

MEETING WILL TAKE PLACE AT VILLAGE HALL @ 7:00PM

VILLAGE OF WARWICK ZONING BOARD OF APPEALS AGENDA

MARCH 15, 2022

Acceptance of the January 18, 2022 meeting minutes

Continued

62 COLONIAL AVE.

INTERPRETATION

STEPHEN GROSS

Next scheduled meeting: April 19, 2022

MAX OCCUPANCY - 25

LAW OFFICE OF ELIZABETH K. CASSIDY, PLLC
7 GRAND STREET
WARWICK, NEW YORK 10990
P: 845.987.7223 | F: 888.549.3886
WWW.EKCASSIDYLAW.COM

March 7, 2022

Zoning Board of Appeals
Village of Warwick
77 Main Street
Warwick, NY 10990

Re: Petition of Stephen Gross
Property Address: 62 Colonial Avenue
Our File: 558-001

Dear Members of the Zoning Board of Appeals:

This matter was last before you on January 18, 2022. As I promised to you at that time, enclosed please find drawing L101, dated September 13, 2021, last revised March 4, 2022, to reflect the various mitigation efforts of the property owner together with drawing L102, showing aerial drone imagery. This drawing is the result of several conversations and site visits with the Village's environmental consultant, David Griggs of ERS Consultants, David Getz, the Village's engineer and Boris Rudzinski, the building inspector.

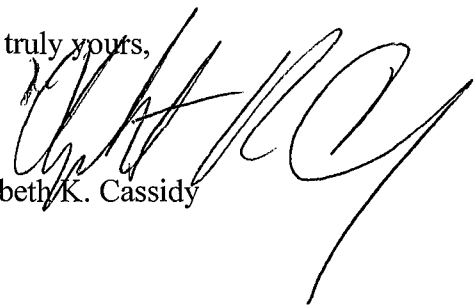
I would like to draw your attention to the following:

1. With respect to the 25-foot area east of the boundary lines where no trees are to be cleared, the property owner will be planting 22 native white spruce and an additional row of native arborvitae at the end of construction for additional buffering. As discussed at the last meeting, two trees were removed because of their poor condition. In the event a tree needs to be removed due to disease, the property owner will consult with the shade tree commission prior to removing the tree. I also note that the 25' perimeter area is restricted to tree cutting only. There is significant detritus in that area such as fence remnants, old garden tools and general junk which the owner plans on removing. A new perimeter fence will be installed to replace the existing and dilapidated hog wire fence. Again, no trees will be disturbed.
2. After consulting with the neighboring property owner of 60 Colonial Avenue, the Altstadt's contractor has been given written permission to grade in the area of the neighbor's driveway. Such grading will bring the finished grading in line with the original subdivision approval and will eliminate ponding in that area. Grading work will be completed as approved by the Village Engineer.

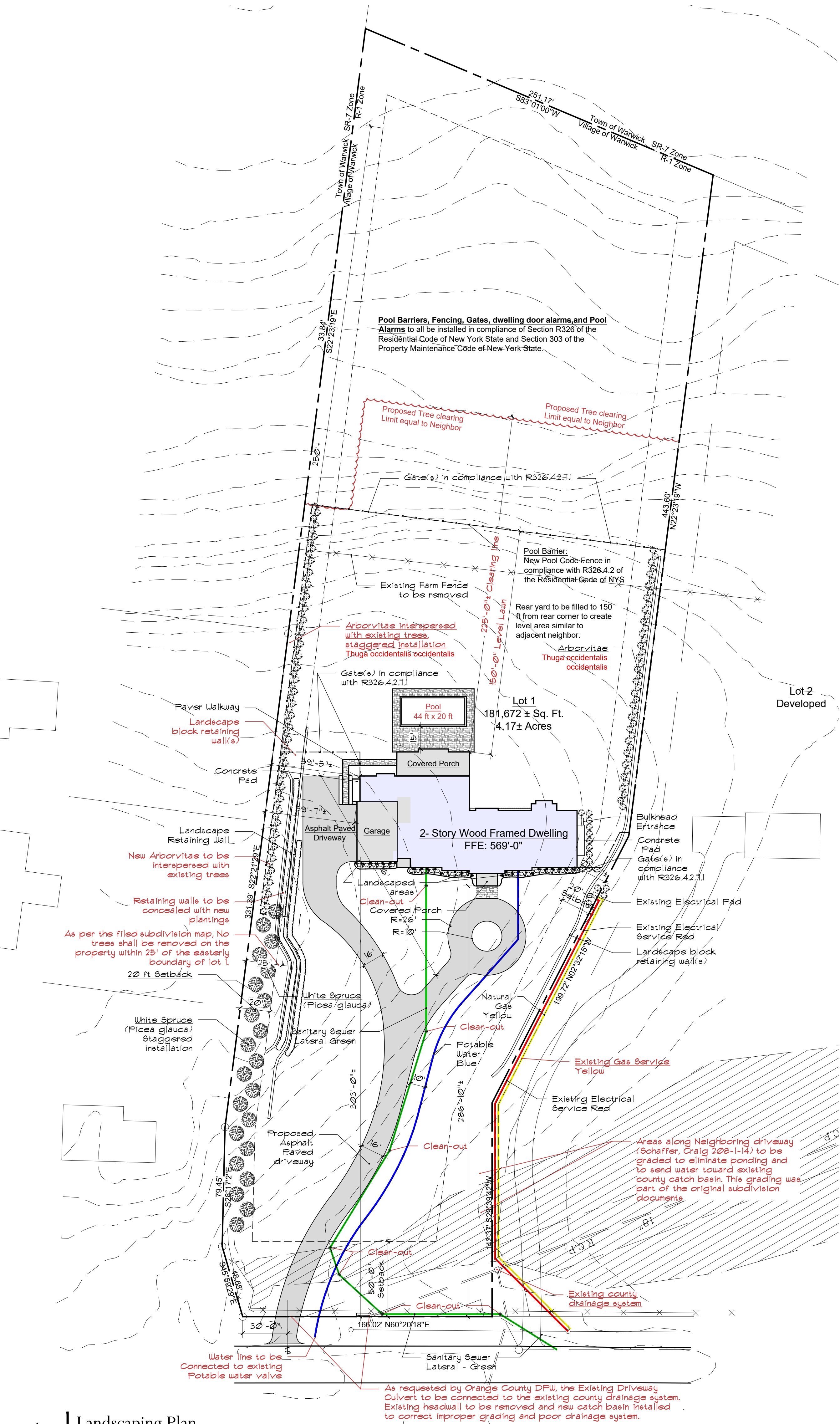
3. The wetlands have been restored per David Grigg's instructions. The owner will likewise maintain the wetlands as instructed.
4. The property owner has included a proposed tree clearing line in the rear yard. The proposed tree line is consistent with the tree line of the adjoining property. Any tree removal would be subject to approval by the Shade Tree Commission.
5. The location of the necessary retaining walls has been added to the plans.
6. At the request of the Orange County Department of Public Works, the existing driveway culvert will be connected to the existing county drainage system. The existing headwall will be removed, and a new catch basin will be installed to correct the improper grading and poor drainage.
7. There was some concern as to whether the property owner improperly expanded the driveway. The driveway utilizes the existing culvert which was installed by the developer shortly after the project that was approved in 2000. The width of the driveway includes both the driveway and room for the sewer line which is shown on the original filed subdivision map. The owner has not expanded the driveway entrance.

