

TOWN OF WARWICK PLANNING BOARD

January 20, 2016

Members present: Chairman, Benjamin Astorino  
Roger Showalter, Vice-Chairman  
Dennis McConnell, Beau Kennedy,  
Christine Little, John MacDonald, Alternate  
Laura Barca, HDR Engineering  
J. Theodore Fink, Greenplan  
John Bollenbach, Planning Board Attorney  
Connie Sardo, Planning Board Secretary

The regular meeting of the Town of Warwick Planning Board was held Wednesday, **January 20, 2016** at the Town Hall, 132 Kings Highway, Warwick, New York. Chairman, Benjamin Astorino called the meeting to order at 7:30 p.m. with the Pledge of Allegiance.

Mr. Astorino: Since this is our first meeting of the year, I have a couple of housekeeping items that I would like to point out. I would like to appoint Roger Showalter as Vice-chairman for the year 2016. Thank you for all of your previous help in the past when I couldn't make meetings.

Mr. Showalter: Thank you.

Mr. Astorino: I would also like to point out regarding our winter schedule. If we have a snowstorm or any type of inclement weather, Connie will get in touch with you by email and cell phone if a meeting would be cancelled. We would also notify the applicants well in advance if we feel it is unsafe to travel for a meeting.

**PUBLIC HEARING OF Rosemarie Castillo**

Application for Site Plan Approval for the construction and use and upgrade of an addition to a single-family residence and construction of a septic system located within "A Designated Protection Area" of Greenwood Lake, situated on tax parcel S 76 B 1 L 59; project located on the south side of Cove Road 100 feet east of Sanders Lane (25 Cove Road), in the SM zone, of the Town of Warwick.

Representing the applicant: Geoffrey Bass, Engineer.

Connie Sardo: Mr. Chairman, we just received the certified mailings for the Castillo Public Hearing.

Mr. Astorino: Thank you.

The following review comments submitted by HDR:

1. Planning Board to discuss SEQRA.
2. Applicant to discuss project.
3. Conservation Board – pending
4. Architectural Review Board – pending

5. OC Planning Department – 02/23/15, no advisory comments
6. All Building Permits have been closed out.
7. Greenwood Lake Commission – 01/16/15 suggest Elgin or aerobic septic system, plan to show stormwater runoff; silt fence installation if soil disturbance.
8. A site inspection may be necessary to review the existing site for stormwater concerns.
9. The OCDOH approved plan must be included in the overall final plans that the Chairman will sign.
10. Applicant to provide a close-up of house location to better show setback distances.
11. The silt fence note indicates that the silt fence will be used as an alternative to the hay bale sediment barrier; Applicant to clarify.
12. General stormwater control notes should be added to the plan (e.g., NYSDEC single family lot erosion control).
13. Provide a map note stating that “No construction or proposed use shall begin until the maps are signed by the Planning Board Chairman and Building Department permits are obtained.”
14. The plans signed and sealed by OCDOH will need to be part of the Planning Board’s approved drawings.
15. The surveyor must sign and seal the final plan set.
16. Surveyor to certify that iron rods have been set at all property corners.
17. Payment of all fees.

The following comment submitted by the Conservation Board, dated 1/20/16:

Rosemarie Castillo – No Comments.

The following comment submitted by the ARB:

Rosemarie Castillo: None submitted.

Comment #1: Planning Board to discuss SEQRA.

Mr. Fink: This is an Unlisted Action. The Planning Board has been using the short EAF to review the project under SEQRA. The main issue was construction that is close to Greenwood Lake. Erosion control was taken into consideration as far as the SEQRA review is concerned. Other than that, there were no other significant issues. I have prepared a Draft Negative Declaration for the Planning Board’s consideration.

Comment #2: Applicant to discuss project.

Geoffrey Bass: This proposed project has two main aspects. The first one is to build a new septic system. The current system is under the dwelling. It works fine. The Applicant plans on renovating and rebuild the existing dwelling. It became necessary to get a new septic system approved. The proposed new septic system will be in the back of the dwelling as opposed to under it. The new septic system is Greenwood Lake friendly. It would be an aerobic tank combined with and Elgin system. It would be appropriate for a Lake Front home. The septic system recently received OCHD approval. We are back before the Planning Board looking to gain approval for the overall construction of the project.

Comment #3: Conservation Board – pending

Comment #4: Architectural Review Board – pending

Comment #5: OC Planning Department – 02/23/15, no advisory comments

Comment #6: All Building Permits have been closed out.

Comment #7: Greenwood Lake Commission – 01/16/15 suggest Elgin or aerobic septic system, plan to show stormwater runoff; silt fence installation if soil disturbance.

Mr. Astorino: You have stated that.

Comment #8: A site inspection may be necessary to review the existing site for stormwater concerns.

Mr. Astorino: A site inspection was conducted along with Danny Gibson, Building Inspector, Laura Barca, HDR, and I. We took care of the silt fence, soil disturbance and the stormwater issues.

Comment #9: The OCDOH approved plan must be included in the overall final plans that the Chairman will sign.

Mr. Astorino: You have stated that you received OCHD approval.

Comment #10: Applicant to provide a close-up of house location to better show setback distances.

Mr. Astorino: Laura, a close up of what do you want?

Laura Barca: Just a close up of the house and where the actual property lines are. So that you could better tell where the proposed house is sitting with the property lines. It is fine where it is.

Mr. Astorino: You just want to see them a little better.

Laura Barca: Yes. The lines are small. You need to make them bigger.

Geoffrey Bass: Ok.

Comment #11: The silt fence note indicates that the silt fence will be used as an alternative to the hay bale sediment barrier; Applicant to clarify.

Geoffrey Bass: The particular detail that I have shown is an alternative to the hay bale. I believe that you could also read it to mean that we are substituting that system for a hay bale. It could be either one.

Mr. Astorino: Let me clear this up. Laura, you don't want the hay bale.

Laura Barca: Correct.

Mr. Astorino: Don't use the hay bale.

Geoffrey Bass: Ok. I will take all of the reference to the hay bale off the plans.

Mr. Astorino: Good.

Comment #12: General stormwater control notes should be added to the plan (e.g., NYSDEC single family lot erosion control).

Geoffrey Bass: Yes.

Comment #13: Provide a map note stating that “No construction or proposed use shall begin until the maps are signed by the Planning Board Chairman and Building Department permits are obtained.”

Geoffrey Bass: Yes. That’s on the plans.

Comment #14: The plans signed and sealed by OCDOH will need to be part of the Planning Board’s approved drawings.

Geoffrey Bass: We will include that.

Comment #15: The surveyor must sign and seal the final plan set.

Geoffrey Bass: Correct.

Comment #16: Surveyor to certify that iron rods have been set at all property corners.

Geoffrey Bass: Yes.

Comment #17: Payment of all fees.

Geoffrey Bass: Yes.

Mr. Astorino: Do any Board members or Professionals have any comments?

Mr. Bollenbach: Is there a map note for the Elgin/aerobic system? You might want to include as a comment that the annual maintenance contract be provided to the Building Department. These systems would have to be maintained. Provide that as a map note and as a comment.

Geoffrey Bass: I know that I have something about the maintenance agreement. I am not sure if I put the Building Department on there. I will make sure that gets put on there.

Mr. McConnell: John, is that done every 3 years?

Mr. Bollenbach: No. That is done annually. That would have to be done every year. It is the pump out that is every 3 years.

Mr. McConnell: The pump out. That is what I thought.

Mr. Bollenbach: It is to maintain this aerobic system.

Mr. Astorino: Do any Board members or Professionals have any further comments? This is a public hearing. If there is anyone in the audience wishing to address the Rosemarie Castillo application, please rise and state your name for the record. Let the record show no public comment.

Mr. Kennedy makes a motion for the Negative Declaration.

Seconded by Mr. McConnell. The following Resolution was carried 5-Ayes.

617.12(b)

**State Environmental Quality Review (SEQR)**  
Resolution Authorizing Filing of Negative Declaration

**Name of Action:** Castillo Site Plan

**Whereas**, the Town of Warwick Planning Board is the SEQR Lead Agency for conducting the environmental review of a proposed single-family house modification near Greenwood Lake, Town of Warwick, Orange County, New York, and

**Whereas**, there are no other involved agencies pursuant to SEQR,  
and

**Whereas**, the Planning Board has reviewed an Environmental Assessment Form (EAF) for the action dated 1/14/15, the probable environmental effects of the action, and has considered such impacts as disclosed in the EAF.

**Now Therefore Be It Resolved**, that the Planning Board adopts the findings and conclusions relating to probable environmental effects contained within the attached EAF and Negative Declaration and authorizes the Chair to execute the EAF and file the Negative Declaration in accordance with the applicable provisions of law,  
and

**Be It Further Resolved**, that the Planning Board authorizes the Chair to take such further steps as might be necessary to discharge the Lead Agency's responsibilities on this action.

Mr. McConnell makes a motion to close the public hearing.

Seconded by Ms. Little. Motion carried; 5-Ayes.

