468 units contained within 24 multifamily buildings and also a clubhouse. The purpose of tonight is to give an overview of the project and review the PRD regulations under the Town regulations. They are asking that the Board declare their intent to serve as lead agency so they may start the SEQRA process. The site is 100.01 acres in the Town's PRD district. It was 110.9 acres but the prior owner conveyed 10.9 acres to the town in connection with the Herser Project. That was a prior PRD project approved for this property. That was a 472 unit PRD project. Under the PRD regulations it permits clustered subdivision residential developments and that is what they are proposing. They are trying to group the development itself in the most appropriate area to preserve as much open space as possible as well as avoid environmentally sensitive areas on the site. Under the regulations it is a two-step process. The first is the master development plan review which is what tonight is about. It is the overall layout, density, the housing types proposed, the access, and the SEQRA process. Under the regulations it envisions an environmental impact statement and they did anticipate this would be an environmental impact statement situation. The application says that the applicant should show up with a draft EIS. They did not do that yet as they thought it would be more appropriate to go through the formal scoping procedure with the Board to come up with areas of concern that the Board would like the applicant to look at first as well as the methodology for studying maps, alternatives, etc. Then they would go through the public process and then base the adopted scope on the prepared EIS. Once SEQRA is completed and the master plan is approved then they would move into the site plan process. He does believe they have gotten this project to the point where they can start the SEQRA process.

Ms. Hahn said that in 1988 under the 1980 PRD regulations there was an approval granted on this property for 478 or 472 units. They were mostly townhouses, and they were basically spread from the property line to the wetlands. It involved approximately 70 to 78 acres of disturbance. The wetlands were different than they are now. The construction was started on the project between 1989 and 1991/1992 and then stopped. They dug a lot of area for foundations. They put in pipes. They dug some detention basins. They installed wells and a water tank. They put in a temporary bridge. And a number of things that were the start of construction in accordance with the plans that

were fully approved. They had full agency approvals and AG agreements, as well as a full set of site plans. They have every intention of completing the project. There were other applications that came through after, but they are just focusing on this one. There are now new flood lines, DEC requirements for endangered species, and a number of other things that are setting the tone for what they should be doing. They do have a new FEMA line for the property. It pretty much follows the Shenandoah Creek and the tributary to the Shenandoah Creek. Associated with the creek are two sets of wetlands. One is a DEC wetland, which has been confirmed with them. They are waiting for the validation map. The second is a Town wetland and the associated buffers. For the most part the proposed project is not disturbing any wetlands. The proposed entry does have a stream crossing and there are no wetlands associated with that because the banks are really steep in that area. They are proposing to use the same access point as previously approved. They did prepare a full environmental assessment long form as part of their submission.

Mr. Williams stated they are envisioning a modern residential product that will allow them to keep young professionals and seniors in the area. They did take a fresh look at the environmental's before they started looking at layouts. They met with the DEC to review the DEC wetland boundary, which has been confirmed. They are in the process of looking at the validation maps. The DEC wetland is also regulated by the Town of East Fishkill. There is also an additional wetland on site that they believe is regulated by the Town. It was flagged this past year by the applicant's environmental consultants and survey located. They are proposing to construct the original access where it is. They are envisioning a boulevard entrance that comes in off of Route 376. There will be some improvements to Route 376, which will require permits with the DOT. They do envision turning lanes coming into the site that will be advanced and developed when they start preparing traffic studies. There was a 10.9-acre piece of property that was donated to the Town as part of the original project approvals. That is on the northern side of the site. They will bring the boulevard entrance down to a 24-foot standard two-lane road when they cross the creek. That will minimize impacts to the creek itself. They have started looking at various bridge designs to get over the creek. It is their goal to limit the area of disturbance to avoid Army Corps permitting. Once they get over the creek, they will reintroduce the boulevard. They're looking for an upscale

