

**TOWN OF EAST FISHKILL
PLANNING BOARD MEETING**

OCTOBER 15, 2024

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7 Planning Board Member Lori Gee, acting as Chairperson in John Eickman’s absence, called the
8 meeting to order.

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10 **CHAIRPERSON COMMENTS:**

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12 **a.** Ms. Gee began the Meeting with **The Pledge of Allegiance.**

13
14 **Roll Call:** Members present were John Giovagnoli, Donald Papae, John Greenan, Lori Gee,
15 Richard Campbell, Ed Miyoshi and Sarah Bledsoe. Chairperson John Eickman was absent.

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17 **b.** Ms. Gee announced the **Upcoming Meeting Dates** are:
18 November 19, 2024 & December 17, 2024

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20 **c. Approval of Minutes of Meetings Held: September 17, 2024**

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22 **MOTION made by Richard Campbell, seconded by Ed Miyoshi, to approve**
23 **the Minutes of Meeting Held September 17, 2024. Lori Gee recused.**
24 **Voted and carried.**

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26
27 Town Professionals and Consultants present were: Michael Cunningham, Esq., Town Attorney,
28 Michelle Robbins, AICP-Town Planner, Scott Bryant, Town Engineer, Rich Renna, Town
29 Engineer and Brendan Fitzgerald, Traffic Consultant HVEA.

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32 Staff present were Jackie Keenan, Planning Board Clerk, Matt Rickett, Zoning Administrator,
33 along with Dave Palin, Fire Advisory Board.

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3 **MINOR SITE PLAN AMENDMENT:**
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7 **1. #2024- 095 – SWF2 Fulfillment Center Limited Site Improvements, 76-112 Patriot**
8 **Way., (6356-04-606028).**
9

10 Applicant is applying for an amended site plan to do limited site work at
11 existing internal drive lane including new fencing to facilitate the remote
12 check-in/check-out trucks entering and leaving the site.
13

14 Karen Wallace, Magellan Architects was present.

15
16 Karen Wallace approached the podium and stated that Magellan Architects was applying for the
17 traffic lane changes. She confirmed that the Planning Board had the drawings, but she did not
18 have them with her for display. She stated that the scope of their work was the in and out for the
19 trailer trucks. She said the site has one entry to the North that comes into the site and an entry
20 that exits to the South, and explained that revisions were being done to get in more camera and
21 sensor equipment. The system now is the automatic plate reader for the trucks, which she said
22 helps the guards review the employees and they do not have to go out and inspect every truck, as
23 the system does it for them. The guards talk with the truck drivers and the information is
24 automatically brought into the system. That is the system in place now, but she said they have
25 made a few tweaks by adding some equipment, and to make this happen, she said the lanes
26 needed to be shifted a bit. Some striping was changed, there are 4 lanes coming in and 3 lanes
27 going out. She said they have shifted the lanes to get additional equipment onto those lanes, as
28 well as make sure that the guard shack still has the proper clearances for accessibility, so they are
29 not getting too close to the shack and the equipment. This requires adding some new pads for the
30 equipment, as well as extending the fencing that is there now, and the gate, to allow for one of
31 the entry aisles to shift over.

1
2 Ms. Gee asked if, as part of the equipment, there are cameras so that there is monitoring of what
3 is coming in; anyone entering the site is seen as well as leaving the site through the access. Ms.
4 Wallace said it automatically scans the license plate. A curb is put up and there is a tripod on
5 which there are various cameras and sensors.

6
7 Ms. Gee stated that one of the things that was part of the original site plan was a notation that the
8 Town did not want the trucks to enter the site through Route 52; they were to use Patriot Way
9 and the exit off of Route 84. Ms. Wallace acknowledged that is correct. Ms. Gee asked if the
10 equipment would be made to be adaptable to see if a truck was coming in the wrong direction so
11 they could be told not to do that again and to use the exit. Ms. Wallace said the way they come in
12 and out is not changing and that is completely the same. It is the same entrance and exit as it is
13 today. The only shift is the addition of the equipment, the lanes are staying the same, Ms. Gee
14 asked how the site plan requirements were being enforced. Ms. Wallace showed on the displayed
15 plan the enlarged area around the gate house, stating that she could not see on the plan where the
16 trucks come in off the street and that she could not answer the question. Either Attorney Ruane or
17 Engineer McCabe responded from the audience, saying that this would be addressed as part of
18 the comments when they speak. Mr. Miyoshi said he had some questions about the monument
19 signs there. Ms. Wallace responded yes; that is a completely separate project on the same parcel,
20 in the same area. She said she is just doing the equipment for the guard shack. Mr. Campbell
21 asked if the paved surface would change from what it is now; is the paved surface being
22 expanded. Ms. Wallace replied that the paved surface remains the same except for the pads for
23 the equipment. Mr. Campbell asked if the pads would be concrete, and Ms. Wallace replied
24 Correct. He said, then the impervious, paved surface is not changing at all and Ms. Wallace again
25 replied Correct; the actual drive lanes that the trucks are on remain the same. She explained that
26 the first plan is the inbound plan in the North, with the 4 lanes. The first lane is just adding some

1 striping; they like to lead the trucks closer into the curb and the upper striping is pushing them
2 closer to the curb. The second lane shows that additional pads are being added for the additional
3 equipment. The third lane is where they are pushing it back and she said they are pushing it
4 further to get them first and they have to make sure there is plenty of clearance around the guard
5 shack with the new equipment. She added that the bottom lane has some more striping and pads
6 for the additional equipment and that is the inbound lane.

7
8 For the outbound, Ms. Wallace stated that, at the very top lane, there is more striping and pads
9 for equipment on the top of the lane. She said it is the same as the second and the bottom lane is
10 pretty much all being shifted. She told the Board she could show them the demo plan, if that
11 helps. She said it is such a minor shift and is basically outbound where they are shifting closer to
12 the exit. For the inbound, she said they are moving closer to the entrance.

13
14 Ms. Gee asked the Board if they had any comments. She said it does not seem like a lot of
15 change; they are adding some striping and adding a couple pads. Ms. Wallace stated there would
16 be trenching for new voltage to get the equipment to the guard house, but that is really it.

17
18 Mr. Campbell said it hasn't changed with the emergency egress with regard to fire apparatus. Ms.
19 Wallace responded that the top lane in both cases is marked as the fire lane; that has not changed,
20 the width is the same. She reviewed the plan and stated that she does not see it called out on the
21 outbound. Mr. Campbell asked if there was anything added overhead that would impede
22 something from passing. Ms. Wallace responded No, the tripods would be off the drive lane and
23 that they are probably about 8 ft.

24
25 Dave Palin, Fire Advisory board, asked if the fire lane was specifically for emergency apparatus
26 or would there be trucks there making it so they still can't get through. Ms. Wallace replied that

1 there would be trucks. Mr. Palin stated that would not make it a fire lane anymore and that fire
2 lane means there is no obstruction. As one who has driven the ladder truck in there several times,
3 Mr. Palin said he either has to weave around the trucks, or he cannot get in at all. He asked Ms.
4 Wallace what would be done to open that lane, or any lane up, in the event of an emergency. Ms.
5 Wallace responded that she thinks the lane that is available is for box trucks, versus the semis
6 but, other than that, she does not know of a plan. Mr. Palin emphasized that there needs to be one
7 and said it is very frustrating to respond to a fire alarm and not be able to get the fire truck in
8 there and around the building.

9
10 Ms. Gee asked Mr. Palin if that was specific to the entry way or is it throughout the site, He
11 responded that they don't have a problem once they get in; it is the bottleneck at the South
12 entrance. He said that, typically they come in from Route 52 because most of their operators
13 come down Route 52 and most every time, he has gone there it has been that way. He said he
14 doesn't know how crowded the South side, the exit side is. For the outbound traffic, he said it
15 would be even harder since they are coming toward them and would somehow try to back up; get
16 out of the way, if the fire equipment is coming in. He reiterated that there needs to be some kind
17 of plan, whether a fire alarm or any emergency, so that the lane is cleared out and left cleared,
18 until they get there. Ms. Gee asked Ms. Wallace if the new equipment enables them to shift the
19 traffic and she replied that she does not believe it is intended for that. She does not know if there
20 is signage that says the smaller trucks go to one lane and the bigger trucks go to other lanes. She
21 said that is more of an Operations question and she does not have that information. However, she
22 said she is sure it can adjust, as needed and does not know how it works with the fire alarm. She
23 is sure there would be access to that and she doesn't know about it getting backed up either. She
24 does not know how long it would take for things to be moved around.