Ms. Little makes a motion on the Rosemarie Castillo application, granting Site Plan Approval for the construction and use and upgrade of an addition to a single-family residence and construction of a septic system located within "A Designated Protection Area" of Greenwood Lake, situated on tax parcel S 76 B 1 L 59; project located on the south side of Cove Road 100 feet east of Sanders Lane (25 Cove Road), in the SM zone, of the Town of Warwick, County of Orange, State of New York. A SEQRA Negative Declaration was adopted on January 20, 2016. Approval is granted subject to the following conditions:

1. The OCDOH approved plan must be included in the overall final plans that the Chairman will sign.
2. Applicant to provide a close-up of house location to better show setback distances.
3. The silt fence note indicates that the silt fence will be used as an alternative to the hay bale sediment barrier; Applicant to clarify.
4. General stormwater control notes should be added to the plan (e.g., NYSDEC single family lot erosion control).
5. Provide a map note stating that "No construction or proposed use shall begin until the maps are signed by the Planning Board Chairman and Building Department permits are obtained."
6. The plans signed and sealed by OCDOH will need to be part of the Planning Board's approved drawings.
7. The surveyor must sign and seal the final plan set.
8. Surveyor to certify that iron rods have been set at all property corners.
9. Annual Maintenance Contract for the aerobic septic system to be provided to the Building Inspector every year. Add Map Note.
10. Payment of all fees.

Seconded by Mr. Showalter. Motion carried; 5-Ayes.

Geoffrey Bass: Thank you.

**Review of Submitted Maps:*****AT&T/15 Pysners Peak***

Application for Site Plan Approval for the construction and use to replace (3) of its (9) existing panel antennas with new panel antennas similar in size and location on the existing 180-foot tower at the site which is American Tower. AT&T will also be adding (3)-remote radio units to existing mounts located behind the antennas. The proposed modifications will not change the height of the existing lattice tower (or involve the adjacent 258-foot tower), nor will it increase the size of the existing base station, situated on tax parcel S 58 B 1 L 18.22; project located on the eastern side of Pysners Peak and north of Kain Road (15 Pysners Peak), in the MT zone, of the Town of Warwick.

Representing the applicant: Anthony Morando from Cuddy & Feder.

The following review comments submitted by HDR:

1. Planning Board to discuss SEQRA.
2. Applicant to discuss project.
3. Conservation Board comments: pending
4. Architectural Review Board comments: pending
5. OCPD: pending
6. The appropriate Town of Warwick Standard notes must be added to the plan (overlay districts, etc.):
  - a. For all projects (page 1 and lighting note from page 2)
  - b. For projects within Ridgeline overlay district
  - c. For projects within 2000-ft of an agriculturally district...
  - d. Private Road notes
  - e. For projects proposing signs
7. Provide updated Emergency Service Plan and post contact information at the site for emergency purposes.
8. §164-79.A.(1)(a) The Planning Board must determine if additional landscaping should be installed.
9. §164-79.A.(1) and (4) The color of the towers, cabinets, and associated accessory structures are required to be non-reflective; color samples must be submitted.
10. §164-79.A.(2) All lighting, including existing, must be in compliance with §164-43.4, where are lighting features are shielded/facing downward; Applicant to add note to confirm that no new lighting is proposed.
11. §164-79.A.(3)(a) All signage, including existing, must be in compliance with §164-43.1; Applicant to add note to document the type and locations of existing FCC signage (or to confirm that new signage will be installed and maintained). FCC signage should be maintained (and installed if not currently present) in accordance with applicable local, State, and Federal rules and regulations.
12. §164-79.A.(3)(b) Applicant to confirm if Danger-High Voltage signs are required/posted.
13. §164-80.B.(1). This special use application requires proof that the Applicant is a licensed carrier in the project area.
14. §164-79.B(4) Applicant to confirm that noise is less than 50dB at the property line. Applicant to add note to plan.
15. §164-83.B (1)Wireless Facilities shall be structurally inspected annually and certified by a professional engineer.

16. Add the recently approved NJ Transit antennas at Elevation 140 feet to the tower elevation shown on sheet C-1 of the zoning drawings.
17. §164-79.C(1) Applicant to provide the current and cumulative Radio Frequency Radiation (RFR). Applicant to confirm that RFR complies with current the Federal maximum permissible exposure (MPE) level for the general public.
18. Applicant to clarify if an emergency generator is being proposed.
19. The Ridgeline Overlay notes must be added to plan set; Note 7 of these notes can be replaced by the following note that was added to the previous cell tower owner's final plans (Global Tower, signed 10/06/11): There are existing grants of easement to the United States of America (Book 11635 Page 1759 and Book 11635 Page 1768) limiting the future development of this property and the height above grade level of structures.
20. The following Private Road notes and maintenance agreement shall be added to the plan: A declaration setting forth the private road and drainage maintenance agreement has been recorded in the Orange County Clerk's Office in Liber 4639, Page 29 on 09/29/97.
21. Private road notes as determined by the Planning Board Attorney must be added to the plans.
22. Please note: A cumulative annual RF report shall be submitted to the Town of Warwick Building Department by May 1<sup>st</sup> of each calendar year.
23. Please add a note to the plan: A cumulative annual structural report shall be submitted to the Town of Warwick Building Department by May 1<sup>st</sup> of each calendar year.
24. An annual access maintenance contract shall be submitted to the Town of Warwick Building Department by May 1<sup>st</sup> of each calendar year.
25. Payment of all fees.

The following comment submitted by the Conservation Board, dated 1/20/16:

AT&T/15 Pysners Peak – No Comment.

The following comment submitted by the ARB:

AT&T/15 Pysners Peak – None submitted.

Comment #1: Planning Board to discuss SEQRA.

Mr. Fink: The applicant has provided the Planning Board with a short EAF. No SEQRA review is necessary. The project is classified as a Type 2 Action. I have prepared a Type 2 Action Resolution for the Planning Board's consideration.

Mr. Showalter makes a motion for the Type 2 Action.

Seconded by Ms. Little. The following Resolution was carried 5-Ayes.

617.6  
State Environmental Quality Review (SEQR)

**Resolution**

Type 2 Action

**Whereas**, the Town of Warwick Planning Board is in receipt of a Site Plan application by New Cingular Wireless PCS, LLC (AT & T) for a ± 5.02 acre parcel of land located at Kain Road, Town of Warwick, Orange County, New York, and

**Whereas**, an Environmental Assessment Form (EAF) dated 12/29/15 was submitted at the time of application, and

**Whereas**, after comparing the thresholds contained in 6 NYCRR 617.4 and 5, the Planning Board has determined that the proposed project is a Type 2 Action that meets the thresholds found in 6 NYCRR 617.5(c)(1), (2), & (26) and, therefore, SEQR does not apply, and

**Whereas**, the Planning Board has determined that the proposed project is not within an agricultural district and, therefore, the requirements of 617.6(a)(6) do not apply, and

**Whereas**, after examining the EAF, the Planning Board has determined that there are no other involved and/or federal agencies on this matter.

**Now Therefore Be It Resolved**, that the Planning Board hereby declares that no further review under SEQR is required.

Comment #2: Applicant to discuss project.

Anthony Morando: First, I would like to submit a copy of a letter that I emailed to the Town this afternoon with some updated drawings. We spent since last week's Work Session on revising the drawings. We are hoping to have most of these items tied up today. The agenda description pretty much describes the application. It is a swap out of 3 existing antennas. There is no change in height and size. It is really a maintenance style to upgrade the antennas. There is one other point I would like to make. You have seen a detailed memo in our application submission explaining that this application is subject to a Federal Law known as 6409 of the Spectrum Act. I won't get into details of that. It is all explained in the memo. What that law says is that if you fall within an eligible facility request definition which means collocation, replacement, upgrade, and these types of applications such as the one we have proposed tonight and there are no substantial change, as defined by Federal Law it would have to be approved. We filed a building permit application further into that. We were directed to attend a Planning Board meeting and submit a site plan application. That is why we are here tonight.

Mr. Astorino: As a side note to the Planning Board, we did have that information meeting before the Work Session. That was explained to us in depth. We are all on the same page with that. Thank you for that.

Comment #3: Conservation Board comments: pending

Comment #4: Architectural Review Board comments: pending

Comment #5: OCPD: pending

Comment #6: The appropriate Town of Warwick Standard notes must be added to the plan (overlay districts, etc.):

- a. For all projects (page 1 and lighting note from page 2)
- b. For projects within Ridgeline overlay district
- c. For projects within 2000-ft of an agriculturally district...
- d. Private Road notes
- e. For projects proposing signs

Mr. Astorino: You have just submitted that.

Anthony Morando: Yes. We have addressed those comments. We did submit that today.

Mr. Astorino: Have you taken a look at these comments? Do any of these comments stand out at you that you would like to discuss? They seem to be the same comments that we've had.

Anthony Morando: Yes. They are. We did go straight through them. There are a couple of comments that I would like to discuss.

Mr. Astorino: Ok.

Anthony Morando: I would like to discuss Comment #8.

Comment #7: Provide updated Emergency Service Plan and post contact information at the site for emergency purposes.

Comment #8: §164-79.A.(1)(a) The Planning Board must determine if additional landscaping should be installed.

Mr. Astorino: I believe we have discussed this matter. I don't believe there is a case. The Board is ok with that.

Mr. Bollenbach: We have a consensus from the Board on that. That comment could be waived.

Comment #9: §164-79.A.(1) and (4) The color of the towers, cabinets, and associated accessory structures are required to be non-reflective; color samples must be submitted.

Mr. Bollenbach: Don't you have an additional cabinet?

Anthony Morando: It is a shelter.

Mr. Bollenbach: Yes. You will need to provide the colors.

Anthony Morando: It is an existing shelter that is inside the compound.

Mr. Bollenbach: Ok. We could add to that comment none proposed.

Comment #10: §164-79.A.(2) All lighting, including existing, must be in compliance with §164-43.4, where are lighting features are shielded/facing downward; Applicant to add note to confirm that no new lighting is proposed.

Comment #11: §164-79.A.(3)(a) All signage, including existing, must be in compliance with §164-43.1; Applicant to add note to document the type and locations of existing FCC signage (or to confirm that new signage will be installed and maintained). FCC signage should be maintained (and installed if not currently present) in accordance with applicable local, State, and Federal rules and regulations.

