

PLEASE TAKE NOTICE that the Town of Warwick will be holding a Public Hearing on Thursday, October 13, 2016 at 7:00P.M. at the Town Hall, 132 Kings Highway, Warwick, NY consider amendments to Chapter 164 of the Town Code entitled "Zoning".

All interested persons will be given the opportunity to be heard.

DATED: September 14, 2016

**BY ORDER OF THE TOWN
BOARD OF THE TOWN OF WARWICK
EILEEN ASTORINO
TOWN CLERK**

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

TOWN OF WARWICK
LOCAL LAW NO. 4 OF 2016
A LOCAL LAW TO AMEND THE ZONING LAW

BE IT ENACTED by the Town Board of the Town of Warwick as follows:

Section 1. Legislative intent.

This local law amends Chapter 164 of the Town Code to provide amendments to the Town's Zoning Regulations governing historic resources, solar energy, agriculture, fences, bulk requirements, special permit uses, the zoning designations for two parcels of land, campgrounds, and previously approved applications. The amendments are proposed to address land use issues identified by the Town's Planning, Engineering, and Building departments. The Planning Board is to be authorized by the amendments to modify bulk requirements in cases where the preservation of a historic resource is involved. The amendments are proposed to begin implementation of the Town's adopted 2016 Comprehensive Plan Update as well as the adopted 2008 Comprehensive Plan.

Section 2. Severability.

The invalidity of any word, section, clause, paragraph, sentence, part or provision of this Local Law shall not affect the validity of any other part of this Local Law, which can be given effect without such part or parts.

Section 3. Terms defined

Section 164-22 of the Zoning Law entitled "Terms defined" is hereby amended by replacing the definitions for "RECREATIONAL VEHICLE" and "SOLAR ENERGY SYSTEM, LARGE-SCALE" with new definitions as follows:

RECREATIONAL VEHICLE — A vehicular camping unit primarily designed as temporary living quarters for recreational, camping, travel or seasonal use that either has its own motive power or is mounted on or towed by another vehicle. Recreational vehicles include, but are not limited to, camping trailers, fifth wheel trailers, travel trailers, and truck campers.

SOLAR ENERGY SYSTEM, LARGE-SCALE — An active solar energy system that occupies 40,000 square feet or more of surface area and produces energy primarily for the purpose of off-site consumption.

Section 4. Zoning Map

Section 164-32 of the Zoning Law entitled “Zoning Map” is hereby amended by adding a new parcel to the Agricultural Protection Overlay (AP-O) District Qualifying Area as follows:

TAX MAP #(S)	OWNER	ADDRESS
Section 31 Block 2 Lot 91.2	Kurt Emmerich, Karen Emmerich	101 Sleepy Valley Rd.

Section 164-32 of the Zoning Law entitled “Zoning Map” is hereby amended by re-designating a parcel in the Rural (RU) Zoning District with a new designation in the Agricultural Industry (AI) Zoning District as follows:

TAX MAP #(S)	OWNER	ADDRESS
Section 6 Block 2 Lot 85	Albert Pawliczek	41 Schefflers Rd., Westtown NY

Section 5. General Regulations

Section 164-40.G of the Zoning Law entitled “Table of Use Requirements” is hereby amended by replacing Row 41 with a new Row 41 as follows:

Business Uses	AI	RU	MT	CO	SL	SM	TN-O■	O!★	LB■	DS●■	SH-F	LC	CB
41. Hotels and motels, health spas, health resorts, and tourist homes		S (j) (103)	S (j) (103)	S (j) (103)	S (j) (103)			S (j) (53) (81) (97) (103) (124) (127) (131- 137) (145)					

Section 164-40.G of the Zoning Law entitled “Table of Use Requirements” is hereby amended by replacing Row 63 with a new Row 63 as follows:

Business Uses	AI	RU	MT	CO	SL	SM	TN-O■	OI★	LB■	DS◆■	SH-F	LC	CB
63. Large-Scale Solar Energy Installations	S (ll) (53) (81) (97) (124) (127) (131-137) (145) (154)	S (w) (53) (81) (97) (127) (154)						S (xx) (53) (81) (97) (124) (127) (131-137) (145) (154)					

