

**BOARD OF TRUSTEES  
VILLAGE OF WARWICK  
DECEMBER 19, 2022  
AGENDA**

**LOCATION:  
VILLAGE HALL  
77 MAIN STREET, WARWICK, NY**

**Call to Order  
Pledge of Allegiance  
Roll Call**

1. Introduction by Mayor Newhard.
2. **Public Hearing on proposed Local Law No. 1 of the Year 2023 entitled: "A local law to amend the Village Code by revising the Table of Uses in the Zoning Code to add 'residential apartments above commercial space' as a permitted use in the Light Industrial ('LI') District conditional upon Planning Board approval".**
3. Acceptance of Reports – November 2022: Clerk's Office, Justice Department, Building Department, and Department of Public Works.

The vote on the foregoing **motion** was as follows:

Trustee Cheney \_\_\_\_ Trustee Foster \_\_\_\_ Trustee Lindberg \_\_\_\_

Trustee McKnight \_\_\_\_ Mayor Newhard \_\_\_\_

4. Acceptance of Minutes: December 5, 2022, December 12, 2022, & December 14, 2022.

The vote on the foregoing **motion** was as follows:

Trustee Cheney \_\_\_\_ Trustee Foster \_\_\_\_ Trustee Lindberg \_\_\_\_

Trustee McKnight \_\_\_\_ Mayor Newhard \_\_\_\_

5. Authorization to Pay all Approved and Audited Claims in the amount of \$\_\_\_\_\_.

The vote on the foregoing **motion** was as follows:

Trustee Cheney \_\_\_\_ Trustee Foster \_\_\_\_ Trustee Lindberg \_\_\_\_

Trustee McKnight \_\_\_\_ Mayor Newhard \_\_\_\_

6. Police Report.

### **Announcements**

1. 2022 Village of Warwick Christmas Eve Sing-along & Apple Eve Event.

### **Correspondence**

1. Orange County Department of Planning comments on the review of proposed Local Law No. 1 of 2023 to amend the Table of Use Regulations in the Village of Warwick Zoning Code to allow upper story dwellings in the Light Industrial District.
2. Village of Warwick Planning Board comments on the review of proposed Local Law No. 1 of 2023 to amend the Table of Use Regulations in the Village of Warwick Zoning Code to allow upper story dwellings in the Light Industrial District.

### **Privilege of the Floor**

Please limit your comments to **three (3)** minutes. If reading a document, please submit a copy to the Clerk. Please note all remarks must be addressed to the Board as a body and not to individual Board members. Please state your name clearly before speaking. These rules are taken from the Handbook for Village Officials – New York State Conference of Mayors and Municipal Officials.

### **Motions**

#### **Trustee Cheney's Motions**

1. **RESOLUTION ADOPTING NEGATIVE DECLARATION UNDER SEQRA**

WHEREAS, the Village Board of the Village of Warwick has before it a draft local law entitled "A local law to amend the Village Code by revising the Table of Uses in the Zoning Code to add 'residential apartments above commercial space' as a permitted use in the Light Industrial ("LI") District conditional upon Planning Board approval"; and

WHEREAS, this is an action subject to SEQRA; and

WHEREAS, the Village Board as Lead Agency in an uncoordinated review (i.e., as the sole involved agency) has prepared and approved an Environmental Assessment Form ("EAF") and has caused to be prepared an EAF Part II and Part III: and

WHEREAS, following due notice the Village Board has conducted a public hearing on the said proposed local law and heard all persons interested in the subject matter thereof;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Village Board adopts Part II and Part III of the EAF and authorizes the Mayor to sign the same, and
2. That after considering all of the information presented to it including the EAF, the Village Board adopts the Negative Declaration attached hereto.

\_\_\_\_\_ presented the foregoing resolution which was seconded by \_\_\_\_\_,

The vote on the foregoing resolution was as follows:

Barry Cheney, Trustee, voting	_____
Carly Foster, Trustee, voting	_____
Thomas McKnight, Trustee, voting	_____
William Lindberg, Trustee, voting	_____
Michael Newhard, Mayor, voting	_____

2. **RESOLUTION ADOPTING VILLAGE OF WARWICK  
LOCAL LAW NO. 1 OF 2023**

WHEREAS, the Village Board has before it a proposed local law entitled "A local law to amend the Village Code by revising the Table of Uses in the Zoning Code to add 'residential apartments above commercial space' as a permitted use in the Light Industrial ('LI') District conditional upon Planning Board approval"; and

WHEREAS, following due notice the Village Board held a public hearing on the proposed local law; and

WHEREAS, SEQRA review on the proposed local law has been completed and the said local law was duly referred to the County Planning Department under General Municipal Law §239-m and to the Village Planning Board under the Village Code;

NOW, THEREFORE, BE IT RESOLVED as follows:

- 1. That the Village Board hereby adopts the said proposed local law; and
- 2. That the said local law shall be effective upon publishing, posting and filing the same in the Office of the Secretary of State in Albany.

\_\_\_\_\_ presented the foregoing resolution which was seconded  
by \_\_\_\_\_,

The vote on the foregoing resolution was as follows:

Barry Cheney, Trustee, voting	_____
Carly Foster, Trustee, voting	_____
Thomas McKnight, Trustee, voting	_____
William Lindberg, Trustee, voting	_____
Michael Newhard, Mayor, voting	_____

3. **RESOLUTION ADOPTING NEGATIVE DECLARATION UNDER SEQRA**

WHEREAS, the Village Board of the Village of Warwick has before it a draft update to the Village's Comprehensive Plan, and

WHEREAS, this is an action subject to SEQRA, and

WHEREAS, the Village Board as Lead Agency in an uncoordinated review (i.e., as the sole involved agency) has prepared and approved a Full Environmental Assessment Form ("FEAF") and has caused to be prepared an FEAF Part II and Part III,

WHEREAS, following due notice the Village Board has conducted a public hearing on the draft update to the Village's Comprehensive Plan update and heard all persons interested in the subject matter thereof,

NOW, THEREFORE, BE IT RESOLVED as follows:

- 1. That the Village Board adopts Part II and Part III of the FEAF and authorizes the Mayor to sign the same, and
- 2. That after considering all of the information presented to it including the FEAF the Village Board adopts the Negative Declaration attached hereto.

\_\_\_\_\_ presented the foregoing resolution which was seconded by \_\_\_\_\_,

The vote on the foregoing resolution was as follows:

Barry Cheney, Trustee, voting	_____
Carly Foster, Trustee, voting	_____
Thomas McKnight, Trustee, voting	_____
William Lindberg, Trustee, voting	_____
Michael Newhard, Mayor, voting	_____

4. **RESOLUTION ADOPTING COMPREHENSIVE PLAN UPDATE**

WHEREAS, the Village Board of the Village of Warwick has prepared a draft Comprehensive Plan Update pursuant to Village Law § 7-722; and

WHEREAS, the Village Board has held a duly noticed public hearing on the Comprehensive Plan Update and received comments from the general public; and

WHEREAS, the Village Board has referred the draft Comprehensive Plan Update to the Orange County Department of Planning ("OCPD") as required by General Municipal Law Section 239-m and has received comments back from OCPD; and

WHEREAS, the Village Board as Lead Agency in the SEQRA review has adopted a Negative Declaration; and

WHEREAS, the Village Board finds that it is in the best interest of the Village of  
Warwick to adopt the Comprehensive Plan Update;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Village Board hereby adopts the Comprehensive Plan Update; and
2. That the Village Board hereby directs the Village Clerk to file the Comprehensive  
Plan Update in her office; and
3. That the Village Board hereby directs that a "Report of Final Action" pursuant to  
GML §239-m together with a copy of the Comprehensive Plan Update shall be filed with OCPD.

\_\_\_\_\_ presented the foregoing resolution which was  
seconded by \_\_\_\_\_,

The vote on the foregoing resolution was as follows:

Barry Cheney, Trustee, voting \_\_\_\_\_

Carly Foster, Trustee, voting \_\_\_\_\_

Thomas McKnight, Trustee, voting \_\_\_\_\_

William Lindberg, Trustee, voting \_\_\_\_\_

Michael Newhard, Mayor, voting \_\_\_\_\_

5. **MOTION** to authorize payment #2 to Skyward Electric Co. in the amount of \$10,973.25 for the Hilltop Pump Station Generator Installation for work that includes the balance of the contract work (less 10% retainage) as certified by Village Electrical Engineer, Matthew Blake of Blake Engineering, PLLC. Funds are appropriated in budget code F.8320.2 in the 2022-23 budget.

The vote on the foregoing **motion** was as follows:

Trustee Cheney \_\_\_\_ Trustee Foster \_\_\_\_ Trustee Lindberg \_\_\_\_

Trustee McKnight \_\_\_\_ Mayor Newhard \_\_\_\_

6. **MOTION** to authorize payment #3 to Skyward Electric Co. in the amount of \$6,997.50 for the Hilltop Pump Station Generator Installation for the release of the required 10% retainage withheld from all previous payment applications. The project is 100% complete and has been inspected and approved as certified by Village Electrical Engineer, Matthew Blake of Blake Engineering, PLLC. Funds are appropriated in budget code F.8320.2 in the 2022-23 budget.

The vote on the foregoing **motion** was as follows:

Trustee Cheney \_\_\_\_ Trustee Foster \_\_\_\_ Trustee Lindberg \_\_\_\_

Trustee McKnight \_\_\_\_ Mayor Newhard \_\_\_\_

7. **RESOLUTION REQUESTING REDUCTION IN SPEED LIMITS ON CERTAIN ROADWAYS IN THE VILLAGE OF WARWICK**

WHEREAS, the Village Board of the Village of Warwick is concerned over traffic safety on Route 94/Maple Avenue, Route 94/Oakland Avenue, and Route 17A/Galloway Road within the Village of Warwick; and

WHEREAS, in order to improve traffic safety on the said roadways the Village Board proposes that the following changes should be made in regard to the said roadways:

- Route 94/Maple Ave. - Replace the passing lines with solid double yellow lines that do not allow for passing
- Route 94/Maple Ave. – Reduce the speed limit from 35 mph to 30 mph
- Route 94/Main Street - Reduce the speed limit from 30 mph to 25 mph
- Route 94/Oakland Ave. – Reduce the speed limit from 35 mph to 30 mph
- Route 17A/Galloway Road - Reduce the speed limit from 30 mph to 25 mph; and

WHEREAS, the said roadways are under the jurisdiction of the New York State Department of Transportation ("DOT") and, therefore, in order for the said changes to be made it is necessary to obtain approval from the DOT;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Village Board of the Village of Warwick does hereby request that the Orange County Department of Transportation and the DOT approve and allow the aforementioned changes to be made to the said roadways in the Village of Warwick; and

2. That the Mayor is authorized to prepare and sign such documents as are necessary to request that the said changes be made.

\_\_\_\_\_ presented the foregoing resolution which was seconded by \_\_\_\_\_,

The vote on the foregoing resolution was as follows:

Barry Cheney, Trustee, voting \_\_\_\_\_

Carly Foster, Trustee, voting \_\_\_\_\_

Thomas McKnight, Trustee, voting \_\_\_\_\_

William Lindberg,, Trustee, voting \_\_\_\_\_

Michael Newhard, Mayor, voting \_\_\_\_\_

8. **MOTION** to close Railroad Avenue for the benefit of the Village of Warwick Apple Eve Event on Saturday, December 31, 2022, from 9:00 p.m. to Sunday, January 1, 2023, at 12:30 a.m. Village of Warwick DPW to place 'No Parking' bags on the meters beginning at 7:00 p.m.

The vote on the foregoing **motion** was as follows:

Trustee Cheney \_\_\_\_ Trustee Foster \_\_\_\_ Trustee Lindberg \_\_\_\_

Trustee McKnight \_\_\_\_ Mayor Newhard \_\_\_\_

### **Trustee Foster's Motions**

9. **MOTION** to grant permission to the Albert Wisner Public Library to use the east side of Stanley-Deming Park to hold the Children's Book Festival on Saturday, October 7, 2023, from 11:00 a.m. to 4:00 p.m. as per their letter dated November 17, 2022. Permission to include: three (3) food trucks to be parked on the grass between the creek and the handball courts on the west side of the park; additional 6-8 garbage cans placed near the food trucks and festival tents; a 3' x 14' banner to be hung on the fence to the right of the

main entrance of Stanley-Deming Park facing the intersection of South Street and Parkway, from Sunday, September 24, 2023 through Saturday, October 7, 2023; Festival tents to be set up beginning at 9:00 a.m. on Friday, October 6, 2023 and removed by 12:00 p.m. Sunday, October 8, 2023; use of Stanley-Deming restrooms; Uncle Brothers Band to perform a children's concert under the bandstand from 12 p.m. to 1:30 p.m. during the event; in coordination with DPW Supervisor, Mike Moser, use of designated parking in the large section of the grass behind the basketball courts and additional temporary accessible parking spaces designated by the Village on Parkway, close to the entrances of Stanley-Deming Park. Approval contingent upon providing the Village of Warwick with certificates of insurance naming the Village as an additional insured from all food truck vendors at least 30 days prior to the event and obtaining permission of the Warwick Valley Central School District to use the Park Avenue School for parking and providing such documentation 60 days prior to the event. Completed facility use permit, proof of insurance, and security deposit have been received.

The vote on the foregoing **motion** was as follows:

Trustee Cheney \_\_\_\_ Trustee Foster \_\_\_\_ Trustee Lindberg \_\_\_\_

Trustee McKnight \_\_\_\_ Mayor Newhard \_\_\_\_

#### **Trustee Lindberg's Motions**

10. **MOTION** to conduct a Special Village Election to fill an unexpired term due to a vacancy at the Goodwill Hook & Ladder Company, 25 Church Street Extension, on Tuesday, March 21, 2023. The polls will be open from 9:00 a.m. to 9:00 p.m.

The vote on the foregoing **motion** was as follows:

Trustee Cheney \_\_\_\_ Trustee Foster \_\_\_\_ Trustee Lindberg \_\_\_\_

Trustee McKnight \_\_\_\_ Mayor Newhard \_\_\_\_

11. **MOTION** to hire Savanna DeLucia as part of the FY 2022-23 special event staff at a rate of \$15.00 per hour for the Christmas Eve Sing-along and Easter Egg Hunt per the recommendation of Village of Warwick Recreation Director, Ron Introini.

The vote on the foregoing **motion** was as follows:

Trustee Cheney \_\_\_\_ Trustee Foster \_\_\_\_ Trustee Lindberg \_\_\_\_

Trustee McKnight \_\_\_\_ Mayor Newhard \_\_\_\_

12. **MOTION** to hire Sara Sullivan to the position of Part-Time Court Clerk at a rate of \$20.00 per hour with a start date of December 27, 2022, per the recommendation of

Village Justice, Jeanine Garritano Wadeson and confirmation of pre-approval from Orange County Civil Service.

The vote on the foregoing **motion** was as follows:

Trustee Cheney \_\_\_\_ Trustee Foster \_\_\_\_ Trustee Lindberg \_\_\_\_

Trustee McKnight \_\_\_\_ Mayor Newhard \_\_\_\_

## **Reports**

**Trustee Cheney's Report:** Liaison to Public Works Operations, Engineering and Infrastructure Projects, Veterans, Code Enforcement / Building Department, Transportation & Mobility, Emergency Services. Alternate liaison to Economic Development.

**Trustee Foster's Report:** Liaison to Office of the Treasurer, Parks & Recreation, Economic Development & Tourism, Public Health, Warwick Valley Schools, Youth / WYDO / Warwick Valley Community Center, Warwick Valley Prevention Coalition. Alternate liaison to Planning & Zoning / AHDRB / OC Planning, Engineering & Infrastructure Projects, Veterans, Emergency Services.

**Trustee Lindberg's Report:** Liaison to Office of the Clerk, Government Efficiency / Policy Development, Safety Committee, Historical Society, Public Interface and Outreach, Senior Citizens, Ethics, Environmental. Alternate liaison to Parks & Recreation.

**Trustee McKnight's Report:** Liaison to Planning & Zoning / AHDRB / OC Planning, Citizens Awareness Panel/Jones Chemical, Albert Wisner Library, Town of Warwick Police Department, Technology Oversight / Cybersecurity, Shade Tree Commission. Alternate liaison to Public Works Operations, Code Enforcement / Building Department, Transportation & Mobility, Environmental.

## **Mayor Newhard's Report**

## **Final Comments from the Floor**

## **Final Comments from the Board**

## **Executive Session, if applicable**

## **Adjournment**

77 Main Street  
Post Office Box 369  
Warwick, NY 10990  
www.villageofwarwick.org



(845) 986-2031  
FAX (845) 986-6884  
mayor@villageofwarwick.org  
clerk@villageofwarwick.org

## VILLAGE OF WARWICK

INCORPORATED 1867

### **NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE that the Village Board of the Village of Warwick will hold a public hearing on the 19<sup>th</sup> day of December, 2022, at 7:30 o'clock p.m., at Village Hall, 77 Main Street, Warwick, New York 10990 on a proposed local law entitled: "A local law to amend the Village Code by revising the Table of Uses in the Zoning Code to add 'residential apartments above commercial space' as a permitted use in the Light Industrial ('LI') District conditional upon Planning Board approval."

The purpose of this Local Law is to promote the public health, safety and welfare by amending Chapter 145 of the Village Code entitled "Zoning" to more fully conform to the provisions and tenets of the Village's Comprehensive Plan by allowing residential apartments over commercial space in LI zoning districts.

A copy of the proposed local law is on file in the office of the Village Clerk and available for inspection by interested persons during Village Clerk's business hours. The proposed local law has also been posted on the Village's website <https://villageofwarwick.org/>.

The Village Board will at the above date, time and place hear all persons interested in the subject matter hereof. Persons may appear in person or by agent. All written communications addressed to the Village Board must be received by the Village Board at or prior to the public hearing.

BY ORDER OF THE VILLAGE BOARD  
VILLAGE OF WARWICK  
RAINA ABRAMSON  
VILLAGE CLERK

Dated: November 22, 2022

**VILLAGE OF WARWICK  
LOCAL LAW NO. 1 OF THE YEAR 2023**

A local law to amend the Village Code by revising the Table of Uses in the Zoning Code to add "residential apartments above commercial space" as a permitted use in the Light Industrial ("LI") District conditional upon Planning Board approval

Section 1. Legislative Intent:

The purpose of this local law is to promote the public health, safety and welfare by amending the Village Code to add "residential apartments above commercial space" as a permitted use in the Light Industrial ("LI") District conditional upon Planning Board approval on the Table of Uses in the Zoning Code.

Section 2. Municipal Home Rule Law:

This law is adopted pursuant to Municipal Home Rule Law § 10(1)(ii)(a)(1) which grants local governments the authority to enact local laws regarding the public health, safety and welfare. To the extent the provisions of this Local Law are in conflict with State law, the Village Board hereby asserts its intention to supersede same pursuant to the Municipal Home Rule Law.

Section 3. Amendment Of Village Code:

The Table of Use Requirements as set forth in Chapter 145 of Village of Warwick Village Code is hereby amended to add "Residential Apartments Above Commercial Space" under the "Mixed Uses" heading which use shall be listed in the Table as a use permitted in Light Industrial ("LI") Districts conditionally upon approval by the Planning Board ("C\*") and within Use Group "j".

Section 3. Severability:

If any part or provision of this local law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this local law or the application thereof to other persons or circumstances, and the Village Board of the Village of Warwick hereby declares that it would have passed this local law or the remainder thereof had such invalid application or invalid provision been apparent.

Section 4. Effective Date:

This Local Law shall become effective upon filing with the Secretary of State of the State of New York subsequent to having been duly adopted by the Village Board.

# Short Environmental Assessment Form

## Part 1 - Project Information

### Instructions for Completing

**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 - Project and Sponsor Information</b>							
<b>Name of Action or Project:</b> Amendment of Village Code to allow apartments over commercial space in Light Industrial ("LI") Zoning Districts							
<b>Project Location (describe, and attach a location map):</b> LI Zoning Districts in the Village of Warwick							
<b>Brief Description of Proposed Action:</b> The proposed action is to adopt a Local Law amending the Table of Use Regulations in Village's Zoning Code to allow apartments over commercial space as a use permitted in Light Industrial ("LI") Zoning Districts subject to the Planning Board's approval of a site plan..							
<b>Name of Applicant or Sponsor:</b> Village Board of the Village of Warwick		<b>Telephone:</b> 845.986.2031 <b>E-Mail:</b> mayor@villageofwarwick.org					
<b>Address:</b> 77 Main Street							
<b>City/PO:</b> PO Box 369, Warwick		<b>State:</b> New York	<b>Zip Code:</b> 10990				
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; text-align: center;"> <tr> <th style="padding: 2px;">NO</th> <th style="padding: 2px;">YES</th> </tr> <tr> <td style="padding: 5px;"><input type="checkbox"/></td> <td style="padding: 5px;"><input checked="" type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<input checked="" type="checkbox"/>						
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			<table border="1" style="width: 100%; text-align: center;"> <tr> <th style="padding: 2px;">NO</th> <th style="padding: 2px;">YES</th> </tr> <tr> <td style="padding: 5px;"><input type="checkbox"/></td> <td style="padding: 5px;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<input type="checkbox"/>						
3.a. Total acreage of the site of the proposed action? _____ acres b. Total acreage to be physically disturbed? _____ acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres							
4. Check all land uses that occur on, adjoining and near the proposed action. <div style="display: flex; flex-wrap: wrap;"> <div style="width: 50%;"><input type="checkbox"/> Urban</div> <div style="width: 50%;"><input type="checkbox"/> Rural (non-agriculture)</div> <div style="width: 50%;"><input type="checkbox"/> Industrial</div> <div style="width: 50%;"><input type="checkbox"/> Commercial</div> <div style="width: 50%;"><input type="checkbox"/> Residential (suburban)</div> <div style="width: 50%;"><input type="checkbox"/> Forest</div> <div style="width: 50%;"><input type="checkbox"/> Agriculture</div> <div style="width: 50%;"><input type="checkbox"/> Aquatic</div> <div style="width: 50%;"><input type="checkbox"/> Other (specify): _____</div> <div style="width: 50%;"><input type="checkbox"/> Parkland</div> </div>							

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO <input type="checkbox"/>	YES <input type="checkbox"/>	N/A <input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?  If No, describe method for providing potable water: _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?  If No, describe method for providing wastewater treatment: _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<input type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ _____	<input type="checkbox"/> NO <input type="checkbox"/> YES		

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____ _____	NO  <input type="checkbox"/>	YES  <input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____ _____	NO  <input type="checkbox"/>	YES  <input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____ _____	NO  <input type="checkbox"/>	YES  <input type="checkbox"/>
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b> Applicant/sponsor name: Village Board of the Village of Warwick Signature: <u>Michael J. Runkel</u>		
		Date: November 21, 2022

### **Narrative Description Of The Intent Of The Proposed Action**

The Table of Use Regulations in the Village of Warwick Zoning Code currently does not permit any residential uses in the Light Industrial ("LI") District. To implement the terms and provisions of the Village's Comprehensive Plan it is proposed to allow residential apartments over commercial uses in the LI District subject to the Planning Board's approval of a site plan.



Steven M. Neuhaus  
County Executive

## Orange County Department of Planning

124 Main Street  
Goshen, NY 10924-2124  
Tel: (845) 615-3840  
Fax: (845) 291-2533

Alan J. Sorensen, AICP  
Commissioner

[www.orangecountygov.com/planning](http://www.orangecountygov.com/planning)  
[planning@orangecountygov.com](mailto:planning@orangecountygov.com)

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

**Local Referring Board:** Village of Warwick Village Board

**Applicant:** Village of Warwick Village Board

**Project Name:** Local Law No.1 of 2023

**Proposed Action:** Amending Table of Use regulations in Zoning Code to allow upper story dwellings in the Light Industrial District

**Reason for County Review:** Zoning Code Update

**Date of Full Statement:** November 22, 2022

**Referral ID #:** WRV05-22M

**Tax Map #:** Village Wide

**Local File #:** None Provided


#### Comments:

The Department has received the above referenced local law and has found no evidence that significant intermunicipal or countywide impacts would result from its approval. The proposed amendment to the zoning code supports the *Orange County Design Manual* as well as the Priority Growth Areas outlined by the county. Additionally, the zoning update would further encourage a mix of compatible uses as described in recommendation #2 of the *Village of Warwick Comprehensive Plan*.

#### County Recommendation: Approval

**Date:** November 28, 2022

**Prepared by:** Obed Varughese  
Planner

  
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](http://www.orangecountygov.com/planning).

RECEIVED

DEC 01 2022

VILLAGE OF WARWICK  
VILLAGE CLERK'S OFFICE

77 Main Street  
Post Office Box 369  
Warwick, New York 10990  
www.villageofwarwick.org



(845) 986-2031  
FAX (845) 986-6884  
mayor@villageofwarwick.org  
clerk@villageofwarwick.org

**VILLAGE OF WARWICK**  
INCORPORATED 1867

To: Village of Warwick Mayor and  
Board of Trustees

From: Village of Warwick Planning Board

**Re: Comments on Proposed Local Law #1 for 2023, allowing residential apartments above commercial space in the Light Industrial (LI) District**

The Planning Board is in support of the concept expressed in the proposed amendment to the Village Zoning Code which may lead to an increased availability of adorable housing units in Village of Warwick. It is especially appropriate in the LI zone where there is a high density of mixed use buildings.

- 1) The existing designation refers only to an “existing building” thereby excluding new construction. The Planning Board is in support of adding proposed/new construction to the designation.

This was reviewed under the criteria description of 145-20 and 145-27 in the Zoning Law.

Village of Warwick Planning Board  
Jesse Gallo, Chairman  
December 15, 2022

77 Main Street  
Post Office Box 369  
Warwick, NY 10990  
[www.villageofwarwick.org](http://www.villageofwarwick.org)



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## VILLAGE OF WARWICK

INCORPORATED 1867

### **2022 Christmas Sing-along & Apple Eve**

The Christmas Eve Sing-along will take place on Saturday, December 24, 2022, at 5:00 p.m. at the Old School Baptist Meeting House.

•

The Village of Warwick's Annual Apple Eve event will take place on Saturday, December 31, 2022, on Railroad Green beginning at 11:30 p.m., in time for the dropping of the Apple at midnight. Everyone is invited to welcome in the New Year, so bring your noisemakers, wear masks, use social distancing, and join the fun!

The apple was created by John Redman and made its debut in 2017 to welcome in the Village's Sesquicentennial year. Apple Eve has since become a beloved tradition – we hope to see you there!

STATE ENVIRONMENTAL QUALITY REVIEW  
NEGATIVE DECLARATION

NOTICE OF DETERMINATION OF NON-SIGNIFICANCE

December 19, 2022

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Village of Warwick as Lead Agency, has determined that the proposed action described below will not have a significant environmental impact and a Draft Impact Statement will not be prepared.

Name of Action: The adoption of a local law to amend the Village Code by revising the Table of Uses in the Zoning Code to add "residential apartments above commercial space" as a permitted use in the Light Industrial ("LI") District conditional upon Planning Board approval.

Action Type: Unlisted Action

Conditioned Negative Declaration: No

Description of Action: The Village of Warwick proposes to enact a local law to amend the Village Code by revising the Table of Uses in the Zoning Code to add 'residential apartments above commercial space' as a permitted use in the Light Industrial ("LI") District conditional upon Planning Board approval.

Contact Person: Michael J. Newhard, Mayor, Village of Warwick Village Hall, 77 Main Street, PO Box 369, Warwick, New York 10990. Telephone (845) 986-2031.

Location: LI Zoning Districts within the Village.

Reasons Supporting Negative Declaration:

As is more fully explained in the EAF, no potential significant adverse environmental impacts are associated with the proposed action. The action under consideration is adoption of a generic zoning amendment which is consistent with the goals and provisions of the Village's Comprehensive Plan. The zoning amendment will have no environmental impacts, and any subsequent development undertaken which was permitted by the zoning change will be subject to an independent and complete SEQRA review of its own.

Project: \_\_\_\_\_

Date: \_\_\_\_\_

## *Short Environmental Assessment Form*

### *Part 2 - Impact Assessment*

**Part 2 is to be completed by the Lead Agency.**

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project: \_\_\_\_\_

Date: \_\_\_\_\_

### **Short Environmental Assessment Form**

#### **Part 3 Determination of Significance**

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

The action under consideration is adoption of a generic zoning amendment which is consistent with the goals and provisions of the Village's Comprehensive Plan. The zoning amendment will have no environmental impacts, and subsequent development undertaken which was permitted by the zoning change will be subject to an independent and complete SEQRA review of its own.

<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.	
<input checked="" type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.	
Village of Warwick Village Board <hr/> Name of Lead Agency Michael Newhard	December 19, 2022 <hr/> Date Mayor
<hr/> Print or Type Name of Responsible Officer in Lead Agency	<hr/> Title of Responsible Officer
<hr/> Signature of Responsible Officer in Lead Agency	<hr/> Signature of Preparer (if different from Responsible Officer)

**PRINT FORM**

# VILLAGE OF WARWICK COMPREHENSIVE PLAN



December, 2022

Funded in part by a grant from the Hudson River Valley Greenway.



**Hudson River  
Valley Greenway**

# Village of Warwick Comprehensive Plan

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## Village of Warwick Comprehensive Plan

*“Village comprehensive plan” means the materials, written and/or graphic, including but not limited to maps, charts, studies, resolutions, reports and other descriptive material that identify the goals, objectives, principles, guidelines, policies, standards, devices and instruments for the immediate and long-range protection, enhancement, growth and development of the village.*

*New York Village Law, Sec. 7-722. Village Comprehensive Plan*

## I. Introduction

A Village comprehensive plan sets a direction for the future. This plan’s recommended goals and actions provide criteria to establish policies and set priorities for Village government. It replaces the Village’s previous comprehensive plan which was adopted in 2004.

But this plan, like its predecessor, goes beyond merely setting a direction for government policy. As declared in the 2004 Village Comprehensive Plan, the 2022 Comprehensive Plan “offers guidance to anyone interested in Warwick --- including residents, property owners, businesses, organizations, and prospective businesses or investors --- about our history, our current conditions, and what we prefer as our future.”

This document has four major sections. First, the introduction provides an overview of the plan’s purpose and the planning process. Second, the Plan Goals section provides an overall vision and approach and lays out the general policy goals for the Village. The Actions & Implementation section identifies the specific steps to be taken to accomplish the plan goals and puts forward a sequenced action plan to carry out these steps. The final section, Background Studies and Community Outreach documents the data analyses and community engagement processes involved in creating this plan.

