



Engineers  
Planners  
Surveyors  
Landscape Architects  
Environmental Scientists

555 Hudson Valley Avenue, Suite 101  
New Windsor, NY 12553-4749  
T: 845.564.4495  
F: 845.567.1025  
www.maserconsulting.com

December 29, 2020

**VIA EMAIL & UPS**

James Patterson, Chair  
Village of Warwick Planning Board  
77 Main Street  
Warwick, NY 10990

Re: Warwick Meadows, Phase IV  
Tax Lots 218-1-91, 92, 93, 94 & 96 and 219-1-2.2  
Warwick, Orange County, New York  
MC Project No. 15002429D

Dear Mr. Patterson:

Below please find our responses to a comment letter received from Engineering & Surveying Properties, dated November 4, 2020 and items discussed at the November 10, 2020 Planning Board meeting. The comments have been repeated here for clarity.

Comment 1. The Planning Board should continue its review of the SEQRA consistency chart that provides a comparison of impacts of the amended project with the impacts from the project as approved in 2012. The chart is included as Exhibit E in the expanded EAF.

Response 1: Statement from the Planning Board's Consulting Engineer. No response required.

Comment 2. One of the key issues discussed at the October 13, 2020 Planning Board meeting was traffic. Maser has provided additional traffic information in a memo dated 10/23/20 regarding impacts with and without a closed gate along Sheffield Drive. The memo also provides a discussion of traffic conditions during the fall season, including Applefest. We look forward to input from the local emergency service providers as the board reviews the gate issue.

Response 2: Comment noted. The applicant proposes that this gate remain closed and not allow cut-thru traffic into the Ridgefield Road neighborhood. The fire department has reviewed the gate and expressed no concerns. Also, over 70 residents on Ridgefield Road signed a letter to the Planning Board requesting the gate. Moreover, as requested by the Board, on November 18, 2020, Maser Consulting provided plans and details of the gate to the Village's Department of Public Works for review and comment. Subsequently, Maser Consulting met with the DPW, the Village Mayor and other Village officials on December 3<sup>rd</sup> (via Zoom) to discuss the gate. During



that meeting the Village officials noted that the proposed gate would be acceptable and should be kept closed by the Applicant during construction of the Project and before dedication of Sheffield Road and the gate to the Village. Upon acceptance of dedication, the Village would own the road and the gate and the Village would open and/or close the gate as necessary based on changing field conditions, seasonal traffic variations or changes in circumstances. Additional review and feedback from the local EMS was requested back in early November by the Board but no response has been received to date.

Comment 3. A decision has not yet been made regarding the repair or decommissioning of the dam. Because this decision has a significant effect on the measures that will be proposed to mitigate the hydrologic impacts of the project, the Stormwater Pollution Prevention Plan (SWPPP) is incomplete, and we have not yet reviewed it.

Response 3: The applicant continues to discuss the proposed dam modifications with the HOA. The HOA has engaged an attorney to assist in these discussions. The applicant met with the HOA board on December 8, 2020 to review the dam repair work in the field. The two (2) potential options, dam reconstruction or decommissioning were reviewed with the attendees. The HOA continues to review the matter and a response of their decision remains pending.

In order to finalize the SWPPP for SEQRA purposes and so that the Board can schedule a Public Hearing, Maser Consulting provides with this submittal an analysis if the dam were to be constructed as was previously permitted by engineer Vanderbeek and a second alternative for decommissioning the dam. Both of these analyses show that peak flow mitigation can be achieved for either dam repair scenario.

Comment 4. The proposed pavement width of Sheffield Road is 30 feet. The Planning Board should consider reducing the required width in order to reduce impacts on grading, stormwater, etc. On the recent Village View project, and previously at Warwick Grove, a road width of 26 feet was approved for public roads.

Response 4: The applicant requests a final decision from the Planning Board on this matter so the site plans can be finalized.

Comment 5. Revisions have been made to the site plans to provide larger buffers to existing wetlands at many locations. We await design modifications at the low point in Sheffield Road to evaluate the protection of wetlands at that location. Has the Army Corps provided a response to the request for a jurisdictional determination of the wetland delineation?