Section 164-40.N of the Zoning Law entitled “Table of Bulk Requirements” is hereby amended by replacing row “N” as follows:

Use Group	Minimum Required										Maximum Permitted			
	Lot Area (acres)	Lot Area per Dwelling Unit (square feet)	Lot Width ⁹ (Feet)	Lot Depth ⁷ (feet)	Front Setback (feet)	Rear Setback (feet)	Side Setback (feet)	Both Side Setback (feet)	Yards Adjacent to Special Areas ⁸	Livable Floor Area per Dwelling Unit (Square feet)	Floor Area Ratio	Lot Coverage (percent)	Building Height (feet)	Building Height (stories)
n ¹⁰	45	15,000	100	100	30	30	18	45	200 (100)	600		30%	35	3

Section 6. Supplementary regulations for residence districts

Section 164-41 of the Zoning Law entitled “Supplementary regulations for residence districts” is hereby amended by replacing Paragraph C(4)(f) with a new Paragraph C(4)(f) as follows:

- (f) Fences or walls not over four feet in height may be erected anywhere on the lot, except as set forth in section 164-41B(1) of this section, which limits visibility at intersections. Fences or walls with a height in excess of six feet shall conform to the requirements set forth herein for buildings. Fences or walls not over six feet in height may be erected anywhere on the lot, provided that the fence or wall is beyond the required front yard setback. Paved terraces, steps and walks (other than those needed for access to the building lot) shall not project within 15 feet of a street or four feet of a property line.

Section 7. Conservation density subdivisions

Section 164-41.2 of the Zoning Law entitled “Conservation density subdivisions” is hereby amended by replacing Paragraph A with a new Paragraph A as follows:

- (A) Purpose. Conservation density subdivisions encourage the preservation of large tracts of open space by affording flexibility to landowners in road layout and design. Such subdivisions preserve open space by creating lots that average at least two times the minimum size required in the zoning district. This lower density is maintained in perpetuity through the use of permanent conservation easements and other legally binding instruments, as described in

§§ 164-41.1.J, K, and L and running with the land. To encourage the establishment of these permanent low densities, the Planning Board may reduce road frontage requirements and may allow common driveways built to the specifications shown in Subsection K below. In order to approve a conservation density subdivision, the Planning Board must find that the proposed subdivision will maintain or enhance the rural quality of the area and will meet all of the requirements and conditions of this section and such other conditions as the Planning Board deems appropriate under the particular circumstances. Conservation density subdivisions are subject to the open development area requirements of § 280-a of the New York State Town Law.

Section 8. Supplementary regulations for nonresidential districts

Section 164-42.G of the Zoning Law entitled "Large-scale solar energy installations" is hereby amended by replacing Subsection 164-42.G(1) with a new Subsection 164-42.G(1) as follows:

- (1) Large-scale solar energy installations are subject to the use requirements of § 164-40M, No. 63, of the Zoning Law.

Section 164-42.G of the Zoning Law entitled "Large-scale solar energy installations" is hereby amended by adding a new Subsection 164-42.G(9) as follows:

- (9) Large-scale solar energy installations are considered abandoned after 180 days without electrical energy generation and must be removed from the property. To ensure the proper removal of Large-scale solar energy installations, a Decommissioning Plan shall be submitted as part of the application. Compliance with this Plan shall be a condition of the issuance of a special use permit under this Section. The Decommissioning Plan must specify that after the Large-scale solar energy installation can no longer be used, it shall be removed by the applicant or any subsequent owner. The Plan shall demonstrate how the removal of all infrastructure and the remediation of soil and vegetation shall be conducted to return the parcel to its original state, prior to construction. The Plan shall also include an expected timeline for execution. A cost estimate detailing the projected cost of executing the Decommissioning Plan shall be prepared by a licensed professional engineer. Cost estimations shall take into account inflation. Removal of Large-scale solar energy installations must be completed in accordance with the Decommissioning Plan. If the Large-scale solar energy installation is not decommissioned after being considered abandoned, the Town may remove the system, restore the property and impose a lien on the property to cover the costs or such removal and restoration to the Town.

