

CHAIRMAN: GEORGE AULEN  
MEMBERS: WILLIAM OLSEN, JAMES PATTERSON, JESSE GALLO & RYAN  
DENERLEY  
Alternate: RAEY WEBSTER

VILLAGE OF WARWICK  
PLANNING BOARD MEETING  
MARCH 16, 2107

The monthly meeting of the Village of Warwick was held on Thursday, March 16, 2017. Present were: George Aulen, Bill Olsen, Jim Patterson, Jesse Gallo, Ryan Denerley, Raey Webster, Village Engineer, David Getz, Planning Board, Robert Dickover. Others present were: Tom Mattingly, Bill Youngblood, Joe Irace, Adam Powers, Ross Winglovitz, John Christison, John Cappella, Laura Mignon, Patrick Gallagher, Geraldine Driscoll, Judith Dickinson and others.

A MOTION was made by Jim Patterson, seconded by Jesse Gallo and carried to accept the minutes of the February 16, 2017 Planning Board meeting. (5 Ayes)

**PUBLIC HEARING**

146 WEST STREET                      SUBDIVISION APPROVAL                      THOMAS MATTINGLY

Mr. Aulen read the public hearing notice.

Mr. Youngblood – We had a field meeting with the Village engineer where we discussed the drainage which is shown on sheet 2 of the plan and where we discussed offering a 10ft. wide easement to the Village...

Mr. Aulen – Does the Village want the easement?

Mr. Getz – We met with Mr. Moser, the DPW Supervisor to discuss it because they may need to replace or repair it, it is a Village structure.

Mr. Dickover – The applicant should present an Offer of Dedication for the easement to maintain the drainage system for review.

Mr. Mattingly – An easement for maintenance?

Mr. Aulen – It is just the way it is worded.

Mr. Dickover – It can be handled a number of different ways.

Mr. Youngblood – Well I can prepare a meets and bounds with your language attached.

Mr. Dickover – Typically your attorney would prepare that document and I would review it.

Mr. Youngblood – I think the Planning Board attorney should provide the language because you guys know what you want it to say.

Mr. Dickover – You should really use your own attorney.

Mr. Mattingly – I have an attorney.

Mr. Youngblood – As you know there was a little bit of a mix up with the variance that was on the first plan so I have attached the corrected variance.

Mr. Getz – All of our comments have been addressed.

A MOTION was made by Bill Olsen, seconded by Jim Patterson and carried to open the public hearing. (5 Ayes)

Mr. David Smith – I would just like to state my objection to this application. He is trying to squeeze 2 houses on 1 ½ lots. There are too many houses on West St. now and this will diminish the aesthetic quality of the neighborhood.

A MOTION was made by Jim Patterson, seconded by Bill Olsen and carried to close the public hearing. (5 Ayes)

A MOTION was made by Ryan Denerley, seconded by Bill Olsen and carried to adopt the Resolution prepared and read by Planning Board attorney, Robert Dickover to grant a Minor Subdivision on 146 West St. conditional upon an Offer of Dedication to grant a 10’ wide easement for repair and maintenance to the Village of Warwick. (5 Ayes)

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WARWICK COMMONS                      SITE PLAN APPROVAL EXT.                      STERLING BANK

Mr. Aulen – The applicant has submitted a letter to request a 90 days extension. For the record, the Village Engineer, the Building Inspector and I did a site visit with potential buyers last week.

A MOTION was made by Bill Olsen, seconded by Jim Patterson and carried to grant the site plan approval extension until June 20, 2017. (5 Ayes)

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103 MAIN ST.                                      SITE PLAN APPROVAL                                      HISTORICAL SOCIETY

Mr. Irace – After I visited the site I have updated the plan. I added the signs and the location of the handicap parking sign which will be on a pole instead of on the building. I also added the existing lighting, the dimensions of the parking lot and the dumpster location. We photographed the site to show existing shrubs and screening to the residential property to the rear. We also

adjusted the Bulk Table and we have added the hours of operation. We lost one parking spot where we will put the dumpster but we still have 14 parking spaces so we still meet the requirement. The tavern use will only occupy the first floor and the museum will be on the second floor and the basement will be for storage and maybe the freezer will be there too.

Mr. Aulen – You indicated that you are going to have handicap accessibility in the rear. Is there any problem with that as far as changing the exterior?

