Member Escallier opened the Village of Harriman Regular Meeting of July 18, 2016 at 7:30pm.

ROLL CALL:

Present:
Board Members: Acting Chairman Irma Escallier, Ron Klare, Martin Stanise, Michael Zwarycz; Kevin Dowd, Attorney, John Russo, Engineer, John Hager, Building Inspector and Barbara Singer, Recording Secretary.

Absent: Chairman Don Danzeisen, Juan Quinones.

MOTION was made by Member Klare to approve June 20, 2016 Regular Minutes
SECONd was made by Member Stanise.

AYE: Member Irma Escallier
    Member Zwarycz
    Member Klare
    Member Stanise

NAY: -0-

Superior Pack Group
102-2-5.11
Revised Site Plan

Present: John Furst, attorney, Catania, Mahon, Milligram & Rider; John Loch, engineer, AFR Engineering and Land Surveying Motty Jacobowitz, Superior Pack Group employee and representative.

Mr. Loch states what we are proposing to do is putting up a roof over part of the loading dock; there were some concerns about issues in respect to various aspects in the building code of the outdoor storage, we have had those issues resolved. We have revised the plan to reflect that. We do have and we have submitted to you a rendering of what it looks like so we all have a better idea of what it looks like. Essentially we are putting a small loading dock out and a roof over it. I have read through the comments of Lane & Tully, if you like I could address them.

Mr. Russo responds even if you address them I would like to get a response in writing. Specifically in regards to comment #1 in regards to truck traffic.

Mr. Loch replies certainly. Basically the issue that the applicant is having there is in the amount of time it takes to load vehicles. They are not looking to increase the overall traffic to the site; they are looking for increase loading docks so they can have trucks or trailers sitting there longer for their loading and unloading process. It’s not so much unloading, that goes pretty quick, but some of the truck that they are loading multiple products in to it so they run it off the line, put part in and then they have to change the line, package other packages and put it in. They are finding that they have the trailers sitting a little longer. They do not anticipate an increase in the volume of trucking on the site. I did look at the proposed compactor area detail and I realized that there are somethings in respect to your notes that need to be changed because the project has changed slightly, so I need to clarify that. Additionally I hadn’t realized the note 8C that you referred to when we were looking to pave the parking lot obviously that was a number of years ago, I need to update that.

Mr. Russo asks do you know when they are going to or do you need to talk to them. I know that they have to get the Storm water system going.

Mr. Furst replies I think that is something that we would say we would want to include within the 120 calendar days.
Mr. Jacobowitz replies they are starting the project next week. They said it would be finished in a month.

Mr. Hager replies we have two sets of plans. We have the one that was already approved and the one that they are beginning and they need to hold off on the loading dock work until the amendment is approved. The architect has been trying to work out the fire code and whether or not he needs sprinklers and I guess they've come to a conclusion.

Mr. Loch replies I'm not aware of the sprinkler issue, but I really haven't looked at it with that in mind.

Mr. Furst replies I'm sure that when they submit the building permit that will all be included.

Mr. Hager replies they haven't made an application for a building permit yet. I had an inquiry from the architect about whether it needed to be sprinklered or not. I pointed out some code provisions that, the way that I interpret it, if they control the storage to a certain extent they may be able to avoid the sprinklers. The architect was going to review that, submit the appropriate plan for the building permit.

Mr. Dowd asks it will be thirty days to install the storm water system.

Mr. Loch replies I would think that we would ask for sixty days, sometimes things happen.

Mr. Dowd asks and then the blacktopping will be done immediately after that.

Mr. Loch replies yes.

Mr. Dowd continues I know that John has put down the 120 days; I thought that you wanted to stick to that.

Mr. Russo replies I was a little concerned with that. The 120 days I would go with that for the loading dock. I know that they need to get a building permit. I don't know where they are with that. Where the architect is coming with the plans so it would be a week or two or three weeks before they get anything to the Building Inspector and then he has to do his review. I don't know if they have a contractor lined up but the rest of the work has been out there for so long, it's the same work that has never gotten completed. I don't see any reason to put that under the 120 days. The rest of the work can be done within 60 days.

Mr. Loch asks would it be reasonable for me to modify note 8C to reduce that to spring 2013 to 60 days or I'll give you a date 60 days from now. And we'll leave note 10 as it is with the project being completed within 120 calendar days from the approval date.