Section 9. Special uses in historic structures.

Section 164-43.3 of the Zoning Law entitled "Special uses in historic structures." is hereby amended by replacing the entire Section 164-43.3 with a new Section 164-43.3 entitled "Preservation of Historic Structures." as follows:

§ 164-43.3. Preservation of Historic Structures

A. Purposes. Historic preservation is the physical and visual conservation of history. When historic structures and places are preserved, residents are able to experience the buildings and environments in which earlier generations lived. The Town of Warwick specifically finds that many of these vital and irreplaceable historic resources have been afforded recognition, but not protection, through their eligibility or placement on the National and/or State Registers of Historic Places or through their inclusion in the Town of Warwick Historic Resource Inventory. The Town of Warwick has an obligation to respect these community resources and to preserve them for future generations.

Historic preservation can also strengthen Warwick's future. The continued presence of historic buildings in the Town helps create vibrant cultural facilities that draw both tourists as well as new investments in the community, bringing about new revenue sources for the Town and economic growth for the community. Historic preservation also conserves natural resources. Restoration and redevelopment of existing buildings consumes less energy than demolition and new construction and it places a value on the use of past energy investments. Establishing Preservation of Historic Structures provisions in the Town Zoning Law address the following findings:

- (1) Studies conducted throughout the United States that have analyzed the economic benefits of historic preservation on property values, have consistently reported that properties in historic districts appreciate significantly faster than comparable properties not located in historic districts.
- (2) Economic activity invested in historic preservation has provided millions of dollars worth of sales and wages, supporting thousands of jobs.
- (3) Historic preservation promotes the general health, safety and welfare of the community by recognizing and protecting the integrity of historic resources in Warwick.
- (4) A clear process in which proposed land use changes affecting historic resources are reviewed and approved is necessary in order to accomplish the goals of the Town Comprehensive Plan.
- (5) To discourage the unnecessary demolition of historic resources, it is important to establish clear procedures in the Town Building Department so that alternatives can be evaluated.

- (6) To encourage historic preservation in the community, it is necessary to provide incentives for the continued use of historic resources and to facilitate their appropriate reuse.
- (7) Article XIV of the New York State Constitution establishes a State policy of preserving historic and aesthetic resources.

B. Applicability.

- (1) Historic Resource Inventory. The provisions of this chapter shall apply to Designated Historic Resources in Warwick, which shall constitute the Town of Warwick Historic Resource Inventory. Designated Historic Resources consist of the following:
 - (a) Any building, structure, or site listed on the National and/or State Register of Historic Places (Class 1);
 - (b) Any building, structure, or site that is eligible for the National and/or State Register of Historic Places as determined by the State Historic Preservation Officer and/or through inclusion in the Statewide Historic Resources Survey (Class 2);
 - (c) Any building, structure, or site that has been surveyed as an historic resource by the New York State Office of Parks Recreation and Historic Preservation including those listed in Appendix B of the Town of Warwick Comprehensive Plan, adopted August 19, 1999 and as amended from time to time (Class 2);
 - (d) Any building, structure, or site that is designated an historic building, structure or site by the Town Board upon recommendation of the Architectural Review Board after consultation with the Town Historian/Deputy Town Historian (Class 2).
 - (e) Additional buildings, structures or sites shall be eligible for designation as an historic resource upon application to the Town Board and upon recommendation of the Architectural Review Board in consultation with the Town Historian/Deputy Town Historian (Class 2).
- (2) Revisions to Historic Resource Inventory. Based on the criteria set forth in this Section, the Town of Warwick Historic Resource Inventory may be revised from time to time by legislative action of the Town Board following a public hearing, at which time the proposed changes shall be presented. Revisions may include additions or deletions to the Inventory or changes in the classification of such resources.
 - (a) Any proposed revision to the Historic Resource Inventory shall first be referred to, or proposed by, the Architectural Review Board, which shall submit a written recommendation to the Town Board. Routine Inventory maintenance or updating of information regarding individual resources included in the Inventory shall not be considered revisions for the purposes of this Section.

