

***TOWN OF EAST FISHKILL
PLANNING BOARD MEETING***

FEBRUARY 18, 2025

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.**

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b. Mr. Eickman announced the **Upcoming Meeting Dates are:
March 18, 2025 and April 15, 2025.**

c. **Approval of Minutes of Meetings Held: January 21, 2025 & January 30, 2025**

**MOTION made by Richard Campbell, seconded by Lori Gee,
to approve the Minutes of Meeting Held January 21, 2025.
Voted and carried unanimously.**

**MOTION made by Richard Campbell, seconded by Ed Miyoshi,
to approve the Minutes of Meeting Held January 30, 2025.
Voted and carried unanimously.**

d. **Approval of revised 2025 Planning Board Meeting dates (June 12, 2025, July 17, 2025, September 18, 2025, October 30, 2025, November 20, 2025)**

**MOTION made by Sarah Bledsoe, seconded by Richard Campbell,
to approve the revised 2025 Planning Board Meeting dates.
Voted and carried unanimously.**

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5 Town Professionals and Consultants present were: Michael Cunningham, Esq., Town Attorney;
6 Michelle Robbins, AICP-Town Planner and Scott Bryant, Town Engineer.
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9 Staff present were Jackie Keenan, Planning Board Clerk, along with Matt Rickett, Zoning
10 Administrator, Chris Jodlowski, Board of Fire Commissioner, and Dave Palin, Fire Advisory
11 Board, and Danielle Angyal Jr., Town Planner.
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17 ***SET PUBLIC HEARING AND SEQR DETERMINATION:***
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19 **1. #2024 – 082 – Landmark Union, 793 Main Street (Route 82), (6457-01-210545)**
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21 Applicant is applying for site plan approval for a bank with a two-lane drive-thru in the
22 B-2 district on the former William Tell property.
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24 Antimo Del Vecchio, Attorney, Beattie Padovano LLC and Matt Checca, Site Engineer, were
25 present.
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27 **MOTION made by Lori Gee, seconded by Richard Campbell, for the**
28 **Planning Board to Declare itself Lead Agency for Landmark Union.**
29 **Voted and carried unanimously.**
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32 Mr. Del Vecchio introduced himself and thanked the Board for declaring Lead Agency. He stated
33 they are scheduled to go before the Zoning Board next week for variance approval/ consideration.
34 A Negative Declaration on SEQRA is needed, as well as a referral to the Zoning Board to
35 continue their journey through the land use approval process. He said their project engineer was

1 present with him (Matt Checca), should the Board have any questions. A review letter had been
2 received by him earlier in the day from the Town's engineering group. He said the one comment
3 of substance in it to be addressed with them should not be a problem. Mr. Eickman asked him if
4 this was the HVEA letter and he replied Yes.

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6 Mr. Eickman asked if there were any questions or comments from the Board Members, and there
7 were none. He then asked if there were any questions or comments from the Town Professional
8 staff. Ms. Robbins asked Mr. Del Vecchio for the square footage of the building, and he replied
9 that it was about 3,300 sf. Ms. Robbins said the Negative Declaration, as prepared, would need to
10 reflect this. Mr. Checca said that was plus or minus.

11
12 Mr. Eickman asked for any comments from Fire Advisory and Mr. Palin responded that he had
13 not seen the revised plans with the turning radius around the back corner of the building; he said
14 he did not know where this was at regarding that. He told Mr. Del Vecchio that, when they last
15 met, there was a question about the turning radius around the back and continuing with the
16 driveway along through the northern side. He said it was discussed with their fire protection
17 gentlemen, who suggested that he wanted to keep the green space but may use paving blocks. Mr.
18 Del Vecchio responded that they had agreed to put in impervious pavers, or blocks that will
19 allow for the turning radius to happen. He said it was a comment from HVEA and already done;
20 it was part of the plan set. He corrected the building size, stating that it is 4153 sf.

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22 Mr. Eickman stated that, if there were no other questions or comments, he would proceed to read
23 the Negative Declaration. Ms. Robbins added that the Public Hearing would also need to be set.
24 Mr. Eickman summarized the Negative Declaration dated February 18, 2025, reading aloud as
25 follows:

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27 Name of Action: Landmark Union (Chase Bank) is an Unlisted Action.

Several Environmental issues were identified as relevant:

1. Land Use and Zoning
2. Visual Character
3. Historic and Archeological Resources
4. Plants and animals
5. Traffic & Transportation
6. Other

The proposed action would result in the development of a bank in the B-2 commercial district on the former William Tell property. None of these areas will result in any significant impacts to Land Use, Zoning or Public.