development area so streetscaping is important. The first building on the right will be the clubhouse. It will be amenity laden. Past the clubhouse area will be the development. In looking at the most recent environmental's, they have compressed this development down from previous site plans that have been presented to the Board. The original Herser Subdivision was over 70 acres. This proposal is at 35 acres of overall disturbance. It is significantly condensed from the original approval. They are not seeking to disturb any of the DEC adjacent areas and are looking to stay out of all floodplains and respect the environmental constraints as much as possible. The site lends itself to a development running North/South. On the slope maps with the EAF you will see the property gently slopes. There are minimal steep slopes areas that are mostly located around the original foundation excavations that were made. Most of the site is less than 15% slopes. There are two types of housing units they are proposing. There are the houses which are 12 units each and then there are larger multifamily buildings at 36 units each. Overall, they are providing 933 spaces of parking; 776 is what is required. They are using, as much as practical, the existing already constructed water infrastructure, which consists of wells that had already been drilled. Then they have to evaluate the condition of the existing water storage tank that was built. This property is in the sewer district, and they believe they will be under the allocated flows that were discussed in the previous map plan and report. There are two ways to potentially connect into the sewer treatment plant. One is to tie into the force main's on Route 376 and the other is a directional drilling that will go under the Fishkill Creek and tie directly into the wastewater treatment center.

Mr. Layton stated they have been developing properties in the New York metropolitan area for more than 30 years. They are completing a couple of active adult communities under the Vineyards Brand. They have done from 91 units to 284 units. They have done some buildings in Manhattan and Brooklyn as well as Westchester, Putnam, and Dutchess. This is a collaboration. He appreciates what he sees in East Fishkill and he looks at this as a process and being a collaborative effort to develop something that is needed and best for the community. He stated that there has not been a lot of new product that has been built in the upper Hudson Valley area. In the past the rental market has been inferior. It is now reaching the same quality as homeownership. His intention is to build a very upscale, high-quality development. To get that it relies on the materials in the actual

construction of the apartments. These will have large windows with transom windows above. They will be very light and airy. There will be 9-foot ceilings and high energy efficiency. They will have wood floors and stainless-steel appliances. There will be ceramic tiles in the bathrooms, and it will all be high-end. He stated they are very design conscious. He believes the boulevard entrance will set the tone for the development. It will have lots of plantings and be very welcoming and warm which is very much a part of their brand. They did consider the possibility of a water feature when you first enter in. He stated the clubhouse is the heart of these developments. They will have the pool with pavers around the pool. They will have areas to have food. Inside will be a lounge bar area with card tables and pool tables. There will be a large workout area. The community will be self-managed. There will be no dedicated roads. Landscaping and snow removal will both be the responsibility of the developer. There will be some platform tennis courts, padel, pickleball. These types of courts will be there to attract the young and affluent or empty-nesters who will want to live here. The goal is to create something human and approachable for both people visiting and those that live there. He presented elevations of what they call “The Big House”. It looks like one but has seven apartments on the bottom and seven on the top. There are large windows on the units. They are very high end design. The density helps to do that. There is also a 36-unit building. He is unsure if it will be a walk up or elevator design. There is substantial parking on the site. They are trying to keep as much nature there as possible.

Mr. Cooper stated they are asking the Board to declare their intent to be Lead Agency, as under the PRD, they are supposed to be. He stated they were here to answer any questions the Board may have.

Chairperson Eickman asked if there were any questions or comments from Board members.

Mr. Miyoshi asked if there was any kind of trip generation as this was going to generate a lot of traffic. He also asked if there would be a sidewalk between the boulevard entrance to connect to Cannon Lane so people could walk into town. Mr. Cooper stated they have done some initial analysis but they assume that would be part of the EIS. There will be a traffic impact analysis with

their scope. They can evaluate the sidewalk as part of the review as well.

Ms. Bledsoe asked how many bedrooms would be in these units. Ms. Huhn stated that there would be 252 one bedroom units, 138 two-bedroom units and 78 three bedroom units. Ms. Bledsoe asked if they have considered this in a townhouse or condo style for sale versus rental apartments. Mr. Layton stated they have not, but they can look at that. There becomes issues with clubhouse use between renters and owners. Condominiums have to go to the Attorney General for approval of the site and then they have to subdivide where the for-sale units would be. The problem with townhomes is that they take up more space which reduces the amount of density or uses more layouts. Ms. Bledsoe stated they do need housing for young professionals and retirees. They have discussed with prior applications the lack of pride in ownership and rental communities. People will come to stay short term and there are large turnover numbers. Rents are very high. The ability for affordable access to home ownership, like townhouses tend to be, she feels, is a much bigger draw. Townhouses take up more space therefore less impact on traffic in the community. She believes personally the purchase option is a much more appealing option than rental. Mr. Layton stated that is where rentals have been but he believes his high-end options is like homeownership. He stated he does feel a homeowner is going to be more responsible than a renter but with these rentals he does feel there will be a different type of clientele. He stated now since Covid there are a huge amount of houses that are rented as well. BTR, or Build to Rent, has become a very large business across the country. He believes this will attract people to come here because they cannot get it anywhere else and will retain people.

