

CHAIRMAN: JAMES PATTERSON

MEMBERS: WILLIAM OLSEN, JESSE GALLO, KERRY BOLAND & THOMAS McKNIGHT

Alternate: Bryan Barber

VILLAGE OF WARWICK
PLANNING BOARD MEETING
SEPTEMBER 14, 2021

The monthly meeting of the Village of Warwick Planning Board was held on Tuesday, September 14, 2021. Present were: Jim Patterson, Bill Olsen, Kerry Boland, Bryan Barber, Village Engineer, Dave Getz and Planning Board attorney, Robert Dickover. Others present were: Jay Myrow, Kirk Rother, Robert Silber, Ben Silber, Jim Rizzo, John Mastronardi, Daniel Patrick Kelly, Mr. and Mrs. Mahr, John Gruen and others.

The meeting was held in the Village Hall.
The Board recited the Pledge of Allegiance.

A MOTION was made by Bill Olsen, seconded by Kerry Boland and carried to accept the minutes of August 10, 2021 Planning Board meeting. (4 Ayes)

VILLAGE VIEW

EXT. OF SUBDIVISION &
SITE PLAN APPROVAL

VILLAGE VIEW

A MOTION was made by Bill Olsen, seconded by Bryan Barber and carried to grant an extension until December 15, 2021. (4 Ayes)

VILLAGE VIEW

PRELIMINARY SUBDIVISION &
CLUSTER SITE PLAN APPROVAL

VILLAGE VIEW

Mr. Rother – The last time we were here this Board adopted the Finding Statement since then we have had a joint meeting with the Village and Town with a public hearing and the small piece of property was annexed into the Village.

Mr. Patterson – Just to be clear that is the piece by Woodside, it is just a sliver.

Mr. Rother – That is correct.

Mr. Myrow – The Resolution has a condition that the applicant would not apply for the remainder of the property in the Town be annexed into the Village.

Mr. Rother – The applicant then went before the Village Board for a Special Use Permit for the Cluster Subdivision which involved a public hearing and an appearance or two before the ARB which also had some conditions regarding color and such.

Mr. Myrow - The Village Board granted the Special Use Permit for the preliminary approval for the cluster subdivision and and there was a Developer's Agreement that was signed which provides for the applicant to build and dedicate the new pump station for Robin Brae solely at their cost and no expense to the Village and the fee schedule was set forth in the Developers Agreement to pay all applicable fees which we agreed upon.

Mr. Rother – The Village has in their fee schedule the fee per dwelling unit was \$50,000.00 per dwelling unit and we had some discussions on whether that would be applicable to the 2 families, we had requested that the fee be per structure and not per dwelling unit because these would be \$100,000.00 per building but at the end of it the fee stands as is and that is \$50,000 per dwelling unit.

Mr. Patterson – With respect to the station is that a condition about the timing of it?

Mr. Myrow – I believe it has to be up and running before we get a building permit for a structure. We can do all of the site work but before we can pull a building permit for a structure the pump station has to be up and running.

Mr. Rother – As far as the subdivision drawing/plan that you last saw, the full set in the FEIS review has not changed since this Board adopted the FEIS.

Mr. Getz – There was a meeting last week with Kirk, the Mayor, representatives from the Water/Sewer Dept., Barry Cheney and myself to talk about some of the details with the Robin Brae pump station and also the improvements that will be made to the water system to serve this project and there are some options that this project could potentially help with other issues in that part of Town with pressure and storage. The Town property that was mentioned, there is potential there if things work out and it is all beneficial that the water tank can be built on that site because it is quite a bit higher than the other existing tanks and a tank there might be sufficient to eliminate some of the other tanks.

Mr. Olsen – But that is in the Town and they would not be connected to the Village water.

Mr. Rother – Any proposed development in the Town would not. I would be a Village tank that happens to be situated in the Town of Warwick and the Village would have an easement to access it. In the study I know that they are considering eliminating the Valley View tank and building a tank next to the existing Chelsea Gardens tank and that would require some other improvements with the existing Village infrastructure and we would still have to build the pump station to serve the upper half roughly of our development. In this other alternative, we could have a tower higher on our property and it would be a substantial improvement to Valley View pressure and we would not need a pump station for us either, we would have gravity flow from the tank and they would probably not need to build a 2nd tank by Chelsea Gardens.

Mr. Patterson – How long will it take to solidfy those details?

Mr. Getz – Once they have clear direction, going through the OCHD and the DEC for the sewer extension, that could be many months to get through that.

Mr. Rother – Procedurally getting the pump station with tower option off to the side we need to get approvals from the OCHD and the DEC and once those are all in hand we come back to this Board for final approval.

Mr. Getz – Technically I have no objection for the Boards pursuing a preliminary approval so they can start dealing with the outside agencies.