As requested, the proposed plans have been referred to David Griggs at ERS Consultants. The property owner will continue to work with the Village to bring the project to a successful conclusion.

Very truly yours,


Elizabeth K. Cassidy

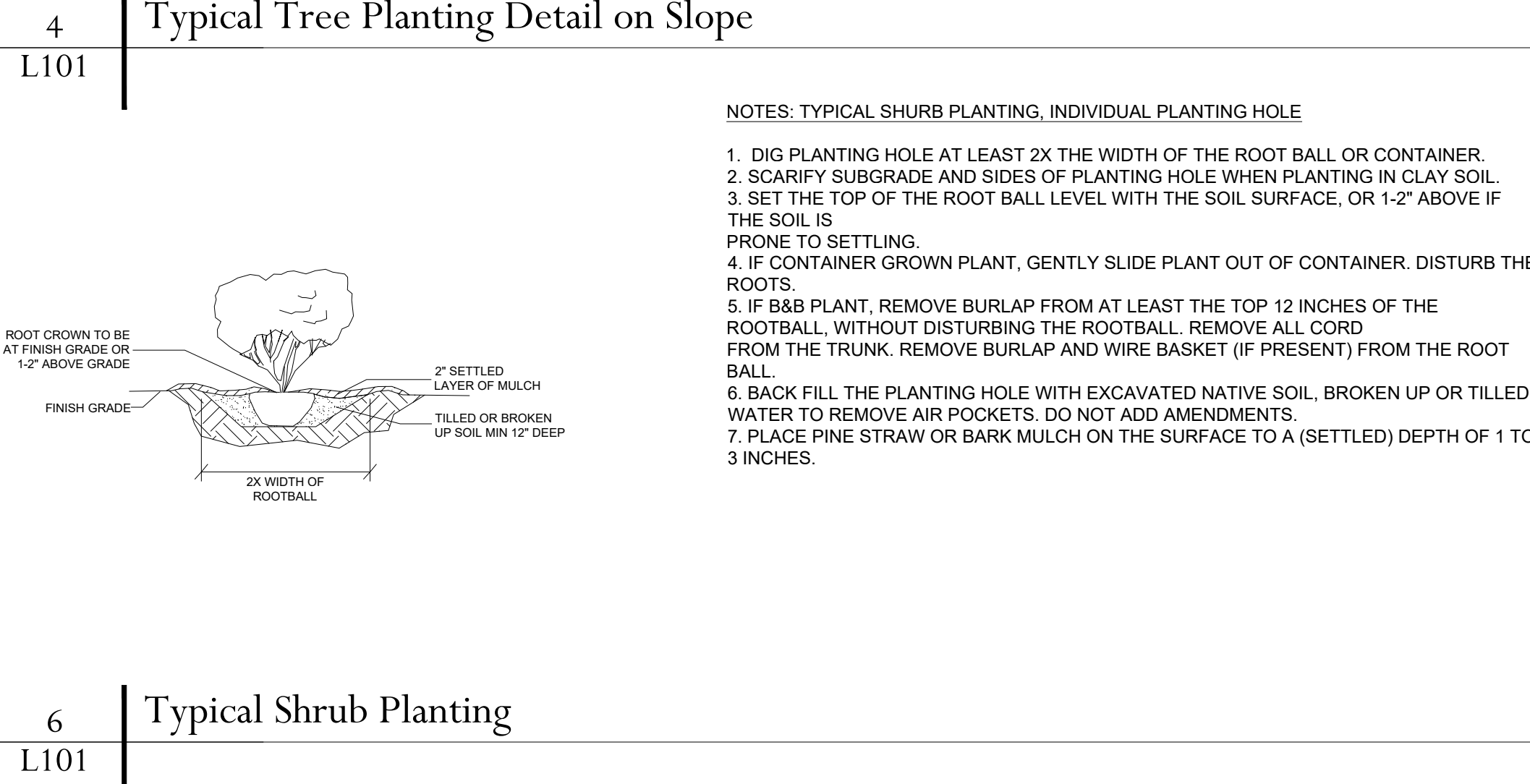
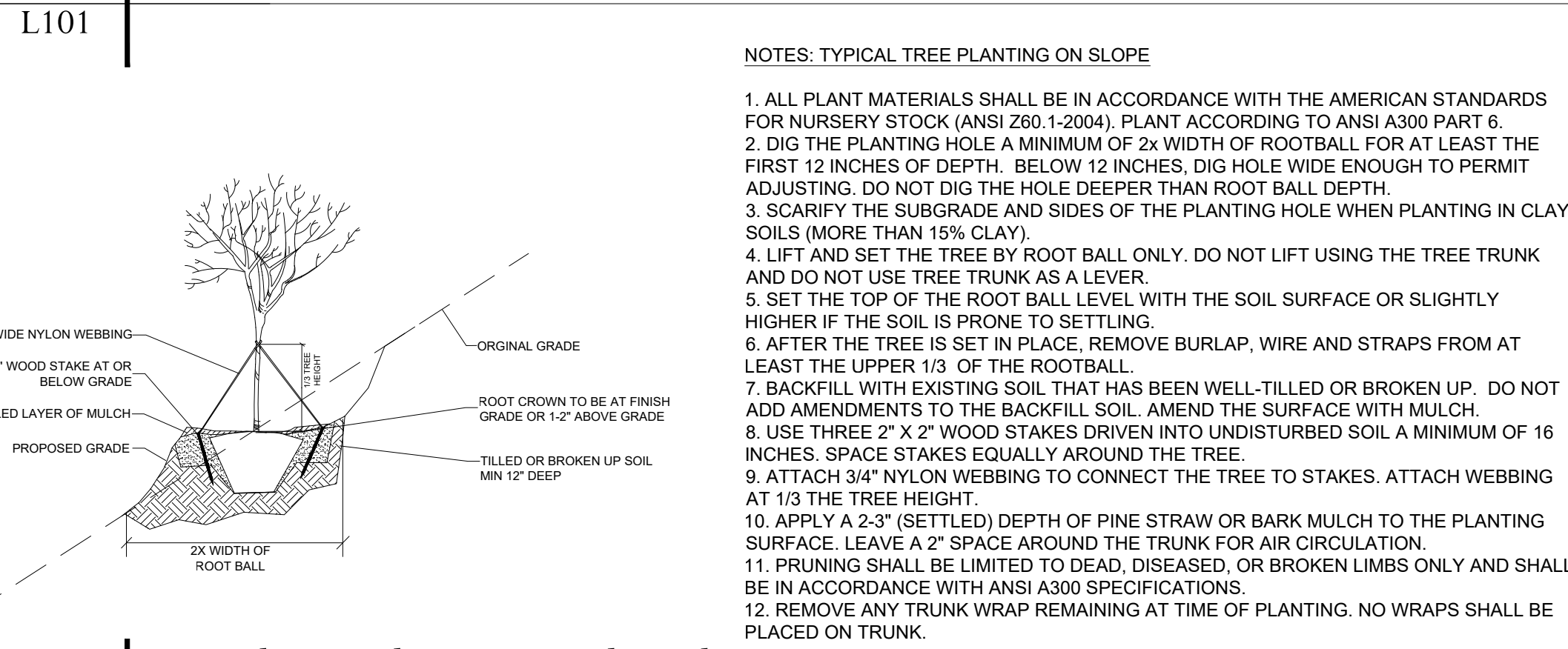
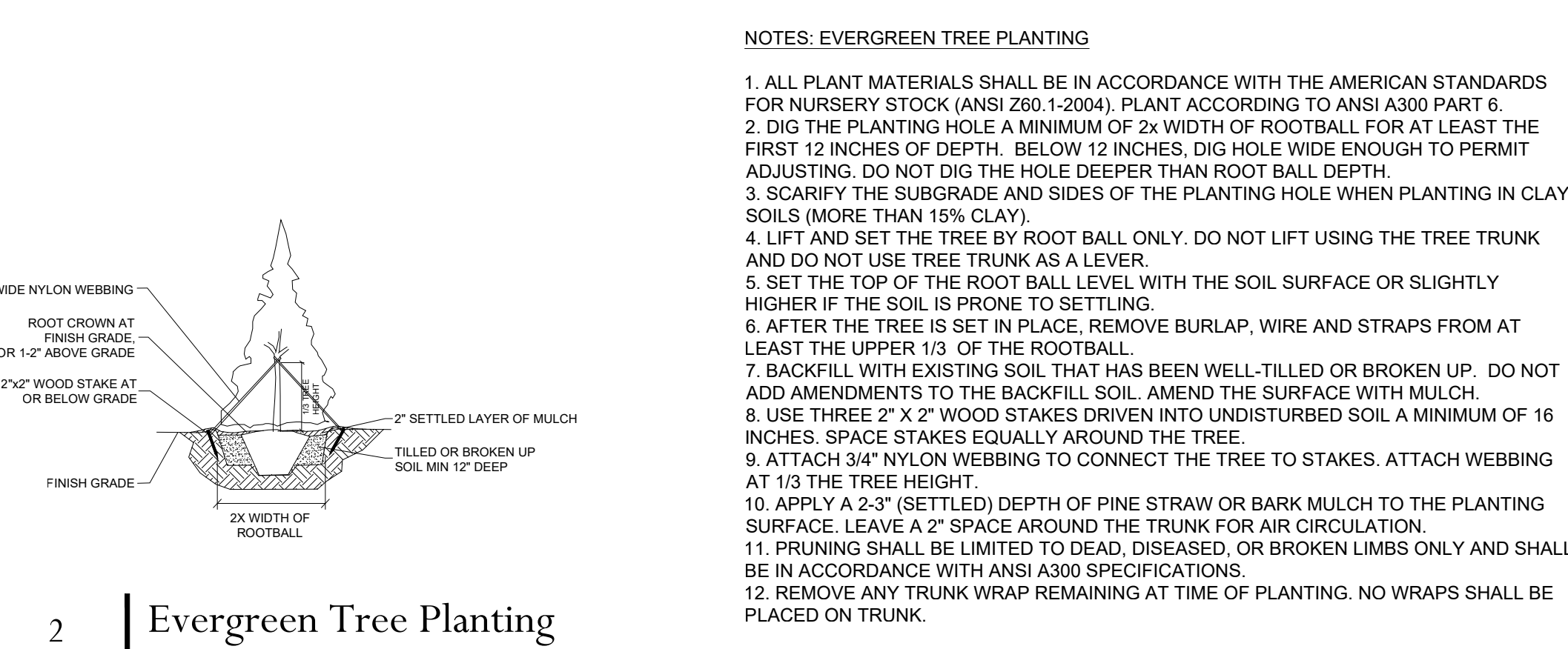
EKC/cc
Enclosure



1 | Landscaping Plan
L101 | Scale: 1"=40'-0"

February 10, 2022 Revised Items:

- Rear clearing limit line to match adjacent property owners (Schafer, Craig 60 Colonial Avenue, 208-1-14) Depiction of area along Schafer's driveway requires reggraded to eliminate ponding. Letter of permission obtained from Mr. Schaffer.
- Existing driveway culvert for #62 Colonial Avenue to be connected to the county drainage system as per the request of Orange County. Headwall to be removed and a catch basin added, also at the request of the county.
- Limit of grading and retaining wall(s) along Easterly property line depicted.
- Connecting to existing potable water valve as was installed during the original subdivision (approx year 2000).
- Retaining wall on Western side of property depicted.
- New pool location depicted.
- Tree layout staggered as per recommendations by David Griggs, ERS Consultants via letter dated January 5, 2022 (attached here)
- Arborvitae graphic depiction corrected.
- New plantings revised.
- Locations for Landscape Block retaining walls added.
- Septic line location revised to adjacent to existing utilities.