Traffic & Transportation: Since the applicant is still working with the New York State Department of Transportation (NYSDOT), they will be getting those approvals and with those approvals from NYSDOT, the proposed action would not be expected to result in any significant adverse impacts to traffic and transportation systems.

MOTION made by Sarah Bledsoe, seconded by Ed Miyoshi, to approve the Negative Declaration for Landmark Union. Voted and carried unanimously.

Mr. Eickman stated that the next Planning Board meeting is March 18, 2025 and confirmed with Mr. Del Vecchio that this would work for him, from a scheduling standpoint.

MOTION made by Sarah Bledsoe, seconded by Ed Miyoshi, to schedule a

1 **Public Hearing to be held on March 18, 2025 for Landmark Union. Voted**
2 **and carried unanimously.**
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5 Mr. Eickman told Mr. Del Vecchio that he would be going to the Zoning Board and then coming
6 back to the Planning Board for the Public Hearing. Mr. Del Vecchio responded that would be the
7 intent and that the plan set would be updated before this returns to the Board. Ms. Robbins
8 advised him to check in with Ms. Keennan as soon as possible, because he would need to be sure
9 to get the notices out for the Public Hearing relatively quickly.

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11 Mr. Del Vecchio thanked the Board.
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20 ***PUBLIC HEARING:***
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23 **2. #2024 – 094 – Stormville Square, 194-198 Route 216. (6657-03-064313, 066295)**
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25 Applicant is applying to amend the approved site plan and replace the approved storage
26 facility with a 21,000-sf building comprised of 3,500 sf of restaurant space, 8,750 sf of retail
27 space and 8,750 sf office space with a retaining wall at the rear of the parcel.
28

29 Brian Stokosa,,P.E., Day & Stokosa Engineering, PC was present.
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32 **MOTION made by Rich Campbell, seconded by Lori Gee, for the**
33 **Planning Board to Declare Lead Agency for Stormville Square.**
34 **Voted and carried unanimously.**
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36 **MOTION made by Rich Campbell, seconded by Lori Gee, to Open**

the Public Hearing for Stormville Square. Voted and carried unanimously

While displaying the plan, Mr. Stokosa stated that this matter had been before the Board for a number of years, with various different approvals. Based upon the site, he said the applicant has come back before the Board. When the Board first saw this, he said the project was a 36,000 sf 2-story climate controlled building. Based upon building costs, and looking at the market analysis, he said they decided to take a step backward and look at the site from a more economical standpoint. The layout was revised to show a 21,000 sf single-story building, all one level, with access all around the site. The site will be on its own central water system. He said there is one existing well now that serves the existing retail building in the front that has a pizza parlor, liquor store and coffee shop.

As part of the original approvals, Mr. Stokosa said there was a new entrance put in that was approved by the NYSDOT; it has been installed, and the permit was closed out. Right now, they are working on the balance of the site, which is the rear part of the site. He explained that the building will be retail and office space. When this was before the Board, he believes in October last year, he said permission was given to put in a retaining wall along the back side of the property. The retaining wall has been installed and the fence established on top of the wall for fall prevention. Now they are focusing on approvals for the actual building and coordinating that with the Town Engineer and Health Department. They have received approval to drill a second well on the site, which will supply the new building and offer support for the building in the front.

For sewage disposal, Mr. Stokosa said the applicant is working with the Town Engineer and the Engineering Department to put a pump station at the intersection near Route 216. That effort will be coordinated with the Health Department and Engineering Department. He said the thought

1 process is to have the pump station positioned so that it could offer support to surrounding
2 parcels in the near future, if it ever came to that. He said it will support the existing building, and
3 it will also support the proposed building and right now they are working out the details for that.
4 He said that, ultimately, the pump station will be discharged to the Four Corners sewage
5 treatment plant. It will be going down Route 216, down Phillips Road and into the sewage plant,
6 and said that, obviously this will have to be coordinated with Four Corners as part of a separate
7 action, He said they will be back before the Board to detail that actual connection but, for right
8 now, it is in concept and the details are being worked out on that system. He said that, overall,
9 the 21,000 sf building is office retail. The stormwater is underneath the parking lot and there is
10 landscaping to protect the neighbors to the south. There is a residential component along Old
11 Route 52. Other than that, he said this is the third iteration of the site plan and he thinks this is
12 getting a little bit closer and he hopes it can be pulled into shape.

