

TOWN OF WARWICK PLANNING BOARD

November 4, 2015

Members present: Chairman, Benjamin Astorino  
Roger Showalter, Vice-Chairman  
Dennis McConnell, Bo Kennedy,  
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, November 4, 2015 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.

**Review of Submitted Maps:**

***Black Bear Campground, Inc.***

Application for Site Plan Approval and Special Use Permit for the construction and use of an existing campground and its continued operation, situated on tax parcels S 8 B 2 L 27.14, 27.11, & 27.12; project located on the eastern side of Wheeler Road 6,000+/- feet south of State Route 17A, in the RU zone, of the Town of Warwick.

Representing the Applicant: Mike Sandor, Engineer. Frank Merrick, Applicant. Chris Kleister, Attorney.

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. Building Department: the following are open permits:
  - a. permit #15257 – shed and fence
  - b. permit #15258 – wells
  - c. permit #15546 – rebuild existing mobile home
  - d. permit #20776 – renovate bathroom and fence
  - e. permit #20838 – three sheds
  - f. permit #22853 – chain link fence around perimeter
  - g. permit #23874 – septic system A
  - h. permit #24092 – septic system B
7. Applicant to provide narrative of the project site history.
8. Applicant to provide, in tabular format on the plans, the setbacks at the time of the Planning Board approval of the 74 lots, current setbacks, amount and location(s) of recreational areas, number of permitted camp sites, etc.

9. Applicant to confirm that all rental units have been approved by the Building Department or if they are nonconforming structures §164-49.2.CC will apply (requiring the removal of all nonconforming structures no later than 18 months after October 08, 2015). Add a note to the plan stating this information.
10. Planning Board to determine if a site inspection is necessary. (Site Inspection conducted October 31, 2015).
11. ZBA variance(s) may be required; additional information is required before this can be determined.
12. The Applicant to clarify where the original 74 approved lots are located on the drawing and identify these lots by campsite number/letter in a note on the plan.
13. The location(s) of all sheds, garages, restrooms, laundries, buildings, and structures shall be identified on the plan.
14. It is noted that the Applicant owns three adjacent parcels: 8-2-27.14 is the campground; 8-2-11 and 8-2-12 are vacant residential parcels; 8-2-13 is a residential parcel with a cottage on it. The deed appears to describe all four parcels; Applicant to clarify.
15. The Applicant form is inconsistent with which parcels are owned by the Applicant; Applicant to clarify/update.
16. The acreage included in EAF, Part D.1.b(a) should be clarified. The campground parcel is 8-2-27.14, which contains 52.3 acres not the 54.6 acres shown in the EAF.
17. The water usage per day is included in the EAF, Part D.2.c.i and D.2.d.i as 12,576 gpd but the sum of the OCDOH approved septic systems is 12,375 gpd. Applicant to clarify/update.
18. EAF Part E.1.b does not appear to take into account the installation of the septic systems. Applicant to clarify status of the installation and update as necessary.
19. EAF Part E.2.o Applicant is waiting for response from NYSDEC about endangered/threatened species.
20. NYSDEC enviromapper must be submitted.
21. NWI Federal wetland map must be submitted.
22. FEMA floodplain map must be submitted.
23. Water supply system to be approved by OCDOH.
24. Clarification of the water and sewer main locations from OCDOH.
25. Swimming pool to be approved by OCDOH.
26. The appropriate Town of Warwick Standard notes must be added to the plan.
27. The plan is required to be submitted at a scale no less than 1" = 40'; the applicant has submitted 1' = 100'.
28. Sheet 1, Note 5 shows the bulk area requirements; Applicant to show the provided information.
29. Sheet 1, Note 5 shows the density as 13 sites/acre instead of 3 sites/acre; Applicant to revise plans.
30. Sheet 1, Note 5 states that there are 160 proposed campsites. The Town Code allows 3 sites/acre; for 52.3 acres, that amounts to 156.9 allowed campsites. Applicant to clarify the number of site proposed.
31. If the residential development rights for lots 8-2-11 and 8-2-12 are being used to increase the number of campsites, a note shall be added to the plan stating that no residential structures are allowed on these two lots.
32. The site plan shows an approximately 18-ft wide strip of land within the roadway. Applicant to clarify if this strip of land is being dedicated to the Town.
33. Applicant to show 2-ft topography on the plan.
34. Adjacent land owners within 300-ft must be shown on the plan, including Section, Block, and Lot.