ERS CONSULTANTS, INC.
11 Forester Avenue • Warwick, NY 10990
Tel # (845) 987-1776 • Fax # (845) 987-1788

Christopher JP Collins, Architect
10 Nicland Drive, Warwick, New York, 10990
T: 845-988-0233 | E: info@cjcpcarchitect.com

Monday, November 1, 2021

Meeting Notes from Site Meeting with Chris Collins, Michael Walker, David Getz, David Griggs, Boris Rudzinski – Regarding Wetland Remediation at 62 Colonial Ave, Village of Warwick, New York, 10990

The method to remediate the tracks left in the wetlands as per David Griggs' recommendations is as follows:

- Sift/spread top soil into ruts/tracks **BY HAND** as necessary
- Lightly tamp down any high portions of the tracks to match surrounding wetland grade
- Once Utilities are run next to driveway, slope grade in wetlands away from driveway to "match" surrounding wetland grade to make remainder look "natural"
- Leave/Do not disturb existing indigenous plants currently living within the wetlands
- Plant approximately 10 "Red Osier Dogwood" Seedlings (*Cornus Sericea*) or other approved indigenous species in wetlands

Other items mentioned by Mr. Griggs –

- To maintain the integrity and health of the wetlands - contractors and then owners are encouraged to continually and consistently remove the highly invasive *Phragmites Australis* otherwise known as "Common Reed Grass" that plagues this region and can be currently seen on site. We have been informed that it will never fully be eradicated, but proper maintenance can keep it at bay.
- Regarding plantings outside the wetlands, specifically trees – There was mention that the owners wanted to plant "arborvitae" type trees, to which David Griggs mentioned that not only are they not an indigenous species, but deer will most definitely eat them causing potential aesthetic problems. Alternatively, he suggested planting native species of trees such as White Pine or Spruce.
- David Griggs also mentioned the possibility of planting shrubs around the perimeter of the wetlands, including in the upland strip between the wetland and road, to create a visual barrier if the client wishes. It was mentioned verbally that the wetlands can be "hidden" in this manner
- David Griggs made a point to mention that the same care and finish-treatment of the wetland portion needing remediation should also be taken with the portion of wetland on the opposite side of the driveway.