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14 This was before the Architectural Review Committee last month and he said the architectural
15 style remains the same as the Board has seen before. The ARC wanted them to play around with
16 some trim sizes, making them a little wider, and playing around with the just the window
17 proportion relative to the building. The concept was agreed upon and there are just some details
18 being worked out. This will be back to the ARC next month and he said that process is ongoing.

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20 Mr. Eickman told Mr. Stokosa that, at the last meeting, he believes there was a question about
21 whether he had advised the DOT yet about the change of use. Mr. Stokosa replied that a plan set
22 was dropped off to the Permit office and he is waiting on comments from them. He said they are
23 a little slow right now getting back to them. He will follow up with the DOT and will provide the
24 Board with any correspondence received from them. Originally, they did an overall Master
25 Development Plan and incorporated a total build out on the site, so the entrance did

1 accommodate for an expanded use on the property. He said they will forward any correspondence
2 as they get it, and he reiterated that they did reach out to the Permit office.

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4 Mr. Stokosa said at the last meeting, access around the site as also talked about. Additional
5 striping was added, as well as No Parking signs to ensure that with the one-way movements
6 around the site, there is no parking against the building. When and if there is a fire, he said that
7 route would be maintained open. Some landscaping items were added and they went with more
8 of a flowering tree and some evergreens to provide shielding to the neighbors.

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10 Mr. Stokosa stated that the SWPPP has been updated and there are some new regulations that
11 came out that are being updated accordingly. They are changing the Permit over to the new
12 Permit as it relates to the DEC and that is in process. From a technical standpoint, he said there
13 are just some details being worked out with the Town Engineer and the Board of Health.

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15 Mr. Eickman asked for any comments or questions from the Board Members. Mr. Giovagnoli
16 asked if there was a final location for the pump station. Mr. Stokosa said they talked it over
17 internally with the applicant. To give the Board an idea, he said if there is ever a future
18 connection to help some for the users around the intersection of Route 216. He pointed out the
19 intersection of Routes 216 and 52 on the plan and showed the location of where it is thought to
20 put a manhole at the edge of the property. He said they would be able to service the corridor and
21 then angle the sewer line back. He showed where the pump station would be, along the southern,
22 southeasterly portion of property, stating that the Town could consider this pump station that has
23 direct access off Route 52. He said this keeps the components off to the side and allows future
24 connections along the corridor. Preliminarily, he said that is what they are thinking now, it is
25 subject to change, but he thinks that is a pretty good spot.

1 Mr. Miyoshi asked if there would be any impact on the house next to the pump station; would
2 there be odors coming from it. Mr. Stokosa replied that the pump stations have odor control now.
3 If there is a power failure, there is an emergency generator that will kick on. He said it will meet
4 the standard DBA requirements for being in a residential setting. Since this is Routes 216 and 52,
5 he said it has 3-phase power; it is a major power corridor that supports the area for when and if
6 the power goes out. He said the power is usually restored in a timely manner for what it serves,
7 but this can be explored if it is a concern.

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9 Mr. Eickman asked if there were any comments or questions from Board Members, the Town
10 professional staff or Fire Advisory Board and there were none. He then opened this up to the
11 public, asking if anyone was present to speak about the project and no one responded.
12 Accordingly, he asked for a motion to close the Public Hearing.

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14 **MOTION made by Rich Campbell, seconded by Lori Gee, to Close the**
15 **Public Hearing for Stormville Square. Voted and carried unanimously**
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22 ***EXTENSION:***
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25 **3. #2023 – 070 – Gasland East Fishkill Wine & Spirits, 893-897 Route 376. (6358-02-**
26 **796546)**
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28 Applicant is requesting a 1-year extension of the resolution of approval.
29 Approved 2/20/24 expired 2/20/25.
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32 Thomas Kerrigan, Civil Engineer from Labella Associates was present.