Response 5: The modifications to Sheffield Drive will be finalized (plan, profile and road section details) upon a response from the Planning Board regarding potential reduction in the road width. The Army Corp has not yet provided any response to our March 6, 2020 Jurisdictional Determination submission. The delay is likely due to Covid related issues. Nevertheless, the wetlands were delineated by a Professional Wetland Scientist with years of experience in using the Army Corps delineation manual to delineate wetland boundaries.

Comment 6. Snow storage areas have been added to the plans, but in some areas do not appear to be sufficient for a large snowfall. What measures will be taken in that event?

Response 6: In the event of a large snowfall event, any excess snow will be removed from the site by the snow maintenance contractor.

Comment 7. The estimated tax revenue projections (Exhibit Q) should be expanded to include a discussion of the implications of fee ownership versus condominium ownership.

Response 7: The proposed amended project is for 90 condominium units and not fee ownership. Similarly, this project was previously approved in 1986 & 2012 for condominiums. The proposed amended project is consistent with those past approvals. Furthermore, to create fee ownership, each unit would have to be subdivided onto its own lot thereby creating over 90 new individual lots. The Village's zoning bulk requirements, i.e. minimum lot area, setbacks, and yard requirements, do not allow for the development of such small fee ownership lots and would require the need for significant zoning variances for each unit. Creating such small fee ownership lots would fundamentally change the project from what was originally approved in 1986 and 2012.

Comment 8. The previously approved plans show the property to be located within the MR (Multiple Residence) zoning district. The property is now located in the R (Residential) district. The applicant should discuss zoning requirements, including the proposed distances between buildings.

Response 8: As you know, this project was approved in 1986 as Phase IV of a four-phased residential community known as Warwick Meadows. In 1986, the project site was located in the MR (multi-family residential) zoning district and complied with all the zoning bulk requirements of that district. After approval, the first three phases of the community were built along with critical infrastructure necessary for Phase IV as well as portions of that phase. In 2009, the zoning law was changed and the zoning district on the site was changed from MR to R (residential). In 2012, Phase IV received an amended site approval from the Planning Board under the prior zoning code as a grandfathered use. The Planning Board has extended that amended approval annually since 2012 and it remains valid today.



We are now seeking a second amended site plan approval for Phase IV. As demonstrated in the application materials, this amended project is consistent with the prior approvals for Phase IV from 1986 and 2012. In fact, the proposed amendments provide a number of benefits over the previously approved plan including reducing environmental impacts. For example, the proposed amendments reduce the number of approved units from 106 to 90, increase setbacks to neighboring properties and increase distances between buildings, to name a few. Notwithstanding this, in your October 6, 2020 review letter (comment 10), you requested that the amended project be compared to the zoning bulk requirements for the R zoning district (Use Group G). On November 10, 2020 Maser Consulting provided your office with an updated Site Plan (sheet #3) which confirms compliance with these bulk requirements. To achieve compliance certain minor revisions were made to the site plans including, among other things, adding porous pavement in limited areas, removing some on-street parking spaces and reducing the number of lots from 6 to 3. The second amended site plan now complies with the bulk requirements of Use Group G. See attached Overall Dimension Plan for your reference.

Comment 9. Near Building #5, the grading shown along the curb line appears to create a low area behind the curb, adjacent to CB S-82.

Response 9: Contour adjustments and additional spot elevations have been provided in this area. See attached revised Grading of this area for your reference.

Comment 10. A portion of the proposed pool fencing is shown within the front yard along Brady Road, and would therefore require a variance.

Response 10: The proposed pool fencing has been removed from the front yard and now complies with the zoning law. This fencing no longer requires a variance. See attached Overall Dimension Plan for your reference.

Comment 11. As noted in Mr. Fetherston's letter, responses to several of the Board's other comments are in progress.