25

1 Mr. Palin said he had another question and asked if the gates would be going away or staying
2 there. Ms. Wallace responded that they would still be there, but further back. Mr. Palin said, from
3 going there for one of the alarms, that the only entrance that was available was the one with the
4 gate. He said the gates are not automatic, but electric and they have to be manually unlocked. The
5 guy from the gatehouse had to be found, to come down, open the gates so they could get in and
6 he said it was once again a delay. Ms. Wallace said there are no changes shown as to how the
7 fences or gates function. She said it is just shown as a manual swing gate and that it is going to
8 be extended. There is no plan as to how to open them in an emergency. Mr. Palin said it delays
9 the arrival.

10

11 Ms. Bledsoe questioned if this could be made an automatic gate, since all the new trenching is
12 going in. Ms. Wallace responded that she thinks they could, for the one that is being called out as
13 the fire lane and make the automatic gate a condition to the client. Mr. Palin asked what
14 determines if the gates are open and closed. Ms. Wallace responded that she was not sure; it is
15 operational, and she was not given that detail. Mr. Palin said they need to talk with the
16 Operations people.

17

18 Mr. Campbell said usually there is some kind of emergency plan in place and a fire drill; and
19 maybe this could be made part of it, or again, automatic, tied to the fire alarm. If there is a fire
20 alarm, the gate opens. Ms. Gee said it could be part of the process. Ms. Bledsoe asked Mr. Palin
21 if the fire company had the ability to have a remote and he responded No. Mr. Campbell said it
22 could be tied in and Ms. Bledsoe said that not every emergency would have a fire alarm. Ms. Gee
23 asked about a Knox box. Mr. Palin said then the truck is stopped, someone has to get out to open
24 the Knox box, open the gate. If someone yanks the fire alarm, he said the gates are to open
25 automatically, or at the least, the guard shack has to be notified, and to open the gate. Ms. Gee
26 added that maybe the guard would also have to clear the fire lanes. Mr. Palin stated that any

1 operational plan can make that happen. Ms. Bledsoe asked if the guard shack is manned 24
2 hours. Ms. Wallace said that having the new equipment does not change the guard being there;
3 she does not know about the 24/7. She just knows that there is no change to the employees being
4 in the guard house. Mr. Papae said it has to be automatic. If the guy wasn't there, what would be
5 done.

6
7 Looking to the Town Professionals, Ms. Gee asked if there were fire plans for large structures
8 like this, filed with the Town as to how property is managed and the behavior for ingress and for
9 making sure access is available. Mr. Bryand said No and Mr. Palin added that there is nothing for
10 the Fire District either. Ms. Gee asked if that was for this property – or any property. Mr. Palin
11 said there is none with the Fire District also, for any property. Mr. Rickett was asked if
12 Amazon had one. He said he would check on this; there may have been some type of package put
13 together, but he did not know how detailed it was or if it was under the Fire District.

14
15 Ms. Gee told Ms. Wallace that, since there is additional automation being put in and there is the
16 concern about not being able to access this site in the event there is an emergency there, it is
17 something that the Board might condition for. Ms. Wallace said Yes, either provide process that
18 explains how this can be made to happen quickly or provide an automatic gate. She feels that is a
19 reasonable condition. Ms. Gee said it is possibly both, since it sounds like the gate is one issue,
20 but getting the trucks cleared from the lane is the other issue. Ms. Bledsoe commented that
21 someone from the Fire Department should meet with Operations on the side and come up with
22 some agreed upon policies and procedures in certain situations. Mr. Palin agreed and said he
23 would take that back to the Fire Advisory Board; it is a great idea for them to meet. Ms. Robbins
24 said she thinks the site plan would then need to be adjusted accordingly.

25

1 Town Attorney Cunningham stated that, between now and the next meeting, it is incumbent on
2 the applicant to meet with the Fire Commissioners to dissuade their concerns. Then this could
3 come back next month, and a Resolution could potentially be ready if there is a comprehensive
4 fire plan in place.

5
6 Ms. Robbins said there is some fencing and gates where detail is needed as to how high they are.
7 It is unclear whether or not a variance is needed for either. Ms. Wallace said she had that
8 information; they are 8 ft high. Ms. Robbins said that will be okay, it is industrial; details will be
9 needed as to what they will look like. Ms. Gee said she thought there was a plan that the look and
10 feel of it would not change. Ms. Wallace said that is correct; it would just match the existing
11 design.

12
13 Mr. Bryant said there are 2 applications for the same site, and traffic with large vehicles entering
14 the site from Route 52 and litter on the site and not to lose sight that there are 2.

15
16 Mr. Miyoshi referred to the sign monuments there, saying if one comes in from Route 84,
17 heading towards Route 52, the first sign can't be seen since it is totally obscured by the fence
18 around the retaining pond. He said the second sign is fine, getting into the main parking lot, but
19 the sign saying "all trucks here" can't be seen because it is totally obscured by the second sign.
20 He questioned if those signs can be lifted up so people can see, because he has seen trucks come
21 down, and can't figure out where they need to turn in there. He said they go down to the
22 roundabout, circle around, and come back. Mr. Bryant said that was brought up and a temporary
23 sign was put up and he does not know if it is a permanent remedy. Mr. Miyoshi said he goes by
24 there a couple times a week and it definitely is not very clear as to where the trucks are supposed
25 to turn. He said he is mentioning it now because he sees the condition. Mr. Bryant said he has
26 noticed the same thing. Ms. Wallace confirmed this was part of the other application.

1
2 Attorney Cunningham asked Ms. Wallace to explain to the Board why there are 2 separate
3 applications for the same property. She responded that she is not entirely sure why there is a
4 separate team, but the client tends to work with them on the truck packages, on the equipment
5 packages. He said, generally, when someone comes in with a site amendment there is a team,
6 with the architect, the civil engineer, there is the traffic engineer, the landscape architect, and
7 everyone works together. Ms. Wallace said this has happened on other Amazon projects where
8 there is a different team doing different scope, for whatever reason. Attorney Cunningham said
9 normally everyone who is on the team gets together and rolls in the same direction. Ms. Wallace
10 said this is definitely unique and here on the same night; she was just as surprised. Attorney T.J.
11 Ruane came to the podium stating, just to be clear for the Board, that the way the applications are
12 split is just for the sensors and the entrance and exit as was being discussed. He said the other
13 one was here just for the sidewalk.

14
15 Ms. Gee told Ms. Wallace that, because she was here at the same time, by the time this gets to
16 approval, there will likely be conditions that look the same for both, so that it is consistent. She
17 said they need one site plan at the end of the day; one cannot be diverted one way and not the
18 other. This will be a little bit tied together even though 2 separate applications have been
19 submitted.

20
21 Mr. Palin asked Ms. Wallace to provide him with the name and number of the Operations person
22 for the commissioners to be able to contact.

23
24 Mr. Campbell said there may be something where this is adaptable to other sites that are similar.
25 Then the Board does have these plans in place that go outside the scope of the building and
26 expand on the actual entrances and things that are required of them to have egress for fire safety.

1
2 Mr. Palin said this is the first large warehouse and first time where there have been these types of
3 problems, and all are learning.

4
5 Ms. Gee told Ms. Wallace that, sometime between now and the next meeting, there could be an
6 Operations meeting for the fire access to make sure it doesn't affect where any of the equipment
7 is being put or further affect the striping that is proposed. She asked the Board members if they
8 agreed that this is a fairly minor site plan amendment, once it comes back with those questions
9 answered and that it wouldn't require a public hearing. The Members agreed and Ms. Bledsoe
10 stated that, as long as there is a solid emergency management plan in place, then the Board can
11 work off that.

12
13 Ms. Wallace thanked the Board.

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17 **PUBLIC HEARING:**

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20 **2. #2024 – 092 – SWF2 Fulfillment Center, 76-112 Patriot Way., (6356-04-606028,**
21 **6355-00-501905).**

22
23 Applicant is applying for an amended site plan to make safety and
24 accessibility improvements to the pedestrian route between the warehouse
25 building and the guardhouse entrance at the Amazon Facility. The
26 improvements will include new sidewalk, re-pavement of existing
27 sidewalk to comply with ADA slope requirements, new railing at the new
28 ADA ramps, two crosswalks along the route, and a new retaining wall.

29
30 TJ Ruane, Attorney, Whiteman, Osterman & Hanna LLP and Peter McCabe, Project Engineer,
31 Langan Engineering were present.

32

1 Ms. Gee announced that this was another application for the same site and with a different
2 applicant.

3

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**MOTION made by Richard Campbell, seconded by Sarah Bledsoe, to Open
the Public Hearing for SWF2 Fulfillment Center.**

5

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Voted and carried unanimously.

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8

The plan was displayed, and TJ Ruane stated that he was the attorney for the second Amazon
9 Fulfillment Center application. Peter McCabe also introduced himself, stating that he was a
10 Licensed Professional Engineer, representing the site civil drawings being presented this evening.
11 He passed out the printed plan to the Board Members.