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3 Mr. Kerrigan stated that an Extension is being requested for the Approval received in February
4 2024. They have been working to address the conditions in the Resolution. Primarily, they are
5 waiting on the DOT approval and he said they have been trying to get through to them. They
6 were seeking approval for a left-turn lane, and, upon further review, it was found it was not
7 necessary. He said it is hopeful that this is closer to getting their approval. There is DOH
8 approval and they have addressed the comments from the Town's Consultants. Although they are
9 hoping to wrap this up quickly, he said they need the Extension.
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14 **RESOLUTION**
15 **EXTENDING APPROVAL OF THE AMENDED SITE PLAN AND**
16 **CHANGE OF USE**
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19 **NAME OF SITE PLAN:** Gasland 376 Wine & Spirits
20 **NAME OF APPLICANT:** Gasland East Fishkill Wine & Spirits
21 **LOCATION:** 893-897 Route 376
22 **GRID NO:** 6358-02-796546
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25 **Resolution Offered by Planning Board Member: John Eickman**
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27 **WHEREAS,** the applicant applied for a change of use from a garage to a mixed use
28 commercial building with two residential units and received Planning Board approval for the
29 amended site plan and change of use on 2/20/24; and
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1 **WHEREAS**, the applicant is requesting a one (1) year extension of the Planning Board
2 approval thru 2/20/25; and
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4 **NOW, THEREFORE, BE IT RESOLVED**, that the Planning Board hereby grants a
5 one year extension of the amended site plan and change of use as represented on a map entitled
6 "**Gasland 376 Wine & Spirits**," prepared by LaBella Engineering dated 8/31/23 and last revised
7 11/30/23 with the following conditions:
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- 11 1. Approval from the Dutchess County Health Department.
- 12 2. Satisfactory resolution of the comments in the CPL review letter dated 12/19/23.
- 13 3. Satisfactory resolution of the comments in the HVEA review letter dated
14 11/21/23.
- 15 4. Highway work permit from NYSDOT.
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18 **BE IT FURTHER RESOLVED**, that within five (5) business days of the adoption of
19 this resolution, the Chair or other duly authorized member of the Planning Board shall cause a
20 copy of this resolution to be filed with the Town Clerk and a copy sent to the Applicant/Owner.
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23 **Resolution Seconded by Planning Board Member Richard Campbell**
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25 The votes were as follows:
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1	Board Member Lori Gee	Aye
2	Board Member Ed Miyoshi	Aye
3	Board Member Sarah Bledsoe	Aye
4	Board Member Richard Campbell	Aye
5	Board Member Donald Papae	Absent
6	Board Member John Giovagnoli	Aye
7	Chairperson John Eickman	Aye
8	Alternate Board Member	_____

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16 ***EXTENSION:***

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19 **4. #2023 – 051 – Rising Sky Housing, Donovan Drive (6455-00-288434)**

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21 Applicant is requesting a 1-year extension of the signed site plan. Signed 2/28/24
22 expired 2/28/25.

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24 Joseph Berger, Berger Engineering and Surveying was present.

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26 Mr. Berger stated that he was present to answer any questions.

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28 There were no questions or comments from the Board Members, Town Professional staff or Fire
29 Advisory Board.

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33 **RESOLUTION**

EXTENSION OF SITE PLAN APPROVAL AND SPECIAL PERMIT

NAME OF SITE PLAN: Rising Sky Housing LLC Contractor Building

NAME OF APPLICANT: Rising Sky Housing, LLC

LOCATION: Donovan Drive

GRID NO: 6455-00-288434

Resolution Offered by Planning Board Member: John Eickman

WHEREAS, the applicant received site plan approval and an excavation/fill special permit per §194-75 of the East Fishkill Zoning Code for a contractor's yard located in an I-1 zone on August 15, 2023; and

WHEREAS, the applicant received an extension of site plan approval through 2/28/24; and

WHEREAS, the applicant is seeking a one (1) year extension of the site plan approval and excavation fill special permit through 2/28/26; and

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board hereby approves a one (1) year extension of the Site Plan approval and Excavation & Fill Special Permit for Rising Sky Housing LLC through 2/28/26 as represented on a map entitled "Rising Sky Housing LLC

Contractor Building,” prepared by Berger Engineering and Surveying, LLC dated 1/27/23 and last revised 7/31/23.

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

Resolution Seconded by Planning Board Member Richard Campbell

The votes were as follows:

Board Member Lori Gee	Aye
Board Member Ed Miyoshi	Aye
Board Member Sarah Bledsoe	Aye
Board Member Richard Campbell	Aye
Board Member Donald Papae	Absent
Board Member John Giovagnoli	Aye
Chairperson John Eickman	Aye
Alternate Board Member	_____

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

ADJOURNMENT

MOTION made by John Giovagnoli, seconded by Sarah Bledsoe, to adjourn the Planning Board meeting. Voted and carried unanimously.

Respectfully submitted:

Kathleen Mahodil, Meeting Secretary
East Fishkill Planning Board