

CHAIRMAN: GEORGE AULEN

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

Alternate: Kerry Boland

VILLAGE OF WARWICK
PLANNING BOARD MEETING
MAY 14, 2019

The monthly meeting of the Village of Warwick Planning Board was held on Tuesday, May 14, 2019. Present were: George Aulen, Bill Olsen, Jim Patterson, Karl Scheible, Jesse Gallo, Village Engineer, Dave Getz and Planning Board attorney, Robert Dickover. Others present: Kerry Boland, Armando Ferreira, Jay Myrow, Barry Cheney and others.

The Board recited the Pledge of Allegiance.

A MOTION was made by Jim Patterson, seconded by Bill Olsen and carried to accept the minutes of the March 21, 2019 Planning Board meeting. (5 Ayes)

72 SOUTH ST.

SITE PLAN APPROVAL

ARMANDO FERREIRA

Mr. Aulen - This particular building was before us I believe in March for a site plan waiver for a chiropractic office and this application is for a second apt. There is an existing 2 bedroom apt. on the second floor, is that correct?

Mr. Ferreira - Yes.

Mr. Aulen - The renderings did not show the back of the building where the apt. is going to be so the Building Inspector took a picture of the back. I was concerned about the entrance and window.

Mr. Ferreira - There is an existing double door which I am going to remove and put a single 36" entry door and we are re-doing the siding and paint.

Mr. Getz - This property is not in the Historic District and outside any FEMA Floodplains. We need some clarification on the property owner name, there is one on the plan, your name on the application, and the survey has a different name, which one is the proper name.

Mr. Ferreira - South St. Properties Inc. and my wife and I are the owners.

Mr. Getz - Based on Mr. Dickover's comments, based on previous variances and the Zoning Code, there are no variances need at this time?

Mr. Dickover - That is my understanding. There was previously a variance granted to the first

floor of this property to allow 2 commercial uses. Since that time the property has been used that way so the use variance for commercial on the first floor runs with the land and still applies. The cleaner is a permitted commercial use and the chiropractic office received a site plan waiver from this Board and the proposed residence on the first floor and this is a R district and multiple residences are permitted in that zone so the residence on the first floor is also a permitted use so in my opinion no use variances are required for the premises.

Mr. Getz - Because there is very limited construction or disturbance proposed to the exterior of the building or the site and as in the past the Board has waived some site plan requirements that are suitable to waive. I have suggested and crossed out the items for the Boards review of those items. You mentioned though that you will be changing a doorway and...

Mr. Ferreira - I am just changing a double door into a single door to make it look more residential and that is the only thing I am changing.

Mr. Dickover - You mentioned some siding changes...

Mr. Ferreira - We are going to paint the siding and just refinish it. We are not changing anything just cleaning it up.

Mr. Dickover - Does that require ARB approval?

Mr. Aulen - No.

Mr. Getz - We recommend that a plan be provided to show the layout of this first floor of the building including entrances. Just to get a good understanding of where the different access points would be and the plan you submitted shows a parking calculation of 13 spaces required and that 8 are provided but we really need to see a site plan/plot plan. I think the basis of your plan should be a survey and show how those 8 spaces are allocated drawn to scale and because you are not meeting the recommended 13 spaces is there on-street parking available?

Mr. Ferreira - Yes, across the street

Mr. Getz - Well that is Stanley Deming Park.

Mr. Ferreira - There is on-street parking on South St. and on Third St.

Mr. Getz - For the residential use I believe it would be four cars and if eight is the right number you would obviously have more than enough for the residential use. The parking for the park is not available 24/7 and 365 days, correct?

Mr. Aulen - The park parking is normally full all summer.

Mr. Getz - So we will need to provide an updated plan that shows parking.

Mr. Olsen - How many parking spaces are used by the chiropractor and cleaners?

Mr. Ferreira - There are 8 spots across the front and here I can make a double spot so it is 9, my intention was to give the 2 bedroom apt. upstairs, 2 spaces, the chiropractor has 2 spaces, the dry cleaner has 2 and the new apt. has 2.

Mr. Patterson - But the plan calls for 13...

Mr. Getz - Yes, based on the square footage and usage.

Mr. Ferreira - The way I see it is I have an existing 2,000 sq.ft. commercial space and we are taking a 1,000 of that off and making this one apt. 1,000 sq. ft. of commercial space requires 3 parking spots so that same 1,000 sq. ft. that I would need 3 parking spots, I now need 1.5 so I am actually decreasing my use.

Mr. Aulen - However, you have employees.

Mr. Ferreira - Potentially, the chiropractor has no employees and the dry cleaners there is only 1.

Mr. Getz - To be clear, they do not do dry cleaning on the premises.

