

VILLAGE OF HARRIMAN PLANNING BOARD MEETING
Regular Meeting
April 18, 2022

Chairwoman Escallier opened the Village of Harriman Regular Meeting of April 18, 2022, at 7:30pm.

PLEDGE OF ALLEGIANCE

ROLL CALL:

Present: Chairwoman Irma Escallier, Board Members Ron Klare, Jim Kelly, Neil Murphy, Juan Quinones, John Russo, Engineer; Dominic Cordisco, Attorney; Stephen Giacco, Building Inspector and Maria Hunter, Recording Secretary

Member Klare made MOTION to accept the Planning Board minutes of January 24, 2022.
SECOND was made by Member Kelly.

AYE: Chairwoman Escallier
Member Kelly
Member Klare
Member Murphy
Member Quinones
NAY: -0-

101-1-1.31, Village View Estates – Acknowledge NYSDEC approval for Water Permit and request for additional 6-month extension:

Present: none for the applicant due to illness

Chairwoman Escallier: Start with the NYSDEC approval for Water Permit and request for Extension, ask John Russo for his comments.

Mr. Russo: They are back before you for an extension on the conditional approval that was issued on the project, they have received approval from the Department of Health to the water system. They recently received approval from Orange County Sewer District #1 for the sewer and right now waiting for approval from the DEC. DEC is in the process of writing a letter of approval confirmed with an email from the Engineer. They are currently working with the DOT as to acquiring the work permit. It is taking a while getting thru with the agencies, which have been slow recently.

Chairwoman Escallier: That is very good. They are also looking for an extension, normally they are on a November, May schedule for extensions. Since this is April, it is early.

Mr. Russo: You can give them an extension from May 2022 thru to November 2022.

Chairwoman Escallier made MOTION to extend the six (6) month extension from May 15, 2022, thru to November 15, 2022.

SECOND was made by Member Murphy.

AYE: Chairwoman Escallier
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VILLAGE OF HARRIMAN PLANNING BOARD MEETING
Regular Meeting
April 18, 2022

103-1-13.2, Harriman Family Dental – Requesting an amended site plan for proposed handicap access and parking upgrades:

Present: Michael R. Berta, A.I.A. with Lothrop Associates

Chairwoman Escallier: Acknowledged the application before the board this evening and inquired who was representing the applicant.

Michael R. Berta: Michael Berta with Lothrop Associates representing Harriman Family Dental. They received prior approval number of years ago to put in a handicap lift in the back of the building as part of the approval process. Many reasons now to move the handicap entrance to the front, including not installing the lift. By moving the handicap ramp to the front, the parking location will be moved as well. Need to clean up the front walkway and repair as needed.

Member Klare: Where is the parking for this new design?

Mr. Berta: Acknowledged the handicap parking slot will be in the front with one additional parking slot. Currently there isn't any handicap access.

Mr. Russo: Asked that the parking slot location be moved closer to the building. Reminded applicant to stripe out per code. He also requested that sheet #8500 be added to the packet and to clean up the other sheets. Asked about how the employees enter the building, just need to add to the plan.

Mr. Berta: Confirmed the employee entrance will be in the rear of the building. Any additional notes from Mr. Russo's report that was received today, and tonight's concerns will be addressed.

Member Klare: Asked about the broken sign lying on the ground.

Mr. Giacco: The applicant is in the process of applying for a replacement sign with the Building Inspectors Office.

Member Kelly: Asked if the parking in the rear is for employees only. Was concerned about the employees parking including the two dentists. Limited number of parking spaces being stretched now. Original approval was given for the lift.

Mr. Berta: It isn't signed for employees only; it could be for anybody.

Mr. Cordisco: Noted the location of the handicap location will be in the front now.

Mr. Russo: Confirmed that yes originally approved for a lift in the rear of the building. With new plans will adjust the parking.

Mr. Berta: Changing the entry acknowledged the walkway is longer and noted the slope is at 120 degrees.

Chairwoman Escallier: Deadline is May 2nd for additional paperwork to be placed on the May 16th meeting.

Mr. Cordisco: Need to send the current plans to Orange County Planning for GML review which is mandatory. Also, this will be a Type 2 action under SEQRA with no additional environmental review. Last thing this is an

VILLAGE OF HARRIMAN PLANNING BOARD MEETING
Regular Meeting
April 18, 2022

amendment to a prior approval, no requirement needed to hold a public hearing per your code. The hearing can be waived with board approval.

Chairwoman Escallier: Maria will take care of submitting the GML review to the County.

Member Klare made MOTION to waive the public hearing on this application.

SECOND was made by Member Quinones.

AYE: Chairwoman Escallier
Member Kelly
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Member Quinones

NAY: -0-

Mr. Cordisco: I can prepare a draft resolution for the May meeting; it will be very straight forward. It will include that it is a Type 2 action.

