

**TOWN OF EAST FISHKILL
PLANNING BOARD MEETING**

DECEMBER 17, 2024

Planning Board Chairperson John Eickman called the meeting to order.

CHAIRPERSON COMMENTS:

Members present during the roll call were John Giovagnoli, Lori Gee, John Eickman, Richard Campbell, Ed Miyoshi and Sarah Bledsoe. Member Donald Papae was absent.

a. Mr. Eickman began the Meeting with **The Pledge of Allegiance.**

b. **Mr. Eickman announced the Upcoming Meeting Dates are:
January 21, 2025 & February 18, 2025**

c. **Approval of Minutes of Meeting Held: November 19, 2024**

**MOTION made by Richard Campbell, seconded by Lori Gee,
to approve the Minutes of Meeting Held November 19, 2024.
Voted and carried unanimously.**

Town Professionals and Consultants present were: Thomas Wood, Esq. and Michael Cunningham, Esq., Town Attorneys; Michelle Robbins, AICP-Town Planner; Rich Rennia, Town Engineer and Brendan Fitzgerald, Traffic Consultant, HVEA.

Staff present were Jackie Keenan, Planning Board Clerk, Kathleen Mahodil, Meeting Secretary, Matt Rickett, Zoning Administrator, Chris Jodlowski, Board of Fire Commissioner, and Dave Palin, Fire Advisory Board.

SEQR SCOPING SESSION:

- 1. **#2024 – 081 – Woodland Estates (Twin Creeks), 6457-18-344225, 343206, 300180, 398229, 406146, 473057, 402041, 355141**

1 Open Public Scoping Session for the Woodland Estates Draft Environmental Impact
2 Statement (EIS). The purpose of the scoping session is to identify key issues and potential
3 impacts that should be considered in the EIS. Woodland Estates is a proposed residential
4 development that would include 23 multi-family buildings and a clubhouse with a total of 468
5 dwelling units of various sizes in the PRD district.

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7 David Cooper, Esq., and Vincent Pedone, Esq., Zarin & Steinmetz, Applicant’s Counsel, and
8 Eric Schlobohm, P.E., Project Engineer, Insite Engineering were present.

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11 Mr. Eickman looked to Tom Wood, the Town’s counsel, to do a review of the SEQR process
12 regarding Scoping.

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14 Attorney Wood stated that he would focus on where this is in the process, beginning on the very
15 start of the process. He said a property owner has submitted an application for the proposed
16 properties all known on Route 376. The project has extensive history, going back to the 1980s
17 when he moved to the Town. He said this got through the process and got approvals and then, for
18 various reasons over the years, it has remained silent. Now it has come back to the application.
19 All property owners in the Town have property rights and he said the Town has an obligation to
20 respect those rights, the public rights, and to put it through the process. The process is at its very
21 beginning this evening and he said when an application is filed, it is initially reviewed by the
22 Town consultants. There is a little back and forth between the project’s professionals i.e., the
23 engineers, the planners, the traffic consultants, the wetlands experts and the Town has such a
24 team. He said they go back and forth and, when an application is deemed sufficient, it comes to
25 the Planning Board. This Planning Board has received the application, and he said they have
26 made a determination because of what they saw and there is the likelihood that they have adopted
27 a positive declaration. This had to be studied thoroughly, before it proceeded to the next steps.
28 He said last month there was a first night Scoping Session and it means, after a Positive
29 Declaration, the developer is going to have to prepare an Environmental Impact study. It is a

1 study of all the issues, all the perceived possible impacts that a project may have. Before they go
2 out to begin that study, he said they have to be given a list of all the prospective impacts. Last
3 month there was a discussion and an open meeting about a Scoping document. He said a Scope is
4 like an index and the index tells all the chapters and all the issues that have to be studied. He said
5 that many comments were made last month, and the Scoping document has now been updated,
6 based on those comments, to about 25 pages. It lists all kinds of items that have to be studied.
7 The easiest example would be the traffic impact, what intersections may be affected by the
8 project and, perhaps it would be Routes 376 and 82, 376 and 52, and he said there may be others
9 in there. He explained that tonight, the Board will continue the Scoping Session to see if there are
10 any other issues that need to be addressed. Then, the Scoping Session would be closed this
11 evening, allowing 10 days from today, he believes to December 31st, for written comments about
12 the issues, impacts, He said in January the Planning Board would adopt the Scoping document.
13 The applicant then goes off and, with their professional team, studies those issues, makes
14 comments, etc. and then that comes back to the Planning Board. Then, the Planning Board will
15 decide, at that point, whether or not the discussion presented back to the Planning Board is
16 sufficient for public discussion of those issues. He said that, sometimes they are immediately
17 okay and most times there is a little back and forth and some additional studies, etc. At one point
18 in time, he said it will be deemed to be complete. The Planning Board will then schedule a Public
19 Hearing, and everyone can come back and speak to the issues, as addressed by the impact
20 statement and the site plan, or subdivision map that may be before the Planning Board. He said it
21 is a process that goes on and, what will be done for the public's edification is post on the Town's
22 website an outline of all the steps that occur in the project, not just this project, but any project.
23 He said State laws are being dealt with, Town laws, and procedures, and they won't have dates
24 because a lot of the timing is based on when documents get delivered to the Town. So, for dates,
25 he told the public that they would have to check monthly to see if it is on the Town's Planning
26 Board agenda for the next steps being set forth, on the Town's website. He again stated that this

1 is very early on in the process and no decisions are being made; they are a long time off, which
2 the applicant does not like to hear him say. He said it is a balancing of all the equities and issues
3 and he knows that, this Board particularly gives great dept[Not sure what this word should be.]
4 and the concerns are addressed in an appropriate manner.

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6 Mr. Eickman thanked Attorney Wood, saying he was very helpful. Before proceeding further, he
7 said he would accept a Motion to Open the Scoping Session.

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10 **MOTION made by Lori Gee, seconded by Sarah Bledsoe, to Open**
11 **the Scoping Session for Woodland Estates.**
12 **Voted and carried unanimously.**
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16 David Cooper, Applicant’s counsel, introduced himself, at the podium, and stated his colleague
17 Vincent Pedone, and Eric Schlobohm, the project engineer, were also present for the Scoping
18 Session. He said a presentation was done at the last meeting and it would not be rehashed; he was
19 present to answer any questions. The only thing he would add to Scope of this evening’s Scoping
20 Session that was most important from the applicant’s, Board’s and consultants’ perspective was
21 the methodology of studying potential impacts and areas of concern that this Board would like
22 them to look into. He said, at the end of the day when the EIS and DEIS is presented to the
23 Board, there will be a series of studies, i.e., traffic, etc.; they want to make sure that the
24 methodology that they used to assess the potential impacts, mitigation, etc., were on the same
25 page. He said that is what they are interested in tonight and offered to answer, listen to any
26 questions that may be had by the Board or others.

27

1 Mr. Eickman thanked attorney Cooper and asked if the Board members if there were any
2 questions or comments. There were none at this point from either the Members or Town
3 Professionals. He then opened it up for public comment, either for or against the project. He
4 announced if one wanted to comment, to come to the podium, sign their name on the sign-in
5 sheet and state who they are.

6

7 First Speaker -John Conneely, 10 Stephen Drive, came to the podium, stating that he is a 30-year
8 Resident living on Stephen Drive. He said a couple neighbors could not make the meeting, so he
9 consolidated some of his concerns to include some of their concerns, of which he said some were
10 discussed already, but he wanted to reiterate:

11 -Traffic: The connecting roads to Mark Land or Stephen Drive to create more traffic in the quiet
12 neighborhoods. He said they are currently under the impression that they will be gated and
13 deemed for emergency use only, but he said there will, in fact, be a gate there.

14 -Schools: He said one of the neighbors is on the school board and the schools are a great concern.
15 The units, whether owned or rented, will ultimately house school age children and he said he is
16 told Gayhead School is at full capacity. Wappingers Central School District announced a capital
17 project earlier this month to include additions for both the junior high schools. He said the sheer
18 size of these new projects would make these plans insufficient already and that this would impact
19 every taxpayer in the entire district. This is the largest non-city school district north of Long
20 Island in all of the state. He was asked to question what entity will own the property; is it the
21 same entity that will construct the proposed project. Mr. Eickman told Mr. Connelly that he
22 thinks those answers will be given when the final Scoping document is completed.

23 -If project fails: Mr. Conneely stated that if the proposed project is begun and fails, the model
24 homes constructed would cause problems with looters, squatters, and a place for drinking
25 approximately 40 years ago. The concern of the neighbors is who would be left holding this bag.

1 He said the developers are likely to quickly dismiss this possibility, but it has already happened,
2 and it would be irresponsible not to take this into consideration.

3 -Drinking Water: The consideration for clean and safe drinking water on the proposed property is
4 they have heard there are wells drilled already. They know from the sitting wells at this point,
5 they could possibly be contaminated. He said he has heard about municipal water, the wells, and
6 is not sure which direction this is going.

7 -Discharge of Stormwater: Mr. Conneely asked where it would be going. Attorney Wood replied
8 that the questions in the Scoping Session would be answered through the Draft Impact Statement.
9 He wanted to point out a few things and said that, when this application was first filed and this
10 process started, a multiple group of agencies were advised of the filing of it. He said they are
11 divided into two (2) groups: Involved Agencies and Interested Parties:

12 - The Involved agencies are agencies that have other approval authority. The examples would be
13 the NYS Department of Transportation will have to approve the project's entrance onto Route
14 376, the traffic impacts would have to be addressed as they require, because they have to give
15 approval; The Dutchess County Department of Health has to approve the water and sewer
16 connections, etc. He explained that they are the Involved Agencies because they have approval
17 authority, and there is a list of them.

18 -The Interested Parties is the other group who, while they have no approval authority, do have
19 perhaps an interest in the development, of which the Wappingers School District is one. He said
20 they were notified of the filing of the application and they have the right to send the Planning
21 Board a formal comment raising their concerns about potential impacts that the school district
22 foresees. He said that will be addressed.