### The Planning Process

The Village of Warwick Comprehensive Plan Committee has been meeting regularly since January, 2021 to update the Village’s 2004 Plan. The members of the committee are:

Mayor Michael Newhard  
Barry Cheney, Village Trustee and Comprehensive Plan Committee Chairman  
Judy Battista, Resident at Large, Community, Cultural and Mental Health Advocate  
Elizabeth Bourne, Resident at Large  
Scot Brown, Zoning Board of Appeals  
Rosemary Cooper, Albert Wisner Library  
Jack Ellis, Warwick Valley Historical Society  
Matthew Finn, Architectural and Historic Review Board  
Carly A. Foster, Community2gether/Village Trustee  
Corrine Iurato, Warwick Valley Chamber of Commerce  
Robert M. Kennedy III, Resident at Large, Town Planning Board  
Tom McKnight, Village of Warwick Planning Board/Village Trustee  
Susan Metzger, Resident at Large

## Village of Warwick Comprehensive Plan

Most committee meetings have been held via Zoom. Recordings of these sessions can be viewed at the [Village YouTube channel](#).

The consultant for the plan is Peter Fairweather of Fairweather Consulting, assisted by Alta Planning & Design, focusing on issues related to transportation, mobility and parks.

### Community Outreach

The planning process has involved ongoing public outreach and community engagement involving meetings/focus groups, an on-line community survey and analysis of demographic and economic data about the Village.

### MEETINGS/FOCUS GROUPS

The sessions held for the plan have included:

- Zoom Session on Transportation/Parking, Alta (via Zoom), June 17, 2021
- Posters Displayed in the Wisner Library for public comment, July 9 to August 31, 2021.
- Posters Displayed at the Village Sidewalk Sale for public comment, July 10-11, 2021
- Presentation & Discussion at the Chamber Mixer, July 12, 2021
- Presentation & Discussion at the Historical Society, August 10, 2021
- Focus Group for Downtown Merchants, August 10, 2021
- Presentation & Discussion with POWER via Zoom, August 12, 2021
- Posters Displayed at the Farmers Market for public comment, August 15, 2021
- Focus Group for Civic Groups (Rotary, Lions, Knights of Columbus, POWER, August 19, 2021
- Focus Group for Artists, September 15, 2021
- Focus Group for Hispanic Community, October 13, 2021

A summary of these outreach efforts can be downloaded as a PDF in the appendices or by clicking [here](#). The results of the focus group conducted by Alta Design can be viewed in the appendices or downloaded as a PDF [here](#).

### ON-LINE COMMUNITY SURVEY

In addition, a community survey was conducted on line via Survey Monkey. You can view the summary in the appendices or download the results as a PDF [here](#).

### DATA ANALYSIS

The planning process also included an analysis of demographic and economic data related to the Village. You can read the analysis in the appendices or download a summary of that analysis as a PDF [here](#).

## II. Plan Vision & Goals

The Plan Vision articulates the outcome desired upon the full implementation of the Plan. The Plan Approach describes the overall means by which the plan will be implemented. The goals provide areas of special focus for the Village in its work to realize the Plan Vision.

### The Plan Vision: The Village as an Essential Gathering Place

THE VILLAGE OF WARWICK PLAYS A UNIQUE ROLE AS A LOCATION WHERE PEOPLE GATHER FACE-TO-FACE TO PARTICIPATE IN AND CELEBRATE COMMERCE, CULTURE AND COMMUNITY LIFE.



This plan is intended to strengthen the Village as a 21<sup>st</sup> Century gathering place by fostering attractive, walkable human-scale development that provides:

- A sense of place. . .and a sense of history
- Abundant and diverse economic opportunities
- An inclusive community of economic, ethnic and social diversity
- Strong residential neighborhoods
- Celebrations of Arts, Culture and Civic Life
- Sustainability and resilience in the face of climate change
- Physical infrastructure to support and sustain Village life in an effective and affordable manner

## Village of Warwick Comprehensive Plan

For the purposes of this plan, the Village's primary role is to serve as a gathering place for face-to-face interactions involving residents, business people, tourists and visitors. Its economic, social and cultural health all depend upon the Village continuing to fill that role effectively and efficiently.

### The Approach to the Plan

This plan has been created at a time when the Village has little developable vacant land within its boundaries. In the map to the right, developable vacant parcels are colored yellow.

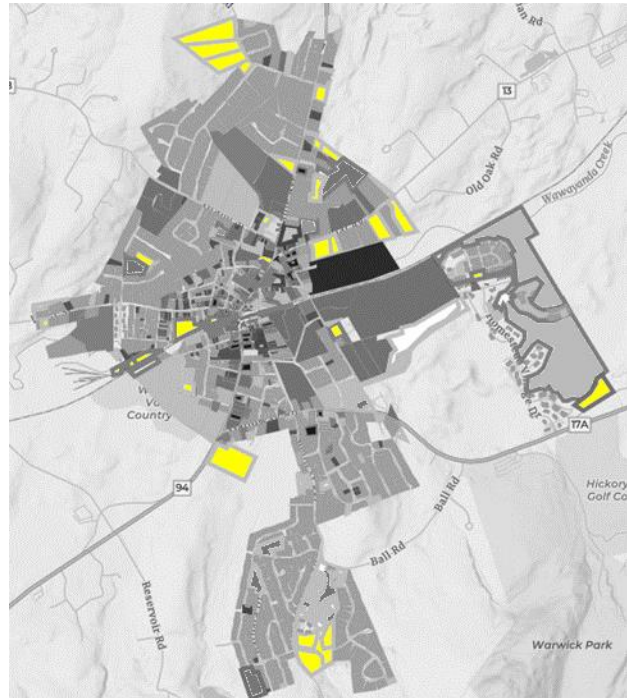
Consequently, the plan focuses on preserving and strengthening its existing assets as well as cultivating new sources of strength to enhance quality of life in the Village. In this context, in order for the Village to continue its role as a gathering place, it must address four elements of community life:

**QUALITY OF PLACE** as found in the quality of the built environment, housing and neighborhoods, parks and recreation as well as the culture of governance in the Village

**COMMERCE AND CULTURE** that support and bring meaning to daily life

**CONNECTIVITY** among residents, businesses, civic groups, partner municipalities and others as provided by transportation systems (including parking) and digital infrastructure

**ENVIRONMENTAL SUSTAINABILITY & RESILIENCE** that keeps the Village safe and affordable in the face of climate change



THE YELLOW PARCELS ARE VACANT LAND WITHIN THE VILLAGE THAT IS ABLE TO BE DEVELOPED.

## Village of Warwick Comprehensive Plan

### Plan Goals: Quality of Place

GOAL Q1: SAFEGUARD THE QUALITY OF RESIDENTIAL EXPERIENCE AND QUALITY OF LIFE IN THE VILLAGE.

Attractive design distinguishes the Village.



GOAL Q2: IMPROVE AFFORDABILITY OF HOUSING IN THE VILLAGE WHILE MAINTAINING THE QUALITY OF PLACE.

The Village plays a unique role in meeting local housing needs given the diversity of housing types it offers compared to the other two villages and the Town.



## Village of Warwick Comprehensive Plan

### GOAL Q3: CONTINUE TO INSTILL AND ENCOURAGE DIALOGUE IN THE COMMUNITY.

Village government has a distinctive culture that contributes to Warwick's quality of place. The culture is built on collaboration, inclusivity and a commitment to civic engagement. It also emphasizes maintaining a well-designed built environment in the Village and fostering entrepreneurial activity to meet local needs. The government plays an important role as convenor of the Village's civil society to foster dialogue throughout the community.



## Plan Goals: Commerce & Culture

### GOAL C&C1: ENCOURAGE REDEVELOPMENT OF VACANT AND UNDER-UTILIZED PARCELS IN THE VILLAGE.

In a built-out Village, new growth can be accommodated in vacant and under-used areas, the Forester Avenue corridor and the Light Industry district along the railroad right of way.



### GOAL C&C2: PROMOTE A BALANCE BETWEEN DIVERSIFIED RETAIL AND RESTAURANTS IN THE VILLAGE

A strong downtown requires a mix of retail, hospitality and residential uses.



## Village of Warwick Comprehensive Plan

### GOAL C&C 3: ACCOMMODATE NEW FORMS OF ECONOMIC ACTIVITIES OR ECONOMIC ACTORS THAT RE-USE EXISTING STRUCTURES.

It is important that the Village maintain a “churn” of new establishments and new types of entrepreneurs by expanding participation in the Village economy to businesses and/or individuals currently under-represented.



### GOAL C&C4: CONTINUE TO PROMOTE VILLAGE AS CENTER OF ECONOMIC, CULTURAL AND SOCIAL ACTIVITY.



The village's primary role is to serve as a gathering place for face-to-face interactions involving residents, business people, tourists and visitors. Its economic, social and cultural health all depend upon the Village continuing to fill that role effectively and efficiently.

### GOAL C&C5: SUPPORT EFFECTIVE AND EXPEDITIOUS REVIEW OF PROJECTS IN VILLAGE.

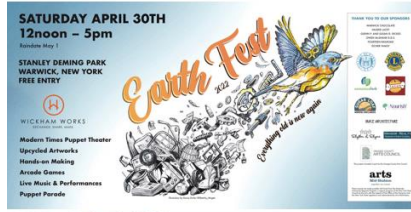
In a high-cost location like the Village, prompt decisions and community buy-in on applications keep costs down and help to attract more sophisticated developers.



## Village of Warwick Comprehensive Plan

GOAL C&C6: ENCOURAGE ARTISTS TO LIVE AND PRACTICE IN THE VILLAGE.

GOAL C&C7: FOSTER CONNECTIONS BETWEEN ARTISTS AND THEIR AUDIENCES TO PROMOTE TOURISM AND ENHANCE QUALITY OF LIFE IN THE VILLAGE



Not only do culture and arts attract visitors to the community, they are an important part of what Village residents do with their time.

## Plan Goals: Connectivity

GOAL C 1: IMPROVE THE VILLAGE'S CAPACITY TO ACCOMMODATE PARKING DEMAND.

It is recommended that before the Village moves forward with any major parking improvement project or investment, a complete study of the existing parking situation and the anticipated trends is conducted.

★ Public & Private Parking Lots near the Village Core.



## Village of Warwick Comprehensive Plan

### GOAL C2: ADOPT STREETSCAPE IMPROVEMENT STRATEGIES TO BETTER ACCOMMODATE PEDESTRIAN AND BICYCLE TRAFFIC IN THE VILLAGE.



A well-connected community will emphasize opportunities for walking and cycling for all residents and visitors as well as a well-maintained road network.

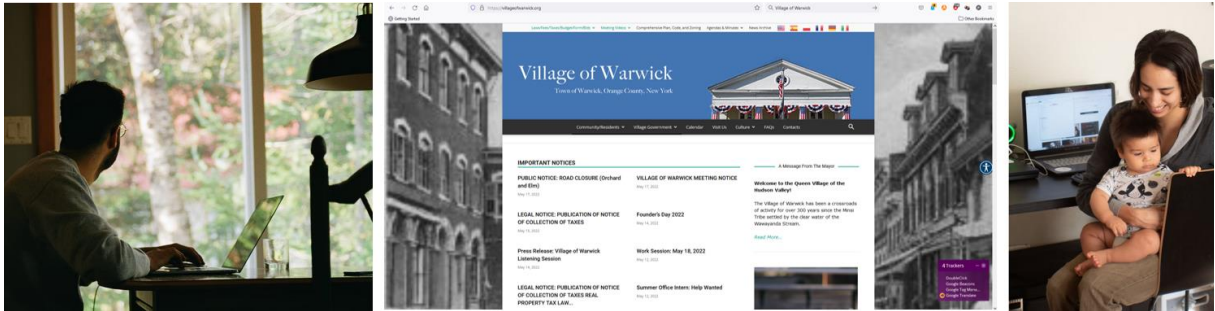
### GOAL C3: FOCUS NEW INVESTMENTS IN PARKS AND RECREATION ON IMPROVING FLEXIBLE OUTDOOR RECREATION SPACES, ACTIVE TRANSPORTATION CORRIDORS, AND TRAILS.



The current and projected trends in the use of public outdoor spaces indicate that the priority should be on flexible, unprogrammed outdoor recreation space, along with trails for a variety of uses.

## Village of Warwick Comprehensive Plan

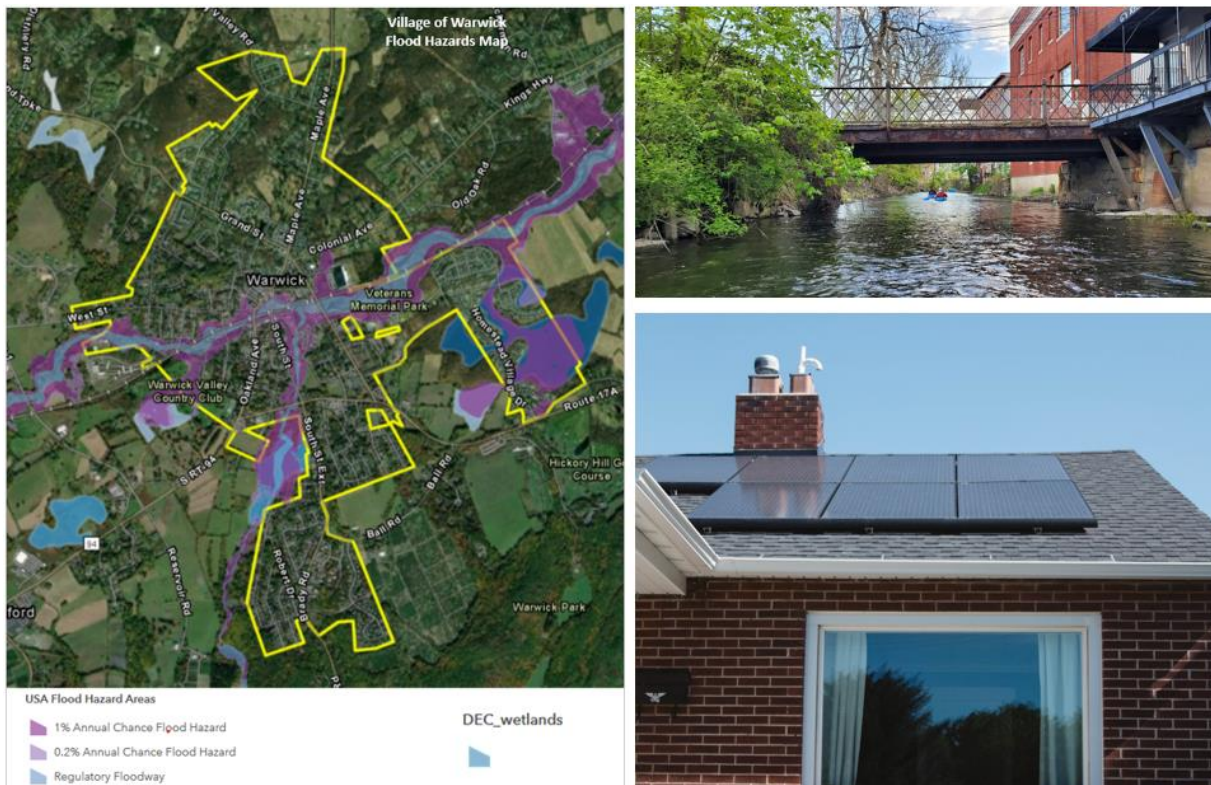
GOAL C4: ENSURE THAT AFFORDABLE BROADBAND INTERNET IS AVAILABLE THROUGHOUT THE VILLAGE.



Connectivity also extends to the digital realm, ensuring all residents and businesses have high speed access to the Internet.

## Plan Goals: Resilience & Sustainability

GOAL R1: IMPROVE ENVIRONMENTAL SUSTAINABILITY AND RESILIENCE THROUGHOUT THE VILLAGE OF WARWICK.



Environmental sustainability and resilience have become essential for the continued prosperity and quality of life in the Village of Warwick.

## Village of Warwick Comprehensive Plan

GOAL R2: ENSURE THAT VILLAGE SEWER AND WATER INFRASTRUCTURE CAN ACCOMMODATE FUTURE DEMAND WITHOUT DIMINISHING THE QUALITY OF SERVICE PROVIDED TO RESIDENTS AND BUSINESSES.



### III. Recommended Actions & Implementation

The essence of this Comprehensive Plan is its recommended actions, each created specifically to enable the Village to accomplish the various goals of the Plan. The recommended actions are listed under their corresponding goals.

#### Recommended Actions: Quality of Place

##### GOAL Q1: SAFEGUARD THE QUALITY OF RESIDENTIAL EXPERIENCE IN THE VILLAGE

**RECOMMENDED ACTION:** *Create a more comprehensive and simplified system of design standards/guidelines to manage the Village's sense of place.* The quality of a place can be largely maintained or improved by managing a limited number of factors: noise, light, greenspace, transportation access and the built form. The Village has a tradition of managing these factors effectively. However, the formal mechanisms for doing so are located in a wide variety of places in current zoning, which may make it difficult for applicants and planners to understand which tools are available and how and when they may be applied. One way to improve this situation would be to create a stand-alone section of the zoning law that addresses Village design standards. This could include using the design standards from the Traditional Neighborhood Design Overlay District as design guidelines to ensure new development in the Residential and Commercial zones is in character with the existing built environment in terms of scale, materials, etc., while maintaining a diversity of price points in Village housing. The TND design standards are a powerful tool for maintaining the residential character of neighborhoods. These standards could also be used as voluntary guideline, rather than mandatory standards for other parts of the Village.

**RECOMMENDED ACTION:** *Strengthen provisions that buffer residential areas from commercial intrusions.* Design standards in the Village's current zoning states that "residential uses proposed adjacent to a residential district or residential uses shall be reviewed with regard to the impact of the development on such district or use. The Planning Board shall encourage the use of a combination of landscaping, buffers, berms, screens, visual interruptions, and common building materials to create attractive transitions between buildings of different architectural styles and uses."<sup>1</sup> While such a flexible approach has its merits, the Village should provide greater specificity to the buffers required for commercial properties abutting residential districts, establishing specific yard setbacks and or landscaping requirements in such circumstances.

**RECOMMENDED ACTION:** *Regularly monitor the occupancy rates of the Village's subsidized senior housing and ensure that its zoning is appropriate to foster the continued occupancy and vitality of these units.*

**RECOMMENDED ACTION:** *Work with the Town to designate key parcels of open space to be incorporated into a greenbelt around the Village.* The two municipalities can both benefit by jointly

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<sup>1</sup> Village of Warwick Zoning Law, February 17, 2009, 145-91 Objectives and Design Standards, I-2, page 146,

## Village of Warwick Comprehensive Plan

identifying parcels to be included in a greenbelt that could provide scenic vistas, add recreational opportunities and/or preserve the working landscape.

**RECOMMENDED ACTION: *Incorporate considerations of public health in making decisions regarding development policies and projects in the Village.*** The configuration of the built environment of the Village can be a major asset in promoting healthy lifestyles for Village residents and visitors. To the greatest extent possible, considerations of such factors as walkability, accessibility to opportunities for exercise and other contributors to public health should be included in the Village's approach to development.

### GOAL Q2: IMPROVE AFFORDABILITY OF HOUSING IN THE VILLAGE WHILE MAINTAINING THE QUALITY OF PLACE.

**RECOMMENDED ACTION: *Adopt policies to encourage "missing middle" housing, particularly for lands annexed into the Village.*** "Missing Middle Housing (MMH) are multi-unit, house-scale buildings intended to be part of low-rise residential neighborhoods. . . . [There] are numerous examples across the U.S. where, for example, a house-scale fourplex fits in nicely with single-family detached houses . . . [because] it's the same size and footprint as a typical single-family home."<sup>2</sup> One way to achieve the "missing middle" is by adopting form-based zoning that regulates the form and appearance of housing, but provides greater flexibility in terms of density. This can reduce construction costs and help make housing more affordable, while ensuring it is consistent with community character. While adopting such an approach throughout the residential zones may make development more complex, it would allow for greater variety of housing types while reinforcing the character of the Village's built environment. This should include development of residential units on the upper floors of commercial buildings, where appropriate. A description of this approach is included in the plan appendices. This approach should also consider the potential to use annexation to create small farms (AKA farmettes) in the Village as an option for housing, as well as encouraging co-housing developments that include shared garden spaces for residents.

**RECOMMENDED ACTION: *Review Village Zoning to ensure it can accommodate new forms of home-based businesses and remote work opportunities.*** The Covid-19 pandemic dramatically increased opportunities for remote work and home-based businesses. The trend has been strengthened by the continuing evolution of digital technologies to promote remote working and gig-based employment. The Village's current provisions for such activities should be reviewed to ensure they maximize the opportunities for residents while ensuring they do not negatively impact the quality of the residential experience.

**RECOMMENDED ACTION: *Regulate short-term rentals in the Village.*** The Village's regulatory efforts should seek to balance the financial benefits that short-term rental platforms such as Air BnB can provide homeowners who rent rooms in their residence against the potential for such rentals to degrade the quality of residential life in the Village and/or limit the availability of housing for purchase and/or long-term occupancy.

**RECOMMENDED ACTION: *Continue to minimize the tax burden on residential properties to improve the affordability of housing in the Village.*** The Village should continue to seek way to reduce taxes through

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<sup>2</sup> <https://missingmiddlehousing.com/about/how-to-enable>

## Village of Warwick Comprehensive Plan

any economies available through intermunicipal shared services, special funding opportunities, development of tax ratables and other efforts.

**RECOMMENDED ACTION: Complete the Certified Local Government Program for the Village.** The State Historic Preservation Office (SHPO) administers this program which, according to its website enables qualified local governments to have access to

- Ongoing, focused support from your SHPO;
- Technical preservation assistance and legal advice;
- Direct involvement in SHPO programs, such as identifying properties that may be eligible for listing in the State and National Registers of Historic Places;
- Training opportunities that increase the ability of communities to protect their historic resources and integrate them into short- and long-term planning initiatives;
- Grants designated exclusively for CLG projects; and
- Membership in statewide and national CLG networks.<sup>3</sup>

Participation in this process would position the Village to pass a local landmarks preservation law enhancing the Village's ability to protect local landmarks of historic or architectural significance.

### GOAL Q3: CONTINUE TO INSTILL AND ENCOURAGE DIALOGUE IN THE COMMUNITY.

**RECOMMENDED ACTION: Establish regular joint meetings involving the Village Board, the Architectural Review Board, the Planning Board and Zoning Board of Appeals.** These should occur at least two times per year to establish regular dialogue on key issues and projects facing the Village. For major projects It may be desirable to create a task force of the various boards so that the review for the project can take place in a coordinated fashion.

**RECOMMENDED ACTION: Village will serve as the regular convener of an annual meeting of community civic groups to coordinate setting an annual calendar for the use of shared Village resources.** This meeting should also include arts organizations and recreation leagues.

**RECOMMENDED ACTION: The village should develop a mechanism to foster regular outreach to underrepresented communities in the Village.** This is intended to enable Village government to maintain awareness of what perspectives are under-represented and issues facing those communities. At the time of this plan's development, such communities include, among others, members of the BiPoC (Black, Indigenous, and People of Color) community (which includes, among others, Black, Latinos, Asian-Americans) and LGBTQ (which includes, among others, Lesbian, Gay, Bisexual, Transgender, Queer/Questioning, Intersex, and Asexual.) and, in turn, to make members of those groups aware of opportunities to serve on Village committees and boards. The mechanism used could be a committee or other approach to best reflect the diversity of Warwick's under-represented communities. Such an approach could include:

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<sup>3</sup> <https://parks.ny.gov/shpo/certified-local-governments/>

## Village of Warwick Comprehensive Plan

- Creating a social justice initiative that is ongoing and committed to a new way of representing and doing business to overcome racism and design a community where Equity is available for everyone.
- Developing a policy for public engagement for Warwick that not only acknowledges issues, social outrage, but develops guiding principles with strategies for inclusivity, and offer solutions.
- Developing subcommittees that work in a welcoming atmosphere to increase accessibility to opportunity as well as a strategy to evaluate Process.
- Developing, supporting, and appointing liaison(s) within a representative group or business to have voices heard that are not normally heard, or included in the process.

**RECOMMENDED ACTION: Encourage regular forums for Village neighborhoods.** These sessions—whether in-person or on-line—would provide a venue to ensure greater awareness of issues and opportunities in the neighborhoods on the part of the residents and local officials.

## Recommended Actions: Commerce and Culture

### GOAL C&C 1: ENCOURAGE REDEVELOPMENT OF VACANT AND UNDER-UTILIZED PARCELS IN THE VILLAGE.

**RECOMMENDED ACTION: Evaluate adding upper floor apartments as a use in Light Industry district.** Under new economic conditions, the uses attracted to the Light Industry district are most likely to be services and retail. Increasingly, these uses are developed as part of mixed-use developments, with the primary use on the first floor and residential or office uses on the upper floors and this should be encouraged. In the aftermath of the COVID pandemic, the demand for office space may remain limited as remote work practices are more widely adopted. Consequently, in order to facilitate mixed-use development in the Light Industry district, it may be helpful to add 2<sup>nd</sup> and 3<sup>rd</sup> floor residential uses to that district. Adding second floor residential uses to the district may also provide additional opportunities to create new options for housing in the Village.

**RECOMMENDED ACTION: Encourage redevelopment of vacant second floors in commercial properties.** The Village should explore options from incentives using such tools as tax credits to taxes on vacant undeveloped commercial properties to spur their development.

**RECOMMENDED ACTION: As part of a comprehensive parking study, identify underused parking lots that could be developed for commercial and/or mixed uses.** Observations suggest that the parking lots for such businesses as Webster Bank, Chase Bank are currently underused. The Kuiken lot may also have potential for at least partial redevelopment. The Transportation section of the plan recommends a detailed parking study for the Village. Part of this study could determine if currently under-used private parking lots are needed to accommodate parking demand or if they are in fact available for redevelopment.

**RECOMMENDED ACTION: Develop local policies for boutique lodging.** As the hospitality industry is evolving, new types of lodging are being developed, ranging from boutique hotels to glamping establishments. Consequently, the Village policy should seek to accommodate such development while shaping it in a manner that preserves or enhances property values and maintain the unique character of the Village.

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For example, the Village could create a Boutique Lodging Floating Zone to assist in the siting of such facilities in the Village. Similar to the Village's Planned Adult Community Floating Zone, a Boutique Lodging Floating Zone would permit the Village to evaluate the need and demand for boutique lodging, address specific aspects of the proposed lodging, relate the type, design and layout of it to a particular site and control the impacts that such a development may have on the surrounding community. To avoid impacting residential areas, the floating zone could be limited to the Light Industry and Central Business zones.

In any case, the approach adopted by the Village should encourage innovative developments that enable the Village to capture the economic benefits of tourism in a manner consistent with the existing character of the Village's built environment.

**GOAL C&C2: PROMOTE A BALANCE BETWEEN DIVERSIFIED RETAIL AND RESTAURANTS IN THE VILLAGE TO MEET BASIC NEEDS OF RESIDENTS.**

**RECOMMENDED ACTION: *Ensure start-up retailers have access to smaller footprint spaces.*** This can include:

- smaller storefronts on secondary and tertiary streets in commercial zones
- creation of a new multi-use facility that could include an indoor market space with small stalls for retailers as well as pop-ups. This could be encouraged by the Village pre-approving a location for such a use through a Generic Environmental Impact Statement or similar means.

**RECOMMENDED ACTION: *Accommodate innovative mixes of retail, dining and other uses.*** In order to compete with on-line shopping, retail establishments have begun to combine their establishments with other uses, such as dining, drinking and entertainment. In order to maintain a strong retail sector, the Village should encourage such innovative mixing of uses (e.g., residences) with retail, particularly if such mixes allow the presence of retail operations providing groceries and other daily staples to Village shoppers.

**GOAL C&C3: ACCOMMODATE NEW FORMS OF ECONOMIC ACTIVITIES OR ECONOMIC ACTORS THAT RE-USE EXISTING STRUCTURES.**

**RECOMMENDED ACTION: *Encourage/incentivize merchant ownership of buildings.*** In the focus group held for merchants for this plan, it was pointed out that merchants are much more likely to succeed and remain in the Village if they are able to own their own building. The Village should seek to create incentives for merchants to own their own buildings in the downtown through such policies as:

- A partial exemption of property taxes for 10 years or less under Section 485-b of the New York State Real Property Tax Law for properties experiencing improvements of \$10,000 or more.
- Establish a revolving loan fund for such purpose. This can be created by the Village in partnerships with commercial lenders and government agencies. Public sources for capitalizing a revolving loan fund include the United States Department of Agriculture (via the Rural Economic and Community Development Administration), Housing and Urban Development (via Community

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Development Block Grants), and the Department of Commerce (via the Economic Development Administration).

- Other appropriate incentives can be created by using such sources as historic preservation tax credits, a SBA 504 loan for the purchase or construction of existing buildings or land, new facilities or long-term machinery and equipment (<https://www.sba.gov/funding-programs/loans/504-loans>)

***RECOMMENDED ACTION: Encourage initiatives that broaden participation in the Village economy.***

During the focus group for Latino communities in the Village, it was pointed out that there are entrepreneurs and small business people in those communities who need various forms of assistance ranging from translation of legal documents to basic business assistance to small business financing. The Village should ensure that, to the greatest extent possible, those looking to operate businesses in the Village have ready access to such services. In addition, the Village should encourage the Chamber of Commerce to hold sessions for Village merchants and commercial property owners on various types of technical and financial assistance available to them.

***RECOMMENDED ACTION: Ensure that home offices for remote workers and home-based businesses are adequately accommodated in Village zoning.***

The COVID pandemic has seen a rise in remote work and working at home, particularly as people relocate to smaller towns such as Warwick. This trend is likely to continue. The Village should review its current provisions for home offices to ensure that these new trends can be accommodated with minimal disruption of residential areas.

### GOAL C&C4: CONTINUE TO PROMOTE VILLAGE AS CENTER OF ECONOMIC, CULTURAL AND SOCIAL ACTIVITY.

***RECOMMENDED ACTION: Promote better use of outdoor spaces and rights of way for dining, the arts and other social, cultural activities.***

The Village's response to the Covid involved creative ways to encourage retail, hospitality and arts-related businesses through eased restrictions on the use of outdoors space and rights of way. Beyond the end of pandemic, the Village should continue use this approach to foster even greater economic activity in the Village by taking advantage of outdoor spaces including rooftop dining.

***RECOMMENDED ACTION: Explore the possibility for a Visitors/Welcome Center.*** Tourism is central to the Village's economy. Creating a visitors/welcome center can improve the attractiveness of the Village for visitors by improving their experience and directing them to facilities such as parking, restrooms, etc. To assist with its staffing, facility could also house the Chamber of Commerce offices.

***RECOMMENDED ACTION: Promote opportunities in the Village to connect artists with their audiences.***

This can include fostering the creation of cooperative gallery space, venues for performances, live-work spaces for artists and pop-up spaces for artists included in events ranging from the Farmers Market to community festivals. Partners in this effort can include the Library and Historic Society.