Response 11: Additional items:

- Fire hydrant flowing testing was conducted on November 18, 2020 with Chris Bennet from the Village. These results are attached for reference. The testing demonstrated sufficient flow and pressures for the development, consistent with data provided by the Village Engineer.
- Will serve letters were requested from the Village on September 14, 2020. During our recent meeting, the Village indicated that there was sufficient water and sewer capacity to serve the Project and that "will serve" letters



would be sent to the applicant shortly. Will serve responses from the Village are still pending.

Items discussed at the November 10, 2020 Planning Board meeting:

Comment 1: **Road Access/Gate:** The Planning Board asked Rob Dickover to consult with the Village Attorney (Steve Gaba) about potential liability for the Village related to the proposed gate on Sheffield Drive

Response 1: In a letter dated November 25, 2020, the Village Attorney provided his comments on the gate. In a letter dated December 29, 2020 and provided under separate cover, the Applicant's attorney responded to that letter. Both letters were provided to the Board.

Comment 2: **Dam Issue:** The Planning Board would like an update on the status of the HOA's decision on the dam.

Response 2: Maser Consulting met on-site at the Dam on December 8, 2020 with the HOA, their attorney and the applicant to discuss the potential dam reconstruction and decommissioning options. Subsequent discussions between the Village and HOA have been conducted. The HOA continues to review the matter and a response of their decision remains pending.

Comment 3: **Future Development:** A Planning Board member asked whether a deed restriction could be imposed that would prohibit future development on the property.

Response 3: A deed restriction is unnecessary because the Project is at full development coverage under the zoning code. See the zoning compliance table on the site plans. No further development can occur on the Site. Moreover, there is little to no room on the Site for any further development anyway.

Comment 4: **SHPO/Historical Review:** A Planning Board member asked whether the Project would impact any native American resources.

Response 4: The original SEQRA review for the Warwick Meadows residential community discussed potential impacts on native America sites and acknowledged that an "Indian Cave" was located nearby but off-site. This cave is not located on or adjacent to the Project Site and will not be affected by the Project. Also, to ensure that the Project will have no impact on cultural resources, the Project was submitted to the New York State Historic Preservation Office ("SHPO") for review and comment. SHPO is the State agency responsible for protecting the State's cultural resources. In a letter dated October 25, 2011, SHPO concluded that the "Project



will have no impact upon cultural resources ....” A copy of this letter was previously provided to the Planning Board.

**Comment 5: School Aged Children:** A Planning Board member asked for clarification on the calculations used to determine the number of school aged children to be generated from the Project.

**Response 5:** In our October 27, 2020 letter to the Board the below response was provided regarding the estimated number of school aged children:

Based on the publication: ‘Who Moves Into New York Housing?’ 2015 Residential Demographic Multipliers, revised November 2017, 26 school-aged children are anticipated to reside in the development. As noted in Appendix Q of the Expanded EAF and SEQRA Narrative, the Project is estimated to generate between \$350,000 to \$415,000 in real property taxes annually for the local school district.

Size of building	Quantity of Buildings	Multi Family Unit Multiplier	Number of Units	School-Age Children
2-4 unit buildings	3	0.466	12	5.592
5+ unit buildings	11	0.261	78	<u>20.358</u>
			Subtotal	25.95
			<b>Use</b>	<b>26</b>

Upon reviewing a separate publication: ‘Fannie Mae Foundation Residential Demographic Multipliers – Projections of the Occupants of New Housing, dated June 2006, 13 school-aged children are anticipated to reside in the development.

Building Type	Quantity of Units	Multiplier	School-Age Children
5+ units – Own, 2 BR, >\$329,500	90	0.14	12.6
		<b>Use</b>	<b>13</b>

As demonstrated by the government studies above, the number of school-aged children expected for the Project will range from 13 to 26 +/- . The condominium units in this Project are expected to be occupied by a variety of people including single individuals, young couples seeking to start a family as well as retirees looking to downsize but to stay in the Village or nearby community. Given these different occupants, it is highly unlikely that every unit would have school-aged children or that every unit would have none.