23 -Regarding Partial Construction Concerns: Attorney Wood said that is (#1) with any
24 development, but (#2), with projects, whatever the magnitude this may end up being, if any, that
25 is usually addressed through the process, with a phasing requirement. It is like one thing has to be
26 completed before another, and he said that will be addressed.

1 -Regarding Water Concerns: Attorney Wood said there are 2 parts to the Water: one is the Health
2 Department as he had mentioned and the other agency is the NYS Department of Conservation
3 (DEC). Anyone who drills a well and draws water out of it has to get a permit from the DEC, a
4 water taking permit. They will require extensive studies of the developer, i.e., if X number of
5 gallons of water is being drawn a day, what impact would it have on the other wells. If there are
6 existing wells, they will have to retest them and to monitor the adjoining wells as part of that test.
7 He said the water under the ground is all our water and the NYS DEC is the agency that is vested
8 with the authority regulating that. He added that those kind of concerns would be addressed
9 through that process.

10 Stormwater Discharge -Mr. Conneely asked Attorney Wood if the DEC would also be looking at
11 the stormwater discharge and he replied Yest, they are involved. The towns are obligated to
12 enforce the stormwater obligations, and it is the developer’s burden to show, if there is a
13 development on the property, that the flow of water off the property does not exceed its current
14 standard, the current flows. He said, “in layman’s terms” that they would have to either show that
15 the water can be retained on the site and discharge it over a period of time – or that they can
16 absorb the water on the site, whatever the process might be. He acknowledged to Mr. Conneely
17 that, Yes, that is one of the issues. Mr. Conneely said then it would be the discharge, where it is
18 going, the Fishkill Creek where they are feeding the aquifer, the discharge. Attorney Wood said
19 all of that is studied and has to be approved, Yes.

20 Mr. Connelly summarized, ending his comments, saying that the “traffic-traffic-traffic” was
21 talked about, as well as the drinking water, the schools and said that was all he had for today and
22 he thanked the Board.

23

24 Second Speaker: Claire McCloskey came to the podium, stating that she and her husband had
25 lived at #7 Mark Lane for over 41 years and had raised their children in a very quiet, happy,
26 friendly, safe neighborhood. She is very concerned that this will change greatly with the all the

1 building that will be behind them. Her house backs up to the rock wall and beyond that is where
2 all the construction will be. Some 30 odd years ago, when her third child was a baby, she said
3 every day, around noon-1:00 there would be a siren and then blasting would occur. That was
4 when they were trying to build back there before and she ended up with cracks in her foundation,
5 cracks in her boiler and a lot of distress. She said she does not want to see this happen again and
6 questioned if this would require blasting again. Looking to Mr. Conneely, she said she also is
7 very concerned about the traffic, as well as emissions, noise, people coming into the
8 neighborhood who do not live there and going through. She said Harrigan Road cannot handle
9 anymore traffic; it is windy, dangerous, with poles and trees right on the edge of the road. Now
10 with the warehouses being built and all the people on Palen Road in the morning when she goes
11 out to work, she has to wait quite a while to get out with a lot of traffic going to the warehouses.
12 She said they will not have Joe’s Mother’s Road to use and now may have this. She thinks
13 Hopewell is becoming extremely congested and she does not think it can take anymore. She
14 reiterated what Mr. Conneely said:” traffic, traffic, traffic”. Speaking of the roads, she said she
15 had a message for the Highway Department while here in the meeting. The roads Mark, Gene,
16 Anthony and Stephen have never been paved in over 45 years. She’s written numerous letters to
17 “Ken”. She either gets no reply, or he says there are drainage issues. They came and fixed the
18 drainage issues on Gene Court, but and she said there are still drainage issues, apparently at
19 Stephen and Mark, where there has been virtually a lake a few times. She thinks it comes from
20 the swamp, across from Stephen, over by Flower Road and is questioning when was it going to
21 be their turn; it is over 45 years. She said they watch everyone else get repaved while they sit
22 there and get patched, over and over and over. She felt she could use this venue to vent this and
23 she said she thinks she made all her points. She had a letter to submit and said she thinks this
24 project would not only be a big change for the neighborhood, but for the entire Town; it is the
25 stress that is put on the schools, fire district, safety, it is everything. As she was finished, Mr.
26 Eickman told Ms. McCloskey she could leave her letter with Ms. Keenan.

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2 Third Speaker: Jamie DaSilva, of 6 Gene Court came to the podium, saying he had lived there for
3 10 years and had one question about the traffic in and out of Mark and Stephen into this project.
4 If they do end up putting up the gates, he questioned what safeguards would be put into place to
5 prevent those gates, later on down the road, from being lifted and removed. Once the traffic gets
6 so backed up on Route 376, 3,4,5,6 years down the road, what would prevent the community
7 from signing a petition to remove the gates and make their traffic get diverted to Palen, Harrigan.
8 He said there needs to be some sort of safeguard put into place to protect his cul-de-sac from the
9 thru traffic and the dangers it will bring to Harrigan Road and the cul-de-sac. He said that was all
10 he wanted to add; he thinks this should be looked into and put into place.

11 Attorney Wood wanted to quick answer Mr. DaSilva regarding the gates. He said they are
12 proposed as emergency access, which means they will only be able to be opened by fire, EMS or
13 police agencies. It would be a condition normally of the site plan and if they wanted to open it,
14 they would have to come back to the Planning Board. The Planning Board would have to hold a
15 public hearing to modify the site plan, notify everybody. Mr. DaSilva replied that, at that point
16 they would be in the minorities and Attorney Wood told him that would not be a determining
17 factor. He said there would be another traffic study commissioned; an analysis done. It is
18 proposed now for all of those entrances to be for emergency purposes only. He noted that there
19 are several other communities in the Town. i.e., Hopewell Glen, possibly at Four Corners where
20 there may be one. He said there are other gates, and the firemen have the keys for them. Mr.
21 DaSilve said those are a much smaller scale. Attorney Wood said there are 280 units at Hopewell
22 Glen, 240 at Four Corners. He said it will be discussed. Mr. DaSilva reiterated that he wanted a
23 safeguard for him and others and Attorney Wood replied Absolutely.

24
25 Fourth Speaker Marikay Satryano, 9 Mark Lane, came to the podium, stating that she had
26 submitted an email to the Board at Keenanj@eastfishkiull.gov and asked if it had been received.

1 Mr. Eickman confirmed that he had it. Ms. Satryano asked him if he wanted her to read it, or did
2 he want her to paraphrase; he replied he thought if she could paraphrase it; there were a lot of
3 issues here, and he said many of them will be answered in the process. Ms. Satryano proceeded,
4 stating her concerns:

5 - Crowded population- She said she read the documents of the proposed 23 units, and, with 20
6 apartments, about 1,000 people. She said the village is crowded and getting more crowded;
7 another 1,000 residents are not needed. This proposes a safety risk to individuals and the public.
8 As the volunteer fire, EMS service is already tested in the last meeting, she said adding even 300
9 more people (her words) is a direct risk to public safety and individual health. They cannot meet
10 these services with the volunteer force as it is.

11 -Traffic - She said traffic has been brought up and she emphasized and reiterated stating that this
12 project will destroy the neighborhood. She said she has lived at 9 Mark Lane for 45 years and
13 again emphasized that this will destroy the neighborhood, which she said she thinks it is pretty
14 clear.

15 -Quality of Life-She questioned the intangibles, saying they are sight, sound and comfort. After 3
16 tours in Iraq, she said she has come home to a nice place to live. Sight – as she looks outside her
17 windows, she said she sees trees, and with multiple stories, 3 or 4, she said she would get to look
18 at somebody’s top of their terraces, with their stuff on the back of their houses, the back of their
19 apartments, their rooftops. She said she gets to see that from her kitchen window, which destroys
20 her quality of life, and she motioned to include the others present from the public, saying “our
21 quality of life”. That is now why they moved there 45 years ago and that is why they live here,
22 for the silence, the tranquility. They can come home at night and sleep. With this proposed
23 development, she said there will be 1,000 people, with about 900 parking spots. This will require
24 lights 24/7; She said she does not want to live like that; it destroys their quality of life; lucky
25 developers, and they get nothing while everything they have will be destroyed, be taken away.
26 She said it is the daily rhythm of their life board, the weekends where they can walk across the

1 street to their neighbors without having to look both ways. God forbid, what kind of traffic will
2 there be in the future. She said there is the gate promised, but what's to say in 5,6,10 years. She
3 said this means a lot and told the Board she appreciated their time; she understands they have to
4 make difficult decisions. She again reiterated that this would destroy the neighborhood and
5 thanked the Board for their time. Mr. Eickman told Ms. Satryano that her letter and also a letter
6 from Steve Dittenhoeffer (Harrigan Road) were received. He said these letters have been passed
7 along to the applicant and will also be entered into the permanent record in the Planning
8 Department. He told Ms. Satryano that they would be keeping their eyes on all the issues she
9 brought up as they go through this process. Ms. Satryano again told Mr. Eickman she appreciated
10 his time.

11
12 Fifth Speaker: John Fisher, 17 Harrigan Road, came to the podium, saying he was not used to
13 speaking in front of people like this but wanted to speak about the same thing, traffic. He was on
14 Harrigan Road and saw a gentleman going along, about 50 miles per hour, back and forth, up and
15 down. He said back in about 1990, he was on his lawn tractor and got hit by a car. It was
16 estimated that the young man was going about 50-55 miles per hour on Harrigan Road. He has
17 seen multiple accidents on this road and, if a gate is put in, on the back entrances of that
18 development, he said they will wind up with someone cutting that gate open, one way or another.
19 He said they will not want to wait to get onto Route 376. The accidents that are seen on Harrigan
20 he said, are because it is so narrow and people are seen coming at people in the middle of the
21 road, any day or night. He said it is a treacherous road, it is hilly and, with the number of people
22 in the Town already, as people have attested to, it is not right. He said there are other places
23 outside of the community area that can be developed, and he does not think this should go on,
24 with this situation. He thanked the Board for their time, and said he hopes there can be
25 resolutions to this issue.