35. The maximum/seasonal number of employees, maximum capacity (number of campsite), and hours of operation shall be added to the plan.
36. Applicant to show compliance with Warwick Town Code §164-49.2 Campgrounds Letters A to CC. These can be called out on the next cover letter as 36A, 36B, etc. Locate and add notes on the plan, as appropriate.
37. Existing septic system 1 is shown to be on two separate tax lots. Applicant to combine lots or provide an easement for maintenance.
38. There is a portion of the roadway network that goes there tax lot 8-2-27.11; Applicant to combine lots or provide an easement.
39. The setback line is shown incorrectly within tax lots 8-2-11 and 8-2-12 unless the Applicant to proposing to combine these lots. Applicant to clarify.
40. A surveyor seal/signature must be shown on the plan.
41. The limits of disturbance must be shown on the plan and the area of disturbance must be called out in a note.
42. The EAF states that there is some bedrock on site but the bedrock is not shown on the plan.
43. Existing fencing (location and height) does not appear to be shown on the plan; this information should be added to the plan.
44. Applicant shall demonstrate all signage is complaint with the Warwick Town Code (§164-43.1).
45. Applicant to show all traffic/directional signs on the map.
46. Applicant to clarify where the wastewater from the restroom, showers, and laundry facilities is treated.
47. Applicant to determine what overlay districts the property is within and then add those notes to the plan.
48. Any required declarations shall be noted on the plan.
49. Payment of any bonds required.
50. Payment of all fees.

The following comment submitted by the Conservation Board:

Black Bear Campground – None submitted.

The following comment submitted by the ARB:

Black Bear Campground – None submitted.

Comment #1: Planning Board to discuss SEQRA.

Mr. Fink: This application is an Unlisted Action under SEQRA. The Applicant has provided us with a Full EAF. I do have some comments on the EAF. Most of them relate to a request for clarification on some of the responses on questions that were asked. I put all of them into a Memo, dated 11/3/15 so that the Applicant can see what they are. Because it is an Unlisted Action, there are other agencies involved. One of them is the ZBA if there is a need for any variances identified. I don't know if there are any at this point. It is always safe to include them as far as the SEQRA review is concerned. The other Involved Agency is the OCHD. I have prepared a Resolution for the Board's consideration to establish the Intent To Be Lead Agency.

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

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

617.6  
**State Environmental Quality Review (SEQR)**  
**Resolution Establishing Intent to be Lead Agency**  
Unlisted Action Undergoing Coordinated Review

**Name of Action:** Black Bear Campground

**Whereas**, the Town of Warwick Planning Board is in receipt of a Site Plan/Special Use Permit application by Black Bear Campground for a ± 54.6 acre parcel of land located at 197 Wheeler Road, Town of Warwick, Orange County, New York; and

**Whereas**, an Environmental Assessment Form (EAF) dated 10/13/2015 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 not within an agricultural district and, therefore, the requirements of 6 NYCRR 617.6(a)(6) do not apply ; 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 Orange County Health Department and the Town Zoning Board of Appeals.

**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.

Mike Sandor: It is an existing campground known as the Black Bear Campground. It originally received a Site Plan and Special Use Permit back in 1979. I do have a copy of that original approval. That approved site plan consisted of 2 sheets. After that, a SPDES Permit was issued for 4 discharge locations throughout the campground. In years after that, another application was made to the DEC to increase the number of SPDES permit discharge locations up to 19. That was done in the year 2008. Around 3 or 4 years ago, we were requested to review again the locations of those outfalls. We embarked upon a dialogue with the NYSDEC to reevaluate and identify additional locations to consolidate some of those SPDES points of discharge. Working with the OCHD, we received plan approval roughly for 4 or 5 locations on the site for the final disposal of the effluent

which was generated on the site. The number of campgrounds on the site is 160. There is a discrepancy from the original approval which was 74 camp sites, which everybody understands. What we are here for is to make an application for the review of the 160 camp sites on this project. About two months ago, the Section of the Town Code was revised as it relates to campgrounds. What we will do, we will address that Section of the Code as well as comments from the Board and its consultants to hopefully resolve this issue as far as the number of sites on this particular property. The property is also served by a private water system, a transient system. I presented the Engineer with a letter that discusses that review from the OCHD. We are here to answer any questions and hopefully move the project along.