12

13

Mr. McCabe said he was presenting this application on behalf of Amazon, 76 to 112 Patriot
14 Way, for an ADA accessible route from the guard house to the primary building. He explained
15 that right now there is a parking lot or parking space that is accessible, right adjacent to the guard
16 shack. That is how ADA is met currently, but he said Amazon is interested in providing an
17 actual, accessible route all the way to the building. He referred to the truck exit on the South side
18 of the site, saying it is one driveway, the South guard shack, and it is made up of some existing
19 sidewalk that is remaining. There is also some existing sidewalk that has to be reconstructed to
20 be ADA accessible, just in terms of the cross slope. He said there is also a section of new
21 sidewalk and, as part of that, some ramp sections and railings, which he said meet the ADA
22 requirements. There is a 75-ft retaining wall that was needed to make the grading work. Some
23 erosion measures are proposed, landscaping will remain as it has been, with the relocations of 3
24 plantings required to make it work. He said lighting was talked about and the plans have been
25 revised since the working session last month with a note that the existing lighting meets the
26 minimum requirements. There was also a question about the concrete wash-out and they have it
27 located. He said it may be a little difficult to see but it is within some of the trailer parking spaces
28 temporarily and they have been kept within the site but won't disrupt the flow of the site during

1 the construction of the walkway. There is appropriate signage for the pedestrian crossings and
2 crosswalks. He said that there is minimal impact to the stormwater management and very
3 minimal increase of impervious as a result of this. He said this does not affect the CN numbers or
4 times of concentration.

5
6 Mr. McCabe continued, telling the Board that the first sheet of the printed plan he had given
7 them shows the access at the building and truck crossing to the South side of the South truck
8 court. Along the back of the trailer spaces, he said it runs East to West and there is another
9 crossing of another trailer space, and it makes its way down the hill.

10
11 Ms. Gee asked if there was a photometric plan for the lighting and sidewalk. Mr. McCabe replied
12 No, that it was a note on the site plan in several locations that says the existing levels are 0.5,
13 which meet the standards for minimal lighting level. There are no photometrics in the plan, but a
14 note on CS 100-101, for example. He pointed out the proposed sidewalk. Mr. Bryant asked him
15 how he knew that without photometrics. Mr. McCabe said the photometrics were done and Mr.
16 Bryant asked him why he couldn't just submit them. He replied sure, that will be done.

17
18 Ms. Gee said then this is without any new lighting being installed and this the existing kind of
19 light space; Mr. McCabe said that was correct.

20
21 Mr. McCabe said they had responded, in part, to the question regarding the trucks by adding 2
22 signs that are more specific. He said the way the signage is now, it is with a right turn arrow and
23 not specific to state "trucks turn right". He said this is something where they actually added the
24 signs to the plan set in 2 locations. Ms. Gee asked if that as addressing Mr. Miyoshi's comments
25 earlier about the signs currently being obscured. Mr. McCabe said No. It is something
26 specifically in response to Mr. Bryant's comment in his comment letter the last time, which was

1 that trucks tend to arrive from the Route 52 side. Or they leave the site and try to make a left turn
2 towards Route 52. He said one of the things specifically being proposed in this revised set of
3 plans is a sign at each exit that states “trucks must turn right”. Ms. Gee told Mr. McCabe that
4 makes sure the egress is appropriate and asked how about for the ingress. She said she knows he
5 was just talking with the prior professional that a lot of equipment is being done to be able to
6 identify these trucks, know where they are. She asked if there is a way for the trucks to be seen if
7 they come in the wrong direction. He replied that he does not know how the equipment works in
8 terms of identifying them. Ms. Gee asked him if he heard what she was saying, She said she is not
9 asking if he knows how the equipment works, but saying that the Board wants to make sure
10 trucks are coming in off of Route 84 the way they were expected to, so they are not seen running
11 through areas of the roadways where there are school children and such. Mr. Miyoshi said the
12 signs should not just say “trucks must turn right”, but “turn right and get on Route 84”. He said
13 he has personally seen trucks come out to the intersection at iPark Boulevard and making a left
14 onto iPark Boulevard and go down towards Route 52 – rather than turning onto Route 84. Ms.
15 Gee asked Mr. McCabe if there is a reason that they would want to do that. He replied that he
16 does not know why, except for sometimes the GPS tells the people to do certain things, they
17 don’t understand the road. Mr. Miyoshi said if there is a traffic back up that is something the
18 GPS will tell people to do. Ms. Gee asked if there was a facility on Route 52 that these trucks
19 have an easier way to get there. Is it just that they are doing it because they don’t know any
20 better, correct? Mr. McCabe said he did not have enough knowledge to comment on that, about
21 why. Ms. Gee asked again if there was a facility that is easily accessed from Route 52. Mr.
22 McCabe replied “Not that he knows of” and he does not think there is any reason why they
23 would go from there to Route 52, other than it is a way to get West. As far as arrivals, he said he
24 knows Amazon is committed to communicating with its vendors, to make it clear that the way to
25 get to the site is through iPark Drive and from that exit on Route 84. Mr. Ruane said that the
26 signs were intended for outbound traffic, obviously, because by the time they are caught coming

1 inbound, they've come off Route 52. He said there was also a component in their response that
2 the company would provide messaging to all the trucking vendors not to use Route 52 inbound or
3 outbound, in addition to the signs. Mr. Campbell said then that is really the only controllable
4 measure on the books right now mitigate that. Mr. Ruane said that is what the facility could do.
5 Mr. Bryant stated that it is a year later, and it is still being had.

6
7 Looking to Ms. Gee, Mr. Fitzgerald, Traffic consultant, stated that a lot of it results from traffic.
8 The section of Route 84 between Lime Kiln Road and Route 9 and the bridge often sees backup
9 from roadwork or accidents. He said if that is completely jammed, and someone is coming out of
10 that site, it (GPS) will tell them to take Route 9 and the other ways to get there. Ms. Gee said she
11 can understand that type of event, but her understanding is trucks are seen doing this every day,
12 as a routine, and she thinks that is what the concern is mostly about. Mr. Bryant stated he has
13 seen it routinely. Mr. Campbell asked how that pattern gets broken; how do they come to terms.
14 Mr. Fitzgerald said the other way is to physically do something in terms of controlling. The way
15 they come out; it is impossible for them to make a left turn. Mr. Ruane said they are hoping that
16 the signs say "all trucks must use this route" and it is hoped that this will be enough.

17
18 Mr. McCabe said there are 3 things being talked about. 1) The signage "must turn right" is a
19 help; it will not willfully turn someone that way, if they decide they want to turn left. 2) the
20 Second component is what Mr. Miyoshi brought up, the signage for the trucks to turn in, it is
21 important to make sure that is visible. He told Mr. Bryant he knew it did something, but it is not
22 long term. Mr. Bryant said he knows it was temporary but doesn't know if there was the effort
23 for it to be made long term. He said he is right, the visibility, the site triangles to the monument
24 signs, unfortunately are obstructed by the fences around the basins. He said he thinks that is the
25 second component. Mr. Bryant stated they were asked to elevate it, but they did not. Mr. McCabe
26 said he thought it was done enough, but that is a condition to look at; how to improve it, by the

1 Board tonight would be appropriate. He said there was a suggestion from Amazon’s attorneys’
2 office. It was in a letter that was supposed to go out earlier. He thinks Ms. Keenan just got it in
3 her inbox this afternoon. He said he was going to read it: “The applicant’s plan has been
4 modified to reflect 2 new signs at each truck driveway exit stating All Trucks Must Turn Right.
5 The applicant will also provide messaging to vendors and truck drivers reminding them of the
6 prohibition on inbound and outbound trips via Route 52. However, we do not think it is
7 appropriate or accurate to characterize a failure of truck drivers to abide by these measures as
8 violations of the site plan. The actions of the third-party drivers are beyond the control of the site
9 owner or operator. If the Town sees fit, we believe that it is within the Town’s authority to
10 designate a portion of Patriot Way Non-Commercial vehicle access-only, thereby preventing
11 truck access to Route 42 (52), and providing the Town with direct enforcement authority against
12 violators.”

13
14 Mr. Fitzgerald asked if anyone had actually tried the address for the facility in Google directions,
15 or whatever they are; has anyone put that address in to make sure it brings you to that entrance,
16 not relying on the sign, but the GPS to tell them to go in the right entrance. Mr. Ruane replied
17 that was what he brought up before with Route 84 and traffic. Mr. Fitzgerald said, if one is
18 coming down Patriot Way, the entrance is there but they might miss it because it is not
19 adequately signed, or they are not sure. Mr. McCabe said it doesn’t say “at 100 ft, take a left”.
20 Mr. Fitzgerald said it was something he was thinking about, and someone should make sure the
21 address is actually accurate.