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Comment 6: **Sidewalk Connection to Brady Road:** The Board requested a sidewalk connection on both sides of the proposed Sheffield Drive from Brady Road to the internal 4-way intersection.

Response 6: The plan has been revised to include the additional sidewalk as requested. See attached Overall Dimension Plan for your reference.

If you have any questions regarding the above responses please feel free to call me at 845.564.4495, extension 3802.

Very truly yours,

MASER CONSULTING CONNECTICUT, P.C.

A handwritten signature in black ink, appearing to read 'A. Fetherston'.

Andrew B. Fetherston, P.E.  
Principal

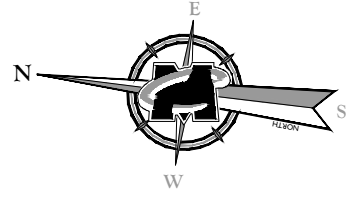
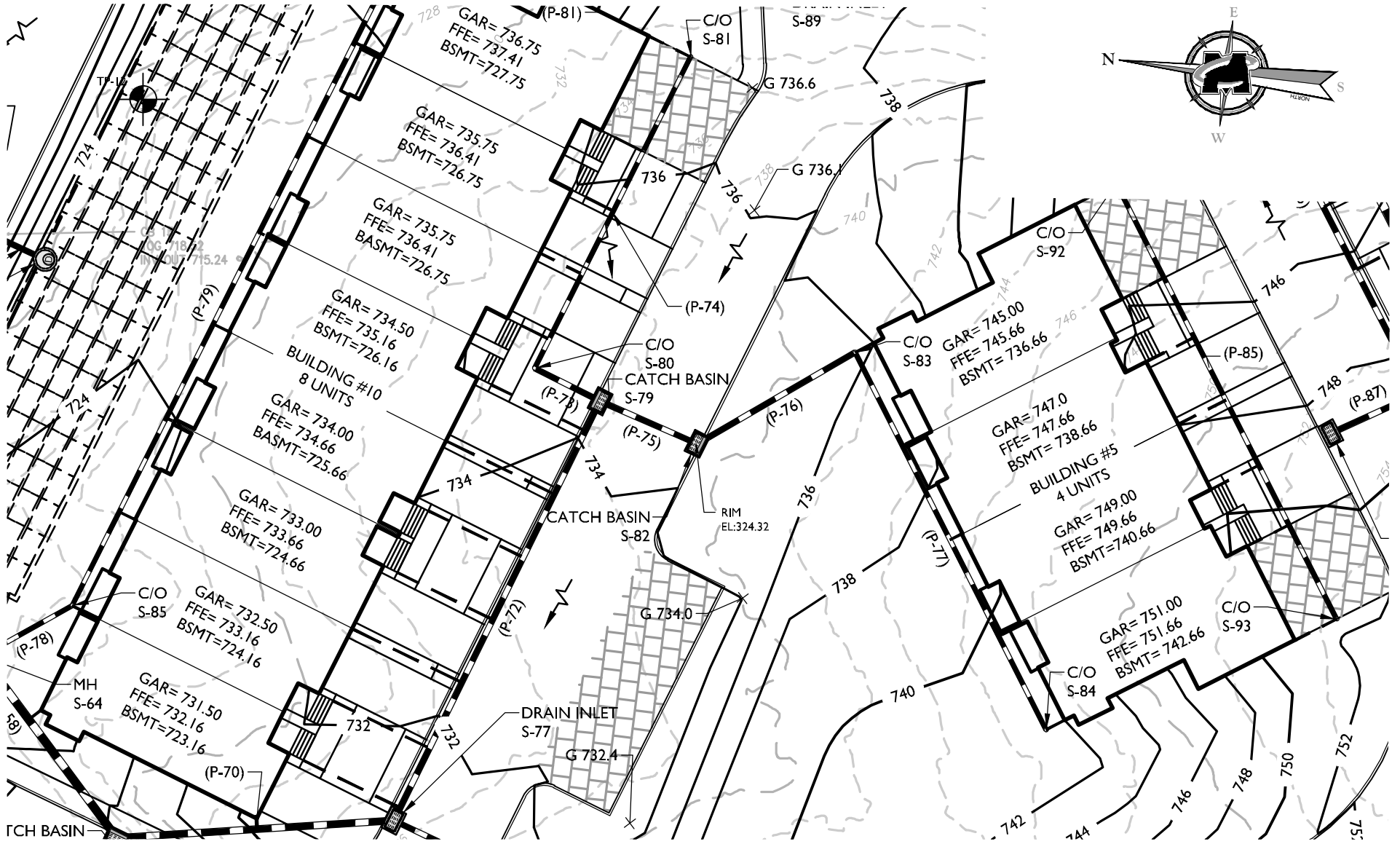
ABF/paw  
Enclosures