***RECOMMENDED ACTION: Consider the creation of a Business Improvement District (BID).*** Improving resident and visitor experience of the Village is essential for its economic success. A BID is a special district within which commercial property owners enable the Village to impose an assessment on their properties

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with the resulting revenues dedicated to support such improvements as wayfinding signage, marketing campaigns, etc.

**RECOMMENDED ACTION: Regularly review the Village annexation policy.** The annexation policy helps build the village's residential base and provides tax revenues that can support enhancements for the downtown. It should be reviewed every few years to assure that its terms, conditions and associated revenues remain a viable means to achieve these ends.

**RECOMMENDED ACTION: Promote the creation of facilities for year-round programming to support cultural celebrations, local food systems, etc.** The Village, through zoning and other regulations and actions should encourage the creation of a facility (or redevelopment of an existing structure) that could serve as a "four season" site for a farmers' market, makers' market, cultural programming, etc. While a private facility would be the preferred solution, the Village may want to participate in appropriate public-private partnerships to foster the development of this type of structure.

### GOAL C&C5: SUPPORT EFFECTIVE AND EXPEDITIOUS REVIEW OF PROJECTS IN VILLAGE.

**RECOMMENDED ACTION: The Planning Board, Architecture Review Board and others involved in project review will maintain clear public communications to set expectations as early as possible regarding projects coming before them** (e.g., is it an as-of-right-use according to the zoning, whether variances be required, criteria used to issue variances, special use permits, etc.). This will support focused and productive public engagement.

**RECOMMENDED ACTION: During the annual summit of boards, focus a portion of the agenda on a review of economic development goals and activities.** The annual summit, as described in the "Quality of Place" recommendations, will provide an opportunity for the boards involved in project review to ensure their work is both well-coordinated and is effectively addressing the economic development priorities in the Comprehensive plan.

### GOAL C&C6: ENCOURAGE ARTISTS TO LIVE AND PRACTICE IN THE VILLAGE.

**RECOMMENDED ACTION: Encourage Opportunities for Live/work spaces for artists and artisans.** Approaches to be considered for this objective include including artist live/work spaces as a use in the commercial and light industry zones, creating a registry of practicing artists who would be allowed to have gallery space in their homes as long as their registration was current, and targeting financial incentives for artists to occupy and improve dwellings as live/work spaces.

**RECOMMENDED ACTION: Promote public art in the Village.** Many communities support local artists by finding ways to fund the creation of public art (e.g., statues, murals, etc.). Possible approaches include a "percent for public art" program in which a certain percent of the budget for capital improvement projects is set aside specifically for public art, or matching funding programs where the municipality devotes a certain amount to public art, provided it can be matched by private contributions. Other approaches involve setting aside a portion of tax revenues and/or fees (e.g., real estate transfer) to fund public art and/or dedicating public or private spaces (e.g., walls, courtyards, etc.) to host works of art.

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**RECOMMENDED ACTION:** *Promote affordable indoor venues for concerts, exhibits and other arts-related events.* This can involve several approaches. Village zoning could be reviewed to see if there are opportunities for adding performance venues to permitted uses in existing zones, or creating an overlay zone in which those uses could be permitted. The Village could also use section 485-b of NYS real property tax law to establish reductions in property tax liability for purpose of commercial, business or industrial activity, in this case performance space.

GOAL C&C7: FOSTER CONNECTIONS BETWEEN ARTISTS AND THEIR AUDIENCES TO PROMOTE TOURISM AND ENHANCE QUALITY OF LIFE IN THE VILLAGE.

**RECOMMENDED ACTION:** *Continue to foster collaboration on annual/seasonal arts calendar.* Warwick has a number of organizations involved in arts related events, including Wickham Works, the Warwick Art League, Historical Society, etc. These groups should be encouraged to collaborate on an annual or seasonal arts calendar to improve coordination of the staging of these events and to encourage visitors and residents to attend these events.

**RECOMMENDED ACTION:** *Encourage regular arts events to build audience for the arts in the Village.* Many communities have built tourism traffic and arts audience through scheduled arts events such as arts walks, studio tours, etc. held on a regular basis (e.g., monthly) throughout the year. This could be accomplished through an annual arts calendar, leveraging existing events (e.g., the Farmers Market and Arts on the Green) to create a full program.

**RECOMMENDED ACTION:** *Encourage the use of pop-up performance/exhibit spaces.* During the Covid pandemic, the Village discovered the value of making better use of outdoor spaces to encourage dining and shopping. As these efforts continue, they should, to the greatest extent possible, formally incorporate arts exhibitions and performances as additional “pop up” uses.

## Recommended Actions: Connectivity

GOAL C1: IMPROVE THE VILLAGE’S CAPACITY TO ACCOMMODATE PARKING DEMAND.

**RECOMMENDED ACTION:** *Undertake a Comprehensive Parking Study.* It is recommended that before the Village moves forward with any major parking improvement project or investment, a complete study of the existing parking capacity and demand along with anticipated trends is conducted in order to make the best decision regarding this expense. This should include an analysis of existing parking demand during several peak times, an inventory of available parking, and an estimate of potential future demand, including potential demand from second story apartments in the downtown. In previous planning studies, parking garages have been a recommended solution. A complete dedicated detailed parking study is recommended for the Village prior to considering the construction of a garage and that any recommendation for a parking garage is made cautiously since recent trends and the future expectation is for decreased use of parking garages as more active transportation and shared mobility become viable options.

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### **RECOMMENDED ACTION:**

#### ***Improve Wayfinding in the Village.***

It has been noted that there are often empty parking spaces located in free public lots. This may be because visitors and even residents of Warwick are often unaware of these parking facilities. Improving the wayfinding within the Village to better orient people to parking

facilities, as well as other major destinations would be a significant benefit to improving the parking situation. As an example, the CVS lot is available for free public parking, but it is only marked by undersized, faded, low contrast signs.

Examples of Wayfinding Signage, Montpelier, VT



**RECOMMENDED ACTION:** *Undertake a transit study—in cooperation with the Town and County Transportation Planning Agency—to consider regularly scheduled shuttle service along with parking shuttles for visitors/events.* This study could identify potential new shuttle routes to alleviate the need for autos and parking in the Village and Town. As part of this effort, and in lieu of a large, permanent parking structure, a shared shuttle system could be implemented for busy weekends or events. This system could utilize an existing parking facility, or facilities, such as the Park and Ride at the Warwick County Park. A simple shuttle system could provide rides to the Village center or other event spaces. The Village may choose to impose a fee to use the shuttle by charging to park in the designated parking lot or they (the Village) can provide the service free of charge. Alternatively, they can charge an event permit fee or require the event holder to provide a shuttle if it is a private event not held by the Village.

**RECOMMENDED ACTION:** *Use Small surface lots to address parking shortfalls.* Based on public input/surveys, it appears that parking for residents is not adequate when there are large numbers of visitors for events or busy weekends. There are currently two designated parking lots where residents can pay an annual fee to park without restricted dates and times located at the Chase Bank Lot and First Street lot. Additional residential permit lots scattered throughout the residential neighborhoods could relieve some of this parking pressure, ensuring more parking for residents. Additionally, partnerships between private lot owners (such as churches) and the Village can be established for public use of specific lots during closed business hours. Allowing the public to use lots at specific times may help alleviate parking stress during hi-peak hours in the Village. It may be beneficial for the Village to purchase spaces in lots, such as the Chase Bank lot, to secure the spaces for long-term use.

## GOAL C2: ADOPT STREETSCAPE IMPROVEMENT STRATEGIES TO BETTER ACCOMMODATE PEDESTRIAN AND BICYCLE TRAFFIC IN THE VILLAGE.

[Note: Many of the recommended actions below refer to the Connectivity Map found on page 22.]

**RECOMMENDED ACTION:** *Employ techniques to facilitate streetscape improvements* that incorporate traffic calming elements and bicycle and pedestrian use, such as:

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1. Mixed traffic facilities appropriate for roads with low volumes of traffic operating at low speeds
2. Visually separated facilities suited for roads with low volumes of traffic operating at speeds between 25-35 mph (in cooperation with the NYS Department of Transportation on state roads in the Village)
3. Physically separated facilities recommended along roads with higher volumes of traffic and posted speed limits.

See the appendix for the full recommendations from Alta Design on this topic.

***RECOMMENDED ACTION: Adopt Additional Traffic Calming Elements to better integrate pedestrian and bicycle traffic in the Village.*** In addition to the streetscape improvements listed above, there are additional traffic calming elements that can be included when designing a safer road for multiple users.

- Midblock Crosswalks
- Pedestrian Safety Islands / Raised Medians
- Narrowing Traffic Lanes
- Speed Humps / Speed Tables
- Bulbs / Curb Bump Outs

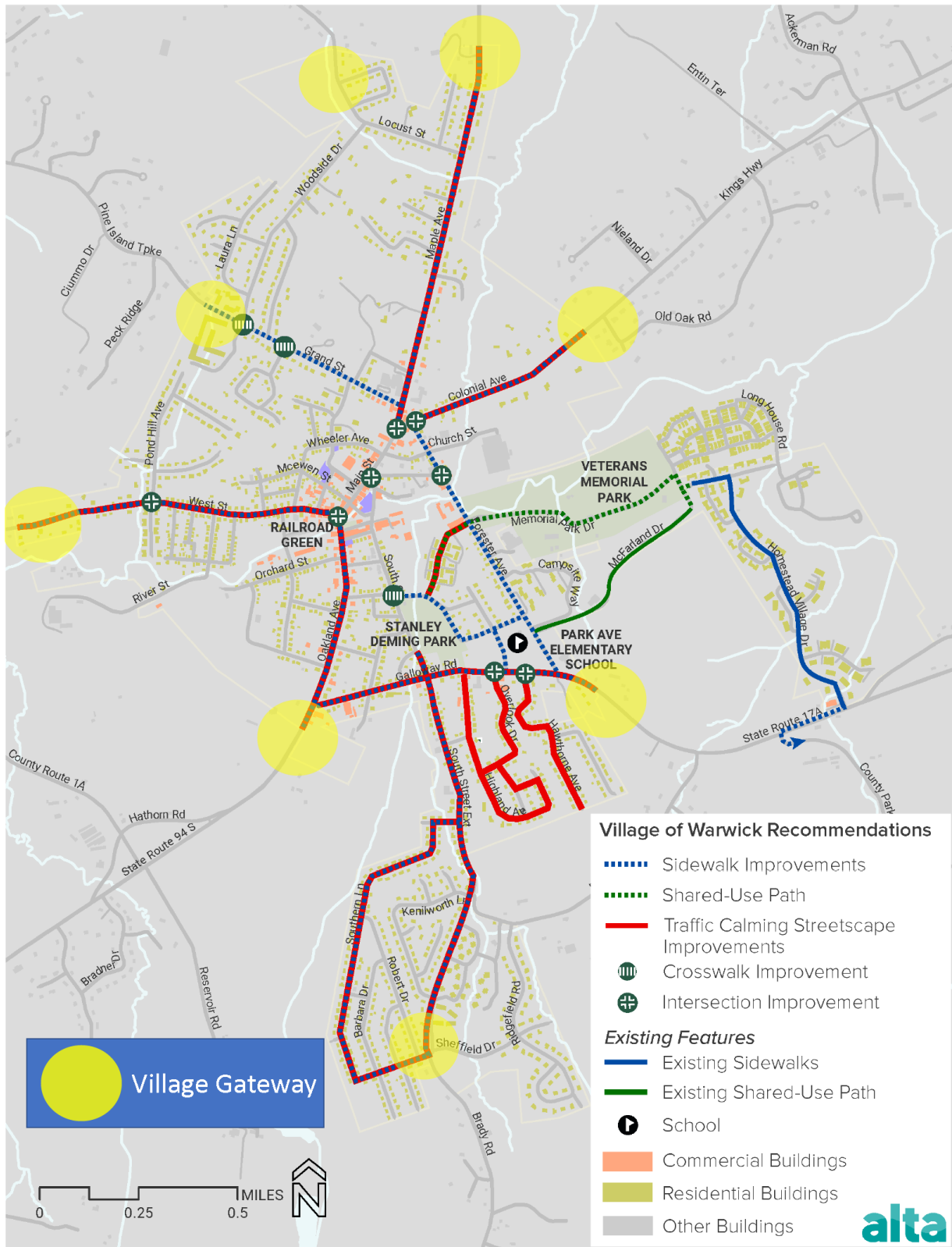
This could be an appropriate focus for the Gateways to the Village. See the appendix for the full recommendations from Alta Design on this topic.

***RECOMMENDED ACTION: Improve corridors that currently allow drivers to easily access the Village from the surrounding area to improve traffic flow.*** At the end of the corridors near the boundary of the Village, there is a noticeable transition zone where the interface between the Village and the rural landscape meets. This is reflected in the street typology as the treatment changes from rural to urban. The rural road treatment consists of wide roads, with travel lanes ranging from 10-13 ft. with additional shoulder space, no sidewalks or curbs, no on-street parking, and faster speed limits.

See the appendix for the full recommendations from Alta Design regarding the specific corridors to be improved.

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## CONNECTIVITY MAP:



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**RECOMMENDED ACTION: Undertake Intersection Improvements Strategies.** An intuitive and safe intersection is designed to address mobility and safety concerns for all modes of transportation while maintaining its functionality to assign right-of-way to conflicting movements. There are a number of best practices that can be used to create bicycle and pedestrian-friendly intersections. The design features include:

- Crosswalks
- Curb extensions
- Timed countdown signals
- Proper signage at intersection

See the appendix for the full recommendations from Alta Design on this topic.

### Recommended Intersection Improvement Locations

There are a number of intersections within the Village of Warwick that could benefit from the improvements discussed above (see the Connectivity Map on page 22):

1. Colonial Avenue + Forester Avenue\*

*This non-signalized intersection is directly adjacent to the signalized Main Street and Colonial Avenue intersection, which leads to vehicular traffic backups. See the Alta memo for a full description of the “Forester Square” plan for this intersection.*

2. Main Street + Colonial Avenue\*

*This signalized intersection is in the center of the downtown district and is designed with a small island in the center with the traffic light situated in the northern quadrant. It connects Colonial Avenue, Main Street, and Maple Avenue. It is adjacent to the non-signalized intersection at Colonial and Forester Avenue.*

3. Main Street + South Street

*This non-signalized intersection is the location where High Street, South Street, and Main Street meet. There are two crosswalks at this location; one crosswalk crosses Main Street and the other crosses South Street, west of where High Street approaches.*

4. Forester Avenue + High Street

*This non-signalized intersection is at the eastern end of High Street. There are no crosswalks or stop signs at this location due to High Street being a one-way street.*

5. West Street + Pond Hill Avenue

*This non-signalized intersection is located outside of the downtown area and has no crosswalks present. Vehicles traveling along West Street do not have to stop.*

6. West Street + Oakland Avenue

*This signalized intersection is one of the more complex locations in the Village of Warwick considering it connects West Street, Oakland Avenue, and Main Street. Main Street and Oakland Avenue are also*

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*sections of Route 94, which is a major thoroughfare through the Village. Approximately 100 feet north of the signal, there is another traffic light at the intersection where a set of railroad tracks crosses Oakland Avenue.*

### 7. Overlook Drive + Galloway Road

*This non-signalized intersection is directly adjacent to a bus stop along Galloway Road / NYS Route 17A. It is equipped with one crosswalk, that may be considered a mid-block crossing, and one stop sign on Overlook Drive. The intersection is a site for a proposed Safe Routes to School program considering its proximity to Park Avenue Elementary School.*

### 8. Hawthorn Avenue + Galloway Road

*This non-signalized intersection is nearly identical to the intersection at Overlook Drive and Galloway Road, however, it lacks a crosswalk and a bus station. This intersection is a site for a proposed Safe Routes to School program considering its proximity to Park Avenue Elementary School.*

Intersection improvements may include neighborhood round-abouts. These facilities are recommended at intersections that are designed to benefit from round-abouts and will need to be discussed in detail before implementation. Intersections operating at low vehicle speeds and low volume are best suited for a round-about intersection facility. Other intersections that should be assessed for safety and congestion include Route 94 and Locust Street as well as Route 94 and Grand Street.

## GOAL C3: FOCUS NEW INVESTMENTS IN PARKS AND RECREATION ON IMPROVING FLEXIBLE OUTDOOR RECREATION SPACES, ACTIVE TRANSPORTATION CORRIDORS, AND TRAILS.

**RECOMMENDED ACTION:** *Integrate new bicycle and pedestrian facilities throughout the existing park infrastructure with the active transportation network outside of the parks.*

**RECOMMENDED ACTION:** *Transform the Wawayanda Creek into a linear park and active transportation route, as proposed in the Village's 2012 Strategic Plan for the Wawayanda Creek.*

**RECOMMENDED ACTION:** *Link Stanley Deming Park and Veterans Memorial Park with a safe, active transportation route that includes adequate sidewalks and wayfinding signage.*

**RECOMMENDED ACTION:** *Link Veterans Memorial Park with Warwick County Park by utilizing the sidewalks along Homestead Village Drive, considering the development of Homestead Village Drive as a "bicycle boulevard" and adding wayfinding signage.*

**RECOMMENDED ACTION:** *Create a path within the wide right of way of Park Lane, transforming it into a pedestrian friendly slow street, bicycle boulevard or green street.*

**RECOMMENDED ACTION:** *Study the feasibility of creating a "green belt trail" to connect important parks, public institutions and commercial areas with an active transportation network.*

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### GOAL C4: ENCOURAGE AFFORDABLE BROADBAND INTERNET THROUGHOUT THE VILLAGE

**RECOMMENDED ACTION:** *Create a digital strategy for the Village that assesses the extent and location of high-speed Internet throughout the Village and recommends steps to address any gaps in service.*

This could include such measures as creation of a Village-wide high-speed WiFi network in cooperation with the local private sector including Internet Service Providers and technology companies, ensuring regulations are in place so 5-G technology can be employed in a visually unintrusive manner, and other appropriate options.

## Recommended Actions: Resilience & Sustainability

### GOAL R1: IMPROVE ENVIRONMENTAL SUSTAINABILITY AND RESILIENCE THROUGHOUT THE VILLAGE OF WARWICK.

**RECOMMENDED ACTION:** *Conduct a Climate Vulnerability Assessment.* According to the Climate Smart Communities (CSC) website, the CSC program “recommends that local governments complete a vulnerability assessment as one of the first and most foundational steps in developing an effective strategy for adapting to climate change at the local level. Developing a vulnerability assessment involves identifying, analyzing and prioritizing the effects of climate hazards and risks, like flooding, heat stress or short-term drought. . . Local governments may elect to undertake this action as a standalone project, or as part of a larger effort, such as a PE7 Action: Climate Adaptation Plan, PE6 Action: Comprehensive Plan with Sustainability Elements, PE7 Action: Hazard Mitigation Plan, PE7 Action: Watershed Assessment, local waterfront revitalization plan, or others. Hazard Mitigation Plans should help identify relevant community climate hazards.

**RECOMMENDED ACTION:** *Implement policies to reduce reliance upon fossil fuels by:*

Encouraging the increased use of geothermal heating in new construction and building rehabilitations through the creation of zoning and subdivision regulations that promote and/or create incentives for both the installation of geothermal systems serving individual buildings as well as the creation of geothermal heating districts serving multiple structures operating by a utility and/or special district.

Promoting the use of solar energy by encouraging new construction to be sited to maximize the electric power generation potential of on-site solar panels.

Improving the availability of options for mobility that do not rely as heavily on fossil fuels as single passenger autos, such as walking, biking, transit and electric vehicles.

**RECOMMENDED ACTION:** *Promote energy efficiency throughout the Village by:*

Considering adoption of regulatory measures to minimize energy consumption in new construction in a manner that maximizes energy conservation without unduly increasing construction costs (i.e., the NYStretch building code).

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Promoting energy efficiency and sustainability in Village buildings, vehicles and other capital equipment by, whenever feasible, applying energy conservation principles and practices when purchasing, constructing or repairing Village properties.

Accommodating increased use of electric vehicles through policies and/or incentives that encourage the installation of residential charging stations in housing units and expand the availability of public charging stations throughout the Village.

### ***RECOMMENDED ACTION: Promote Resilience in the Face of Climate Change by:***

- Adopting policies to mitigate the threat of increased flooding including riparian buffers and other flood mitigation measures for any new development along the Wawayanda Creek.
- Reviewing existing zoning and subdivision regulations to ensure height, bulk and surface area regulations, lot coverage, setbacks and other provisions are consistent with best practices in flood mitigation, habitat protection and reduction of excess heat due in urban areas.
- Ensuring local codes support Disaster Preparedness by including addressing temporary emergency dwelling permits, emergency staging bases, temporary mobile office units and other means to aid preparedness and disaster recovery.
- Seeking to minimize the production of solid waste through policies and educational efforts that promote recycling, composting and/or anaerobic digestion of organic materials.
- Ensuring Village sewer and water infrastructure is safeguarded against flooding by reducing infiltration and inflow of stormwater in to the sewer system and by continuing to ensure storm drains and sump pumps are separated from the sewer system.

***RECOMMENDED ACTION: Enhance capacity to monitor issues related to climate change and energy conservation by designating a citizen's committee or other group to follow these issues and inform Village Government on important related topics.*** This could involve creation of Climate Smart Communities Task Force, A Conversation Advisory Commission or coordination with such entities as the Town's Conservation Board or a private citizen's group such as Sustainable Warwick.

***RECOMMENDED ACTION: Continue to promote the development of (or the conservation of) local food systems.*** The Village will seek ways of supporting the development or conservation of local food systems by providing support and assistance for related activities such as the Farmers' Market, encouraging development of "farm to table" initiatives, community gardens, etc.

***RECOMMENDED ACTION: In cooperation with the Town, seeks ways to conserve natural areas in and adjacent to the Village.*** This can involve such initiatives as protection of and planning for community parkland and ensuring that—to the greatest extent possible—development projects occurring on lands annexed into the Village are designed to maximize the creation of parkland and/or protected open space.

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GOAL R2: ENSURE THAT VILLAGE SEWER AND WATER INFRASTRUCTURE CAN ACCOMMODATE FUTURE DEMAND WITHOUT DIMINISHING THE QUALITY OF SERVICE PROVIDED TO RESIDENTS AND BUSINESSES.

**RECOMMENDED ACTION:** *Continue to seek funding to improve sewer and water infrastructure throughout the Village.* The Village will continue to identify and apply for State and Federal funding for this purpose.

**RECOMMENDED ACTION:** *Implement a capital improvement planning process for the sewer and water system.* The process should identify and prioritize equipment replacements and/or improvements needed to maximize the efficiency and effectiveness of the Village sewer and water infrastructure over a long-term (e.g., five years) with annual review and update of plan priorities.

**RECOMMENDED ACTION:** *Seek ways to further safeguard Village water sources,* including wellhead protection plans, purchase of additional buffer land to protect water sources.

## Implementation Schedule

The table below presents a draft implementation schedule for the Comprehensive Plan. The recommended actions for the plan are placed into three categories:

- Immediate priority (to be completed within 2 year of plan adoption)
- Intermediate priority (to be completed within 3 to 5 years of plan adoption)
- Long-term priority (to be completed within 6 years of plan adoption)

The table identifies the Plan Goal with which the action is associated and specifies the “responsible party” to carry out that action. The implementation schedule suggests the following entities be tasked with implementation:

- Village Gov’t.: The Village Administration, including the Mayor’s Office, the Village Board, etc.
- Pub. Wks.: The Village Department of Public Works.
- Broadband Task Force created to develop Village digital strategy.
- Zoning Task Force created to oversee the changes in zoning required to implement this Comprehensive Plan and improve overall administration of zoning.
- CSC Task Force created to oversee the Village’s participation in the Climate Smart Communities program.
- Transportation Task Force created to oversee implementation of the transportation-related recommendations in this Comprehensive Plan.
- Inclusion Task Force to foster broader participation in Village civic life.

This implementation schedule in this table should be reviewed and as necessary revised by each committee as it begins its work to reflect the resources available to each committee. In addition, the implementation plan should be revisited each year at the annual boards’ retreat to ensure it continues to reflect the priorities and capacities of the Village.

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PLAN GOAL	RECOMMENDED ACTION:	RESPONSIBLE PARTY
	<b>IMMEDIATE PRIORITY (within 2 years of plan adoption)</b>	
	<b><i>Appoint and organize Task Forces for plan implementation</i></b>	
R1	<b><i>Conduct a Climate Vulnerability Assessment.</i></b>	CSC Task Force
R1	<b><i>Implement policies to reduce reliance upon fossil fuels</i></b>	CSC Task Force
R1	<b><i>Promote Resilience in the Face of Climate Change</i></b>	CSC Task Force
R1	<b><i>Enhance capacity to monitor issues related to climate change and energy conservation by designating a citizen's committee or other group.</i></b>	CSC Task Force
C1	<b><i>Undertake a Comprehensive Parking Study.</i></b>	Transport. Task Force
C1	<b><i>Improve Wayfinding in the Village.</i></b>	Transport. Task Force
C2	<b><i>Undertake Intersection Improvements Strategies.</i></b>	Transport. Task Force
Q2	<b><i>Continue to minimize the tax burden on residential properties to improve the affordability of housing in the Village.</i></b>	Village Gov't.
Q3	<b><i>Establish regular joint meetings involving the Village Board, the Architectural Review Board, the Planning Board and Zoning Board of Appeals.</i></b>	Village Gov't.
Q3	<b><i>Village will serve as the regular convener of an annual meeting of community civic groups to coordinate setting an annual calendar for the use of shared Village resources.</i></b>	Village Gov't.
Q3	<b><i>The village should develop a mechanism to foster regular outreach to the Black, Indigenous and People of Color (BIPOC) and Latino communities in the Village.</i></b>	Inclusion Task Force
Q3	<b><i>Encourage regular forums for Village neighborhoods.</i></b>	Village Gov't.
C&C3	<b><i>Encourage initiatives that broaden participation in the Village economy.</i></b>	Inclusion Task Force
C&C7	<b><i>Foster collaboration on annual/seasonal arts calendar.</i></b>	Village Gov't.
R2	<b><i>Continue to seek funding to improve sewer and water infrastructure throughout the Village.</i></b>	Village Gov't.
R2	<b><i>Implement a capital improvement planning process for the sewer and water system.</i></b>	Village Gov't.
Q1	<b><i>Create a more comprehensive and simplified system of design standards/guidelines to manage the Village's sense of place.</i></b>	Zoning Task Force
R2	<b><i>Seek ways to further safeguard Village water sources</i></b>	Village Gov't.
Q1	<b><i>Strengthen provisions that buffer residential areas from commercial intrusions.</i></b>	Zoning Task Force
Q2	<b><i>Regulate short-term rentals in the Village.</i></b>	Zoning Task Force

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PLAN GOAL	RECOMMENDED ACTION:	RESPONSIBLE PARTY
C&C1	<i>Develop local policies for boutique lodging.</i>	Zoning Task Force
C1	<i>Undertake a transit study in cooperation with Town and County.</i>	Transport. Task Force
R1	<i>Promote energy efficiency throughout the Village</i>	Zoning Task Force
	<b>INTERMEDIATE PRIORITY (within 3 to 5 years of plan adoption)</b>	
Q2	<i>Complete the Certified Local Government Program for the Village.</i>	Village Gov't.
C3	<i>Integrate new bicycle and pedestrian facilities throughout the existing park infrastructure with the active transportation network outside of the parks.</i>	Pub. Wks.
C3	<i>Link Stanley Deming Park and Veterans Memorial Park with a safe, active transportation route that includes adequate sidewalks and wayfinding signage.</i>	Pub. Wks.
C3	<i>Link Veterans Memorial Park with Warwick County Park by utilizing the sidewalks along Homestead Village Drive,</i>	Pub. Wks.
C3	<i>Create a path within the wide right of way of Park Lane, transforming it into a pedestrian friendly slow street, bicycle boulevard or green street.</i>	Transport. Task Force
C3	<i>Study the feasibility of creating a “green belt trail” to connect important parks, public institutions and commercial areas with an active transportation network.</i>	Transport. Task Force
C1	<i>Use Small surface lots to address parking shortfalls.</i>	Transport. Task Force
C2	<i>Employ techniques to facilitate streetscape improvements.</i>	Transport. Task Force
C2	<i>Adopt Additional Traffic Calming Elements to better integrate pedestrian and bicycle traffic in the Village.</i>	Transport. Task Force
C2	<i>Improve corridors that currently allow drivers to easily access the Village from the surrounding area to improve traffic flow.</i>	Transport. Task Force
C&C2	<i>Ensure start-up retailers have access to smaller footprint spaces.</i>	Village Gov't.
C&C3	<i>Encourage/incentivize merchant ownership of buildings.</i>	Village Gov't.
C&C4	<i>Explore the possibility for a Visitors/Welcome Center.</i>	Village Gov't.
C&C4	<i>Promote opportunities in the Village to connect artists with their audiences.</i>	Village Gov't.
C&C4	<i>Consider the creation of a Business Improvement District (BID).</i>	Village Gov't.
C&C5	<i>The Planning Board, Architecture Review Board and others involved in project review will maintain clear public communications to set expectations regarding the issues involved in the review.</i>	Village Gov't.