22
23 Attorney Cunningham stated that part of the problem is that it is the route that was proposed
24 during the Planning Board and also studied under SEQRA. That was part of the mitigating
25 conditions. At this point, the route they are taking on Route 52 was not studied. He told Mr.
26 McCabe & Mr. Ruane that it is really a SEQRA issue at this point, and it is hoped that they can

1 get the actual applicant on board with this. He said he knows with other communities, there was
2 an issue with Walmart trucks going elsewhere and the district manager got in touch with
3 everyone. The route was redone, and he said there has not been an issue since. He said he does
4 not know if it is Amazon directly getting in touch with whatever truck, their own trucks, or if it is
5 a third party.

6
7 Mr. Ruane said he was sure a letter would be circulated around; it was the last minute, but they
8 still wanted to show up tonight. He said they had hoped to get it out sooner. The proposal is to do
9 the 2-prong, which is to put up signs, but also for them to reach out. He thinks that having a
10 proposed condition was just that trucks can't use Route 52, or it is a site plan violation. He said
11 they were looking to do more of a pro-active approach of addressing the underlying condition,
12 here is stuff that they can control. If the Town also has an idea to legislate the use of the roads,
13 that is well within the purview of the Town, as well. What is within their control, he said, is the
14 hope that the signs, and addressing it with the truck drivers will hopefully do the trick.

15
16 Mr. Campbell asked them if there was any way an embellishment could be done, like where they
17 have the crossings for the rail trail, such as for the cars come to a Stop if people are going to
18 cross over. He said on Route 376 they have signs there that have some lighted facet that allows
19 people an extra bit of attention to the sign. He said he did not know if that would lend itself, or if
20 it is allowable. Ms. Bledsoe asked if he was saying No Trucks or a lighted sign that says No
21 Trucks. Mr. Campbell said Yes, so it is a little more than just a marquee type sign. Mr. Bryant
22 asked if a STOP sign could be put at the entrance. Ms. Bledsoe said drivers aren't paying
23 attention to signs, as a general rule, it is not just truck drivers. She said people are paying
24 attention to their GPS and, if the GPS is taking one down an incorrect path, it will be followed. If
25 the sign says they can't go there, then they don't know where to go, so they will just follow it.
26 She asked if Amazon uses its own GPS system in their trucks or is it whatever the driver wants to

1 use. Mr. McCabe responded that he thinks they use a variety of vendors even if they do have the
2 Amazon equipment in their trucks; there is also other. Ms. Bledsoe asked if there was a way for
3 Amazon’s own trucks to ensure that the GPS is calibrated correctly, regardless of the traffic on
4 Route 84, to not use Route 52 for Amazon trucks. Mr. McCabe replied that they can respond to
5 this and look into it. Ms. Bledsoe said if that were the case, it would take care of part of the
6 problem. The other part is that Amazon would not have control over the third-party GPS
7 systems. But then, that communication out to vendors and third parties would hopefully take care
8 of another portion of the problem. If the GPS is calibrated correctly, to avoid Route 52
9 regardless, such as her GPS can be set to avoid tolls. She is positive that the GPS can
10 accommodate that, avoid certain routes, which would take care of a portion of the problem. Mr.
11 Ruane responded that they can certainly look into this; he is not sure if it is feasible or not. Mr.
12 Campbell said that UPS, when logistically a driver is given a route, is followed to a T. They have
13 to follow exactly how that route is given to them; it is demarked a very specific way for them to
14 travel unless there is an accident or something. He said they are really monitored to drive the
15 specific route.

16

17 Mr. Ruane stated, with outbound traffic, the goal then is for the signs to say “Trucks are not
18 allowed to turn left”. Yes, it is an Amazon sign, but they are hoping that it is looked at as a
19 municipal sign and that the trucks are not legitimately allowed on that road is the effect, and the
20 GPS would then reroute. Whether Amazon can work with the vendors, whoever has the GPS
21 data to do this, he does not know if that is possible. However, he said that obviously they can
22 look into it. Mr. Campbell questioned when they are departing the site, they are not going
23 through a guard shack again, they are just at the entrance. Mr. Bryant said there are guard shacks
24 at the exits; he has seen them lined up behind, waiting to exit. Mr. Campbell said maybe there is
25 some method there and they are told to not make a turn. Ms. Gee told Mr. McCabe & Mr. Ruane
26 that this could be the same for Ingress. She understands they can only control what is happening

1 on their site, but their site can see how trucks are arriving and how trucks are leaving. Mr. Ruane
2 said that is the second prong, the signs, plus the communication, which will be either through the
3 guard shacks or directly to the vendors at a higher level to disseminate down, or both. Ms. Gee
4 said maybe it is routine, like formal communication, because it could be communicated
5 tomorrow but she is sure some of the drivers would change it within a week or 2. She said this
6 needs to be continuous reinforcement and told them she thinks they hear the concern.

7
8 Mr. Palin asked if Amazon provides, for a lack of a better word a “manifest” to the trucking
9 company of where a lot is supposed to be delivered; is it printed out for the driver. If that is the
10 case, he said it is a perfect place to say “Do not use Route 52”. Mr. Ruane replied that he did not
11 know, and Mr. McCabe said he unfortunately could not speak to Amazon’s Operations. He said
12 he understands the Board’s concern about this issue with the trucks. Ms. Gee said that maybe if
13 they are speaking with Operations about the fire Ingress, maybe this is something that could be
14 added to that discussion with the Operations folks. She told Mr. McCabe & Mr. Ruane that she
15 gets it; they are not familiar with the process, but if there are Operations folks, the Town can talk
16 to them. Mr. Campbell added that it is safety related the same way. He said the Board is very
17 concerned because of the high school traffic. There is a tremendous amount of traffic and new
18 vehicle drivers. He said they are trying to eliminate that traffic, especially with big trucks, it is
19 even worse. Mr. McCabe said that is understood.

20
21 Mr. Ruane said this comes down to the same 2 applications. He asked if they would they be able
22 to bring the sidewalk application to some sort of conditional approval with submission. He
23 knows there will be discussion about garbage spread around, and things like that. He said there is
24 still the application for the sensors, and whatever. Rather than hold up the sidewalk project, if
25 this is looked at with the fire at the same time. Mr. Bryant asked what would happen if they
26 pulled a plug on the sensor project, for instance; what if that application is withdrawn, where

1 does that leave the Town. He said he is not saying it is likely, but “what if. He said it is one
2 project and one site’s one problem. Ms. Gee stated that the Board considered if these applications
3 should be combined into one application, just so that there is one discussion and one agreement.
4 She said that is kind of like what the Board is struggling with right now. Normally when a site
5 plan is looked at, she said the Board looks at it one time, with a group of professionals. Mr.
6 Campbell said it is like driving back and forth over similar bridges here right between each
7 application.

8
9 Mr. McCabe said he knows there is a tie to the SEQRA issue, but questioned if the Town would
10 entertain taking some action in terms of designating Patriot Way, which is a Town road, as Non-
11 Commercial Vehicle Access. Ms. Gee responded that, as the Planning Board, it is not within its
12 authority to do that. She told him if he wanted to suggest that as a solution to the Town, it could
13 certainly bring the Town Board their minutes and share their concern. Mr. Fitzgerald stated that it
14 is problematic in that there is more than one commercial access; it is not just Amazon and there
15 is another warehouse just down the road. He said the prohibition would have to be after that
16 driveway and the mistake is already made tat that point. Mr. McCabe asked what conditions with
17 the Board taking action would look like with regards to this matter.

18
19 Ms. Gee suggested to the gentlemen at the podium to table this for a moment for the public to
20 offer comment, as this is in a Public Hearing and told them they would be able to come back to
21 the podium.

22
23 Ms. Gee asked if there was anyone present from the public to offer comment on this application.
24 Thomas Jackson, one of the Assistant Chiefs from the East Fishkill Fire District came to the
25 podium. He said the concerns are about traffic flow and pedestrian flow as well. He said he is
26 the company chief for Station 4 area, which is the first due response company to that area. He

1 said the Fire District thought it would be a good opportunity to quickly share with the Board
2 some of the challenges they've had since Amazon has opened its doors, as far as emergency
3 services is related. He said it is some general information as to how it has affected the Fire
4 District and how they can be helped by protecting some of the needs that they have, moving
5 forward. He said employees and commercial traffic generate more accidents and the Fire District
6 is looking at the numbers coming up in the coverage area. He said he pulled some numbers at the
7 Fire District headquarters today of what their calls look like. He said they would not even reflect
8 all of them because they only pulled the numbers related to 76 Patriot Way and calls that were
9 generated at that location. He said this does not account for the ones that are happening on Lime
10 Kiln Road, Route 52 and so on. He said traffic flow is really important to the Fire District only
11 for emergency services for any given time in a 24-hour period has increased the EMS call
12 volumes exponentially. In quickly looking at 2023, he said that, just at Amazon alone, at 76
13 Patriot Way, there were 30 calls. In 2024 thus far, he said they are up to 104, and the year isn't
14 finished yet. As can be seen, he said the call volume is starting to increase rapidly, and definitely
15 in the EMS realm. He said the substantial square footage of the warehouse presents a vastly larger
16 area than most commercial structures in the Town. Each fire alarm must be met with a multi-
17 company dispatch from the East Fishkill Fire District and often times it requires mutual aid or
18 drawing resources from other towns to help the District. With that particular emergency, he said
19 to supply the sufficient manpower to efficiently mitigate a routine automatic fire alarm, a CO
20 call, a gas odor call, which is one of the more frequent calls there, it is such a large area for them
21 to cover. He said it takes a lot of the equipment and when they get an ordinary call, they would
22 maybe dispatch a couple pieces of equipment. There is going to be a lot more equipment coming
23 because they need the manpower to cover the entirety of the building. With most incidents at
24 Amazon, he said they are faced with the challenge of safely performing their operations as they
25 deal with the logistics of hundreds of people exiting the warehouse as they are entering, as well
26 as trying to place apparatus in the parking area that is already accommodating the personal

