

**TOWN OF EAST FISHKILL
PLANNING BOARD MEETING
JANUARY 21, 2025**

Chairperson John Eickman called the meeting to order at 6:00 PM.

Members present:

John Giovagnoli, Donald Papae, Lori Gee, John Eickman, Richard Campbell, Ed Miyoshi, Sarah Bledsoe; Michael Cunningham, Attorney; Scott Bryant, Engineer; Michelle Robbins, Planner; Richard Renna, Engineer; Matt Rickett, Zoning Administrator; Dave Palin, Fire Advisory Board; Chris Jodlowski, Board of Fire Commissioners; Staff: Jackie Keenan, Clerk.

The meeting began with the Pledge of Allegiance.

CHAIRPERSON COMMENTS

Chairperson Eickman stated that the upcoming meetings were Tuesday, February 18, 2025, and Tuesday, March 28, 2025.

APPROVAL OF MINUTES:

December 17, 2024

MOTION made by Lori Gee, seconded by Richard Campbell, to accept the minutes of the December 17, 2024, meeting. Voted and carried unanimously.

Chairperson Eickman stated that the agenda is three pages long, but they are only discussing three items tonight. They have decided to include all applications that are not yet approved or not yet withdrawn so they have a method of keeping track of them. Ms. Gee asked if this were going to be an ongoing thing or just once a year and Engineer Bryant stated it would be ongoing.

Chairperson Eickman stated after this meeting adjourns, they are going to have a brief presentation on some zoning changes that are being proposed. Ms. Robbins will give a rundown

on that, but it is primarily for the Planning Board. The public is welcome to stay but does not need to.

Chairperson Eickman stated that this meeting was going to start with the presentation by Ms. Robbins regarding the scoping process.

Ms. Robbins stated that some of the Planning Board members are new or have not seen an the EIS in a long time. She wanted to go to where they are in the process and just reminds them of their role and the things that they need to understand about SEQRA and where they are tonight in regard to adopting the scope for an Environmental Impact Statement. She stated it is understanding and applying the State Environmental Quality Review Act. That is also referred to as SEQRA. In the context of a site plan approval or subdivision it means that before a local government can approve a site plan or subdivision, they must first conduct a review under SEQRA to assess the potential environmental impacts of the proposed development and consider them alongside social and economic factors before making a decision. For tonight's discussion on Woodland Estates it would be site plan approval and subdivision. This basically requires governmental agencies to balance the potential adverse environmental impacts of an action against the social and economic benefits of the action. The purpose of SEQRA is to incorporate environmental factors into an agency's decision-making process at the earliest possible opportunity. In this case the Planning Board is lead agency. It seeks to balance the impacts of physical, environmental, and community resources. Impacts can be either during construction or implementation, or a can be ongoing for the life of the project. When you hear something has a significant adverse environmental impact, environment can mean many different things. They can mean natural resources and features, human things like an odor or air quality or noise. It could mean physical, agricultural, social impact, economic impact, historical impact, it could also have a visual and community character impacts, traffic impacts and impact on community services as well as other things. This is a process specific to New York State. It comes out of the National Environmental Policy Act, which requires that agencies consider environmental impacts before making a decision or approval. Basically, SEQRA is New York State's

