

CHAIRMAN: JAMES PATTERSON  
MEMBERS: WILLIAM OLSEN, JESSE GALLO & KARL SCHEIBLE  
Alternate: Kerry Boland

VILLAGE OF WARWICK  
PLANNING BOARD MEETING  
DECEMBER 10, 2019

The monthly meeting of the Village of Warwick Planning Board was held on Tuesday, December 10, 2019 in the Town Hall located at 132 Kings Hwy. Present were: Jim Patterson, Jesse Gallo, Bill Olsen, Karl Scheible, Kerry Boland, Village Engineer, Dave Getz and Planning Board attorney, Robert Dickover. Others present were: Susan Roth, Kirk Rother, Robert Silber, Jay Myrow, Mr. and Mrs. Maher, Gerard Kearns, Susan Charity, Mark Tuckfelt, Jon Desrats, Peter Kopher, Thomas Cassano, Peter Spychalski, Guy & Donna Kipp, Eileen Patterson, Barry Cheney, Michael Newhard, George McManus, John Gruen, Brett Payne and others.

The Board recited the Pledge of Allegiance.  
The Chairman acknowledged the receipt of correspondence

A MOTION was made by Bill Olsen, seconded by Jesse Gallo and carried to accept the minutes of the November 12, 2019 meeting. (4 Ayes) {1-Abstention - Karl Scheible}

WARWICK COMMONS	EXT. OF SITE PLAN APPROVAL	STERLING BANK
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The Board reviewed a letter from Sterling Bank requesting a 90 day extension for the site plan approval of Warwick Commons.

A MOTION was made by Bill Olsen, seconded by Jesse Gallo and carried to grant an extension for the Warwick Commons site plan approval until March 11, 2020. (5 Ayes)

The Board reviewed the letter submitted by the applicant requesting an extension for the 28 lot subdivision approval.

A MOTION was made by Jesse Gallo, seconded by Bill Olsen and carried to grant an extension to Village View for the 28 lot subdivision approval until March 11, 2019. (5 Ayes)

### **PUBLIC HEARING**

Mr. Patterson opened the public hearing.

Mr. Rother - My name is Kirk Rother. I'm a civil engineer for the project. I'm not going to get into the background of this much. I'm sure everybody here is quite familiar with it. It's been in front of the board for over two years. We had a public hearing last year that stayed open for almost four months. The subject of that draft environment, lookback back statement and public hearing was this plan here, which depicted 45 single family homes, the 20 acres of land in the village. There was this red triangle that was slated to be annexed into the village from the town. It's kind of an irregularly shaped piece, one stream crossing out to Locust Street with the second access to Woodside Drive. This plan propose approximately 30% of the property is open space, which was this, this green area in here. The green around the outside is land that's in the town of Warwick. It's not part of the village application. Based on feedback we received on that plan, we went back to the drawing board and prepare it. This alternative, we call it the reduced scale alternative. You can see the biggest change with regard to the layout. This, there's no more connection to Locust Street. Approximately 600 feet of road was removed here. No stream crossing, no wetland impact. We had to put a little bit of road back to create this loop. We've could created this open space are here are the number of structures has been reduced from 45 structures on that plan to 37 structures on this plan. That was 45 single family homes. This is 32 single family homes and these five units here around the cul de sac are proposed two family townhouses. The subdivision regulations require that we have two points of access for this development. Since we eliminated the access to Locust Street, we are proposing I had a 50-50 chance of getting it right. This true road connection out through the land in the town, which this requires a separate application to the town of work planning work. We've made an application for a site plan special use permit when the time comes. There will also be a public hearing for these improvements in the town. For the time being the town of his defer the seeker review, the state environmental quality review to the village. That's the process we've been going through, which is a environmental impact statement. Another significant change with regards to the environmental impact statement and the DEIS for this project we just analyzed the potential impacts in the village with the SCIS. We also were including the theoretical 25 lots that could be go through the town with regards to traffic and drainage.

Mr. Patterson - We'll now address comments from the public. First person here. Gerald Kerns, just for the record, do not have to state your name. If you'd like to state name and address, you're more than welcome to, but if you could please step up to the microphone so that everybody can hear that. That would be fantastic. Thank you.

Mr. Kerns: All right. Just for the record, I just want to make sure I'm clear because there is no access to Locust Street at this point? Or there is?

Mr. Rother - There is not.

Mr. Kerns - Because one of my points I was going to make was, you know the traffic impact study that was done a while ago, you know, did it under the most perfect conditions possible. Now we have the recent snow storm that we had. You know when you come down Locust Street, okay. You know, the 20 to 21 feet that you had got down to literally 18 feet because of the snow. You've got that guardrail on the side minimizing where these plows can actually push the snow. So it really creates quite a dangerous condition on Locust Street. I just want to make sure that Locust street, that access is not going to be included before I continue. Right. So it's, I'm assuming that no access to Locust Street? Were you still considering both propositions? Right? Are you still considering both propositions or there was no access to Locust Street?