Village of Warwick Comprehensive Plan

PLAN GOAL	RECOMMENDED ACTION:	RESPONSIBLE PARTY
C&C5	<i>During the annual summit of boards, focus a portion of the agenda on a review of economic development goals and activities.</i>	Village Gov't.
R1	<i>In cooperation with the Town, seeks ways to conserve natural areas in and adjacent to the Village.</i>	Village Gov't.
Q1	<i>Regularly monitor the occupancy rates of the Village's subsidized senior housing and ensure that its zoning is appropriate to foster the continued occupancy and vitality of these units.</i>	Zoning Task Force
Q2	<i>Adopt policies to encourage "missing middle" housing, particularly for lands annexed into the Village.</i>	Zoning Task Force
C&C1	<i>Evaluate adding upper floor apartments as a use in Light Industry district.</i>	Zoning Task Force
C&C1	<i>Encourage redevelopment of vacant second floors in commercial properties.</i>	Zoning Task Force
C&C1	<i>Identify underused parking lots that could be developed for commercial and/or mixed uses.</i>	Zoning Task Force
C&C2	<i>Accommodate innovative mixes of retail, dining and other uses.</i>	Zoning Task Force
C&C4	<i>Promote better use of outdoor spaces and rights of way for dining, the arts and other social, cultural activities.</i>	Zoning Task Force
	<b>LONG-TERM PRIORITY (within 6 years of plan adoption)</b>	
R1	<i>Promote the development of (or the conservation of) local food systems.</i>	CSC Task Force
C3	<i>Transform the Wawayanda Creek into a linear park and active transportation route.</i>	Pub. Wks.
C&C4	<i>Regularly review the Village annexation policy.</i>	Village Gov't.
C&C6	<i>Promote public art in the Village.</i>	Village Gov't.
C&C6	<i>Promote affordable indoor venues for concerts, exhibits and other arts-related events.</i>	Village Gov't.
C&C7	<i>Encourage regular arts events to build audience for the arts in the Village.</i>	Village Gov't.
C&C7	<i>Encourage the use of pop-up performance/exhibit spaces.</i>	Village Gov't.
Q2	<i>Review Village Zoning to ensure it can accommodate new forms of home-based businesses and remote work opportunities.</i>	Zoning Task Force
C&C3	<i>Ensure that home offices are adequately accommodated in Village zoning.</i>	Zoning Task Force
C&C6	<i>Encourage Opportunities for Live/work spaces for artists and artisans.</i>	Zoning Task Force
C4	<i>Create a digital strategy for the Village that assesses the extent and location of high-speed Internet throughout the Village and recommends steps to address any gaps in service.</i>	Broadband Task Force

## IV. APPENDICES Background Studies, Analyses and Community Outreach

### **ALTA PLANNING & DESIGN'S RECOMMENDATIONS**

### **DESCRIPTION OF "MISSING MIDDLE" APPROACH TO HOUSING**

### **SUMMARY OF MEETINGS/FOCUS GROUPS**

### **RESULTS OF ON-LINE COMMUNITY SURVEY**

### **SUMMARY OF DATA ANALYSIS**

**Full Environmental Assessment Form**  
**Part 1 - Project and Setting**

**Instructions for Completing Part 1**

**Part 1 is to be completed by the applicant or project sponsor.** Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either “Yes” or “No”. If the answer to the initial question is “Yes”, complete the sub-questions that follow. If the answer to the initial question is “No”, proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

**A. Project and Applicant/Sponsor Information.**

Name of Action or Project: Village of Warwick, NY Comprehensive Plan Update		
Project Location (describe, and attach a general location map): Village of Warwick, NY		
Brief Description of Proposed Action (include purpose or need): The Comprehensive Plan for the Village of Warwick was last updated in 2004. This update addresses issues and opportunities that have arisen in the Village over the intervening 18 years. Topics addressed during the plan update included: -Quality of Place as found in the quality of the built environment, housing and neighborhoods, parks and recreation as well as the culture of governance in the Village -Commerce and Culture that support and bring meaning to daily life -Connectivity among residents, businesses, civic groups, partner municipalities and others as provided by transportation systems (including parking) and digital infrastructure -Environmental sustainability & Resilience that keeps the Village safe and affordable in the face of climate change		
Name of Applicant/Sponsor: Board of Trustees, Village of Warwick, NY		Telephone: 845.986.2031 E-Mail:
Address: 77 Main Street PO Box 369		
City/PO: Warwick	State: NY	Zip Code: 10990
Project Contact (if not same as sponsor; give name and title/role): Mayor Michael Newhard		Telephone: 845.986.2031 x 2 E-Mail: mayor@villageofwarwick.org
Address: 77 Main Street PO Box 369		
City/PO: Warwick	State: NY	Zip Code: 10990
Property Owner (if not same as sponsor):		Telephone: E-Mail:
Address:		
City/PO:	State:	Zip Code:

## B. Government Approvals

### B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	Adoption by Village Board of Trustees	Projected September, 2022
b. City, Town or Village <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Planning Board or Commission		
c. City, Town or <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Village Zoning Board of Appeals		
d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Review by County Planning Agency	Projected, September, 2022
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

## C. Planning and Zoning

### C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☒ Yes ☐ No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part 1

### C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☒ Yes ☐ No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☒ Yes ☐ No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☐ Yes ☒ No

If Yes, identify the plan(s):

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c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☐ Yes ☒ No

If Yes, identify the plan(s):

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<b>C.3. Zoning</b>	
a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. If Yes, what is the zoning classification(s) including any applicable overlay district? Central Business (CB); Continuing Care Retirement Community (CCRC); General Commercial (GC); Light Industrial (LI); Planned Adult Community (PAC); Residential (R); Multiple Residence-Senior Citizen (MR-SC); Limited Office Overlay (LO); Traditional Neighborhood Design (TND)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
b. Is the use permitted or allowed by a special or conditional use permit?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
c. Is a zoning change requested as part of the proposed action? If Yes,	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
i. What is the proposed new zoning for the site? The zoning districts will remain as is, with a few additional uses proposed in GC and LI.	
<b>C.4. Existing community services.</b>	
a. In what school district is the project site located? Warwick Valley Central School District	
b. What police or other public protection forces serve the project site? Warwick Police Department	
c. Which fire protection and emergency medical services serve the project site? Warwick Fire Department	
d. What parks serve the project site? Veteran's Memorial Park, Stanley-Deming Park, Lewis Woodlands (in the Town but owned by the Village) along with small pocket parks in the Village and other parks in the Town outside village	

#### D. Project Details

<b>D.1. Proposed and Potential Development</b>	
a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? _____	
b. a. Total acreage of the site of the proposed action?	_____ acres
b. Total acreage to be physically disturbed?	_____ acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?	_____ acres
c. Is the proposed action an expansion of an existing project or use? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____	
d. Is the proposed action a subdivision, or does it include a subdivision? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
If Yes,	
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) _____	
ii. Is a cluster/conservation layout proposed? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
iii. Number of lots proposed? _____	
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____	
e. Will the proposed action be constructed in multiple phases? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
i. If No, anticipated period of construction: _____ months	
ii. If Yes:	
• Total number of phases anticipated _____	
• Anticipated commencement date of phase 1 (including demolition) _____ month _____ year	
• Anticipated completion date of final phase _____ month _____ year	
• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____ _____ _____	

f. Does the project include new residential uses? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes, show numbers of units proposed.				
	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes,	
i. Total number of structures _____ ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length iii. Approximate extent of building space to be heated or cooled: _____ square feet	

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes,	
i. Purpose of the impoundment: _____ ii. If a water impoundment, the principal source of the water: <input type="checkbox"/> Ground water <input type="checkbox"/> Surface water streams <input type="checkbox"/> Other specify: _____ iii. If other than water, identify the type of impounded/contained liquids and their source. _____ iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____	

**D.2. Project Operations**

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) If Yes:	
i. What is the purpose of the excavation or dredging? _____ ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site? • Volume (specify tons or cubic yards): _____ • Over what duration of time? _____ iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____ _____ iv. Will there be onsite dewatering or processing of excavated materials? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If yes, describe. _____ _____ v. What is the total area to be dredged or excavated? _____ acres vi. What is the maximum area to be worked at any one time? _____ acres vii. What would be the maximum depth of excavation or dredging? _____ feet viii. Will the excavation require blasting? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> ix. Summarize site reclamation goals and plan: _____ _____ _____	

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes:	
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____ _____	

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

iii. Will the proposed action cause or result in disturbance to bottom sediments? ☐ Yes ☐ No

If Yes, describe: \_\_\_\_\_

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? ☐ Yes ☐ No

If Yes:

- acres of aquatic vegetation proposed to be removed: \_\_\_\_\_
- expected acreage of aquatic vegetation remaining after project completion: \_\_\_\_\_
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): \_\_\_\_\_
- \_\_\_\_\_
- proposed method of plant removal: \_\_\_\_\_
- if chemical/herbicide treatment will be used, specify product(s): \_\_\_\_\_

v. Describe any proposed reclamation/mitigation following disturbance: \_\_\_\_\_

c. Will the proposed action use, or create a new demand for water? ☐ Yes ☐ No

If Yes:

i. Total anticipated water usage/demand per day: \_\_\_\_\_ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☐ Yes ☐ No

If Yes:

- Name of district or service area: \_\_\_\_\_
- Does the existing public water supply have capacity to serve the proposal? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No
- Do existing lines serve the project site? ☐ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project? ☐ Yes ☐ No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_
- \_\_\_\_\_
- Source(s) of supply for the district: \_\_\_\_\_

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐ Yes ☐ No

If Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- Proposed source(s) of supply for new district: \_\_\_\_\_

v. If a public water supply will not be used, describe plans to provide water supply for the project: \_\_\_\_\_

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: \_\_\_\_\_ gallons/minute.

d. Will the proposed action generate liquid wastes? ☐ Yes ☐ No

If Yes:

i. Total anticipated liquid waste generation per day: \_\_\_\_\_ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

iii. Will the proposed action use any existing public wastewater treatment facilities? ☐ Yes ☐ No

If Yes:

- Name of wastewater treatment plant to be used: \_\_\_\_\_
- Name of district: \_\_\_\_\_
- Does the existing wastewater treatment plant have capacity to serve the project? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No

<ul style="list-style-type: none"> <li>• Do existing sewer lines serve the project site? _____</li> <li>• Will a line extension within an existing district be necessary to serve the project? _____</li> </ul> <p>If Yes:</p> <ul style="list-style-type: none"> <li>• Describe extensions or capacity expansions proposed to serve this project: _____</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No
iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? _____	
If Yes: <ul style="list-style-type: none"> <li>• Applicant/sponsor for new district: _____</li> <li>• Date application submitted or anticipated: _____</li> <li>• What is the receiving water for the wastewater discharge? _____</li> </ul>	
v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans): _____	
vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____	
e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? _____	
If Yes: <ul style="list-style-type: none"> <li>i. How much impervious surface will the project create in relation to total size of project parcel?                  _____ Square feet or _____ acres (impervious surface)                  _____ Square feet or _____ acres (parcel size)</li> <li>ii. Describe types of new point sources. _____</li> </ul>	
iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)? _____	
<ul style="list-style-type: none"> <li>• If to surface waters, identify receiving water bodies or wetlands: _____</li> </ul>	
<ul style="list-style-type: none"> <li>• Will stormwater runoff flow to adjacent properties? _____</li> </ul>	
iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? _____	
f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? _____	
If Yes, identify: <ul style="list-style-type: none"> <li>i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) _____</li> <li>ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) _____</li> <li>iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) _____</li> </ul>	
g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? _____	
If Yes: <ul style="list-style-type: none"> <li>i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) _____</li> <li>ii. In addition to emissions as calculated in the application, the project will generate:             <ul style="list-style-type: none"> <li>• _____ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)</li> <li>• _____ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)</li> <li>• _____ Tons/year (short tons) of Perfluorocarbons (PFCs)</li> <li>• _____ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)</li> <li>• _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)</li> <li>• _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)</li> </ul> </li> </ul>	

<p>h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Estimate methane generation in tons/year (metric): _____</p> <p>ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____</p>			
<p>i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____</p>			
<p>j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. When is the peak traffic expected (Check all that apply): <input type="checkbox"/> Morning <input type="checkbox"/> Evening <input type="checkbox"/> Weekend  <input type="checkbox"/> Randomly between hours of _____ to _____.</p> <p>ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____</p> <p>iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____</p> <p>iv. Does the proposed action include any shared use parking? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____</p> <p>vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p>			
<p>k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Estimate annual electricity demand during operation of the proposed action: _____</p> <p>ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____</p> <p>iii. Will the proposed action require a new, or an upgrade, to an existing substation? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p>			
<p>l. Hours of operation. Answer all items which apply.</p> <table style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>i. During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul> </td> <td style="width: 50%; vertical-align: top;"> <p>ii. During Operations:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul> </td> </tr> </table>		<p>i. During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul>	<p>ii. During Operations:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul>
<p>i. During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul>	<p>ii. During Operations:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul>		

<p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration: _____</p>	
<p>ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>Describe: _____</p>	
<p>n. Will the proposed action have outdoor lighting? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes:</p> <p>i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures: _____</p>	
<p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>Describe: _____</p>	
<p>o. Does the proposed action have the potential to produce odors for more than one hour per day? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____</p>	
<p>p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Product(s) to be stored _____</p> <p>ii. Volume(s) _____ per unit time _____ (e.g., month, year)</p> <p>iii. Generally, describe the proposed storage facilities: _____</p>	
<p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Describe proposed treatment(s): _____</p>	
<p>ii. Will the proposed action use Integrated Pest Management Practices? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p>	
<p>r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Describe any solid waste(s) to be generated during construction or operation of the facility:</p> <ul style="list-style-type: none"> <li>• Construction: _____ tons per _____ (unit of time)</li> <li>• Operation : _____ tons per _____ (unit of time)</li> </ul> <p>ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:</p> <ul style="list-style-type: none"> <li>• Construction: _____</li> <li>• Operation: _____</li> </ul> <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> <li>• Construction: _____</li> <li>• Operation: _____</li> </ul>	

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☐ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): \_\_\_\_\_

ii. Anticipated rate of disposal/processing:

- \_\_\_\_\_ Tons/month, if transfer or other non-combustion/thermal treatment, or
- \_\_\_\_\_ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: \_\_\_\_\_ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☐ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: \_\_\_\_\_

ii. Generally describe processes or activities involving hazardous wastes or constituents: \_\_\_\_\_

iii. Specify amount to be handled or generated \_\_\_\_\_ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: \_\_\_\_\_

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: \_\_\_\_\_

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: \_\_\_\_\_

#### E. Site and Setting of Proposed Action

**E.1. Land uses on and surrounding the project site**

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☐ Urban ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☐ Rural (non-farm)

☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): \_\_\_\_\_

ii. If mix of uses, generally describe: \_\_\_\_\_

b. Land uses and covertypes on the project site.

Land use or Coverture	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

<p>c. Is the project site presently used by members of the community for public recreation?  <i>i. If Yes: explain:</i></p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site?          If Yes,  <i>i. Identify Facilities:</i></p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>e. Does the project site contain an existing dam?          If Yes:  <i>i. Dimensions of the dam and impoundment:</i></p> <ul style="list-style-type: none"> <li>• Dam height: _____ feet</li> <li>• Dam length: _____ feet</li> <li>• Surface area: _____ acres</li> <li>• Volume impounded: _____ gallons OR acre-feet</li> </ul> <p><i>ii. Dam's existing hazard classification:</i> _____  <i>iii. Provide date and summarize results of last inspection:</i></p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility?          If Yes:  <i>i. Has the facility been formally closed?</i></p> <ul style="list-style-type: none"> <li>• If yes, cite sources/documentation: _____</li> </ul> <p><i>ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:</i></p> <p><i>iii. Describe any development constraints due to the prior solid waste activities:</i></p>	<input type="checkbox"/> Yes <input type="checkbox"/> No     <input type="checkbox"/> Yes <input type="checkbox"/> No
<p>g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste?          If Yes:  <i>i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:</i></p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site?          If Yes:  <i>i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:</i></p> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input type="checkbox"/> Yes – Spills Incidents database  <input type="checkbox"/> Yes – Environmental Site Remediation database  <input type="checkbox"/> Neither database         </div> <div style="width: 50%;">           Provide DEC ID number(s): _____            Provide DEC ID number(s): _____         </div> </div> <p><i>ii. If site has been subject of RCRA corrective activities, describe control measures:</i></p> <p><i>iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database?</i>          If yes, provide DEC ID number(s): _____</p> <p><i>iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):</i></p>	<input type="checkbox"/> Yes <input type="checkbox"/> No           <input type="checkbox"/> Yes <input type="checkbox"/> No

v. Is the project site subject to an institutional control limiting property uses? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> <ul style="list-style-type: none"> <li>If yes, DEC site ID number: _____</li> <li>Describe the type of institutional control (e.g., deed restriction or easement): _____</li> <li>Describe any use limitations: _____</li> <li>Describe any engineering controls: _____</li> <li>Will the project affect the institutional or engineering controls in place? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></li> <li>Explain: _____</li> </ul>												
<b>E.2. Natural Resources On or Near Project Site</b>												
a. What is the average depth to bedrock on the project site? _____ feet												
b. Are there bedrock outcroppings on the project site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %												
c. Predominant soil type(s) present on project site: <table style="width: 100%; border: none;"> <tr> <td style="border-bottom: 1px solid black; width: 60%;"></td> <td style="border-bottom: 1px solid black; width: 10%; text-align: right;">%</td> </tr> <tr> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black; text-align: right;">%</td> </tr> <tr> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black; text-align: right;">%</td> </tr> </table>		%		%		%						
	%											
	%											
	%											
d. What is the average depth to the water table on the project site? Average: _____ feet												
e. Drainage status of project site soils: <table style="width: 100%; border: none;"> <tr> <td><input type="checkbox"/> Well Drained:</td> <td style="text-align: right;">_____ % of site</td> </tr> <tr> <td><input type="checkbox"/> Moderately Well Drained:</td> <td style="text-align: right;">_____ % of site</td> </tr> <tr> <td><input type="checkbox"/> Poorly Drained</td> <td style="text-align: right;">_____ % of site</td> </tr> </table>	<input type="checkbox"/> Well Drained:	_____ % of site	<input type="checkbox"/> Moderately Well Drained:	_____ % of site	<input type="checkbox"/> Poorly Drained	_____ % of site						
<input type="checkbox"/> Well Drained:	_____ % of site											
<input type="checkbox"/> Moderately Well Drained:	_____ % of site											
<input type="checkbox"/> Poorly Drained	_____ % of site											
f. Approximate proportion of proposed action site with slopes: <table style="width: 100%; border: none;"> <tr> <td><input type="checkbox"/> 0-10%:</td> <td style="text-align: right;">_____ % of site</td> </tr> <tr> <td><input type="checkbox"/> 10-15%:</td> <td style="text-align: right;">_____ % of site</td> </tr> <tr> <td><input type="checkbox"/> 15% or greater:</td> <td style="text-align: right;">_____ % of site</td> </tr> </table>	<input type="checkbox"/> 0-10%:	_____ % of site	<input type="checkbox"/> 10-15%:	_____ % of site	<input type="checkbox"/> 15% or greater:	_____ % of site						
<input type="checkbox"/> 0-10%:	_____ % of site											
<input type="checkbox"/> 10-15%:	_____ % of site											
<input type="checkbox"/> 15% or greater:	_____ % of site											
g. Are there any unique geologic features on the project site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes, describe: _____												
h. Surface water features. <ul style="list-style-type: none"> <li>i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></li> <li>ii. Do any wetlands or other waterbodies adjoin the project site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></li> </ul> If Yes to either i or ii, continue. If No, skip to E.2.i. <ul style="list-style-type: none"> <li>iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></li> <li>iv. For each identified regulated wetland and waterbody on the project site, provide the following information:             <table style="width: 100%; border: none;"> <tr> <td style="width: 10%;">• Streams:</td> <td style="width: 40%;">Name _____</td> <td style="width: 10%;">Classification _____</td> </tr> <tr> <td>• Lakes or Ponds:</td> <td>Name _____</td> <td>Classification _____</td> </tr> <tr> <td>• Wetlands:</td> <td>Name _____</td> <td>Approximate Size _____</td> </tr> <tr> <td>• Wetland No. (if regulated by DEC)</td> <td colspan="2">_____</td> </tr> </table> </li> </ul>	• Streams:	Name _____	Classification _____	• Lakes or Ponds:	Name _____	Classification _____	• Wetlands:	Name _____	Approximate Size _____	• Wetland No. (if regulated by DEC)	_____	
• Streams:	Name _____	Classification _____										
• Lakes or Ponds:	Name _____	Classification _____										
• Wetlands:	Name _____	Approximate Size _____										
• Wetland No. (if regulated by DEC)	_____											
v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If yes, name of impaired water body/bodies and basis for listing as impaired: _____												
i. Is the project site in a designated Floodway? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>												
j. Is the project site in the 100-year Floodplain? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>												
k. Is the project site in the 500-year Floodplain? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>												
l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes: <ul style="list-style-type: none"> <li>i. Name of aquifer: _____</li> </ul>												

<p>m. Identify the predominant wildlife species that occupy or use the project site:</p> <p>_____</p> <p>_____</p> <p>_____</p>	
<p>n. Does the project site contain a designated significant natural community? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Describe the habitat/community (composition, function, and basis for designation): _____</p> <p>_____</p> <p>ii. Source(s) of description or evaluation: _____</p> <p>iii. Extent of community/habitat:</p> <ul style="list-style-type: none"> <li>• Currently: _____ acres</li> <li>• Following completion of project as proposed: _____ acres</li> <li>• Gain or loss (indicate + or -): _____ acres</li> </ul>	
<p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Species and listing (endangered or threatened): _____</p> <p>_____</p> <p>_____</p>	
<p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Species and listing: _____</p> <p>_____</p>	
<p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes, give a brief description of how the proposed action may affect that use: _____</p> <p>_____</p>	
<p><b>E.3. Designated Public Resources On or Near Project Site</b></p>	
<p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes, provide county plus district name/number: _____</p>	
<p>b. Are agricultural lands consisting of highly productive soils present? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>i. If Yes: acreage(s) on project site? _____</p> <p>ii. Source(s) of soil rating(s): _____</p>	
<p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature</p> <p>ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____</p> <p>_____</p> <p>_____</p>	
<p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. CEA name: _____</p> <p>ii. Basis for designation: _____</p> <p>iii. Designating agency and date: _____</p>	

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
If Yes: <ul style="list-style-type: none"> <li>i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site      <input type="checkbox"/> Historic Building or District</li> <li>ii. Name: _____</li> <li>iii. Brief description of attributes on which listing is based: _____</li> </ul>	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
g. Have additional archaeological or historic site(s) or resources been identified on the project site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
If Yes: <ul style="list-style-type: none"> <li>i. Describe possible resource(s): _____</li> <li>ii. Basis for identification: _____</li> </ul>	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
If Yes: <ul style="list-style-type: none"> <li>i. Identify resource: _____</li> <li>ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____</li> <li>iii. Distance between project and resource: _____ miles.</li> </ul>	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
If Yes: <ul style="list-style-type: none"> <li>i. Identify the name of the river and its designation: _____</li> <li>ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></li> </ul>	

#### F. Additional Information

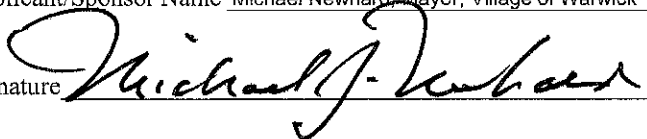
Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

#### G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Michael Newhard, Mayor, Village of Warwick Date 9.22.22

Signature  Title Mayor

**PRINT FORM**

**Full Environmental Assessment Form**  
**Part 2 - Identification of Potential Project Impacts**

Agency Use Only [If applicable]

Project :

Date :

**Part 2 is to be completed by the lead agency.** Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

**Tips for completing Part 2:**

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer "Yes" to a numbered question, please complete all the questions that follow in that section.
- If you answer "No" to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box "Moderate to large impact may occur."
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the "whole action".
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

<b>1. Impact on Land</b> Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) <i>If "Yes", answer questions a - j. If "No", move on to Section 2.</i>			
<input checked="checked" type="checkbox"/> NO <input type="checkbox"/> YES			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

**2. Impact on Geological Features**

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g)

☒ NO☐ YES

*If "Yes", answer questions a - c. If "No", move on to Section 3.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____ _____	E2g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**3. Impacts on Surface Water**

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h)

☒ NO☐ YES

*If "Yes", answer questions a - l. If "No", move on to Section 4.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	<input type="checkbox"/>	<input type="checkbox"/>

I. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
----------------------------------	--	--------------------------	--------------------------

#### 4. Impact on groundwater

The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer.

☒ NO

☐ YES

(See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t)

If "Yes", answer questions a - h. If "No", move on to Section 5.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

#### 5. Impact on Flooding

The proposed action may result in development on lands subject to flooding.

☒ NO

☐ YES

(See Part 1. E.2)

If "Yes", answer questions a - g. If "No", move on to Section 6.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input type="checkbox"/>	<input type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input type="checkbox"/>	<input type="checkbox"/>

g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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<b>6. Impacts on Air</b> The proposed action may include a state regulated air emission source. (See Part 1. D.2.f., D.2.h, D.2.g) <i>If "Yes", answer questions a - f. If "No", move on to Section 7.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels: i. More than 1000 tons/year of carbon dioxide (CO <sub>2</sub> ) ii. More than 3.5 tons/year of nitrous oxide (N <sub>2</sub> O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF <sub>6</sub> ) v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions vi. 43 tons/year or more of methane	D2g D2g D2g D2g D2g D2h	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>7. Impact on Plants and Animals</b> The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) <i>If "Yes", answer questions a - j. If "No", move on to Section 8.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	<input type="checkbox"/>	<input type="checkbox"/>

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	<input type="checkbox"/>	<input type="checkbox"/>
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	<input type="checkbox"/>	<input type="checkbox"/>
j. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>8. Impact on Agricultural Resources</b> The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.) <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES <i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>			
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>9. Impact on Aesthetic Resources</b> The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.) <i>If "Yes", answer questions a - g. If "No", go to Section 10.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>10. Impact on Historic and Archeological Resources</b> The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) <i>If "Yes", answer questions a - e. If "No", go to Section 11.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places.	E3e	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	<input type="checkbox"/>	<input type="checkbox"/>

d. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>
If any of the above (a-d) are answered "Moderate to large impact may occur", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	<input type="checkbox"/>	<input type="checkbox"/>
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>

<b>11. Impact on Open Space and Recreation</b> The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part 1. C.2.c, E.1.c., E.2.q.) <i>If "Yes", answer questions a - e. If "No", go to Section 12.</i>				<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>		
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	<input type="checkbox"/>	<input type="checkbox"/>		
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input type="checkbox"/>	<input type="checkbox"/>		
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	<input type="checkbox"/>	<input type="checkbox"/>		
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	<input type="checkbox"/>	<input type="checkbox"/>		
e. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>		

<b>12. Impact on Critical Environmental Areas</b> The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) <i>If "Yes", answer questions a - c. If "No", go to Section 13.</i>				<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>		
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>		
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>		
c. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>		

<b>13. Impact on Transportation</b> The proposed action may result in a change to existing transportation systems. <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. D.2.j) <i>If "Yes", answer questions a - f. If "No", go to Section 14.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>14. Impact on Energy</b> The proposed action may cause an increase in the use of any form of energy. <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. D.2.k) <i>If "Yes", answer questions a - e. If "No", go to Section 15.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	<input type="checkbox"/>	<input type="checkbox"/>
e. Other Impacts: _____			

<b>15. Impact on Noise, Odor, and Light</b> The proposed action may result in an increase in noise, odors, or outdoor lighting. <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. D.2.m., n., and o.) <i>If "Yes", answer questions a - f. If "No", go to Section 16.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input type="checkbox"/>	<input type="checkbox"/>

d. The proposed action may result in light shining onto adjoining properties.	D2n	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

#### 16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.)

☒ NO

☐ YES

*If "Yes", answer questions a - m. If "No", go to Section 17.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	<input type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	<input type="checkbox"/>	<input type="checkbox"/>
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	<input type="checkbox"/>	<input type="checkbox"/>
m. Other impacts: _____ _____			

**17. Consistency with Community Plans**

The proposed action is not consistent with adopted land use plans.  
(See Part 1. C.1, C.2. and C.3.)

☒ NO☐ YES

*If "Yes", answer questions a - h. If "No", go to Section 18.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	<input type="checkbox"/>	<input type="checkbox"/>
h. Other: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**18. Consistency with Community Character**

The proposed project is inconsistent with the existing community character.  
(See Part 1. C.2, C.3, D.2, E.3)

☒ NO☐ YES

*If "Yes", answer questions a - g. If "No", proceed to Part 3.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**PRINT FULL FORM**

Project :

Date :

**Full Environmental Assessment Form**  
**Part 3 - Evaluation of the Magnitude and Importance of Project Impacts**  
**and**  
**Determination of Significance**

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

**Reasons Supporting This Determination:**

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

The action under consideration in the update of the Comprehensive Plan for the Village of Warwick, NY. The review of issues in Part 2 of this Environmental Assessment Form identified no potential project impacts.

This is because, as noted in the plan itself, it "has been created at a time when the Village has little developable vacant land within its boundaries. . . . Consequently, the plan focuses on preserving and strengthening its existing assets as well as cultivating new sources of strength to enhance quality of life in the Village."

Thus, the focus of this plan is preserving and strengthening the economic, social and environmental assets in the Village as a means to improve Village quality of life.

**Determination of Significance - Type 1 and Unlisted Actions**

SEQR Status:

☒ Type 1

☐ Unlisted

Identify portions of EAF completed for this Project: ☒ Part 1

☒ Part 2

☒ Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the  
Board of Trustees of the Village of Warwick, NY as lead agency that:

☒ A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

☐ B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

☐ C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: Village of Warwick, NY Comprehensive Plan Update

Name of Lead Agency: Board of Trustees, Village of Warwick, NY

Name of Responsible Officer in Lead Agency: Michael Newhard

Title of Responsible Officer: Mayor, Village of Warwick

Signature of Responsible Officer in Lead Agency:

Date:

Signature of Preparer (if different from Responsible Officer)

Date:

**For Further Information:**

Contact Person: Mayor Michael Newhard

Address: Village Hall, 77 Main Street PO Box 369, Warwick, NY 10990

Telephone Number: 845.986.2031 x2

E-mail: [mayor@villageofwarwick.org](mailto:mayor@villageofwarwick.org)

**For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:**

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

STATE ENVIRONMENTAL QUALITY REVIEW  
NEGATIVE DECLARATION

NOTICE OF DETERMINATION OF NON-SIGNIFICANCE

November 21, 2022

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Village of Warwick as Lead Agency, has determined that the proposed action described below will not have a significant environmental impact and a Draft Impact Statement will not be prepared.

Name of Action: The adoption of an update to the Village's Comprehensive Plan.

Action Type: Type I Action

Conditioned Negative Declaration: No

Description of Action: The Village of Warwick proposes to enact an update to its Comprehensive Plan.

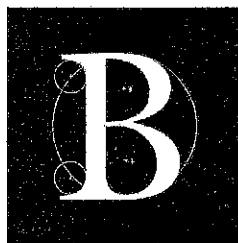
Contact Person: Michael J. Newhard, Mayor, Village of Warwick Village Hall, 77 Main Street, PO Box 369, Warwick, New York 10990. Telephone (845) 986-2031.

Location: Village-wide.

Reasons Supporting Negative Declaration:

As is more fully explained in the FEAF Part III, a copy of which is attached hereto, no potential significant adverse environmental impacts are associated with the proposed action. More particularly, as is noted in the FEAF Part III, the Village has little undeveloped land within its boundaries that is susceptible of new development. The Comprehensive Plan Update focuses chiefly on preserving and strengthening its existing assets, and enhancing the economic, social and environmental assets in the Village. The Comprehensive Plan Update, and the goals, aspirations and plans set forth therein, do not present any potential significant adverse environmental impacts to land, air, water, aesthetics, etc., as the Village Board determined in its adoption of the FEAF Part II.

RECEIVED  
DEC 15 2022  
VILLAGE OF WARWICK  
VILLAGE CLERKS OFFICE



## BLAKE ENGINEERING PLLC

December 14, 2022

Village of Warwick  
77 Main Street  
Warwick, NY 10990

Attn: Mayor Michael Newhard

RE: Hilltop Pump Station Generator Project – Payment #2

We have reviewed Application for Payment #2, dated December 6, 2022, submitted by Skyward Electric Co. Inc. for the Hilltop Pump Station Generator Installation. The payment application appears to be acceptable, and we recommend approval of the requested payment amount of \$10,973.25. The amount requested includes the balance of the contract work (less 10% retainage), and the project is now 100% complete. The project has been inspected and approved by the third-party electrical inspector (certificate attached). The balance amount of \$6,997.50 represents the project retainage and will be invoiced under a separate application.