1 vehicles that are there. He said there are little runways that they can go down n between the cars
2 and try to perform their operations while they are being streamed with pedestrian traffic, all
3 exiting. He said, as Mr. Palin had mentioned with the fire zone lanes in front of the building, they
4 are oftentimes flooded with people, and they can't even get the apparatus in there. They are
5 trying to evacuate the building and for them to do their job moving people and moving vehicles
6 in a way that is efficient and makes their job easier and they can get to the situation much
7 quicker. He said one of the recent gas odor alarms was called in by an unknown caller, with no
8 notification to the management of the situation. He said they arrived and found the building fully
9 operational, with all management and employees still inside and one can conclude that if it were
10 a significant emergency, it would have had some serious consequences. He said they were not
11 even aware of the call and the call being responded to was for a gas odor. He said they then had a
12 structure that was full of people and it lengthened the time to mitigate the call putting people in
13 danger.

14
15 Fire Chief Jackson continued, saying that, on a positive note, they had a supervisor work through
16 the facility while it was functioning and were advised of potential problematic areas of concern
17 for both parties. At the conclusion, they engaged in an open Q & A to address some of these
18 stated issues, and they are striving to make improvements on both sides of the equation. He said
19 the annual call volume for the volunteer Fire Department has exceeded 3,000 responses. Looking
20 to the Board, he said anything that can be done to reduce that number as it relates to the
21 Amazon facility, and any other place in this Town, is greatly appreciated. He said these things are
22 important to the Fire District and they want to drive the numbers down; they want to do their jobs
23 more efficiently. He added that traffic flow and pedestrian flow are important as far as being able
24 to access the fire zones, fire lanes, and getting gates open. He said he is sure the technology is out
25 there. There are gates on the Taconic State Parkway where they are able to hit a remote, which
26 opens it up and there is immediate entrance for them to get on there. He does not think that it is

1 something that could not be done for this. He referred to Mr. Palin’s suggestion about working
2 with the Operational; it is not so much with the engineers here tonight for the plans specifically.
3 It is general and they have a great concern as to how they can get in and out of that facility. It has
4 brought a lot more calls to this Fire District; they want an efficient and safe manner, not only to
5 the public but for their own people in the fire company.

6

7 Mr. Campbell said he heard something said that resonated with him and he wants to understand
8 about calls answered where they have evacuated the building. He asked if that had a plan in
9 place. It was said that they had to meander through people to get in the building. He said schools
10 have fire drills with very specific plans to dissipate the people inside the building and to then
11 have the fire company get in the building to deal with anything going on. He asked Mr. Jackson
12 if there as a plan for there. He replied that they do have a plan; he does not know how efficient it
13 is and there have been some challenges with that. He said they have talked about the challenges.
14 Somethings it is just that people are congregated withing the building and they do not evacuate
15 under certain circumstances, weather related emergencies and so on. He said there are people that
16 just come out and maybe go to their cars. He said then they are all going around the (fire)
17 equipment, which makes it all the more problematic. The fire company is trying to work with
18 them to get the people either away of maybe in their cars, versus just milling around and causing
19 a problem for the fire company to move around and through internally and get their job done. Mr.
20 Papae said Amazon has to do the education, the Town can’t legislate w here the people have to
21 go. He said it is like the schools where they are responsible for the safety of the kids. He thinks
22 Amazon needs to take the responsibility here to make sure that, under whatever conditions, the
23 people go to X or Y place. He said he does not know how the Town could fix that, and Mr.
24 Jackson responded he is not suggesting that.

25

1 Ms. Gee said they can meet with the fire professionals to advise them; when they come to the
2 site, this is what they are observing and what is challenging them. If it takes them longer to get
3 through, they should absolutely hear what the fire company has to say, and to revise their fire
4 plan. Mr. Palin said he has this in his notes and Chief Jackson will be at the meeting between
5 Amazon operations; they can get them and the Fire Commissioners to come. He said it is an
6 operational thing, it has been a problem, and, once again he is speaking as a fire fighter and
7 driver of apparatus. On one call, he said the total driving lane was full of evacuees, and that is not
8 where they need to be. Other times when he has been there, like Chief Jackson says, people are
9 walking out in the parking lot, getting in their cars, and maybe running across the street for coffee
10 and donuts. He added that it is definitely a problem and again, not necessarily something that the
11 Board can address directly but, like Chief Jackson said, he wants to make the Board aware of
12 some of the issues that the Fire District is facing. He said that is just one warehouse and there are
13 others that are planned and there will be similar problems, he is sure. The delay is going to be
14 another big one and Mr. Jackson said the inclement weather produces another dynamic. Outside
15 it could be below zero and now there are people out there, or it is pouring rain, and it is going to
16 take them a long time to get the situation mitigated. If trying to find a gas leak in a building as
17 large as this, he said it is problematic. There are multiple crews in there with multiple
18 instruments; they have to do the roof, and it all takes a long time. The people could be out there
19 for an hour, hours, and what do they do with them; how is that managed, getting them in and out.
20 He said it is a problem and the Fire District is doing best they can on their end. He said they
21 wanted to let the Board know in general some of the concerns they have, as they are approached
22 for different projects such as this and maybe the Board can help them out in some way.

23

24 Ms. Gee told Mr. Papae the fire professionals have advice for them that they need to hear. He
25 replied that he didn't think there was anything the Board could do. Ms. Gee said she did not
26 disagree. Looking to the fire professionals, Ms. Bledsoe said that, in meeting with Amazon

1 Operations, hopefully they will be able to come to review with them and come back with some
2 sort of updated plan, specifically for traffic. She said she did not know if there was much the
3 Board could require in terms of people evacuating from the building, but she is hoping they will
4 hear their advice and concerns, things like that. Ms. Gee suggested that maybe they could
5 designate people areas that are out of the way of traffic and something that is put on the site. Ms.
6 Bledsoe said her next point was, at a future meeting of the Fire Advisory, Commissioners, that
7 they have thoughts on how future applications can be considered differently. This would be such
8 as people meeting places. She said the Board looks at circulation plans, can the fire trucks get
9 here and there. She is questioning if there is more that the Board should be considering with
10 regard to site plans, in terms of emergency management on a project of this scope. She said the
11 Board can learn from this moving forward if more applications continue to be received. If there is
12 more that the Board should or could consider, from what was not done perfectly this time, and
13 maybe do better in the future. She said she thinks the Board would be open to hear their
14 concerns, feedback, of what should be considered on the site plans and take into considerations
15 with the truck traffic.

16
17 Chief Jackson concluded, thanking the Board for their time. There was no one else present to
18 offer comments. Mr. McCabe & Mr. Ruane returned to the podium.

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21

22 Ms. Gee stated to them her notes from this evening showed that:
23 - there was not the photometric plan with the Board, but that they have it to provide.
24 - signs are being put in for trucks turning right and Amazon is going to follow up with the
25 drivers to make sure they are informed about not using Route 52.

1 - they need to look at updating the signs for Ingress as well; it was made clear that, if a truck
2 did not follow a correct path, they should have the understanding of what is correct.

3 -the Board would like to see an Operations meeting put together between their professionals and
4 that they could connect the Board with someone at Amazon who can have that meeting and
5 discussion with the Board.

6 - the Chief's concerns have been heard and they need to be addressed. She is not opposed to
7 addressing the current site plan with notes. She knows that future ones would be absolutely, but
8 she feels like the Board is hearing a pretty significant concern; She stated she had no idea that
9 there were 104 calls this year to date; that is a lot.