Mr. Rother - No. What we're trying to do today is just talk about taking the revised, so the supplemental EIS is actually just the one that would eliminate the access you're doing.

Mr. Kerns - Okay then I know I'm not going to say any further about that because it defeats the whole point. A year ago I came to this meeting and one of my concerns was the fact that this property has been warehoused for 17 years. I heard the excuse that they didn't want to build on it because the economy wasn't good. And unfortunately, you know, you have to look into consideration of who owns this property and my concern a year ago in September, October when we had this open meeting here was my concern was that the group of people that own this property would warehouse it and create a closed community, that there was an access annex part of the 80 acres that they going over ready and try to include that. Maybe not today, maybe not tomorrow, but maybe 10, 20 years from now, annex that into what you're envisioning right now in the village and try to incorporate the 80 acre lot into this whole property creating one cluster of subdivisions, and thereby trying to just allow a way in a closed community into Warwick. And that was big concern of mine. Okay, and to this day, a year later, it's still somewhat of concern because you know they've had this property for 17 years. We've have a lot construction. You've seen building all around Warwick taking place in the last 17 years. Why didn't they do anything with it when other people were constructing houses? All these developments going up in the town, why was it warehoused for 17 years? If you approve this project, when are they going to start the project? Is it going to be five years from now, 10 years from now? You're going to give them a deadline? I was told that they'd have to start this project, which is probably illegal, and then they might take it to court and just sit on it and warehouse the project again for another 10 to 15 years. You don't know what their ultimate ulterior motive is. And then, 10, 15 years down the road now they annexed the 80 acres into the village where you have septic, I'm sorry, where you have sewer and water allow further development if that was 80 acres. So instead of having 25 houses, you're going to have 150 houses. So it's a concern of mine. And I think it's somewhat valid. They've got a house built on 75 Sleepy Valley Road. Is that in development, sir? 75 Sleepy Valley Road?

Mr. Rother - There is a home that's built that was-

Mr. Kerns - It's on your property? Is that's your property?

Mr. Myrow - You're addressing the board, not the applicant.

Mr. Kerns - Excuse me sir, I'm talking to this gentleman here. I'm asking a question.

Mr. Myrow - No you're not, you're talking to the board.

Mr. Kerns - I'm asking you a question. They may not know the property.

Mr. Myrow - You're talking to the Board.

Mr. Kerns - This is the village meeting. They may not know the property. Okay, so the problem is 75 Sleepy Valley Road, I believe is on their property of 80 acres. They've got one house built there. They started that house in December of 2017. Two years later, the house still is empty. It's not being sold. It's on the market. It hasn't sold. There's a 2,500, 2,600 square foot house, four bedroom, 2.5 bath. The asking price was almost \$600,000. That's way out of proportion to what is being sold around this town. Why are they asking for more than half a million dollars for a 2,500 square foot house? What is the ulterior motive? If we don't ask ourselves these questions now folks, it's going to be too late. People that do developments like this don't do it in one, two years. They do it in a 20 to 30 year scheme. So you should use some common sense and look at what they're doing here and what their intent is. When's the construction going to start? What are they going to do? A year ago at this meeting, you know, I was told by this gentleman, they had no intentions of annexing the property from the town into this project. Yet, part of the town is being annexed to this project. You know there are things I remember from these meetings that have gone past and the last year and a half I've gone to meetings and not being allowed to really say anything because it's not a public hearing. I'm asking you again like I did a year ago in the same location right here. Please use some common sense, look at this whole thing and it's in its entirety with the 80 acres that lies in the town because 10 years from now when you guys aren't on the board anymore and things change, be careful of what you've created here. Once you opened that Pandora's box, you can't put the genie back in. Thank you.

Mr. Dickover - Just as we progress this evening, I've been asked to just make a few comments. With respect to questions and answers. This really is not a question and answer period. The board is here to hear your comments on the project, hear your concerns, and they will be taken into consideration with an ultimate document which will be a final environmental impact statement and this board's findings upon it. If we get into a question and answer period, we may never get out of here this evening or any other time later. So to the extent that you have questions, if they can be easily in the answered, like questions about access onto Locust Street which we answered, the applicator board will try and answer those questions. The more complex questions about future development and the other issues that were just raised are way beyond this Board's ability to answer tonight. So please if you have a question like that, keep it simple, keep it short. If it can be answered the Board or the applicant's representatives will try to answer it. If can't be answered quickly and shortly, understand that it will be addressed in the SEIS final statement. So, and the last topic on that is if you do have a question, please address them to the board not to the advocate. If they need to address the question or the Board would like them to do so, we'll ask them to do that.