implementation of the National Environmental Policy Act as a comprehensive assessment tool. It identifies possible impacts and describes possible mitigation. It coordinates reviews with other agencies that require permits or approvals so for this particular case in Woodland Estates, East Fishkill is not the only agency that might have an approval or permitting requirements. DOT, DEC and all those other different agencies could also have approvals needed. Basically, SEQRA allows for the lead agency to coordinate with any other agencies that might have a permit or approval. It makes it so that the environmental review process can be more efficient. Everything is collected in one location, and everyone gets the same information. SEQRA is not a permit, an enforcement tool left to the courts, nor is it intended to assess every conceivable impact. It is not a substitute for other reviews. In addition to a SEQRA review, this plan will also have site plan and subdivision reviews. SEQRA is used by local municipalities, town boards, planning boards, zoning boards, and regional governments like County and State agencies. There are a lot of different terms that will be used such as action, lead agency, EAS, which means Environmental Assessment form, there are also Type I and Type II actions. Type I actions require a review, and Type II does not. Typically if something is a Type II action that ends the SEQRA process. There are unlisted actions, which may require a review. These are also typically uncoordinated actions. There is a determination of significance which could mean the magnitude, duration, likelihood, or importance of the impact, there is a negative declaration and a positive declaration in the EIS, which is the Environmental Impact Statement. Ms. Robbins had a flowchart showing how this application has gone through the process and what it will continue through. When an application comes into the Planning Board it comes in with an Environmental Assessment Form. That describes the potential environmental impacts that the project could have. It will describe roughly what the trip generation will be, the traffic, how many potential acres may be disturbed. It can describe any wetlands on the site or any significant habitats on the site. Once that is all ready, the Lead Agency has to determine whether or not it will be a Type I or Type II action. In this case they determined it would be a Type I action because it could result in significant adverse impacts. A full EAF was completed, and it was decided that this require a coordinated review because there might be other agencies that will require permits or approvals. The criteria and the EAF was reviewed and this Board determined that they were going to create a positive

declaration for this project because it had the potential for environmental impacts. After that they proceeded to what is called scoping and that is the process they are at right now with this particular project. Scoping is basically the outline for the EIS. It goes into the different topics and technical areas that are going to have to be studied in the Environmental Impact Statement. It could be traffic, schools, land use, zoning, air quality, and noise. It can go towards community character and visual impacts. Basically the applicant puts together the scope and the Lead Agency reviews the scope. This Board then had a Public Hearing on the scope and allowed for public comment on the scoping documents. Tonight all Board will be asked to consider the scope that is in front of them, and they are being asked to approve it so the applicant can start moving forward with the EIS and studying all of the things they need to study. Then they have to get all of that information organized and into an Environmental Impact Statement for the Board to review. Once the scoping is complete the applicant will compile all the information and draft the EIS. This can take months. It depends on the applicant's ability to get the information and how quickly they can respond to any comments or concerns from the Lead Agency or the public. Once the environmental impact statement is completed a review by the Planning Board will determine whether or not it is complete to the scope. They will determine whether or not the EIS includes all of the information that was supposed to include part of the scope. Once the Board has determined that it is complete enough for public review, it will go out to the public and gets distributed to all of the involved agencies. It gets reviewed by everyone and then it comes back for a Public Hearing on the draft EIS. That would include additional public comments on the document itself. This can take weeks, months, or years, it depends on the information requested by the Planning Board and how in-depth it is. For example, if they do a traffic study and it looks like additional information is needed at a different intersection they may have to go back and do additional studies. That goes to the preparation of a Final Environmental Impact Statement, which is essentially a catalog of every single public comment that was received on the EIS and the applicant must respond to all of those comments. Packets of information are put into the document. Sometimes there are additional studies that need to be done in the final EIS. Ultimately, they get to a point where the Board will do a findings statement where the lead agency makes findings on the project, and it is determined that the project is approved or

disapproved. Sometimes it will get approved with conditions or be modified in some way to mitigate for impacts that are discovered. Usually the modification or the avoidance of impacts is happening during the process. At the same time they are doing the SEQRA, they are also starting the site plan and subdivision application process. Ms. Robbins presented a second draft showing how these two processes happen simultaneously. The important thing to know is that they cannot approve a site plan or subdivision without SEQRA being complete. Sometimes the SEQRA process is informing the site plan subdivision process. Once SEQRA is complete through findings then it typically goes into the end process of the subdivision site plan or the beginning. In the case of Montage and Summit Woods, which was the last EIS this Board has reviewed, they did complete the EIS and now they are going through the subdivision process. Those were very separate but sometimes they can run concurrently. The site plan subdivision process can be one or up to several meetings depending on the complexity, scale, and scope of the project. This project will probably be before the Board several times. They will also have to have a Public Hearing for the site plan. Ms. Robbins did supply a few resources for the Board to look into for more information if they would like it. There are also a lot of tightening requirements through this process that they have to pay attention to.