Comment #12: §164-79.A.(3)(b) Applicant to confirm if Danger-High Voltage signs are required/posted.

Comment #13: §164-80.B.(1). This special use application requires proof that the Applicant is a licensed carrier in the project area.

Anthony Morando: We have submitted our FCC licenses today. We are not required to do that. But, we did it anyway.

Mr. Astorino: We know that. We have discussed that before.

Comment #14: §164-79.B(4) Applicant to confirm that noise is less than 50dB at the property line. Applicant to add note to plan.

Comment #15: §164-83.B (1) Wireless Facilities shall be structurally inspected annually and certified by a professional engineer.

Anthony Morando: Comment #15 and #17 are the same.

Comment #16: Add the recently approved NJ Transit antennas at Elevation 140 feet to the tower elevation shown on sheet C-1 of the zoning drawings.

Comment #17: §164-79.C(1) Applicant to provide the current and cumulative Radio Frequency Radiation (RFR). Applicant to confirm that RFR complies with current the Federal maximum permissible exposure (MPE) level for the general public.

Comment #18: Applicant to clarify if an emergency generator is being proposed.

Comment #19: The Ridgeline Overlay notes must be added to plan set; Note 7 of these notes can be replaced by the following note that was added to the previous cell tower owner's final plans (Global Tower, signed 10/06/11): There are existing grants of easement to the United States of America (Book 11635 Page 1759 and Book 11635 Page 1768) limiting the future development of this property and the height above grade level of structures.

Comment #20: The following Private Road notes and maintenance agreement shall be added to the plan: A declaration setting forth the private road and drainage maintenance agreement has been recorded in the Orange County Clerk's Office in Liber 4639, Page 29 on 09/29/97.

Comment #21: Private road notes as determined by the Planning Board Attorney must be added to the plans.

Comment #22: Please note: A cumulative annual RF report shall be submitted to the Town of Warwick Building Department by May 1<sup>st</sup> of each calendar year.

Mr. Astorino: This is where our engineer corrected this by the Tower owner.

Anthony Morando: Ok.

Mr. Astorino: That is not your deal.

Mr. Bollenbach: Do we have it in here that you are going to provide the initial RF Report?

Mr. Astorino: He just mentioned that he has already done that.

Mr. Bollenbach: Do we already have that?

Anthony Morando: No.

Laura Barca: That is listed in Comment #17.

Mr. Bollenbach: Ok. In Comment #17, you will provide the RF Report. In Comment #22...

Anthony Morando: Comment #17 in my response letter refers to Comment #22. My point on that is that different from the Structural Report we get it. Subsequently that is something the Town should have on file. We will provide you with the Structural Report. I hope to have it. Just to let you know, the Tower Owner has to produce that. We don't. We are waiting for the Tower Owner to give us a copy of that report in which we had requested for NJ Transit to be identified in there as per Laura's comment. Back to Comment #17 regarding the RF Report, we are not required to provide that. It is expressly excluded under Federal Regulations. I am working with the applicant to provide that. The application cannot be denied on that basis. I am just stating this objection to the request for it.

Mr. Astorino: But, you are going to provide that.

Anthony Morando: We are working towards getting it. I am not going to guarantee it. But we are working towards getting it.

Mr. Bollenbach: Regarding Comment #22, the annual shall be submitted by the Tower Owner.

Anthony Morando: Right. I cannot consent to the Tower Owner because I don't represent them.

Mr. Astorino: We understand that.

Anthony Morando: Ok.

Comment #23: Please note to the plan: A cumulative annual structural report shall be submitted to the Town of Warwick Building Department by May 1<sup>st</sup> of each calendar year.

Anthony Morando: We will be submitting that as a courtesy. Just to be clear, we are giving you the Structural Report for this application. The annual report will be the Tower Owner. The RF Report, we are trying to give it to you on this application. But, we are not required to do so. Going forward, we are not the ones to be providing that to you.

Mr. Astorino: We understand that.

Comment #24: An annual access maintenance contract shall be submitted to the Town of Warwick Building Department by May 1<sup>st</sup> of each calendar year.

Mr. Bollenbach: We got it.

Comment #25: Payment of all fees.

Anthony Morando: Yes.

Mr. Astorino: Ok. As we also had discussed, due to the nature of this application, the Planning Board would discuss a waiver of the public hearing. Does the applicant request to waive the public hearing?

Anthony Morando: Yes.

Ms. Little makes a motion to waive the public hearing.

Seconded by Mr. Showalter. Motion carried; 5-Ayes.

Ms. Little makes a motion on the AT&T/15 Pysners Peak application, granting Site Plan Approval for the construction and use to replace (3) of its (9) existing panel antennas with new panel antennas similar in size and location on the existing 180-foot tower at the site which is American Tower. AT&T will also be adding (3)-remote radio units to existing mounts located behind the antennas. The proposed modifications will not change the height of the existing lattice tower (or involve the adjacent 258-foot tower), nor will it increase the size of the existing base station, situated on tax parcel S 58 B 1 L 18.22; project located on the eastern side of Pysners Peak and north of Kain Road (15 Pysners Peak), in the MT zone, of the Town of Warwick. Approval is granted subject to the following conditions:

1. The appropriate Town of Warwick Standard notes must be added to the plan (overlay districts, etc.):
  - a. For all projects (page 1 and lighting note from page 2)
  - b. For projects within Ridgeline overlay district
  - c. For projects within 2000-ft of an agriculturally district...
  - d. Private Road notes
  - e. For projects proposing signs
2. Provide updated Emergency Service Plan and post contact information at the site for emergency purposes.
3. §164-79.A.(1)(a) The Planning Board must determine if additional landscaping should be installed. (Waived by consensus).
4. §164-79.A.(1) and (4) The color of the towers, cabinets, and associated accessory structures are required to be non-reflective; color samples must be submitted. Deemed not applicable.
5. §164-79.A.(2) All lighting, including existing, must be in compliance with §164-43.4, where are lighting features are shielded/facing downward; Applicant to add note to confirm that no new lighting is proposed.
6. §164-79.A.(3)(a) All signage, including existing, must be in compliance with §164-43.1; Applicant to add note to document the type and locations of existing FCC signage (or to confirm that new signage will be installed and maintained). FCC signage should be maintained (and installed if not currently present) in accordance with applicable local, State, and Federal rules and regulations.

7. §164-79.A.(3)(b) Applicant to confirm if Danger-High Voltage signs are required/posted.
8. §164-80.B.(1). This special use application requires proof that the Applicant is a licensed carrier in the project area.
9. §164-79.B(4) Applicant to confirm that noise is less than 50dB at the property line.  
Applicant to add note to plan.
10. §164-83.B (1)Wireless Facilities shall be structurally inspected annually and certified by a professional engineer.
11. Add the recently approved NJ Transit antennas at Elevation 140 feet to the tower elevation shown on sheet C-1 of the zoning drawings.
12. §164-79.C(1) Applicant to provide the current and cumulative Radio Frequency Radiation (RFR). Applicant to confirm that RFR complies with current the Federal maximum permissible exposure (MPE) level for the general public.
13. Applicant to clarify if an emergency generator is being proposed.
14. The Ridgeline Overlay notes must be added to plan set; Note 7 of these notes can be replaced by the following note that was added to the previous cell tower owner's final plans (Global Tower, signed 10/06/11): There are existing grants of easement to the United States of America (Book 11635 Page 1759 and Book 11635 Page 1768) limiting the future development of this property and the height above grade level of structures.
15. The following Private Road notes and maintenance agreement shall be added to the plan: A declaration setting forth the private road and drainage maintenance agreement has been recorded in the Orange County Clerk's Office in Liber 4639, Page 29 on 09/29/97.
16. Private road notes as determined by the Planning Board Attorney must be added to the plans.
17. Please note: A cumulative annual RF report shall be submitted by the Tower Owner to the Town of Warwick Building Department by May 1<sup>st</sup> of each calendar year.
18. Please note: A cumulative annual structural report shall be submitted by the Tower Owner to the Town of Warwick Building Department by May 1<sup>st</sup> of each calendar year.
19. An annual access maintenance contract shall be submitted by the Tower Owner to the Town of Warwick Building Department by May 1<sup>st</sup> of each calendar year.
20. Payment of all fees.

Seconded by Mr. McConnell. Motion carried; 5-Ayes.

Anthony Morando: Thank you.

***Wickham Lake Manor (NYSASOI)***

Application for Site Plan Approval and Special Use Permit for the construction and use of Hotel, Health Spa, Health Resort (Business Use #41, Use Group J) with Restaurants and eating and drinking places incidental to the principal use, situated on tax parcels S 46 B 1 L 35, 36, & 37; project located along State School Road approximately 1,500 feet southeast of the intersection with Kings Highway (C.R. 13), in the OI zone, of the Town of Warwick.

Representing the applicant: Irving Zuckerman from Verticon Construction Services & Consulting. Keith Woodruff from Engineering Properties. Max Stach, Applicant's Planner. George Lithco, Attorney.