26

1 Sixth Speaker: Regina Gentile, came to the podium, stating she lived at 15 Stephen Drive, having
2 been a resident of the neighborhood for 16 years, raising her 3 kids there. She said it is a
3 wonderful neighborhood, the people, community, they all look out for each other. She said she
4 did not yet have anything written but she will be preparing something. Some of the things she has
5 listened to in the previous meeting and tonight's meeting she wanted to reinforce. She said the
6 traffic is really bad on Harrigan and she knows there are proposed gates. She explained the
7 location of her property, saying it goes up the back of her yard and touches Harrigan, which, she
8 said, is an atrocious road. She said 2 people had come off the road, into the back of her property
9 and the person on the corner. They did not get hurt but she said they go off the road because it is
10 a curvy road that cannot handle any more traffic than what is already on it. She said she would go
11 into any more about the traffic, but it is always a concern, and she has a brand-new driver in her
12 household. She is constantly lecturing her about the dangers of Harrigan Road. One of the things
13 that came up in the meeting last time that really concerns her is the fire district. She said they
14 talked about how the EMS is already spread thin and, if anyone has had any health concerns or a
15 kid that might get hurt, they cannot get there quick enough to get to a family member, which is a
16 scary thing. It is something she said she actually witnessed herself, where she had lived
17 previously. She said it is not something anyone would like to cross and if someone's life is in
18 danger because there are not enough EMS through an already stressed EMS service, then it's
19 really a scary situation. Another thing that has not come up that she said is an environmental
20 impact is the animals that will be displaced. She has hiked behind there in that section, and she
21 said there is a lot of wildlife; they will have to go somewhere, and she is questioning where they
22 will go. They will be in everyone's back yards; there is deer, bear, coyote and tons of turkeys, a
23 lot of animals. They have to go somewhere, and they need to live too; where are they supposed to
24 go. She said these are just a few of her concerns as well as others, but these are the only ones she
25 had prepared for tonight. She is concerned and thinks it would be an atrocious thing to happen to
26 the neighborhood, that all of a sudden this has to be dealt with; noise, light pollution, their civil

1 liberties being strapped, like Fire, EMS; it is very concerning. She said she certainly would not
2 want someone to get hurt because they can't get emergency services quick enough. She thanked
3 the Board.

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5 Seventh Speaker: Mike Janosek, 12 Stephen Drive, came to the podium, saying that he was
6 probably one of the older ones present and has owned the property for about 38 years. He told the
7 Board he had nothing prepared but he would not rehash everything that already heard. He realizes
8 that towns need to grow to survive; it is just a fact. However, he said, it can be done in a logical
9 way. He is questioning putting the development in the middle of the Town and said someone has
10 to explain the logic of this to him; he does not understand and does not know how these things
11 work. He said a development has just been approved over in Stormville, which he believes is
12 200-some-odd units. When looking at the traffic impact and impact on the schools, he asked if
13 this is looked at separately or all together, to see what the overall impacts are going to be, for the
14 entire community. He is questioning if the community can absorb this much, this quickly, right
15 now, without having a plan for growth in the future. He said there are fire departments, police,
16 and schools, as was heard multiple times. Not knowing how this works, he is asking the Board to
17 look at this as one big bubble, rather than looking at everything separately, and what the impact
18 on the community will be. Mr. Eickman responded to Mr. Janosek, saying that he could be
19 assured that this is all part of this process, and the applicant will be taking it all into account the
20 projects that are on the docket that are about to be developed. He said it will all be brought
21 together and told Mr. Janosek to "stay tuned".

22
23 Mr. Eickman announced that the applicant had agreed to permit the Board to extend the period to
24 receive written comments until December 31st. He told the public if there was anything they,
25 their neighbors, or anyone else would like to share with the Board, to feel free to send it in by
26 letter or email, and to be sure it comes in before December 31st. He said that will be taken into

1 account by the applicant and they will be preparing a document for the Board to consider in the
2 January Planning Board meeting,

3
4 Mr. Cooper returned to the podium and Mr. Eickman asked him if there were any further
5 comments. He replied No, unless there were some from the Board or staff. He thanked the Board
6 for listening to them and the public and he looks forward to continuing this process.

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8 Attorney Wood wanted to point out that the Town Board had prepared a letter of comments,
9 which would be submitted the coming Thursday, as part of the comment period.

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12 **MOTION made by Richard Campbell, seconded by Sarah Bledsoe, to Close**
13 **the Public Scoping Session for Woodland Estates.**
14 **Voted and carried unanimously.**

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19 **DECISION:**

20 2. **Phillips Road** ***TABLED UNTIL NEXT MEETING***

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22 Resolution of non-jurisdiction associated with dedication of new right-of-way.

23 ***Mr. Eickman announced that this matter was tabled- to be held over to the next***
24 ***Planning Board meeting.***

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28 **PUBLIC HEARING:**

29
30 3. **#2024 – 079 – Stone Castle**, 7 Sprout Creek Court, (6358-01-448555)

31
32 Applicant is requesting site plan approval for an 8,000-sf two-story contractor's
33 warehouse on a 2.09- acre lot in the I-3 district.

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2 Charles P. May, P.E. and George Brandt were present.

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5 **MOTION made by Richard Campbell, seconded by Lori Gee, to Open**
6 **the Public Hearing for Stone Castle. Voted and carried unanimously.**
7

8 Mr. Eickman asked Mr. May to update the Board and asked if anything may have changed since
9 this was last before the Board. Mr. May replied that nothing had changed except that George
10 Brandt had corresponded with Mr. Williams from the Highway Department, on a review. He said
11 that he had originally talked with “Jeannie” and asked that Mr. Bryant take a look at the site as
12 far as the visualization, traffic in and out and he thinks there is a positive response in that respect.
13 It is his understanding that all the comments have been completed by them and addressed all the
14 comments from the Town Engineer. He said the applicant had given Ms. Keenan all of the postal
15 return-receipt requested cards for the public hearing. With that, he said he would listen to anyone
16 who may have comments. For the most part, he said they were present this evening looking for
17 final approval.

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19 There were no questions or comments from Board Members and Mr. Eickman then looked to the
20 Town Professionals. Ms. Robbins asked Mr. May if there had been excavation and the amounts
21 of fill for excavation on or off the site. She told him she was just trying to make sure that a
22 special permit would not be needed for this. Mr. May replied that he did not anticipate an amount
23 of fill or cut and fill material being brought in. Ms. Robbins told him that anything over 375
24 cubic yards requires a special permit, so if it is more than that, he would have to let them know.
25 Mr. May replied if that is the case, then they will get a permit. Ms. Robbins told him it is usually
26 processed through this Board and right now, the Resolution reads the resolution of site plan
27 approval on special permit. Since it does not look like that special permit is being sought right
28 now, she said she added a condition at the end of the Resolution. It reads “No more that 375

1 cubic yards of non-exempt material” in the Resolution, and she told Mr. May if it is more than
2 that, he will have to come back to this Board. He replied that the Applicant just told him that the
3 contractor had calculated it to be 275 cubic yards. Mr. Brandt spoke from the public, saying that
4 it is being built on slab, so it is not a lot of material coming out; it is mostly topsoil.

5
6 There were no further comments from the Town Professionals. Mr. Eickman opened up to those
7 present from the public for comments regarding the project, and there were none.

8
9 **MOTION made by Richard Campbell, seconded by Ed Miyoshi, to Close**
10 **the Public Hearing for Stone Castle. Voted and carried unanimously.**

11
12
13 Mr. Eickman stated that there was a Negative Declaration and Resolution for this matter.

14
15
16
17 Mr. Eickman proceeded to summarize the Negative Declaration, as follows:

18
19 He stated that Stone Castle is an Unlisted Action, and the street address is Sprout Creek Court.

20
21 Environmental issues identified as relevant:

- 22
23 **1. Land Use and Zoning**
24 **2. Visual Character**
25 **3. Historic and Archeological Resources**
26 **4. Plants and animals**
27 **5. Traffic & Transportation**
28 **6. Other**
29

30 No other significant potential impacts were identified as a result of the Proposed Action.

31
32 **MOTION made by Richard Campbell, seconded by Ed Miyoshi, to**
33 **Adopt the Negative Declaration for Stone Castle.**
34 **Voted and carried unanimously.**
35

1
2 **DISCUSSION:** While the Stone Castle Resolution was being read, Ms. Robbins informed Mr.
3 Eickman that there are wetlands along the rear of the parcel and said sometimes the Planning
4 Board desires some kind of demarcation – but sometimes they do not, depending on the site. She
5 said sometimes there are wetlands and a 100-ft buffer adjacent area. They are not disturbing any
6 of that as part of the project, but it is relatively close to the back of the building. She said there
7 was no parking in the back, and one cannot drive back there, so it is up to the Board as to
8 whether or not they want to have any demarcation there. Mr. Campbell said one can walk back
9 there and Ms. Robbins said Yes, but a car probably could not go back there. Mr. Campbell noted
10 it is a split rain fence deal. Mr. Eickman said sometimes a split rail fence is used to demarcate
11 and asked Mr. May if there were any plans to use that to demarcate the regular site versus the
12 wetlands. He replied that they had not intended to do that; it was never brought up. He pointed
13 out that the applicant was present. Mr. Brandt spoke from the public and asked if signs could be
14 used and Ms. Robbins said there could be some type of boulders used. She said it could be a
15 condition in the Resolution. Mr. Bryant said there could be some snow markers and a couple of
16 signs. He said he did not know if there would be boulders generated and if they would have to go
17 get them. Mr. Eickman said something could be set up for this to be subject to demarcation. It
18 would need to be presented to the project engineer and accepted by the Town Engineer and it is
19 set as number 6 in the Resolution.