Mr. Russo replies that's fine with me. We need to discuss all of the site work also. Maybe modify that note to say the loading dock 120 days, all site work within 60 days. Because some of it is just putting up a sign, fencing, all of those things could be occurring at the same time and done.

Chairperson Escallier states they did put a fence in the front and they didn't get a permit for it. So when we approve this, we will approve that too.

Mr. Russo agrees. There was other work that was listed as being proposed but it was never done. We need to make sure that we're getting everything within the 60 days. All of the site work that is listed in the plans be done within 60 days because this has dragged on.

Member Zwarycz adds there's a four foot fence along Bailey Farm Road.
Mr. Russo explains that would be all site work because you can see the site plans refer back to 2013. Let's get it done already. The loading dock should be done within 120 days from the approval unless the applicant can tell the engineer something different as far as where the architect stands, if they have a contractor lined up for it. I think it's going to be shorter than 120 days.

Mr. Dowd replies 120 days from the approval date we will have the loading dock. And everything else will be done within 60 days.

Chairperson Escallier asks you were talking about the pallets that were there and they had to build a wall to hide the pallets. And then there's the traffic issue. Was there any study?

Mr. Russo explains that's why they have a roll down curtain to hide the pallets. Previously there were documents on the truck traffic but that's why I want something in writing stating that there's going to be no more additional truck traffic being generated from the site. Or trucks coming in comparison to what was previously noted.

Mr. Furst states we can have the applicant submit something in writing to confirm, again it's more for operations.

Mr. Russo states that's fine. The Board may want to have something in writing because if all of a sudden things do change, the Board would want to point at something and say that was not the case that was not what was stated.

Chairperson Escallier states we did have a Public Hearing and the public was aware of what was going on, the noise, the light effects. This is a response to that.

Mr. Dowd asks is there any site work in the Town of Monroe. Or is it all in Harriman?

Mr. Furst replies there are a few things in the Town of Monroe. A noise warning sign, some of the truck parking area.

Mr. Dowd asks does this trigger anything in Monroe. So any improvements would be covered by the previous approval from the Planning Board of the Town of Monroe.

Mr. Furst states that is correct. All of the paving has to do with the 2013 approvals which were hung up here because of the storm water issue hat needed to be resolved. That was resolved last winter so that's why the Harriman end was lagging because we had to get the storm water agreement and the restoration bond.

Mr. Dowd replies I know that what Monroe approved originally they didn't come to us for anything. Any operations that were taking place in Harriman, so I wanted to give them the courtesy that they didn't give to us. I didn't know if any of the site improvements stretched in to the Town of Monroe. It's really only for your own protection anyway.

Mr. Furst replies this proposal, the loading docks, staging area, is all in the Village of Harriman.

Member Zwarycz I just want to clarify that this four foot chain link fence is part of what's going to be done here as well. What happens if that work is not done?

Mr. Russo states yes, that's what's proposed. Then they are in violation of the site plan, the Building Inspector goes out and issues a Notice of Violation. If they don't complete whatever is on the plan or do work that's in accordance of the plan then the Building Inspector has the right to issue a Notice of
Violations, in which they have to remedy it. Hopefully that's all that it takes. Otherwise it winds up in court.

Mr. Dowd states this is an application for an amended site plan. We need to decide if the Board would like to have a Public Hearing on the amended site plan or waive it. I don’t think that there’s any reason why you wouldn’t waive it since you’ve had a Public Hearing on the use of the premises. This is just a minor addition. And then we would go right into SEQRA, there’s really no impact here at all that has not been evaluated. You can go to a conditional approval tonight depending on the conditions that the plans be amended. We did have a Public Hearing when they came to us the first time.

Mr. Russo states the only thing that is really changing on this plan in comparison to the previously approved is the loading dock area that is being put on the front of the building. Everything else that is shown on there to be done was previously approved. Theoretically should have been done, but legally couldn’t. There were legal issues behind it. It’s not all on the applicant. This little addition on the front is not anything of significance.

**MOTION** was made by Member Stanis to waive the Public Hearing on the amended site plan.

**SECOND** was made by Member Klare.

**AYE:** Member Escallier  
Member Klare  
Member Stanis  
Member Zwarycz  

**NAY:** -0-

**MOTION** was made by Member Klare declare Lead Agency for a Type 2 action.

**SECOND** was made by Member Stanis.

**AYE:** Member Escallier  
Member Klare  
Member Stanis  
Member Zwarycz  

**NAY:** -0-

**MOTION** was made by Member Klare to grant a conditional amended site plan approval. The conditions being that the plans have to be amended to reflect the comments that John Russo and the Board made tonight to the applicant. 60 days from July 25, 2016 to have all of the site plan improvements completed. And it would be 120 days from the signature date of the final plans for the site plan to be completed.