Mr. Maher - My name is Raymond Maher and I'm at 52 Woodside drive. At the last meeting it was brought that we should go back and look at the 2006- 2008 FEIS. And I found several things

that were there that are not on this plan. I like to bring them up. The decision filling the Village Planning Board and the Village Board must make safety paramount. In 2008 the 28 lots subdivision approval, the Village Planning Board members in place at that time would not approve road access to the Village View on Woodside drive for safety reasons. The reason it was not approved was safety. In addition, the same Planning Board required the developer to redesign, re-engineer the intersection at Woodside and Locust. The reasons for this was also safety and it was something that was not in the developer's plan. While there are some proposed improvements in the current plan, Sleepy Valley Road, there are no plan upgrades in the current plan for Woodside. Woodside drive is in need of improvements too. The approval in 2008 required improvements of Sleepy Valley road to Locusts and an intersection at Woodside and Locust as part of the approval plan. What I'm saying is that when both the accesses were coming out of the Sleepy Valley, Locusts, those two roads were getting major improvements. While nothing is being done to improve Woodside Drive. It's the worst part of Woodside drive. In the community, we leave out the driveways and the guardrails. It's a bad part of the road. It's important to note that while the developer has consistently stated the access road on Woodside Drive is more beneficial to the conservation of the environment, namely the stream and wetlands. He's also confirmed as stating the stream crossings are extremely expensive and therefore the developer moved away from that option due to the cost and the fact requesting route access on Woodside Drive. They never once throughout this entire process mention any concerns for residents, individuals or vehicle safety. In addition, when you read the comments under the environmental section below, you will read that the road proposed to access Woodside Drive is an environmental violation in addition to being a safety hazard. I get to that later. Since there is now an access road planned in the town, a second access road onto Sleepy Valley should be added into the plan as per the 2008 approved plan. And the road access to Woodside should be eliminated for safety reasons. In addition, Sleepy Valley Road, Locust, and Woodside Drive should all have noted improvements made by the developer again, for safety reasons. Approval should not be granted until safety is made number one priority by the developer and at the Planning Board's requirements. I have a little suggestion from here to here, this stream is 175 feet. If you put in a buffer, you put in the sidewalks, and the road, and the buffer for the wetlands, there's not enough room for this road. If you have a hundred foot buffer. You cannot fit this... I measured... I don't know how wide the road is supposed to be, I took 28 feet as a 20 year number. I took five feet for the sidewalk and I took 10 feet for the buffer. You can't get that road in without violating the environmental. Also here, this was a retention pond in all the other plans. Now it's called, A bio tension area? Because they have wetlands now they have some kind of a bio, retaining pond. Village Code does not allow for more than 3% grade within 50 feet of an intersection. An excess road to Woodside Drive would be more than 3%. Our highway department doesn't need another hill to plow down or up. A 2020 plan requires a walking trail with this, which would make it easier for the residents of the said subdivision to make it easier to Woodside. Since the 2008 approval, the daycare center and the addition of senior housing have increased the volume of traffic on all roads in the immediate vicinity of the village area. The addition to these developments has also present the safety issues on the road, creating a

hazardous intersection at Grand Street and Crescent and the entrance to Liberty Greens. The current Planning Board must make safety paramount, first and foremost. You should absolutely without question adhere to the requirements of the approval of the planning board in 2008 regarding safety, traffic. In the 35 years, I haven't seen anybody do a traffic study. I'm home every day. I haven't seen anybody. I don't if you've got it written off or what, but... The traffic study conducted a report in 2008 appears to have been done when school was not in session. When the traffic study was repeated in the winter of 2008 it did not take into consideration the addition of 25 homes in the town which will access onto Sleepy Valley, just like 42 homes in the village. The study should be repeated when school is in session and during peak school and bus travel times. Infrastructure. One thing I like to say is about infrastructure. I think all infrastructure, should it be done before a house is completed. The town road should be done. Whatever access they have because if they build a few homes and his product tanks and they build this road where you know around the hook for one entrance, anyone access. So, it is well documented. The Robin Brae pump station is severely stressed and cannot accommodate a new development of this size currently proposed 42 dwellings. Several options for mitigating the structure of these issues have been presented to the developer. The Village Planning Board by its own engineer and Village Board in 2008 28 lots subdivision is documented that Robin Brae pump station could handle the added sewage of 28 homes at no additional cost to the village. However, it is now confirmed that Robin Brae cannot handle the addition of 42 dwelling in the village. And that issue must be resolved to accommodate the development as proposed. One solution is to not allow the addition of any more dwellings beyond the original 28 if sewer construction is needed to be addressed. The sewer issue. If sewer construction is needed to address the sewer issue, the builders should be required to pay the cost and should not be allowed to build any new homes until the construction is completed and operational unless he moves forward with the 28 lot, there's no problem with Robin Brae as per a lot of documents in the 2006- 2008. If she has the additional homes I don't understand is why as a taxpayer that we should have to dig up Maple Avenue and construct the sewer line and I don't know how many thousands of dollars, but if we stay with the original plan there's no cost to the village. Water, a 2008 plan it is stated the water supply... If that the water supply goes between 20 PSI standard minimum by the health department when the fire suppression system is used, that's a health concern. If that water system is stressed and you're in... and you have the paperwork on this, that that is below the health department standards. And the pump station. I found out that pump station is going to cost the village close to \$12,000 a year for power, maintenance, whatever it takes. I don't know if water fees for this community was going to, was just going to be a burden on the village tax payer also. That's been kind of glossed over at the pump station. And with these problems with the water system we can, you can approve a 42 dwelling. I mean we don't have great water pressure on that end of town. Flooding. I've sent the board pictures in the past of how bad Woodside gets flooded. It is well documented in photos that flooding on Woodside drive and the intersection of local street is a persistent issue. This is usually associated with the stream... This is associated with the stream and making traveling on Woodside dangerous and at times impassible. There was no assurance that the flooding problem will be corrected with its development. In fact, it may cause flooding issues to worsen due to the clearing of land and the placement of roads accessing Woodside drive very near where the flooding occurs, what is being