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24

RESOLUTION OF SITE PLAN APPROVAL AND SPECIAL PERMIT

25
26
27
28
29

NAME OF SITE PLAN:	Stone Castle
NAME OF APPLICANT:	Stone Castle Suffern, LLC
LOCATION:	Sprout Creek Court

1 **GRID NO:** 132800-6358-01-448555-0000

2

3 **Resolution Offered by Planning Board Member: John Eickman**

4

5 **WHEREAS**, the applicant is applying for site plan approval for a distribution warehouse
6 located in an I-3 zone; and

7 **WHEREAS**, the proposed distribution warehouse would be located on a 2.09-acre
8 parcel and would contain a 8,000 square foot two-story building and 10 parking spaces including
9 one handicapped space; and

10 **WHEREAS**, no processing of materials or fuel storage is permitted on the site; and

11 **WHEREAS**, a public hearing for the site plan was open and closed on December 17,
12 2024

13 **WHEREAS**, the proposed project is an Unlisted action under SEQR and a coordinated
14 review was undertaken; and

15 **WHEREAS**, a negative declaration was adopted on December 17, 2024; and

16 **NOW, THEREFORE, BE IT RESOLVED**, that the Planning Board hereby approves
17 the Site Plan Stone Castle as represented on a map entitled "Stone Castle," prepared by Charles
18 P. May & Associates, PC dated 4/2/24 and last revised 9/12/24.

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

- 23 1. The applicant shall be required to fund an escrow account for an environmental
24 monitor during construction.
- 25 2. Approval of the Dutchess County Health Department
- 26 3. Applicant shall obtain a highway work permit from the Town Highway
27 Department for the driveway.
- 28 4. No more than 375 cubic yards of non-exempt material to be removed or brought
29 into the site.
- 30 5. Satisfactory resolution of all comments in the Renna Engineering comment letter
31 dated 11/19/24.
- 32 6. Demarcation of wetland boundary to the satisfaction of the Town Engineer.

33

34 Resolution Seconded by Planning Board Member: Lori Gee

35 Board Member Lori Gee Aye

36 Board Member Ed Miyoshi Aye

37 Board Member Sarah Bledsoe Aye

38 Board Member Richard Campbell Aye

1	Board Member Donald Papae	Absent
2	Chairperson John Eickman	Aye
3	Alternate Board Member John Giovagnoli	Aye

4
5
6
7
8
9 **DISCUSSION:**

10
11 **4. #2024 – 082 – Landmark Union, 793 Main Street (Route 82), (6457-01-210545)**

12
13 Applicant is applying for site plan approval for a bank with a two-lane drive-thru in the
14 B-2 district on the former William Tell property.

15
16 Antimo Del Vecchio, Attorney, Beattie Padovano LLC and Matt Checca, Site Engineer, were
17 present.

18
19 **MOTION made by Richard Campbell, seconded by Lori Gee, for the**
20 **Planning Board to Declare Lead Agency for Landmark Union.**
21 **Voted and carried unanimously.**

22
23 Mr. Del Vecchio introduced himself, saying that this had been before the Board previously and
24 they have now visited the Architectural Review Board. He said the building itself has undergone
25 a bit of a metamorphosis, with a full 2-story look, hardy plank and brick and there were fairly
26 significant discussions had with the ARC Board. Ultimately, the ARC approval was received on
27 the redesign of the project at their last meeting.

28
29 Mr. Del Vecchio said there were several comments in their initial review letters received. He
30 thinks they were primarily concerned with the Fire Department, or Fire Board comments. He said
31 they hired and retained their fire consultant who went out and met with the Fire Board at their
32 last meeting. He believes the fire issues have been resolved that were raised in that letter. One

1 additional amendment was made to the plan, to reflect that conversation, which he said they will
2 do, of course, as the plan moves forward.

3
4 Mr. Del Vecchio said the other issue is what he calls “traffic related”, concerning a request in one
5 of the professional’s reports, that they anticipate or provide for the potential future access from
6 the property to their East. This is to be able to transfer vehicles into their site and, eventually, into
7 a further traffic improvement that Hopewell is envisioning down the road. He said they have
8 done that and have received perhaps an alternate connection point should be considered. He said
9 the only reason he is bringing it up is because, if they do go to that alternate, it will raise their
10 impervious coverage. This will trigger a variance that will send this to the Zoning Board. He said
11 they are going there anyway because there are signage variances, as are noted in the latest review
12 letter, but this will add to it, if it is the preferred method. In conclusion, he said that is the update
13 of what they have been doing since this was last seen with the Board.

14
15 Mr. Del Vecchio stated that one of the items needed was for the Board to declare Lead Agency
16 and he thanked the Board for just doing so. He said it accomplished Part 1 of his list this evening
17 Part 2 is a referral to the Zoning Board so the variances can be presented that are going to be
18 necessary for the project.

19
20
21 **MOTION made by Ed Miyoshi, seconded by Lori Gee, for the Planning**
22 **Board to refer the Landmark Union matter to the Zoning Board of Appeals.**
23 **Voted and carried unanimously.**
24

25 Mr. Eickman asked Mr. Del Vecchio if he had representation of what the building now looks like
26 and asked that he display it, as he was not sure if all the Board members had a chance to see it.
27 He asked if there were comments from the Architectural Design group. Mr. Del Vecchio replied,
28 not on the last design. He said they reappeared before them for about 17 seconds the last time,

1 before they were told they had hit the mark for what was wanted. He said they did not receive
2 any comments after this last plan. The plan as displayed, he said, represents the new design of the
3 building.

4
5 Mr. Campbell said then the south elevation is what would be seen on the main road as one is
6 driving down and Mr. Del Vecchio said that is right; it runs parallel to the road; the South
7 elevation is the parallel elevation to the road. The East elevation is the main entrance, and he said
8 that, obviously, the North elevation becomes the rear. The West elevation is the drive-up to the
9 ATM, with the overhang created in a more traditional architectural fashion than the awning that
10 they had extending out, cantilevered off the building originally.

11
12 Mr. Giovagno asked if the area off the dormer line was office space-storage space. Mr. Del
13 Vecchio replied that the space was dead space. Mr. Campbell said then it is strictly structure
14 showing for appearance only. Mr. Del Vecchio said it is meant to create the look that was
15 desired, without creating the floor space.

16
17 Mr. Eickman recalled that there were questions about the number of parking spaces or locations
18 thereof and asked Ms. Robbins if those had been satisfied. She replied that she thought the
19 escape lane was only 9 ft. and didn't know if Mr. Fitzgerald had a chance to look at that or not.
20 Mr. Checca replied that both lanes are 12 ft. and that is per the Code section.

21
22 Ms. Robbins had a question about the variances, asking if it is that if moved, and Mr. Fitzgerald
23 said it is the lot coverage. Ms. Robbins said she wanted it to be clear why they were being
24 referred to the Zoning Board and told the Board it is for lot coverage so they can make the
25 connection where that is suggested by Mr. Fitzgerald. She said it is also for signage, and this will
26 have more signage than what is more typically allowed. She said this is normal for banks. She

1 asked if there was another variance needed, and Mr. DelVecchio said it was not in the review
2 letter they were handed this evening. He said there is a buffer/location of parking stall variance,
3 primarily along the side lot line with the neighboring property to the East and to the front
4 property line. He said some of the spaces are closer than prescribed.

5
6 Mr. Eickman suggested that the Motion referring this to the ZBA should be expanded and
7 amended, to include a referral for lot coverage, signage and location of parking stalls. Ms.
8 Robbins told the Board this is assuming they are happy with the recommendation that they are
9 proposing, where they are proposing to connect. Mr. Fitzgerald stated that he did not think this is
10 there yet; he did get the plan this afternoon and was able to take a quick look at it. He said he
11 would look at this a little differently and he does not see the need to modify the existing
12 circulation that they have. He thinks the row of parking in the back 4 spots can just be rotated
13 along the back property line and he is assuming they will end up being employee parking spaces
14 anyway. Then, he said there would be enough room to put the potential future access to where the
15 access is, into the adjoining property. To take it a step back, he said there was a comment about
16 exploring the potential of a cross easement, to have access into the Pizza Village property. He
17 said they did show a 24 ft access; it is just that, where they show it, it ends up not aligned with
18 the rear aisle; it just aligns with a row of parking. It would make maneuverability difficult with
19 the adjoining lot for Pizza Village. He said it would make a lot more sense if that access was
20 going to be provided right where the access point connects to the road system that is there.
21 Again, he said, they cannot predict the future and do not how this will all shake out. The Town's
22 conceptual plan for this area is to have a circulating road around the back of this property.
23 Connecting these to that road, the potential is good also. What they modified and what shows on
24 the plan today is they modified the access and pushed it a couple spaces back and made the
25 circulation a little bit tighter. He does not think that necessary and that the circulation just be left
26 the way they have it on the original plan. Also, the 4 parking spaces can just be rotated out, to be

1 parallel with the rear property line. He can't tell them for certain, but he thinks they have enough
2 room for everything; when he looks at the scale, it looks like it would fit in that way. Mr.
3 Eickman asked then, if he was understanding correctly, that a lot variance would not be required
4 for the lot coverage. Mr. Fitzgerald responded that he did not know where they are with that; if
5 they are at 99.9% with the lot coverage. Mr. Del Vecchio said they are already over, it is
6 preexisting, non-conforming, so anything they add is going to exacerbate it. Ms. Robbins said
7 they are already going to the ZBA for a lot coverage variance. Mr. Del Vecchio said the existing
8 is 78.7 and it is being brought down a hair, to 77.7. The wild card of the connection came up and
9 he said they had very little to play with, before they came from dropping it to making it better, to
10 making it slightly worse.