Mr. Ferreira - Correct. Everything is done off-site.
 Mr. Getz - The only wastewater generated is by the employees.
 Mr. Ferreira - Yes.
 Mr. Dickover - Is the dry cleaners equipment still there?
 Mr. Ferreira - They have no equipment except for a sewing machine.
 Mr. Getz - The Bulk Table on the architects plan is complete but it does show that there are a lot of non-conforming conditions between setback, coverage, etc. but the proposed project is not changing those.
 Mr. Aulen - It is pre-existing and it was approved by the variance.
 Mr. Dickover - That is correct. The Board does have the right to waive specific site plan requirements, so a waiver would be appropriate when the time comes. This application is subject to referral to the OCDP. The variance for this property should be added to the site plan.

A MOTION was made by Jim Patterson, seconded by Jesse Gallo and carried to declare the Planning Board Lead Agency under SEQR. (5 Ayes)

A MOTION was made by Bill Olsen, seconded by Jesse Gallo and carried to type this application as an Unlisted Action with an Uncoordinated Review under SEQR. (5 Ayes)

VILLAGE VIEW	REDUCED SCALE ALTERNATIVE	VILLAGE VIEW
	25 LOT CLUSTER SUBDIVISION	

Mr. Rother - We are calling this plan Reduced Scale Alternative. We have submitted a preliminary design for the thru road connection in the Town on Sleepy Valley Rd. along with a conceptual yield plan of the property in the Town along with a conceptual cluster subdivision plan that was in the Town. We also submitted draft scoping document for the Supplemental EIS and a new long EAF. We have submitted the same to the Town Planning Board. We were before the Town of Warwick Planning Board last Monday and they understand what it is we are proposing to do and the approval that the Town would ultimately be issuing would just be for the street improvement and the stormwater managment features that are in the Town which have always been in the Town. The Town Planning Board is okay with the Village re-establishing Lead Agency, their intention is to let this Board act as Lead Agency and they will follow this Boards lead as far as the SEQR process and then either adopt your Finding Statement or prepare their own.

Mr. Getz - The applicant has a conceptual plan for a potential 25 lot subdivision in the 73.4 acres located outside the Town. Will you need to enlarge the previous storm water measures that you have been showing for the project or add new ones?

Mr. Rother - We will add others and we are assessing that now for the ultimate build-out of what could occur in this area.

Mr. Getz - Your stormwater analysis that we will review as the Village Planning Board will include the potential impacts of the entire project?

Mr. Rother - No, it would include anything that is going to be tributary to this stream.

Mr. Getz - Is there any chance that more water could be directed this way in the future when those lots are developed?

Mr. Rother - Potentially, yes.

Mr. Getz - That is what I am concerned about, we don't to be surprised later.

Mr. Dickover - So are you going to design that drainage for potential impacts from the Town's.

Mr. Rother - Why I am reluctant to say yes is because this plan is so conceptual in nature that it may change. We have plenty of room left in the Town to enlarge or improve when the application is made to the Town for a subdivision.

Mr. Getz - He has to meet the State and Village requirements for stormwater and the Village is even stricter than the DEC in terms of the flows and any other water quality mitigation. I just want to make sure, like we did with traffic, that we are counting for all possible impacts.

Mr. Rother - I am sure, at least in concept, show that we have enough area left to handle future development in the Town.

Mr. Dickover - When that time comes this Board will end up reviewing it and we will see what you submitted and whether or not it is adequate.

Mr. Patterson - The topography should give us an indication on what could possibly flow in that direction.

Mr. Getz - That is right.

Mr. Rother - These watersheds are already defined in the SWPPP we did for the 45 lot plan.

Mr. Getz - The scope of the Supplemental EIS that was submitted is very similar to the scope of the EIS that the Board has seen before in my opinion. It includes the pertinent topics, we would like to make sure that when you present the comparison of impacts, we want to make sure that everyone is on the same page with the definition of the preferred plan, the current plan and the previous plan. How do you propose to organize that so that it is easy for us to understand the differences in the magnitudes of the impacts?

Mr. Rother - For the purposes of not causing confusion I was not going to change any of the names. In the prior DEIS we have the 28 lots, we have the 45 lot plan, which we the Preferred Alternative, then the Affordable Housing and this plan will be called the Reduced Scale Alternative. This was prepared so that everyone can see what could potentially happen. As far as the Town of Warwick Planning Board, they made it very clear that their review of this does not give the applicant in being able to do this in the Town without the Board doing their own detailed SEQR review when the time comes.

A MOTION was made by Jim Patterson, seconded by Bill Olsen and carried to re-establish Lead Agency under the SEQR process for the Reduced Scale Alternative. (5 Ayes)

The board voted to go into executive session to consult with the attorney regarding Forester Ave. LLC.

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

Respectfully submitted;

Maureen J. Evans,
Planning Board secretary