The following review comments submitted by HDR:

1. Planning Board to discuss SEQRA..
2. Applicant to discuss project.
3. Conservation Board – pending comments
4. Architectural Review Board – pending comments
5. OC Planning Department – pending comments
6. Building Department – 12/30/15 no violations
7. The Checklist for site plan and special use shall be completed and submitted. All required information from the checklist shall also be submitted.
8. Provide map legends on each drawing sheet.
9. The metes and bounds shall be shown, along with the surveyor's signature and seal.
10. Applicant to provide applicable Town of Warwick Standard Notes.
11. Applicant to demonstrate compliance with the Town of Warwick Design Standards.
12. Applicant to demonstrate compliance with the Town of Warwick Design Standards for Commercial and Mixed Use Developments.
13. Applicant to provide bulk requirements to each building to clarify existing conditions and identify where ZBA variances will be required.
14. Applicant to provide parking space calculations for each use proposed, including any proposed shared parking.
15. Parking spaces for buses must be shown on the plan.
16. If the Applicant is proposing 9'x18' parking spaces, it is recommended that the spaces be doubling striped.
17. Proposed aisle width is 20-ft; Applicant to confirm the width is adequate. Typically when the parking space sizes are reduced to 9'x18', the aisle width is a minimum of 24'.
18. Applicant to ensure that bus can maneuver in all required parking areas (i.e., a bus may not be able to turn left out of the concierge driveway to go to the restaurant or two of the hotel buildings).
19. A traffic study, including traffic counts, must be submitted.
20. Any method to transport people internally (i.e., golf carts, busses, trolley cars, etc.) should be included in the traffic study.
21. Applicant to clarify if all razor wire fencing will be removed.
22. Applicant to clarify how the proposed fence lines within the NYSDEC setback will be removed by adding a detail to the plan.
23. The existing paved surface within the NYSDEC setback area may be repaved but may not be enlarged or otherwise modified without approval from NYSDEC. Applicant to add a note to the plan.

24. The portion of the stone dust walking path within the NYSDEC buffer area may require NYSDEC permits for Articles 15 and 24, depending on the proposed disturbance. Applicant to clarify.
25. Applicant to clarify if sidewalks/walking paths will be ADA assessable.
26. The select tree removal within the NYSDEC buffer area may require an Article 24 or may not be allowed at all. Applicant to provide documentation from NYSDEC.
27. Applicant to provide NYSDEC documentation to demonstrate that passive recreation is allowed in the wetland buffer by the proposed Activities Building (Existing Building #118).
28. Applicant to clarify if stormwater pretreatment is provided for impervious areas (i.e., paved areas) adjacent to NYSDEC wetland areas.
29. All dumpster locations must be shown, as well as the proposed screening around the dumpster areas.
30. Applicant to clarify which proposed uses, if any, require fire protection sprinklers.
31. The water and sewer demand must be calculated for each building/use.
32. A complete utility plan must be made part of the plan set, including all water and sewer line location, size, and type of pipe (e.g., pipe size entering/leaving each building).
33. A restoration plan/detail must be included for paved areas where the paving is proposed to be removed.
34. A master sign plan must be submitted showing all existing and proposed signage, including directional signs for customers, golf carts, etc.
35. A landscaping plan must be submitted, including details.
36. A lighting plan must be submitted showing proposed lighting levels, including proposed lighting fixtures and details.
37. Applicant to provide 911 addresses for all buildings shown on the site plan.
38. A construction detail must be included for the wetland overlook.
39. Construction details must be included in the plan (e.g., sidewalk, pavement, etc.).
40. The declaration information for applicable overlay districts must be added to the plans.
41. Any shared parking agreements must be submitted.
42. Surveyor to certify that iron rods have been set at all property corners.
43. Payment of all fees.

The following comment submitted by the Conservation Board, dated 1/20/16:

Wickham Lake Manor (NYSASOI) – No comments at this time. The CB looks forward to a site visit and expects to have more input as this application progresses.

The following comment submitted by the ARB:

Wickham Lake Manor (NYSASOI) – None submitted.

Comment #1: Planning Board to discuss SEQRA..

Mr. Fink: We received a Full EAF for the project. It is a Type 1 Action. There are other Agencies involved. The only thing the Board could do tonight is declare its Intent To Be Lead Agency. I have prepared a Resolution for the Planning Board's consideration. The coordination letters that would go out to the four Agencies, I should note that the EAF identified the OCHD, Town Board, ZBA, as Involved Agencies. Just to be on the safe side, I included the NYSDEC as an Involved Agency. There is a State wetland out there on the property. The Applicant is proposing to do some clearing within the wetland buffer. This is just to make sure that we don't have to go back and redo this if the NYSDEC is an Involved

Agency in the future. So, I have included them. There are four letters that would go out to the other Agencies.

Mr. McConnell makes a motion for Intent To Be Lead Agency.

Seconded by Mr. Showalter. The following Resolution was carried 5-Ayes.

**617.6**  
**State Environmental Quality Review (SEQR)**  
**Resolution Establishing Intent to be Lead Agency**  
Type 1 Action

**Name of Action:** Wickham Lake Manor Inn

**Whereas**, the Town of Warwick Planning Board is in receipt of a Site Plan/Special Use Permit application by New York Sino Agricultural Sciences Organization, Inc. for a ± 20.7 acre parcel of land located at State School Road within the former Mid-Orange Correctional Facility, Town of Warwick, Orange County, New York; and

**Whereas**, an Environmental Assessment Form (EAF) dated 12/22/15 was submitted at the time of application; and

**Whereas**, after comparing the thresholds contained in 6 NYCRR 617.4 and 5, the Planning Board has determined that the proposed project is a Type 1 action ; and

**Whereas**, the Planning Board has determined that the proposed project is within an agricultural district and, therefore, the requirements of 6 NYCRR 617.6(a)(6) apply meaning that an Agricultural Data Statement must be submitted, forwarded to the owners of nearby farms, and then considered by the Planning Board; and

**Whereas**, after examining the EAF, the Planning Board has determined that there are other involved and/or federal agencies on this matter including the Warwick Town Board, the Warwick Town Zoning Board of Appeals, the Orange County Health Department, and the New York State Department of Environmental Conservation.

**Now Therefore Be It Resolved**, that the Planning Board hereby declares its intent to be Lead Agency for the review of this action; and

**Be It Further Resolved**, that the Planning Board hereby authorizes its Chairman to circulate the attached lead agency coordination request letter(s) to all other involved agencies and to discharge any other SEQR responsibilities as are required by 6 NYCRR 617 in this regard; and

**Be It Further Resolved**, that unless an objection to the Planning Board assuming lead agency status is received within thirty (30) days of the date of mailing the EAF, the Planning Board will become lead agency for the review of this action.

Comment #2: Applicant to discuss project.

Irving Zuckerman: The project involves about 12 buildings that would be renovated into a useful hotel and restaurant. We would also be adding fortified buildings that would complement those buildings. We are going to include in that a conference facility, banquet facility, spa, restaurant and tea house. We want to create the campus look that is there and enhance that. Our Landscape Architect, Esposito & Associates would be working on that. Our client is very interested in the ambiance of this project. We are targeting the Chinese/American Market, European Market and Simon Properties which developed and operates Woodbury Commons. We are also going to be attracting the families that come to West Point for family weekends. Matter of fact, Tony Abbatine and I have communicated when he has his baseball events. Parents will be coming and staying there. The County is under-roomed according to OC Planning & Tourism. That is one of the things that the Investors are very interested in the ambiance of the buildings. There were other properties that were considered. They didn't even come in close because of what exists. We have gone through the structures with Structural Engineers. The building structures and roof systems are substantially good. Windows and other permits certainly have to be upgraded to meet current Codes, Energy Codes, ADA, etc... That would be a very important part. But the tourist and destination that we are creating here is really going to make a big difference here. This would even benefit Apple Fest when so many people come and want to stay in Orange County and they are in Middletown and other venues because there is just not enough rooms around. That is another important thing. We are going to be selling, it was originally Mana Foods New York. We have gone through different names and different ideas that the Investors have felt comfortable with. Tourism in New York State overrode food production and exporting of package foods going to China which is helping middle-class economy. A spa complex, the Glenmere Mansion is a wonderful place. I go there with friends for special events for dinners. We don't stay over but we have enjoyed the spa with other people. This will also compliment and compete with it to a degree. We think this is going to be something special. We have outdoor activities. For example, Taiwan has a marketing program exactly like what we do. We are going to have outdoor activities and walking because we have Wickham Lake. We have a park and so many things that will compliment on what we are going to be doing. That is what the vision is of the investors of this project. I think we have a great team of people to move this through. You know who we are. We have done projects in Warwick before. My brother and I and a former partner Silvio & Frank Petrucci had done the Price-Chopper development which has since been sold. We understand the value of Warwick, what it stands for and what a compliment what it is with this project.

Mr. Astorino: Thank you. Do any Board members have any questions?

Mr. Showalter: In the rehabilitation of these buildings, are there going to be any lead technologies like you used at Price Chopper for instance; the lighting, windows, insulation or anything like that?

Irving Zuckerman: Yes. We are dealing with Orange & Rockland Utilities now. We are setting up a meeting to discuss street lights and building lights. As we discussed at the Workshop, we are going to be having activities by moving people back and forth on the campus. We might use Trans Tech electric buses to move them around. In the summer, we will have golf carts for elderly people or people that can't walk or don't want to walk. We know that we have to deal with issues with the wetlands that goes through Town property.

John MacDonald: How under roomed is Orange County?

Irving Zuckerman: I don't have a number of rooms. For example; over at Woodbury Commons, you have people going to Newburgh and Middletown and you even have some people going over to the Best Western in Pennsylvania. The number is pretty substantial. A lot of the tour groups/shoppers that are coming up from Asia, England, etc...are carrying big suitcases not only for shopping for themselves but they are also shopping for people back at home. To answer the question, they are going back to the airport to New Jersey to stay over and they are bused back. It is sometime a 2 or 3 day thing at Woodbury Commons. We are talking about a huge amount of tour buses. Part of our traffic will be buses, cars and eventually other motorized vehicles whether it would be golf carts in our traffic study. We would be addressing all of the movements other than maybe bicycles. We would also have that set up for folks. We could all work within our property the project and maybe the people who watch baseball. That project is developing very nicely as well.

