

MINUTES
TOWN OF EAST FISHKILL
SPECIAL JOINT PUBLIC HEARING WITH THE PLANNING BOARD MEETING
JANUARY 30, 2025
6:00 p.m.

SPECIAL JOINT PUBLIC HEARING WITH THE PLANNING BOARD MEETING

The Town of East Fishkill's Town Board Meeting on January 30, 2025, was called to order at 6:00 p.m. by Supervisor D'Alessandro with the Pledge of Allegiance to the Flag.

Roll Call: Supervisor D'Alessandro asked the Town Clerk to call the rolls.

Town Board Members in attendance were:

Craig	Emmanuel	Tom	Marianne	Nicholas
Arco	Marinero	Franco	Flores	D'Alessandro

Planning Board Members in attendance were:

John Giovagnoli, Donald Papae, Lori Gee, John Eickman, Richard Campbell, Ed Miyoshi, Sarah Bledsoe

Also, in attendance were:

Michael Cunningham, Attorney; Scott Bryant, Engineer; Michelle Robbins, Planner; Rich Renna, Engineer; Brendan Fitzgerald, Engineer and Peter Cassidy, Town Clerk.

OPEN PUBLIC HEARING:

1. Special Joint Public Hearing to consider an Economic Redevelopment Special Permit for National Resources
 - a) Open Public Hearing

Supervisor D'Alessandro stated this is a joint Public Hearing between the Town Board and the Planning Board. This does not happen very often, but several years ago, when the Town Board adopted the Economic Development plans and procedures, they decided to help applicants save some time by doing a joint Public Hearing for the Town Board to enable them to adopt an economic Redevelopment Special Permit for anything on the East and West campuses, located off of Route 52. The Planning Board will continue their Public Hearing to

review the entire site plan, SEQRA review, and the entire project. The Town Board listens to the project to make sure it meets all the criteria for the issuance of the Redevelopment Special Permit.

Motion for the Town Board to open the Public Hearing for the Economic Redevelopment Special Permit: Board Member Arco. Seconded: Board Member Flores. All voted in favor. Motion carried.

Planning Board Chairperson Eickman addressed the Planning Board.

Motion to declare intent to be Lead Agency: Board Member Gee. Seconded: Board Member Miyoshi. All voted in favor. Motion carried.

Motion to open the Public Hearing for Planning Board: Board Member Gee. Seconded: Board Member Bledsoe. All voted in favor. Motion carried.

Supervisor D'Alessandro welcomed Daniel Pennessi from iPark. He stated George Distefano was also with him. It has been about four years since he has been before this Board and fifteen that he has been with iPark. He stated he is here to explain the project before the Boards and answer any questions they may have. Then they will hopefully set a better schedule for them to be more technically responsive to some of the comments they have received. They have reviewed the comments that the Town Engineer has provided as well as LaBella's comments from August 15th. In reviewing these comments, it appears that the technical comments are largely centered around landscaping and drainage. They are in the process of having the traffic report revised, which should be issued next week. Following that they will have LaBella and their engineers revise the site plan to be more responsive to these technical comments. Their hope is that they can establish a schedule for SEQRA and answer any questions the Boards may have. The plan has not changed much. They are still pursuing the distribution warehouse as it is currently configured. Supervisor D'Alessandro stated this was a proposal for one of their sites at iPark East Fishkill. Several years ago another applicant came for a similar warehouse at the exact location. The Town Board is here to get an overview of the project so they can issue the Redevelopment Special Permit. Mr. Pennessi stated this exists on the east side of the campus between Lime Kiln Road and East Drive. It is proposed on what is currently known as Lots 4 and 6 on the site. It is in the Southeast corner of the East campus. This site has not had any prior improvements on it. It was not a parking lot either. The prior application and this application do have some requirements from DEC, particularly on the south side. There are designated wetlands that require a DEC Permit and they are working through that. If they are not through that process by the time the Board is ready to grant the Special Permit, they are willing to accept that as a condition. Part of this application is the relocation of the water tank to the West, just across East Drive. That tank largely serves several buildings they own on the site. It also serves OnSemi, and they are aware of that as well. They have been working together on how to relocate that water tank.

Mr. Distefano stated this is for a roughly 800,000 square foot warehouse. It is essentially the same proposal that was before the Board last year with a different applicant. Their site engineers worked out the site plan to address a large amount of the comments. They believe they have addressed all of the landscape comments and are working on the storm water comments. They will continue to meet with the Town on those issues. The previous application had gone before the Architectural Review Board and they had approved that proposal, so this applicant plans to keep the architecture exactly the same as what was approved.