Comment #3: Conservation Board comments: pending

Comment #4: Architectural Review Board comments: pending

Comment #5: OCPD: pending

Connie Sardo: Laura, we recently received a letter from OCPL. Orange County Planning had no further comment on the project. They understand that they have been going through the OCHD.

Mr. Astorino: Could we have that provided for the Board?

Connie Sardo: Yes. I gave it to Laura.

Mr. Astorino: Thank you.

Comment #6: Building Department: the following are open permits:

- a. permit #15257 – shed and fence
- b. permit #15258 – wells
- c. permit #15546 – rebuild existing mobile home
- d. permit #20776 – renovate bathroom and fence
- e. permit #20838 – three sheds
- f. permit #22853 – chain link fence around perimeter
- g. permit #23874 – septic system A
- h. permit #24092 – septic system B

Mr. Astorino: These are all open permits that you have within the Town of Warwick Building Department. Is that correct?

Mike Sandor: Yes. I believe some of those open permits were discussed with the Building Inspector this past Saturday at the site visit. I could tell you that the Building Permit for septic system A, I provided the Town with a record drawing. Also the OCHD received a copy of that. That should close out Item G Permit #23874 – septic system A. Frank, do you want to go over any of these other open permits?

Chris Kleister: I believe that some of these permits were for work that wasn't done or never started.

Mr. Astorino: You are before the Planning Board now. As we go through the process, I would like to see these addressed as far as whether you are going to start a project or not start a project or close these out. As this application is going through, we want all of these tied up.

Mike Sandor: We will work with the Building Department on those items.

Frank Merrick: I answered them in writing to the Building Inspector. We discussed it on Saturday. Does he have to answer to you now?

Mr. Astorino: No. You will answer to us. I understand what you are doing with the Building Department. When we get through here and if you tell me the shed and fence is done or you are not going to do it, then that is fine. We would go back and review that.

Mike Sandor: We will work with the Building Department and get back to you.

Mr. Astorino: You are going to be back before us. As we go through this process, we want to know where it stands.

Chris Kleister: In essence, we have to get these permits closed out.

Mr. Astorino: You have to tell us where you are with these.

Chris Kleister: Right. We have to do what the Building Department wants. That would be either to have them be complete and inspected or tell them that we would not be doing the work. Then, we would provide the Board with our position on those items.

Mr. Astorino: Yes.

Laura Barca: Yes.

Chris Kleister: No problem.

Comment #7: Applicant to provide narrative of the project site history.

Mike Sandor: Yes.

Comment #8: Applicant to provide, in tabular format on the plans, the setbacks at the time of the Planning Board approval of the 74 lots, current setbacks, amount and location(s) of recreational areas, number of permitted camp sites, etc.

Chris Kleister: Ok.

Mr. McConnell: It says number of permitted campsites. It was answered in the line above that which says 74 lots. Are we asking there for the number that they are seeking the total of when they are all said and done? What does that indicate, the number of permitted camp sites?

Laura Barca: We are looking for a comparison of the 1979 approval of what the setbacks were and how many were approved. That way they could figure out where we stand with what was already approved, which lots were approved, which campsites were approved and how we are going to move from that to what they are currently proposing.

Mr. McConnell: As I understand it, the number of sites there doesn't jive with the Code.

Laura Barca: Correct.

Mr. McConnell: Somebody needs to raise that somewhere and make sure that is addressed.

Mr. Astorino: Let's go through the comments.

Mr. McConnell: Ok. I'm just hung up on the number of permitted campsites.

Mr. Astorino: I understand that. Let's go through the rest of these comments. Dennis, if it doesn't come up, then bring it up. But, I am sure it is in here.

Mr. McConnell: Ok.

Mr. Astorino: Basically what we are saying and we mentioned it at the Work Session, we want to know where those original 74 sites are. Dennis, I know you brought up a good point earlier. If you could put that on a Mylar form, we could overlay it with what was existing to what is there now. At least we would have a semblance of yes this is the 74 that was there, these are the ones that are going to be grandfathered. Then we would move on to the other ones.

Comment #9: Applicant to confirm that all rental units have been approved by the Building Department or if they are nonconforming structures §164-49.2.CC will apply (requiring the removal of all nonconforming structures no later than 18 months after October 08, 2015). Add a note to the plan stating this information.