Mr. McConnell: Golf carts and so on are not permitted on Town roads. You have quite a Town road going through there.

Irving Zuckerman: You are right. We are planning on a graveled path.

Mr. McConnell: I remember that from the Work Session. I just wanted to be sure that you don't end up with tourists who aren't familiar with our motor vehicle laws.

Irving Zuckerman: Part of the directional signage that we will be doing will be very important on a campus like that.

Mr. McConnell: Yes. I would hate to see one of your buses take out one of your golf carts.

Max Stach: To clarify that, I think the initial idea was that the hotel would run the vehicles. Guests can't drive their own golf carts around.

Mr. McConnell: Ok.

Max Stach: I am not saying it is never going to happen. The idea was just to get people back and forth.

Mr. McConnell: That sounds safer.

Max Stach: Yes.

Irving Zuckerman: They would be chauffeured.

Max Stach: The operational details of the hotel hasn't been completely fleshed out. Whinny is working with a designer that has experience with hotel design and operation. There was some discussion about for example initially we said we would maintain the path in the winter. But then we said maybe get a bus that could go on the road an electric bus in the winter months to bring the guests from one site to another.

Mr. McConnell: I am just a little concerned because this type of development is a little out of the ordinary. When we had casinos making presentations at various towns in Orange County, they might have had multiple buildings but they were contained. You have a situation here that is a little unique in the hospitality business where you have a total number of buildings that you mentioned but they are not contained on your property. You are going to have to have movement on public roads.

Irving Zuckerman: Exactly. We haven't developed the logistic plans for safety yet. There definitely is liability issues.

Mr. McConnell: I am also concerned from the Town's standpoint the liability issues that may arise. We don't need to hash this out tonight.

Mr. Astorino: But that is a good point. If you will be going to the Town Board which you will be for numerous issues, that could be something that could be brought up. You are going to have a plan on how you are going to have pedestrian traffic cross a Town road. It could be as simple as a crosswalk or a blinking light.

Irving Zuckerman: Right. Just to let you know that I am doing the project for the Monroe YMCA. We are going to be crossing the Heritage Trail. They don't always love it. There are four of them already. There will be a future one as they expand up to Goshen & Middletown. It is the same thing with the Heritage Trail about crossing. Nobody really wants it. But we have to move. The point is safety. We are very aware of that. I am glad that Max brought up about that they would be chauffeured, not taking golf carts.

Max Stach: There is one thing I would like to point out for the record on this project. While we are here for site plan, there will be things that would require us to go to the Town Board. They will be involved in the design. They are going to really specify on how we are going to build that path and what types of materials we will be using. It is on their land. We are going to construct it. We are going to maintain it. It is really on their land. The Town would have a lot to say about that. Any tree pruning that we do, there would have to be a tree clearing plan. It would have to be comprehensive and make sense. The Town would have to approve it. I think in that sense the Town has a lot of discretion over how we operate.

Mr. McConnell: I have every faith in the Town Board. I'm sitting here trying to visualize a facility that I have been to. They are all self-contained. That is something obvious here that it is not self-contained. We want to focus on the fact that you are going to have to access other parts of your project by using Town roads. It is not a criticism. I have faith in the Town Board. I just wanted to say it out loud for myself and for the other members of the Board here to let's not lose sight of the fact that there is a public road that runs through the middle of this. You have the baseball facility, the bus manufacturing and all of this other stuff that is going to be using that Town road.

Mr. Astorino: In their traffic study that is a good point, because you will also have the 10-Lots that will eventually be delivered. That would all have to be worked out. This is just the initial stage. We all know that. But that is a good point that you brought up.

Irving Zuckerman: Remember that it is not much different than our Universities or some of our larger Colleges where there are Town roads going through the campuses. But, the safety aspect and signage is important. It will all be something that we will be working out.

Mr. McConnell: Good.

Irving Zuckerman: I would like to point something else out. We are hoping to obtain site plan approval for the 20.7 acres. We are not very clear on what our Investors have chosen to do yet. It is a need to know basis. They will tell us at a certain point.

Mr. Astorino: Do you mean at the start of what is to be constructed first?

Irving Zuckerman: Yes. Our mission is to obtain complete site plan approval. Provide all of the information that you need in order to obtain that. They are marketing people. The Consultants will say what they want. One thing would complement the other with the type of buildings. Like the Manor House would have a catering facility. The only one that would have a real catering facility if you recall, we were talking about 300 and you were talking about another 50 seats then some restaurant and parking up there. I think the whole area could use another high-end facility like that.

Ms. Little: I have a question on something. What would the ballpark proposed length of the path? How long of a length of path that you are proposing.

Keith Woodruff: I don't have a number right now of the actual length of it. If you are familiar with State School Road, it is of substantial length to it. We don't have actual numbers yet.

Max Stach: I believe the two sites are about 1000 feet apart.

Ms. Little: Ok.

Comment #3: Conservation Board – pending comments

Mr. Astorino: They had no comment at this time. They will be looking forward to a site inspection. We will be in contact with you about that as the weather permits. I am sure the Board would like to go out there and see everything.

Comment #4: Architectural Review Board – pending comments

Mr. Astorino: As I have said at the Work Session, that would be something once you get your drawings together, we will do a Joint Meeting with the Planning Board and the ARB. We might have a couple of Joint Meetings. This way we would all be on the same page.

Comment #5: OC Planning Department – pending comments

Comment #6: Building Department – 12/30/15 no violations

Comment #7: The Checklist for site plan and special use shall be completed and submitted. All required information from the checklist shall also be submitted.

Keith Woodruff: Yes.

Comment #8: Provide map legends on each drawing sheet.

Keith Woodruff: Will do.

Comment #9: The metes and bounds shall be shown, along with the surveyor's signature and seal.

Keith Woodruff: This is just a Site Plan application. We are not making any modifications to the property lines. There shouldn't be a need for a surveyor's signature and seal.

Mr. Bollenbach: Do we have some critical setbacks that you would need variances for?

Keith Woodruff: We referred to the filed map that was done for the original lot line change from when the property was purchased by the Town and WVLDC. All of the buildings as per Bob Schmick's survey which was all part of that lot line change information and is part of our general notes.

Mr. Astorino: Is that sufficient? We will just leave that comment for now. This is just the start of it.

Keith Woodruff: Ok.

Comment #10: Applicant to provide applicable Town of Warwick Standard Notes.

Keith Woodruff: Will do.

Comment #11: Applicant to demonstrate compliance with the Town of Warwick Design Standards.

Keith Woodruff: Will do.

Comment #12: Applicant to demonstrate compliance with the Town of Warwick Design Standards for Commercial and Mixed Use Developments.

Keith Woodruff: Will do.

Comment #13: Applicant to provide bulk requirements to each building to clarify existing conditions and identify where ZBA variances will be required.

Irving Zuckerman: Yes.

Comment #14: Applicant to provide parking space calculations for each use proposed, including any proposed shared parking.

Keith Woodruff: We already have a preliminary breakdown of the parking requirements. It is shown on the cover sheet where we list the use for each individual building as well as the different uses that some of the buildings have. Some of them have 2 or 3 different uses to them. We do have a parking calculation broken down already. I think we are pretty close as is. 103 parking spaces was required. We are providing 320 parking spaces between all 3-properties.

Comment #15: Parking spaces for buses must be shown on the plan.

Keith Woodruff: We will provide that.

Comment #16: If the Applicant is proposing 9'x18' parking spaces, it is recommended that the spaces be doubling striped.

Keith Woodruff: Typically a doubling striped is more for a high turnover. You would see that up in Middletown where the Galleria is where these big shopping centers are. Most of the parking for this site would be a low turnover. You would basically come in on a Friday. Your car would site there all weekend. You would get bused around. There is not going to be a high turnover ratio per hour. We typically only do a single striped for a low turnover.

Mr. Astorino: But, doubling striping is not out of the question.

Keith Woodruff: If that is a requirement, we could do that.

Mr. Astorino: I am sure it is the size of the space which is 9'x18. Is that correct?

Laura Barca: Right. When you reduce it down to 9'x18' the purpose of it is parking spaces are smaller but the cars didn't get smaller. What the double striping is for, if you have to park inside the double striping, it would eliminate door smashing and people parking crooked.

Keith Woodruff: Is 9'x18' the standard for parking?

Laura Barca: It is 10'x20' the standard for parking. The 9'x18' is the reduced size that is allowed. The Town Code states that it is allowed.

Mr. Astorino: We are going to leave that comment. This is just the initial review right now.

Max Stach: When you say 9'x18'double striped, the stall width is still 18' it's just the space between the stripes are 17'. Is that correct?

Laura Barca: Yes. The size of the parking space is still the same. It forces the user to be inside the lines which makes people park better within the space.

Max Stach: Ok.

Comment #17: Proposed aisle width is 20-ft; Applicant to confirm the width is adequate. Typically when the parking space sizes are reduced to 9'x18', the aisle width is a minimum of 24'.

Keith Woodruff: In the 2 locations where it is shown as 20' is in the parking down by the Honors. That is strictly a one-way in and one-way out.

Mr. Astorino: Just clarify that.

Keith Woodruff: Yes.

Comment #18: Applicant to ensure that bus can maneuver in all required parking areas (i.e., a bus may not be able to turn left out of the concierge driveway to go to the restaurant or two of the hotel buildings).

Keith Woodruff: We will verify that.

Comment #19: A traffic study, including traffic counts, must be submitted.

Keith Woodruff: Yes.