11
12 Ms. Gee asked Mr. Fitzgerald about the rotating spots and said it looks like the trash is also there.
13 He replied that it could be pushed straight back to the rear. As it shows on this alignment, he said
14 it could probably be right where it is. Ms. Gee questioned if the spots were rotated, then how
15 would they get in. Ms. Bledsoe noted the rotating spots and asked which direction, was he talking
16 about rotating them. Mr. Fitzgerald said he was talking about rotating them to the angled rear
17 property line so one could come in, pull into a spot, back out and go out the other way. Mr. Del
18 Vecchio told Mr. Fitzgerald he was not sure there would be enough depth of a parking space, and
19 then enough width of aisle for the backout maneuver, if they are rotated the way he is speaking.
20 He said he would take a look; he is eyeballing it and trying to envision it as described, but he is
21 wondering if there is enough backup space. Ms. Gee said they wouldn't have the 2 spots lower
22 and they do have a lot of room. Mr. Fitzgerald said he drew it in with his marker; if there wasn't
23 the red there, it is basically back to the access. Mr. Del Vecchio said if it works, it works, and he
24 is doing it by eyeball. Mr. Fitzgerald said he does not want the potential cross easement to be
25 there just for show. If they try to put it in place, then that makes some logical sense. Ms. Gee
26 commented that she agrees with the connection location, aligning to the travel way on the

1 adjoining property, and that makes sense to her. She told Mr. Fitzgerald she just wanted to be
2 sure she understood what he was talking about, with the spots. He said the circulation can be kept
3 exactly the way it is and showed Mr. Checca the outer part of the circulation. He said the
4 circulation remains the same if the 4 parking spots are just rotated across the back.

5
6 Ms. Bledsoe asked what the red lines were on the map; what is the difference; she cannot read it
7 from where she is. Mr. Del Vecchio replied that the red line is what the Town’s consultant is
8 proposing, and the blue line is what was initially on the plan.

9
10 Mr. Eickman said perhaps the applicant could be asked to work closely with the Town’s traffic
11 engineer to work out the details on this. He said it will be seen again at another meeting by the
12 Board. In the meantime, he asked if there was any reason why the lot coverage could not be
13 included in the referral, if and as necessary. Attorney Cunningham said it can be included
14 because, even under the NYS Town Law, it is based on whatever type of denial letter received
15 from the building department, and that will be what the variances are. He said there is no ZBA
16 meeting in December anyway, so the next time to go before the ZBA would be in January.

17
18 Referring to the Motion for referral already voted and carried, Mr. Eickman asked Mr. Campbell,
19 if he would accept the amendment and further modification.

20
21 **MOTION made by Richard Campbell, seconded by Lori Gee, to accept the**
22 **Amendment and further Modification to the referral to the Zoning Board**
23 **of Appeals for Landmark Union. Voted and carried unanimously.**
24
25

26 Mr. Campbell said he had a comment and wanted to check with Fire Advisory about the
27 overhang, which was discussed at the last meeting. He said the drive-thru overhang is far enough
28 out that he thinks it would impede passage of fire apparatus. Mr. Palin responded that their fire

1 safety consultant met with the Fire Advisory Board. He made a proposal that the driveway stays
2 as it is but, to the left grass area is actually put in with the pavers that the grass grows up through;
3 it is still a solid drivable surface and bringing that out all the way to the front end of the building.
4 He said, in looking at the turning radius that was provided, it just clipped the corner of the
5 overhang. Another thing he wanted to bring up was that whatever is decided, if it is anything
6 different from what was previously shown, they will need to provide a new turning radius map
7 for whatever roads are there, if it is changed. Using the correct turning radius for the present
8 apparatus, which he gave to their fire safety consultant. Mr. Campbell asked if the apparatus
9 would be able to be supported by the pavers and Mr. Palin responded Yes. He said it would be
10 great if the road was brought straight down, instead of bringing it towards the back of the
11 building. But having that type of surface is satisfactory and passable. Bryant stated that the only
12 question is, it would have to be maintained in the winter. Mr. Del Vecchio said he believes that
13 was agreed to during the meeting; he thinks it was certain cleaning by the end of four hours of
14 storm. He said he has a memo, and they are prepared to abide by it. Mr. Fitzgerald questioned if
15 the purpose of making it the pavers to stay below the threshold of impervious surface. Mr. Del
16 Vecchio responded no, the Fire Consultant didn't ask them; it was his idea. Mr. Miyoshi said it
17 seems like it is there to widen the length. Mr. Fitzgerald asked if that was included in the
18 impervious surface or not; he is just wondering if that is the reason it was done. He told Mr. Del
19 Vecchio that there could be some options, i.e., like the parking in the rear could potentially be
20 employee parking and the parking surface could be made out of the same product, if that is what
21 they want. It gets them out of having to have more impervious if that area is included.

22
23 Mr. Bryant stated that it seems the disturbance that is the trigger, not the impervious. Mr. Rennia
24 said it is the lot coverage. Mr. Palin said the ideal solution is to continue the driveway along
25 closer to the edge of the property line, but they are trying to save some green space there; it
26 would not have to be that much. He said it was so close to being able to make that turn without

1 hitting the overhang for the ATM in the drive-up; they didn't need much. He said it was
2 proposed to actually bring it all the way down to the front edge of the building, which is even
3 better. But, if that driveway is just extended along the property line a little further down, he said
4 that would do the same thing. They would just lose a little more green space doing that on that
5 side. Mr. Del Vecchio said there is a fair amount of landscaping in that area that they were trying
6 to preserve.

7
8 Ms. Bledsoe asked if it was planned for firetrucks to get a lot bigger over time; are they planning
9 for firetrucks now that would be obsolete in 10 years. Mr. Jodlowski said that one of the things
10 that is limited is the doors on the firehouse; they are not changing. He wanted to go back to
11 seeing the elevations and the front door, asking if there is an additional access door to the
12 building, and there is one in the back. He asked if any safety glass, shatterproof glass, fiberglass
13 was being used in the windows, the doors. Someone from the audience said it is tempered. Mr.
14 Jodlowski said then it is not breakproof, or anything like that.

15
16 Mr. Eickman said this is a coordinated review and Attorney Cunningham said Yes, it is part of
17 the State Environmental Quality Review (SEQR). Mr. Eickman asked if they should wait for that
18 action to commence before any further action is taken at this time. Ms. Robbins said that they
19 will just be circulating now and this Board will have to declare Lead Agency at the next meeting.

20
21 Mr. Eickman told Mr. Del Vecchio that there was nothing further and thanked him. Mr. Del
22 Vecchio also thanked the Board.

23
24
25
26
27 **5. #2024 – 091 – Ravel Convenience Store, 905 Route 376, (6358-02-761568)**
28

1 Applicant is applying for an amended site plan and change of use at the former A-1
2 Mower site to establish a 2,224-sf convenience store and a 1,624 sf three-bedroom apartment on
3 the second floor in the existing 3,848 sf two-story building.

4
5 Jason Lichwick, Architect, JL Architects, was present.

6
7 Mr. Lichwick began by saying he thinks they have addressed the majority of the comments that
8 were made, and a few were received this evening that he wanted to go over. He apologized to the
9 Fire Advisory Board, saying he did not recall receiving the comments last time, about the Knox
10 Box and other things, or this would have been addressed. One of the comments is to have the
11 structure fitted with a smoke detector CO monitor and he asked if that was just a note that could
12 be put on the drawings. He said it is typically handled by the Building Department process during
13 construction. He said a simple note on the plan just to provide that would be good. Regarding the
14 Knox Box, he said the box would be provided on the exterior, with the keys. There will be a note
15 there with the location, to be coordinated with the Fire Department. The trash receptacle will be
16 relocated 35 ft from the structure, rather than having to construct a fire-rated structure for it. The
17 last comment, he said, is the warehouse portion of the building. They are using the entire first
18 floor as part of the retail space for the convenience store. He said he thinks that addresses the 4
19 comments that they had and again apologized for missing this last time.

20
21 Regarding other comments received, he said they will get their engineer to do the water and
22 septic analysis for the Board. They are keeping the existing apartment above exactly the same as
23 it was. The use before was also a retail space with a warehouse and he said it is a change of
24 occupancy, but really a change of occupant; no change in that retain is retail. He said they would
25 get those numbers what it was before, and what they are proposing now.

26
27 Mr. Bryant asked if they would be selling coffee and Mr. Lichwick replied No. Mr. Rennie noted
28 that their narrative said no food. Mr. Lichwick said probably coffee, but no sandwich making.

1 Mr. Bryant again asked if there would be coffee sold, and Mr. Lichwick replied Yes. Mr. Bryant
2 told him that is a water demand that is apart from what the lawnmower shop had. Mr. Rennia
3 said the health department may look at that and trigger a public water supply because they are
4 serving people; they can have it but it will open up another level. Mr. Bryant said it is another
5 requirement.

6
7 Mr. Lichwick said they would get the analyses addressed and to the Board. He said the other
8 outstanding item is the garage and his understanding is that the garage is currently being used for
9 storage and being rented out to the adjacent neighbor. Mr. Palin said No, it is not being rented out
10 to Mama Mia’s, and someone from the audience said it is not for the pizza place; it is a bread
11 guy. Mr. Eickman said it is being used for storage and the gentleman in the audience replied Yes.
12 Mr. Lichwick said it was noted on the plan that the garage was for storage and was included as
13 part of the parking count.

14
15 Regarding the comment about the concrete pad, Mr. Lichwick said he spoke with the owners, and
16 they will remove the fence. He said then it is not an eyesore and there will no longer be a propane
17 tank there, He said the concrete slab will remain and they will take the chain link fence down.

18
19 With regard to the Lighting Plans, Mr. Lichwick said the height is 18 ft; it is on the actual
20 fixtures where they are located on the site plan. At the actual light pole, he said they would bring
21 it more to the Board’s attention, but where they have the new, proposed lights, it does state that
22 they are at 18 ft. He said that is for all 4 new light fixtures. They will adjust the foot candles to
23 show them going into the parking areas, and/or the grass areas. Rather than stopping them on the
24 edge of pavement, he said where they are extended to will be shown. Mr. Rennia told Mr.
25 Lichwick it is where they hit zero, as they are looking to see that they are not putting light over
26 the property line. He said to either bring them to the property line – or bring them to zero. If they

1 turn into several zeros, he said he can stop at the zeros. What he needs to see is where the
2 boundary of the zeros are so it is known that no light is spilling over. Mr. Lichwick replied Yes,
3 that is easy enough to just expand the parameters of the foot candles and it will be shown on the
4 revised lighting plan; that is not an issue. He said the lights that they are proposing are on a
5 photocell from dusk to dawn and will turn off automatically when the sun comes up.