Chairperson Eickman asked if there were any questions from the Board. Ms. Gee stated the applicant is required to keep the website with all the current documentation on it. She asked if it had to be updated as they are developing the draft EIS or if it waits until they are ready to present the document back to the Planning Board. Ms. Robbins stated it usually does not get posted until it is submitted for completeness. They will probably put the draft up and the Board will determine whether or not they feel it is complete. Once that happens there may be a few different iterations of the EIS because sometimes it needs to be revised between the lead agency and the applicant. Then it will get circulated to all of the involved agencies and a copy goes in the library. Ms. Hahn stated it is not typical to post it in progress.

ADOPTION OF THE SEQRA SCOPE:

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

Consider adoption of the Scope for the Woodland Estates Draft Environmental Impact Statement (DEIS). Woodland Estates is a proposed residential development that would include 23 multi-family buildings and a clubhouse with a total of 468 units of various sizes in the PRD district

Terri Hahn was present.

Chairperson Eickman stated he wanted to acknowledge all of the input that was given by the residents during the two meetings of public scoping hearings that were held. He stated they were very thoughtful comments by the residents. They were also given the option to submit written comments. Chairperson Eickman stated he read 51 e-mails. There were three additional e-mails received after the deadline, but they were also entered into the public record and passed on to the applicant as well.

Ms. Hahn stated all the comments were integrated. They went through them all and categorized them and checked them against what was already in the scoping document. They did supply a copy showing where all of the additions were based upon those comments. The current version that the Board has reflects all of those comments.

Chairperson Eickman stated there was also a letter received from Supervisor D'Alessandro that he read into the record as well. It referenced the various reiterations this project has seen over the past four years and the amount of zoning changes that have happened in that timeframe. He acknowledged the use of acronyms during discussion made conversations hard for residents to follow. The Town Board acknowledges the rights of the property owner surrounding the applicant as well as the applicant's right. He reviewed several areas that will require study by the applicant. There were also references to construction bonds that should be in place.

Chairperson Eickman asked if there were any questions or comments from Board members for the applicant. Chairperson Eickman stated he does believe they may want to consider including

Stephen Drive and Van Vlack Road as two additional roads for visual assessments to be studied at. Ms. Hahn stated they can add those in. Chairperson Eickman stated he would also agree with the Supervisor's letter asking for a history of the prior projects, their completion, and the zoning at that time. Ms. Hahn stated they did include all of the information from the Supervisor's letter in the document they have submitted.

Ms. Gee asked if there was anything that was not incorporated from the most recent comments. Ms. Robbins stated they went through all of the comments, and anything not addressed in the original scoping document was added. Ms. Hahn stated there was also a letter from Engineer Bryant and the previous one from Engineer Rennia that were also included in.

Chairperson Eickman asked if there were any additional comments or questions from the Professionals. Attorney Cunningham stated he wanted to emphasize again that all the Board is going on tonight is what will be studied. They are not voting to say whether the studies are sufficient or that the project is approved. It is just the list of studies that will occur. Ms. Hahn stated this is typically when she is asked how long she believes this will take. She stated this is a very in-depth document requiring significant studies and it could take up to nine months to get through this process. The final site design will be part of the DEIS, which will reflect all of these different reports.

MOTION made by Richard Campbell, seconded by Lori Gee, to adopt Scope for Woodland Estates Draft Environmental Impact Statement. Voted and carried unanimously.

Ms. Hahn stated they will take down the previous revisions and when it is completed, they will put the final scope up on the website.

DISCUSSIONS:

DISCUSSION:

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 sq. ft. building comprised of 3,500 sq. ft. of restaurant space, 8,750 sq. ft. of retail space and 8,750 sq. ft. of office space with a retaining wall at the rear of the parcel.