We have enclosed a signed copy of the payment application form along with a Village voucher and all certified payroll forms.

Sincerely,  
**Blake Engineering, PLLC**

Matthew G. Blake, P.E., LEED AP  
President

# APPLICATION FOR PAYMENT

CAP702  
Page: 1 of 2

To:  
Village of Warwick  
77 Main Street  
Warwick, NY 10990

PROJECT:

HILLTOP  
Hilltop Generator  
14 Hilltop  
Warwick, NY 10990

From Contractor:  
Skyward Electric Company Inc.  
61 Big Island Road  
Warwick, NY 10990

VIA ARCHITECT:  
Matt Blake  
1898 County Route 1  
Westtown, NY 10998

CONTRACT FOR: Village of Warwick

## Contractor's Application for Payment

Application is made for payment as shown below, with attached Continuation Sheet.

1. Original Contract Amount: \$ 69,975.00
2. Net of Change Orders: \$ 0.00
3. Net Amount of Contract: \$ 69,975.00
4. Total Completed & Stored to Date: \$ 69,975.00
5. Retainage Summary:
  - a. 10.00 % of Completed Work \$ 6,997.50
  - b. 0.00 % of Stored Material \$ 0.00
  - Total Retainage: \$ 6,997.50
6. Total Completed Less Retainage: \$ 62,977.50
7. Less Previous Applications: \$ 52,004.25
8. Current Payment Due, This Application: \$ 10,973.25

9. Contract Balance (Including Retainage): \$ 6,997.50

CHANGE ORDER Activity	Additions	Subtractions
Total previously approved:	0.00	0.00
Total approved this Month:	0.00	0.00
Sub Totals:	0.00	0.00
NET of Change Orders:	0.00	0.00

## CONTRACTOR'S CERTIFICATION:

The Contractor's signature here certifies that, to the best of their knowledge, this document accurately reflects the work completed in this Application for Payment. The Contractor also certifies that all payments have been made for work on previous Applications for Payment and also that the Current Payment is Due.

(Authorizing Signature)

Skyward Electric Company Inc.

Date: DEC 6, 2022

State Authorized: New York  
County of: ORANGE

Carolyn Purta  
Notary Public, State of New York  
No. 01PU6073570

Subscribed and sworn to before me this 7th day of DEC 2022  
Notary Public: Carolyn Purta  
My Commission expires: April 22, 2026  
Qualified in Orange County  
Commission Expires April 22, 2026

## ARCHITECT'S CERTIFICATION:

The Architect's signature here certifies that, based on their own observations, the Contract Documents and the information contained herein, this document accurately reflects the work completed in this Application for Payment. The Architect also certifies the Contractor is entitled to the amount certified for payment.

AMOUNT CERTIFIED:

(Architect's Signature)

Date: 12/14/22

# APPLICATION FOR PAYMENT - CONTINUATION SHEET

CAP703

Page 2 of 2 Pages

From:

Skyward Electric Company Inc.  
61 Big Island Road  
Warwick, NY 10990

To:

Village of Warwick  
77 Main Street  
Warwick, NY 10990

Project:

HILLTOP  
Hilltop Generator  
14 Hilltop  
Warwick, NY 10990

Application No: 2

Application Date: 12/06/2022  
Period To: 12/06/2022  
Contract Date: 7/14/2022  
Architects Project#:

A Item No	B Description of Work	C Contract Value	D Work Completed		F Materials Presently Stored (Not In D or E)	G Total Completed and Stored To Date (D+E+F)	H Balance To Finish (C - G)	I Retainage (If Variable Rate)
			From Previous Application (D + E)	This Period E				
1	Electrical material and labor	27,725.00	19,407.50	8,317.50	0.00	27,725.00	0.00	2,772.50
2	Generator and ATS	18,500.00	18,500.00	0.00	0.00	18,500.00	0.00	1,850.00
3	Delivery/start up of generator	3,000.00	1,500.00	1,500.00	0.00	3,000.00	0.00	300.00
4	Excavating & Masonary	13,500.00	12,150.00	1,350.00	0.00	13,500.00	0.00	1,350.00
5	Plumbing	6,500.00	5,850.00	650.00	0.00	6,500.00	0.00	650.00
6	Electrical inspection and Permit fee	750.00	375.00	375.00	0.00	750.00	0.00	75.00
		69,975.00	57,782.50	12,192.50	0.00	69,975.00	100	6,997.50

BY THIS CERTIFICATE OF COMPLIANCE

# New York Certified Electrical Inspectors, LLC

203 Purgatory Road - Campbell Hall, NY 10916

## CERTIFIES THAT

**Upon the application of**  
SKYWARD ELECTRIC CO., INC.  
61 BIG ISLAND ROAD  
WARWICK, N. Y. 10990

**Inspection Located at**  
14 HILLTOP ROAD  
WARWICK, N.Y. 10990

**Upon the premises owned by**  
VILLAGE OF WARWICK  
77 MAIN STREET  
WARWICK, N.Y. 10990

**Certificate Number:** 115792  
**Building Dept:** VILLAGE OF WARWICK  
**Section/Blk/Lot:**  
**Building Permit:** N/A

Described as a **Commercial** occupancy, wherein the premises electrical system consisting of electrical devices and wiring, described below, located in/on the premises at **Outside, [ 30 KW GENERATOR & 200 AMP SERVICE RATED TRANSFER SWITCH ]** was inspected in accordance with the National Electrical Code/Residential Code New York State, as applicable, and the detail of the installation, as set forth below, was found to be in compliance therewith on **12/4/2022**

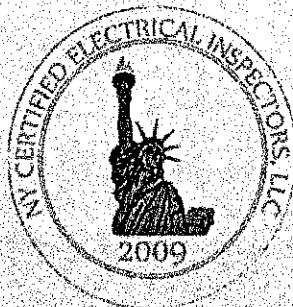
Qty	Description
-----	-------------

1	Generator permanent installation
---	----------------------------------

Qty	Description
-----	-------------

1	Transfer Switch
---	-----------------

This certificate certifies compliance with NFPA 70-2014/2017 RCNYS or BCNYS on the date of inspection ONLY.



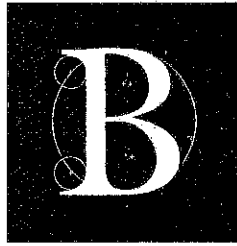
SEAL

This certificate may not be altered in any way and is validated only by the presence of a seal at the location indicated.

RECEIVED

DEC 15 2022

VILLAGE OF WARWICK  
VILLAGE CLERKS OFFICE



## BLAKE ENGINEERING PLLC

December 14, 2022

Village of Warwick  
77 Main Street  
Warwick, NY 10990

Attn: Mayor Michael Newhard

RE: Hilltop Pump Station Generator Project – Payment #3

We have reviewed Application for Payment #3, dated December 6, 2022, submitted by Skyward Electric Co. Inc. for the Hilltop Pump Station Generator Installation. The payment application appears to be acceptable, and we recommend approval of the requested payment amount of \$6,997.50. The amount requested is for the release of the required 10% retainage withheld from all previous payment applications. The project is 100% complete, and has been inspected and approved.

We have enclosed a signed copy of the payment application form along with a Village voucher and all certified payroll forms.

Sincerely,

**Blake Engineering, PLLC**

Matthew G. Blake, P.E., LEED AP  
President

# APPLICATION FOR PAYMENT

CAP702  
Page: 1 of 2

To:

Village of Warwick  
77 Main Street  
Warwick, NY 10990

PROJECT:

HILLTOP  
Hilltop Generator  
14 Hilltop  
Warwick, NY 10990

From Contractor:

Skyward Electric Company Inc.  
61 Big Island Road  
Warwick, NY 10990

VIA ARCHITECT:

Matt Blake  
1898 County Route 1  
Westtown, NY 10998

CONTRACT FOR: Village of Warwick

## Contractor's Application for Payment

Application is made for payment as shown below, with attached Continuation Sheet.

1. Original Contract Amount: \$ 69,975.00
2. Net of Change Orders: \$ 0.00
3. Net Amount of Contract: \$ 69,975.00
4. Total Completed & Stored to Date: \$ 69,975.00
5. Retainage Summary:

- a. 10.00 % of Completed Work \$ 0.00
- b. 0.00 % of Stored Material \$ 0.00

Total Retainage: \$ 0.00

6. Total Completed Less Retainage: \$ 69,975.00
7. Less Previous Applications: \$ 62,977.50

8. Current Payment Due, This Application: \$ 6,997.50

9. Contract Balance (Including Retainage): \$ 0.00

CHANGE ORDER Activity	Additions	Subtractions
Total previously approved:	0.00	0.00
Total approved this Month:	0.00	0.00
Sub Totals:	0.00	0.00
NET of Change Orders:	0.00	0.00

## CONTRACTOR'S CERTIFICATION:

The Contractor's signature here certifies that, to the best of their knowledge, this document accurately reflects the work completed in this Application for Payment. The Contractor also certifies that all payments have been made for work on previous Applications for Payment and also that the Current Payment is Due.

(Authorizing Signature)

Skyward Electric Company Inc.

Date: DEC 6, 2022

State Authorized: New York  
County of: ORANGE

Carolyn Putra  
Notary Public, State of New York  
No. 01PU6073570

Subscribed and sworn to before me this 7th day of December 2022. Qualified in Orange County  
Notary Public: Carolyn Putra Commission Expires April 22, 2026  
My Commission expires: April 22, 2026

## ARCHITECT'S CERTIFICATION:

The Architect's signature here certifies that, based on their own observations, the Contract Documents and the information contained herein, this document accurately reflects the work completed in this Application for Payment. The Architect also certifies the Contractor is entitled to the amount certified for payment.

AMOUNT CERTIFIED:

(Architect's Signature)

Date: 12/14/22

Application No.: Application Date: Period To: Contract Date:

3 DEC 6, 2022 DEC 6, 2022 JUL 14, 2022  
Project Nos:

Distribution List:

☒ Owner ☐ Construction Mgr  
☒ Architect ☐ Field  
☐ Contractor ☐ Other

## APPLICATION FOR PAYMENT - CONTINUATION SHEET

CAP703

Page 2 of 2 Pages

From:

Skyward Electric Company Inc.  
61 Big Island Road  
Warwick, NY 10990

To:

Village of Warwick  
77 Main Street  
Warwick, NY 10990

Project:

HILLTOP  
Hilltop Generator  
14 Hilltop  
Warwick, NY 10990

Application No: 3

Application Date: 12/06/2022

Period To: 12/06/2022

Contract Date: 7/14/2022

Architects Project#:

A Item No	B Description of Work	C Contract Value	D Work Completed		F Materials Presently Stored (Not In D or E)	G Total Completed and Stored To Date (D+E+F)	H Balance To Finish (C - G)	I Retainage (If Variable Rate)
			From Previous Application (D + E)	This Period				
1	Electrical material and labor	27,725.00	27,725.00	0.00	0.00	27,725.00	0.00	0.00
2	Generator and ATS	18,500.00	18,500.00	0.00	0.00	18,500.00	0.00	0.00
3	Delivery/start up of generator	3,000.00	3,000.00	0.00	0.00	3,000.00	0.00	0.00
4	Excavating & Masonary	13,500.00	13,500.00	0.00	0.00	13,500.00	0.00	0.00
5	Plumbing	6,500.00	6,500.00	0.00	0.00	6,500.00	0.00	0.00
6	Electrical inspection and Permit fee	750.00	750.00	0.00	0.00	750.00	0.00	0.00
		69,975.00	69,975.00	0.00	0.00	69,975.00	100	0.00



ALBERT WISNER  
PUBLIC LIBRARY

November 17, 2022

Village of Warwick  
77 Main Street  
P.O. Box 369  
Warwick, NY 10990

RECEIVED

NOV 18 2022

VILLAGE OF WARWICK  
VILLAGE CLERKS OFFICE

To the Hon. Mayor Michael Newhard and the Village Board of Trustees,

Together with my colleagues Lisa Laico and Judy Pedersen, I am writing to request permission to hold the 2023 Warwick Children's Book Festival at Stanley-Deming Park on Saturday, October 7, 2023 from 11:00am to 4:00pm. We further request:

- Permission to invite 3 food trucks to be on the premises during the Festival. The proposed location is marked on the map attached, near the handball court. This is the same location used for the 2021 and 2022 Festivals and the space was fully adequate. We are also requesting additional 6-8 garbage cans from the village to be placed near the food truck area, as well as near the festival tents. In the past, DPW has graciously worked with us to dispose of any garbage.
- Permission to hang a 3'x4' banner by the entrance of Stanley-Deming Park, at the intersection of South Street and Parkway, from Sunday September 24 through Saturday, October 7 (2 weeks). Please see the Village of Warwick Banner Request Form attached.
- Permission for the Festival's tents to be set up beginning at 9:00am on Friday, October 6 and removed by 12:00pm on Sunday, October 8.
- Permission for Festival visitors to use the restrooms at Stanley-Deming Park.
- Permission for the Uncle Brothers Band (2 musicians – 1 guitar, 1 keyboard or saxophone) to perform a children's concert under the bandstand from 12:00pm-1:30pm.

As in 2021 and 2022, we intend to seek permission from the Warwick Valley Central School District to use the parking lots adjacent to Park Avenue School for both authors and illustrators participating in the Festival, as well as for guests visiting the Festival. Additionally, with village approval, we hope to implement the parking arrangement conceived by DPW's Mike Moser and Mayor Newhard, which was piloted at the 2022 Festival. A large section of the grass behind the basketball courts at Stanley-Deming Park (see map) will be designated for parking. Priority will be given to authors and illustrators participating, though if space allows visitors will be welcome to park there as well. This was successful at the 2022 Festival and will greatly alleviate parking concerns next year as well. We also anticipate that other visitors will seek to park in the South Street parking lot and on neighborhood streets.



---

**ALBERT WISNER  
PUBLIC LIBRARY**

Additionally, we are requesting permission for a few additional temporary handicap parking spots to be designated by the town on Parkway, close to the Stanley-Deming Park entrances, at the Village's and DPW's discretion. This is to aid any authors or illustrators that may need handicap accommodations while still allowing for necessary spots to be available for visitors.

In 2023, we will alert the police, fire department, and EMS of the upcoming event, along with NJ Transit if necessary. No outdoor lights or signs are requested for this event. Additionally, the Festival does not require camping/housing facilities or street closures.

Enclosed are the completed and signed Facility Use Permit Application for Gatherings Greater than 200 people on Village-Owned Property, a copy of my driver's license as proof of residency, a map of Stanley-Deming Park showing the proposed Festival layout, a banner request form, an insurance certificate from Seely & Durland and a deposit check. Please note, we are aware that the insurance certificate expires 9/15/2023, and we will provide you with an updated certificate on that date.

If you require additional information, or have any questions before making a decision on this application, please do not hesitate to call me at the Albert Wisner Public Library at (845)986-1047 ext.3. We greatly appreciate your continued support of the Warwick Children's Book Festival and thank you very much for your consideration.

Sincerely,

Emily Wilson  
Festival Co-Coordinator

77 Main Street  
Post Office Box 369  
Warwick, NY 10990  
www.villageofwarwick.org



(845) 986-2031  
FAX (845) 986-6884  
mayor@villageofwarwick.org  
clerk@villageofwarwick.org

## VILLAGE OF WARWICK

INCORPORATED 1867

### FACILITY USE PERMIT APPLICATION FOR GATHERINGS GREATER THAN 200 PEOPLE ON VILLAGE-OWNED PROPERTY

Date Request Submitted: 11/17/2022

Title of Event: Warwick Children's Book Festival

Purpose of Event: To promote children's literacy and fundraise for the  
Albert Wisner Public Library

#### SECTION 1: REQUESTED VILLAGE-OWNED PROPERTY

☐ Railroad Green ☒ Stanley-Deming Park ☐ Lewis Woodlands

☐ Veterans Memorial Park ☐ Veterans Memorial Park Pavilion

*\*Please use the attached map to indicate the specific area(s) to be used within each park.*

Village of Warwick Parking Lots - check all that apply:

☐ South Street Lot ☐ 1<sup>st</sup> Street Lot ☐ Chase Lot (non-permit only)  
☐ Spring Street Lot ☐ Wheeler & Spring St. Lot ☐ Upper CVS Lot ☐ Lower CVS Lot

Village of Warwick Streets: \_\_\_\_\_

#### SECTION 2: DATE AND TIME REQUESTED

Date(s) Requested: 10/6/23 - 10/8/23 Rain Date(s) Requested: N/A

Arrival Time: 9:00am (10/6/23) Departure Time: 12:00pm (10/8/23)

Event Start Time: 11:00am (10/7/23) Event End Time: 4:00pm (10/7/23)

#### SECTION 3: APPLICANT INFORMATION

Check one: ☒ Non-Profit Organization ☐ Commercial/Business Organization ☐ Family

*\*For-profit activities are prohibited.*

Applicant's Name/Responsible Party: Emily Wilson

*\*Person of responsibility representing the organization must be a Town of Warwick resident.*

Mailing Address of Responsible Party: 15 Smith St. Apt. 3, Warwick NY 10990

Residential Address of Responsible Party: 15 Smith St. Apt. 3, Warwick NY 10990

Email Address: emwilson@rcds.org Cell Phone: (845) 492-1543

Proof of Town of Warwick Residency of Responsible Party: ☒ Driver's License ☐ Utility Bill

Name of Organization (if Applicable): Albert Wisner Public Library

Organization's Phone: (845) 986-1047 Email Address: warbookfest@rcds.org

Name of Organization's Director(s)/Officer(s): Lisa Laico

Mailing Address of Organization: 1 McFarland Dr. Warwick NY 10990

Physical Address of Organization: 1 McFarland Dr. Warwick NY 10990

#### SECTION 4: EVENT INFORMATION

Maximum Number of People Intended at the Event: 1500

# of Adults: 1000 # of Under 18 Yrs. Old: 500

Expected Number of Vehicles Intended at the Event: >150

Please explain the parking plan for the event: As was piloted during the 2022 Festival, a parking area (see map) will be sectioned off on the grass behind the basketball courts. Parking in front of the park, as well as near the Park Avenue Elementary School will also be available.

#### WILL YOUR EVENT INCLUDE:

CHECK YES OR NO

<b>Greater than 200 people at any given time</b> <i>If no, DO NOT complete this form. Please complete form: FACILITY USE PERMIT APPLICATION FOR GATHERINGS OF LESS THAN 200 PEOPLE.</i>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<b>Music / Loudspeakers / Sound System</b> <i>If yes, explain: We will have a children's music concert at 12:00pm</i> <i>Location of Music/Loud Speakers/ Sounds System: Stanley-Deming Gazebo</i>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<b>Parade, walk, road race, etc.</b> <i>Request must include in writing a clear layout of the intended route AND a letter from the Warwick Police Department approving the route and police resources</i>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>Tent(s)</b> <i>Include a map detailing the placement of the tent(s)</i> <i>Date &amp; time tent will be set up: 10/6/23 - 9:00am</i> <i>Date &amp; time tent will be removed: 10/8/23 - 12:00pm</i>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

<b>RVs, Campers, Food Trucks, etc.</b> If yes, explain: <u>We plan to invite 3 food trucks to be onsite, by the handball court.</u>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<b>Admission Fee to Be Charged</b> If yes, please list the admission fee: _____	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>Alcohol</b> Host Liquor Liability Insurance is required.	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>Food will be served or sold</b> If yes, explain the method of food distribution and disposal of trash: <u>3 Food Trucks (see above) will be serving visitors from 11am-4pm.</u> <u>We are requesting additional garbage cans from DPW.</u> <i>*A permit is required from the Orange County Department of Health when offering or selling any food to the public. It is the applicant's responsibility to contact the Orange County Department of Health to obtain necessary permits. Contact the Orange County Department of Health for further information.</i> <i>*Applicants must provide a drawing to scale showing where the food will be served/sold and where trash will be disposed.</i>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<b>Rides: Mechanical Carnival Rides, Bounce House, Inflatable Slide, etc.</b> If yes, explain: _____ Additional contract(s) and/or insurance is required.	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>Portable Toilets</b> Placement of portable toilets must be detailed on the map that is required with the application.	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>Other</b> Please explain: <u>As mentioned above, additional garbage cans + DPW assistance w/ removed</u>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

**SPECIAL REQUESTS:**
**CHECK YES OR NO**

<b>Road Closure</b> List road(s): _____ Closed between the hours of _____ and _____ Number of 'No Parking' meter bags requested, if applicable: _____	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>Use of Village owned tables and chairs</b> <i>*Picnic tables throughout Stanley-Dewning Park*</i> Veterans Memorial Park Pavilion Only. No. of Tables _____ No. of Chairs _____	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<b>Use of Electricity</b>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<b>Use of Memorial Park Football/Over 35 Field Lights</b> Additional fee required for use of field lights.	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>Use of Memorial Park Pavilion Lights</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

<b>Use of Village of Warwick Restrooms</b> Memorial Park and Stanley Deming Park only.	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<b>Other</b> Please explain: <u>We are requesting a few additional handicap spots be designated at Stanley-Deming Park at DPW's discretion to accommodate increased traffic.</u>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

## SECTION 5: FEES/SECURITY DEPOSIT

Fees and Security Deposit are Due Upon Application / Checks payable to: The Village of Warwick

☐ Memorial Park Football/Over 35 Field Lights (circle one) -

☒ \$500 Security Deposit (Must be a Separate Payment)

\$10 per day or \$300 per season

TOTAL FEE: \$ N/A (excluding security deposit)

## SECTION 6: INDEMNITY & HOLD HARMLESS

The undersigned is over 21 years of age and has read this form and attached regulations and agrees to comply with them. He/she agrees to be responsible to the Village of Warwick for the use and care of the facilities. He/she, on behalf of Albert Wisner Public Library (Name of Organization) does hereby covenant and agree to defend, indemnify and hold harmless the Village of Warwick from and against any and all liability, loss, damages, claims, or actions (including costs and attorneys' fees) for bodily injury and/or property damage, to the extent permissible by law, arising out of or in connection with the actual or proposed use of Village's property, facilities and/or services by Albert Wisner Public Library (Name Organization).

Additionally, I agree to accept notices or summonses issued with respect to the application or the conduct of the assembly or use in any manner involving it arising out of the application, construction or application of Chapter 39 'Assemblies, Public' of the Village Code of the Village of Warwick.

Furthermore, I authorize the Village of Warwick or its lawful agents to observe the event at any time for the purpose of inspecting the same, the facilities provided and the cleaning of the premises after the termination of the assembly.

Emily Wilson Printed Name of Applicant/Responsible Party     
 Emily Wilson Signature of Applicant/Responsible Party     
 11/17/2022 Date

Clerk Use Only: Security Deposit Check # 128 Certificate of Insurance ☒ Host Liquor Liability NA  
 Fees Received NA Park Map(s) ☒ Police Dept. Approval (if applicable) ☐  
 \*Certificates of Insurance Reviewed by NYMIR/Broker ☒  
 Facility Use Calendar ☒

14. In the event of a scheduling conflict, the Village of Warwick will arbitrate a resolution which shall be binding for all parties.
15. In the event of inclement weather, the Village Board or their designee has the final authority on whether facilities are usable.
16. Any damage to Village facilities shall be promptly repaired at the user's expense. No exceptions. If Village personnel are not available, make sure all doors are locked and lights are turned out when leaving.
17. Organizations using the facilities must clean up afterward. It is the responsibility of the permit holder to remove any garbage the event generates. The Village may assess a charge for garbage generated from events that is not removed by the Permit Holder. Applicants are urged to bring extra plastic garbage bags to facilitate cleanup.
18. Any organization with youths under 18 years old requires the presence of adequate adult supervision at all times.
19. Supervision and parking are the responsibility of the applicant organization/individual.
20. Permits may be revoked at any time.
21. All posted rules must be adhered to.
22. No field or building alterations (lining of fields, erecting goal posts or structures, etc.) are allowed without prior approval.
23. The emergency telephone number for police is 911 or 986-5000; fire and ambulance 911.
24. Prior to the start of the event, an announcement should be made to your group regarding emergency evacuation procedures, for example pointing out posted procedures, direction for exiting, procedures for emergency helicopter landing, etc.
25. In the event of an accident, please notify the Village Clerk at (845) 986-2031 before the end of the next business day.
26. The Village of Warwick does not and shall not discriminate on the basis of race, color, religion (creed), gender, gender expression, age, national origin (ancestry), disability, marital status, sexual orientation, or military status, in any of its activities or operations.

#### **INDEMNITY & HOLD HARMLESS**

**FACILITY USER** does hereby covenant and agree to defend, indemnify and hold harmless the Village of Warwick from and against any and all liability, loss, damages, claims, or actions (including costs and

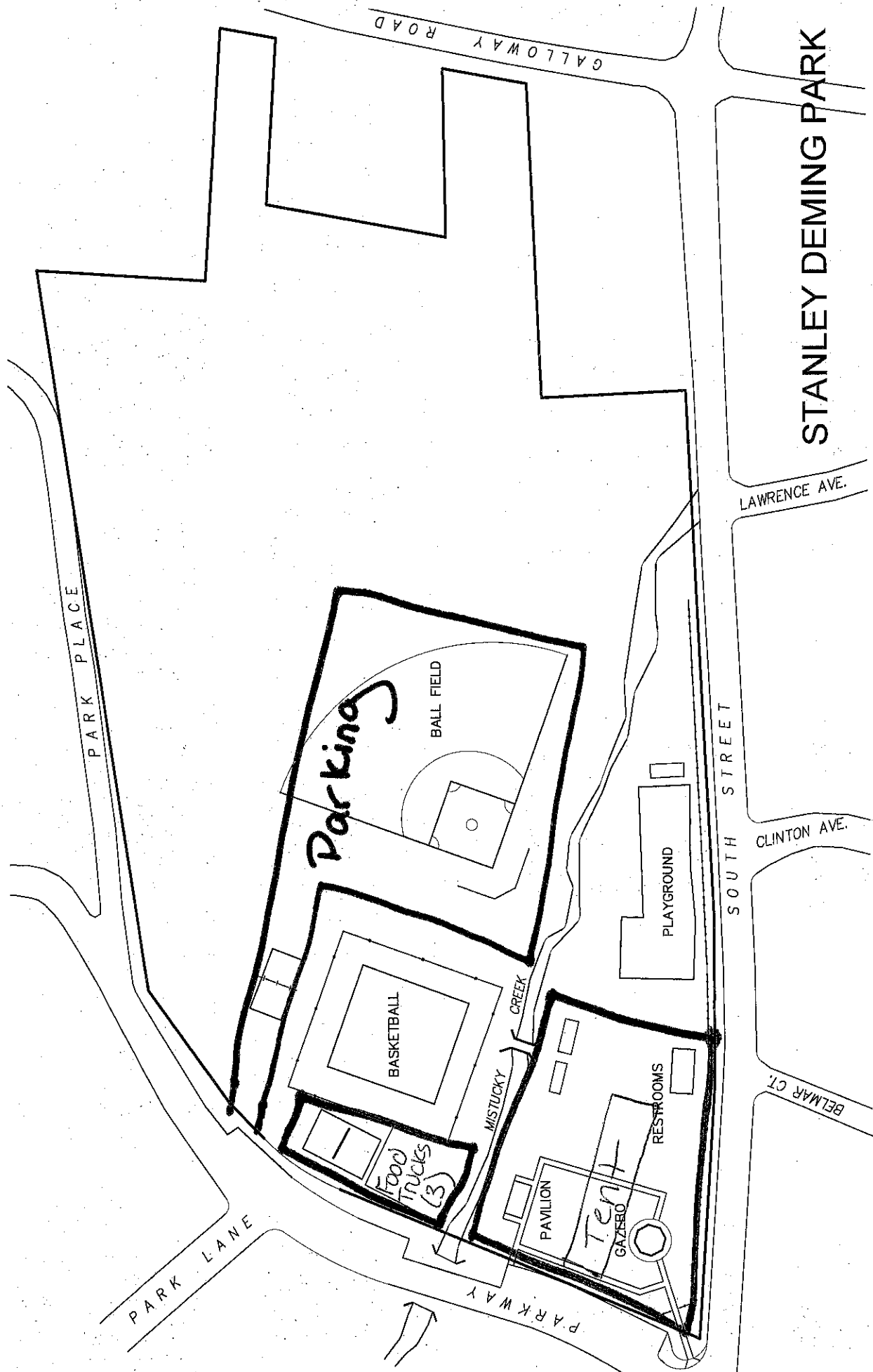
attorneys' fees) for bodily injury and/or property damage, to the extent permissible by law, arising out of or in connection with the actual or proposed use of the Village of Warwick property, facilities and/or services. I have read and understand the Facilities Use Requirements:

Emily Wilson  
Printed Name of Applicant/Responsible Party

Emily Wilson  
Signature of Applicant/Responsible Party

11/17/2022  
Date

# STANLEY DEMING PARK



77 Main Street  
Post Office Box 369  
Warwick, NY 10990  
www.villageofwarwick.org



(845) 986-2031  
FAX (845) 986-6884  
mayor@villageofwarwick.org  
clerk@villageofwarwick.org

## VILLAGE OF WARWICK

INCORPORATED 1867

### Village of Warwick - Banner Request Form

Today's Date 11/17/2022

Date's Requested 9/24/2023 - 10/7/2023

Location Requested: West Street \_\_\_\_\_ First Street \_\_\_\_\_ Village Parks ☒ Utility Poles \_\_\_\_\_

Name of Organization: Albert Wisner Public Library

Mailing Address: 1 McFarland Dr., Warwick, NY 10990

Telephone: (Day) (845) 486-1047 (Evening) \_\_\_\_\_ (Cell) (845) 492-1543  
ext. 3

Email: warbookfest@rcs.org or emwilson@rcs.org

#### **Banner Dimensions and Specifications:**

- Banners over **West Street** must be 20 feet wide and 3 feet high. Banners must also be designed for wind loads AND must include 'D' rings.
- Banners by the **First Street Parking Lot** must be 6 feet wide and 3 feet high.
- Banners at **Village Parks** are allowed only if your event is happening at the park. They must be no larger than 16 feet wide and 3 feet high.
- Banners on **Utility Poles** must be 2 feet wide by 5 feet high and require PRIOR approval from Orange & Rockland. Please contact the Village of Warwick DPW Clerk for more information.

Diagram and/or picture of banner showing content must accompany this permit.