**SECOND** was made by Member Stanis.

**AYE:** Member Escallier  
Member Klare  
Member Stanis  
Member Zwarycz  

**NAY:** -0-

Fire District  
102-4-3.2  
Discussion

Mr. Hager states the Mayor had asked that the Fire District be put on the agenda. The Fire District had submitted some preliminary plans to find out if they need to go for a site plan approval or what the procedure is going to be. It’s my understanding that the Village attorney looked in to it and the Fire District is not necessarily required to comply with zoning and site plan approvals. There are some criteria that needs to be looked at.
Mr. Dowd explains generally speaking Fire Districts conduct their own SEQRA review and do everything themselves but what we normally do, and I think in their letter to us they did send us a copy of the site plan. For comments from the Planning Board that may be helpful, when they plan this before they actually do it.

Mr. Russo states I did provide comments to Steve a while back.

Mr. Dowd continues I think they have done exactly what we have hoped for them to do which is to look to you, as a Planning Board, to give comments as to how to make their project work and comply as much as possible with everything that needs to be done. Any issues that may come up. And they have done that.

Mr. Hager asks so this has already been accomplished.

Mr. Russo adds I don’t know, I had given them comments back in November or December.

Chairperson Escallier asks as far as you know are they doing anything major that would cause us to have to look.

Mr. Hager replies I have taken a look at the plans and it doesn’t fully comply with zoning, so that’s something that has to be considered. I think that John Russo’s main duty in this is going to be looking at the storm water management. Regardless if they get site plan approval from the Planning Board or not that needs to be addressed.

Mr. Russo replies the Village is in a MS4 and they have to comply. What’s the size of the parcel?

Mr. Hager replies it’s not a large parcel, maybe less than half an acre.

Mr. Dowd replies .6 acres.

Mr. Russo adds they don’t even have to perform a SWPP. If it was an acre or larger on a commercial site they would need to. It’s erosion and sediment control. But we would like them, as any applicant, to take a look at pre and post drainage coming off of the site. Now you’re going to have a fully paved site, large roof area, it’s going to be a lot of water coming off even though it’s only .6 acres. It would be nice if they could do something to mitigate or minimize what’s coming off the site.

Mr. Hager adds I think it’s currently paved anyway. Most of it.

Mr. Dowd states we could write to them and ask what the status of the project, SEQRA review is. The letter was pretty clear that they weren’t going to be coming here.

Mr. Russo explains it’s just like a school district. A school district operates the same way. Everything is internal, and the school gets constructed.

Chairperson Escallier asks do we see anything that could be a repercussion later.

Mr. Dowd replies they are supposed to be doing the SEQRA review, the engineering, and handling the entire storm water management issues, and traffic issues. They also have the comments that John handed to them.

Mr. Russo adds you can hand them as much guidance as you want, it would be courtesy if they would come and let us know what they are doing. Let us know that they’ve looked at certain items. How they’re addressing it. I understand it’s not a big traffic generator. Only during call, drills, monthly meetings, have an event. It’s only on occasion, not a daily occurrence. The other thing that people may be concerned with would be the horn. Is it that much of a difference if it goes off there or in the Village?
Chairperson Escallier states that would be suggestive. One person would say one thing; another person could say something else. If Barbara would send out a letter to them, if they respond fine and if not, that's fine too but at least we know that we did our part.

Mr. Hager responds the designer initiated the contact. They have offered to answer questions. It's not like they were looking to duck it. I think I have a more current plan than you mentioned from November. I'll get in touch with him and ask he can produce a few more copies for the Board for next month's meeting. And also make sure that they can get the engineer, storm water information so you can check that out as well.

Mr. Russo adds even if you could get a copy of the plans as far as the site so we can see what they're proposing. The other concern would be, it's not piped now, but if they start piping it. Is the pipe network that they're tying into capable of handling the flow all of a sudden? There are a number of things to look at, but nothing major honestly.

MOTION was made by Member Klare to close the meeting at 8:00pm.
SECOND was made by Member Stanise.
AYE: Member Escallier
Member Klare
Member Stanise
Member Zwarycz
NAY: -0-

Respectfully Submitted:
Barbara Singer, Recording Secretary