- (b) A resource shall be designated Class 1 (and to the Inventory if not already included) if it is found to meet the criteria for Class 1 (i.e., National and/or State Register listing or eligibility).
- (c) A resource shall be recommended for removal from Class 1 if it no longer meets the criteria for Class 1 (i.e., National and/or State Register listing or eligibility) in consultation with the Town Historian/Deputy Town Historian.
- (d) A resource shall be added to Class 2 (and to the Historic Resource Inventory if not already included) if it is found to meet the general definitional criteria for a Designated Historic Resource set forth in § 164-43.3.B.(2)(h).
- (e) A resource shall be recommended for removal from the Historic Resource Inventory if it does not currently meet the general definitional criteria set forth in § 164-43.3.B.(2)(h) below or is not deemed by the Architectural Review Board, Town Historian/Deputy Town Historian or Town Board to be of similar significance based on documentary evidence received by the Architectural Review Board.
- (f) Unless a resource is proposed for addition to or deletion from the Inventory or for reclassification by the owner(s) of the property upon which the resource is located, such owners(s) shall be notified upon receipt of a proposal affecting their property and shall be invited to respond to such proposal at or prior to the public hearing. The owner(s) of any property(ies) which are the subject of any such proposed legislative action shall be given written notice of the Architectural Review Board's recommendation to the Town Board at least ten (10) days prior to the public hearing.
- (g) Amendments, as needed, shall conform to all procedural requirements for an amendment to the Zoning Law.
- (h) The following general definitional criteria shall be considered when determining whether a resource should or should not be included on the Historic Resource Inventory or should be reclassified:
 - (1) Resources uniquely associated with historic events or persons that have made a significant contribution to local, state, or national history, culture and development.
 - (2) Resources of significant character, interest, or value as part of the historical, archaeological, architectural, economic, social, or cultural heritage of Warwick, Orange County, New York State, or the Nation.
 - (3) Resources possessing distinctive characteristics of an architectural style, type, specimen, period, method of construction, or innovation of design, or that exhibit a high degree of original architectural integrity from a recognized historical period.

- (4) Resources identified as the work of an outstanding architect or master builder.
- (5) Resources with a relationship to distinctive areas, buildings or structures that are eligible for preservation.

C. Special provisions for properties designated as a Class 1 historic resource.

- (1) Additional use opportunities. Subject to obtaining special use permit approval from the Planning Board in accordance with § 164-46.J of the Zoning Law, as well as the requirements and procedures set forth in this § 164-43.3, additional use opportunities may be permitted on properties designated as a Class 1 historic resource. The following use opportunities listed in Subsections (a) through (m) may be available as a principal or accessory use in addition to, or in place of, any current use of the property or use permitted in the Zoning district. Where such uses are already permitted by-right or by special use permit in the Zoning district, they shall not be subject to the provisions of this § 164-43.3, but shall meet all other applicable requirements of the Zoning Law. However, if the use is proposed in addition to a principal use already on the property (i.e., a second principal use), or is otherwise not permitted in the Zoning district, such use shall be subject to the provisions of this § 164-43.3.
 - (a) Tourist Home (Bed & Breakfast), subject to the provisions of § 164-46.J(103).
 - (b) Business and Professional Offices employing not more than five (5) persons.
 - (c) Art and craft studios employing not more than three (3) persons. Where instructional classes are provided, the use shall be limited to one (1) class at a time with not more than five (5) students in the class and not more than two (2) instructors.
 - (d) Art galleries of five thousand (5,000) square feet or less of gross leasable floor area.
 - (e) Antique shop, rare book, and coin or stamp shops of fifteen hundred (1,500) square feet or less of gross leasable floor area.
 - (f) Multifamily residential use in single-family districts, but not to exceed four units within the principal residential structure, contingent on the continuing residency of the owner of the building within one of the dwelling units.
 - (g) Conversion of a nonresidential structure to a residential use, in any Zoning district, subject to the provisions of § 164-46.J(53) and (145) and not to exceed four (4) dwelling units within one structure.
 - (h) Eating and drinking places but excluding drive-in restaurants and fast food restaurants.
 - (i) Repair services including small scale uses such as small appliances, watches, household furnishings, shoes, bicycles, locks, but shall not include automobile, truck, motorcycle,