10

11 Ms. Gee looked to the Town Professionals to see if they had any additional comments to offer for
12 the plan with the sidewalks. She said photometrics were covered and asked if there was anything
13 else. Mr. Bryant responded that he believed they did not speak much about the letter. Mr. Ruane
14 said that was true and they responded in the in letter what they proposed to do. They are
15 agreeable to add a condition to the site plan that the employee parking lot, which he believes has
16 been kept up to speed, and it was the source of the letter. It would be maintained subject to either
17 a parking lot maintenance plan or a sweeping plan, which is essentially what they are calling it.
18 Bids from vendors have already been solicited and are being reviewed now. A sweeping plan is
19 being prepared, and he said they have not finalized it yet. Mr. McCabe said the bids were
20 solicited along with some proposals from companies that do that, but they have not put anything
21 in place yet. Ms. Gee asked if it was a routine thing and Mr. Ruane said it would be an ongoing
22 maintenance plan for the parking lot. Ms. Robbins asked if going out to the parking lot is the
23 only place they can go to take a break or was there no other location outside. She asked if there is
24 an area where they can be, hang out on a bench, or do they just go back to their cars because there
25 is no other place to go. She said garbage is then all over the place rather than in one concentrated
26 area where they might be hanging out. Mr. Ruane said he thinks it is from the trucks as well and

1 that was why attacking the parking itself is the point. Ms. Robbins asked if there was a way to
2 make a spot where people can go to hang out. Mr. McCabe responded that he would have to look
3 more closely at the site plan. He thinks there must be an eating area, but he does not believe they
4 are using it. He thinks they are typically taking their breaks in their cars. Mr. Bryant questioned
5 what if it is cold or raining. Ms. Robbins did not recall an eating area on the site plan. Mr. Rickett
6 said he thinks it is just on the inside of the building, a cafeteria or eating area and having one on
7 the outside would provide an option for the employees. Ms. Robbins said that is also something
8 to keep in mind.

9
10 Ms. Gee asked the Members the pleasure of the Board; did they want the Operations meeting to
11 be had before the public hearing is closed or did they want to close the public hearing pending
12 some of the additional items. Mr. Miyoshi said to close it and make the condition. Mr. Campbell
13 also agreed to condition the Resolution, and the other Members had no objections.

14
15 Ms. Gee made one last call for additional comments and there were none.

16
17
18 **MOTION made by Richard Campbell, seconded by Sarah Bledsoe, to Close**
19 **the Public Hearing for SWF2 Fulfillment Center.**
20 **Voted and carried unanimously.**

21
22 Ms. Gee said a few things were talked about and asked the Town professionals if they wanted
23 this to be placed on the agenda for the next meeting for Decision. Ms. Robbins replied that
24 additional information is needed before a Decision can be made. Ms. Gee told Mr. McCabe &
25 Mr. Ruane that the matter would be on the agenda for Decision the same time as the other
26 professional and application in front of them and they will try to have them in sync, so that it
27 ends up as one site plan. Mr. Ruane questioned if the approvals would have to be at the same
28 time and Ms. Gee said Yes. Mr. McCabe said it wouldn't be part of the public hearing. Ms. Gee

1 explained to him the public hearing was now closed and the other applicant’s request is a Minor
2 Site Plan Amendment, so it does not require a public hearing. She said the meeting is November
3 19th.

4
5 Mr. Ruane stated, to recap then, the Board wanted to see Ingress and Egress, to have an
6 Operations meeting with the Fire Chief to hear their concerns, so they are fully aware. Ms. Gee
7 added that they are to provide the photometrics plan and to revise some of the signage for the
8 Ingress; the Egress was already provided to the Board. Mr. Campbell said it is also the sweeping
9 contract for the littler maintenance agreement.

10

11 Ms. Robbins noted that the Operations meeting could change the site plan. Ms. Gee questioned
12 if that would necessitate reopening the public hearing and questioned if was it closed to hastily.
13 Ms. Robbins responded that she thinks it would likely be a minor change; it just needs to be
14 proven they can get access to the trucks somehow.

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20 Ms. Gee noted that the Decision for Hampton Health was further along in the agenda and said
21 that Decisions are usually more at the beginning of the meeting; She asked if there was someone
22 present for this matter and there was a response of Yes. Accordingly, the matter was moved up
23 from agenda item 5, to being the next item on the agenda (#3), as follows:

24

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27

DECISION:

3. #2024 – 090 – Hampton Health, 2543 Route 52, (6456-02-915642)

Applicant is proposing a wellness center in a former realtor’s office building located in a B1 Zone.

Daniel Koehler, P.E., Hudson Land Design and Duane Hampton, Applicant were present.

Ms. Gee invited Mr. Koehler and Mr. Hampton to the podium and Mr. Koehler introduced both of them. Ms. Gee stated that the matter was on the agenda specifically for a Decision this evening and a Resolution would be read. She confirmed with them that no changes had been made to the plan since they had last spoken with the Board.

There also were no comments or questions from the Board Members or Professionals.

AMENDED RESOLUTION OF SITE PLAN APPROVAL

NAME OF SITE PLAN: Hampton Health Wellness and Aesthetics

NAME OF APPLICANT: Hampton Health Wellness LLC

LOCATION: 2543 NYS Route 52

GRID NUMBER: 6456-02-915642

Resolution Offered by Planning Board Member: Lori Gee

WHEREAS, the applicant is applying for a change of use from a realty office to a wellness and aesthetics center; and

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WHEREAS, the applicant proposed minor changes to the site plan including parking lot striping, installation of handicapped parking spaces and ADA loading zone, construction of ADA ramp, and replacement of freestanding sign; and

WHEREAS, no public hearing is required for the minor site plan changes; and

WHEREAS, the action is a TYPE II action under SEQR and no further SEQR review is required; and

BE IT FURTHER RESOLVED, that the Planning Board hereby grants Amended Site Plan Approval, as shown on the “Hampton Health Wellness and Aesthetics,” prepared by Hudson Land Design, P.C., dated September 30, 2024.

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

Resolution Seconded by Planning Board Member: Rich Campbell

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|--|--------|
| 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 | Absent |
| Alternate Board Member John Giovagnoli | Aye |

1
2 **DISCUSSION:**

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4 **4. #2022 - 049 – Paradise Preserve Subdivision, 12 Deverly Ln. (6756-00-241319)**

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6 Applicant is proposing a 6-lot subdivision on 93.3 acres in the R-3 zone

7
8 Rick Bohlander, Civil Engineer, JMC Planning & Engineering and Pete Myleone, Owner (Mont
9 Pine LLC)

10
11 Mr. Bohlander introduced himself and stated that he wanted to give a status update on the
12 project. He said the updated septic plans were submitted to the Health Department at the end of
13 July. He has had interim discussions with the Health Department. There are no major concerns,
14 but they do not have approval yet from them. He said he will keep following up just to get an
15 idea of when that will come, which they hope will be shortly. They have since received 2
16 thorough comment letters from Nelson Pope Vorhis and Rennia Engineering. The Rennia
17 Engineering comment letter was focused on the stormwater. He said he reviewed both letters
18 today; it is a lot of cleaning up and just clarification on the engineering side, which he said he
19 will do. All those will be addressed before the next submission deadline, with a letter
20 summarizing how it was addressed. He said he did note one of the main concerns was the NOI
21 and NOI coverage per lot. He said that, since the original submission there was 1 SWPPP for the
22 entire property and his intent was to split it up, one per lot. Each lot will have its own system,
23 each system will have its own maintenance agreement, which will be the responsibility of the
24 owner of that lot. His intent was to simplify things, just to have the NOI and SWPPP per lot and
25 per the owner of each lot instead of having one SWPPP. This would have one maintenance
26 agreement, but with different parties responsible for the maintenance of the stormwater practices
27 on each lot. He said there was a comment about one SWPPP for the project, which he said he can
28 incorporate that somehow. He can do one larger design or one larger drawing for the existing
29 conditions, and proposed conditions that can be included in the SWPPP. He said he could do one

1 umbrella SWPPP, although he does not know how that would work. He said he would obviously
2 coordinate that with the reviewing engineer, Rich Renna. Another concern was about the further
3 subdivision of the larger lots and he said most of the lots are about 4 acres. There are 2 lots, that
4 is 15 and one lot that is 62 and there is no intent to further subdivide those larger lots. He said
5 that, obviously there are several environmental constraints such as wetlands, steep slopes and
6 what not; there is no intent to further develop those lots. He believes that the next deadline is
7 October 31st and he said that both the memos and updated plans would be submitted, addressing
8 all the comments in the memos with the associated letter, just to simplify how everything was
9 addressed, how it was addressed in this area. He concluded, stating that he was happy to answer
10 any questions.

