



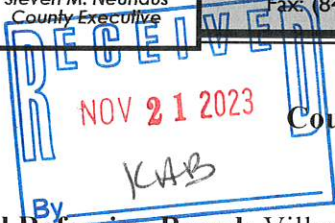
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County Reply – Mandatory Review of Local Planning Action as per NYS General Municipal Law §239-1, m, & n

Local Referring Board: Village of Warwick Planning Board

Applicant: Shelly Garry

Project Name: Western Addition LLC

Proposed Action: Site Plan for adaptive reuse of existing building for use as café/market and 4-room boutique hotel with appurtenant site improvements

Reason for County Review: Within 500 feet of NYS Route 17A

Date of Full Statement: October 17, 2023

Referral ID #: WRV 03-23M

Tax Map #: 210-5-3

Local File #: none provided

Comments:

The Department has received the above referenced site plan and has found no evidence that significant intermunicipal or countywide impacts would result from its approval. We would like to offer the following advisory comments:

Previous Submittals: We note that the Area Variances proposed earlier this year have been granted by the Village Zoning Board of Appeals, allowing this project to proceed.

Hazardous Waste Remediation: The Short Environmental Assessment Form prepared for this project notes that a site in the immediate vicinity of the project that has been subject to remediation due to the presence of hazardous materials. A search of the New York State Department of Environmental Conservation Environmental Site Remediation Database shows incident #336061, located at 26 Railroad Avenue, within a few hundred feet of the project site. The contamination from the underground fuel tanks at the Railroad Avenue site has been contained and unlikely to have a significant impact on this project.

Stormwater Management: The applicant proposes to remove the tree cover on the southern portion of the site between the existing building and West Street, and to increase the area of the site used for parking. Although gravel surfaces are proposed for both the path to West Street and the expanded employee and guest parking areas, the tree removal will change those areas of the site from permeable surfaces to semi-permeable at best. The Village should ensure that all efforts are made to retain stormwater onsite to the greatest extent feasible, including such measures as:

- Planting water-absorbent trees and shrubs, such as the Red Maple and Black Gum trees proposed by the applicant. All plant material should be bonded by the contractor.
- Allowing for rainwater collection in a rain barrel or other measure that will allow the applicant to use stormwater in dry times as a graywater source.
- Creating dry swales along the edges of the parking areas and the gravel path in order to allow stormwater to collect and infiltrate.

Environmental Constraints: The proposed project is in an area known to contain habitat suitable for endangered or threatened species, including the Indiana Bat. We advise the Village and the applicant to ensure that best practices are followed during construction, in order to minimize any accidental takings of these species. Best practices are likely to include times for tree harvesting, among other measures.

Building Design: Although this has no bearing on the environmental impacts of the proposed project, we note that the door between the service hallway and the market area opens inward toward the kitchen only. For safety purposes, we advise the Village to consult the Building Inspector to determine whether it should be double-hung. We advise the Planning Board that the “grange building” that comprises approximately half of the existing building and is marked as unfinished storage is not part of the current application. Any future use of this portion of the existing building will require a site plan amendment. Our previous review of the area variances proposed for this project recommended a life/safety review of the project by the Warwick Fire Department; we continue to advise the Village that any recommendations proposed by the Warwick Fire Department should be incorporated into the project to the greatest extent feasible.

County Recommendation: Local Determination

Date: November 9, 2023

Prepared by: Megan Tennermann, AICP, Planner



~~STACY A. BUTLER, DEPUTY COMMISSIONER~~

~~FED~~ **Alan J. Sorensen, AICP**
Commissioner of Planning

As per NYS General Municipal Law 239-m & n, within 30 days of municipal final action on the above referred project, the referring board must file a report of the final action taken with the County Planning Department. For such filing, please use the final action report form attached to this review or available on-line at www.orangecountygov.com/planning.