

WHITEMAN
OSTERMAN
& HANNA LLP

Attorneys at Law
www.woh.com

David R. Everett
Partner
518.487.7743 phone
deverett@woh.com

One Commerce Plaza
Albany, NY 12260
518.487.7600 phone
518.487.7777 fax

September 25, 2020

VIA FEDERAL EXPRESS & EMAIL

Chairman James Patterson
Members of the Village of Warwick Planning Board
77 Main Street
Warwick, New York 10990

***Re: Warwick Meadows, Phase IV
Amended Site Plan Application & Lot Line Adjustment
Property: Intersection of Brady Road and Sheffield Drive, Village of Warwick
Tax IDs: 218-1-91, 92, 93, 94 & 96 and 219-1-2.2***

Dear Chairman Patterson and Members of the Planning Board:

This firm represents Warwick Commons Stage 5, LLC (“Warwick Commons” or “Applicant”) in connection with its proposed residential development on the property above (the “Project Site”). The proposed development consists of construction of 90 condominium units (82 one-car garage units and 8 two-car garage units) with a total of 180 bedrooms in 14 buildings with related infrastructure (the “Project”). The Applicant was previously before the Planning Board in January of this year for a conceptual review of the Project. This submission represents a complete application package to the Planning Board, which incorporates comments received by the Planning Board earlier this year.

Project History

The Project was originally planned as Phase IV of a larger multiple-phased residential community called Warwick Meadows, which was approved by the Village of Warwick Planning Board (the “Planning Board”) in 1986. The other three phases of the community have already been constructed along with critical infrastructure in those phases needed for the development of Phase IV. In addition, portions of Phase IV have been constructed including Sheffield Drive, water and sewer lines, some grading, parking areas and other related infrastructure.

In 1986, the Planning Board prepared an Environmental Impact Statement (“EIS”) pursuant to the State Environmental Quality Review Act (“SEQRA”) to evaluate the potential environmental impacts from all phases of the Warwick Meadows community including Phase

IV. Subsequently, the Board adopted SEQRA findings and approvals for the entire Warwick Meadows community.

In 2006, the property owner proposed some minor changes to the project layout for Phase IV. In 2010, the Planning Board adopted amended SEQRA Finding concluding that “the Planning Board hereby concludes that the changes in circumstances and new information identified during its review process do not present issues of such great importance and/or relevance, and that the changes and new information are adequately presented in the 1986 EIS and will not cause a significant adverse environmental impacts. Accordingly, the Planning Board resolves that no Supplemental Environmental Impact Statement need be prepared”

Subsequently, in 2012, the Planning Board granted conditional amended site plan approval for the revised layout of Phase IV (the “2012 Approval”). This approval has been continuously extended by the Planning Board since 2012 and is now currently in effect.

Proposed Amended Project

The Applicant can build the Phase IV layout approved in 2012 (subject to satisfying the conditions of the 2012 Approval). However, the Applicant is now applying to the Planning Board for a second amended site plan approval and lot line adjustment to make further revisions to the design and layout of Phase IV. The new layout is substantially the same as the layout approved in 2012. However, the new layout further reduces the number of condo units from 116 to 90 and provides a number of environmental benefits and reduces environmental impacts over the previously approved plan. The benefits include the following, among other things: (1) increasing set-backs and buffers to neighboring properties; (2) improving vehicle safety by removing unsafe intersections and installing an emergency access gate on Sheffield Drive to eliminate “cut-through” traffic, (3) complying with updated stormwater regulations which are more protective of the environment; (4) decommissioning the dam on adjacent property owned by the Warwick Meadows Homeowners Association to reduce long-term maintenance and repairs of the dam, existing NYSDEC violations and related costs; and (5) providing high-quality architecture for the new condo buildings which is compatible with the Village’s community character. The Project will also generate significant new tax revenues for the Village and the local school district.

The amended site plan design and layout is consistent with the Planning Board’s prior approvals and related SEQRA findings. The Applicant has submitted to the Planning Board a comprehensive SEQRA narrative demonstrating that the current application is consistent with the prior approvals and, nonetheless, that no significant adverse environmental impacts will result from the revised Project.

Accordingly, and based on the information provided, we are requesting that the Planning Board make a determination that the Project is consistent with its prior approvals and amend the related SEQRA findings statement, similar to Planning Board’s determination in 2012. For reference, we have included all relevant prior approvals in the SEQRA narrative.

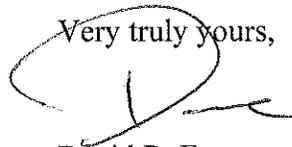
Conclusion

In furtherance of this application, we are submitting with this letter 8 hard copies (and an electronic version) of a binder entitled "Warwick Meadows, Phase IV, Amended Site Plan Application and Expanded EAF & SEQRA Narrative dated September 25, 2020."

In addition, full sized versions of the amended site plans will be provided to the Planning Board directly by Maser Consulting, the project engineer.

We respectfully request to be placed on the Planning Board's October 13, 2020 meeting agenda. If the Planning Board or the Village staff have any questions, please do not hesitate to contact me or Andrew Fetherston, at Maser Consulting. We look forward to working with the Planning Board on completing this exciting Project for the Village of Warwick.

Very truly yours,

A handwritten signature in black ink, appearing to read "D. Everett", written over a circular scribble.

David R. Everett

- c: David Getz, P.P., P.E., Planning Board Engineer
- Robert Dickover, Esq., Planning Board Attorney
- Andrew Fetherston, P.E., Maser Consulting
- Warwick Commons Stage 5, LLC