cc: Warwick Commons Stage 5, LLC; w/encl. (Digital Copy)  
Dave Everett, Esq., Whiteman Osterman & Hanna LLP; w/encl. (Digital Copy)  
Jason Anderson, AIA, Anderson Design Group; w/encl. (Digital Copy)  
File, w/encl.

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SCALE : 1" = 30'

# SULLIVAN FIRE PROTECTION CORP.

P.O. BOX 2021, 16 RAILROAD PLAZA, SOUTH FALLSBURG, NEW YORK 12779  
845-434-4030

November 18, 2020

Maser Consulting P.A.  
555 Hudson Valley Rd.  
New Windsor, NY 12553  
Attn: Connor McCormack

Re: Sheffield Dr. & Magnolia Ln.  
The Village of Warwick

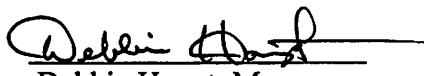
On 11/18/2020 at 10:45 am, Matt Waldman of our firm performed a flow test of the hydrant at Magnolia & Brady control hydrant at Sheffield Dr. & Magnolia Ln.. Witness to the flow testing procedure and operating the hydrants was Shawn Brady of Maser and Chris Bennet of Village of Warwick.

The pressure readings on the control hydrants were obtained using a 2 ½" hydrant cap with a ¼" water pressure gauge. The pitot pressure and gpm readings were obtained using a 2 ½" pitot gauge mounted on the threads of the hydrant with an oil dampened pre-calibrated gauge showing both Pitot psi and gpm. The residual pressure was read at the same time that the gpm flow was being taken.

The results of the test are:

**Static Pressure: 85 psi**  
**Residual Pressure: 84psi**  
**Flow: 530 gpm**

Very truly yours,  
SULLIVAN FIRE PROTECTION CORP

  
Debbie Haupt, Manager

# SULLIVAN FIRE PROTECTION CORP.

P.O. BOX 2021, 16 RAILROAD PLAZA, SOUTH FALLSBURG, NEW YORK 12779  
845-434-4030

November 18, 2020

Maser Consulting P.A.  
555 Hudson Valley Rd.  
New Windsor, NY 12553  
Attn: Connor McCormack

Re: Sheffield Dr. & Magnolia Ln.  
The Village of Warwick

On 11/18/2020 at 11:16 am, Matt Waldman of our firm performed a flow test of the hydrant at Sheffield Dr. & Magnolia Ln. control hydrant at Magnolia & Brady. Witness to the flow testing procedure and operating the hydrants was Shawn Brady of Maser and Chris Bennet of Village of Warwick.

The pressure readings on the control hydrants were obtained using a 2 ½" hydrant cap with a ¼" water pressure gauge. The pitot pressure and gpm readings were obtained using a 2 ½" pitot gauge mounted on the threads of the hydrant with an oil dampened pre-calibrated gauge showing both Pitot psi and gpm. The residual pressure was read at the same time that the gpm flow was being taken.

The results of the test are:

**Static Pressure: 50 psi**  
**Residual Pressure: 50psi**  
**Flow: 1350 gpm**

Very truly yours,  
SULLIVAN FIRE PROTECTION CORP

  
Debbie Haupt, Manager