11
12 Looking to the professionals, Ms. Gee asked if there was more detail needed regarding the
13 SWPPP or the DEP watershed. Rich Renna responded, stating that there is a lot of detail and
14 roughly 30 comments. The general part of the SWPPP that was referenced he said was that they
15 look at the project as an overall, which triggers overall disturbance, which triggers what has to be
16 done for treatment practices, so he needs to see the overall. He does think there is an avenue if
17 they want to break it up into individual lot owners, because they have to be practical that this
18 number of lots is probably will not be developed by one large developer that probably is going to
19 sell the lots. Separate builders will be building there, so he said it does make sense to put
20 everything on the individual lots, However, he said the overall area has to be looked at for
21 treatment. He said there is a comment about DEP and he believes they will require a DEP
22 stormwater permit as well, they are triggering that. This is based on the amount of development
23 they are making in disturbance. He told Mr. Bolander that it was appreciated that he recognized t
24 the amount of organization and detail that needs to be brought together. He told him he looks like
25 he is the type of engineer who will pick all this up and there are lots of pieces and parts, a lot of
26 copying and pasting and that he would pull all things together so all can be seen. This would

1 include the wetland boundaries, the floodplains, and once he sees all that, then it can be looked at
2 as a whole. He told Mr. Bohlander it would be very helpful if this could be done. Another
3 important piece he noted was the cut and fill analysis. As it is being seen with other projects, he
4 said it depends on how much fill each lot needs and it may trigger another need for another
5 permit. He said he wants to see this so it can get identified right in the beginning, before this gets
6 too far down the road. He concluded, saying that this pretty much summed up the comment
7 letter.

8
9 Ms. Gee asked the professionals, because this is in the Watershed, does the SWPPP need to be
10 seen before a public hearing is scheduled, so it is known that there will not be any additional lot
11 layout changes. Mr. Rennia said he would like to see what has been put together and may be see
12 that they have submitted it to the DEP so it is known that part has been put together and sent off.
13 He said it is kind of like the Health Department approval as well. In addition to the Health
14 Department approval, he said DEP approval is also needed on the septic, as well.

15
16 Mr. Bryant asked Mr. Bohlander if his plan was the intent is to keep management on each lot and
17 that there are no cross easements between the property owners. Mr. Bohlander responded
18 Absolutely; there is a lot of land, and he does not see a reason to do cross and do the easements.
19 He said there is a whole other layer to it that he thinks they are able to avoid.

20
21 Ms. Gee asked if this had been circulated for Lead Agency and Attorney Cunningham responded
22 that Ms. Robbins had recused herself on this project. Ms. Keenan said they did circulate. Ms. Gee
23 asked her if they hit their mark and they are able to declare it.

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25 **MOTION made by Ed Miyoshi, seconded by Richard Campbell,**
26 **for the Planning to Declare its Lead Agency for the Paradise Preserve**
27 **Subdivision. Voted and carried unanimously.**

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Ms. Gee confirmed that there were no further questions or comments from the Board Members or Professionals. She asked Mr. Bohlander if there was anything he needed from the Board. He replied that the comments letters were great at outlining everything and he has good direction now. He said he would see the Board in a month.

5. #2024 – 090 – I Park Warehouse Development & Water Tank Relocation, East Drive, (6456-03-073123,127232,169074)

Applicant is applying for an 870,139 sf warehouse on 71.33 acres of undeveloped land within the iPark Campus and relocate a water tank from Lot 6 to Lot 7.

Joe Cotter, iPark Developer, National Resources, Walter Kulow, Senior Civil Engineer Labella Engineering, George Distefano, Architect and, were present.

Mr. Cotter began at the podium, stating that he had an update for the Board. After a number of months, he said they had some very good news come out. As background, he said that there was L.I.D.L., a major food group. At a meeting with DEC and their consultants in May, he said they were in a full room with them. DEC told L.I.D.L that, because of the landfill that was purportedly on the site, that they would have to put in some surface soil vaporing and a number of other remedial measures for the building that was going to cost \$4 million. They also said that this was going to take quite a long time, and the news was very discouraging. He said that, ironically, there was no evidence in the DEC to document the landfill. It was closed in 1995 and he said the

1 head of the landfill for New York State said if they designated a landfill, then it must have been a
2 landfill, so something must be there. He said that was in May and he reiterated that L.I.D.L. was
3 greatly discouraged with that statement. It was going to cost about \$4 million and the vapor
4 barriers for the 800,000 sf building. He said this sent everything sideways and he told the Board
5 he appreciated that they have been patient to even allow this to continue. He said that, just
6 yesterday he received the soil testing and sub-soil testing report that was required by the DEC,
7 and there was no information. Ironically, he said that IBM has a huge room full of documents and
8 there is no record about the landfill, how it was closed, what was there. He said there was a little
9 urban legend that it was construction debris, they moved it off. He stated that the report shows
10 there is absolutely no evidence of any contamination at the landfill site, not the entire site, which
11 he said was kind of shocking. It cost about \$82,000 and they were distressed at the meeting. He
12 said everyone was very upset, but the report was received, and they are due to meet again with
13 the DEC. The recommendation of this report is that, not only the entire site, which is about a 54-
14 acre site, and this is one of the lots that never had any operations on it, and that the landfill
15 should be delisted. He said he is optimistic because, in the end. When they were working with
16 L.I.D.L., not only were they very distressed with the cost of a soil vaporizing and subsurface vapor
17 system for a building of that size, but they said they were in the food business and did not want to
18 be involved in a site that is so-called contaminated; they have a public image. He stated that this
19 now is an injection of fresh energy for them, and he reiterated that the Board has been patient. He
20 said they do have some update on some of the engineer comment letters. They've received one
21 on traffic, AKRF has produced a response, and they will submit; they are not looking to get into
22 the details. There are also the architectural comments. He felt it important, since this Board has
23 hung in with them, that this news on the site be shared. He believes they are meeting with the
24 supervisors and the DEC at the end of this month, and they are trying to get this back on track.
25 He said he wanted to report their news, hot off the press. The intention is, he feels with a good
26 shot, to recapture the tenant. Their path is, and they have been working with the Town, and had

1 some issues relating to the water system, which is not the topic tonight. As the Town engineer
2 knows, he said they have been working on something. He told the Board and professionals that,
3 until this was cleared up, they did not want to overstrain their resources, but he said this was
4 great news. It is a bit of a hunch for them to persevere. It took the DEC 3 months to approve their
5 sampling plan. He said it is kind of terrible to redevelop the site that was formerly industrial, and
6 one has to fight so hard. He said that, frankly, IBM has not helped in that regard either; they are
7 trying their best. He wanted the Board to know that it is their intent to go through and finish the
8 approval process with them; they are almost there and know they had some work to do. In
9 addition, he pointed to George Distefano and Walter Kulow, from Labella, saying that they
10 would give a little update on some of the comments made. Then, he said, it would be their
11 suggestion to maybe have a work session with some of the engineers to talk about some of the
12 other issues like the water and some of the other things that are a little more complicated, just to
13 get a better direction. He concluded, stating that the purpose tonight for them was the good news.

14
15 Ms. Gee asked Mr. Cotter if the fact that it was delisted remove the need for the monitoring wells
16 or were they for a different reason. Mr. Cotter said they were for a different reason. The
17 monitoring wells are to delineate the groundwater so that they make sure it is not going offsite.
18 He said the monitoring of the wells was never really an issue. The problem was that they kept
19 getting checkmated. For whatever reason, L.I.D.L., at the time, felt they couldn't cut out the
20 puzzle piece of the landfill and they tried to say to go around the landfill. They wouldn't do it and
21 he said it was important for their plan. He said the moving of the monitoring wells is all right and
22 the DEC was never an issue. He said they had to locate them, there was a cost to relocate. Ms.
23 Gee said then the landfill does not eliminate the need for the wells, that was her point. Mr. Cotter
24 said it does not eliminate the need but, what is interesting, and important for the Board, is that
25 there are 51 monitoring wells He will confirm it, but he said he thinks only 1 or 2 have any hits
26 on the western border. The hits are 100 parts per billion, so they are just trace-evidence of it. He

1 said the site that is called Native is a site that shouldn't be subject to some of these restrictions,
2 and certainly the fear. He said they still can't figure out how, nor IBM, the DEC had records of a
3 fully listed Cap landfill. He said that is pretty big for the department to take that kind of step to
4 declare it a landfill. He said it is a REQUA site; it is a landfill site that was determined to be a
5 landfill under REQUA permitting, which is a pretty involved process, and it requires a serious
6 amount of detail. One doesn't just say "can you make this a landfill". He said they must have
7 gone through the process; they were desperate to get the information, and neither IBM in the end
8 and, quite frankly, they were suspicious. He said it could have been something really bad or
9 something really good. He stated to the Board that he hoped this was good news and, once again,
10 thanked them for hanging in with them. He said they will try t persevere and he thinks it would
11 still be a good outcome if they can just finish it off.