Mike Sandor: Yes. We will address that.

Comment #10: Planning Board to determine if a site inspection is necessary. (Site Inspection conducted October 31, 2015).

Mr. McConnell: I think we said at the time, we reserve the right to go back.

Mr. Astorino: Right. We will mention it on the record now that if we do need to go back after a public hearing or before that or whenever the Board wants to, we will go back for another site visit.

Mr. McConnell: Once we get the additional documentation as to what the original approval looked like, we could go back.

Mr. Astorino: Yes. It is a pretty big site. We might require another site visit. Do any Board members or Professionals have any other comments about the site visit? We had discussed about the fence on the back where those lots are at the top. We didn't have a public hearing yet. We don't know what the issues are yet. But from looking at it, I will read it from the code; "*Fences or walls not over four feet in height may be erected anywhere on the lot, except as set forth in §164-41B(1) of this section, which limits visibility at intersections*". That Section of the Code does not apply to your project. "*Fences or walls with a height in excess of four feet shall conform to the requirements set forth herein for buildings*". Your fences are 4 feet out there. As of right now, that fence meets the Code. As we had discussed at the site visit, if the Planning Board wants mitigation done that we deem as necessary to put up a taller fence, as of right now as the Code reads, that fence would be 5 feet off the property line as in the Building Section a 6-foot tall fence we were talking about maybe screening it so that it is privacy fence so that people can't climb over it. It is way too early to tell. I just wanted to give you that. It will be your obligation if you want to go to the ZBA get a variance. That will be your call.

Chris Kleister: Is it the Board's position that if you require a new fence it would be held to a certain distance requirement?

Mr. Astorino: You would follow the Code that is set forth. If we require mitigation, I am not saying that we are. We haven't reached that far yet. I noticed when we were out there those sites were pretty close to a property line. It is a wooded property line. My personal opinion as of right now without hearing any public comment is that somebody could jump over that fence pretty easily from both ways. If we require a taller fence to meet the Code as the way it reads right now, it would be 5 feet off the property line on your property to erect that fence. We are getting way too far ahead of ourselves as far as if that would be required.

Chris Kleister: So there is no problem with the existing fence.

Mr. Astorino: No. That meets the Code.

Chris Kleister: If the Planning Board requires something more....

Mr. Astorino: That we would talk about at that time.

Chris Kleister: Ok.

Mr. McConnell: The existing fence Code as Ben had just read it, could have been erected right on the property line.

Chris Kleister: Ok. Understood.

Mr. Astorino: Maybe, we should have some kind of a signage on the fence stating "Do not climb Fence" or "Stay off fence". We could come up with something like that later on. That took care of those two issues. Does the Board or Professionals have any other questions about the site visit?

Frank Merrick: I have one question about the fence. Would that be the fence with the shielding or slats that you were saying to put in for the whole fence?

Mr. Astorino: We don't know that yet.

Mr. McConnell: That is yet to be determined.

Mr. Astorino: That is yet to be determined. We have yet to have a public hearing. We don't know yet.

Comment #11: ZBA variance(s) may be required; additional information is required before this can be determined.

Chris Kleister: Yes.

Comment #12: The Applicant to clarify where the original 74 approved lots are located on the drawing and identify these lots by campsite number/letter in a note on the plan.

Chris Kleister: No problem.

Mr. Astorino: We want to know the size, the location, and corresponding number. That way, when someone from the Building Department goes up there they could easily identify that this is Lot 17

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of the original 74. We could verify like Dennis had pointed out with a Mylar copy that our Engineer could lay it over and say yes that this is of the approved plan.

Comment #13: The location(s) of all sheds, garages, restrooms, laundries, buildings, and structures shall be identified on the plan.

Mike Sandor: Yes.

Comment #14: It is noted that the Applicant owns three adjacent parcels: 8-2-27.14 is the campground; 8-2-11 and 8-2-12 are vacant residential parcels; 8-2-13 is a residential parcel with a cottage on it. The deed appears to describe all four parcels; Applicant to clarify.

Chris Kleister: When you say clarify, clarifications as to what?

Laura Barca: There are 3 parcels that are included in the application. The one parcel that has the cottage on it is not included.

Chris Kleister: Ok.

Comment #15: The Applicant form is inconsistent with which parcels are owned by the Applicant; Applicant to clarify/update.