Brian Stokosa was present.

Mr. Stokosa stated there have been updates from the last Planning Board meeting. They had received a recommendation for additional handicap parking on the northern side of the building, so they did revise the parking to show a crosswalk for that handicap parking area. There was a request for sidewalks from the proposed building down towards the front of the site, so they did incorporate that sidewalk on the southern side of the access road. They widened the access isles around the building. They used to have parallel parking along the building on both the North and South side to increase the truck turning radius. They removed an area towards the center of the parcel to open up circulation around the building. They have been working with the Town Engineer on a pump station for sewer. They have a generator and the control panel near the entrance of the site. They will be working with the town engineer to possibly have a pump station somewhere near the front, but it has not been decided yet. In an effort to conceal the mechanicals associated with that pump station for screening aesthetics, they thought it might be possible to place those mechanicals behind the existing building. The plan is ultimately to tie into the sewer system at Four Corners. They do have a survey that leads down towards that corridor that they can provide in an updated plan set. They are going down Route 216, down Phillips Road and then into Four Corners sewer treatment plant. A lot of that work will be directional drilling and will be done in the right of ways. There will be no or relatively minor impact associated with that construction. They have renderings to be submitted to the ARC. The architectural style matches the previous versions that were submitted. They were asked to provide door locations, so they have incorporated those. They will be slab on grade and will have doors in both front and back. There may be an outdoor seating area associated with the site in the front. They do not have any tenants lined up so

this will be subject to Board of Health approval and the septic treatment connections. They do not have definitive use yet. It could be office, retail, and possibly a restaurant. If there is a restaurant that would come in they would probably come back for approval on that individually and to get outdoor seating.

Ms. Gee asked about the two accesses for the areas in the upper corners as they do not look like they enter on to the courtyard area. Mr. Stokosa stated this drawing was probably just to show exterior door locations. He assumes there is going to be some sort of corridor door in the vestibule to get to each of the doors. The building plans they have is basically a core and shell type of setup. They are just focusing on the shell of the building and will work out the internals as a tenants come in. That is when you get into the plumbing and electrical routing. It will be like a strip mall. Engineer Bryant stated they would get a CO for the shell and then it would be individual fit outs. When they put it out, they will not pour the floor until a tenant comes in so they can put plumbing in bathrooms where they are wanted. They will have the main infrastructure in place which is the sewer line out and electrical panel coming in.

Mr. Stokosa stated the building will be a gray shingle with some wood trim highlights. There will be black windows with exterior vinyl white trim. They will add some stone along the front and some architectural fixtures for lighting.

They have made some improvements to lighting and landscaping. They have incorporated some flowering trees as was recommended. They did a staggered landscape buffer towards the residential component to the south. They are hoping they are at a point where they can open this up for public comment.

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

Mr. Palin stated they have a concern with the way fire lanes have been done town wide. When

they draw it three or 4 feet wide along the edge of the building people think that anything beyond that is not a fire lane and then they parked in the middle of the roadway. The Fire Advisory Board would like to see some way to assure that that the roadway is actually a fire lane with full access. Mr. Stokosa stated they can do that with signage and striping.

Mr. Rickett stated if they do go with the food court there will need to be some kind of bollards or something to protect that area. Mr. Stokosa stated if they do pursue a restaurant avenue, they will come in with an amended plan specific to that restaurant area that would detail those elements. The applicant is aware of those required elements for outdoor seating.

Ms. Robbins asked if this iteration has been taken to the ARC already. Mr. Stokosa stated they did submit an application. Clerk Keenan stated he is going to see them in February. Chairperson Eickman asked if this was the same exterior elevations that was for the prior building and Mr. Stokosa said yes, it is the same color and same design elements.

MOTION made by Ed Miyoshi, seconded by Sarah Bledsoe, to set this application for a Public Hearing on February 18, 2025. Voted and carried unanimously.

