

CHAIRMAN: GEORGE AULEN

MEMBERS: WILLIAM OLSEN, JAMES PATTERSON, JESSE GALLO & KARL SCHEIBLE

Alternate: Kerry Boland

VILLAGE OF WARWICK
PLANNING BOARD MEETING
DECEMBER 20, 2018

The monthly meeting of the Village of Warwick Planning Board was held on Thursday, December 20, 2018. Present were: George Aulen, Bill Olsen, Jim Patterson, Karl Scheible, Kerry Boland, Village Engineer, Dave Getz and Planning Board attorney, Robert Dickover. Others present: Larry Wolinsky, Kirk Rother, Raymond Maher, Lugene Maher, Robert Schmick, James Tomaselli, Ross Winglovitz, Rich Andrea, Beau Kennedy, Jason McGovern, Richard Jarer, Kristina Caporino & Jamie Kevlin, John Christison and others.

The Board recited the Pledge of Allegiance.

A MOTION was made by Bill Olsen, seconded by Jim Patterson and carried to accept the minutes of the October 18, 2018 Planning Board meeting. (4 Ayes) {1 Abstention-Kerry Boland}

WARWICK COMMONS

EXT. OF SITE PLAN
APPROVAL

STERLING BANK

Mr. Wolinsky - I am here on behalf of Sterling Bank. The bank has been in the process of finding someone to develop the project and it has been a long process but I am happy to report that there is a signed contract. The perspective purchaser has been into the Village on several occasions doing their due diligence. There may be a site plan amendment to that application.
Mr. Aulen - Yes, I have met with the potential buyers.

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Mr. Wolinsky - Yes, they are represented by RJ Smith and he was supposed to be here this evening but he had a family emergency. So, we are here tonight seeking an extension of the approvals and we have been doing that every 90 days. I would also like to report that the big

condition in the approvals of the past was the developers obligation to deal with the dam on Warwick Meadows and that is all part and parcel of the contractual obligations. What we contemplate happening is that we would keep the existing approval intact until they actually come in to receive an amended site plan approval and then it will be in their court at that point.

A MOTION was made by Bill Olsen, seconded by Karl Scheible and carried to extend the site plan approval for Warwick Commons until March 22, 2019. (5 Ayes)

VILLAGE VIEW

EXT. OF 28 LOT SUBDIVISION
APPROVAL

VILLAGE VIEW

Mr. Aulen - We received a letter for your permit ext. to cross over the creek.

Mr. Rother - Yes. As the Board is aware we have been extending the approval for the 28 lot subdivision while we go through the Environmental Review of the Cluster Subdivision Plan. The 28 lot subdivision had already received it's stream crossing permits and we asked the DEC to renew those just as a stop gap and that was renewed thorough Sept. 17, 2023.

Mr. Olsen - Is the extension for the existing 28 lot?

Mr. Aulen - Yes and we are basically a little concerned that this is going on so long so hopefully you can get this settled.

A MOTION was made by Karl Scheible, seconded by Jim Patterson and carried to extend the 28 lot subdivision approval until March 22, 2019. (4 Ayes) {1 Abstention - Bill Olsen}

Mr. Aulen - Mr. Olsen do you have a reason for abstaining?

Mr. Olsen - I am still thinking about it. I have concerns about the whole project and I know it has been approved.

116 SOUTH ST. EXT.

SUBDIVISION APPROVAL

JAMES TOMASELLI

Mr. Aulen - Did you receive a ZBA determination on this application?

Mr. Schmick - Yes, we received it Monday. We mirrored the house, we kept the same setbacks but the applicant wanted the driveway to be on the other side of the house because now we have permission from the Village to abandon that culvert. So I am just showing that today on the plan.

Mr. Getz - The stream that runs near the property was studied by for FEMA and we asked for the floodway to be shown too. The floodway is actually off the site so that comment really does not apply. The applicant received his variances and on the final plans we would like to have the whole wording of that variance on the map.

The DEC issued a permit for construction near the wetlands so we would like a note to be added to the plan referencing that permit number and expiration date. We would also like to see on the plan the utility connections, the scale and Zoning District information. Iron pins should also be placed on the property corners.