or lawnmower repair, and shall be limited to one (1) employee per five hundred (500) square feet of gross leasable floor area devoted to this repair service use, up to a maximum of fifteen hundred (1,500) square feet.

- (j) Conference center as a principal use in Class 1 historic resources only, where located on tracts exceeding 10 acres and subject to the provisions of § 164-46.J.(53) and (138)(g).
 - (k) Customary accessory uses to any permitted principal use.
 - (l) Institutions of higher learning, public libraries, museums, state-accredited private schools of five thousand (5,000) square feet or less of gross leasable area.
 - (m) A combination of two or more of the above uses in the same structure.
- (2) Modification to the Table of Bulk Requirements. The Planning Board, through the granting of a special use permit, is authorized to approve requested modifications to applicable lot area, lot width, or yard requirements or any other applicable area and bulk requirements or design standards otherwise applicable in the zoning district for plans affecting Class 1 historic resources, in accordance with the provisions of § 164-46.J of the Zoning Law and the requirements and procedures for special use permit approval of this Section. In all cases, such modifications may be permitted to reduce otherwise applicable requirements to the minimum degree necessary to accommodate proposed plans, and to allow for the preservation and rehabilitation and/or reuse of the historic resource. For residential lots, where a historic resource exists on a site that is to be subdivided or developed, there shall be included a lot area of sufficient size to preserve those portions and features of the historic resource which are historically and architecturally significant.
- (3) Requirements for special use permit approval. In addition to the special use permit standards and provisions set forth in this § 164-43.3 and in § 164-46.J, the following requirements shall apply where additional use opportunities and/or modification to applicable area and bulk regulations for historic resources are permitted:
- (a) The modification shall have the effect of encouraging the continued protection or reuse of the historic resource.
 - (b) The approval of the special use permit is deemed by the Planning Board to be necessary for the preservation of the historic resource.
 - (c) The approval of the special use permit is deemed by the Planning Board to have no significant adverse impact on adjoining properties, as determined through the SEQOR review process.
 - (d) Where plans involving historic resources under this § 164-43.3 result in all or portions of any such resource remaining unoccupied, the Town of Warwick may require that

such unoccupied resource shall be tightly sealed and barred off in a manner not jeopardizing historical integrity, and the utilities turned off for safety.

- (e) In granting special use permit approval in accordance with this § 164-43.3, the Planning Board shall be satisfied that adequate water supply and sewage disposal can be provided for all permitted uses.
 - (f) In granting a special use permit approval in accordance with this § 164-43.3, the Planning Board may require as a condition of approval the establishment of a façade easement, conservation easement, historic conservation easement, or other means to guarantee permanent protection of the historical integrity of the subject resource.
 - (g) Except where clearly detrimental to the historical integrity and where public health, safety, and welfare are otherwise adequately provided for, all other applicable standards contained in this Zoning Law shall be complied with, including, but not limited to, requirements for buffering, landscaping, lighting, storage, loading, parking, noise, and signage.
 - (h) The Architectural Review Board in consultation with the Town Historian/Deputy Town Historian shall review all requests for special use permit approval regarding historic resources related to requested area and bulk modifications and evaluate whether the requested modifications are necessary for the preservation, and are compatible with maintaining the historical integrity of the historic resource. Recommendations shall be in a written report to the Planning Board in accordance with Chapter 5, Section 6 of the Town Code.
 - (i) Plans involving any rehabilitation, alteration, or enlargement of a Designated Historic Resource proposed as part of the special use permit application shall use as a guideline the Secretary of the Interior's Standards for Rehabilitation of Historic Properties, as follows. Such plans shall be reviewed by the Architectural Review Board in consultation with the Town Historian/Deputy Town Historian, which shall submit a written review to the Planning Board, and the plans submitted shall be in sufficient detail to allow a determination of their compliance with the Standards below. In approving the special use permit, the Planning Board may set reasonable conditions requiring compliance with the Secretary of the Interior's Standards for Rehabilitation, as applicable.
- (1) A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
 - (a) The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