Mr. Papae asked what percentage would be to the house style versus more multiunit. Mr. Layton stated there would be 15 of the big houses and eight of the three-story. Their plan shows the big house having 12 units, but they could make them with 14 units and diminish a little bit of the three-story units.

Mr. Campbell asked how long they have all of this property. Mr. Layton stated he is in a joint venture with the previous owner. Mr. Cooper stated this property is still paying sewer and real

estate taxes.

Attorney Cunningham stated this was a very thorough initial presentation. He does feel before they circulate there are a few pieces of information they still need. He stated that they don't have an application at this point so it is not a completed application. He stated that the application fee is based on the number of units. The applicant's team and the Town's team have been doing a forensic audit of every document that has ever been published about this PRD. It has been a very intense exercise. There is some dispute about the actual number of units that the applicant has vested rights for. He does believe it is a little premature to circulate for Lead Agency. Mr. Cooper stated once they agree on the units and are told what the fee is, it will be paid. He is happy to work with counsel to get whatever is needed. The application that is in front them right now is for a master plan under the PRD. Because it's a two-phase process and the Board has to approve the master plan before they can move to the site plan. They also have to complete SEQRA first. They would not get building permit application until the second phase.

Ms. Robbins stated this PRD exists, as it has been grandfathered to particular projects that have received that designation in the past. It ultimately turned into the CRD district, which is the Conservation Residential District, which is Hopewell Glen for example. The airport site is also CRD. In the past this particular zoning requires that the applicant prepare a master plan for the site. There are a lot of procedural steps that go along with the zoning. She will try to get everyone a copy of the zoning because it no longer exists in the code. Mr. Cooper stated they did include copies of the code in the application so it should be part of their packet.

Ms. Bledsoe asked how the new CRD compares to the PRD. Ms. Robbins stated she could do an analysis for the Board. Mr. Campbell stated that based on changes in wetlands that has changed the availability to build on this property as well. Mr. Cooper said somewhat yes. The site is still within the PRD district. Ms. Bledsoe asked if it would benefit them to be under the CRD classification and Mr. Cooper said no.

Chairman Eickman thanked them for their comprehensive introduction to this project.

**SKETCHES:**

**SKETCH:**

**2024-082 – Landmark Union, 793 Main Street (Route 82) (6457-01-210545)**

Applicant is applying for site plan approval for a bank with a two-lane drive thru in the B-2 District on the former William Tell property.

**Daniel Steinhagen, Jordan Libowitz, Brian Wasalango, and Matt Chetco were present.**

Mr. Steinhagen stated they are here on the former William Tell property at 793 Route 82. It is in the B-2 zone. They are proposing a Chase Bank.

Mr. Chetco stated their proposal location is in the central business B-2 district which is permitted for banks, which is what they are proposing. They meet all of the dimensional requirements so they are not anticipating any variances. The site is approximately 3/4 of an acre and it is on the North side of Route 82 in between the Anthony's Pizzeria and an old hotdog stand. There are commercial properties to the south, east and one to the west. North of them is a large wooded area. It is the site of a former hardware store. Now there is just an empty parking lot with an old foundation, as the original building burned down. They are proposing a 3331 sq. ft. Chase Bank. It would have 30 parking spaces. There are only 14 required. They would keep the existing curb cut as it is today. They would enter on the same curb cut and loop around to the east. The building will be on the west side, and they will have a bypass and drive-up ATM lane for a vehicle. There will be no window or teller at that location. They did speak with the water and sewer departments, and they have been told that the utilities for that property are on the property line to the northwest of the site. There was a shopping plaza design a few years back and they created a utility corridor behind this property to access utilities for that new development. Their proposal is to connect into the utilities in that location. They are doing their due diligence to make sure there are any necessary easements they need to make that connection possible. The site is less than an acre so their disturbance will be less than an acre. They are subject to follow local requirements for the



municipality. They don't have any DEC requirements, but they will provide the professionals here with all the information to make sure that their storm water management systems are appropriately sized for the Town requirements. There are specific State lighting requirements they need to meet for security standards. The entrance to the bank will be ADA accessible and there is a drive-up ATM they anticipate having to add lighting to meet those New York State requirements.