required to ride 100% whereas be required that there'd be 100% assurance the flooding will be addressed and will not be made worse by development. I live across the street, I had to put my own curb even before right now. 25- 30 years ago now, we asked the Village, you didn't put curbs, so I put my own curb in. That was just to control the water, to stay off my property, that is just running down to Woodside naturally in a rainstorm. Now what are you going to tell me is it's going to come down off of that hill. Am I going to need a wall, you know? So in past plan we found the notes in 2008 plan all home downspouts were to drain into the water retention system to manage water flow. We found paperwork for it, but I don't see it anywhere. This was, even in 2008 there was a water problem and the solution was to reduce the water coming off the hill. Well, an environment in a 2008 plan and there was no plan to building 100 feet of the wetlands. In the current plan that you measure, this is what I discussed about Woodside Drive in not being able to get the Woodside Drive end. Well, yeah, most of it was... In the 2008 plan, there was a required fence to protect the wetlands. I think that's been mentioned, but I haven't heard too much about it lately. The 2008 plan required planting around the pond specifying the type of trees and plants. This is not detailed in the current plant. Also, the ponds were also supposed to be surrounded by fencing as the safety measure for children. I haven't heard anything about that. This is going to 2008 if you go back and you can find all that stuff. The 2008 28 lot plan required a buffer zone between 51 Woodside Drive and the development. An adequate buffer zone is not currently in the plan, that's the house here. And then you've got the driveway that will make this intersectional look that congested, but you know, driveway, driveway, her driveway, you are supposed to put some kind of a wall in or some kind of a stockade fence in to make the view better. The developer is consistently challenged at \$50,000 per lot fee. The developer has previously requested a waiver or reduction of this fee. These monies are critical to support the infrastructure and if waived will set a precedent that would have long term detrimental impact on Warwick. I been a part of the meetings with the Planning Board, but I read some of the letters about it, that the company that did the math on all this said that it would be detrimental to the Village 30 years down the road a fee charge was reduced from \$50,000. The development is not in keeping with the intent of the clustering law, but seen as a land grab which is a specific purpose of exploiting the code for financial gain to the detriment of the community. This does not fit in our community. There are a numbers of other examples that have been raised previously in public hearings and in writing about the lack of transparency, or lack of adherence to codes, standards, laws, and the lack of detailed review by experts paid for by the resident. It is clear the developer's priority is profit, not safety of individuals nor the burden has proposed development will have an infrastructure in the environment in Warwick. In summary, there are a number of key areas of concern regarding the enormity of Village View development that impacts safety infrastructure, the environment and the quality of life of the resident. Many of these have been overlooked by the developer and are not currently required by the planning board. Of note, those items were approved in 2008, 28 lot subdivision by the planning board in place in time. The decision made by the current planning, village planning going into village board will set a precedent for to be, you know, set a precedent for however we knew these cluster subdivisions. As I said many times before, this has to be done right. This is, you know, like I said, they're out of land in Rockland County and they're coming up here. Thank you.

Susan Charity -33 Overlook Drive. My first concern is storm water Woodside Drive. If Village View does not maintain this pond and the drainage from it or if the HOA ceases to exist, does the village of Warwick take responsibility for maintenance and ultimately is the village of Warwick responsible for any damage to adjoining properties of Village View? And my second concern is traffic on Woodside. Now there are several times a day that cars are parked on both sides of the street near the junction of Crescent. This results in a one lane street without a clear sight, clear line of sight to pass. This will only get worse with increased drainage pond 2A. This pond will be directly above my property on traffic on Woodside drive. Thank you.