- (b) Each property shall be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
 - (c) Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
 - (d) Distinctive features, finishes and construction techniques or examples of craftsmanship that characterize an historic property shall be preserved.
 - (e) Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture and other visual qualities to the greatest extent practicable and, where possible, shall be substantiated by documentary physical or pictorial evidence.
 - (f) Chemical or physical treatments, such as sandblasting, that can cause damage to historic materials, shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
 - (g) Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken in consultation with the New York State Office of Parks Recreation and Historic Preservation or other similar historic preservation authority.
 - (h) New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale and architectural features to protect the historic integrity of the property and its environment.
 - (i) New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
- (4) Application procedures for special use permit approval regarding Class 1 historic resources:
- (a) An applicant seeking special use permit approval regarding a historic resource shall submit the appropriate application to the Town Planning Department pursuant to § 164-46.C. The application shall include, in addition to that which is required under § 164-46.C, where relevant, the following:
 - (1) A detailed depiction of the proposed use(s).

- (2) Any physical changes proposed for the affected historic resources(s) and their surrounding context.
 - (3) Any proposed modifications to the otherwise applicable area and bulk regulations.
- (b) Upon receipt by the Planning Department, the complete application shall be forwarded to the Architectural Review Board in consultation with the Town Historian/Deputy Town Historian and Planning Board. Upon receipt of a complete application by the Planning Board, the Architectural Review Board and Planning Board shall, at a regular or special meeting, review the application for special use permit approval prior to the required public hearing. The applicant will be notified of such meetings at least ten (10) days prior to the scheduled dates and shall have the opportunity to present reasons for filing the application. In reviewing the application the following shall be considered as well as the requirements of this Section.
- (1) In reviewing the application, the Architectural Review Board shall consider:
 - (a) Regarding proposed requested modification of area and bulk, the Architectural Review Board shall evaluate whether the proposed modifications are necessary to preserve the affected historic resources(s).
 - (b) Where the application involves physical changes to historic resources and /or the surrounding context, the Architectural Review Board shall review the proposed changes and make recommendations as to their appropriateness.
 - (2) The Planning Board shall review the application under the State Environmental Quality Review Act, assuming that it has been duly designated Lead Agency for purposes of such SEQR review.
 - (c) Recommendations, if any, of the Architectural Review Board shall be in a written report to the Planning Board and shall include any suggestions for specific changes to proposed plans. If no recommendation is submitted to the Planning Board by the date of the public hearing to consider the application, then it shall be considered that the Architectural Review Board recommends approval of the application.
 - (d) The Planning Board, after review by the Town Historian, shall act on the special use permit application in accordance with the provisions of § 164-46 of the Zoning Law.

D. Demolition of Class 1 historic resources

- (1) No Class 1 Designated Historic Resource shall be demolished, in whole or in part, whether deliberately or by neglect, including removal or stripping of any historically or architecturally significant exterior or interior features, unless a permit is obtained from the Code Enforcement Officer in accordance with the requirements of this § 164-43.3 and other applicable standards and procedures of the Town of Warwick Building and Fire

Codes. Temporary removal of architectural features or structural members for purposes of maintenance, repair or restoration shall not constitute demolition.