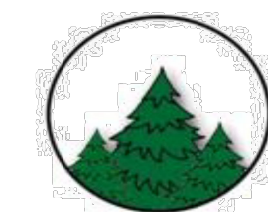
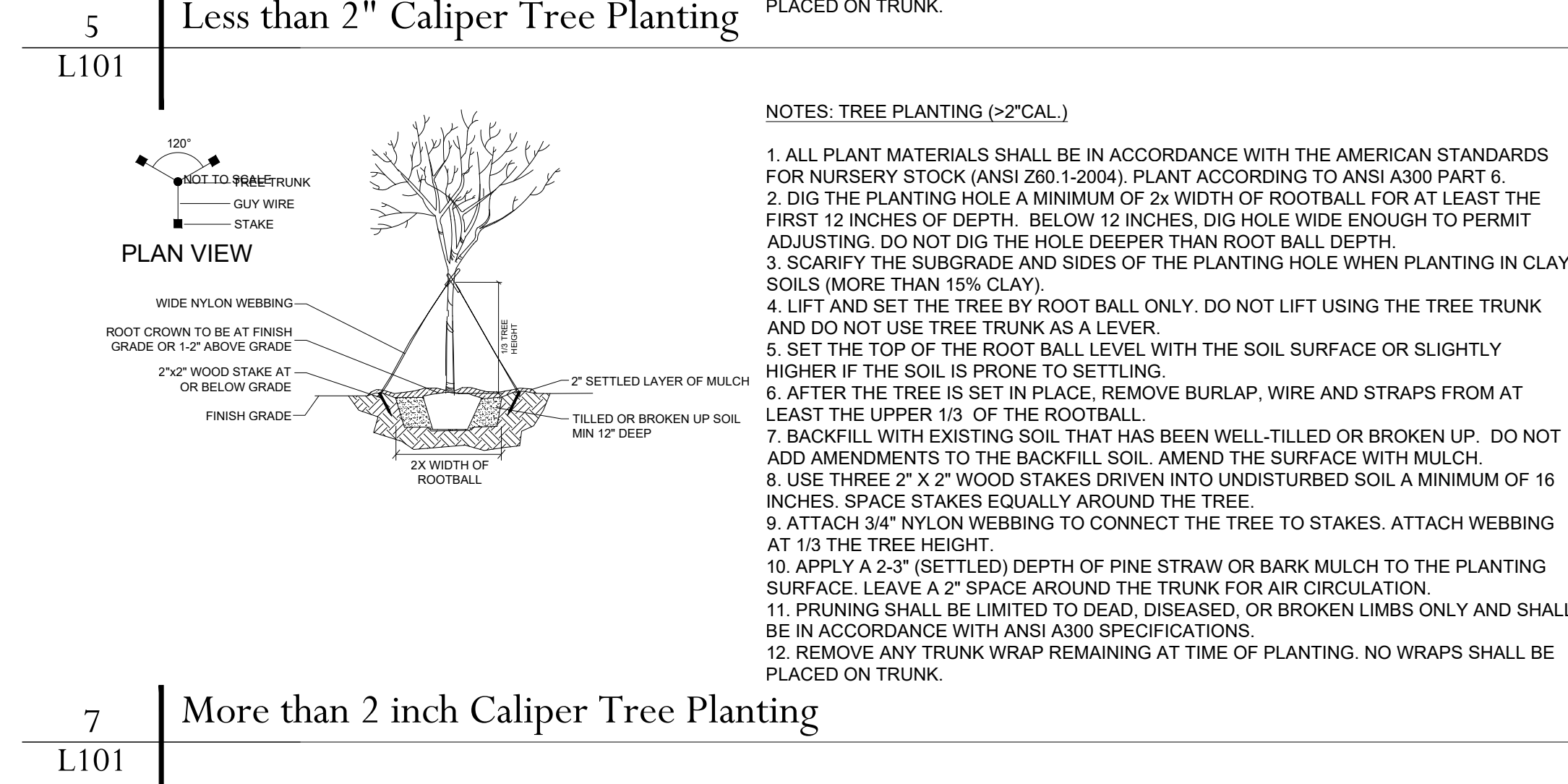
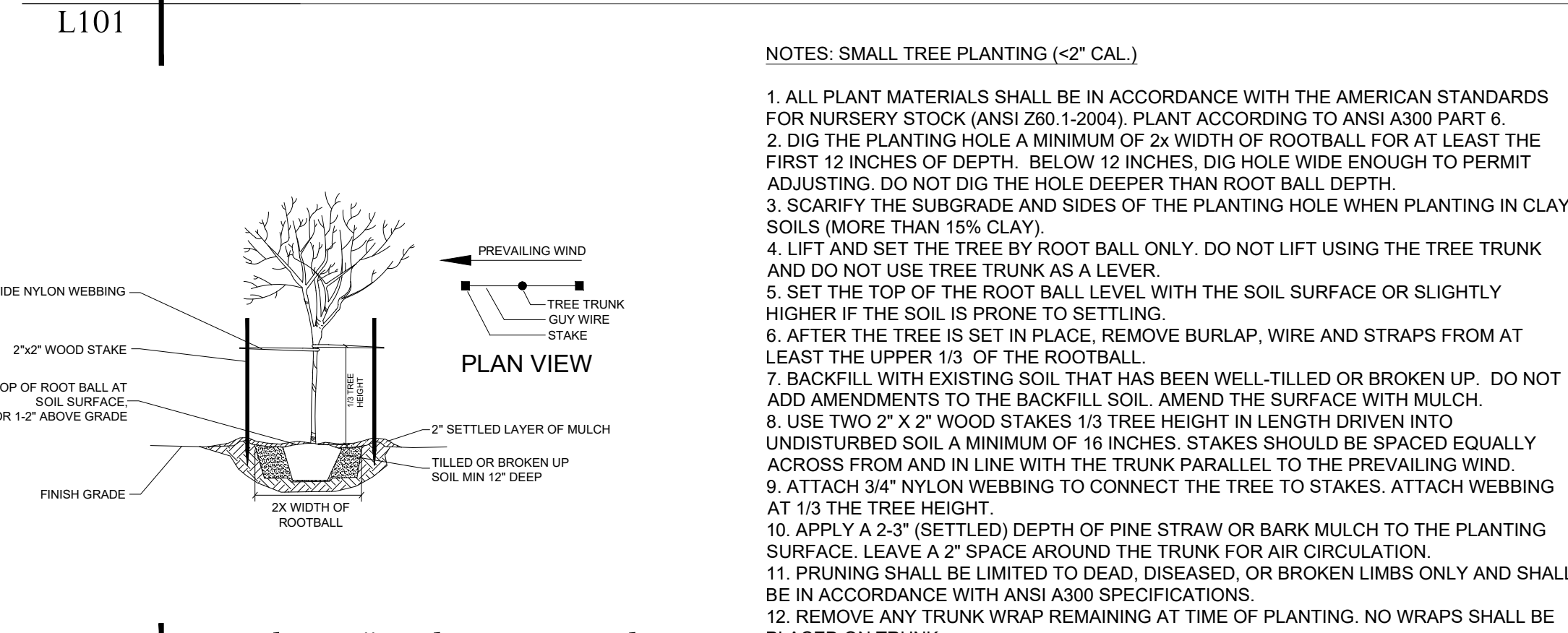
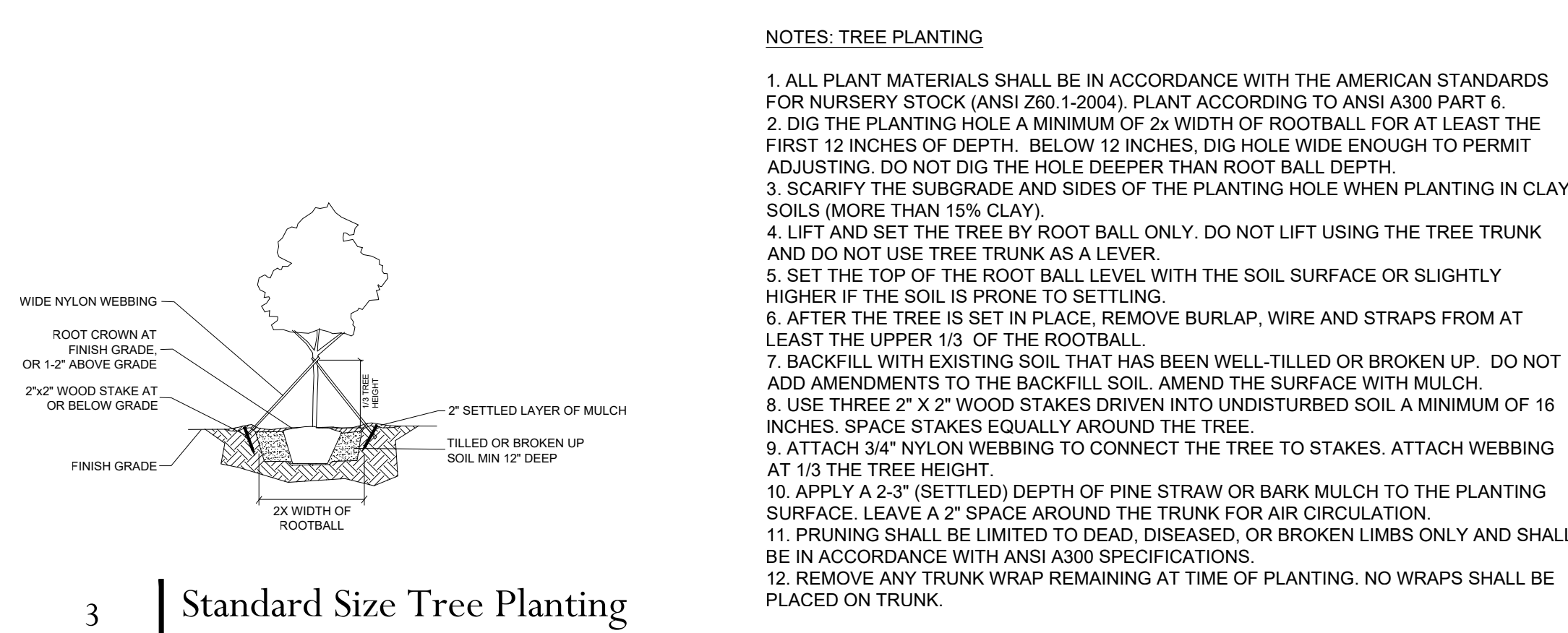
It was also explained to and understood by Mr. Griggs that Michael Walker intends to oversee the temporary seeding of current grade soil of site as well as topsoil mounds currently stored on site. Additionally, it was explained to Mr. Griggs and understood that the current silt screen on the site will be revised by Michael Walker and his crew as site ponding and current site water conditions change.