Mark Tuckfelt - 56 Sleepy Valley Road. I've lived there for about 30 years now. I have two safety concerns. One is that Sleepy Valley road is quite narrow. It's barely passable for two lanes of traffic. And there is no sidewalk and no shoulder on either side, so that pedestrian traffic is, is hazardous there and any increase in traffic going up and down that road is going to increase the hazard. Now certainly removing that connection directly to Sleepy Valley road reduces the risk. But even so more traffic going up and down that road is something that needs to be thought about. And maybe some improvement can be made would not be cheap because there's no, there's no land on either side to be able build a shoulder and a sidewalk on. But I think it is a hazardous problem and needs to be thought about. The second one, which I think is even worse is that the intersection of Locust Street with main Street at the bottom of the road is very dangerous. That's a narrow intersection, and I am repeatedly amazed to see cars coming down the hill who don't pull all the way over to the right so that even though it's narrow to get in there, they wind up blocking it even more. And cars coming on Main Street up or down, suddenly are confronted by an inability to make that turn. And trucks and buses of course magnify the problem. So I think that in the interest of safety, that intersection where Locust comes to Main street there needs to be made wider. And that's not going to be easy because if you look at the two houses on either side there, there's no expansive property that can be easily said, Oh Hey, we can, we can put another run 20 feet of road there. But I think something needs to be done there. That's risky. And I think cars coming, planning to make a turn onto Locust Street are suddenly confronted by an inability to make that turn because a car coming down the hill is taking up a substantial piece of Locust Street. And I think that needs to be in the plan somehow. And I think that if Locust Street is widened but, well that's what I was just about to say is that the owners of those two houses are going to suffer a loss. And some compensation needs to be provided, if that needs to be done, with the safety of that intersection really needs to be addressed. Sooner or later we're going to see a truck or a bus crash into a car there because the intersection is not clear. So I ask you please consider that and problem. And there's no easiest solution to it, but I think it's important that it be addressed. Thank you.

John Desrats: I was born and raised in Warwick and I've been living on Woodside Drive for over 12 years now. My major concern is also with safety. I'm actually, my house is right next to the house where the road is proposed to go in to access the road. So I had concerns when this plan was presented back in 2006. And that's, they wanted that same road access then, you know as Ray had stated. It went back and forth and the safety issues were a concern so they decided to change that plan. And that's when the road access to was changed to Locust and that there was still the access there because from my understanding they needed a secondary access but that would be closed off only for fire accidents. So I would like clarification on why it's back to that access on Woodside drive when it was taken off for safety reasons. I'd also like clarification on if

a development like this does need secondary access as it's being built now. Just to further explain why I think there's safety issues where the roads proposed to go in, it's pretty much as narrowed as described on a Sleepy Valley there. There's also two major dips as you're coming into that where that road crosses. The sight lines are not good. Like I said, it's narrow. The guard rails for the bridge or you know, only a few feet away. At any given hour, I look out my window, there are people, there are families. I walked daily with my wife and the dog and the kids. There's no sidewalks, and you know, it's not talking about the speed on the roads right now, but that road is used as basically a shortcut to get from one side of town to the other and the speed limits perspective there. So it was a real safety issue that needs to be addressed. That intersection at Woodside and Locust is a mess. And the state of the intersection at Locust. And 94 you know, just I think four or five weeks ago there was a decent accident so I urge you to take that into consideration. I think about the safety issues. I don't know if you guys have gone out there to see where everything is proposed, but if you do that, you know or if you have, I think you can understand where I'm coming from. Thank you.

Thomas Cassano - I live at 6 Locust Street and I just want to also bring up some safety issues, especially if I could grab the map and show it to you. Where the new entrance is to be and where Locust comes down, these are a lot closer than they look on the map. And even with the stop sign here and one here, a car making a left here and one making it right here, they're going to interfere with each other. Somebody's going to have to slow down. Now I live down Locust, which you don't see on the map over here all the way down to 94. And every one of these cars are going to come out and they're going to come right down Locust Street. It's the quickest way to get through to 94 to get through town without dealing with the traffic light by the hospital. Every one of those cars are going to come down this road. I have recently... if you know Locust Street, I used to have a red house. It's blue now. I expedited it. I expedited getting it paint this fall because if this decision goes through I'm probably going to put my house up sale right away.

Peter Spychalski - I live on Sleepy Valley road. Just want to start off by thanking the planning board for having the hearing. I also want to thank Mr. Rother. I know it's not easy to put these drawings together. It's a lot of hard work, appreciate that. One clarification that I do want to make on the drawings, there is another outlet that will connect to Sleepy Valley road further North. So we've got one in Woodside, we've got one at Sleepy Valley. Just want to show everybody here. So there is another access point of Sleepy Valley Road. So that's up the North side. So, just to be clear with that. Now when it comes to concerns, mine base around the preservation project plan, community preservation project plan. That's supported by the community preservation fund. This is a required a three quarter percent real estate transfer tax that all the good people in this room paid, I paid. Why did we pay that? We didn't have much of a choice, but those funds were to be allocated for the protection of open space. And I'll quote from the document, which is vital to the future, social, economic and environmental health. So that was those funds were allocated in good faith by all these, these fine people here and many others in Warwick. They were given to conserve agricultural lands, non-farm open spaces and other open areas such as the lot where this proposal is. They were allocated to protect the natural scenic quality and environment, something that all of us treasure here in Warwick. They were allocated to protect the surface and groundwater. It's from point and non point source pollution, which any cluster subdivision is going to bring that. These funds were allocated to protect the