6
7 Mr. Lichwick said the last item was Landscaping. In going through the neighborhood, he said it
8 was noticed that they do not have a lot of area to propose landscaping in front of the store. He
9 said they are proposing planters to wrap around the front of the store, and to give it a nice
10 appearance. There are little planters to line the sidewalk in front of the store and it also acts as a
11 buffer between the sidewalk and the parking area. This way, he said the plantings would be
12 mostly annuals, and probably not perennials. The rest of the property is in the DOT zone where
13 the sidewalk ends, and he said it is not ideal for planting any kind of landscaping there. He said
14 they have noticed that other stores along Route 376 have done planters as well, and he is hoping
15 this is enough to satisfy the landscaping requirements.

16
17 Mr. Eickman told Mr. Lichwick that there are a number of encroachments that show up on his
18 plan and asked him if this is something he will deal with, as part of this process. He said he did
19 not have the plan in front of him but if he correctly recalled, he thinks there are some bollards on
20 the side of the site, with Mama Mia. Ms. Robbins added that she believes there is also a
21 container, and it looks like there are some encroachments from the existing. Mr. Lichwick said
22 the well cap is encroaching onto their property and there are some kind of bollards, along the
23 gravel parking way on their property as well. Ms. Robbins said also, at the rear corner, there are
24 some structures. She said she does not know if they belong to the property owner or if they
25 belong to the adjacent property owner. Mr. Eickman said it is an opportune time to start dealing

1 with this. Mr. Lichwick stated he is not sure who owns the storage container and the portable
2 carport.

3
4 Ms. Robbins had some comments to share, stating that right now there is an existing 3-bedroom
5 apartment, which was pre-existing, and she does not believe there were ever any approvals for
6 the apartment. Now that the site plan has been re-opened, she said that the apartment needs to get
7 approved. She told Mr. Lichwick that this is currently in a B-3 zone, which allows for mixed use,
8 however, it limits the number of bedrooms in the apartment to 2. Also, technically, they could go
9 for a caretaker's apartment but, technically it limits the options to 2-bedrooms. At this point, she
10 said the only recourse would be to maybe get an area variance for an additional bedroom. She
11 said it would not be a Use variance, but an area variance. However, she said that, as part of the
12 B-3 Zone, it also includes language about façade improvements and fixing up the appearance of
13 the building. So, in order to get that apartment, she told Mr. Lichwick that is a requirement. If
14 that were to happen, she said that elevations would need to be seen and this would need the
15 Planning Board to do a referral to the Architectural Review Council.

16
17 Mr. Lichwick stated this was submitted to the ZBA as a Use Variance for the apartment. He
18 would much rather go the route of the Planning Board, and make it a 2-bedroom apartment,
19 rather than a 3-bedroom. He said it is going to be a caretaker's headquarters, Ms. Robbins
20 responded that he would still need to meet all the requirements of the B-3 Zone for residential
21 use, because this is a mixed-use for the residential district. She said there are some specific Use
22 regulations that go along with that for the B-3, including the façade improvements.

23
24 Ms. Robbins added that, right now, although it is being shown as just a garage, it is being used as
25 storage, but it sounds like there are deliveries to and from that. She thinks it needs to be listed as
26 storage on the site plan if it is being used for storage and a business; it is not being used as a

1 garage. Attorney Cunningham stated that he agreed. Also, Ms. Robbins said she heard the fence
2 was being removed but asked if that included removing the gazebo. She believes this was another
3 structure not in conformance. Mr. Rickett stated it needs to be repaired or fixed up as part of the
4 B-3. Ms. Robbins said then it is not that it is too many accessory structures; it is just that it is in a
5 dilapidated condition and Mr. Rickett replied that was correct. She told Mr. Lichwick that the
6 gazebo has to be fixed up or removed.

7
8 Ms. Robbins told Mr. Lichwick that, because this is in close proximity to the school, she wanted
9 him to be aware that no tobacco products can be sold in the store and asked him if they were
10 planning on selling any tobacco products. Someone from the audience said cigarettes and
11 Attorney Cunningham said that would be included in the tobacco prohibition; it is a certain
12 geographical requirement. He told Mr. Lichwick that he and the design professional needed to
13 take a look at the code regarding this.

14
15 Ms. Robbins asked Mr. Lichwick if any new signs were being proposed; not on the building, but
16 anything that is going to be specifically located on the actual site needs to be shown on the site
17 plan.

18
19 Ms. Robbins stated that handicapped parking must be striped and with signs and Mr. Lichwick
20 said the striped handicapped would be shown to the left of the handicapped spot for the loading
21 zone.

22
23 Mr. Fitzgerald asked Mr. Lichwick to explain the anticipated access to the site. He replied that he
24 understood the comment from before that it was proposed to make one of the entrances ingresses,
25 and one way in and one way out on Route 376. That was how the comment was interpreted; the
26 one on the left that goes onto Lake Walton Road would remain an in and out. Mr. Fitzgerald

1 asked the rationale for having it on that side, and not the other, the idea is keeping it as far from
2 the intersection as possible. Mr. Lichwick said there are existing curb cuts and Mr. Fitzgerald
3 responded that he knows that. He asked if they had gone back to the DOT. Mr. Lichwick said
4 they were trying to avoid any kind of permit to deal with the DOT; there are the existing curb
5 cuts and they are just trying to do a redevelopment for the site. Mr. Fitzgerald said he thinks his
6 comment relates to the original site. The DOT recently did a project and there was a different use
7 there. The configuration was left for that particular use, whatever the argument was made. He
8 said it is not access that the DOT would normally grant. He explained that, now the use is
9 changing and normally they would not allow 3 entrances into a property, and certainly not 2 in
10 close proximity on the state highway, unless they were directional potentially. Since they are
11 already there, he said they may be willing to let them stay. If they are going to make them
12 directional, he said the only way is to actually sign them. The signs would have to be put in the
13 right-of-way and this would have to go to the DOT. He told Mr. Lichwick he could do as much
14 as he wanted to avoid it, but he thinks it would be better if the exit was further from the
15 intersection. He told him that the intersection is awful busy in the peak hours. If one is trying to
16 exit onto route 376, closer to the intersection it would be a harder time getting in the traffic, than
17 if it was a little bit further back. The other thing, he said, was the location for deliveries. Mr.
18 Lichwick responded that he hears what he is saying, and he thinks that is going to add to an
19 incredible expense to their development if they have to get into relocating entry points when they
20 are already there. Mr. Jodlowski said then it would be chained off for a fire emergency access if
21 they want to close one. Mr. Fitzgerald said he does not know the suitability of the one furthest to
22 the East and asked if this is wide enough to be 2-directional. Mr. Lichwick said no, they both are
23 about wide enough to be one-way; they do not meet the 24 ft. Mr. Fitzgerald told him that his
24 experience with the DOT is they are not completely unreasonable in the aspect that they are
25 going to look at what is there. If there is an easy opportunity for an improvement, he said they are
26 going to ask for it. Or, he said, they have a strong argument why it needs to stay this way, and

1 that will go a long way too. He told Mr. Lichwick that, certainly he would not want 2 cars exiting
2 at the same time on driveways that are so close, and into a heavy stream of traffic. If the curb cuts
3 are left exactly as they are, he said they are made directional, and he will have to go to the DOT
4 and put signs right away. Mr. Lichwick said he thinks it is worth asking to maintain the existing
5 because he thinks it will add a huge economic financial burden to start changing the sidewalks,
6 the curb cuts; they purchased the building to use it. It was retail and they wanted to use it as
7 retail. He said he was here because it was a change of use. They are trying to make
8 improvements, but he thinks this is a pretty extreme improvement. Mr. Fitzgerald responded that
9 the suggestion he made was, if the curb cuts stay the way they are, then they are just made
10 directional, and he does not think adding a few signs is a huge burden. Mr. Lichwick said they
11 will just run with that they have, ask the DOT and get their blessing on it. Mr. Fitzgerald told him
12 he thinks that signs need to be added; right now, it is showing arrows, and he responded that they
13 have “do not enter” signs, one-way signs. Mr. Fitzgerald questioned if they are located in the
14 DOT right-of-way and Mr. Lichwick replied that they are located just inside of the property line.
15 He zoomed in on the displayed plan, saying they are just on the property line, because there is a
16 sidewalk that passes through. If they are put out, then they will be on Route 376. Mr. Fitzgerald
17 said then he is proposing just one do-not-enter sign and a one-way sign on the other side. Mr.
18 Lichwick responded that the don-not-enter is facing 376 and then, on the other side, they have it
19 facing the do-not-enter that is facing the property; they do not exit out of that. Curb cut.

20

21 Ms. Bledsoe asked what would become of the entrance on Lake Walton Road, the third one, and
22 was it staying one-way in and out. Mr. Lichwick replied that it is staying in-and-out. She stated
23 that, during the really busy times when school is getting out and getting in, people cut through
24 there to avoid the light, because the light gets really backed up. She said people just cut right
25 through that parking lot and straight out the other side. Mr. Lichwick asked if that was because it

1 is abandoned property. Ms. Bledsoe said No, it has not always been abandoned. He said they
2 could put a sign that says “no through traffic”

3
4 Mr. Eickman asked Mr. Fitzgerald if this is something for the applicant was to get in touch with
5 him. He replied he thinks that, at a minimum, they should consider switching the driveways to
6 the operation of switching the in and the out on Route 376. He asked Mr. Lichwick if there was
7 an anticipated area where they would be able to have delivery vehicles stop and not disrupt the
8 rest of the traffic in the site. Someone from the audience replied but could not be deciphered. Mr.
9 Fitzgerald conversed back that there would probably still be large trucks, a guy bringing soda,
10 chips. He told him it is his site and he would get used to where they are going to go and stage. He
11 said he was wondering if there is a place on the site plan. Mr. Lichwick asked if he meant a
12 loading zone and Mr. Fitzgerald replied Yes. Mr. Bryant said it is so it does not conflict with the
13 entrance or exit when being unloaded. Mr. Lichwick said the loading zone could be put on the
14 long driveway; it is only for the storage garage and that could be used as the loading zone.