Mr. Campbell stated they are not proposing sidewalks in front of the facility. Mr. Chetco stated they will provide a connection to the DOT right-of-way. Mr. Campbell asked about a crosswalk at the entrance and he does not see a refuse container on the site. Mr. Chetco stated if that is something that is required by municipal code they will look into it. At all of the new banks they have been doing a dumpster is not necessary because everything is paperless. They could use the bypass lane as the means for providing trash pickup as they want to make sure the site is attractive so they could put it in the back. They may need to shift some parking around but they can meet the parking requirements already. Mr. Campbell asked about an overhang if there needs to be emergency egress to get through and around the site. Mr. Chetco stated that Chase Bank does provide an overhang bar and they will make sure that they work with the fire department to get the clearances. Ms. Gee stated that they preferred to not put handicap spots where they have to cross the travel way to get into the building so she asked if they could look at moving them closer to the entrance. Mr. Chetco stated they have to review where the door placement is as ADA requirements states parking has to be the shortest distance from the door.

Ms. Bledsoe asked if they would be abandoning the Chase building that is right down the road. Mr. Steinhagen stated his client is not Chase. Chase will be renting from his client so his assumption is that they will be moving from their current location to this new building.

Ms. Gee stated it seems like a lot of parking spaces being proposed. Mr. Chetco stated it is a little bit more than what what is required. Chase prefers to have 28 to 30 spots so this is right in what they would consider their sweet spot.

Chairperson Eickman asked if they have given any thought to what the building will look like. Mr. Chetco stated they have a prototypical building that they can share in subsequent submissions. They will follow however the Board wants to move forward with the architectural design. Ms.

Robinson stated there are design guidelines and they do have a design that they would like the applicant to consider. Ms. Robbins stated that during the comprehensive planning, one of the issues that is coming up is the connection of all of the parking lots in the area, especially in Hopewell. She informed the Board they would really like to keep the sites connected wherever possible particularly if there are going to be roundabouts at some point. She said at the very least they should consider some sort of connection at the back end of the properties for what may be a future road that goes to the shopping plaza.

**SKETCH:**

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

Second sketch plan for change of use from accountant's office to proposed wine bar.

**David Russo was present.**

Mr. Russo stated they made the site plan to show the parking spaces to accommodate the change of use from a CPA office to a wine bar. The tenant wanted to make sure there are no problems going forward with the project based on parking and lighting. There are 24 spaces needed for the liquor store and the wine bar and the retail flower shop. There are 25 spaces on the map with an additional handicap spot. It is one deeded parcel, but two tax parcels. There is no need for any easements. They're not proposing fixing up the rear for parking at this point.

Ms. Bledsoe stated there were several questions about the sidewalk, parking, and the space between the two buildings. She asked if there were plans to make that accessible for people or cars or tables. There was also a drainage question in the back. Mr. Russo said the associated parking for the current tenant is just in the front. They do not have a plan for parking in the rear. There is a drainage solution that is underway. They have their connections to the sewer in August. In the future they expect to develop parking in the rear but it is not with this proposal. Mr. Campbell asked if they meet the current parking requirements that are necessary for this additional establishment. Mr. Russo stated it will only be open in the evening and their occupancy is around