Mr. Dickover – We need to get the documentation that demonstrates compliance with the conditions and prior resolutions. The last thing this Board did was the environmental determination. I will then prepare the Resolution, circulate it for the Board's consideration for the next meeting.

Mr. Patterson – So we will have the Resolution ready by the next meeting.

15 MAPLE AVE.

AMENDED SITE PLAN
APPROVAL

ST. ANTHONY'S

Mr. Mastronardi – We have incorporated your Village engineer's comments from the last meeting and one of the comments was to create a site plan and we did. We also received comments from the ARB where they approved the Radiology building as submitted and the windows on the proposed OR building are to all be arched styled including single and double styled windows. They also would like written confirmation that the original stone house will not be removed or altered.

Mr. Rizzo – I will be providing a letter indicating that it will not be touched in any way or action.

Mr. Mastronardi -We have the 239 response from the County. They have a paragraph on lighting.

Mr. Rizzo – We have communicated that if we were adding exterior lighting to the project they wanted to see light levels and calculations but there will be no additional exterior lighting on the exterior of the building.

Mr. Patterson – The exterior wall is that mostly storage closets or part of the operating room.

Mr. Rizzo – No, it is a corridor to get back to storage on the back of it for the operating room in the back.

Mr. Patterson – The corridor could have 24hr lights on in the interior which could be projecting out.

Mr. Rizzo – Yes, it could project out.

Mr. Olsen – Are the windows tinted in the new OR?

Mr. Rizzo – Yes, they are tinted but you could get some light out there.

Mr. Kelly – The lights are motion activated, if they are not in there cleaning or they are not using it they would just be turned off.

Mr. Rizzo – The County also mentioned that this was in the Village Historic District and advises the Village to ensure that the proposed exterior design is in keeping with the Historic District standards.

Mr. Mastronardi – The ARB has approved the design.

Mr. Patterson – Was there any mechanical discussed for this area?

Mr. Rizzo – We are using the existing systems that are on the existing roof. We will just be tapping in off of those.

Mr. Getz – The same with water and sewer connections.

Mr. Mastronardi – Yes, the utilities are all within the existing facility. One of the items that was brought up was the front setback of the OR building along Maple and the drawing indicates that there is a 9.9ft. setback and 50 ft. is required. Which means that we may require a variance.

Mr. Getz – My take on this is that if they approved a variance for the other addition that is similar in setbacks and you are adding quite a bit more square footage that I don't think that previous variance will cover this. This has significantly more area proposed within those setbacks.

Mr. Dickover – Yes, they would be increasing the non-conformity and that would require a further variance and I think you have the same situation on Van Duzer Pl.

Mr. Mastronardi – I believe the Village Board will discuss the need for a Special Use Permit if needed at the October meeting.

Mr. Dickover – The issue that is presented to this Board this evening is whether or not you are comfortable making an environmental determination. The Board has circulated your Notice of Intent to be Lead Agency more than 30 days ago and we have not received any objections so you are the Lead Agency on this and you need to make an environmental determination before the ZBA can make a decision and if the Village Board is going to act on the Special Use Permit your environmental determination will be binding upon them also and you will need to make that before they can issue a permit.

Mr. Getz – There were a few blanks, which we filled in and a couple of minor changes so if you would like to go through it.

Mr. Patterson – I would prefer to go into it tonight.

Mr. Getz – They have updated the plan but there is some information that does need to be updated or added such as revision dates, the name of the applicant and owner, the fact that there are 3 tax lots involved in the application and that should be included somewhere and parking. At the last meeting you discussed that you expected to transplant the existing vegetation.

Mr. Mastronardi – We consulted with our landscape architect and he looked at the birches and it is not possible with the diameter of some of these birches to spade them out of the ground and place them in the work area and work around them.

Mr. Getz – So it makes sense that they changed the planting plan. If it possible to transplant something you are free to do that but I think this makes sense.

Mr. Kelly – I would like to move these trees this month. If the Board is not opposed to that.

Mr. Patterson – I would like to have photodocuments of everything that is there before you move them. Just so if something were to die after you move it, we just want to be able to replace it.

Mr. Dickover – Are the existing plantings part of an approved site plan? I don't think that they are and if that be the case they can do whatever they want with those plantings but you will need to pick up those changes on your landscaping plan. If you do that make sure that your engineering group knows because they will have to come down and site whatever you do.

The Board reviewed the Long EAF.

A MOTION was made by Bill Olsen, seconded by Kerry Boland and carried to adopt a Negative Declaration under the SEQR process. (4 Ayes)

A MOTION was made by Bryan Barber, seconded by Bill Olsen and carried to adjourn the meeting. (4 Ayes)

Respectfully submitted;

Maureen J. Evans,
Planning Board secretary