Chris Kleister: Ok.

Comment #16: The acreage included in EAF, Part D.1.b(a) should be clarified. The campground parcel is 8-2-27.14, which contains 52.3 acres not the 54.6 acres shown in the EAF.

Laura Barca: This again could relate to is the application the one big lot or the one lot and the two little lots. The answer would probably be in there somewhere.

Chris Kleister: Ok.

Comment #17: The water usage per day is included in the EAF, Part D.2.c.i and D.2.d.i as 12,576 gpd but the sum of the OCDOH approved septic systems is 12,375 gpd. Applicant to clarify/update.

Mike Sandor: That was a typo. We will fix that.

Comment #18: EAF Part E.1.b does not appear to take into account the installation of the septic systems. Applicant to clarify status of the installation and update as necessary.

Mike Sandor: We will describe that in the EAF.

Comment #19: EAF Part E.2.o Applicant is waiting for response from NYSDEC about endangered/threatened species.

Mike Sandor: We wrote to them. We are waiting to hear back from them.

Mr. Astorino: You have not received that yet.

Mike Sandor: Right.

Comment #20: NYSDEC enviromapper must be submitted.

Mike Sandor: We will provide that.

Comment #21: NWI Federal wetland map must be submitted.

Mike Sandor: We will provide that.

Comment #22: FEMA floodplain map must be submitted.

Mike Sandor: Yes.

Comment #23: Water supply system to be approved by OCDOH.

Mike Sandor: Yes. I have a letter. I gave that to the Engineer.

Comment #24: Clarification of the water and sewer main locations from OCDOH.

Mike Sandor: That is the approval that we received from that agency.

Laura Barca: Right. We can keep that comment for now until I receive a call back from the Health Department.

Comment #25: Swimming pool to be approved by OCDOH.

Mike Sandor: They are. We will get that to you.

Laura Barca: Provide us with documentation.

Mike Sandor: Ok. Frank, you have that.

Mr. Astorino: Provide that.

Mr. McConnell: Does that include the source of the water in filling it and draining it?

Laura Barca: I do not know the answer to that until I see the documents.

Mike Sandor: Yes. It is. It is part of the withdrawal for the water as well as the filters, backwash, and the disposal.

Mr. Astorino: Without it, we cannot verify that.

Mike Sandor: Right.

Mr. Astorino: We need that in order to verify it.

Mr. McConnell: Do you drain that through the septic system?

Frank Merrick: It has its own approved leach field.

Mike Sandor: It has its own discharge.

Mr. Astorino: Provide documentation on that for Laura's review.

Mike Sandor: Ok.

Comment #26: The appropriate Town of Warwick Standard notes must be added to the plan.

Mike Sandor: Is that in the Code?

Laura Barca: Yes. It is on the website.

Comment #27: The plan is required to be submitted at a scale no less than 1" = 40'; the applicant has submitted 1" = 100'.

Mike Sandor: We will provide additional sheets with details.

Comment #28: Sheet 1, Note 5 shows the bulk area requirements; Applicant to show the provided information.

Mike Sandor: Will do.

Comment #29: Sheet 1, Note 5 shows the density as 13 sites/acre instead of 3 sites/acre; Applicant to revise plans.

Mike Sandor: That is correct.

Comment #30: Sheet 1, Note 5 states that there are 160 proposed campsites. The Town Code allows 3 sites/acre; for 52.3 acres, that amounts to 156.9 allowed campsites. Applicant to clarify the number of site proposed.

Mike Sandor: That goes back to the additional lots in which we will include.

Comment #31: If the residential development rights for lots 8-2-11 and 8-2-12 are being used to increase the number of campsites, a note shall be added to the plan stating that no residential structures are allowed on these two lots.

Mike Sandor: Yes.

Comment #32: The site plan shows an approximately 18-ft wide strip of land within the roadway. Applicant to clarify if this strip of land is being dedicated to the Town.

Mike Sandor: I will have to research that with the surveyor.

Comment #33: Applicant to show 2-ft topography on the plan.

Mike Sandor: Yes.

Comment #34: Adjacent land owners within 300-ft must be shown on the plan, including Section, Block, and Lot.

Mike Sandor: Yes.

Comment #35: The maximum/seasonal number of employees, maximum capacity (number of campsites), and hours of operation shall be added to the plan.

Mike Sandor: Yes.