Mr. Dickover - This should be sent to the OCDP. This requires a Public Hearing so perhaps the Board feels that they have a complete plan and with the variance in place this Board does need to complete the review of the EAF and make an environmental determination which needs to be done before you schedule a Public Hearing. From the map it looks like there is a waterline that goes across the front of this property. Does the Board want to ask the applicant to offer an easement to the Village to maintain and repair that if needed, if you don't have one already.

Mr. Getz - Did you find one during the survey?

Mr. Schmick - It is a blanket written prescriptive easement is what that would be. It is the service line that is up and down the street.

Mr. Dickover - It is going to be a filed map and you could make reference to the waterline as shown on file map # and with whatever date you think is appropriate.

Mr. Getz - Typically those easements are 10ft. either side of the pipe, a 20ft. wide easement which would not even be needed for most of that.

Mr. Dickover - You should do all that and present it to us in a final executed form we then would hold it until you file the map and get the information to the Board and then we could complete the document.

The Board reviewed the Short EAF.

A MOTION was made by Jim Patterson, seconded by Bill Olsen and carried to declare a Negative Declaration with No Adverse Effect under the SEQR process for 116 South St. Ext.. (5 Ayes)

A MOTION was made by Kerry Boland, seconded by Karl Scheible and carried to schedule a Public Hearing for January 17, 2019 for 116 South St. Ext. (5 Ayes)

77 FORESTER AVE.

SITE PLAN APPROVAL

77 FORESTER AVE. LLC

Mr. Winglovitz - The last time we discussed traffic, the Board wanted more information. Maser who prepared a letter discussing the traffic in front and by the site indicating that they did not think it was a significant impact. In fact we were was such a small percentage of the traffic. We presented data at the October meeting and there were still concerns regarding the potential impacts to the intersection at 17A/Colonial Ave. Maser was engaged again where they prepared an addendum to the original study.

Mr. Andrea - We did our initial study and look at the traffic in front of the site on Forester Ave. we counted the site as it existed today in the am and pm peak hours, 7-9am and 4-6pm and we documented what the traffic was. We did some trip generation estimates based on the Institute of

Transportation Engineers data to determine what the site would generate in the future. the ITE is a nationally recognized publication for determining trip generation. When we looked at that we determined that the site generated no more than 25 trips on either of the peak hours for traffic analysis being that those are the highest times of traffic on the road which really equates to less than 10% of the traffic down Forester Ave. At the Boards request we went back and did a supplemental analysis of Forester Ave. and Colonial and Forester Ave. and Galloway. At each of those intersections when you distribute the traffic along Forester Ave. you are looking at less

than a 1% increase in traffic from this project at those two intersections over what is there today. Which is really an insignificant number. When you consider that increase, that percent is considered insignificant.

Mr. Aulen - What level is that considered?

Mr. Andrea - When we did the analysis of each intersection, Colonial Ave., we found that intersection is at a level of service C today and today Galloway/17A is at a level D and that is for traffic exiting off of Forester Ave. Obviously the intersection at Galloway is impacted by the traffic signal at Main St. the queues that back up from Main St. are an issue due to the proximity to the traffic signal there. The traffic that we are generating and adding to that intersection is not significantly going to change what is happening. If you look at our analysis, we are showing a one second increase in the average vehicle delay from existing conditions to what it would be with this project based on the additional traffic we are adding to those intersections. It is not really considered a significant increase in delay and the level of service is not changing. Level service C with the worse being F, level service C & D are basically average. Level service E is approaching capacity and F is your over capacity condition. I know there was some concern about traffic near the school and the three locations that we counted would have picked up any of the school traffic in the morning, which this project will generate traffic during that school peak, but again it is not a significant additional amount of traffic to really impact the traffic conditions. In the afternoon the peak hour of generation for the site is going to be after the school peak. The school peak occurs between 3 and 4pm and it will not coincide with traffic that is going to be generated with the site which will typically occur between 4:30-5:30-6:00pm.