Mr. Irace - There is an existing handicap ramp, it is settled blue stone but it needs to be raised up and we will re-set the stone so that it is flush and I don't think we want to pave it.

Mr. Getz – The ADA code just requires it to be an all-weather surface, it does not have to be paved. Have you had any response from the Architectural and Historic Review Board?

Secretary – We have not received any response from the ARB as of yet.

Mr. Aulen – The Board will require a written response from the ARB even if they have no objections.

Mr. Olsen – Will there be any food preparation on site?

Mr. Powers – Whatever the minimum requirement is for the State Liquor Authority, whether it is electric grill or griddle, whether it is burgers or hot dogs, nothing that requires an exhaust and there is no open flame. There will be something but the majority of the food will come from Fetch.

Mr. Getz – Due to the property's driveway location and the amount of traffic coming from the parking lot onto Main St., we recommend that the Village restrict the existing movements from this property to right turn only. I do know that the Planning Board does not make that ultimate decision but we thought we would raise the issue.

Mr. Aulen – We could make a stipulation that they place a right turn only sign there but that is a State Hwy.

Mr. Dickover – That is a State Hwy and the DOT may need to review the entrance/exit but I will review it and get back to the Board.

Mr. Getz – Other than that the applicant has addressed all of our other comments.

A MOTION was made by Bill Olsen, seconded by Jesse Gallo and carried to declare the Planning Board Lead Agency and to declare this a Type 1 action under SEQR. (5 Ayes)

The Board reviewed the Long EAF presented by the applicant.

A MOTION was made by Bill Olsen, seconded by Ryan Denerley and carried to declare a Negative Declaration with no significant or adverse effect under SEQR (5 Ayes)

A MOTION was made by Jesse Gallo, seconded by Jim Patterson and carried to schedule a public hearing on April 20, 2017. (5 Ayes)

Mr. Getz – Do have a number for the proposed seating?

Mr. Winglovitz – The left side seats about 90 and about 60 on the other side for about a total of 150.

Mr. Christison – In the summer with the outdoor patio there could be another 30-40 seats so possibly about 190.

Mr. Getz – The Flood Plain application needs to be reviewed. The main floor is above the flood plain but is there anything that is going to be in the ground floor?

Mr. Winglovitz – No mechanicals, storage only, the mechanicals will be upstairs.

Mr. Patterson – I thought the mechanicals were outside?

Mr. Christison – Yes, the outdoor mechanicals, like the generator and the air conditioner.

Mr. Getz – According to the plan, it shows no light trespassing on residential property. The applicant is proposing a 6ft. high stockade fence around the property on both the West St. and Van Buren sides of the property and proposing landscaping on the property owner side of the fence. Just as a reminder to the applicant, the good side of the fence belongs on the neighbor's side.

Mr. Winglovitz – We will be adding pavement where we need to.

Mr. Olsen – Will the additional parking remain gravel?

Mr. Winglovitz – Yes.

Mr. Getz – What type of heat will you have?

Mr. Christison – Natural gas, Orange & Rockland will lay the pipe.

Mr. Getz – We would like a detailed plan for the pavement.

Mr. Winglovitz – We will do that, we will also show a 6ft. high fence around the dumpster area. The archeological field work has to wait for better weather but all of the office work is done and SWPP should be ready next week.

Mr. Aulen – Can you check the depth of the gravel?

Mr. Cappella – We need to do test pits so we can do it then.

Mr. Patterson – There are some items over the property line on Van Buren St, do you have plans to approach the owners?

Mr. Christison – Yes.

Mr. Winglovitz – There appears to be some fences and maybe a couple of sheds.

Mr. Patterson – Can you also show the outside mechanicals on the plan.

Mr. Winglovitz – Yes.

Mr. Christison – We will also fence in the generator and condensers.

Mr. Patterson – Do you know what the decibels they generate?

Mr. Christison – It is a Kohler generator with an insulated case and it is tested once a week for 45 min.

Mr. Olsen – Is this a bio retention area?

Mr. Winglovitz – It may be just infiltration...

Mr. Olsen – Are you going to dig down a little?

Mr. Winglovitz – Yes, it would be excavated about 2 ft....

Mr. Olsen – To go down to soil that is past the gravel?