30. There are 24 spaces required and 25 on the plan. Ms. Robbins stated that they are aware that there can be parking issues out there. People want to park close to the restaurants so there is some sharing of parking that happens naturally from people. There is an overall level of concern about access to the rear if people park back there and then walk forward. When the wine bar is open the rest of the Plaza is likely not going to be open. It is shared parking which is appropriate as they have done that before. The concern is if people park in the back because they can't find parking in the front how are they getting from the back to the front safely. Mr. Russo stated at the moment there is no parking in the rear. They believe that parking in the front should be enough based on this type of business. There is a lot of wishful thinking about a restaurant arriving and having outdoor seating between the buildings but that is not currently in their plans. There will not be driving between the buildings and a road will not be created between the buildings. Mr. Campbell stated that unless that area is barriered off there is no way that they can say someone can't park there. The ability to go back there to park exists. He asked with the actual hours of the liquor store were and if they would close before the wine bar opened. Mr. Russo stated the liquor store hours are 10 AM to 7 PM. The wine bar would open at 6 PM. Chairperson Eickman asked what was going into the flower shop. Mr. Russo stated it is being renovated and he does not know what will be in there. He stated they have removed a 1000-gallon old oil tank a few weeks ago from the back area and have created a path for drainage and now they are working on the rear drainage solution. He does believe the traffic pattern of the plaza will change once roundabouts go in on Route 82. Mr. Campbell asked if there were any issues between building owners in regard to parking. Mr. Russo stated it has been harmonious there. There is an engineered proposal for drainage in the rear which would be connected to the neighbor's plaza but it is not approved at the moment as they are waiting to find out the status of Town ownership of the road behind them.

Ms. Robbins said if this was new construction what is happening behind the plaza would not be allowed to happen. This is an older plaza that has been functioning for a long time. This property is older and in the process of being renovated. She asked if there were any specific code issues that would need to be addressed in regard to the back area. Mr. Palin stated if barriers are put in, it would have to be something like a gate with a lock and not Jersey barriers as they still need emergency access through there. Ms. Robbins asked what the lighting was back there at night and

Mr. Russo said very little. The temporary barriers were taken away for the renovations, but they can be put back. Mr. Rickett stated if they ever put in outdoor seating there they would have to have bollards but they are not at that point. Mr. Russo asked if based on this parking plan could the tenant go forward with his application. Chairperson Eickman stated that they should be able to come up with a reasonably inexpensive solution to the parking in the rear that will satisfy the Fire Advisory Board and the Building Department. He does believe they think this is an attractive use and that at this point the parking in the front is sufficient for now.

**SKETCH:**

**2024-083 – Onera, 17 Monte Crisco Trail (6454-00-370849)**

Applicant is applying for site plan approval and special permit approval for a potential large-scale recreation development/use to include 50 permanent structures and a welcome center for glamping.

**Mike Gillespie, John Cole, Nick Sams, and Scott Hernandez were present.**

Mr. Gillespie stated this is not the same proposal that the Board saw a few months ago. The property is the old Monte Cristo Restaurant. Part of the old restaurant is there and so is the old hotel, but none of it is operating now. They are here looking for feedback from the Board.

The previous proposal that came before the Board had campsites that had buildings on wheels. That is not what is proposed now. They are proposing approximately 50 units on about 80 acres of land. They will each be permanent structures on each site. The term that they are using is “Glamping”. There is nothing specific in the code for “Glamping”, but these are sections for camping, large recreation and hotel/motels that they may fit into.

Onera does have existing facilities like this in TX and CA as well as a few others around the country. These will have wells. Sewage would be onsite. There are some existing sewage facilities onsite already. He walked the property a few weeks ago and there are steep slopes and

wetlands. It is a unique opportunity in a unique location. This property is in the southern end of East Fishkill, bordering Kent. Access would be through Long Hill Road. That road is not completely paved. They did look at the overall wetland map. This shows as a Town wetland, but there is a strong connection on the north side to an existing State wetland. They will have the State come up to look it over. If that is the case, the applicant will deal with the 100-foot buffers and any other requirements. There are a lot of existing trails that run through the property, but a lot of them are within the 100-foot buffer. They did review prior meeting minutes and video regarding the prior proposal, so they understand access and emergency access is important.