Max Stach: I would like to be able to contact the traffic engineer just to understand exactly what they are going to look for. Is that ok with the Board? We spoke at the Work Session about the plan that was done for the 10-Lot subdivision.

Mr. Astorino: Which was done by the WVLDC.

Max Stach: Yes. We are actually looking to retain the same engineer that did that site. I just want to be clear on this and that we all understand.

Laura Barca: That will be fine. We do that all the time where we have the structural engineers talk to the structural engineers.

Mr. Astorino: That is fine. But we do know we want to have the traffic counts from your project. The traffic count for the 10-Lot subdivision is already there. Keith, I believe you have them. They are set for those lots.

Max Stach: The new pieces of information probably going to be...I don't believe that study discussed Frozen Ropes at all. I believe it was done for warehousing reuse.

Mr. Astorino: I thought we looked into all of that.

Keith Woodruff: No. The original traffic study was strictly for the 10-Lot subdivision and the warehouse impact to the surrounding area. It didn't take into account the redevelopment of the prison property itself.

Mr. Astorino: Because we didn't know what was going to be there at that point.

Keith Woodruff: Correct.

Max Stach: Which intersections do you want? Is it only Kings Highway and State School Road?

Laura Barca: I would have to have our traffic engineer take a look at that.

Max Stach: Ok.

Comment #20: Any method to transport people internally (i.e., golf carts, busses, trolley cars, etc.) should be included in the traffic study.

Irving Zuckerman: Yes.

Comment #21: Applicant to clarify if all razor wire fencing will be removed.

Irving Zuckerman: Yes.

Comment #22: Applicant to clarify how the proposed fence lines within the NYSDEC setback will be removed by adding a detail to the plan.

Keith Woodruff: We will provide that.

Comment #23: The existing paved surface within the NYSDEC setback area may be repaved but may not be enlarged or otherwise modified without approval from NYSDEC. Applicant to add a note to the plan.

Keith Woodruff: We will provide that.

Comment #24: The portion of the stone dust walking path within the NYSDEC buffer area may require NYSDEC permits for Articles 15 and 24, depending on the proposed disturbance. Applicant to clarify.

Keith Woodruff: We will provide that.

Comment #25: Applicant to clarify if sidewalks/walking paths will be ADA assessable.

Irving Zuckerman: Yes.

Comment #26: The select tree removal within the NYSDEC buffer area may require an Article 24 or may not be allowed at all. Applicant to provide documentation from NYSDEC.

Irving Zuckerman: Yes.

Mr. Astorino: That goes back to the Town Board because it is the Town's property.

Irving Zuckerman: Yes.

Comment #27: Applicant to provide NYSDEC documentation to demonstrate that passive recreation is allowed in the wetland buffer by the proposed Activities Building (Existing Building #118).

Irving Zuckerman: Yes.

Comment #28: Applicant to clarify is stormwater pretreatment is provided for impervious areas (i.e., paved areas) adjacent to NYSDEC wetland areas.

Keith Woodruff: We will provide that.

Comment #29: All dumpster locations must be shown, as well as the proposed screening around the dumpster areas.

Keith Woodruff: We will provide that.

Comment #30: Applicant to clarify which proposed uses, if any, require fire protection sprinklers.

Keith Woodruff: Yes.

Comment #31: The water and sewer demand must be calculated for each building/use.

Keith Woodruff: Yes. We will provide that.

Comment #32: A complete utility plan must be made part of the plan set, including all water and sewer line location, size, and type of pipe (e.g., pipe size entering/leaving each building).

Keith Woodruff: Yes. We will provide that.

Comment #33: A restoration plan/detail must be included for paved areas where the paving is proposed to be removed.

Keith Woodruff: We will provide that.

Comment #34: A master sign plan must be submitted showing all existing and proposed signage, including directional signs for customers, golf carts, etc.

Keith Woodruff: Yes.

Comment #35: A landscaping plan must be submitted, including details.

Irving Zuckerman: Yes. That would be Esposito & Associates. Will do.

Mr. Astorino: That would include the parking.

Irving Zuckerman: Yes.

Comment #36: A lighting plan must be submitted showing proposed lighting levels, including proposed lighting fixtures and details.

Keith Woodruff: Yes.

Mr. Astorino: That would include coming in off State School Road. Is that something in your plan also?

Irving Zuckerman: Yes.

Mr. Astorino: That would be from Kings Highway coming down State School Road.

Irving Zuckerman: I can't say it would be coming from Kings Highway. We will work with the Town Board on that.

Mr. Astorino: Ok. The Town Board is going to be busy.

Comment #37: Applicant to provide 911 addresses for all buildings shown on the site plan.

Keith Woodruff: We will provide that.

Comment #38: A construction detail must be included for the wetland overlook.

Keith Woodruff: We will provide that.

Comment #39: Construction details must be included in the plan (e.g., sidewalk, pavement, etc.).

Irving Zuckerman: Yes.

Comment #40: The declaration information for applicable overlay districts must be added to the plans.

Keith Woodruff: Yes.

Comment #41: Any shared parking agreements must be submitted.

Keith Woodruff: Yes.

Comment #42: Surveyor to certify that iron rods have been set at all property corners.

Keith Woodruff: Was that done during the initial lot line change?

Mr. Astorino: Ask the Town Board.

Keith Woodruff: Ok.

Comment #43: Payment of all fees.

Keith Woodruff: Ok.

Mr. Astorino: Do any Board Members or Professionals have any questions at this time?

Ms. Little: I have 2 questions. In Comment #18 where it states "Applicant to ensure that bus can maneuver in all required parking areas", I am not sure if this would be the right place for it or not, but also for emergency vehicles. I am looking at the road that leads up to there. We need to make sure that it would have enough room for access and turnaround.

Mr. Astorino: This would be sent to all emergency services. They will need to submit letters to all of the emergency services.

Max Stach: Is that something that we do?

Connie Sardo: Yes. The sample letters are in your site plan application packet.

Max Stach: Ok.

Ms. Little: Regarding my second comment, this is going to the traffic study. While it would be ideally great if all entering vehicles coming in off Kings Highway onto State School Road, with GPS we know that people coming up from New Jersey and Mount Peter roadway, they are going to get directed to Iron Forge Road and State School Road. I don't know if that is something that we are going to need to look at there. That would be a massive amount of traffic for those back country roads to be able to handle.

Mr. Bollenbach: I think that was one of the intersections previously identified.

Mr. Astorino: John, I think you are right about that.

Mr. Bollenbach: Yes.

Ms. Little: Ok. It is very tight in there. It is something to be aware of.

Max Stach: Ok.

Mr. McConnell: Are there any thoughts of any residences on the site?

Irving Zuckerman: No.

Mr. McConnell: So if you bring in management from China because the Investors insist upon it, you are not going to house them on the site?

Irving Zuckerman: It is not proposed at all.

Mr. McConnell: John, would it be allowed for them to house them on the site?

Mr. Bollenbach: I would have to take a look. There are provisions for attendants, caretakers, and watchmen within the Code generally. I would have to take a look at the specifics.

Irving Zuckerman: It is an interesting question that one we are not familiar with. Ms. Greco has a pretty big house here. I know she has had people stay over that have been Investor guests. People from China and Dignitaries from New York have come up and has stayed over. She has a bunch of rooms for people that stay over for meetings.

Mr. Bollenbach: You have some of that housing facilities already there. It is what you have proposed if they would be efficiency type units which would probably accommodate a longer term stay.

Mr. McConnell: That is kind of where I am going with this. I haven't read that part of the Code.

Mr. Bollenbach: That is why I said I would have to take a look at that.

Mr. McConnell: I don't know what it says. But I do know that we have something for limited stays. Please don't take this as an offensive, but we have a Campground in front of the Board. Our Town Code proposes a limit on how long people could stay. I am relating that experience to what is for me a brand new experience. I'll put it to our attorney as to whether and under what circumstances that may be impacted.

Max Stach: We will make sure that we would define that for you for if we have any desire to have somebody staying on a regular basis. I could only imagine that maybe the hotel manager might have an apartment. I don't even know that. We will talk to our client about that. Whatever the answer is, you will get it. We will stay within the rules.

Mr. Bollenbach: Those are listed in the Code. It is under Accessory Uses. It is accessory dwelling units. That would be for attendants, caretakers, watchmen, managers, etc... There is a listing.

Max Stach: Ok.

Mr. Astorino: That is under the assumption if you are going to do something like that. Right now, that is not proposed.

Irving Zuckerman: For example; if there was a banquet. The person operating that banquet facility might sleepover that night.

Mr. McConnell: That is not a residence.

Irving Zuckerman: I know what you are saying. I don't think we should be restrictive. We should certainly look into the definition of the Code.

Mr. McConnell: John, part of my concern is that they put a lot of money into this and it is not economically viable. Now is the time to think of all of these things.

Mr. Astorino: Does anybody have any other questions?

Keith Woodruff: I have a question regarding Comment #13 that discusses the bulk requirements to each building. Typically, we only show the bulk requirements for the individual lots. I don't see a total need for each individual building to have a bulk requirement provided.

Laura Barca: The reason that is on there and as I understand it, in the future as the project moves forward, you would have to go to the ZBA cause you are proposing a new building that doesn't meet the required setback.

Keith Woodruff: Correct.

Laura Barca: I understand as part of that you are going to ask for variances for setbacks where you don't need it but just to have it on the record. That is what this comment is referring to. It is to show that.

Keith Woodruff: Right. But we are also showing the worst case scenario for the bulk requirements for each individual lot. We can't request a front yard setback for 3 individual buildings that are on one property. We would request it for the entire property for all of the buildings that are impacted.

George Lithco: We will talk about that another time.

Mr. Bollenbach: Yes. Let's just let that rest.

