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May 13, 2024

**VILLAGE OF WARWICK PLANNING BOARD
77 MAIN STREET
WARWICK, NY 10990**

ATT: JESSE GALLO, CHAIRMAN

**RE: M&L EQUITY AUTO LLC & MANN PROPERTIES
18 ELM STREET (SBL 210-11-16.22)
42 ORCHARD STREET (SBL 210-11-5)
WO# 1802.76**

Dear Mr. Gallo and Planning Board Members:

We have reviewed the following documents submitted for the M&L Equity Auto and Mann properties:

- Variance Application from Robert Krahulik, dated 1/19/24
- Planning Board Application, signed 3/26/24 and 4/17/24
- Short EAF, dated 5/8/23
- Village of Warwick ZBA Decision, signed 4/25/24

Introduction:

The proposed action involves the transfer of a 5,963-square-foot parcel of land from the residential Mann property, located at 42 Orchard Street, to the M&L Equity Auto “car wash” property located at 18 Elm Street. The purpose of the project is to eliminate the existing encroachment of M&L facilities across the rear of the Mann property.

The M&L property is located within the Light Industrial (LI) zoning district. The Mann property is located within the Residential (R) district. The properties are not located in the Village’s historic district.

It is our understanding that no construction or land disturbance is proposed.

Review Comments:

1. We have attached a list of items commonly required for subdivision approval. Because no construction is proposed, the Board can waive those elements related to site disturbance and construction. It appears that the following items should be added to or revised on the plan:
 - a. Name and address of the adjoining property owner to the north of properties.
 - b. Existing utilities. Are there any utilities located within the proposed transfer parcel?
 - c. Surveyor’s certification

- d. I believe that the plan should be entitled "Subdivision Plan".
 - e. The zoning data table should be revised to indicate that the lot depth of the Mann property will be reduced.
 - f. The zoning data table should be revised to list the specific variances obtained from the ZBA at the March 26th, 2024 meeting.
- 2. The site plan indicates that the existing gravel area extends past the Mann property onto a portion of Lot 210-11-4, the Dreyhaupt property. The applicant's representative stated at the October 10th, 2023 Planning Board meeting their intention to remove this encroachment. The site plan should be revised to detail the removal, and remediation of this area.
 - 3. The properties are located within the 100-year flood plain and regulated floodway of the Wawayanda Creek. Because no construction is proposed, an application for development in flood hazard areas is not required.
 - 4. Question 16 on the Short EAF (flood plain) should be answered "Yes".
 - 5. As identified within ZBA Decision condition #2, the portion of the property being transferred to 18 Elm Street shall only be used as permitted under the Village Zoning Code, whereby the use of "car wash" is not permitted within the 'R' District. Applicant to address.

Sincerely,

Engineering & Surveying Properties, PC, Village Engineers



Keith Woodruff, CPESC, CPSWQ
Senior Engineer

cc: Elizabeth Cassidy, Planning Board Attorney

VILLAGE OF WARWICK
ITEMS REQUIRED FOR APPLICATION FOR SUBDIVISION APPROVAL

The following is a list of materials and/or information that must be provided in order to establish the intent of the applicant, allow the Village and its consultants to understand and review the application, enable good filing of records regarding applications and permitted activities.

Application and all necessary items must be filed with the Planning Board Secretary at least 14 days prior to the Planning Board meeting.

- Completed application with all information properly entered.
- Copy of deed for the parcel and/or a notarized document giving the applicant authority to lease, use, and apply for development of the same.

Sketch Plan

- One original and 8 copies of the Sketch Plan, including:
 - The location of that portion which is to be subdivided in relation to the entire tract and the distance to the nearest existing street intersection
 - Key Map showing the location of the property within the Village, with the scale of the map defined.
 - All existing structures, wooded areas, streams, rock outcrops, and other significant physical features within the portion to be subdivided and within 200-FT thereof. Topographic contours at intervals of not more than 10-FT.
 - Bulk Table showing required parameters (lot size, width, depth, setbacks, height, parking, etc.), existing and proposed dimensions.
 - Locations of any zoning district boundaries within 500 ft. of the parcel.
 - Names and addresses of owner and/or applicant.
 - Names of all adjoining property owners.
 - Parcel(s) tax map ID (Section, block, and lot).
 - All the utilities available and all streets which are proposed, mapped, or built.
 - The proposed pattern of lots, including lot width and depth, street layout, recreation areas, systems of drainage, sewerage, and water supply within the subdivided area.
 - Any relevant deed restrictions or covenants pursuant to the deed, lessee, mortgage or any other document where such restrictions affect the use of the land.

VILLAGE OF WARWICK
ITEMS REQUIRED FOR APPLICATION FOR SUBDIVISION APPROVAL

Subdivision Plan

- One original and 8 copies of the Subdivision Plan Set, bearing the signature and seal of a NYS licensed Land Surveyor and or Professional Engineer, including all information shown on the Sketch Plan and:
 - Complete boundary survey of the parcel certified by a NYS licensed Land Surveyor.
 - Topographic survey of the parcel with contours at intervals of 2 feet or less.
 - The proposed use, location, height, and designs of all existing and proposed buildings and structures.
 - Location of existing trees with diameter of 8 inches or more at three feet above ground level.
 - Configuration and right-of-way widths of existing and proposed public and private roads, drives, and walkways.
 - Proposed final grades, including detailed information relative to methods used to retain, stabilize and/or refurbish re-graded areas.
 - Sight distances shown at each driveway and/or roadway being proposed.
 - Location and description of all existing and proposed site improvements, including but not limited to drainage pipes, drains, culverts, ditches, bridges or other drainage works, retaining walls and medians, dividers and fences.
 - Location and size of all proposed water lines, valves, hydrants, sewer lines, and fire alarm boxes and connection to existing lines.
 - Profiles and cross sections of all roadways proposed.
 - Profiles and cross sections of any driveways in excess of 10% grade.
 - Details and/or cross sections of sidewalks, curbs, pavement, retaining walls, lighting, landscaping, or other facilities to be constructed on the site.