Mr. Hernandez stated the company is about seven years old. They like to build immersive hospitality experiences. They currently have two hotels in operation. He supplied pictures of the hotel in TX. He stated they use high design and architecture, which is important to them. They also try to build sustainably in terms of materials and system operations. All units have HVAC, electricity, plumbing, and water, which is very similar to what they want to do here. They like to keep the density to two units per acre. The number one goal is to connect the guests with nature. They have various different styles of units. They would like to build 50 units on the site. They would be connected to a shared well system and a shared septic system. They do plan on upgrading the existing systems onsite for the additional use. The 50 units will be about 20,000 square feet of construction, being approximately 400 average square feet per unit. They will range between 230 and 1,000 square feet, depending on the unit. There will be three different styles that are almost identical to the ones they supplied photos of. There will be one bedroom units, ADA versions of those units, and two bedroom units and ADA version of those as well. Mr. Greenan asked what the maximum occupancy per unit would be. Mr. Hernandez stated the one bedroom units are for two people and the two bedrooms are for four people. Mr. Campbell asked what the average stay length was and Mr. Hernandez said it is usually between two and three days. During the week it's usually one to two days and on weekends could be two to three days. They usually have 80% of the units being one bedroom and 20% being two. Mr. Campbell asked how guests get to their space and check in.

Mr. Cole stated at other sites they have staff living there to assist with check in. Guests will be given a code beforehand and can drive to their unit or take a golf cart to it. There is no key access. It is done with a code and the guest's id digitally. Mr. Hernandez stated they expect 80% occupancy with the weekdays being a little lower and weekend being higher. There are also more people during peak season than during the off season. Mr. Campbell asked what the peak season here would be and Mr. Hernandez said June to September, but they plan on being open year round.

Mr. Sams stated the unit mix is a hybrid of pre-fabrication and panelization as well as site development. They like to work with helical pile or ground anchor foundations, eliminating the need for concrete. It lowers the ecological disturbance. The max weight of the panelized structure is about 350 pounds and can be moved by two people. They are all built on a subfloor deck. The construction is a light gauge steel frame with zero waste construction so it eliminates on-site waste costs. It is also a recyclable product. All of the wood used is sustainably harvested and goes through a non-chemical treatment process with a 25+ year lifetime. They are also working towards a recycled denim batt insulation. They use all energy star appliances and low flow toilets and water systems. They are also doing an exploration into micro-solar and PV thermal heating. They would like to take as many of their properties off grid as possible. They would like to use the existing roadways and trails that are there as much as possible to keep the site as untouched as possible. The structures have a pretty small footprint so they would like to do as little tree clearing as possible.

Mr. Hernandez has maps of the parcel location. On the site there are nine bathrooms from the hotel/restaurant that has been there from approximately the 1920's until about 2010 for that use. Shane Hobell has been running a Mountain Survival Lodge there since then as the current owner of the property. Mr. Hobell stated this has been a landing base for him. He stated the Appalachian Trail is right up against this property and then there is 500-600 acres of State land. There is also a nature preserve on the Kent side, so it is buffered all the way around the site. Fire Commissioner Jodlowski asked if their intent was to connect it to the Appalachian Trail. Mr. Hobell stated there are two connection points already.

Mr. Hernandez stated they would work with the fire district to make sure there is access for emergency vehicles. They do think they will have to enlarge the septic to handle 50 septics. There are some existing wells with about 60 gallons per minute and they think that might be sufficient, but will make it bigger if needed. He provided photos of security gates and stated the property would be fenced and secured. He had photos of the proposed site unit locations. They are working around the existing trails. He stated they are looking to see if this would be a favorable application.

Chairperson Eickman asked if there were any questions or comments from Board members. Ms. Bledsoe asked about parking and cars. Mr. Sams stated they would like to see a central parking area to keep the natural feel of the area, but they will work more on that as they move forward. Ms. Gee asked where the onsite caretaker would live. Mr. Hernandez stated they would either build a new location for them or use one of the existing buildings. Chairperson Eickman asked if this would require them to go to Kent for any approvals. Mr. Hobell stated there is a tiny piece of property on the other side of the road that is on the border. Attorney Cunningham stated Kent would be notified anyway. Mr. Gillespie stated nothing would be happening on that piece of property. Commissioner Jodlowski asked if they would have anything onsite to mitigate minor injuries from hikers. Mr. Hernandez stated they would work with the Fire District on that. Mr. Greenan asked if guests tend to stay onsite during their stay. Mr. Hernandez stated there may be a few activities onsite, but there are no food or beverages there. The recommendations would be to go to the local establishments for food. They may stock the refrigerator for the guest on occasion, but most of the time they head out to local places. Ms. Gee asked if they are not proposing new roads, how would they handle snow clearing in the winter. Mr. Hernandez stated there are existing pathways and they would probably add gravel to ensure they could get around. Mr. Hobell stated they are currently like logging roads and because it was a hunting lodge there are trail roads everywhere up there. He said he is able to clear them with a snowblower and get all around the site. He will probably remain on the site as well as they may be incorporating some of his survival training into their site. He teaches nationwide and is an investigator and helps municipalities with safety and park planning. There are ecology and liability and safety

issues that all get addressed and have waivers. Mr. Sams stated they will also have a pool on site as well as saunas.