In regard to the landscaping, Mr. Distefano stated there was a lot that dealt with screening along some of the more public facing roads. They did add in a lot of plantings and screening along the Shenandoah Road edge. There are 10 foot high trees proposed along Lime Kiln Road, where it is closest. There are also plantings along South Drive where there is exposure close to the road.

Supervisor D'Alessandro asked if there were any questions from the Town Board. He stated that they meet all of the requirements of the Redevelopment Special Permit.

Board Member Arco asked what the tank that needs to be relocated serves. He asked if it was domestic water or fire protection water. Mr. Pennessi stated it is fire protection water. Board Member Arco asked if the new tank was to be rebuilt before that tank is demolished and Mr. Pennessi said yes.

Board Member Flores asked if there were any remaining concerns from DEC regarding removing that tank. Mr. Pennessi said not from the DEC on removing the tank. They have been working with DEC on how to develop the site. The wetlands permit will be forthcoming. The second part that DEC is involved in is the vapor barrier. They have performed all the testing, which has come back clean. They are working with DEC as to whether or not that will be a mandatory requirement.

Planning Board Member Campbell asked if the test well monitoring will remain or will it be eradicated once they meet the threshold. Mr. Pennessi stated there will be monitoring wells remaining and they think they have established they can be in the perimeter of the building. Mr. Campbell stated the LIDL plan had an excessive height. He asked if this would be the same. He does know that there were concerns from the fire department regarding the height and what equipment there is that could accommodate it. Mr. Pennessi did not recall the height issues and will need to review that. He does feel it would be beneficial to have another work session to discuss these issues once the traffic study is done. Ms. Robbins stated she believes this project did bring the height down some. Board Member Arco asked what the maximum height of the building was. Mr. Distefano stated he believed it was 65 feet, but he would have to look back to confirm that. He does recall it was within the height limit of the Special Permit.

Planning Board Member Miyoshi asked if there was a proposed tenant for this warehouse or if they were building it hoping someone will come in. Mr. Pennessi stated there has been significant interest beyond the prior application. The industrial market is still very strong and this type of project in particular is incredibly sought after. They would like to pursue it on a spec basis, but that is not ordinarily their business plan.

Supervisor D'Alessandro stated he has spoken to the developers very often and they did go through a litany of prospective tenants. They were in the process of negotiations and signing non-disclosures. The Supervisor, Town Engineer, and Town Attorney had a meeting with the regional director of the DEC about some specific sights on the iPark East Campus, especially regarding the landfill, which this project is part of, which is why they need the vapor barrier and the monitoring wells. DEC was fine with reconfiguring where the monitoring wells were to be and were in the process of reviewing the vapor barrier and if it needed to be the entire building or just a portion of it. He did see the results of the testing from the old landfill and nothing of significance came up. He does believe the property is clean, meaning no contamination. They want to make sure that DEC makes sure there are proper procedures in place to make sure that development can continue at a steady pace. The regional director was very clear that they have a procedure in place to make sure it continues in a timely fashion. Mr. Campbell asked if that meant lands beyond this project. Supervisor D'Alessandro stated when they discussed it, it was for this parcel and several others that they had concerns about. They wanted to see what type of development can occur there. Many people from the public ask why they can't have commercial development or stores there and the developer would like that, but the DEC says absolutely not. Whatever continues to move forward has to be industrial. Mr. Pennessi stated they are moving forward with discussions regarding those perimeter parcels to remove them from the permit with the requisite restrictions remaining in place, pursuant to an easement or something, but maybe allowing more flexible redevelopment on the periphery.

Mr. Pennessi asked if, with the Planning Board as Lead Agency, the next steps would be to have a negative declaration issued followed by the issuance of the permit and then a conditional site plan approval. Supervisor D'Alessandro stated that most likely the Town Board will close their Public Hearing tonight. Once they get the SEQRA determination they can issue the Redevelopment Special Permit.

Supervisor D'Alessandro asked if there were any other questions from the Planning Board. There were none. He asked if there were any from the Town Professionals. There were none.

b) Close Public Hearing

Motion to close the Town Boards' Public Hearing: Board Member Marinaro.
Seconded by Board Member Flores. All voted in favor. Motion carried.

Motion to adjourn the Planning Board Public Hearing to March 18, 2025: Board
Member Campbell. Seconded: Board Member Miyoshi. All voted in favor.
Motion carried.

Motion for Adjournment: Time: Motion to adjourn the regular meeting at 6:18
PM: Board Member Marinaro. Seconded: Board Member Arco. All voted in favor.
Motion carried.

Town Board Meetings:

Regular Meeting/Workshop Meeting:	February 13, 2025
Workshop Meeting:	March 13, 2025

Respectfully submitted by Julie J. Beyer on behalf of Town Clerk Peter Cassidy –
February 1, 2025