Chairwoman Escallier made MOTION to authorize our attorney to prepare a draft resolution for this application.

SECOND was made by Member Kelly.

AYE: Chairwoman Escallier
Member Kelly
Member Klare
Member Murphy
Member Quinones

NAY: -0-

Secretary Hunter requested the plans be emailed tomorrow to submit with the GML review request. Electronic copies will be forward to Mr. Russo and Mr. Cordisco once received.

102-2-5.12, Superior Pack Group – Warehouse Expansion proposal:

Present – Jonathan DeJoy Esq, attorney with Catania, Mahon and Rider and John Loch with AFR Group.

Chairwoman Escallier: Acknowledged the representatives for Superior Pack Group. Before moving forward with the application Steve Giacco, Village Building Inspector will be updating the board on the prior approval given.

Building Inspector Giacco: Before we begin with this expansion project, we need to take care of some open items. Right now, the property has 2 outstanding expired building permits. The loading dock which he spoke with Mr. Motty Jacobowitz, which isn't finished yet. No extensions have been applied for or approved. Neither of the permits, BP 20-0057 and BP 20-0057 filed on December 10, 2020, which expired on June 9, 2021, have been completed. Met with Mr. Jacobowitz on February 7th of this year to advised of expired permits. Mr. Jacobowitz was adamant that he would be going to move forward to clear up the BP's before starting the expansion. It would behoove Mr. Jacobowitz to contact Steve to get this BP's and get to reissue them.

Planting has not been completed due to COVID, which is over now but needs to be addressed. If a financial issue needs to discuss to get it completed. These was also a change about concrete curbing. Will be replaced with blocks which will be better for that area that he needs to take care of. History of this property, in the past drag's things out. This becomes an issue, going back to 2011 they moved into the building without a CofO. They had a checklist

VILLAGE OF HARRIMAN PLANNING BOARD MEETING
Regular Meeting
April 18, 2022

that needed to be taken care of and decided to move in anyway. Actually, took them to court, won the case and they moved forward. Stop work orders were issued. Some are still outstanding; lighting is an issue with complaints. With a new building this will increase more lighting. No sign permit was applied for, numerous complaints with noise issues with traffic. Not always a good neighbor, now they want something, need to clear up prior issues.

Biggest issue is the outstanding Fire Safety inspections on property. Last time any documentation was in 2012 when they moved in and 2018. Last notification was sent April 2021 with no response for an inspection. This is a major issue that needs to be taken care of the Fire Safety inspection is my number 1 issue to be taken care of.

Mr. DeJoy: We will certainly relay those concerns; they want to move this project ahead as smoothly as possible.

Mr. Russo: What the Building inspector is saying is not moving forward until those matters are addressed with the open violations.

Member Klare: I see he wants to put 3 extra parking spots, where he has now with 12.

Chairwoman Escallier: He is allowed 9 now.

Building Inspector Giacco: If the plan is changed, he needs approval, it is up to the board to accept it or not.

Member Kelly: Are you saying we should hold off on the project until they rectify the current open issues? I want a clarification.

Building Inspector Giacco: My review of the file that is outstanding I wouldn't add anything right now to this property. Need to bring up to date to meet the inspection requirements. Concrete work was done that was not inspected. A core bore may be needed to make sure the correct concrete was used. Inspection should have been done, but no permit(s) were requested. They have failed to communicate with the Village. Just looking at fire safety pictures from way back when last in there it wasn't pretty. Warehousing type building they are just known for exit blocks, overly cluttered, garbage and racks stacked high towards sprinklers. If stuffed crammed near top of racks sprinklers will be blocked and not work. Spoke and met with Mr. Jacobowitz, COVID is now over, and the time is now to clear these open items.

Mr. Russo: Any response?

Building Inspector Giacco: None. Last time was on February 7th.

Mr. Loch: I understand about the expired permits and wasn't aware of them. I will talk with them to clear these up. Plantings and the barrier blocks working with Mr. Jacobowitz. It may also make sense to have the traffic engineer evaluate the parking on this site as we move forward with this project. Might look into changing the stalls. Lighting have had previous discussions with the prior inspector. Talked about replacing the lights with more modern fixtures. We angled them down, are there active complaints now?

Building Inspector Giacco: Need to look at this again to close this out the permits. Did see there is a glare. Possible adjustments with shrouds.

Member Quinones: Beside lighting complaints, there are noise complaints currently.

VILLAGE OF HARRIMAN PLANNING BOARD MEETING
Regular Meeting
April 18, 2022

Member Kelly: Noise complaints brought to the attention of the Village Board members at a recent board meeting held on April 12, 2022. Now you have a lot of refrigerator trucks creating noise.

Building Inspector Giacco: I spoke with Mr. Jacobowitz, since I received several verbal and written complaints. I went to the site during the day, the most I heard were the trucks backing up. Currently no third shift working on the site.