Comment #36: Applicant to show compliance with Warwick Town Code §164-49.2 Campgrounds Letters A to CC. These can be called out on the next cover letter as 36A, 36B, etc. Locate and add notes on the plan, as appropriate.

Mike Sandor: Yes.

Comment #37: Existing septic system 1 is shown to be on two separate tax lots. Applicant to combine lots or provide an easement for maintenance.

Mike Sandor: We will review that.

Comment #38: There is a portion of the roadway network that goes through tax lot 8-2-27.11; Applicant to combine lots or provide an easement.

Mike Sandor: We will provide that.

Mr. Bollenbach: It goes through a tax lot?

Mike Sandor: Yes.

Chris Kleister: I understand that the Board raised an issue with regards to the road that goes across the one lot. We would have no problem if that property ever transfers to create an easement. The issue is that at this time we can't create an easement because we own it. Obviously, we cannot create an easement with the benefit of ourselves.

Mr. Bollenbach: It is to benefit future lot owners?

Chris Kleister: We own all of them.

Mr. Bollenbach: I know that. You would have to combine them or provide some kind of documentation.

Mr. Astorino: You will need to work on that with our Attorney.

Chris Kleister: No problem. Yes.

Comment #39: The setback line is shown incorrectly within tax lots 8-2-11 and 8-2-12 unless the Applicant to proposing to combine these lots. Applicant to clarify.

Mike Sandor: Yes.

Comment #40: A surveyor seal/signature must be shown on the plan.

Mike Sandor: Yes. We will get that.

Comment #41: The limits of disturbance must be shown on the plan and the area of disturbance must be called out in a note.

Mike Sandor: Will do.

Comment #42: The EAF states that there is some bedrock on site but the bedrock is not shown on the plan.

Mike Sandor: We will identify that.

Comment #43: Existing fencing (location and height) does not appear to be shown on the plan; this information should be added to the plan.

Mike Sandor: We will add that.

Comment #44: Applicant shall demonstrate all signage is compliant with the Warwick Town Code (§164-43.1).

Mike Sandor: Will do.

Comment #45: Applicant to show all traffic/directional signs on the map.

Mike Sandor: Will do.

Comment #46: Applicant to clarify where the wastewater from the restroom, showers, and laundry facilities is treated.

Mike Sandor: That will be shown on the detail map.

Comment #47: Applicant to determine what overlay districts the property is within and then add those notes to the plan.

Mike Sandor: Will do.

Comment #48: Any required declarations shall be noted on the plan.

Mike Sandor: Yes.

Comment #49: Payment of any bonds required.

Mike Sandor: If there are bonds required, we will pay them.

Comment #50: Payment of all fees.

Chris Kleister: Yes. We will pay all fees.

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

Mr. McConnell: I don't see anything here about the new Code provisions requiring two means of access for ingress and egress.

Mr. Bollenbach: That is on letters A through CC, I believe. That is stated in Comment #36.

Mr. McConnell: Ok. Thank you John.

Mike Sandor: I drafted a letter to the Emergency Services. Laura, I will hand that to you.

Laura Barca: Ok.

Mike Sandor: I do want to change one of the sentences. I will talk to you about that tomorrow.

Laura Barca: Ok.

Mr. Astorino: Laura, maybe you could do a letter to the County DPW on the entrance?

Laura Barca: Are you saying to refer it to them?

Mr. Astorino: I think it would be a good idea.

Mr. Bollenbach: Yes. It is a County road.

Laura Barca: Ok.

Mike Sandor: That would be a very good idea. The County wants to get involved very early on all of these projects with all of the Towns.

Mr. Astorino: I would like to have them involved.

Mike Sandor: Yes.

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

Mr. McConnell: Do you presently have electric at the tent sites?

Frank Merrick: We do not have tent sites, but all sites do have electric.

Mr. McConnell: Ok. This comes up in the Code. I don't know how the campsite deals with the issue of guests. If you have somebody staying there by your present rules, are they permitted to allow a visitor to come and use the swimming pool with them or so on? I noticed that the Code seems to prohibit that. What is your present policy?

Frank Merrick: We let the immediate family come.

Mr. McConnell: In the Code, it says for campground guests only.

Frank Merrick: If a Mother, Father or Grandfather comes in and their children come, they would pay a guest fee.

Mr. McConnell: Ok. That is how you deal with it. You would charge them a fee making them a guest.