habitats for the diversity of the existing flora and fauna. And I know I'm not alone. My wife and I walked this road to Sleepy Valley quite often. We've seen coyotes running through there. We've seen plenty of deer. We enjoy hearing the owls in there. So that's something that all the residents, we enjoy that. Those funds were allocated to protect wetlands as important environmental resources and as identified on the plan, there's a wetland that runs right through there. So just to sum up, I feel betrayed a little bit. These funds have been allocated, but here we are considering this proposal that will ruin an open space. Every time I drive down Sanfordville road, I miss seeing that tree that was taken down with such a beautiful open space. These houses are going up and they chop this tree down. This must have been an Oak, must have been, if I had to guess, it was over a hundred years old. They took it down. We moved to Warwick because of its scenic quality. It's what makes Warwick home. If we allow this kind of overdevelopment, we're ruining our home. Some other concerns that I have, some that were mentioned by my fellow residents, the width of Sleepy Valley road. I hate to beat a dead horse, but I know that this road in many spots is less than 20 feet wide. Now, I did some crude math on the number of additional vehicles with this proposal. The one on the left, two cars per dwelling, that's probably conservative. 86 additional vehicles, 86 additional vehicles traveling up and down, Sleepy Valley onto Locust. As my neighbor pointed out, they're going to be headed in that intersection where Locust meets 94 Maple Avenue. We can't allow that. Sleepy Valley road must be widened. I'm going to say these words, but I don't mean them. Locust must be widened, but I want that to happen. So there are some serious issues and concerns with this development. What I ask as a resident of Warwick, somebody that chose to make Warwick home, just like all these people here, please consider carefully... How many times do we see in the news, different parts of the world, different parts of the country. We see the results of when we overdevelop, and we build like crazy. It ruins the environment. It ruins our home, which is the earth. We have to take care of it. So we ask that you do that. If by chance this proposal continues. A few other concerns that I have had to do with conservation. What methods are in place with the existing trees? What measures are in place with new trees? I don't see any landscaping plans. I looked hard to try and find that maybe we're not at that point, but what measures will be taken to ensure conservation? Again, we want to preserve, we want to preserve our home in Warwick.

Mr. Kip - Donna Kip, my wife and I live on 25 Locust Street, and we have several concerns. My wife worked very hard on securing some videos of traffic on the intersection of Sleepy Valley coming down intersecting Woodside and intersecting Locust. And we got cars going up Locusts going up because our house overlooks the intersection. We're the second house down from Woodside on Locust street. So as an idea, our kitchen window when we put the addition on, overlooks the intersection. So, and we have some videos which the board might like to look at some time. But I think it says a lot about the intersection and how dangerous it is because they actually neglect the stop sign coming down from Sleepy Valley in the morning. We moved here in 1984, December. It has truly changed drastically. Our kids could ride their bicycles Locust street without any fear of being hit by a car. My grandson now lives right across the street. Five year old. I wouldn't dare have him ride his bicycle on Locust Street. That's how big it's changed or will change too in the future here. We actually have a letter that you guys are going to receive today, and it's two pagers, but I'll just kind of hit the basic points. Section two, growth and reducing impact. That was one of the things, growth and reducing impact. The homes rise in a reduced scale alternative, will have four bedrooms according to the SEIS. The addition of these

homes would house approximately 96 residents in the village. So 42 homes with 96 people comes out to 2.29 people per home. The numbers don't make sense. Any family purchasing a four bedroom home would be at least three people per home, which would be 128 but more likely people per home, which would be about 168. Some of these homes would include teenagers who are driving of course. Then add in the phase two which would add more people and therefore more cars. We got to look at stage two coming down the pike as well. Traffic study, this is what you said it about traffic study. The SEIS traffic study was completed on Thursdays and a Wednesday. The times of the study were 7:00AM to 9:00 AM and 4:00PM to 6:00 PM. These times would not reflect the majority of people who leave earlier than 7:00AM due to a long commute as well as students who would be driving home from school earlier than 4:00PM, as the Warwick high school day ends at 2:30PM. Rather than counting the number of additional trips we should be considering the number of additional cars. The number of homes for the village of 42 times at least two drivers per home is 84, plus the additional 25 homes in phase two and at least two teenage drivers cars, so those numbers will actually be higher. During the summer when the students are out of school, there might actually be more cars on the roads. I will address the issues on Locust Street, as that is our address. Locust Street and Sleepy Valley are used heavily and not only the residents of these streets, but as a shortcut for many of the other areas in the village and town is a heavily traveled all hours of the day. Locusts history does not have any sidewalks, so folks walking their dogs must walk in the road. Two cars are coming down, one going up, one coming down the road. The person and the dogs must then walk out to someone's property to let the cars pass. It is already very dangerous and adding more cars will only make it worse. I have personal knowledge of this and we have two dogs. Again, when I go back there with my grandson across the street and kids on Locust Street. It's a dangerous road now because they don't travel 25 miles an hour and on the videos that you'll see the that we took... And I would think a professional doing a traffic study would study the traffic, especially with all the technical equipment that we have today. She used a little computer because our window overlooks the thing. I bet you if you put cameras out there, you'd get a real idea of what the traffic is like. And you'll see in these short videos when you take a look at cars just going through the stop sign. Going up, they even ignore the stop sign many times. And they just go up because they want to get the running jump going up the hill. And from Woodside, same thing. It's a congested intersection there. Three roads coming in at one place there. And it's a dangerous intersection. And we're going to have all our cars added.