DISCUSSION:

2024-096 – Jackson, 149 Jackson Road (6455-02-878880-901890)

Applicant is applying for a Lot Line Realignment and a 3 lot Subdivision.

Brian Stokosa was present.

Mr. Stokosa stated this is a lot line realignment and subdivision. They are starting with two lots and will end with three lots. Two of the lots right now have existing dwellings on them. They are

taking a little bit from each piece to create that third lot. They have made some Board of Health updates. They have just received an additional survey. Specific to this application they just did some soil testing for the larger piece since it has an existing septic. They have been out there with the health Department and will be doing a replacement septic area for the existing house that is out there as part of the Board of Health requirements. They have had their initial review by the health department. The changes that were requested are shown on this plan and are in process with the larger lots and their septic system. They did drop a copy of the site plan off to the Highway Department. Based upon their site line calculations he believes they do have adequate sight distance, but they will be confirming that with the Highway Department. Ms. Gee asked if the Highway Department has confirmed the sight distance. Mr. Stokosa stated they put the measurements on the plan, and they meet it by code, but they are just waiting for the Highway Department to review it. They would like to make their approval subject to that.

Chairperson Eickman stated that the Board did previously decide that this is a minor subdivision, and they waved the requirement for a Public Hearing.

Chairperson Eickman asked if there were any questions or comments. Ms. Robbins asked if the new lot was 1.83 acres or 1.5 acres. Mr. Stokosa stated it is 1.83 acres. There were no additional comments or questions.

RESOLUTION OF LOT LINE REALIGNMENT AND SUBDIVISION APPROVAL

NAME OF SUBDIVISION PLAT: Jackson
NAME OF APPLICANT: Daniel and Rachel Jackson
LOCATION: 149 Jackson Road
GRID NO. 132800-6455-02-901890 and 132800-6455-02-878880

Resolution Offered by Planning Board Member: John Eickman:

WHEREAS, the Applicant has applied for a subdivision and lot line realignment of two existing lots totaling 5.0 acres to create one new lot for a total of three lots; and

WHEREAS, Lot 1 (#878880) is 3.0 acres in size and is proposed to be 2.17 acres and Lot 2 (#901890) is 2.0 acres in size and is proposed to be 1.0 acres; and

WHEREAS, a new Lot #3 will be created from the remaining 1.83 acres and the realignment of the lot line dividing the two existing lots; and

WHEREAS, the Planning Board determined the proposed subdivision and lot line realignment is a minor subdivision and waived the requirement for a public hearing; and

WHEREAS, the action is considered to be an unlisted action under SEQR; and

WHEREAS, the Planning Board adopted a negative declaration for the proposed subdivision and Lot Line Realignment on January 21, 2025; and

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board hereby issues Final Subdivision and Lot Line Realignment Approval for the above project as represented on a map entitled "Jackson Lot Line Realignment and Subdivision" prepared by Day & Stokosa Engineering, P.C., dated July 23, 2024, and last revised November 26, 2024 subject to the conditions set forth below:

1. Satisfactory resolution of comments in the Rennia review letter dated December 17, 2024.
2. Driveway approval for the new flag lot from the East Fishkill Highway Department.
3. Approval from Dutchess County Department of Behavioral & Community Health (DCDBCH).
4. The final plat will contain the written approval of the DCHD before it is signed by the Chairperson.
5. Recreation fees in the amount of \$6,000 due prior to the signing of the subdivision plat.

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: Lori Gee

Board Member Lori Gee
Board Member Ed Miyoshi
Board Member Sarah Bledsoe
Board Member Richard Campbell

AYE
AYE
AYE
AYE

Board Member Donald Papae	AYE
Board Member John Giovagnoli	AYE
Chairperson John Eickman	AYE

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

ADJOURNMENT

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

Respectfully submitted:

_____,
Julie J. Beyer, Meeting Secretary
East Fishkill Planning Board