12
13 Mr. Kulow came to the podium and introduced himself, saying that he also wanted to thank the
14 Board for their patience. He is a new engineer on this project and said he has been reviewing the
15 record, comments, Bohler Engineer plans and reports. He said they have been able to address
16 some of the comments, primarily landscaping, and they have been able to create landscaping
17 plans identifying where the 25-ft buffers are, the required buffers, the 10 ft buffers. They have
18 added some species list and included some of the taller trees that were recommended. He said
19 there is also the parking, and the tree planting within the parking lots were added. Generally, he
20 said they are just trying to get some of the comments out of the way and he understands that there
21 is still work to be done. He said Mr. Cotter mentioned the traffic comments and, just today, they
22 received a response letter from the traffic engineer at AKRF and said that will be submitted.
23 He would like for them to have a workshop meeting with the Board to figure out what really are
24 the next steps with respect to the remaining comments.

25

1 Ms. Gee asked if this was before the Town Board for the Special Permit and if it was issued now;
2 was this just in the site plan completion. Mr. Cotter said the Special Permit had not been issued
3 yet. He believes they wanted to wait until this moves forward.

4
5 The plan was displayed, and Mr. Distefano said he would give a brief overview of the
6 architectural components of the site. He said that, in the landscape plans submitted by Labella, it
7 does call out significant landscaping across the site, which he said kind of softens and buffers the
8 building. He said there is also significant existing landscape around the edge of the site,
9 particularly on the exterior limits of the site to help screen the building. He showed the images
10 from the previous application that he said were submitted for the same site, specifically the
11 images that show the site from the outside of the campus. He said the scale of the building can be
12 seen and how it might be shown behind some of the existing landscape, more on the materiality
13 and design components of what they are proposing now. He showed a slide of what he said was
14 more typical references for architectural design related to industrial or warehouse buildings. He
15 said there is some component glass, typically for an entrance lobby or office that can be seen at
16 the corner of the building. There are metal panels and pre-cast concrete used throughout and he
17 showed the series of loading docks shown. He said, to make a more specific point of what they
18 are now proposing is a combination of insulated metal panels, pre-cast concrete panels and also
19 glazing, mainly at the office corner.

20
21 Ms. Gee told Mr. DiStefano that she did not think this had yet been referred to the ARC, the
22 Town’s Architectural Review Committee. Ms. Robbins responded No, not for this application.
23 Ms. Gee asked Mr. Distefano if they were ready for this; it seemed like a lot of work had been
24 done for the building itself. Mr. Distefano said Yes, they are ready for that conversation.

25
26 **MOTION made by Ed Miyoshi, seconded by Sarah Bledsoe, to refer**
27 **the I Park Warehouse Development & Water Tank Relocation project**

1 **to the ARC.**
2 **Voted and carried unanimously.**
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5 Ms. Gee told Mr. Distefano that this would give him the ability to go to the ARC and to get some
6 feedback. He replied, thanking the Board and said that was all he had from the various sheets that
7 were submitted. He said if there were any further questions, that he would be happy to answer
8 them.

9
10 Ms. Gee asked if there were any further questions or comments from the Board Members or
11 Professionals. Ms. Robbin replied that the only thing she wanted to say was that there had been a
12 lot of comments on the previous warehouse facility and that maybe some things could be learned
13 as discussed earlier. Ms. Gee told the gentlemen at the podium that, if they were listening to the
14 prior application this evening, the Board would probably want to make sure that they have a
15 decent fire plan, an Operational plan for where people would go, in any kind of event. Mr. Cotter
16 responded, saying he was following up on that. They have been briefed by the Chief and the Fire
17 Department at a previous meeting, but they understand some of the stress that some of these
18 warehouses can put on the emergency services, in particular. When the magnitude order of calls
19 is heard, relative to the rest of the Town and Village, he said it puts an unfair burden. He said, as
20 may be known, iPark has its own fire department as well as some emergency services. He said
21 there has been some choppiness between that and the Towns fire department. He said this is
22 mentioned in the next building. He said Frito Lay is coming down the pike. In speaking with the
23 fire department, it is some of the same issues. He said they were talking about how to better
24 coordinate the on-site fire department to take some of the burden away and make sure that the
25 communication is there. He said that it is obvious what is happening on the West campus has not
26 been good.

1 Ms. Gee stated that she thinks everyone learns as they go. The important thing here, she said, is
2 that the employees know where they are to go if they are leaving the building in the case of an
3 emergency, that they are out of the way of the fire equipment. Mr. Cotter said there is that and the
4 whole emergency evacuation and all those types of things. He said they have worked with a
5 program and that Pepsi is doing their own and they are not involved with them. For this
6 application, he said they have had at least a preliminary discussion on how the onsite fire
7 department could be used to answer some of these and to reduce the number of calls.

8
9 Mr. Palin stated that, First, his understanding is Global Foundries/IBM Fire Department will not
10 respond to buildings that were not part of the original campus. Secondly, he said they are not
11 equipped or prepared, with basically a 2-man staff, to respond to anything more than a minor
12 emergency. He said they have gone to Frito-Lay a couple of times and he was surprised, but this
13 is still within the Township and his Fire District is still dispatched, regardless of them. Mr. Cotter
14 said he was 100% correct. Mr. Palin stated they will still go and that all the equipment the Chief
15 was talking about is still going to be on the road for a fire emergency at that facility. Mr. Cotter
16 said with over 100 calls, there is a better way to communicate, at least if some of the calls are not
17 as essential, quicker so that the amount of emergency calls can be limited. He told Mr. Palin that
18 he is the expert and that he does not pretend to be and that is why the discussions.

19
20 Mr. Palin stated there was one possible solution and that is to have their own onsite Fire Brigade
21 for the building. He said, in his previous life, he was the Chief of a Fire Brigade for an industrial
22 complex. The outside Fire Department was not called unless they had certain parameters with
23 them, they were not called. He said he had a staff of volunteers basically within the building that
24 could respond and mitigate chemical spills, fires, medical emergencies, and the kind of thing that
25 they could handle within themselves. He said they were trained and knew enough to be able to
26 call the outside Fire Department if they were needed. He said that is a possibility, especially on

1 the medical end. He said most of the calls to Amazon are medical and many of them could be
2 treated in-house, and without intervention from the Town's ambulance service. Mr. Cotter said
3 that it was the opportunity to eliminate a lot of the medical calls because he does not remember
4 the number, but knows it was over 100 and more than 60% were medical calls. Mr. Palin said it
5 is probably more like 90% and someone from the audience stated that most of them are for pain,
6 at 3:00 a.m. Mr. Cotter said it is sometimes employee dissatisfaction too and they can't be a
7 therapist too. He thinks there is a program where they can engage particularly on the medical side
8 and he thinks they should leave the fire to the professionals, very respectfully. Mr. Palin stated
9 that he thinks that would solve a big part of the problem, the medical side of this. Mr. Cotter
10 thanked Mr. Palin. Ms. Gee said this would need to be shared with the other applicant at the
11 Operational meeting. The Members agreed that this was good information.

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13 Mr. Cotter wanted to suggest that, if this could be moved forward, they do not want to lose, even
14 if they could get some sort of contingent approval. Ms. Gee replied to him that he is still working
15 on a few of the reports and in the process, the Board has just received a couple of reports from
16 him, so a little time is needed. Mr. Cotter stated that he was not suggesting, but just saying he
17 wanted to give the Board what their road map is, with this news on the environmental. They want
18 to get back to them (L.I.D.L) that this is a good site for them. Ms. Gee asked him if he was able
19 to share that report with the Planning Office as well, it would be made part of the record if there
20 is ever a question in the future. He said he did not have it the other day when he met with Mr.
21 Bryant and just got the report in. He stated that it is a good conclusion and he is hopeful that,
22 when they meet with the regional head (DEC), that they will just confirm that everyone is on the
23 same page before and they will get it in as part of the record.

24
25 Mr. Bryant asked Mr. Cotter if the DEC had to approve the monitoring well plan that he is sure
26 will be proposed, on where they might be replaced; will they be split concurrently. Mr. Cotter

1 responded that the Wetland’s Permit was submitted and that the monitoring plan almost takes on
2 a different meaning. He said it is because of moving the wells specifically, not having the
3 landfill. Mr. Bryant said there is other contamination beyond. Mr. Cotter said there is the
4 groundwater, but that is under the whole property. He said it changes the dynamic and makes it a
5 lot easier because all they have to deal with is the borders and not cut this out. Mr. Bryant said
6 they still have to bless that whatever plan. Mr. Cotter said it makes it easier, saying this is the
7 eastern boundary and then have to cut out the pie shape, then speculate the ground water; there
8 are all sorts of calculations related to the landfill that complicated it. HE said they will try to
9 simplify it and come back to this Board. Mr. Cotter thanked the Board, and Ms. Gee
10 reciprocated for the Board.

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18 Ms. Gee stated that the last item on the agenda had been moved up earlier and confirmed that
19 there was no further business this evening to be addressed.

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ADJOURNMENT

**MOTION made by Richard Campbell, seconded by Sarah Bledsoe, to
adjourn the Planning Board meeting.**

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Voted and carried unanimously.

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Respectfully submitted:

Kathleen Mahodil, Meeting Secretary
East Fishkill Planning Board