Ms. Robbins stated there have been these type of applications before. The biggest issues are emergency access and classifying this use as it is not seasonal use. It will be interesting to see how the Board of Health classifies them. Large Scale Recreation Development Permit is more for camps and this is almost more of a permanent structure like a hotel. It would be interesting to know how it is addressed at the applicant's other locations.

Mr. Cole stated in TX they are considered hotel commercial property. A project in Zion National Park is being considered a campground. It really comes down to what is the easiest for the jurisdiction to work with. Ms. Robbins said with that come the building code issues and Attorney Cunningham stated that is why they should be speaking with their attorney to determine those issues. Mr. Sam said they are, and with the large-scale recreation there are different setback requirements as well. Their intent was to come to this Board to look for guidance.

Chairman Eickman asked if this would be done in phases and Mr. Cole said they have done that and it will be based on feedback they receive and how the owner wants to proceed.

Ms. Robbins stated it would require a zoning change as it is residential right now. Mr. Gillespie stated they looked at those and it is R2 and a Hotel/Motel would be a special use permit within that zoning. Ms. Robbins will check into that. Ms. Robbins also wanted to know what happens at end of use. Mr. Cole stated they are the only exited property which still operates as a hotel and they anticipate it lasting for a very long time. Mr. Campbell stated that if it doesn't last they want to know if people could go there and live in those units. Attorney Cunningham stated this will still be privately owned property. If you are limiting people on the length of stay that would eliminate that issue. Ms. Robbins stated there is not a provision for that if it is zoned as a large-scale development camp. The applicant stated they will be limiting it to a seven day stay. It will be on them to police their own property. Mr. Sam stated that many of these units could probably be taken away and repurposed somewhere else. With the foundation they are proposing, if



something should happen, they can move these units out and at end of life most of the materials are recyclable.

**CORRESPONDENCE:**

**Hudson Valley Logistic Center, 32-34 Patriot Way**

Applicant is requesting to amend the approved site plan for an additional monument sign for the emergency access roadway off of Route 52 and to replace a retaining wall with a landscaped berm.

**No one was present.**

Ms. Robbins stated they want to put up a new monument sign to show where the emergency access is. They had some excess material on the site and they had a very large sound wall that was proposed from the corner of Route 52 and Patriot Way that wrapped around the sidewalk and there was going to be a retaining wall there with a sound wall on top of it to prevent the truck noises from being heard at the school. They would like to use their excess material and do an actual berm with landscaping instead. There is a landscape architect looking at the landscaping now to decide what is appropriate for planting. If you were to approve that, a condition of the resolution would be that they have to continue to work with the landscape architect to finalize the landscape plan. Ms. Gee asked if the school has been notified that the wall may not go up. Ms. Robbins was not sure. Mr. Campbell stated that would take a long time. Ms. Robbins stated the berm would be the same height as what the wall would have been and then have plantings on top of it. It would visually be much better and less urban.

Mr. Campbell stated the rendering shows much of the building showing with the plantings and not with the wall. Ms. Gee stated they really need to see a better plan from the landscape architect. Mr. Campbell stated they need to see something to scale to show them visibly what the end project will look like.

Chairman Eickman asked if there was urgency to approve this tonight versus waiting until the next meeting to see more accurate drawings. Attorney Cunningham stated he was not aware of any urgency. It is the Board's decision. Chairman Eickman stated they will hold on the wall at this point. Mr. Rickett stated they would like to move forward with the monument sign sooner. It will be the same style monument as what is already there, just showing the emergency access.

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

ADJOURNMENT

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

Respectfully submitted:

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Julie J. Beyer, Meeting Secretary  
East Fishkill Planning Board