Ms. Kip - Well I did a Google of the most dangerous days for driving and it turns out Saturdays followed by Fridays and Sundays. So I was wondering if that would correlate with more traffic. The video that I took, I took for two days. Both were on Sundays. One was November 24th which was the Sunday before Thanksgiving between 9:00AM and 9:55 AM and in 37 minutes. So I had intervals and that's on the video, the intervals. So in 37 minutes, 27 cars went through the intersection. The following Sunday was December 1st and I had set my small iPad right in the window but in looking at it, of course sitting there looking at 1 hour worth of video I only counted cars for 35 minutes, cause I keep sitting there looking at it. So in like 35 minutes, there were 89 vehicles that went through. So I was just wondering if they did a traffic study. They should include weekends in a traffic study rather than just weekdays and not just cars. There's tractor trailers. One day I saw a 12 foot, backing out. It was one of those huge trucks, and it didn't even stop. It went straight up Locust without stopping, and then when it came back later on

it went down without stopping. So that's a safety issue. He mentioned my grandson. I put him on the bus sometimes in the morning and one morning we were standing at the end of the driveway, which is where the bus stop is, and four cars came right down a little, just one after the other. I mean down Sleepy Valley without even stopping. So another concern is the wastewater management. We have an issue, you know the village has a big issue with that because there's already a problem and there was alternative scenarios that are mentioned but we aren't sure who would be paying for this and how much would we have to pay as residents as well as the people that bought the houses. Will they be paying for these hookups for this new system? Another concern that we have is the stream runs through our back of our property. Most of the year it's a dry stream bed, but sometimes, especially last summer when it was very wet with a lot of rain. It almost flooded into our yard. Now my husband keeps the berm, he puts things to build up the bank so that in the event of heavy rain and water, it doesn't flood our property. But I would be concerned the buildings and the pavement if that might affect the level of the stream water in those times. And then the last thing that I've thought of is one of the planning board meetings last year, there was a mention of a fee per lot. And at that time there was a discussion but they never really came up with what the fee might be if there would be a fee. And we're just wondering, we haven't heard anything about that since that time. So we're wondering if that would be to cover in the event that the homeowner's association doesn't maintain their areas as they should. And then I guess the village might be able to use that money in the fund, but I don't know whatever came of that issue. We never heard it since then. So is that something that's still under consideration we're just wondering about that as well. So I know it's kind of boring to just look at videos.

Mr. Kip - Perhaps, the next meeting, when you guys meet, maybe you can look at it on your own time.

Mr. Rother: With respect to your video, if you want to digitalize that or put it in electronic format, the comment period for public comment remains open for 10 days. So you have the next 10 days to give that to the board. That way it could become part of the record. Without that we don't have any way to really consider what you mentioned. So 10 days to submit.

Mrs. Patterson -Hi, my name is Eileen Patterson. I have three points that I just wanted to raise. I've raised these questions before and have asked for responses, but I haven't gotten them. So I'd like to put them in for the record as you review the comments from this public hearing. One is a more comprehensive master plan includes a strong suggestion if not a requirement for sidewalks. And I know that the sidewalks were taken off this project. And I don't know if they remained off, but it's just a question that I'd like to be considered. I'd also again ask the planning board to, and I have put this question to the Planning Board before, but haven't gotten a response to review the reasons that the entrance via Woodside was not permitted in the 2008 approval because I think that's important at this point, seeing as though that's the only access and the secondary access that would come through the project that goes in through the town would ultimately... It's not Sleepy Valleys. That's why I want to know if it's Locust's or at the Sleepy Valley point. So that's something to be considered for the secondary access. And then there was a gentleman who raised the issue of elevations for the upper lots. And I have asked to have that information specifically provided about what the elevations are for those homes and whether they fit in with the Village Code. Just like to have that considered as you review the comments from this hearing.

Mr. Maher - I think plans about affordable housing has been kind of dropped or glossed over in this project.

Mrs. Eileen Patterson, Village Trustee - Well I, I actually have let, I mean with my perspective I have let the applicant know that I'm a huge fan of, not affordable housing per se, but workforce housing or starter housing. And I believe that the, I don't know if my opinion is appropriate here or not, but I believe that the townhouses are there approach to workforce or lowercase a affordable housing. And that doesn't necessarily address the question. So while the Village Code likes affordable housing, it's not required.

Mr. Patterson - Let me ask a question. You mentioned the elevations. What do you mean the elevation? Of the house up in the town? Or were you talking about-

Mrs. Patterson - No, the upper sections up here. This was a particular concern of me. I don't know if they're, if it's true throughout up here. These elevations, the driveways, while they appear to be right next to the houses, they're going to get sheared straight up and down based on comments...

Mr. Patterson - You're referring to the elevation of the house off the drive or off the road?

Mrs. Patterson- Off the road itself. And if you wanted to get more scientific or professional information on that, I would refer you to Mr. Gross' comments, Mr. Stephen Gross' comments at one of the public hearings at Village Hall. Thank you.