Mr. Getz - With traffic for a project like this, it is not an age restricted housing project, what do you assume for the types of people living there? Is it couples? Retired people? What do you assume for that?

Mr. Andrea - For doing our generation?

Mr. Getz - Yes.

Mr. Andrea - We don't really look at it that way. The data that we use from ITE is based on apartments or multi-family is the category now it doesn't discriminate against any age group it is all inclusive. If this was age restrictive, we would have looked at age restrictive rate which would have been a lower rate but that is not what we did in this case.

Mr. Olsen - How many cars per unit?

Mr. Andrea - We don't necessarily look at the cars per unit. It is a trip rate per dwelling unit.

Mr. Winglovitz - This ITE is version 10, it is continually updated with data.

Mr. Andrea - Yes, it is 2017.

Ms. Boland - Is each housing unit assigned a number of parking spots?

Mr. Winglovitz - Yes, the Village has a code for parking requirement and it is 2 per unit for a total of 80 and we show 81. We had a few more but we took them out for the stormwater pond at the end.

Mr. Getz - In your first report you mentioned several site specific recommendations and it is about making sure that we have the best sight distance available at the new driveway, pruning trees, etc.

Mr. Winglovitz - We don't have a problem doing those.

Mr. Aulen - Didn't we ask for a rendition of what these were going to look like? I believe you presented that at one time.

Mr. Kennedy - We only have the elevations in color.

Mr. Dickover - The ZBA is still waiting for the environmental determination before they can render a decision...

Mr. Winglovitz - Yes, we had a hearing in front of the ZBA and it was pretty positive but they could not act because they needed the determination. We have the architectural, the color ones are the front. Mr. Aulen had asked what the sides are going to look like. These are not garage doors it is the parking garage under the apartments and there is also open space.

Mr. Aulen - Based on our discussion, they are not assigned and there are stairwells inside to reach the second floor.

Mr. Winglovitz - The other thing that was brought up was what the total impervious was for each of the areas. Area A which is where the existing parking lot which is where most of our developmental is going to occur we will actually have a reduction in the impervious cover so we will not be increasing the amount of stormwater because we are actually reducing it and replacing some of the impervious with grass area and we have the courtyard area. Area B is almost exactly the same impervious, pre-existing after the proposed construction. Area C was the only area where we had an increase, there is no parking out there now and we are adding some parking, that is why we added the place holder for the stormwater management pond. We only have about 3,500 sq. ft. of impervious, somewhat to a footprint to a house but we do need to deal with the drainage so we put a little pond there for that purpose.

Mr. Aulen - Can you refresh the Board on how this is going to drain out of there?

Mr. Winglovitz - To show where we are going to drain to off the site, we put together an aerial photo. This shows the project site, the existing parking lot, the American Legion and we would basically tie in with the new catch basin along Forester Ave. Right now there is not drainage down Forester so it all runs down and across the entrance to the park. We would be picking that up where the structure is at our entrance. The pipe would be installed in the grass median between the sidewalk and the curb so this ends up being a benefit for the Village because we pick up the water that now flows to the driveway.

Mr. Olsen - So the catch basin is new?

Mr. Getz - Yes. In sub area C...

Mr. Winglovitz - Yes, that is an existing drainage area that actually goes onto the landowner who owns both of the properties now and eventually into a wetland area in the back.

Mr. Olsen - I am not sure how this works.

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Mr. Winglovitz - We will direct the drainage into that pond and we will try and infiltrate it and based on the soil, but there should be good soil there, if we can infiltrate it, it will overflow and go with a level spreader and flow onto the neighboring property.

Mr. Olsen - What is that back there, wooded?

Mr. Winglovitz - Yes.

Mr. Getz - It is part of Mechanical Rubber. We are talking about a very small drainage area so it is not as if it is going to be sending a lot of water there.

Mr. Patterson - So the purpose of that is to just prevent water from running down onto your site and off-site?

Mr. Winglovitz - Yes, we are required by law to treat any new impervious areas that we have and since that is a new impervious area we have to treat the water quality and quantity.

Mr. Aulen - The picture of the drainage, is that what we have been waiting for to move forward?