David Griggs will be providing a revised landscape plan with further/more specific instructions

Dave Griggs Comments responding to above by Email - Meeting Notes Jan 5, 2021
I reviewed your notes from our meeting in November and the landscape plans and I have a few comments: No topsoil should be placed into the wetlands. Just have the contractor push, by hand, the high spots into the ruts and level it as best as possible. The arborvitae are fine as long as they are native. *Thuja occidentalis occidentalis*, not a variety. Same with the white spruces, native is best. I would stagger them for a more natural look, more privacy, and it allows the trees to grow better. I have attached an invoice for my services. I included the two meetings as well since Boris suggested it.

Thanks,

David



Boris Rudzinski
77 Main Street
PO Box 369
Warwick, New York 10990

Re: 62 Colonial Avenue, Village of Warwick

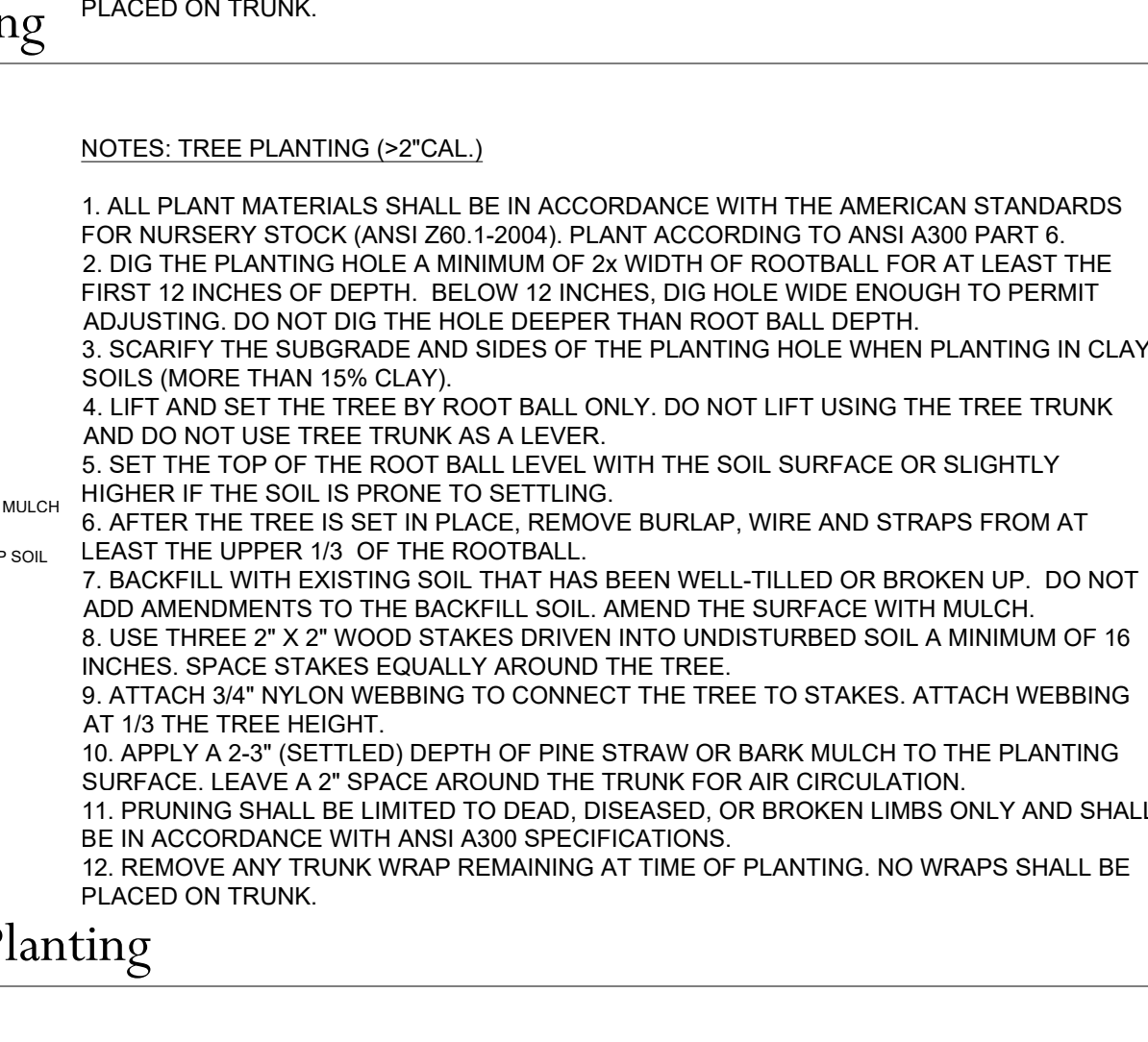
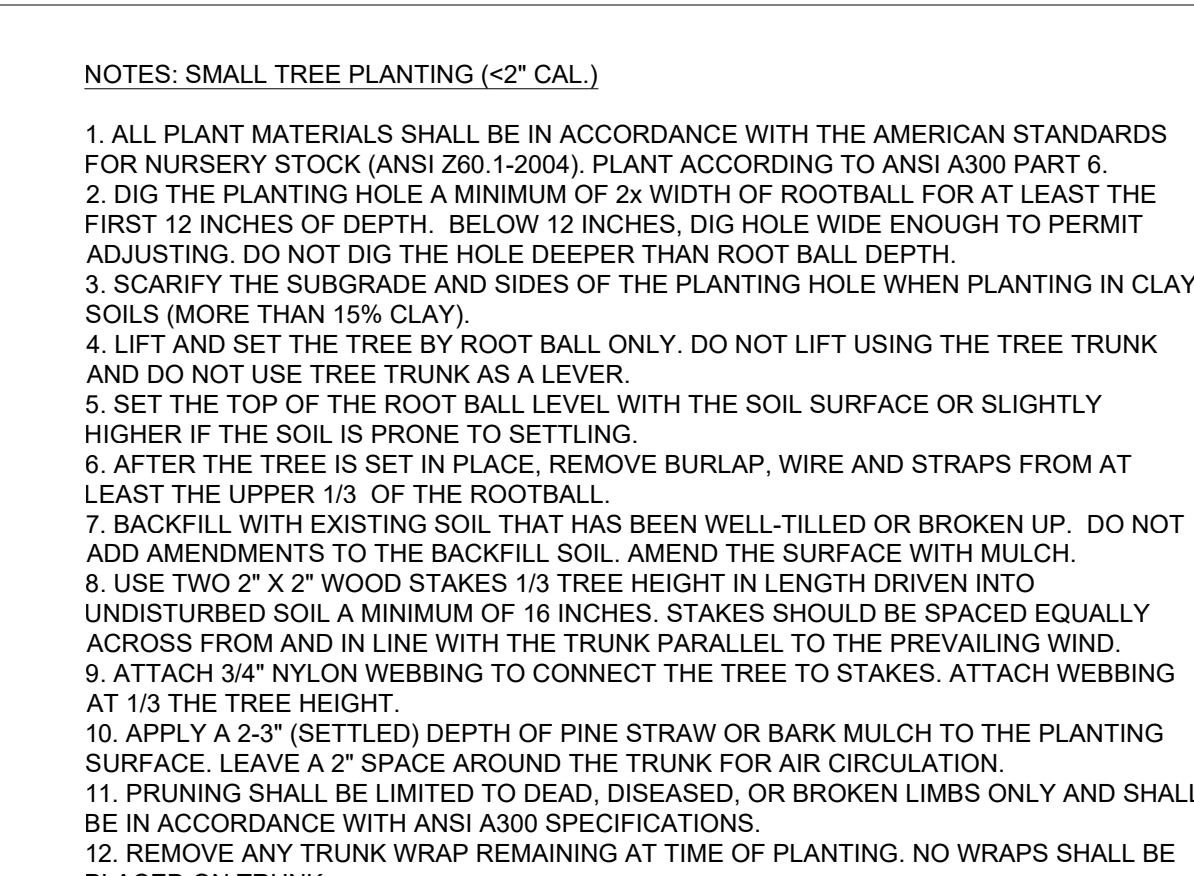
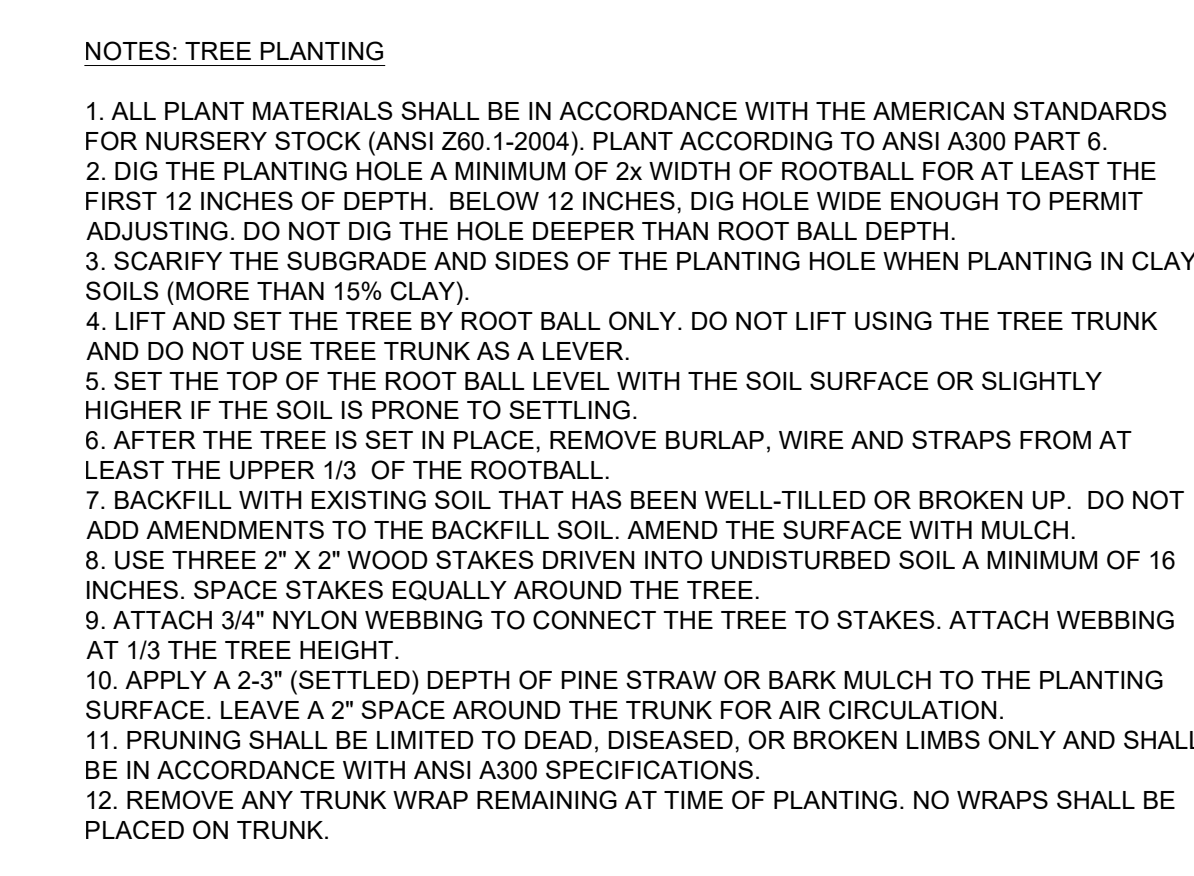
Dear Boris:

This letter is in reference to the site meetings held on September 27, 2021 and November 1, 2021 at 62 Colonial Avenue, Village of Warwick. The purpose of the meetings was to discuss wetland impacts due to construction activities and remediation of wetland impacts.

- Ruts in wetlands – restore ruts/tracks by hand to avoid further disturbance to wetlands. Lightly tamp down any high portions of the tracks to match the surrounding wetland elevation.
- Shrubs in wetlands disturbed – plant ten (10) red osier dogwood (*Cornus sericea*) shrubs. Shrubs should be 18-24 inches in height to be planted randomly within the wetland area.
- Once underground utilities are in place, remove excess fill in wetlands beyond the width of the driveway, on the west side of the driveway.
- Contractor will hand remove a small patch of common reed (*Phragmites australis*) in the wetland area to the east of the driveway. This plant is highly invasive and with the recent disturbances to the wetlands it is very likely to spread throughout the wetland system. The homeowners are encouraged to maintain the removal of this nonnative plant.
- No further impacts or disturbances to wetlands both east and west of the driveway are allowed.

- Revisions to the landscape plan - cipc March 7, 2022
- Interior Design: Revisions as Per P&H Interior design - cipc Nov 22, 2021
- Post Permit Revisions: Kitchen Revisions, Primary Bath Revisions, Structural Revisions, Additional Bearing Points - cipc Oct 14, 2021
- Post Permit Revisions: Windows, Steel, Bearing points - cipc Oct 5, 2021

Altstadt Residence
Manfred and Elaine Altstadt
Section 208, Block 1, Lot 13
62 Colonial Avenue
Warwick NY 10990



After the first meeting in September the contractor has repaired the silt fencing along the western portion of the site and moved the fencing out of the wetland area. Soil stockpiles have been seeded and mulched.

It is recommended that the landscape plan include only native plant species. Planting native plant species will create the most sustainable habitat, require less watering, and are the most familiar food and shelter for local birds and wildlife. The current site plan shows the planting of native white spruce (*Picea glauca*) and native American arborvitae, (*Thuja occidentalis*). It is recommended that they stagger the plantings instead of a straight line, which will provide more privacy, won't restrict plant growth and appear slightly more natural.

If you have any further questions, please do not hesitate to call.

Very truly yours,

David Griggs

David Griggs

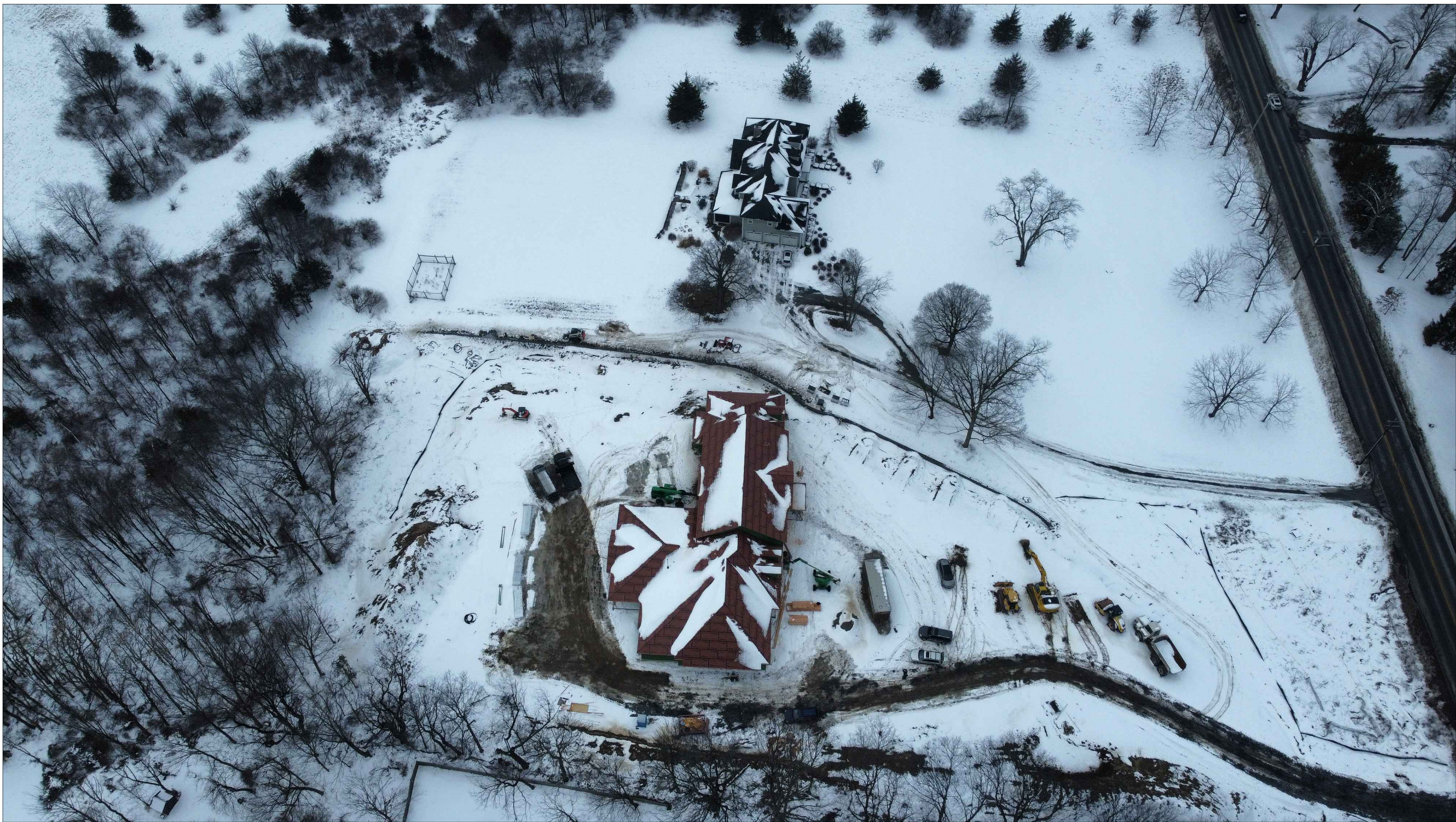


ARCHITECT
Christopher JP Collins, RA, LEED AP
10 Nicland Drive, Warwick New York 10990
T: (845) 988-0233 | F: (845) 988-0255
E: info@greenforward.net

Drawn By: cc
Checked By: cipc
Drawings on this page:
Landscape Plan
Planting Details

Submitted Date:
September 13, 2021

L101
1 of 2



1 | Drone Images: February 2, 2022
L102 | Scale: Not to scale

- 4 Revisions to the landscape plan - cjpc March 7, 2022
- 3 Interior Design: Revisions as Per P&H Interior design - cjpc Nov 22, 2021
- 2 Post Permit Revisions: Kitchen Revisions, Primary Bath Revisions, Structural Revisions, Additional Bearing Points - cjpc Oct 14, 2021
- 1 Post Permit Revisions: Windows, Steel, Bearing points - cjpc Oct 5, 2021

Altstadt Residence
Manfred and Elaine Altstadt
Section 208, Block 1, Lot 13
62 Colonial Avenue
Warwick NY 10990



ARCHITECT
Christopher JP Collins, RA, LEED AP
10 Nieland Drive, Warwick New York 10990
T: (845) 988-0233 | F: (845) 988-0255
E: info@greenforward.net

Drawn By: cc Submittal Date:
Checked By: cjpc September 13, 2021
Drawings on this page:
Landscape Plan
Planting Details