Keith Woodruff: Ok.

Mr. Astorino: Ok. You guys will be back. We will move forward as we proceed.

Irving Zuckerman: Thank you.

***Ansley & Wild Subdivision #2***

Application for Sketch Plat Review of a proposed 2-Lot subdivision, situated on tax parcel S 17 B 1 L 70; parcel located on the eastern side of Distillery Road 1000 feet at the intersection with West Ridge Road (98 Distillery Rd), in the RU zone, of the Town of Warwick.

Representing the applicant: Nick Rugnetta from Pietrzak & Pfau Engineering.

The following review comments submitted by HDR:

1. Planning Board to discuss SEQRA.
2. Applicant to discuss project.
3. Conservation Board – pending comments
4. Architectural Review Board – pending comments
5. OC Planning Department – pending submittal
6. TW Building Department – 12/31/15 no comments
7. The Town of Warwick Standard Notes must be added to the plan.
8. If no stormwater plan is included, a note must be added to the plans stating that there will be no ground disturbance.
9. In the Table of Bulk Requirements, the lot coverage, building height, and livable floor area must be shown.
10. Lot 1 shows a two-bedroom dwelling and a one-bedroom guest house; both were built before 1972 (when building department permits started to be required) so the uses are allowed. The Town Assessor has a three-bedroom dwelling and a two-bedroom guest house in their records.
11. The existing well on Lot 2 is marked as typical but the proposed well on Lot 1 is not marked as typical. Applicant to clarify.
12. A detail for the typical well detail must be added to the plan.
13. The existing water line connection(s) to the building serviced by the well must be shown on the plans, including the two residential structures and the barn.
14. The soil tests must be witnessed by the Orange County Department of Health (OCDOH) because the previous subdivision plan was approved by OCDOH.
15. The existing septic lines must be shown to any buildings serviced by the septic system, including any septic tanks.
16. Plan should clarify if the note “Replacement SDS area for Lot 1 as per filed map FM42-95” now applies to Lot 2 of this subdivision.
17. Applicant to submit a hard copy filed map FM42-95.
18. Plan should clarify if the proposed future septic system design shown on Lot 1 is for the two residential buildings (and not the existing barn).
19. There are no driveways shown to any of the structures on Lot 1; Applicant to shown driveways with site distances.
20. The site distances for the Lot 2 driveway must be shown.
21. Soil erosion control measures need to be added to the plan, as well as the applicable details.
22. Applicant to clarify if there are any NYSDEC or USACE regulated wetlands and/or streams or major drainage ways on the plan.
23. The plans must be signed/sealed by the Licensed Surveyor from the State of New York.
24. Applicant to clarify the inlet and outlet of the pond.
25. Provide a map note stating that “No construction or proposed use shall begin until the maps are signed by the Planning Board Chairman and Building Department permits are obtained.”

26. Applicant submitted a description for Lot 2; Applicant to submit a description for Lot 1.
27. Any applicable declaration information must be added to the plans.
28. Surveyor to certify that iron rods have been set at all property corners.
29. Payment of Parkland fees for one lot.
30. Payment of all fees.

The following comment submitted by the Conservation Board, dated 1/20/16:

Ansley & Wild Subdivision #2 – No comment at this time. The CB expects to comment further after the additional engineering is completed.

The following comment submitted by the ARB:

Ansley & Wild Subdivision #2 – None submitted.

Comment #1: Planning Board to discuss SEQRA.

Mr. Fink: The Applicant has provided a short EAF. It is an Unlisted Action. I have a couple of comments on it. Between the Work Session and the Meeting, the Applicant had provided a revised EAF. They are now ready to conduct the SEQRA process. There are no other Involved or Interested Agencies. I have prepared a Resolution for the Board to declare itself Lead Agency.

Mr. Kennedy makes a motion for the Lead Agency.

Seconded by Mr. McConnell. The following Resolution was carried 5-Ayes.

617.6

**State Environmental Quality Review (SEQR)**  
Resolution Establishing Lead Agency  
Unlisted Action Undergoing Uncoordinated Review

Name of Action: Ansley & Wild Subdivision

Whereas, the Town of Warwick Planning Board is considering action on a proposed Subdivision application by Elizabeth Ansley & Max Wild for a ± 21.87 acre parcel of land located at 98 Distillery Road, Town of Warwick, Orange County, New York, and

Whereas, an Environmental Assessment Form (EAF) dated 12/15/15 was submitted at the time of application, and

Whereas, after comparing the thresholds contained in 6 NYCRR 617.4 and 5, the Planning Board has determined that the proposed project is an Unlisted action, and

Whereas, the Planning Board has determined that the proposed project is within an agricultural district and, therefore, the requirements of 6 NYCRR 617.6(a)(6) apply meaning that an Agricultural Data Statement must be submitted, forwarded to nearby farms, and then considered by the Planning Board, and

Whereas, after examining the EAF, the Planning Board has determined that there are no other involved and/or federal agencies on this matter.

Now Therefore Be It Resolved, that the Planning Board hereby declares itself Lead Agency for the review of this action.

Be It Further Resolved, that a Determination of Significance will be made at such time as all information has been received by the Planning Board to enable it to determine whether the action will or will not have a significant effect on the environment.

Comment #2: Applicant to discuss project.

Nick Rugnetta: This is a proposed 2-Lot subdivision. The owners want to subdivide the lot and sell the northern property. Currently there are 2 buildings on the one lot. The proposed lot on the northern end we proposed to drill a new well and install a standard septic system. We have provided a design for a relocation of the septic system for Lot #1. That lot I believe is on West Ridge Road on the top of the hill. There are some site constraints on that lot because of steep slopes and rock.

Mr. McConnell: You said that there are 2 buildings on Lot #1. Aren't there 3 buildings on that lot?

Nick Rugnetta: There is a barn on that lot.

Mr. Bollenbach: There are 2 dwellings on that lot.

Mr. McConnell: Ok. Are the 2 dwellings going to stay on the one lot?

Nick Rugnetta: Yes. Everything existing would be on that one lot.

Mr. Astorino: Ok. Laura, the rest of these comments seem to be standard. Is there anything that stands out?

Laura Barca: The only thing that is different from what we had talked about at the Work Session is Comment #10 where the plan shows a 2-bedroom dwelling and a 1-bedroom guesthouse. I checked with the Town's Assessor. She said that both buildings were constructed before 1972 which was when the Building Department started issuing permits. Those uses are allowed and those 2 buildings are allowed to stay on the one lot. If they were built today they wouldn't be allowed. But, if they were built before building permits were issued then they are allowed. The other thing I noted in that comment was that the

Town's Assessor has a 3-bedroom dwelling and a 2-bedroom guesthouse. What the Applicant does with that, that information would be up to him.

Nick Rugnetta: We plan to design the relocation system to handle the associated bedrooms for those buildings.

Laura Barca: Ok. The other comment that I want to bring to the Board's attention is Comment #14. At the Work Session it said that the soil tests must be witnessed by the Planning Board's Engineer. The previous subdivision of this lot was reviewed by the Orange County Health Department (OCHD) which means that even though this is only a 2-Lot subdivision, it has to be reviewed through the OCHD.

Mr. Astorino: Ok.

Mr. Bollenbach: There were concerns under the prior subdivision as to the availability, suitability, or adequacy of septic.

Mr. Astorino: That happened with us in Cedar Hill.

Mr. Bollenbach: Yes. That was why the caution was posted previously.

Mr. Astorino: That is fine.

Comment #3: Conservation Board – pending comments

Comment #4: Architectural Review Board – pending comments

Comment #5: OC Planning Department – pending submittal

Comment #6: TW Building Department – 12/31/15 no comments

Mr. Astorino: We will list Comments #7 through #30 for the record.

Connie Sardo: Ben, would the Board want to set them for a public hearing?

Mr. Astorino: We could set them for a public hearing depending on the OCHD. Does the Applicant request to be set for a public hearing?

Nick Rugnetta: Yes.

**Mr. McConnell makes a motion to set the Ansley & Wild Subdivision #2 application for a Final Public Hearing at the next available agenda.**

Seconded by Mr. Kennedy. Motion carried; 5-Ayes.

Nick Rugnetta: Thank you.

Comment #7: The Town of Warwick Standard Notes must be added to the plan.

Comment #8: If no stormwater plan is included, a note must be added to the plans stating that there will be no ground disturbance.

Comment #9: In the Table of Bulk Requirements, the lot coverage, building height, and livable floor area must be shown.

Comment #10: Lot 1 shows a two-bedroom dwelling and a one-bedroom guest house; both were built before 1972 (when building department permits started to be required) so

the uses are allowed. The Town Assessor has a three-bedroom dwelling and a two-bedroom guest house in their records.

Comment #11: The existing well on Lot 2 is marked as typical but the proposed well on Lot 1 is not marked as typical. Applicant to clarify.

Comment #12: A detail for the typical well detail must be added to the plan.

Comment #13: The existing water line connection(s) to the building serviced by the well must be shown on the plans, including the two residential structures and the barn.

Comment #14: The soil tests must be witnessed by the Orange County Department of Health (OCDOH) because the previous subdivision plan was approved by OCDOH.

Comment #15: The existing septic lines must be shown to any buildings serviced by the septic system, including any septic tanks.

Comment #16: Plan should clarify if the note "Replacement SDS area for Lot 1 as per filed map FM42-95" now applies to Lot 2 of this subdivision.

Comment #17: Applicant to submit a hard copy filed map FM42-95.

Comment #18: Plan should clarify if the proposed future septic system design shown on Lot 1 is for the two residential buildings (and not the existing barn).

Comment #19: There are no driveways shown to any of the structures on Lot 1; Applicant to shown driveways with site distances.