Mr. Winglovitz – Yes.

Mr. Olsen – So it is infiltration?

Mr. Winglovitz – Yes but bio retention uses infiltration also.

Mr. Olsen – So, this will take all of the water coming down from here?

Mr. Winglovitz – Yes, he will have to show it but the plan is that there is going to be a diversion swale around the site so the off-site water gets diverted away from the building and the parking area. The building area and any pavement that drains to that low area will be accommodated in that Stormwater Management facility.

Mr. Getz – In the end you have to meet requirements for 3 things, peak flow, and water quality and run-off reduction needs to be proved. There is a proposed drainage easement that would align with an existing line that was recently replaced.

Mr. Denerley – What type of material will you use for the fencing? Would it stand up to flooding?

Mr. Winglovitz – Most of the fencing would all be in the upland area out of the floodplain so there is no flood plain concern with the fence and we really have not discussed the materials but there are different things we can do, a single sided fence or a board on board where they alternate and there are two nice sides to the fence, but we really have discussed that yet.

Mr. Christison – Basically a stockade type fence, I would not want to put something that could disintegrate with the weather.

Mr. Cappella – We will provide details.

The Board discussed a site visit towards the end of April.

A MOTION was made by Jim Patterson, seconded by Bill Olsen and carried to declare the Planning Board Lead Agency and to type this as an Unlisted Action under SEQR (5 Ayes)

Mr. Aulen gave the public an opportunity to speak.

Mr. Patrick Gallagher – I am here on behalf of a number of my neighbors who are concerned about the environmental impacts and our peaceful enjoyment of our homes. We would like to get a sense about what kind of input we are going to be able to have through this process, how much time we will have to accumulate the FOIL requests and other things so that we can make reasonable comments to the Board in an orderly way.

Mr. Aulen – All of the drawings, everything is available upstairs in the Planning Dept., you are certainly permitted to see them.

Mr. Patrick Gallagher – When we make public comment, I am not sure...

Mr. Aulen – Public comments are made at a public hearing.

Mr. Gallagher – Is a decision made immediately after public comment or is it something that the Board takes under consideration?

Mr. Aulen – It depends.

Mr. Gallagher – If the Board tours the property you should come at night when it is dark and look in the backyards.

Mr. Olsen – What do you mean by that?

Mr. Gallagher – Without being dramatic if you stand in my backyard in the evening or early morning it looks like Port Waywayanda with the lights and no one has ever complained because

there were existing businesses and the parking lot has always been a wonderful neighbors we would just like to see our peaceful enjoyment of the property continue and we are very concerned that it will change with noise particularly and trees and fences do nothing to mitigate noise and to very little to mitigate night sky light.

Ms. Geraldine Driscoll – I live across the street from Van Buren and from my window I can see the lot. I would say when you visit the site, look at the site from the other side and there is a big difference in that property in the height. Across the street from me is very high up and it goes very down low so if you are talking about a 6ft. fence down there that does nothing for me.

Ms. Judith Dickinson – I also live on Van Buren and like she said we are up on a hill and look down into that lot so a fence will do nothing for us and we are also concerned by the noise and lights.

Mr. Aulen – There are ordinances within the Village to control the noise.

Ms. Dickinson – How are people going to get from the parking lot into the building, if it is raised up a floor.

Mr. Winglovitz – Stairs and handicap access.

Mr. Aulen – When we receive the final drawings all of that information will be on the plan and you will be able to see it.

Ms. Dickinson – I lived down in New Jersey and in a floodplain you are not allowed to develop at all.

Mr. Aulen – The building is not going to be developed in neither the floodplain nor the floodway. However, this property had already been developed prior to the designation.

46 MAIN ST.

CHANGE OF USE/SITE PLAN  
WAIVER

CAPELLI HAIR SALON

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The Board reviewed the application to the Change Of Use of 46 Main St. from a retail business to a Hair Salon.

A MOTION was made by Jim Patterson, seconded by Ryan Denerley and carried to grant a Site Plan Waiver and Change of Use from a retail business to a Hair Salon. (5 Ayes)

A MOTION was made by Ryan Denerley, seconded by Jesse Gallo and carried to adjourn the meeting. (5 Ayes)

Respectfully submitted;

Maureen J. Evans  
Planning Board secretary