Mr. Getz -I can clarify the question on sidewalks because there have been different versions of the plan. Sidewalks are included within the project at least on one side of the road and in areas of residential development on both sides of the new road.

Mr. Gruen - I'm a newcomer to Warwick. I don't have the expertise from experience that many of you have richly detailed in these fine remarks, but I've read the entire traffic report very carefully inside the large document. And I found errors in it which correspond to many of the statements that Mr. Spsychalski made concerning estimates of cars and traffic safety. I'm going to send a copy of my remarks about this document to the planning board when I finish it before 10 days from now. Thank you.

Mr. Rother - Okay. When we're done, I can probably answer a few of the easier questions if you'd like me to.

Mr. Patterson - If you feel comfortable, sure. They will be addressed later on as well, correct?

Mr. Rother - Yeah, they'll be in the FEIS.

Mr. Payne - I'm a new resident. Me and my wife recently purchased a house this summer not knowing any of this stuff up front. We're on Locust Street, 21. Guy's our neighbor. Basically the two things that really kind of bother me especially being a fresh move in, one that would be the Warwick tax. You know, we paid a premium to come here. We really wanted to be here for that reason. We thought this is a great community. That's why we came in here. We wanted to be involved with everything here. So being involved in this is what's going to make us part of this community. Me and my wife walk our dog, right, two times a day up and down the Locust, Woodside, Crescent, all over town. It's something where there's been many times like a few other people mentioned two cars on the road were trespassing or almost getting hit. There's more times than not that we're having cars whiz by us. As a guy that's involved in the automotive world all the time, I can give you a rough guesstimate that they're going way faster at 25 miles an hour. It's a problem. One of the other questions that I had not been super versed on this, the 2008 plan, is this the last update to this? I'm asking. I don't know. Is there something newer? Whether it's traffic stops, whether it's water, sewer, any of this stuff. Is there a newer plan than this that's been presented then 2008 because I hear everybody talk about 2008 and it's 2019 I just want to know when was it, if you don't mind me asking?

Ms. Roth - 2017

Mr. Payne - 2017? It's tonight.

Mr. Rother - This is a new plan.

Mr. Payne - Okay. This is a completely new plan with new information?

Mr. Rother - Correct.

Mr. Payne - Okay. When was the, the information you were presenting tonight finished?

Mr. Rother- Last month.

Mr. Payne - Last month. Okay, perfect. Yeah, I just want to see. That's settled. That makes it a little more interesting to me because I didn't know, I'm sorry, I'm not trying to be a pain. I just wanted to know and that's really all I had. It's a safety concern. We just want to make sure that our community is growing and getting better. And you know, coming in here and spending the money to be a part of this community, we want to make sure that we're not losing that value of community. All right. Thank you guys.

Mr. Kearns - Just one quick question, I wasn't involved in the 2008 plan, but one point that was raised earlier that I just have a question for. If the 2008 plan was approved, and it was correct for 28, it seems to me that anything that was approved in that plan would automatically be the baseline for this plan. And it seems to from some of the comments being made that there were things that fell through the cracks and that were omitted. So I'm just wondering why did those things get omitted? If I'm correct in assuming that, why would they not be automatically part of the baseline on this plan? I'm just wondering.

Mr. Patterson - We're not prepared to answer at this time but we will investigate.

Mr. Rother - Okay. When we're done, I can probably answer a few of the easier questions if you'd like me to.

Mr. Patterson - If you feel comfortable, sure. They will be addressed later on as well, correct?

Mr. Rother - Yeah, they'll be in the FEIS.

Mr. Patterson - We're not prepared to answer at this time.

Ms. Kip: Well, the one other point was that in the 2008 out to the streets Locust, Woodside, there were improvements in the 2008 plan to our roads that don't seem to be in this one.

Unknown- You mentioned, the sidewalks that's within development. I just want to be clear with everybody that's in the room, those sidewalks are going onto the streets that don't have any sidewalks.

Mr. Patterson: - Correct.

Mr. Patterson- Kirk, would you like to answer that?

Mr. Rother - Mr. Myrow told me to keep quiet.

Unknown - I just have one quick clarification. The gentleman that asked regarding the water supply, was reevaluated in 2008 or has the water supply situation for that whole neighborhood, has it been reevaluated?

Mr. Getz - It's been reevaluated and any measures that they designed to serve that community, the new homes must receive approval from the Orange County Health Department and New York State. So it would be a detailed design to address meeting all the pressures and all the other requirements that public agencies require.

Mr. Patterson - Anybody else? Okay. It doesn't appear that anybody else has any other comments. At this point, I'd like to see if anybody would like to make a motion to close the public hearing.

Mr. Rother - We were accepting comments for 10 days, right?

Mr. Patterson - We are accepting written comments for 10 days after we close the public hearing

A MOTION was made by Bill Olsen, seconded by Jesse Gallo and carried to close the public hearing. (5 Ayes)

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

Respectfully submitted;

Maureen J. Evans,  
Planning Board secretary