Mr. Getz - Yes, that was a key part of it.

Mr. Scheible - On the parking, the ones that front Forester, there is no garage with them so they will use the side yards?

Mr. Winglovitz - Correct, they will have park and walk.

Mr. Scheible - You have 81 spaces where 80 are required...

Mr. Winglovitz - Correct.

Mr. McGovern - The Village requirement for parking is 1.5 spaces per one bedroom apts. We have accounted for 2 spots for all, so technically 80 is more than the Village code calls for.

Mr. Winglovitz - Initially we did the analysis with the original building and we considered all 2 bedrooms units and the new plan has more 1 bedrooms.

Mr. Olsen - Would the overflow parking park back by Mechanical Rubber?

Mr. Winglovitz - It is possible, sure.

Mr. McGovern - Mechanical Rubber employees park over there.

Ms. Boland - Is there currently street parking on Forester?

Mr. Olsen - No.

Mr. Scheible - You have the American Legion next door and as proved in the past a lot of that parking that they use is going to be taken by this. What happens when they have an event, where do they park? Do they have access to anything?

Mr. Winglovitz - They do have access into their site and they have the parking area out front and a driveway around back they use. We did a little plan for them showing how they could develop parking to the rear of their building.

Mr. Scheible - Will you help them do that?

Mr. Kennedy - Potentially, we have been talking to them. We will do what we can. It is an expensive project. I think they could get 19 spots.

Mr. Winglovitz - Yes, it is an odd shaped lot.

Mr. Olsen - Mechanical Rubber still has some property there also.

Mr. Kennedy - Yes, they do, the woods. Parking in Memorial Park has been brought up as well.

Mr. Patterson - Have you checked to see if there are any utilities from the other building coming through to your property?

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Mr. Winglovitz - There is a waterline in the back that actually comes in from the park into the site. So we will have to deal with that, we may have to re-locate it based on the final location.

Mr. Kennedy met with the owner and it is at the rear of the property, it services the Mechanical Rubber building, it goes across the American Legion property.

Mr. Dickover - Is that shown on the plan?

Mr. Winglovitz - I have not added it to the plan.

Mr. Olsen - Is there water on Forester?

Mr. Winglovitz - I believe there is but maybe there wasn't at the time this was put in.

Mr. Patterson - But the sewer lines and water discharge from Mechanical Rubber...

Mr. McGovern - They have septic.

Mr. Patterson - What about their storm, does it come out onto the property now?

Mr. Winglovitz - It goes toward the park.

The Board reviewed the Long EAF.

A MOTION was made by Bill Olsen, seconded by Jim Patterson and carried to declare a Negative Declaration with No Adverse Effect under the SEQR process. (5 Ayes)

24-26 RAILROAD AVE.

SITE PLAN WAIVER

FIT BODY BOOTCAMP

The Board reviewed the Site Plan Waiver application for a Change in Use from a candy/yogurt space and a martini bar space into a Personal Trainer space.

A MOTION was made by Jim Patterson, seconded by Kerry Boland and carried to grant a Site Plan Waiver for a Change of Use from a candy/yogurt space and a martini bar to (Personal Trainer) Fit Body Bootcamp (5 Ayes)

65 MAIN ST.

SITE PLAN WAIVER

HUDSON GREY SALON

The Board reviewed the Site Plan Waiver for a Change in Use from office space to a hair salon.

A MOTION was made by Karl Scheible, seconded by Jim Patterson and carried to grant a Site Plan Waiver for a Change in Use from Office to Hudson Grey Salon. (5 Ayes)

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16 ELM ST.

SIGN APPROVAL

YESTERDAY'S

The Board reviewed the sign application.

A MOTION was made by Karl Scheible, seconded by Bill Olsen and carried to grant sign approval conditional upon the Building Inspector verifying the height of 6ft. and the width of 7ft. along with a revised drawing showing the corrected dimensions. (5 Ayes)

A MOTION was made by Jim Patterson, seconded by Karl Scheible and carried to adjourn the meeting. (5 Ayes)

Respectfully submitted;

Maureen J. Evans,
Planning Board secretary