15
16 Mr. Eickman told the Professionals it is his understanding that they are looking to convert the
17 apartment to a 2-bedroom apartment, which would not require any action by the ZBA. Attorney
18 Cunningham said that is correct. Mr. Eickman then told Mr. Lichwick that he did not need a
19 referral to the ZBA at this point. He replied that an application was submitted to the ZBA based
20 on the last time he was before the Board, for a Use variance. He said that can be withdrawn and
21 he would rather continue with the Planning Board process. Mr. Eickman told him that he did
22 need to take a look at the elevations and improvements to the exterior of the building, as well as
23 many other items. Mr. Lichwick replied Yes, he got it.

24
25 Ms. Robbins asked if the Board had declared its intent for Lead Agency.

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27 **MOTION made by Ed Miyoshi, seconded by Lori Gee, for the**
28 **Planning Board to Declare its Intent to be Lead Agency for**

Ravel Convenience Store. Voted and carried unanimously.

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Mr. Eickman asked Mr. Lichwick if he had completed everything on his side and he replied that they would address the Board’s comments. The floor plans will be changed to a 2-bedroom, and they will look at the exterior of the building and resubmit, be back at the next meeting. Ms. Robbins told him when he completes the SEQR circulation, to coordinate with Ms. Keenan and she will provide him with some standardized forms that are used and would help him.

6. #2024 – 094 – **Stormville Square**, 194-198 Route 216. (6657-03-064313, 066295)

Applicant is applying to amend the approved site plan and replace the approved storage facility with a 21,000-sf building comprised of 3,500 sf of restaurant space, 8,750 sf of retail space and 8,750 sf office space with a retaining wall at the rear of the parcel.

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

Mr. Stokosa said they were before the Board about 2 months ago to give a semi-updated plan and were seeking permission to put a retaining wall in the back of this property. He said the site plan had a couple approvals and he believes they are back for the third time. The last time they were here, he said they had a 2-story climate-controlled building, with some site improvements. The applicant had some financial concerns about building construction and decided to rework the site to see what works. Economically, from a building standpoint.

The building was revised from a 2-story 36,000 sf to a 1-story 21,000 sf building. Originally, he said, it was climate-controlled storage. Now it has been converted to a retail office, with a small restaurant within the site. The building has been configured in a U shape and the center portion

1 of the U would be a patio, outdoor area with access from the inside of the U to various different
2 suites. The 1-story is flat, with access all around the building and fire access throughout the
3 building and going around the site. There would be rear doors on the side and both North and
4 South and to the East of the building for access.

5 Parking has been configured toward the North of the building, between the existing building and
6 the proposed building. Some parking has also been provided at the rear. The thought process
7 was, if there was a restaurant entity there, the employee parking could be focused toward the
8 back, to open up the front to more of the patron parking. Again, he said this is to focus it more
9 toward the front of the site. Access around the site will be one-way and, as one comes up the
10 central corridor, it will split to go around the building. The 15-16 ft drive aisles are shown for the
11 1-way access. Some handicapped parking is shown to the South, but looking at the Town
12 Engineer's comments, he said they will probably switch and add a couple more handicapped
13 parking spots on the Northern part, to access the Northern part of the building.

14 The refuse container is towards the rear of the site and he said a loading area is shown to the rear
15 of the building, towards the North.

16 The retaining wall has been completed and told the Board he did not know if they have driven by
17 the site, but the wall looks like it is in the right spot, and it looks good. The site has been
18 stabilized. Where the grade is seen on the plan, where the proposed building is going, is plus or
19 minus of that final grade. If anyone happens to drive by the site, where they see the pad area, is
20 where the building elevation will be.

21 From an architectural standpoint, he said they will be carrying the same kind of concept that they
22 had with their previous approvals. He brought up the displayed plan for the proposed retail office
23 building, saying although it has not been submitted to the Board as they were going through the
24 process. He said it has the same kind of features, with wood accents, cupolas, shakes on the
25 gables, the stone accent on the bottom and access in the front and rear of the building.

1 He said they will be submitting these formally to the ARC for their review, but he wanted to give
2 the Board an idea of the building concept.

3 He zoomed in the displayed plan for an expanded view to show some traffic movements for the
4 site. He said, from a stormwater standpoint he thinks on the initial approval, there was an overall
5 development scheme for this project. It had a building in the front, a building in the back and
6 possible future pad site at the corner of Route 216. The original SWPPP was done and the
7 impervious surfaces incorporated. He said that, obviously, with this iteration, they will go
8 through and amend the SWPPP, sediment erosion control plan, again working with the Board of
9 Health on the water and sewer approvals. He said this would give the Board an overall of the site
10 in an expanded view, and shows some drainage.

11 The previous site plan approval had a Highway Work Permit where the entrance was
12 reconfigured and that is now one-way circulation. He said the Highway Work Permit was opened
13 and closed, so the entrance was approved by the DOT; the permit is actually closed out. They are
14 moving on to the second phase here. Mr. Fitzgerald asked Mr. Stokosa if the work has been done
15 and he replied Yes; the work is completed and the permit closed out with the DOT. Mr.
16 Fitzgerald said then the driveway out to Route 216 has been constructed in this way and Mr.
17 Stokosa said Yes. Mr. Fitzgerald asked him if the DOT had been notified at all about the Use
18 change and Mr. Stokosa replied that DOT is circulated as per of this process for this application.
19 When the first approval was done, he said there was always the idea of having some kind of
20 component in that future pad area. So there was consideration for the future development of the
21 parcel. Mr. Eickman asked Mr. Stokosa if there was now no potential for the retail space at the
22 corner, or there is. He replied possible, in the future; they do not know yet when and if it will be
23 there, but they wanted to be clear with their intent that when, and if, certain utilities become
24 available, and if it is developed, they would obviously be back before this Board. He said that, as
25 of right now, it is not on the table. But from an infrastructure standpoint on the stormwater side,
26 they did plan for it, from an impervious standpoint.

1 With the iterations, he said it can be seen that they have WB40 tractor trailer movement. He
2 proceeded to move his cursor on the displayed plan to show it coming in, around the building, the
3 loading area in the back, the refuse enclosure towards the rear of the property, the parking in the
4 rear for employee parking, saying it could be adjusted with signage, the handicapped spaces,
5 leading into a couple of drop curves that would get one into the rear building. Concrete curbs
6 and sidewalks are shown around the building, a minimum 5ft in width in the front and in the
7 back, East, West are a little bit wider.

8
9 Mr. Fitzgerald referred to the flow path of the tractor trailer, saying there is a clip in the front of
10 the building and Mr. Stockosa replied that he would tighten that up. Mr. Fitzgerald said he had
11 not had a chance to formally review this plan but told Mr. Stockosa the only other circulation
12 issue is the directional flow around the building; some signage is needed to make sure. He replied
13 that they have one-way, do-not-enter and there is a signage plan on that.

14 As far as Landscaping, Mr. Stockosa said there is the Town Engineer comment for disease
15 resistant evergreen for the area. He said it will be incorporated into their plans, with some more
16 flowering plants, plants and trees. The concept is, between the 2 parking areas, there is a
17 landscaped island, a landscaped corridor, which he zoomed in on the displayed plan. He then
18 pointed out the landscaping along the corridor, in between the parking areas, some grass
19 landscaping up on the hill and some evergreen trees toward their residential component on the
20 South. He said this is again incorporating the previous agreements that they had with the
21 neighbor to the North and the neighbor to the West, to look at screening and identify points that
22 maybe need to be filled in with some plantings.

23
24 Mr. Stockosa stated that the items that were incorporated in the previous site plan have been
25 carried over. To this one. He said the big change with this one is that it is 1-story, 21,000 sf, retail
26 office and a restaurant use. As far as fire separation, he said there will be Knox Box postings.

1 With the architectural drawings that were recently developed and just shown, he said a floor plan will be
2 provided to the Board, with the entry and exit locations, in their next submission. As far as fire
3 suppression he said the thought was to break up the building the way it is configured, to be under
4 the threshold for sprinkling and just create the 2-hour separations, fire separations between
5 certain components in that building, to avoid the sprinklers.

6

7 Mr. Stokosa stated this was the presentation; to give the Board an update, that this has moved
8 from the wall to an amended site plan and to start the process again.

9

10 Mr. Miyoshi asked what kind of restaurant is being talked about and Mr. Stokosa said he thinks it
11 will be more of a local flair.

12

13 Mr. Eickman asked if there was a pedestrian walkway to get people from the building to parking,
14 and even to the front of the project, at Route 216. Mr. Stokosa replied that a connection path is
15 not shown from the rear building to the front of 216; he will talk with the applicant about that, to
16 show some kind of connectivity. He said if it is shown, it will probably be on the Southern side
17 of the access aisle. He pointed out on the displayed plan where, if something is shown, it would
18 be along the corridor. Ms. Bledsoe suggested, if there is some sort of restaurant there, people
19 coming down from the rail trail to cut across, cut through and not walk through parking spaces.

20

21 Mr. Eickman asked if water and sewer had been talked about and Mr. Stokosa replied No, this
22 site is not currently in a water-sewer district. The site is served by an existing well that supports
23 the existing restaurant and retail use up front. He said they do have an application in front of the
24 Board of Health; to drill a new well in the rear and it is located North of the loading area, in front
25 of the retaining wall. The application was submitted to have permission to drill the well, to see
26 what they have as far as quantity and quality on site. He said the applicant specifically has been

1 working with the Town Engineer for the sewer and sewage disposal system, for a possible pump
2 station in the front of the property, that would tie into four Corners. He said the Town Engineer
3 can speak more to this, but that was the concept, that some sort of pump station would be
4 incorporated to serve the site. They would abandon the existing sewer treatment on site and
5 convert it over to the pump station for tie-in.

6

7 Mr. Palin asked about the plan for heating and cooling. Mr. Stokosa replied that it would
8 probably be propane. There are 2 buried thousand-gallon propane tanks shown in the back,
9 behind the loading area. A couple of bollards are shown around them, but he said they would be
10 buried. He pointed out the loading zone and the 2 buried propane tanks shown on the plan,
11 including the bollards. Mr. Palin said he understands what is being done to eliminate the need for
12 sprinklers and asked if there would be smoke, heat and C-O detection Mr. Stokosa replied Yes.
13 He said a note would be put on the plan to support the building plan; it will get submitted.