Request must be submitted with required Certificate of Liability Insurance which includes:

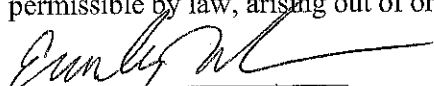
- \$1,000,000 per occurrence / \$2,000,000 aggregate
- Certificate Holder: Village of Warwick, 77 Main Street, Warwick, NY 10990
- Description must state: "This certificate is issued in connection with the hanging of the 'Name of Banner' on 'Location Hanging Banner' from 'Dates Requested'. This certificate is issued subject to all policy terms, conditions, limitations, exclusions and language."

Banner Request Forms must be signed by a Village resident.

Banners may be hung for a **maximum** of two weeks only. ***\*Banners that do not meet the above specifications will not be hung; no exceptions.***

**\*Banner Request Form, Certificate of Insurance, and Picture of Banner must be submitted in one complete packet to the Village of Warwick in order to be presented to the Mayor for approval at least 2 weeks prior to the date's requested.**

The undersigned is over 21 years of age and has read this form and attached regulations and agrees to comply with them. He/she, on behalf of the organization does hereby covenant and agree to defend, indemnify and hold harmless the Village from and against any and all liability, loss, damages, claims, or actions (including costs and attorneys' fees) for bodily injury and/or property damage, to the extent permissible by law, arising out of or in connection with the actual or proposed banner hanging.

  
Signature of Village Resident

15 Smith St. Apt 3  
Address Warwick, NY  
10990

(845) 492-1543  
Telephone

RECEIVED

DEC 13 2022

VILLAGE OF WARWICK  
VILLAGE CLERK'S OFFICE



## Justice Court Village of Warwick

77 MAIN STREET P.O. BOX 369  
WARWICK, NEW YORK 10990  
(845) 986-2031 FAX (845) 986-2870

Village Justice  
**JEANINE GARRITANO WADESON**

December 12, 2022

Court Clerk  
**KAREN VERMILLION**

Mayor Newhard  
Trustee Cheney  
Trustee Lindberg  
Trustee Foster  
Trustee McKnight  
Warwick Village Hall  
77 Main Street  
Warwick, New York 10990

Re: Village of Warwick Justice Court  
Part-Time Court Clerk Position

Dear Mayor Newhard and Board of Trustees:

Having conducted interviews of multiple viable candidates for the position of Part-Time Court Clerk, it is my recommendation that the Village of Warwick offer the position to Sara Sullivan, to begin immediately.

Thank you.

**JEANINE GARRITANO WADESON**  
Village Justice

**BOARD OF TRUSTEES  
VILLAGE OF WARWICK  
DECEMBER 19, 2022  
ADDENDUM NO. 1**

13. **MOTION** to accept the proposal for engineering services from Hudson Valley Engineering Associates dated December 15, 2022, to provide Grant Application Services for the BridgeNY program for the Wheeler Ave and Memorial Park Drive culverts and authorize the Mayor to enter into an Agreement with HVE at a cost not to exceed amount of \$2,500.

The vote on the foregoing **motion** was as follows:

Trustee Cheney \_\_\_\_ Trustee Foster \_\_\_\_ Trustee Lindberg \_\_\_\_

Trustee McKnight \_\_\_\_ Mayor Newhard \_\_\_\_



# Proposal

Preparation of a BridgeNY Application for the Replacement of the Wheeler Avenue and Memorial Park Drive Culverts

Submitted to:

**Village of Warwick**

December 15, 2022

Submitted by:

**HVEA**  
ENGINEERS

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## **Section 4: Proof of Insurance**



December 15, 2022

Raina Abramson  
Village Clerk  
Village of Warwick  
77 Main Street  
Warwick, NY 10990

**Re: Wheeler Avenue and Memorial Park Drive Culverts, Bridge NY Applications**

Dear Ms. Abramson:

HVEA Engineers (HVEA) is pleased to submit our proposal to assist in preparing an application for funding under the BridgeNY Program for the Wheeler Avenue and Memorial Park Drive Culverts. HVEA has exceptional qualifications and extensive experience that is advantageous and can offer:

HVEA HIGHLIGHTS	
Grant Application Experience:	✓ HVEA has prior experience preparing successful grant applications. We recently assisted the Town of Rye obtain a BridgeNY grant for the replacement of the South Barry Avenue Bridge over Otter Creek. HVEA also recently aided five additional municipalities in the acquisition of TAP/CMAQ grants.
Project Understanding:	<ul style="list-style-type: none"><li>✓ HVEA has progressed 9 BRIDGE NY projects and over 90 locally administered federal aid projects. We understand the BRIDGE NY design process and can successfully navigate the requirements and procedures.</li><li>✓ A proposed project team that has over a century's worth of experience designing heavy civil infrastructure projects, with a focus on local bridges.</li><li>✓ Design engineers with field experience who can develop practical, readily constructible designs that address unique site challenges.</li></ul>
Firm & Personnel Experience:	<ul style="list-style-type: none"><li>✓ All proposed key staff have direct experience working on BRIDGE NY projects.</li><li>✓ Medium sized firm of 100+ skilled employees working in two Hudson Valley offices.</li></ul>
Location:	✓ Proximity enables us to meet with the Village on a regular basis for schedule and milestone reviews, to complete field investigation work and to have onsite meetings with Village officials.

HVEA understands the project requirements and can provide both cost efficiency as well as consistent project oversight. We appreciate this opportunity to submit our qualifications. Should you need any additional information, please do not hesitate to contact me at (845) 838-3600 or at [bfitzgerald@hveapc.com](mailto:bfitzgerald@hveapc.com).

Sincerely,

Brendan Fitzgerald, P.E.  
Principal



# SECTION 1

## Project Approach



## PROJECT APPROACH

HVEA is pleased to propose on this project to prepare the BridgeNY grant application for the Wheeler Avenue and Memorial Park Drive culverts and ultimately perform the design of the replacements. HVEA has unparalleled experience with BridgeNY and other Locally Administered Federal and/or State Aid grant programs and looks forward to guiding the Village around the many pitfalls we have encountered over the years. We have identified the following aspects critical to project success:

- Development of a realistic application
- Understanding of the program process
- Expertise to deliver a project
- Hands-on, local, vested interest

**Development of a Realistic Application:** HVEA has been involved with more than 90 projects with State and/or Federal funding that have been overseen by the NYSDOT, Region 8 Local Projects Unit. Through this comprehensive experience, we have worked on projects that were well developed and others that were poorly conceived. Many grant writers feel that obtaining “some” funding for a project is a success. However, with these particular programs, which are capped, the municipality is responsible for any and all costs that exceed the grant allocation which can create a hardship. The successful projects are thoroughly vetted during the application process to ensure that all potential stumbling blocks are identified ahead of time and accounted for in the schedule and budget.

**We are excited to be part of the upfront process to ensure that the Village not only obtains funding, but obtains a realistic amount of funding to make these projects successful.**

*Prior to starting HVEA, our Principal-in-Charge, Mia Nadasky, was a founding member of the NYSDOT Local Projects Unit, assisted local municipalities navigate the program requirements and sat on the annual MPO grant selection committees.*

**Understanding of the BridgeNY Process:** Often, the biggest challenge of BridgeNY funded projects is not necessarily the design of the bridge, but successfully navigating “the process.” We recognize that these projects seek 100% State funds and are categorized as culverts, as the spans are less than 20 feet. If selected, these projects will have similar requirements to those projects in receipt of Federal Aid, with a few exceptions. For instance, adherence to NEPA is not required. HVEA has been working hand in hand with the DOT Local Projects Unit since the formation of our company. A comprehensive IPP/FDR will be prepared, including an evaluation of existing and proposed conditions, environmental & historic screenings, and documentation of the public participation process.

**Expertise to Deliver a Project:** Obtaining BridgeNY funding is irrelevant if the Village does not have a consultant that can deliver a successful design. In BridgeNY’s short tenure, HVEA has been selected for 13 projects, many of which are either completed or under construction.

### BridgeNY Emphasis

- |   |   |
|---|---|
| ✓ | Address poor structural conditions                    |
| ✓ | Mitigate weight restrictions                          |
| ✓ | Facilitate economic development                       |
| ✓ | Improve resiliency                                    |
| ✓ | Reduce the risk of flooding                           |
| ✓ | Provide benefits to Environmental Justice Communities |

The NYSDOT will require that adequate property rights are secured for both temporary and permanent impacts. As right-of-way (ROW) acquisition can be one of the most burdensome aspects of state/federally funded projects it must be carefully evaluated. Our goal with ROW acquisition is to design the culvert to fit the constraints of the project site to eliminate the need for takings and easements.

HVEA is also intimately familiar with permit requirements for working in and over water having completed 3 Critical Bridge over Water (CBOW) mega-projects in 2017-2018. Memorial Park Drive crosses a Class B protected waterway, and thus a DEC Protection of Waters Permit will be required for the replacement. We anticipate that ACOE Nationwide Permits #3 and #33 can be utilized for these replacements.



**Hands-on, Local, Vested Interest:** HVEA is headquartered in Beacon, NY, less than 40 miles from the Village of Warwick and several of our staff live in and around the area. Not only are we are familiar with the challenges of the area, but also have a vested interest in ensuring the projects are completed successfully.

We are eager to work with the Village of Warwick and look forward to showing our capabilities. We routinely contend with the challenges of BridgeNY projects and foster strong lines of communication to complete these projects on time and budget.



# SECTION 2

**Relevant Experience &  
Brochures**



## WELFARE ROAD OVER EAST BRANCH CROTON RIVER CULVERT REPLACEMENT, SOUTHEAST, NY

### BRIDGE NY FUNDED PROJECT



#### CLIENT:

Town of Southeast

#### CONTACT:

Tony Hay  
Town Supervisor  
(845) 279-5345  
[thay@southeast-ny.gov](mailto:thay@southeast-ny.gov)

#### AWARD DATE:

2017

#### COMPLETION DATES:

2018/Design  
2021/Construction

#### CONSTRUCTION COST:

\$330K

#### ARCHITECT/DESIGN ENGINEER:

HVEA Engineers

#### HVEA'S ROLE:

Prime

#### PROJECT HIGHLIGHTS:

- BRIDGE NY project
- Culvert replacement
- Intersection realignment
- Hydraulic analysis utilizing HEC-RAS
- Scour protection
- Erosion & sediment control
- Roadway drainage
- NYCDEP watershed

#### Project Description:

HVEA provided design and construction inspection services for this BridgeNY funded project, which included the removal of a 5' diameter failing corrugated metal pipe beneath Welfare Road. It was replaced with a precast box culvert with increased hydraulic capacity as well as restoration of the streambed.

Located in the NYC watershed, this environmentally sensitive project required permitting as well as an endangered/threatened species and critical habitat analyses.

The newly constructed culvert carries two 11' wide travel lanes and was widened to accommodate for current roadway and guiderail standards. The intersection of Welfare Road and Sherwood Hill Road was also realigned to create a more perpendicular intersection, thereby making Welfare Road the "stop condition".



## BRUNSWICK BRIDGE SUPERSTRUCTURE REPLACEMENT – HOAGERBURGH ROAD OVER THE SHAWANGUNK KILL, SHAWANGUNK, NY

### BRIDGE NY FUNDED PROJECT



#### CLIENT:

Ulster County Department of Public Works

#### CONTACT:

Andrew Emrich, P.E.  
Project Engineer  
(845) 340-3125  
[aemr@co.ulster.ny.us](mailto:aemr@co.ulster.ny.us)

#### COMPLETION DATES:

2020/Design  
2022/Construction

#### CONSTRUCTION COST:

\$2.3 Million

#### HVEA'S ROLE:

Prime

#### PROJECT HIGHLIGHTS:

- BRIDGE NY project
- Superstructure replacement over a sensitive Class B stream
- Endangered species and mussel survey
- Extensive environmental permitting

#### Project Description:

A Bridge NY Funded project, HVEA provided the design and is currently performing construction inspection services for the superstructure replacement of the Brunswick Bridge. The Brunswick Bridge is a two span (94 feet each) steel girder bridge with a 26-foot deck roadway width. The bridge was deteriorating rapidly and initially had a 3-ton load posting with one lane open to vehicles. The existing structure had an open grate drainage adjacent to the exterior girders which exposed them to water and road salt leading to deterioration throughout the spans.

HVEA provided the preliminary and detailed design for the full superstructure replacement including new bearings and minor abutment/pier modifications. The new superstructure will have a continuous "jointless" concrete deck over the pier to eliminate leaking and improve drainage, specifically road salt. The design also included a wider bridge deck and shoulders to accommodate all modes of transportation and improve shared-use of the roadway.

Environmental considerations were a critical component of this project as it was subject to both NEPA and SEQRA review. Also performed assessments for endangered species, mussel survey and archeological and historic resources which were coordinated through the NYSDOT. Extensive permitting was also required as the Shawangunk Kill is a Class B stream. Permits included:

- Article 15 Stream Disturbance Permit
- Water Quality Certification
- ACOE permits

## REPLACEMENT OF THE HILLSIDE AVENUE BRIDGE OVER THE MAMARONECK RIVER, MAMARONECK, NY

### BRIDGE NY FUNDED PROJECT



#### CLIENT:

Village of Mamaroneck

#### CONTACT:

Daniel Sarnoff  
Assistant Village Manager  
(914) 777-7703  
[dsarnoff@vomny.org](mailto:dsarnoff@vomny.org)

#### COMPLETION DATES:

2020/Design  
2022/Construction

#### CONSTRUCTION COST:

\$4.3 Million

#### HVEA'S ROLE:

Prime

#### PROJECT HIGHLIGHTS:

- BRIDGE NY project
- Bridge replacement over a sensitive waterway
- Work within a coastal zone
- Extensive environmental permitting
- Coordination with the US Army Corps
- Hydraulic analysis utilizing HEC-RAS

#### Project Description:

A Bridge NY Funded project, HVEA provided preliminary & final design, and right-of-way incidental and acquisition, and is providing construction support and inspection services for the Replacement of the Hillside Avenue Bridge over the Mamaroneck River. This project involved the oversight of the Village of Mamaroneck and the Towns of Mamaroneck and Rye via intermunicipal agreement. HVEA assisted the Village with completing a Full SEQR EAF. Because the bridge is eligible for the National Register of Historic Places, HVEA prepared a Section 106 Finding Document and Memorandum of Agreement for DOT, SHPO and FHWA approval that has been signed by all parties. The memo memorializes mitigation measures related to preserving the historic nature of the structure in the proposed design. The project also involved the realignment and reconstruction of the west approach to the bridge, including new curbing, 5' wide sidewalks and a curb ramp. All sidewalks and curb ramps were designed to meet ADA and PROWAG standards. Construction is expected to be completed in Summer 2022.

Services included: topographic & boundary survey, bridge and roadway design, subsurface investigation and design, hydraulic analysis, scour protection, utility coordination, multi-municipal coordination, US Army Corps of Engineers coordination, SHPO coordination, NEPA/SEQR determinations, ACOE permitting, ROW incidentals and acquisition, EDPL public hearing, public participation and construction support and inspection services

## REPLACEMENT OF THE WAVERLY AVENUE BRIDGE OVER THE SHELDRAKE RIVER, MAMARONECK, NY

### BRIDGE NY FUNDED PROJECT



#### CLIENT:

Town of Mamaroneck

#### CONTACT:

Robert Wasp, P.E.

Town Engineer

(914) 381-7835

[rwasp@townofmamaroneckNY.org](mailto:rwasp@townofmamaroneckNY.org)

#### COMPLETION DATES:

2022/Design

2023/Construction

#### CONSTRUCTION COST:

\$2.3 Million

#### HVEA'S ROLE:

Prime

#### PROJECT HIGHLIGHTS:

- BRIDGE NY project
- Hydraulic evaluation for scour protection
- Utility coordination & relocation
- ROW incidentals & acquisition
- Bridge/guide rail placement
- M&PT/detour plans
- ADA/PROWAG compliance
- NYSDOT Region 8 oversight

#### Project Description:

A Bridge NY Funded project, HVEA provided preliminary and detailed design, ROW incidentals and acquisition and will be providing construction support and inspection services for the Waverly Avenue Bridge Replacement project.

The project includes replacement by widening the span from 25 feet to 33 feet, consistent with hydraulic analysis recommendations in a Flood Risk Mitigation Study prepared by the Army Corps of Engineers.

Preferred structure type is precast concrete. The project will also slightly realign Waverly Avenue to remove an abrupt jog in the roadway at the intersection of Plaza Avenue just east of the bridge. Sidewalks and bridge rail will be installed on both sides of the bridge in compliance with ADA/PROWAG standards.

Additional design features included:

- NEPA/SEQR determination
- SHPO, Army Corps & NYSDEC coordination
- ACEO Nationwide Permit(s)
- Erosion & sediment control

## REHABILITATION OF THE CALL HOLLOW ROAD BRIDGE OVER THE MINISCEONGO CREEK AND REPLACEMENT OF THE HUNGRY HOLLOW AND TOWNLINE ROAD CULVERTS, ROCKLAND COUNTY, NY

### BRIDGE NY FUNDED PROJECTS



#### CLIENT:

Rockland County Highway  
Department

#### CONTACT:

Daniel Quinn  
Project Manager  
(845) 638-5060  
[quinnd@co.rockland.ny.us](mailto:quinnd@co.rockland.ny.us)

#### COMPLETION DATES:

2021/Design  
2023/Construction

#### CONSTRUCTION COST:

\$625,000 (Call Hollow)  
\$345,000 (Townline)  
\$511,000 (Hungry Hollow)

#### HVEA'S ROLE:

Prime

#### PROJECT HIGHLIGHTS:

- BRIDGE NY projects
- Hydraulic analysis utilizing HEC-RAS and HY-8 modeling
- Extensive environmental permitting
- Coordination with the US Army Corps & NYSDEC

#### Project Description:

**Call Hollow Road Bridge:** Bridge NY Funded project, HVEA provided design and construction support and will be providing construction inspection services for this bridge rehabilitation located in the Town of Haverstraw. The bridge consists of two 12-foot-wide by 8-foot-high four-sided precast concrete box culverts with a total span of twenty-seven feet. Recent inspection reports indicated spalling, exposed rebar, horizontal cracking and efflorescence leakage. Water is leaking through all the segment joints on both spans: The stream banks leading towards the inlet are heavily eroded. A temporary concrete barrier was placed along the approach roadway to protect the roadway embankment, which was washed out during prior storm events.

HVEA performed a hydraulic analysis utilizing HEC-RAS modeling and designed repairs for the spalls and patches of the leaking joints inside the box culvert. The top of the box culvert will be exposed to install a new waterproofing membrane. The upstream wingwall will be extended with a soldier pile and precast concrete lagging to support the roadway above. The temporary concrete barrier will be replaced with standard bridge rail.

An ACOE/NYSDEC Joint Permit was required for this project. Careful coordination with utility agencies such as Orange & Rockland, Suez Water, Town/County Sewer, Verizon and Altice is required to ensure their facilities are not disrupted. Endangered Species and Cultural Resource screenings were conducted. On site staging was planned and construction will begin in early 2022.

## REHABILITATION OF THE CALL HOLLOW ROAD BRIDGE OVER THE MINISCEONGO CREEK AND REPLACEMENT OF THE HUNGRY HOLLOW AND TOWNLINE ROAD CULVERTS, ROCKLAND COUNTY, NY (continued)

### BRIDGE NY FUNDED PROJECTS



#### Project Description:

HVEA provided hydraulic analysis utilizing HY-8, design services and is providing construction inspection services for the replacement of the Townline and Hungry Hollow Road Culverts.

**Townline Road Culvert:** Replace the existing two-barrel culvert with a 10-foot by 3-foot, 4-sided precast concrete box culvert and precast concrete wing walls. New drainage structures, drainage pipe and replacement of a short section of sanitary sewer main requiring bypass pumping will also be included. Bridge and guide railing will be installed along the approaches and the roadway will be repaved within the project limits.

**Hungry Hollow Road Culvert:** Replace the existing twin 36-inch corrugated metal arch pipes and box extension with a 10-foot by 2.5-foot, 4-sided precast concrete box culvert and precast wing walls on a new alignment. The northeast wing wall will be reconstructed with four-rail bridge railing and new sidewalk extending from Raymond A venue approximately 100 feet to the north. Bridge and guide railing will be installed on the west side of the road and the roadway will be repaved within the project limits. The project also includes replacement of a short section of sanitary sewer main that will require bypass pumping.



## BRIDGE NY & FEDERAL AID LOCAL PROJECTS

*Serving the Hudson Valley Region*



### HVEA's services include:

- Bridge & Culvert Design
- Roadway Design
- Pedestrian Access & Sidewalk Design
- Intersection Improvements
- Roundabout Design
- Shared-Use Path/Rail Trail Design
- Traffic Engineering
- Parking Studies & Lot Design
- Drainage Design
- Hydraulic Analysis & Scour Protection
- Stream Analysis
- Stormwater Management
- Environmental Compliance & Permits
- Construction Inspection & Support
- Materials Testing

A local certified DBE firm, HVEA Engineers focuses 100% of our attention on our municipal clients and has the depth of experience, resources and capacity to help our clients find the right solution for their projects. As a multi-disciplined engineering firm, HVEA has provided a wide range of services for federal-aid local projects and BRIDGENY funded projects throughout the Hudson Valley.

HVEA has been selected to the NYS County Highway Superintendents Locally Administered Federal Aid List in Region 8 in each of the six 3-years cycles since 2002. We were designated as the most qualified firm for **9 Bridge NY projects** and over **90 Federal Aid Local Projects** since then; many times by repeat clients. Our projects range from municipally sponsored state and federal aid road and bridge projects to reverse betterments, all following the federal-aid process.

## Understanding the Bridge NY & Locally Administered Federal Aid Process:

Projects funded under these programs are progressed under the oversight review of the NYSDOT Local Projects Unit out of the Region 8 offices in Poughkeepsie. HVEA has established strong relationships with the key players at the DOT and have a thorough understanding of the Bridge NY and locally administered federal aid processes. In addition, HVEA has worked with all of the agencies involved in critical path tasks such as SEQR, NEPA, SHPO, coordination with railroads, public outreach, ROW, NYSDEC and ACOE permits and endangered species.

Each step of the process is assigned to qualified project staff - through construction and project acceptance by the client. Our local projects team is led by our three founding partners and former NYSDOT Project Engineers. Their knowledge provides our firm with unique insight into the federal-aid process and the needs of our clients.

## Hydraulic Considerations:

Recent severe weather events have increased the need for hydraulic improvements for structures spanning waterways. HVEA has extensive experience designing structures over waterways and consistently performs stream analysis, hydraulic analysis utilizing HEC-RAS or HY-8, and scour protection for at-risk bridges.

## Design & Construction Inspection:

**Design** - Local roadway, bridge and shared-use path projects usually can't succeed under the narrow view of the NYSDOT standards. HVEA is adept at applying 1R, 2R or 3R rehabilitation standards in lieu of the strict geometric criteria, helping Sponsors realize their vision.

**Construction Inspection** - Federal-aid local projects must be inspected and documented under the NYSDOT's strict guidelines. There are a litany of forms, documents, certifications and testing needed. HVEA's project oversight ensures that project delays are avoided and federal reimbursement remains intact.

## Local Presence:

Bridge NY and locally administered federal aid projects are vital to our community. Our employees live and work in the Hudson Valley and genuinely care about these projects and how they benefit our area businesses and neighbors. HVEA is a local firm with two established offices in the Hudson Valley permitting our firm to meet with clients for site visits and face-to-face meetings. Our unique blend of credentials makes us distinctively qualified to progress these projects resulting in a successfully completed Bridge NY or locally administered federal aid project.



For additional information, please contact:

**Brendan Fitzgerald, P.E.**  
(845) 838-3600  
bfitzgerald@hveapc.com



**Jack Gorton, P.E.**  
(845) 838-3600  
jgorton@hveapc.com



# SECTION 3

## Organization Chart & Resumes of Key Personnel

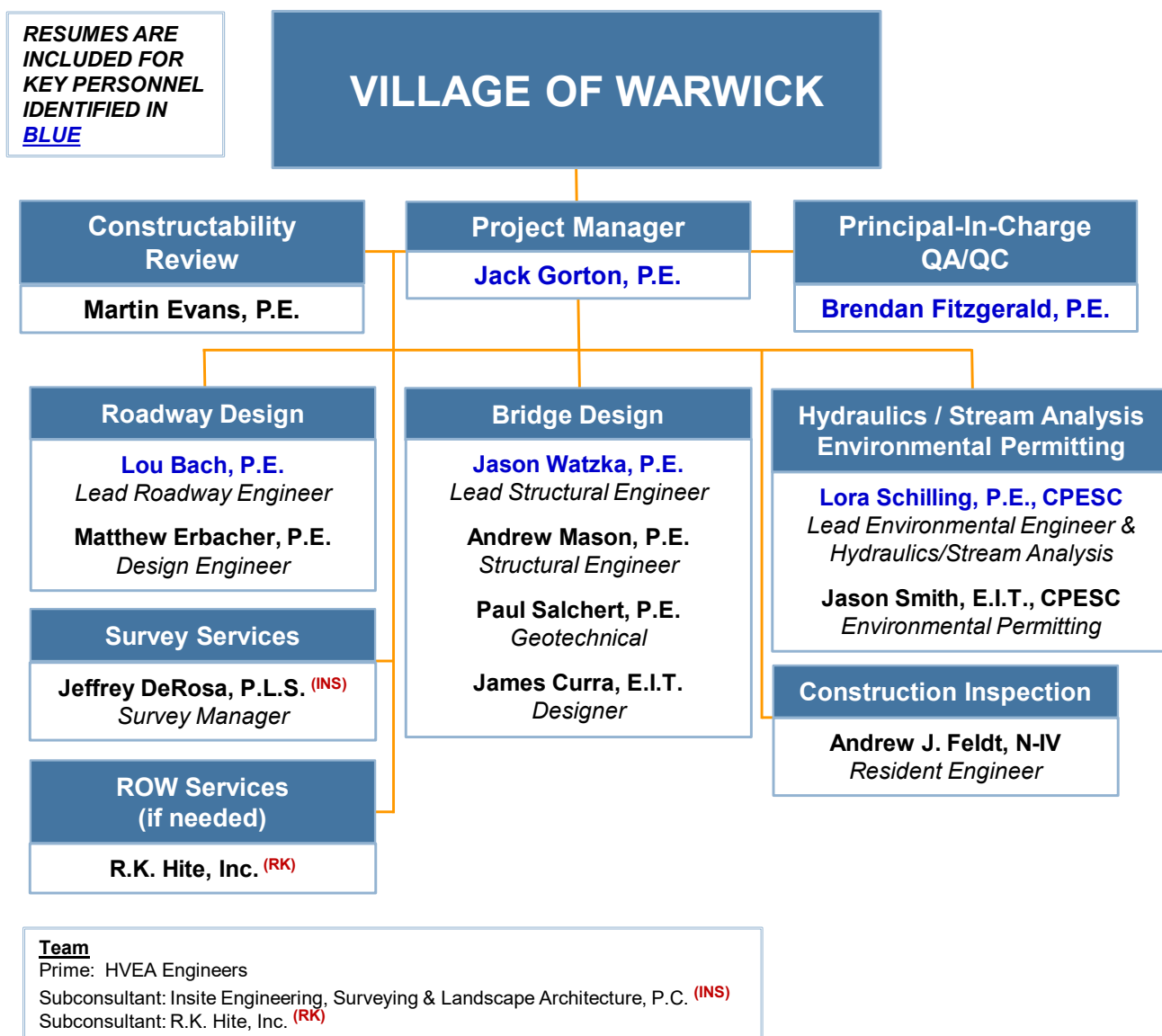


# KEY PERSONNEL

## Introduction:

The staff proposed by HVEA to assist in preparing an application for funding under the BridgeNY Program for the replacement of the Wheeler Avenue and Memorial Park Drive culverts have extensive experience with BridgeNY as well as other NYSDOT administered grant programs. HVEA has established relationships with the NYSDOT local projects group and specializes in progressing BridgeNY and locally administered federal aid projects for our municipal clients.

## Organization Chart:



# BRENDAN FITZGERALD, P.E.

## PRINCIPAL-IN-CHARGE & QA/QC

### FIRM:

HVEA Engineers

### YEARS OF EXPERIENCE:

28

### EDUCATION:

BS, Civil Engineering, Cornell University, 1990

### REGISTRATIONS:

PE, New York, #074115, 1997

### CERTIFICATIONS:

FHWA/NHI 133112A Design & Operation of Work Zone Traffic Control, 2020

New York Wetland Law & Compliance, 2018

Syracuse University College of Environmental Science & Forestry - Stormwater Management Program

Certified Professional in Erosion and Sediment Control (CPESC)

Certified Professional in Storm Water Quality (CPSWQ)

## PROFILE

A founding partner of HVEA, Mr. Fitzgerald is a skilled and versatile professional, who has helped guide this local firm and its growth from the original 3 partners to a full-service 90+ person engineering firm. He has 30 years of transportation experience and has served in various capacities including Principal-In-Charge, Quality Assurance/Control Engineer, Lead Traffic Engineer and Project Manager. He has an in-depth understanding of local concerns and issues and readily recognizes the impact they have on the development of projects and maintenance of infrastructure.

He provides project oversight and management on many of HVEA's municipal projects and has also overseen the preparation of several successful BridgeNY and TAP/CMAQ grant applications.

## SUMMARY OF EXPERIENCE

### Principal-In-Charge – Auditorium Road/South Road Intersection, East Fishkill, NY, Town of East Fishkill

Mr. Fitzgerald is overseeing the design of a bypass roadway network and roundabout at the Route 52/Auditorium Drive intersection to alleviate traffic congestion due to current volumes from I-84 and John Jay High School and future traffic volume due to iPark, Amazon and Frito Lay facilities.

### Town Traffic Consultant – Traffic Studies & Corridor Analysis of Route 52, East Fishkill, Town of East Fishkill

Mr. Fitzgerald is the town traffic consultant responsible for the review of traffic impact studies submitted by developers, identification and evaluation of traffic mitigation opportunities, performing planning studies and analysis, and preparing computer models and traffic simulations utilizing Synchro and OTISS. Mr. Fitzgerald also completed a study to establish a baseline measure of the function of several critical corridors in the Town of East Fishkill's roadway network. Critical corridors and intersections were determined and analyzed for improvements. The study included traffic counts, LOS analysis, recommended mitigation of identified problems and cost estimates. Recommended mitigation ranged from minor adjustments to signalization to wholesale reconstruction. This study serves as a development guide. Assisted the Town with the preparation of two successful TAP/CMAQ grants, one in the amount of \$1.79M for the Route 52 Pedestrian

Improvement project and another \$5M for the Route 82/376 Offset Roundabout project.