Comment #20: The site distances for the Lot 2 driveway must be shown.

Comment #21: Soil erosion control measures need to be added to the plan, as well as the applicable details.

Comment #22: Applicant to clarify if there are any NYSDEC or USACE regulated wetlands and/or streams or major drainage ways on the plan.

Comment #23: The plans must be signed/sealed by the Licensed Surveyor from the State of New York.

Comment #24: Applicant to clarify the inlet and outlet of the pond.

Comment #25: Provide a map note stating that "No construction or proposed use shall begin until the maps are signed by the Planning Board Chairman and Building Department permits are obtained."

Comment #26: Applicant submitted a description for Lot 2; Applicant to submit a description for Lot 1.

Comment #27: Any applicable declaration information must be added to the plans.

Comment #28: Surveyor to certify that iron rods have been set at all property corners.

Comment #29: Payment of Parkland fees for one lot.

Comment #30: Payment of all fees.

**Other Considerations:**

1. **Tinnirello Subdivision** – Letter from Douglas Tinnirello, dated 12/16/15 addressed to the Planning Board in regards to the Tinnirello Subdivision – requesting a 6-Month Extension on 6<sup>th</sup> Re-Approval of Final Approval of a proposed 3-Lot Cluster subdivision, situated on tax parcels SBL # 49-1-56 & 45.2; parcels located on the south east side of NYS Route 94 1000 feet south west of Wawayanda Road, in the RU zone, of the Town of Warwick. Conditional Final Approval granted on 6/17/09. *The Applicant has stated that they are trying to accumulate enough funds to pay the Parkland Fees and any other fees or expenses related to this project.* The 6-Month Extension on 6<sup>th</sup> Re-Approval of Final Approval becomes effective on 12/17/15.

Mr. McConnell: I noticed that this house had a For Sale sign in front of it. I know that Mr. Tinnirello does not live in this house any longer. He may have not sold it. He may have just moved. How does that all impact the viability of what we had done so far?

Mr. Bollenbach: It all depends whether or not the rights to the subdivision also has been sold.

Mr. McConnell: Ok.

Mr. Bollenbach: It would be the same thing as the Luft application. Where Masanda-Luft, the shares and the corporation have since been purchased by Will Brown.

Mr. McConnell: Ok.

Mr. Bollenbach: There is a transfer where you can buy the subdivision rights as well.

Mr. McConnell: Ok. You can. Is that something we would look into?

Mr. Bollenbach: You could take a look at the tax records to see who the current owners are.

Connie Sardo: The current owner is still Tinnirello.

Mr. McConnell: Ok. It is.

Connie Sardo: Yes.

Mr. McConnell: Thank you.

Ms. Little: But if he sold it not with the rights, does that mean the Applicant would have to apply all over again?

Mr. Bollenbach: Yes.

Ms. Little: Ok.

Mr. Showalter makes a motion on the Tinnirello Subdivision application, granting a 6-Month Extension on 6<sup>th</sup> Re-Approval of Final Approval of a proposed 3-Lot Cluster subdivision. SBL # 49-1-56 & 45.42. Conditional Final Approval was granted on 6/17/09.

The 6-Month Extension on 6<sup>th</sup> Re-Approval of Final Approval becomes effective on 12/17/15.

Seconded by Ms. Little. Motion carried; 5-Ayes.

2. **Fusco Subdivision** – Letter from Dave Higgins, Lanc & Tully Engineering, dated 12/22/15 addressed to the Planning Board in regards to the Fusco Subdivision – requesting 6-Month Extension on 2<sup>nd</sup> Re-Approval of Amended Final Approval for filing a 12-Lot Cluster subdivision in sections. Section I to consist of a proposed 3-Lot Cluster subdivision, situated on tax parcel SBL #18-1-31.2; parcel located on the southern side of Taylor Rd 900± feet east of the intersection of Taylor Road & Jessup Road, in the RU zone. Conditional Amended Final Approval for Section I was granted on 7/17/13. *The Applicant has stated that they are looking to amend/modify their plan and approval and will be resubmitting to the Planning Board in the near future.* The 6-Month Extension on 2<sup>nd</sup> Re-Approval becomes effective on 1/17/16.

Mr. McConnell makes a motion on the Fusco Subdivision application, granting a 6-Month Extension on 2<sup>nd</sup> “Re-Approval” of Amended Final Approval for filing a 12-Lot Cluster subdivision in sections. Section I to consist of a proposed 3-Lot Cluster subdivision, situated on tax parcel SBL #18-1-31.2; parcel located on the southern side of Taylor Road 900± feet east of the intersection of Taylor Road & Jessup Road, in the RU zone, of the Town of Warwick, County of Orange, State of New York. Conditional Amended Final Approval for Section I was granted on 7/17/13.

The 6-Month Extension on 2<sup>nd</sup> Re-Approval of Amended Final Approval becomes effective on 1/17/16.

Seconded by Mr. Kennedy. Motion carried; 5-Ayes.

Mr. Showalter: John, do you know what they plan on doing? What are the modifications?

Mr. Bollenbach: They are planning to modify their Sections. They are planning to enable a model home to be built off their access drive rather than that long driveway to that large lot. I think that was for Section I. To modify that Section I would include a model home dwelling built right off Taylor Road which is the main access.

Mr. Astorino: That is something that is yet to be determined.

3. Email from Supervisor Sweeton, dated 12/28/15 in regards to proposed Local Law “Right To Farm” Town Board would appreciate any comments from the Planning Board.

Mr. Astorino: Ted, I know that you took a look at that and prepared some comments.

Mr. Fink: I did. I prepared a draft letter for the Board. We had talked about this at the Work Session. It seemed like there was support for the Local Law establishing the Right-to-Farm Policy. I stated that right up front in the draft letter. As I went through it, I just found a handful of things where either typographical errors or more significantly there was more of a potential conflict between this and the definition for agricultural activities and the definition of a commercial agricultural farm and the Zoning Law. Specifically the conflict that I had found was that if you were a commercial agricultural farm, in Zoning that would exclude the raising of “fur bearing animals” whereas the definition for agricultural activities in the Right-to-Farm Law would allow these “fur bearing animals” so that would have been something in conflict. I am suggesting that these 2 definitions be coordinated and that there would be some consideration on part of the Town Board to make them consistent.

Mr. Bollenbach: Just for some point of information under Ag & Markets that raising fur bearing animals is a permitted agricultural use.

Mr. Fink: So that would make the Zoning not in compliance with Ag & Markets.

Mr. Astorino: Ok. So we have this letter to the Town Board. We have all read it. Would someone make a motion to send this letter to the Town Board?

Ms. Little makes a motion to send the Local Law Establishing a Right-to-Farm Policy letter to the Town Board.

Seconded by Mr. Showalter. Motion carried; 5-Ayes.

4. Planning Board Minutes of 12/16/15 for PB Approval.

Mr. McConnell makes a motion to Approve the Planning Board Minutes of 12/16/15.

Seconded by Ms. Little. Motion carried; 5-Ayes.

5. Planning Board to discuss Canceling the 1/25/16 W.S. & 2/3/16 PB Meeting.

Mr. Showalter makes a motion to cancel the 1/25/16 W.S. & 2/3/16 PB Meeting.

Seconded by Ms. Little. Motion carried; 5-Ayes.

### **Correspondences:**

Mr. Astorino: Connie, do we have any correspondences this evening?

Connie Sardo: No.

**Privilege Of The Floor For Agenda Items!!**

Mr. Astorino: If there is anyone in the audience wishing to address any of the agenda items, please rise and state your name for the record.

Mr. Sweeton: I would like to thank the Planning Board for entertaining the former prison project. I know that you will do a great job with that. We are excited. I know it will be a great project for the area. You were involved in the whole initial phases of getting it started back with the subdivision. I just wanted to say how well you had done with that job. I look forward with this process also. The only clarification that I would like to have on the Right-to-Farm Law, the hearing is tomorrow. We plan to adopt it tomorrow. I don't want to go and have to change the Zoning Law right away. Should I change the Right-to-Farm Law to be in non-compliance with the Ag & Markets Law? Or, should we just let somebody come here who wants to raise fur bearing animals on their farm deal with that under the Zoning?

Mr. Bollenbach: We could change the Zoning later on.

Mr. Astorino: I would include it in the Right-to-Farm.

Mr. Bollenbach: I would include it just to be consistent with Ag & Markets.

Mr. Fink: Mike, what we had said in the letter was that the one that is in the Right-to-Farm Law is more of a comprehensive definition. The suggestion here is that would be a better definition.

Mr. Sweeton: If you could reference that in your letter to us for tomorrow, that would be helpful?

Mr. Fink: It states in the letter that the Town Board might want to consider amending the Zoning Law definition.

Mr. Bollenbach: Add in that letter "for some time in the future".

Mr. Astorino: It is in there. It is for the Town Board to make a determination.

Mr. Sweeton: Our Zoning Code is so far advanced for farming anyway. The Right-to-Farm Law wasn't necessarily a necessity for us. However, we have 3 farms that we are submitting to the next round of State Funding for PDR. It would help us with point evaluation to have one. I think it is the right time to do it. We hope to do it tomorrow evening.

Mr. Astorino: Ok. I think in my opinion with what is happening to the prison property is also an asset to the community as well as all of the tax payers that are sitting here. Anything that would help the tax payers, it would be a good thing. I entertain a motion to adjourn the Planning Board Meeting of January 20, 2016.

**Mr. McConnell makes a motion to adjourn the January 20, 2016 Planning Board Meeting.**

Seconded by Mr. Kennedy. Motion carried; 5-Ayes.