Mr. Loch: Trying to ascertain what is the current. I'll look into this. We were being anticipating

Member Quinones: The community is complaining of the noise after 11PM and then between 2AM to about 4/5AM. Disturbing the community and during sleeping hours.

Mr. Loch: I'll talk to them. I've stopped there in the evenings, after other meetings in the area to see what is going on. I know traffic has been an issue in the past, I know he is implementing a system to try and stop the trucks from backing up into the road. The truck drivers are pulling in at particular times and can be stacked on the property.

Member Kelly: "No Parking" and "No Standing" signs have been placed along the road. Stop sign put in recently and being patrolled.

Mr. Loch: In respect to the fire safety inspection will certainly tell them they need to get it done.

Building Inspector Giacco: The biggest things are the building permits and loading docks. Getting the fire safety squared away. I've never been inside the building other than the office space.

Chairwoman Escallier: We've talked about plantings and blue & green spruces to surround the property. Want trees because they clean up the air and may impact the noise. They will help the lighting situation in time. The problem of the lights is that they emanating upwards and out due to lack of hoods. The lights need to be hooded.

Mr. Loch: The fixtures they have are pointed down. I understand you can see the light, glare issues there. In terms of up and out, we as a society it has created light pollution. The bulk of the lights are LED. There may be some at the doorways.

Mr. Russo: LED lights were approved for this site. Loosened shrouds can be looked.

Chairwoman Escallier: May need an amended application for the trees which haven't been working for this site. The lighting needs to be hooded

Mr. Loch: When we process this site plan, we can update the tree and landscaping plans.

Mr. Russo: Were the cedars and spruces along the truck parking ever installed?

Building Inspector Giacco: No, they have not been installed. Mr. Jacobowitz was looking into a different type of tree to be installed.

VILLAGE OF HARRIMAN PLANNING BOARD MEETING
Regular Meeting
April 18, 2022

Mr. Loch: Part of the problem they did part of the fencing, damaged by trucks backing up. They are looking to put in jersey barriers. We have contacted the Sewer District along the outside of their easement. Want to actually install them as a regular installation and to make sure there isn't any impact on the Sewer District.

Mr. Russo: If jersey barriers installed where would the trees be installed?

Mr. Loch: Asking to look into more extensive plantings, never an issue to the easement. We have had some complaints about the tractor parking. You can have narrower parking spaces if you have a bigger approach area, our traffic engineer will be looking at this. Originally 15 feet wide, can reduce down to 10 feet. Can improve the number of vehicles that can be parked. Better answers once we have our traffic consultant on board.

Chairwoman Escallier: What I'm hearing tonight about the location of the trees. Need to come up with a solution for the quality of the air and lighting.

Mr. Russo: On the other side of the sewer easement drops off. Any room for the trees? Understand your client is focused on the building operations.

Mr. Loch: Will convey to their clients about closing out the open permits.

Mr. Cordisco: You mentioned earlier you are appearing before the Town of Monroe Planning Board tomorrow night. I would anticipate that one of the boards will circulate to be Lead Agency for this project. The board should consider how you would like to proceed in connection with the application received that is before you. Acknowledging more details to come including resolving all the outstanding. This board should consider being Co-Lead Agency with Town Board transmitting a letter to them.

Member Kelly: This is protection for us, by answering before 30 days if Town is lead agency.

Mr. Cordisco: Send a letter to be Co-Lead Agency since this is a unique application.

Mr. Loch: Going forward to need to see which planning board would be responsible for certain items. We are proposing storm water facilities in Harriman. Both municipalities have an interest, and they need to be involved.

Member Klare made MOTION to draft a letter to the Town of Monroe planning board to express our interest as CO-Lead Agency on this application.

SECOND was made by Member Murphy.

AYE: Chairwoman Escallier
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VILLAGE OF HARRIMAN PLANNING BOARD MEETING
Regular Meeting
April 18, 2022

Mr. Cordisco: Might be most helpful to provide a narrative to both boards with approved and proposed plans.

Mr. Loch: Once we meet with Monroe we will be back in touch with this board. Will also confirm with Monroe about the wetlands. Appreciate your time this evening

Mr. Cordisco: At tomorrow night's meeting mention to Monroe about our intent to be Co-Lead Agency. So, we can work together on this.

Member Kelly: Fire Safety Inspection and other open items need to be addressed.

Chairwoman Escallier: With no other questions, do have a motion to close?

Member Klare made MOTION to close the Planning Board meeting of April 18, 2022, at 8:40pm.

SECOND was made by Member Murphy.

AYE: Chairwoman Escallier

NAY: -0-

Member Kelly

Member Klare

Member Murphy

Member Quinones

Respectfully Submitted: _____
Maria C. Hunter, Recording Secretary