#### **Quality Manager – Northside Line Urban Trail, Poughkeepsie, NY, Dutchess County**

Mr. Fitzgerald is the Quality Manager for this high-profile \$14M project to develop a 2.7 mile urban shared-use facility that connects the Poughkeepsie residents with the resources in the area and to provide an alternate means of transportation. This project includes many design challenges including connectivity, drainage/stormwater, safety considerations, path design, access, and street crossings. This location experiences extensive stormwater runoff and discharge from private developments resulting in excessive running and standing water. Mr. Fitzgerald coordinated with the ACOE to obtain a Jurisdictional Determination of Waters of the US and the City's MS-4 Coordinator to determine the City's capacity and the most probable practices to handle the overflow. Design options included ditching, designing stormwater management ponds to store excess runoff and augmentation of the drainage system.

#### **Quality Manager & Lead Environmental Manager – South Putt Corners Road (CR17) Rehabilitation, PIN 8759.90, New Paltz, NY, Ulster County Dept. of Planning**

Mr. Fitzgerald was the Quality Manager and Environmental Lead for this \$3.6M project to design the rehabilitation of 1.7 miles of South Putt Corners Road. Included the evaluation of horizontal and & vertical curves, shoulder widening, guide rail, correction of cross slope and superelevation, utility relocations, signage, the preparation of design approval documentation for NEPA concurrence by NYSDOT, the determination of project design criteria, analysis of existing drainage system, environmental coordination including various permits and the preparation of

project plans in accordance with NYSDOT specifications. ***Locally Administered Federal Aid Project.***

#### **Construction Quality Control Engineer – Design-Build, D900029, Region 8 Bundled Bridges, Contract 5, Orange County, NY, NYSDOT**

Mr. Fitzgerald served as the Construction Quality Control Engineer (CQCE) on this Design-Build project to construct seven (7) bridges as part of the NYSDOT Critical Bridges over Water (CBOW) Program. His responsibilities included monitoring all aspects of construction quality control, reviewing construction plans, managing inspection staff, ensuring conformance with the contract plans and specifications, processing payment requisitions for the contractor and reviewing change orders and disputes. He supervised an eight-person inspection team on this project.

#### **Quality Assurance – Route 17 PEL Study, D037863, Orange & Sullivan Counties, NY, NYSDOT**

Mr. Fitzgerald provided project oversight for the environmental corridor study, which included land use cover, surface waters, endangered species habitats, historic resources, vegetation and topography reporting and analysis to construct a third lane on Route 17 from Woodbury to Monticello, NY. HVEA evaluated with project corridor for potential stormwater management requirements, preliminary sized required practices, identified potential locations for practices and developed a Stormwater Management Technical Report that was appended to the PEL Study.

# JACK GORTON, P.E.

## PROJECT MANAGER

### FIRM:

HVEA Engineers

### YEARS OF EXPERIENCE:

12

### EDUCATION:

BS, Mechanical Engineering, Binghamton University, 2009

### CERTIFICATIONS:

FHWA/NHI 133112A Design & Operation of Work Zone Traffic Control, 2017

ACI Concrete Field Testing Technician, Grade 1

New York Wetland Law & Compliance, 2018

Certification in Nuclear Density Gauge Operation for Asphalt & Earthwork

## PROFILE

Mr. Gorton has over 12 years of experience in transportation design and construction support involving bridge, culvert, highway and pedestrian access. His projects have involved all aspects of design from conception, scoping, analysis, environmental planning and coordination, inspection, and securing NYSDOT/FHWA design approval, to the preparation of final plans, specifications, and estimate and construction inspection. He has extensive bridge replacement and rehabilitation experience working on projects for counties and municipalities throughout the Hudson Valley. As Project Manager, Mr. Gorton is involved in all management, design, plan development, and bidding processes. He also maintains regular contact with the client and all project stakeholders to ensure the project progresses according to schedule.

## SUMMARY OF EXPERIENCE

### Quality Manager – Brunswick Bridge Superstructure Replacement, Hoagerburgh Rd over the Shawangunk Kill, Shawangunk, NY

A BridgeNY funded project, Mr. Gorton was the Quality Manager for the superstructure replacement of the existing Brunswick Bridge. The bridge was deteriorating rapidly. Tasks included the design of a continuous jointless concrete deck with wider shoulders to improve shared-use of the roadway, new bearings and minor abutment/pier modifications. Construction was completed in 2022. **Bridge NY Project.**

### Project Manager – Hillside Avenue Bridge over the Mamaroneck River, PIN 8761.55, Mamaroneck, NY, Village of Mamaroneck

A BridgeNY funded project, HVEA provided preliminary and final design and construction support and inspection services to completely replace the 83-year-old concrete structure carrying Hillside Avenue over the Mamaroneck River. The design incorporated recommendations from HVEA's hydraulic analysis and a 2016 US Army Corps of Engineers (USACE) flood risk management study for the Mamaroneck and Sheldrake Rivers. The bridge was designed with a wider opening to accommodate an overall widened river channel to assist with flood mitigation, which will be accomplished under the USACE's project. It also includes new, deeper bridge foundations to accommodate future USACE dredging of the river. The project also included multi-utility agency coordination, SHPO coordination and minor right-of-way acquisition. This bridge was completed in 2022. **Bridge NY Project.**

### **Project Manager – Dutchess County Urban Trail, Poughkeepsie, NY, Dutchess County**

Mr. Gorton is the Project Manager for this high-profile \$14M project to develop a 2.7 mile urban shared-use facility that connects the Poughkeepsie residents with the resources in the area and to provide an alternate means of transportation. This project includes many design challenges including connectivity, drainage, safety considerations, path design, access, and street crossings.

### **Quality Manager – Midtown Linear Park, PIN 8761.82, Kingston, NY, Ulster County DPW**

Mr. Gorton was the Quality Manager to convert a 0.8-mile segment of abandoned County-owned Ulster & Delaware Railroad ROW into a trail/urban linear park in Kingston, NY. Project tasks included: the development of a 12-foot-wide asphalt paved shared-use path that is ADA/PROWAG compliant, parking lot access, drainage improvements, landscaping, removal of the existing railroad tracks and ties and contamination remediation. Safety/security features was a key design concern as this linear park will remain open 24/7. Solar lighting and designing the space with open sight lines was specifically important for this project. **Locally Administered Federal Aid Project.**

### **Project Manager – Hudson Valley Rail Trail, Phase 4, PIN 8761.21, Lloyd, NY, Ulster County**

*Selected for the 2021 GreenLITES Silver Certification in Transportation & Environmental Sustainability*

*Selected for the ACEC NY 2020 Silver Award in Transportation Systems.*

Project Manager for this 1.24 mile shared-use path extension project to progress the Hudson Valley Rail Trail towards New Paltz. Tasks consist of designing a 12' wide continuous shared use path, trail amenities, emergency access, concrete bridge rehabilitation, parking lot access and design, and environmental coordination. **Locally Administered Federal Aid Project.**

### **Project Manager – Lake Drive Bridge Replacement, PIN 8761.39, City of Newburgh**

Mr. Gorton was the Project Manager responsible for the replacement design of two failing corrugated pipes carrying Lake Drive over the Quassaick Creek. This project involved bridge and highway design, right-of-way acquisition, utility relocations and multiple permits. Mr. Gorton was responsible for full project oversight. **Locally Administered Federal Aid Project.**

### **Project Manager – Heritage Trail Extension, PIN's 8780.18, 8755.98 & 8757.05, Middletown & Goshen, NY, Orange County DPW**

This \$15M, 10 mile shared-use path extension is providing a link from the Village of Goshen to the City of Middletown, with primary focus on Segment 2 out of the three segments of the project (PIN 8755.98). The project requires unique alignment changes, multi-municipal agency coordination and environmental challenges as large sections of the abandoned Erie Railroad alignment were developed. Mr. Gorton is responsible for the management of all three PIN's, public participation and maintains regular client contact. **Locally Administered Federal Aid Project.**

### **Project Manager – South Putt Corners Road, PIN 8759.90, New Paltz, Ulster County**

Project Manager for this \$3.6M project to design the rehabilitation of 1.7 miles of South Putt Corners Road. Work included the evaluation of horizontal and vertical curves, shoulder widening, guide rail, correction of cross slope and superelevation, utility relocations and signage, the preparation of design approval documentation for NEPA concurrence by NYSDOT, the determination of project design criteria, analysis of existing drainage system, environmental coordination and the preparation of project plans in accordance with NYSDOT specifications. **Locally Administered Federal Aid Project.**

# JASON WATZKA, P.E.

## LEAD STRUCTURAL ENGINEER

### FIRM:

HVEA Engineers

### YEARS OF EXPERIENCE:

17

### EDUCATION:

BS, Civil Engineering, Rensselaer Polytechnic Institute, 2004

### REGISTRATIONS:

PE, New York, #087342, 2009

### CERTIFICATIONS:

FHWA/NHI, Design & Operation of Work Zone Traffic Control, Course No. 133112A, 2017

CIC Safety Seminar Crane & Rigging Safety, 2010

CIC Safety Seminar, NYSDOT Work Zone Traffic Control Training, 2010

Synchro & SimTraffic Traffic Simulation Software Advanced Training

ACI Concrete Field Testing - Grade 1

OSHA 10-Hour Safety Trained

estimate. He is well versed in NYSDOT standards and specifications and has been instrumental in the successful completion of over 25 bridge and culvert replacement/rehabilitation projects for clients throughout the New York Metropolitan area.

## SUMMARY OF EXPERIENCE

### Structural Design Engineer – Rehabilitation of the Main Street Bridge (NYS 119) over Bronx River Parkway and Bronx River, PIN 8762.18, White Plains, NY, Westchester County DPW

Mr. Watzka is responsible for the preliminary and detailed design for the rehabilitation of this 2-span concrete arch structure crossing the Bronx River Parkway and the Bronx River. The goal is to extend the service life of the existing structure by removing the existing wearing surface & saturated fill material, repairing water damage, waterproofing the arches, placing new fill, upgrading drainage, restoring the wearing surface and repairing the concrete and stone masonry. The existing parapet walls will be raised to a height of 42" to comply with ADA/PROWAG requirements. Since the bridge is in the Bronx River Reservation and is National Register Eligible, there is also extensive coordination with SHPO to meet Section 106 and 4(f) requirements. **Bridge NY Project.**

### Structural Design Engineer – Replacement of the Hillside Avenue Bridge over the Mamaroneck River, PIN 8761.55, Mamaroneck, NY, Village of Mamaroneck

Mr. Watzka was the Lead Structural Engineer for this Bridge NY Funded project to completely replace the existing concrete/stone arch structure carrying Hillside Avenue over the Mamaroneck River. The former structure was replaced with a bridge with a wider opening to accommodate an overall widened/deepened river channel to assist

## PROFILE

Mr. Watzka has over 17 years of combined experience as HVEA's lead structural design engineer and construction support engineer. His work involves the evaluation of feasible design alternatives for bridge rehabilitation and replacement projects, including load ratings, condition evaluations of existing structures, hydraulic studies, and all aspects of design from conception, scoping, and analysis, to the preparation of final plans, specifications, and

with flood mitigation and new, deeper bridge foundations were built to accommodate future USACE dredging of the river. To excavate for the proposed bridge foundation an extensive support of excavation wall was designed to support a 66" sewer main that is located behind the bridge abutment. Also included multi-utility agency coordination, SHPO coordination and minor ROW acquisition. **Bridge NY Project.**

#### **Structural Design Engineer – Call Hollow Road over Minisceongo Creek Bridge Rehabilitation, Haverstraw, NY, Rockland County Highway Department**

Mr. Watzka was responsible for the preliminary and final design for this bridge rehabilitation project. The Call Hollow Road Bridge over the Minisceongo Creek has developed minor deficiencies that require rehabilitation. The bridge was built in 1989; however, it is showing deterioration, along with slope failure adjacent to the roadway. The creek bank adjacent to the roadway will be supported with a new retaining wall, extended from the existing northwest wingwall, to ensure future roadway stability. Existing temporary concrete barrier will be removed, and new guide rail will be installed along the shoulder. **Bridge NY Project.**

#### **Structural Design Engineer – Replacement of Bridge E-8 – Phillips Road over the Fishkill Creek, East Fishkill, NY, Dutchess County DPW**

Mr. Watzka was the Lead Structural Design Engineer for the replacement of the E-8 Bridge carrying Phillips Road over the Fishkill Creek. The former bridge was a 38'-6" jack arch bridge supported on cast-in-place abutments. The project work included preliminary and final bridge design, highway design, hydraulic modeling and environmental permitting for this county funded project. Mr. Watzka designed the replacement bridge and utilized the existing wingwalls/abutments as cofferdams to increase the

width of the hydraulic opening to alleviate the pressure flow.

#### **Structural Design Engineer – Taylor Road Bridge Replacement, PIN 8759.22, Cornwall, NY, Orange County DPW**

Structural Engineer assigned to design the replacement of the Taylor Road Bridge over the Woodbury Creek. Work included the design of a precast arch system, abutments, scour protection, removal of existing structure, drainage system corrections, erosion control plan and detour, documentation for NEPA concurrence by NYSDOT, the determination of project design criteria, analysis of existing structure and drainage system, environmental coordination and the preparation of project plans in accordance with NYSDOT specifications. **Locally Administered Federal Aid Project.**

#### **Structural Design Engineer – Mud Tavern Road over Dwaar Kill, PIN 8756.66, Shawangunk, Ulster County DPW**

Mr. Watzka served as Design Engineer for this project to design an integral abutment, prestressed concrete bridge replacement. The project work included preliminary alignment design, horizontal and vertical curve design, environmental studies, ROW takings from adjacent parcels, public informational meetings, a NYSDOT design report and FHWA NEPA concurrence, and final plans and estimate. **Locally Administered Federal Aid Project.**

# LOU BACH, P.E.

## LEAD ROADWAY ENGINEER

### FIRM:

HVEA Engineers

### YEARS OF EXPERIENCE:

11

### EDUCATION:

BS, Civil Engineering, Rensselaer Polytechnic Institute, 2010

### REGISTRATIONS:

PE, New York, #095245, 2015

### CERTIFICATIONS:

FHWA/NHI 133112A Design & Operation of Work Zone Traffic Control, 2020

ACI Concrete Field Testing Technician, Grade 1

## PROFILE

Mr. Bach's comprehensive experience in transportation design involves all facets of bridge design, highway design, retaining walls, sidewalk design, drainage design, pedestrian safety, landscape and lighting enhancements, and construction support services. His projects have involved all aspects of design from conception, scoping, analysis, WZTC/MPT plans, environmental planning and securing design approval, to the preparation of final plans, specifications, and estimates. In addition, he has extensive culvert and bridge replacement and rehabilitation experience working on projects for counties and municipalities throughout the Hudson Valley.

## SUMMARY OF EXPERIENCE

### Project Manager – Brunswick Bridge Superstructure Replacement, Hoagerburgh Road over the Shawangunk Kill, Shawangunk, NY, Ulster County DPW

Mr. Bach was the Project Manager on this bridge rehabilitation project for Ulster County Department of Public Works. The project includes replacement of the bridge superstructure along with as-needed concrete repairs and bridge approach reconstruction. Part of the BRIDGE NY program, this project followed a strict schedule to meet the funding requirements. Mr. Bach was responsible for ensuring the project navigated the NYSDOT approval process successfully and for the design of the highway portion of the project. **Bridge NY Project.**

### Project Engineer – Replacement of the Lake Drive Culvert/Bridge over the Quassaick Creek, Newburgh, NY, City of Newburgh

Mr. Bach served as the Project Engineer on this \$2M bridge replacement project for the City of Newburgh. Mr. Bach was responsible for the design of the roadway alignments, drainage, work zone traffic control, and utility coordination. **Locally Administered Federal Aid Project.**

### Project Engineer – Welfare Road over Deforest Corners Brook Culvert Replacement, PIN 8761.70, Southeast, NY, Town of Southeast

Mr. Bach served as the Project Engineer on this culvert replacement project funded through the BRIDGE NY program. Also included in the project was the realignment of the Welfare Road/Sherwood Hill Road intersection, which is immediately adjacent to the culvert. Mr. Bach was responsible for the design of the roadway

alignments, drainage, work zone traffic control, and utility coordination. **Bridge NY Project.**

**Project Engineer – Purdys Train Station Pedestrian Access Improvements, PIN 8761.81, North Salem, NY, Town of North Salem**

Mr. Bach was the Project Manager for this pedestrian enhancement project to provide a much-needed link within the Hamlet of Purdys from the Lions Club to beyond the I-684 exit ramp. Located in the NYCDEP watershed, Mr. Bach was responsible for designing the sidewalks, curbs, and ramps in accordance with PROWAG, a subset of ADA requirements. He also is responsible for the preparation of a public informational presentation, permitting and coordination with NYSDOT. **Locally Administered Federal Aid Project.**

**Project Engineer – Creek Road Roundabout, PIN 8757.25, Poughkeepsie, NY, City of Poughkeepsie**

**ACEC NY 2019 Platinum Award in Transportation Systems**

Mr. Bach was the Project Engineer responsible for constructability review and shop drawing review for this project to reconstruct the intersection of Creek Road, Smith Street and Little George Street in the City of Poughkeepsie. This project reconstructed an unconventional intersection into a modern roundabout, which has reduced traffic backups significantly. Sidewalks were also installed to accommodate pedestrians. Work included capacity analysis with unbalanced traffic volumes due to the nearby Dutchess Community College, accident analysis and roundabout design. **Locally Administered Federal Aid Project.**

**Project Manager – Harlem Valley Rail Trail, PIN 8762.53, Copake, NY, NYS Office of Parks, Recreation & Historic Preservation**

Mr. Bach is the Project Manager on this 1.3-mile trail project along the former New York & Harlem Valley Railroad corridor in the Town of Copake,

Columbia County, NY. The project proposes the “missing link” in this trail network from Orphan Farm Road to Black Grocery Road including a pedestrian bridge over NY Route 22. Also included the preparation of a TAP/CMAQ grant application. Mr. Bach was responsible for overseeing the design of the trail and for progressing the project through the Locally Administered Federal Aid Process.

**Project Engineer – Design Build of the Bruckner Viaduct Deck Replacement, D900040, New York, NY, NYSDOT**

Mr. Bach was the Project Engineer on this \$204M project to replace the concrete bridge deck at the Bruckner Expressway/Major Deegan Expressway/RFK Bridge Interchange in the Bronx. The interchange is located entirely on structure, therefore the project featured complex work zone traffic control schemes and detours to perform the work with as little impact to traffic as possible. Mr. Bach was responsible for the design of the work zone traffic control for various stages of construction.

**Project Engineer – Uptown Transportation Improvements, Kingston, NY, City of Kingston**

This project included the transformation of the 4-lane Schwenk Drive into a complete street and improve the intersections of Clinton Avenue @ Westbrook Lane and Clinton Avenue @ Albany Avenue. Mr. Bach provided design services which feature a roadway diet, dedicated bicycle accommodations, ADA/PROWAG compliant sidewalks, mid-block crossings, bump-outs and aesthetic improvements

# LORA SCHILLING, P.E., CPESC

## LEAD ENVIRONMENTAL/HYDRAULIC ENGINEER

### FIRM:

HVEA Engineers

### YEARS OF EXPERIENCE:

6

### EDUCATION:

MBA Ethical Leadership, Marist College, 2018

BS, Environmental Engineering, Cornell University, 2016

### REGISTRATIONS:

PE, New York, #104503, 2021

### CERTIFICATIONS:

FHWA/NHI 133112A Design & Operation of Work Zone Traffic Control, 2017

Certified Professional in Erosion and Sediment Control (CPESC)- March 2020

The Tree Course: Science, Design, and Sustainability, 2019

38 Hour Army Corps of Engineers Wetland Delineation Training Program, 2019

New York Wetland Law & Compliance, 2018

Cornell Cooperative Extension Stormwater Series, 2018

NETTCP Soils and Aggregate Inspector Certification, 2017

HEC-RAS, River Analysis, Rutgers University, 2017

GP-0-15-002 Erosion & Sediment Control, 2016

LEED Green Associate, 2014

## PROFILE

Ms. Schilling's focus has been on hydraulic analysis, permitting, stormwater management, erosion control, State Pollutant Discharge Elimination System (SPDES) and Stormwater Pollution Prevention Plans (SWPPP). Ms. Schilling has performed hydraulic and floodplain modelling for many of HVEA's municipal bridges spanning waterways. She utilizes HEC-RAS and HY-8 programs to model flow transitions for bridges and culverts and aid in evaluating design options for each structure. She also completed the HEC-RAS River Analysis class offered by Rutgers University to further her knowledge base.

## SUMMARY OF EXPERIENCE

### Hydraulic Engineer – Hungry Hollow Road over Tributary of Saddle River Culvert Replacement, Chestnut Ridge, NY, Rockland County Highway Department

Ms. Schilling was the Hydraulic Engineer for this culvert replacement project. This project will replace existing twin 36" corrugated metal arch pipes with a concrete box extension with a 10-foot wide by 3-foot-tall precast concrete 4-sided box culvert. The culvert will be realigned to reduce entrance and exit skew, thereby improving hydraulic characteristics. An extended wingwall at the culvert entrance (east/upstream side) supports a sidewalk and is experiencing undermining. As such it will be replaced, taking into account added protection from scour. Bridge railing will be installed along the wingwall in lieu of fencing. At the other corners, appropriate bridge/guide railing will be installed. Ms. Schilling performed the hydraulic modeling utilizing HY-8. **Bridge NY Project.**

### **Hydraulic Engineer – Townline Road over Tributary of Hackensack River Culvert Replacement, Clarkstown, NY, Rockland County Highway Department**

Ms. Schilling was the Hydraulic Engineer for this culvert replacement project. This project will replace the existing two-barrel culvert over a tributary of the Hackensack River near the intersection of Hartshorn Lane. In this location, there is no safety barrier or railing alongside the existing culvert, which will be corrected. Drainage structures will be installed at the low point to replace an asphalt surface drain. Ms. Schilling performed the hydraulic modeling utilizing HY-8. **Bridge NY Project.**

### **Environmental Engineer – Replacement of the Hillside Avenue Bridge over the Mamaroneck River, Mamaroneck, NY, Village of Mamaroneck**

Ms. Schilling was the Environmental Engineer for the replacement of this 83-year-old concrete structure. The new bridge incorporates recommendations specified in a 2016 USACE flood risk management study for the Mamaroneck and Sheldrake Rivers. Specifically, it has a wider opening that can accommodate an overall widened river channel to assist with flood mitigation. Also included multi-utility agency coordination, SHPO/Section 106 coordination, Section 4(f) evaluation, and minor ROW acquisition. Ms. Schilling was responsible for the erosion sediment control and stormwater management design and preparation of the SWPPP and permit applications. **Bridge NY Project.**

### **Hydraulic Engineer – Main Street Bridge over Idlewild Creek, Cornwall, NY, Orange County DPW**

Ms. Schilling served as the Hydraulic Engineer for this project to reconstruct the Main Street Bridge over a Class C(TS) stream. Ms. Schilling performed the hydraulic analysis and modeling utilizing HEC-RAS to determine the effects of different alternatives for the

bridge for the impact analysis for the project and environmental permitting.

### **Hydraulic Engineer – Replacement of the Greenwich Road Bridge over the Mianus River, Bedford, NY, Westchester County DPW & Transportation**

Ms. Schilling is the Hydraulic Engineer for the replacement of the Greenwich Road Bridge over the Mianus River, a highly sensitive waterway. Originally constructed in 1919, this 27' long single span concrete bridge needs replacement and hydraulic improvements as debris often restricts stream flow. Ms. Schilling performed the hydraulic modeling utilizing HEC-RAS to determine the effects of widening the bridge opening and providing additional bank protection where erosion is present.

### **Environmental Engineer – Replacement of the Bridge E-8 / Phillips Road over Fishkill Creek, East Fishkill, NY, Dutchess County DPW**

Ms. Schilling was the Environmental Engineer for this bridge replacement project, which included the preliminary and final bridge and highway design, hydraulic modeling and environmental permitting for the replacement of the existing E-8 bridge to carry Phillips Road over the Fishkill Creek. The project involved designing a replacement bridge that would take advantage of the existing wingwalls/abutments as cofferdams during construction. This allowed for the expansion of the of the hydraulic opening, which was necessary as FEMA's stream study indicated that the upstream end of the bridge was subject to pressure flow. Along with increasing the hydraulic opening width, the bridge and approach roadway were raised to provide freeboard during large storm events. Ms. Schilling prepared permit applications for the project, including a NYSDEC Stream Disturbance Permit and a PCN for Army Corps of Engineers.



# SECTION 4

## Proof of Insurance





# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

12/15/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must have **ADDITIONAL INSURED** provisions or be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> Marshall & Sterling, Inc. 420 E. Main Street  Middletown NY 10940	<b>CONTACT NAME:</b> Marie Clardy <b>PHONE (A/C, No, Ext):</b> (845) 567-1000 <b>E-MAIL ADDRESS:</b> mclardy@marshallsterling.com <b>FAX (A/C, No):</b> (845) 567-1030
<b>INSURED</b> Hudson Valley Engineering Associates PC 560 Rt 52 Suite 201  Beacon NY 12508	<b>INSURER(S) AFFORDING COVERAGE</b> <b>INSURER A:</b> Travelers Ind. Co. of America <b>INSURER B:</b> Endurance American Specialty Ins Co <b>INSURER C:</b> <b>INSURER D:</b> <b>INSURER E:</b> <b>INSURER F:</b>
	<b>NAIC #</b> 25666 41718

**COVERAGES****CERTIFICATE NUMBER:** CL2221415006**REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> <b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER:	Y		6807H1197642247	02/15/2022	02/15/2023	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 2,000,000 GENERAL AGGREGATE \$ 4,000,000 PRODUCTS - COMP/OP AGG \$ 4,000,000 Employee Benefits \$ 2,000,000
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
A	<input checked="" type="checkbox"/> <b>UMBRELLA LIAB</b> <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$ 10,000			EX1T5529542247	02/15/2022	02/15/2023	EACH OCCURRENCE \$ 5,000,000 AGGREGATE \$ 5,000,000
A	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N	N/A	UB0K21643A2247G	02/15/2022	02/15/2023	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
B	Professional Liability			DLP30001516102	02/15/2022	02/15/2023	Each Occurrence \$5,000,000 Policy Annual Aggregate \$5,000,000 Retention \$ 35,000

**DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)**

Village of Warwick, its Board, employees and volunteers are an additional insured on a Primary & Non contributory basis if required by written contract, per endorsement number CGD3810915.  
WC: Other States Insurance: Part Three applies to all states except ND, OH, WA & WY

**CERTIFICATE HOLDER****CANCELLATION**

Village of Warwick 77 Main Street PO Box 369 Warwick NY 10990	<b>SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.</b>  <b>AUTHORIZED REPRESENTATIVE</b> 
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**THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.**

## **BLANKET ADDITIONAL INSURED (ARCHITECTS, ENGINEERS AND SURVEYORS)**

This endorsement modifies insurance provided under the following:

### COMMERCIAL GENERAL LIABILITY COVERAGE PART

**1. The following is added to SECTION II – WHO IS AN INSURED:**

Any person or organization that you agree in a "written contract requiring insurance" to include as an additional insured on this Coverage Part, but:

- a. Only with respect to liability for "bodily injury", "property damage" or "personal injury"; and
- b. If, and only to the extent that, the injury or damage is caused by acts or omissions of you or your subcontractor in the performance of "your work" to which the "written contract requiring insurance" applies, or in connection with premises owned by or rented to you.

The person or organization does not qualify as an additional insured:

- c. With respect to the independent acts or omissions of such person or organization; or
- d. For "bodily injury", "property damage" or "personal injury" for which such person or organization has assumed liability in a contract or agreement.

The insurance provided to such additional insured is limited as follows:

- e. This insurance does not apply on any basis to any person or organization for which coverage as an additional insured specifically is added by another endorsement to this Coverage Part.
- f. This insurance does not apply to the rendering of or failure to render any "professional services".
- g. In the event that the Limits of Insurance of the Coverage Part shown in the Declarations exceed the limits of liability required by the "written contract requiring insurance", the insurance provided to the additional insured shall be limited to the limits of liability required by that "written contract requiring insurance". This endorsement does not increase the limits of insurance described in Section III – Limits Of Insurance.

- h. This insurance does not apply to "bodily injury" or "property damage" caused by "your work" and included in the "products-completed operations hazard" unless the "written contract requiring insurance" specifically requires you to provide such coverage for that additional insured, and then the insurance provided to the additional insured applies only to such "bodily injury" or "property damage" that occurs before the end of the period of time for which the "written contract requiring insurance" requires you to provide such coverage or the end of the policy period, whichever is earlier.

**2. The following is added to Paragraph 4.a. of SECTION IV – COMMERCIAL GENERAL LIABILITY CONDITIONS:**

The insurance provided to the additional insured is excess over any valid and collectible other insurance, whether primary, excess, contingent or on any other basis, that is available to the additional insured for a loss we cover. However, if you specifically agree in the "written contract requiring insurance" that this insurance provided to the additional insured under this Coverage Part must apply on a primary basis or a primary and non-contributory basis, this insurance is primary to other insurance available to the additional insured which covers that person or organizations as a named insured for such loss, and we will not share with the other insurance, provided that:

- (1) The "bodily injury" or "property damage" for which coverage is sought occurs; and
- (2) The "personal injury" for which coverage is sought arises out of an offense committed;

after you have signed that "written contract requiring insurance". But this insurance provided to the additional insured still is excess over valid and collectible other insurance, whether primary, excess, contingent or on any other basis, that is available to the additional insured when that person or organization is an additional insured under any other insurance.

## COMMERCIAL GENERAL LIABILITY

3. The following is added to Paragraph 8., **Transfer Of Rights Of Recovery Against Others To Us**, of **SECTION IV – COMMERCIAL GENERAL LIABILITY CONDITIONS**:

We waive any right of recovery we may have against any person or organization because of payments we make for "bodily injury", "property damage" or "personal injury" arising out of "your work" performed by you, or on your behalf, done under a "written contract requiring insurance" with that person or organization. We waive this right only where you have agreed to do so as part of the "written contract requiring insurance" with such person or organization signed by you before, and in effect when, the "bodily injury" or "property damage" occurs, or the "personal injury" offense is committed.

4. The following definition is added to the **DEFINITIONS** Section:

"Written contract requiring insurance" means that part of any written contract under which you are required to include a person or organization as an additional insured on this Coverage Part, provided that the "bodily injury" and "property damage" occurs and the "personal injury" is caused by an offense committed:

- a. After you have signed that written contract;
- b. While that part of the written contract is in effect; and
- c. Before the end of the policy period.

**THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.**

## **TOTAL AGGREGATE LIMIT OTHER THAN PROJECTS AND DESIGNATED PROJECT AND LOCATION AGGREGATE LIMITS**

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

### **SCHEDULE – LIMITS OF INSURANCE AND DESIGNATED PROJECTS AND LOCATIONS**

#### **LIMITS OF INSURANCE**

<b>Total Aggregate Limit (Other Than Projects and Products-Completed Operations)</b>	<b>\$ 8,000,000</b>
<b>Designated Location Aggregate Limit (Other Than Products-Completed Operations)</b>	<b>\$ 4,000,000</b>
<b>Designated Project Aggregate Limit (Other Than Products-Completed Operations)</b>	<b>\$ 4,000,000</b>
<b>General Aggregate Limit (Other Than Products-Completed Operations)</b>	<b>\$ 4,000,000</b>

#### **Designated Projects:**

Each "project" for which you have agreed, in a written contract which is in effect during this policy period, to provide a separate General Aggregate Limit, provided that the contract is signed by you before the "bodily injury" or "property damage" occurs.

#### **Designated Locations:**

All locations listed in Item 3. of the Common Policy Declarations or in any Master Pac Account Exposure Endorsement included in this policy.

### **PROVISIONS**

1. The General Aggregate Limit (Other Than Products-Completed Operations) shown in the Declarations is replaced by the Limits of Insurance shown in the Schedule – Limits Of Insurance And Designated Projects And Locations.
1. The Limits of Insurance shown in the Declarations or the Schedule – Limits Of Insurance And Designated Projects And Locations, whichever apply, and the rules below fix the most we will pay regardless of the number of:
  - a. Insureds;
  - b. Claims made or "suits" brought;
2. The following replaces Paragraph 1. of **SECTION III – LIMITS OF INSURANCE:**

- c. Persons or organizations making claims or bringing "suits"; or
- d. "Projects" or "locations".

3. The following replaces Paragraph 2. of **SECTION III – LIMITS OF INSURANCE:**

2. a. The Total Aggregate Limit shown in the Schedule – Limits Of Insurance And Designated Projects And Locations is the most we will pay for the sum of all amounts under the Designated Location Aggregate Limit and all amounts under the General Aggregate Limit. This includes:

(1) Damages under Coverage A, except damages because of "bodily injury" or "property damage" included in the "products-completed operations hazard";

(2) Damages under Coverage B; and

(3) Medical expenses under Coverage C.

b. The Designated Project Aggregate Limit shown in the Schedule – Limits Of Insurance And Designated Projects And Locations applies and is further subject to all of the following provisions:

(1) The Designated Project Aggregate Limit is the most we will pay for the sum of:

(a) Damages under Coverage A because of "bodily injury" and "property damage" caused by "occurrences"; and

(b) Medical expenses under Coverage C for "bodily injury" caused by accidents;

that can be attributed only to operations at a single "project".

(2) The Designated Project Aggregate Limit applies separately to each "project".

(3) The Designated Project Aggregate Limit does not apply to damages because of "bodily injury" or "property damage" included in the "products-completed operations hazard". Instead, the Products-Completed Operations Aggregate Limit described in Paragraph 3. below applies to such damages.

(4) The Designated Project Aggregate Limit does not apply to damages

under Coverage B. Instead, the General Aggregate Limit described in Paragraph 2.d. below applies to such damages.

(5) Any payments made for damages or medical expenses to which the Designated Project Aggregate Limit applies will reduce the Designated Project Aggregate Limit for the applicable "project". Such payments will not reduce the Total Aggregate Limit, the General Aggregate Limit described in Paragraph 2.d. below, the Designated Project Aggregate Limit for any other "project" or the Designated Location Aggregate Limit.

c. Subject to the Total Aggregate Limit described in Paragraph 2.a. above, the Designated Location Aggregate Limit shown in the Schedule – Limits Of Insurance And Designated Projects And Locations applies and is further subject to all of the following provisions:

(1) The Designated Location Aggregate Limit is the most we will pay for the sum of:

(a) Damages under Coverage A because of "bodily injury" and "property damage" caused by "occurrences"; and

(b) Medical expenses under Coverage C for "bodily injury" caused by accidents;

that can be attributed only to operations at a single "location".

(2) The Designated Location Aggregate Limit applies separately to each "location".

(3) The Designated Location Aggregate Limit does not apply to damages because of "bodily injury" or "property damage" included in the "products-completed operations hazard". Instead, the Products-Completed Operations Aggregate Limit described in Paragraph 3. below applies to such damages.

(4) The Designated Location Aggregate Limit does not apply to damages under Coverage B. Instead, the General Aggregate Limit described in

Paragraph 2.d. below applies to such damages.

- (5) Any payments made for damages or medical expenses to which the Designated Location Aggregate Limit applies will reduce:

- (a) The Total Aggregate Limit; and
- (b) The Designated Location Aggregate Limit for the applicable "location".

Such payments will not reduce the General Aggregate Limit described in Paragraph 2.d. below, the Designated Project Aggregate Limit or the Designated Location Aggregate Limit for any other "location".

- d. Subject to the Total Aggregate Limit described in Paragraph 2.a. above, the General Aggregate Limit shown in the Schedule – Limits Of Insurance And Designated Projects And Locations applies and is further subject to all of the following provisions:

- (1) The General Aggregate Limit is the most we will pay for the sum of:

- (a) Damages under Coverage A because of "bodily injury" and "property damage" caused by "occurrences", and medical expenses under Coverage C for "bodily injury" caused by accidents, that cannot be attributed only to operations at a single "project" or a single "location"; and
- (b) Damages under Coverage B.

- (2) The General Aggregate Limit does not apply to damages for "bodily injury" or "property damage" included in the "products-completed operations hazard". Instead, the Products-Completed Operations Aggregate Limit described in Paragraph 3. below applies to such damages.

- (3) Any payments made for damages or medical expenses to which the

General Aggregate Limit applies will reduce:

- (a) The Total Aggregate Limit; and
- (b) The General Aggregate Limit.

Such payments will not reduce the Designated Project Aggregate Limit for any "project" or the Designated Location Aggregate Limit for any "location".

4. The following replaces Paragraph 3. of **SECTION III – LIMITS OF INSURANCE**:

3. The Products-Completed Operations Aggregate Limit shown in the Declarations is the most we will pay under Coverage A for damages because of "bodily injury" or "property damage" included in the "products-completed operations hazard". Any payments made for such damages will not reduce the Total Aggregate Limit, the General Aggregate Limit, the Designated Project Aggregate Limit for any "project" or the Designated Location Aggregate Limit for any "location".

5. The following is added to the **DEFINITIONS** Section:

"Location" means any designated location shown in the Schedule – Limits Of Insurance And Designated Projects And Locations that is owned by or rented to you. For the purposes of determining the applicable aggregate limit of insurance, each "location" that includes a premises involving the same or connecting lots, or premises whose connection is interrupted only by a street, roadway or waterway, or by a right-of-way of a railroad, will be considered a single "location".

"Project" means any designated project shown in the Schedule – Limits Of Insurance And Designated Projects And Locations that is away from premises owned by or rented to you and at which you are performing operations pursuant to a contract or agreement. For the purposes of determining the applicable aggregate limit of insurance, each "project" that includes a premises involving the same or connecting lots, or premises whose connection is interrupted only by a street, roadway or waterway, or by a right-of-way of a railroad, will be considered a single "project".

# EXCESS (FOLLOWING FORM) LIABILITY INSURANCE

**THIS POLICY PROVIDES FOLLOWING FORM COVERAGE AND WILL BE CLAIMS-MADE WHEN FOLLOWING CLAIMS-MADE "CONTROLLING UNDERLYING INSURANCE". PLEASE READ THE ENTIRE FORM CAREFULLY.**

Various provisions in this insurance restrict coverage. Read the entire contract carefully to determine rights, duties and what is and is not covered.

Throughout this insurance the words "you" and "your" refer to the Named Insured shown in the Declarations and any other person or organization qualifying as a Named Insured under this policy. The words "we", "us" and "our" refer to the Company providing this insurance.

The word "insured" means any person or organization qualifying as such under Section II – Who Is An Insured.

Other words and phrases that appear in quotation marks have special meaning. Refer to Section V – Definitions.

## SECTION I – EXCESS (FOLLOWING FORM) LIABILITY COVERAGE

### 1. INSURING AGREEMENT

- a. We will pay on behalf of the insured those sums, in excess of the "applicable underlying limit", that the insured becomes legally obligated to pay as damages to which this insurance applies, provided that the "controlling underlying insurance" would apply to such damages but for the exhaustion of its applicable limits of insurance. If a sublimit is specified in any "underlying insurance", this insurance does not apply to damages that are in excess of that sublimit unless such sublimit is shown for that "underlying insurance" in the Schedule Of Underlying Insurance or the Schedule Of Controlling Underlying Insurance in the Declarations.
- b. This insurance is subject to:
  - (1) The same terms, conditions, agreements, exclusions and definitions as the "controlling underlying insurance", except with respect to any provisions to the contrary contained in this insurance; and
  - (2) Any additional exclusions not contained in the "controlling underlying insurance" that are contained in any other "underlying insurance".
- c. For the purposes of Paragraph a. above, the applicable limit of insurance stated for the policies of "underlying insurance" in the Schedule Of Underlying Insurance or the Schedule Of Controlling Underlying Insurance in the Declarations can only be reduced or exhausted by the following payments:
  - (1) Payments of judgments or settlements for damages that are covered by such "un-

derlying insurance". However, if such "underlying insurance" has a policy period which differs from the policy period of this Excess (Following Form) Liability Insurance Policy, none of such payments can be for damages that would not be covered by this Excess (Following Form) Liability Insurance Policy because of its different policy period; or

- (2) "Medical expenses" incurred for bodily injury caused by an accident that takes place during the policy period of this Excess (Following Form) Liability Insurance Policy.

If the applicable limit of insurance stated for the policies of "underlying insurance" in the Schedule Of Underlying Insurance or the Schedule Of Controlling Underlying Insurance in the Declarations are reduced or exhausted by other payments, this insurance is not invalidated. However, in the event of a loss, we will pay only to the extent that we would have paid had such limit not been reduced or exhausted by such other payments.

### 2. DEFENSE OF CLAIMS OR SUITS

- a. We will have no duty to defend any claim or "suit" regardless of whether the claim or "suit" is for damages to which this insurance applies.
- b. We will have the right but not the duty to associate in the investigation, settlement or defense of any claims or "suits" for damages to which this insurance is likely to apply.
- c. We may investigate and settle any claim or "suit" at our discretion.

- d. We will pay, with respect to any claim or "suit" for which we associate in the defense of the claim or "suit" or for which we pay our part of a judgment:

- (1) All expenses we incur.
- (2) The cost of appeal bonds and bonds to release attachments, but only for bond amounts within the "applicable limit of insurance". We do not have to furnish these bonds.
- (3) Prejudgment interest awarded against the insured on that part of the judgment we pay. If we make an offer to pay the "applicable limit of insurance", we will not pay any prejudgment interest based on that period of time after the offer.

These payments will not reduce the "applicable limit of insurance".

### 3. EXCLUSIONS

In addition to the exclusions contained in any "underlying insurance", the following exclusions apply to this insurance:

#### a. Asbestos

- (1) Damages arising out of the actual or alleged presence or actual, alleged or threatened dispersal of asbestos, asbestos fibers or products containing asbestos, provided that the damages are caused or contributed to by the hazardous properties of asbestos.
- (2) Damages arising out of the actual or alleged presence or actual, alleged or threatened dispersal of any solid, liquid, gaseous or thermal irritant or contaminant, including smoke, vapors, soot, fumes, acids, alkalis, chemicals and waste, and that is part of any claim or "suit" which also alleges any damages described in Paragraph (1) of this exclusion.
- (3) Any loss, cost or expense arising out of any:
  - (a) Request, demand, order or statutory or regulatory requirement that any insured or others test for, monitor, clean up, remove, contain, treat, detoxify or neutralize, or in any way respond to, or assess the effects of, asbestos, asbestos fibers or products containing asbestos; or
  - (b) Claim or "suit" by or on behalf of a governmental authority because of

testing for, monitoring, cleaning up, removing, containing, treating, detoxifying or neutralizing, or in any way responding to, or assessing the effects of, asbestos, asbestos fibers or products containing asbestos.

#### b. Employment-Related Practices

Damages because of injury to:

- (1) A person arising out of any:
  - (a) Refusal to employ that person;
  - (b) Termination of that person's employment; or
  - (c) Employment-related practices, policy, act or omission, such as coercion, demotion, evaluation, reassignment, discipline, failure to promote or advance, harassment, humiliation, discrimination, libel, slander, violation of the person's right of privacy, malicious prosecution or false arrest, detention or imprisonment, applied to or directed at that person, regardless of whether such practice, policy, act or omission occurs, is applied or is committed before, during or after the time of that person's employment; or
- (2) The spouse, child, parent, brother or sister of that person as a consequence of injury to that person as described in Paragraph (1) (a), (b) or (c) of this exclusion.

This exclusion applies:

- (1) Whether the insured may be held liable as an employer or in any other capacity; and
- (2) To any obligation to share damages with or repay someone else who must pay damages because of the injury.

#### c. ERISA, COBRA and Similar Laws

Any obligation of the insured under:

- (1) The Employees Retirement Income Security Act Of 1974 (ERISA);
  - (2) The Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA); or
  - (3) Any similar common or statutory law of any jurisdiction;
- including any amendments to such laws.

#### d. War

Damages arising out of:

- (1) War, including undeclared or civil war; or

- (2) Warlike action by a military force, including action in hindering or defending against an actual or expected attack, by any government, sovereign or other authority using military personnel or other agents; or
- (3) Insurrection, rebellion, revolution, usurped power, or action taken by governmental authority in hindering or defending against any of these.

## SECTION II- WHO IS AN INSURED

Any person or organization qualifying as an insured under the "controlling underlying insurance" is an insured under this policy.

If you have agreed to provide insurance for that person or organization in a written contract or agreement:

1. The limits of insurance afforded to such person or organization will be:
  - a. The amount by which the minimum limits of insurance you agreed to provide such person or organization in such written contract or agreement exceed the total limits of insurance of all applicable "underlying insurance"; or
  - b. The Limits of Insurance of this policy shown in the Declarations;
 whichever is less; and
2. Coverage under this policy does not apply to such person or organization if the minimum limits of insurance you agreed to provide such person or organization in such written contract or agreement are wholly within the total limits of insurance of all applicable "underlying insurance".

## SECTION III- LIMITS OF INSURANCE

1. The Limits of Insurance shown in the Declarations and the rules below fix the most we will pay regardless of the number of:
  - a. Insureds;
  - b. Claims made or "suits" brought; or
  - c. Persons or organizations making claims or bringing "suits".
2. The Aggregate Limit is the most we will pay for all damages covered under this policy, except:
  - a. Damages because of injury or damage included in the "auto hazard"; or
  - b. Damages because of injury or damage for which insurance is provided under any Aircraft Liability coverage included as "controlling underlying insurance" to which no aggregate limit applies.

If a policy of "underlying insurance" that is immediately underlying this policy applies a separate products-completed operations aggregate limit in that same policy, a separate Aggregate Limit will apply to all damages covered under this policy that would have been subject to such products-completed operations aggregate limit in that policy of "underlying insurance".

3. Subject to Paragraph 2. above, the Occurrence Limit is the most we will pay for all damages covered under this policy arising out of any one "event" to which the applicable "controlling underlying insurance" applies a limit of insurance that is separate from the aggregate limit of insurance under that insurance.
4. The limits of this insurance apply separately to each consecutive annual period and to any remaining period of less than 12 months. The policy period begins with the effective date shown in the Declarations. If the policy period is extended after issuance for an additional period of less than 12 months, the additional period will be deemed part of the last preceding period.

## SECTION IV – CONDITIONS

### 1. APPEALS

- a. If the insured or the insured's "underlying insurer" elects not to appeal a judgment which exceeds the "applicable underlying limit", we may do so.
- b. If we appeal such a judgment, we will pay all costs of the appeal. These sums are in addition to the "applicable limit of insurance". In no event will our liability exceed the "applicable limit of insurance".

### 2. BANKRUPTCY

Bankruptcy or insolvency of the insured or of the insured's estate will not relieve us of our obligations under this insurance.

In the event of bankruptcy or insolvency of any "underlying insurer", this insurance will not replace such bankrupt or insolvent "underlying insurer's" policy, and this insurance will apply as if such "underlying insurer" not become bankrupt or insolvent.

### 3. CANCELLATION

- a. The first Named Insured shown in the Declarations may cancel this insurance by mailing or delivering to us advance written notice of cancellation.

- b. We may cancel this insurance by mailing or delivering to such first Named Insured written notice of cancellation at least:

- (1) 10 days before the effective date of cancellation if we cancel for nonpayment of premium; or
- (2) 30 days before the effective date of cancellation if we cancel for any other reason.

- c. We will mail or deliver our notice to such first Named Insured's last mailing address known to us.
- d. Notice of cancellation will state the effective date of cancellation. The policy period will end on that date.
- e. If this insurance is cancelled, we will send such first Named Insured any premium refund due. The refund will be pro rata. The cancellation will be effective even if we have not made or offered a refund.
- f. If notice is mailed, proof of mailing will be sufficient proof of notice.

#### 4. CHANGES

This policy contains all the agreements between you and us concerning the insurance afforded. No change can be made in terms of this insurance except with our consent. The terms of this insurance can be amended or waived only by endorsement issued by us and made a part of this insurance.

#### 5. DUTIES REGARDING AN EVENT, CLAIM OR SUIT

- a. You must see to it that we are notified promptly of an "event" which may result in a claim under this insurance. Notice should include:
  - (1) How, when and where the "event" took place; and
  - (2) The names and addresses of any persons or organizations sustaining injury, damage or loss, and the names and addresses of any witnesses.
- b. If a claim is made or "suit" is brought against any insured which may result in a claim against this insurance, you must see to it that we receive prompt written notice of the claim or "suit".
- c. The insured must:
  - (1) Cooperate with the "underlying insurers";

- (2) Comply with the terms of the "controlling underlying insurance"; and

- (3) Pursue all rights of contribution or indemnity against any person or organization who may be liable to the insured because of the injury, damage or loss for which insurance is provided under this policy or any policy of "underlying insurance".

- d. If we associate in the investigation, settlement or defense of any claim or "suit", the insured must cooperate with us.

#### 6. EXAMINATION OF YOUR BOOKS AND RECORDS

We may examine and audit your books and records as they relate to this insurance:

- a. At any time during the policy period;
- b. Up to three years after the end of the policy period; and
- c. Within one year after final settlement of all claims under this insurance.

#### 7. INSPECTIONS AND SURVEYS

We have the right but are not obligated to:

- a. Make inspections and surveys at any time;
- b. Give you reports on the conditions we find; and
- c. Recommend changes.

Any inspections, surveys, reports or recommendations relate only to insurability and the premiums to be charged. We do not make safety inspections. We do not undertake to perform the duty of any person or organization to provide for the health or safety of workers or the public. We do not warrant that conditions:

- a. Are safe or healthful; or
- b. Comply with laws, regulations, codes or standards.

#### 8. LEGAL ACTION AGAINST US

No person or organization has a right under this insurance:

- a. To join us as a party or otherwise bring us into a "suit" asking for damages from an insured; or
- b. To sue us on this insurance unless all of its terms have been fully complied with.

A person or organization may sue us to recover on an agreed settlement or on a final judgment against an insured. We will not be liable for damages that:

- a. Are not payable under the terms of this insurance; or
- b. Are in excess of the "applicable limit of insurance".

An agreed settlement means a settlement and release of liability signed by us, by the insured and by the claimant or the claimant's legal representative.

#### 9. MAINTENANCE OF UNDERLYING INSURANCE

The insurance afforded by each policy of "underlying insurance" will be maintained for the full policy period of this Excess (Following Form) Liability Insurance Policy. This provision does not apply to the reduction or exhaustion of the aggregate limit or limits of such "underlying insurance" solely by payments as permitted in paragraph 1.c. of Section I – Excess Liability Coverage. As such policies expire, you will renew them at limits and with coverage at least equal to the expiring limits of insurance. If you fail to comply with the above requirements, this insurance is not invalidated. However, in the event of a loss, we will pay only to the extent that we would have paid had you complied with the above requirements.

The first Named Insured shown in the Declarations must give us a written notice of any change in the "underlying insurance" as respects:

- a. Coverage;
- b. Limits of insurance;
- c. Termination of any coverage; or
- d. Exhaustion of aggregate limits.

If you are unable to recover from any "underlying insurer" because you fail to comply with any term or condition of your "underlying insurance", this insurance is not invalidated. However, we will pay for any loss only to the extent that we would have paid had you complied with that term or condition in that "underlying insurance".

#### 10. OTHER INSURANCE

This insurance is excess over any valid and collectible other insurance whether such other insurance is stated to be primary, contributing, excess, contingent or otherwise. This provision does not apply to a policy bought specifically to apply as excess of this insurance or as quota share with this insurance.

As used anywhere in this policy, other insurance:

- a. Means insurance, or the funding of losses, that is provided by, through or on behalf of:
  - (1) Another insurance company;

- (2) Us or any of our affiliated insurance companies;
- (3) Any risk retention group;
- (4) Any self-insurance method or program, including any failure to buy insurance, or decision to not buy insurance, for any reason, in which case the insured will be deemed to be the provider of other insurance; or
- (5) Any similar risk transfer or risk management method.

- b. Does not include any "underlying insurance".

#### 11. OUR RIGHT TO RECOVER FROM OTHERS

If we make a payment under this insurance, the insured will assist us and the "underlying insurer" in recovering what we paid by using the insured's rights of recovery. Reimbursement will be made in the following order:

- a. First, to any person or organization (including us or the insured) who has paid any amount in excess of the applicable limit of insurance";
- b. Next, to us; and
- c. Then, to any person or organization (including the insured and the "underlying insurer") that is entitled to claim the remainder, if any.

Expenses incurred in the process of recovery will be divided among all persons or organizations receiving amounts recovered according to the ratio of their respective recoveries.

#### 12. PREMIUM

- a. The first Named Insured shown in the Declarations is responsible for the payment of all premiums and will be the payee for any return premiums.
- b. If the premium is a flat charge, it is not subject to adjustment except as provided in Paragraph d. below.
- c. If the premium is other than a flat charge, it is an advance premium only. The earned premium will be computed at the end of the policy period, or at the end of each year of the policy period if the policy period is two years or longer, at the rate shown in the Declarations, subject to the Minimum Premium.
- d. Additional premium may become payable when coverage is provided for additional insureds under the provisions of Section II – Who Is An Insured.

### 13. PREMIUM AUDIT

If this policy is auditable:

- a. The first Named Insured shown in the Declarations must keep records of the information we need for premium computation, and send us copies at such times as we may request.
- b. At the close of each audit period, we will compute the earned premium for that period.
- c. Audit premiums are due and payable on notice to such first Named Insured.
- d. If the sum of the advance and audit premiums paid for the policy period is greater than the earned premium, we will return the excess to such first Named Insured, subject to the Minimum Premium.

### 14. REPRESENTATIONS

By accepting this insurance, you agree:

- a. The statements in the Declarations and any subsequent notice relating to "underlying insurance" are accurate and complete;
- b. Those statements are based upon representations you made to us; and
- c. We have issued this insurance in reliance upon your representations.

### 15. SEPARATION OF INSURED

Except with respect to the Limits of Insurance, and any rights or duties specifically assigned in this policy to the first Named Insured shown in the Declarations, this insurance applies:

- a. As if each Named Insured were the only Named Insured; and
- b. Separately to each insured against whom claim is made or "suit" is brought.

### 16. TRANSFER OF YOUR RIGHTS AND DUTIES UNDER THIS INSURANCE

Your rights and duties under this insurance may not be transferred without our written consent except in the case of death of an individual Named Insured.

If you die, your rights and duties will be transferred to your legal representative but only while acting within the scope of duties as your legal representative. Until your legal representative is appointed, anyone having proper temporary custody of your property will have your rights and duties but only with respect to that property.

### 17. WHEN LOSS IS PAYABLE

If we are liable under this insurance, we will pay for injury, damage or loss after:

- a. The insured's liability is established by:
  - (1) A court decision; or
  - (2) A written agreement between the claimant, the insured, any "underlying insurer" and us; and
- b. The amount of the "applicable underlying limit" is paid by or on behalf of the insured.

### 18. WHEN WE ARE PROHIBITED FROM PAYING DAMAGES ON BEHALF OF AN INSURED

If the laws or regulations of a country or jurisdiction prohibit us from paying, on behalf of an insured, amounts that the insured is legally obligated to pay as damages to which this insurance applies, the insured may pay such damages with our consent.

If the insured gives us proof of such payments, we will repay the insured for such damages. But we will only repay the insured for such damages until we have used up the "applicable limit of insurance" in the payment of judgments or settlements.

### 19. WHEN WE ARE PROHIBITED FROM PAYING OTHER EXPENSES ON BEHALF OF AN INSURED

If the laws or regulations of a country or jurisdiction prohibit us from paying expenses described in Paragraph 2.d. of Section I – Excess Liability Coverage on behalf of an insured, we will repay the insured for such expenses that the insured incurs with our consent.

### 20. CURRENCY

Payments for damages or expenses described in Paragraph 2.d. of Section I – Excess Liability Coverage will be in the currency of the United States of America. At our sole option, we may make these payments in a different currency. Any necessary currency conversion for such payments will be calculated based on the rate of exchange published in the Wall Street Journal immediately proceeding the date the payment is processed.

## SECTION V – DEFINITIONS

1. "Applicable limit of insurance" means the maximum amount we will pay as damages in accordance with Section III – Limits Of Insurance.
2. "Applicable underlying limit" means the sum of:
  - a. The applicable limit of insurance stated for the policies of "underlying insurance" in the Schedule Of Underlying Insurance or the Schedule Of Controlling Underlying Insurance in the Declarations less the amount by which

that limit has been reduced solely by payments as permitted in paragraph **1.c.** of Section **I – Excess Liability Coverage**; and

- b.** The applicable limit of insurance of any other insurance that applies.

The limits of insurance in any policy of "underlying insurance" will apply even if:

- a.** The "underlying insurer" claims the insured failed to comply with any condition of the policy; or
  - b.** The "underlying insurer" becomes bankrupt or insolvent.
- 3.** "Auto hazard" means all bodily injury and property damage for which liability insurance is afforded under the terms, other than limits of insurance, of the auto policy of "controlling underlying insurance".
  - 4.** "Controlling underlying insurance":
    - a.** Means the policy or policies of insurance listed in the Schedule Of Controlling Underlying Insurance in the Declarations.
    - b.** Includes any renewal or replacement of such policies if such renewal or replacement is during the policy period of this Excess (Following Form) Liability Insurance Policy.
    - c.** Does not include any part of the policy period of any of the policies described in Paragraphs **a.** or **b.** above that began before, or that continues after, the policy period of this Excess (Following Form) Liability Insurance Policy.
  - 5.** "Event" means an occurrence, offense, accident, act, error or omission or other unit.
  - 6.** "Medical expenses" means expenses to which any Medical Payments section of any policy of Commercial General Liability "underlying insurance" applies.
  - 7.** "Suit" means a civil proceeding. "Suit" includes:
    - a.** An arbitration proceeding which the insured must submit or does submit with our consent; or
    - b.** Any other alternative dispute resolution proceeding to which the insured submits with our consent.
  - 8.** "Underlying insurance":
    - a.** Means the policy or policies of insurance listed in the Schedule Of Underlying Insurance or the Schedule Of Controlling Underlying Insurance in the Declarations.
    - b.** Includes any renewal or replacement of such policies if such renewal or replacement is during the policy period of this Excess (Following Form) Liability Insurance Policy.
    - c.** Does not include any part of the policy period of any of the policies described in Paragraphs **a.** or **b.** above that began before, or that continues after, the policy period of this Excess (Following Form) Liability Insurance Policy.
  - 9.** "Underlying insurer" means any insurer which provides a policy of insurance listed in the Schedule Of Underlying Insurance or the Schedule Of Controlling Underlying Insurance in the Declarations.



## **Additional Instructions for Form DB-120.1**

By signing this form, the insurance carrier identified in Box 3 on this form is certifying that it is insuring the business referenced in Box 1a for disability and/or Paid Family Leave benefits under the NYS Disability and Paid Family Leave Benefits Law. The insurance carrier or its licensed agent will send this Certificate of Insurance Coverage (Certificate) to the entity listed as the certificate holder in Box 2.

The insurance carrier must notify the above certificate holder and the Workers' Compensation Board within 10 days IF a policy is cancelled due to nonpayment of premiums or within 30 days IF there are reasons other than nonpayment of premiums that cancel the policy or eliminate the insured from coverage indicated on this Certificate. (These notices may be sent by regular mail.) Otherwise, this Certificate is valid for one year after this form is approved by the insurance carrier or its licensed agent, or until the policy expiration date listed in Box 3c, whichever is earlier.

This Certificate is issued as a matter of information only and confers no rights upon the certificate holder. This Certificate does not amend, extend or alter the coverage afforded by the policy listed, nor does it confer any rights or responsibilities beyond those contained in the referenced policy.

This Certificate may be used as evidence of a NYS disability and/or Paid Family Leave benefits contract of insurance only while the underlying policy is in effect.

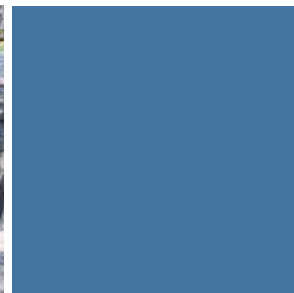
**Please Note: Upon the cancellation of the disability and/or Paid Family Leave benefits policy indicated on this form, if the business continues to be named on a permit, license or contract issued by a certificate holder, the business must provide that certificate holder with a new Certificate of Insurance Coverage for NYS disability and/or Paid Family Leave Benefits or other authorized proof that the business is complying with the mandatory coverage requirements of the NYS Disability and Paid Family Leave Benefits Law.**

### **NYS DISABILITY AND PAID FAMILY LEAVE BENEFITS LAW**

#### **§220. Subd. 8**

(a) The head of a state or municipal department, board, commission or office authorized or required by law to issue any permit for or in connection with any work involving the employment of employees in employment as defined in this article, and notwithstanding any general or special statute requiring or authorizing the issue of such permits, shall not issue such permit unless proof duly subscribed by an insurance carrier is produced in a form satisfactory to the chair, that the payment of disability benefits and after January first, two thousand and twenty-one, the payment of family leave benefits for all employees has been secured as provided by this article. Nothing herein, however, shall be construed as creating any liability on the part of such state or municipal department, board, commission or office to pay any disability benefits to any such employee if so employed.

(b) The head of a state or municipal department, board, commission or office authorized or required by law to enter into any contract for or in connection with any work involving the employment of employees in employment as defined in this article and notwithstanding any general or special statute requiring or authorizing any such contract, shall not enter into any such contract unless proof duly subscribed by an insurance carrier is produced in a form satisfactory to the chair, that the payment of disability benefits and after January first, two thousand eighteen, the payment of family leave benefits for all employees has been secured as provided by this article.



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