14

15 Ms. Robbins noted the Lighting, saying that, to avoid neighbor impacts, told Mr. Stokosa to just
16 shield all the lights along the residential property lines. She said some of this may have been
17 done last time, she did not recall, but she was thinking about the arborvitae line of trees that is
18 along the Southern property boundary. She suggested staggering a few in there, to build up a nice
19 buffer when they go to develop the other portion and said it may help with some neighbor
20 impacts, as well. She told him there is no fence detail shown right now for the pump station. It
21 may be premature, but said when he has it, to include it. She said this needs to be referred to the
22 ARC and the Board needs to declare Lead Agency. With regard to the patio area, she said the
23 Town is currently working on an outdoor dining application. She told Mr. Stokosa if he knows
24 there is going to be a restaurant there, and it comes about before the site plan is complete, he may
25 want to show the outdoor dining on the site plan if that is planned. She said then he would not
26 have to get the permit renewed every year and it would just be shown as part of the site plan.

1
2 Mr. Renna noted a comment that Mr. Stokosa had not touched on. He said it was put out there
3 for the Board to consider. The proposed sewage pump station is right at the entrance and would
4 be seen when one pulls in. The suggestion is maybe a little better hiding spot could be found for
5 it on the site so that the sewage pump station is not the first thing one would see; it would take
6 away from the project and a beautiful building. Mr. Stokosa replied that he would work with the
7 applicant and the engineering department to make it look a little better.

8
9 Mr. Fitzgerald told Mr. Stokosa, from a traffic perspective, to submit a breakdown of the
10 different uses and the generated traffic. He said he is assuming it is a sit-down restaurant and not
11 a fast-food restaurant and Mr. Stokosa replied that was correct. Mr. Fitzgerald said then get an
12 understanding of what kind of traffic generation there would be.

13
14 **MOTION made by Ed Miyoshi, seconded by Lori Gee, for the**
15 **Planning Board to Declare its Intent to be Lead Agency for**
16 **Stormville Square. Voted and carried unanimously.**

17
18
19 **MOTION made by Rich Campbell, seconded by Lori Gee, for the**
20 **Planning Board to refer the applicant for Stormville Square to the ARC.**
21 **Voted and carried unanimously.**

22
23 Mr. Stokosa thanked the Board.

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29 7. #2024 – 096 – **Jackson**, 149 Jackson Rd, (6455-02-878880-901890)

30
31 Applicant is applying for a Lot Line Realignment and a 3 lot Subdivision.
32 Brian Stokosa,,P.E., Day & Stokosa Engineering, PC was present.

1 Mr. Stokosa stated this property is on Jackson Road. There are 2 existing parcels and, after the
2 lot line realignment and subdivision, there will be 3. On the plat it shows the 2 existing lots and
3 he said the proposal is to shorten Lot 2, expand the rear portion of the proposed Lot 3. A little bit
4 of area will be retained from Lot 1, which is shown as the shaded area on the displayed plan, and
5 it would be added to Lot 3. The reason why they have this configuration, he said, is to meet the
6 flag lot requirements in East Fishkill. Twice the area is needed for the lot acreage flag, and the
7 count cannot be counted. The realignment is with the Jacksons working with their neighbor to
8 reconfigure lot lines to allow this to meet zoning for the flag lot requirement. He said Lot 1 has
9 an existing house and 3 acres in size. He pointed out the existing house, saying they are creating
10 the rear lot so that there is the 50 ft pole. A house is proposed in the rear of the property, offset
11 from the house in the front. He pointed out the larger area that will meet the flag requirement, as
12 shown on the displayed plan.

13
14 The site will be served by onsite septic and Mr. Stokosa said Board of Health has been to the
15 property. Soil tests were submitted and there is an initial design done. He said this will be hooked
16 up to central water and they will work with the water department to get a well serve letter for
17 capacity, specific to water. Through working with the Board of Health, he said they are locating
18 neighboring wells and septic. They are shown on the plan, but were not during submission and
19 he said they have been working with that department to satisfy their requirements. He reiterated
20 that this is going from 2 lots to 3 lots, for a new house.

21
22 Ms. Robbins asked if the reason for the little jog in the back was to preserve as much property for
23 the neighbors as possible.

24
25
26 Mr. Bryant told Mr. Stokosa he had mentioned the separation of the well and septic with the
27 Health Department, and he is guessing that some of the lots, if not all, are connected to municipal
28 water. Mr. Stokosa replied that all the lots may be on central water. Mr. Bryant questioned him if
29 there is a separation concern then and he replied that he thinks they are just used to putting it on
30 paper; they usually have to show all wells and septic within 300 ft , but he thinks they are all on
31 central water here.

32
33 **MOTION made by Rich Campbell, seconded by Ed Miyoshi, for the**
34 **Planning Board to Declare its Intent to be Lead Agency for Jackson. Voted**
35 **and carried unanimously.**

36
37 Mr. Eickman stated that, because this is a minor subdivision, a public hearing could be waived,
38 unless someone felt strongly that it should be required. No one responded.

39

1 **MOTION made by Rich Campbell, seconded by Ed Miyoshi, for the**
2 **Planning Board to waive holding a Public Hearing for Jackson. Voted and**
3 **carried unanimously.**
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8 **EXTENSION:**
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10 8. #2022 – 037 – **Firas Bridges Subdivision**, Eder Road (6656-00-819763)
11

12 Applicant is requesting two 3-month extensions for the approved subdivision plat.
13 Brian Stokosa,,P.E., Day & Stokosa Engineering, PC was present.
14

15 Mr. Stokosa stated that there is Board of Health approval and a signed mylar plan for this and the
16 applicant, Board of Health and surveyor are sitting in the Planning Department. They are waiting
17 on the applicant to satisfy any outstanding concerns with the Town Engineer, and he said
18 hopefully this is close. From an engineering standpoint, he said they are in good shape. A little
19 extra time is needed to get the Board’s signature on the plans.
20

21 Attorney Cunningham said he has been working with the applicant’s attorney also, on the non-
22 disturbance area declarations. He said they are making progress and are in contact with the
23 Professionals.
24

25 Mr. Eickman thanked him and said there was a Resolution approving this.
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29 **RESOLUTION EXTENDING FINAL SUBDIVISION APPROVAL**
30

31 **NAME OF SUBDIVISION PLAN:** Firas Bridges Subdivision (3-Lot)

32 **NAME OF APPLICANT:** Firas Bridges

33 **LOCATION:** 520 Eder Road

1 **GRID NO:** 132800-6656-00-819763

2

3 **Resolution Offered by Planning Board Member: John Eickman**

4

5 **WHEREAS**, the Firas Bridges Subdivision was granted final approval for a 3-lot subdivision on
6 April 18, 2023 and was granted a three-month extension through July 18, 2024 with an additional
7 30 days through August 18, 2024;

8 **WHEREAS**, the applicant requested and received an additional three month extension through
9 November 18, 2024; and

10 **WHEREAS**, the applicant is requesting two additional three-month extensions starting on
11 November 18, 2024 and extending through May 18, 2025;

12 **WHEREAS**, the applicant will provide a plan to the Town Engineer that satisfactorily addresses
13 and corrects the existing encroachments in the Town right-of-way by the applicant; and

14 **WHEREAS**, the applicant is awaiting approval from the Department of Behavioral and
15 Community Health (DBCH); and

16 **NOW, THEREFORE, BE IT RESOLVED**, that the Planning Board hereby extends final
17 subdivision approval through May 18, 2025 for the above project as represented on a map
18 entitled "Bridges Subdivision" prepared by Day & Stokosa, Engineering P.C., dated May 23,
19 2022 and last revised March 30, 2023 subject to the following conditions:

- 20 1) The submission of a plan to the Town Engineer that satisfactorily addresses and
21 corrects the existing encroachments in the Town right-of-way; and
- 22 2) All conditions contained in the original resolution of subdivision approval dated
23 4/18/23 must be met; and
- 24 3) Recreation fees in the amount of \$12,500 due to the Town of East Fishkill prior to the
25 signing of the subdivision plat in final form by the duly authorized officer of the East
26 Fishkill Planning Board; and
- 27 4) The applicant addresses the comments in 2/15/24 memorandum from the Town
28 Engineer to the satisfaction of the Town Engineer.

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

32

33 **Resolution Seconded by Planning Board Member: Lori Gee**

34

35 Board Member Lori Gee	Aye
36 Board Member Ed Miyoshi	Aye
37 Board Member Sarah Bledsoe	Aye
38 Board Member Richard Campbell	Aye
39 Board Member Donald Papae	Absent

1 Chairperson John Eickman Aye
2 Alternate Board Member John Giovagnoli Aye
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8 **REFERRAL: Town Board referral of proposed Omnibus Zoning Law**
9

10 Ms. Robbins advised the Board Members that there is a referral from the Town Board of an
11 Omnibus coming. She said it will be sent around to them and that it is a lot of cleanup of the
12 Code, including the alphabetizing of permitted uses list. Added will be a couple of things to
13 clarify some of the sheds and accessory structures law they have. She said nothing has been
14 changed; it is just making it look better and easier to decipher. There is a new outdoor-dining
15 ordinance, an electric vehicle charging station with some requirements or laws for that. She said
16 they are trying to be proactive on that front. There are a couple of small additional permits. When
17 it is sent around, she asked for anyone to send her an email if there are questions on any of it. Ms.
18 Robbins thinks it will be before the Town Board in January for consideration. Mr. Eickman
19 added that the responses then should be done as quickly as possible, and Ms. Robbins responded
20 Yes.

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22 -----

23
24 Mr. Eickman confirmed that there was no further business this evening.
25

26
27 **ADJOURNMENT**
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30 **MOTION made by Richard Campbell, seconded by Lori Gee, to adjourn the**
31 **Planning Board meeting. Voted and carried unanimously.**

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Respectfully submitted:

Kathleen Mahodil, Meeting Secretary
East Fishkill Planning Board