Mr. Bollenbach: Frank, maybe you could provide us with your standard rules and regulations that you have for your campground. That would help the Board be a little better informed.

Frank Merrick: Yes.

Mr. Astorino: Ok. You have a laundry list of items to work on.

Chris Kleister: Yes.

Mr. Astorino: Once you start rattling that through and resubmit, you would then come back to another Work Session. We will then get you back on for a meeting. We would then move on from there.

Mike Sandor: We are probably looking at into January on addressing all of these comments.

Mr. Astorino: Ok.

Mike Sandor: Thank you.

Chris Kleister: Thank you.

Frank Merrick: Thank you.

**Other Considerations:**

1. Planning Board Minutes of 10/7/15 for PB Approval.

Mr. Kennedy makes a motion to Approve the Planning Board Minutes of 10/7/15.

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

2. Planning Board to discuss Cancelling the 11/9/15-Work Session & 11/18/15-PB Meeting.

Mr. Kennedy makes a motion to cancel the 11/9/15-Work Session & 11/18/15-PB Meeting.

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

3. **Wheeler Road Estates** – Letter from Anthony Trochiano, P&P Engineering, dated 10/5/15 addressed to the Planning Board in regards to the Wheeler Road Estates subdivision – requesting 20<sup>th</sup> 6-Month Extension on Preliminary Approval of a proposed 31-Lot Cluster subdivision + 3-Affordable Homes, situated on tax parcel SBL #8-2-44.223; parcel located along the northerly side of Wheeler Road (C.R. 41) at the intersection with Dussenbury Drive, in the SL zone, of the Town of Warwick. Preliminary Approval was granted on 11/2/05. *The Applicant has stated that they are working to resolve outstanding SEQRA items.* The 20<sup>th</sup> 6-Month Extension becomes effective on 11/2/15.

Mr. McConnell: John, do we have any idea what the outstanding SEQRA issues are?

Connie Sardo: When they came back before the Board earlier this year, there were issues with the Health Department with water and they wanted to knock them down on some lots.

Mr. Astorino: Yes. I believe there were also stormwater issues.

Mr. Bollenbach: Yes. There were stormwater issues and delineation of wetlands.

Mr. Astorino: Yes. A lot has changed over those years.

Mr. McConnell: Ok.

Mr. McConnell makes a motion on the Wheeler Road Estates application, granting a 20<sup>th</sup> 6-Month Extension on Preliminary Approval of a proposed 31-Lot Cluster subdivision + 3-Affordable, SBL # 8-2-44.223. Preliminary Approval was granted on, 11/2/05.

The 20<sup>th</sup> 6-Month Extension becomes effective on, 11/2/15.

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

4. **Mongelluzzo Subdivision** – Letter from Kirk Rother, P.E., dated 10/14/15 addressed to the Planning Board in regards to the Mongelluzzo Subdivision – requesting ***Re-Approval*** of Final Approval of a proposed 2-Lot Cluster subdivision, situated on tax parcel SBL#31-2-44.32; parcel located on the southeasterly side of Ackerman Road 1200± feet off the intersection of Kings Highway (C.R. 13), in the RU zone, of the Town of Warwick. Conditional Final Approval was granted on 11/5/14. *The Applicant has stated that they are in the process of satisfying the conditions of the approval.* Re-Approval of Final Approval becomes effective on 11/5/15.

Mr. McConnell makes a motion on the Mongelluzzo Subdivision, granting ***“Re-Approval”*** of Final Approval of a proposed 2-Lot Cluster subdivision, situated on tax parcel S 31 B 2 L 44.32; parcel located on the southeasterly side of Ackerman Road 1200± feet off the intersection of Kings Highway (C.R. 13), in the RU zone, of the Town of Warwick, County of Orange, State of New York, subject to the conditions of Final Approval granted on 11/5/14. (See attached)

The Re-Approval of Final Approval becomes effective on 11/5/15, subject to the conditions of Final Approval granted on 11/5/14.

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

### **Correspondences:**

Mr. Astorino: We do have one correspondence. We have a Memo from Greenplan addressed to the Planning Board, dated 11/3/15 in regards to the Black Bear Campground. Connie, do we have any other 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. Let the record show no public comment.

**Mr. McConnell makes a motion to adjourn the November 4, 2015 Planning Board Meeting.**

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