(2) Demolition by Neglect

- (a) No Class1 Designated historic resource shall be demolished by neglect as defined herein.
- (b) Demolition by neglect shall not be used as an automatic excuse by the applicant as justification for an active demolition application.
- (c) Demolition by neglect does not apply to ruins, such as partially roofed structures, wall remains, remaining foundations, or other structures which are clearly in ruins and missing a substantial portion of the structural mass, existing at the time of adoption of Local Law No. 4 of 2016 creating this § 164-43.3 or permitted to remain as ruins pursuant to this Section.
- (d) These regulations are meant to protect historic resources from parties who by ordinary negligence or willful neglect allow those resources, which are in usable condition on a property at the time of adoption of Local Law No. 4 of 2016 creating this § 164-43.3, or at the time a new owner purchases a property, to deteriorate or become unusable and a liability to the point of needing to be demolished for safety reasons. An example of this would be a party purchasing a property containing a historic resource listed on the Town Historic Resource Inventory in usable condition and/or previously being used prior to the sale of the property, and, in order to avoid having to undergo the historic review process, as outlined in this Section, said party allows that historic resource to become so deteriorated that the resource would qualify immediately for a demolition permit due to the unsafe or hazardous condition of the resource.

(3) The structural integrity of both occupied and unoccupied Class1 historic resources should be achieved through proper maintenance of all structural, architectural and other critical elements.

(4) Application requirements for demolition of Class 1 historic resources

- (a) The applicant for demolition of a Designated Historic Resource shall submit to the Town Building Department an application for a demolition permit. All applications for demolition shall be reviewed against the Historic Resource Inventory and in consultation with the Town Historian/Deputy Town Historian. If the application concerns the demolition of a Class 1 Designated Historic Resource, the Code Enforcement Officer shall be directed not to issue the permit and shall inform the applicant to comply with the following procedures and requirements of this Section, as applicable.

- (b) In addition to the applicable requirements under Chapter 82 of the Town Code, the Town Fire Prevention and Building Code, any applicant seeking a permit to demolish a Designated Historic Resource shall submit the following information regarding that resource:
 - (1) Owner of record.
 - (2) Classification of historic resource on the Designated Historic Resource Inventory.
 - (3) Recent photographs of the resource proposed for demolition.
 - (4) A site plan showing all buildings and structures on the property.
 - (5) Reasons for demolition.
 - (6) Method of demolition.
 - (7) Proposed use for the site, timeline for implementation of proposed use for the site, and proposed disposition of materials from the demolished site.
 - (8) Alternatives which the applicant has considered prior to demolition.
- (5) Review process for demolition permits.
 - (a) The Code Enforcement Officer shall notify the Architectural Review Board and the Town Historian/Deputy Town Historian of the application for demolition upon acceptance of a properly completed application, including the necessary filing fee, and shall forward such application to the Planning Board within ten (10) days of receipt.
 - (b) Within thirty-five (35) days of receipt of a complete application for demolition from the Code Enforcement Officer, at its next regular meeting or a special meeting, the Architectural Review Board after consultation with the Town Historian/Deputy Town Historian shall review the application for demolition. The applicant will be notified of the meeting and encouraged to present evidence or testimony pertaining to the demolition. In reviewing the application, the Architectural Review Board shall take into account the following:
 - (1) The effect of demolition on the historical significance and architectural integrity of the historic resource in question and neighboring historic resources, and on the historic character of the neighborhood, district or vicinity in which the resource is located.
 - (2) Economic feasibility of continuing the existing use or of adaptively reusing the resource proposed for demolition.
 - (3) Alternatives to demolition of the resource.

- (4) Whether the applicant has demonstrated that he or she has considered alternatives to demolition.
 - (5) Whether the retention of the resource would represent an unreasonable economic hardship.
 - (6) Whether the resource has been intentionally neglected.
- (c) Recommendations of the Architectural Review Board. The Architectural Review Board after consultation with the Town Historian/Deputy Town Historian shall make its written recommendation to the Planning Board either recommending approval of the demolition application as submitted, recommending approval of the application with conditions, or alternatively, the Architectural Review Board may recommend to use the following time period to provide adequate opportunity for documentation of the resources as set forth below, for the applicant to prepare a financial analysis as set forth below, and/or to engage in discussion about alternatives to demolition with the applicant. The Architectural Review Board shall make every effort to communicate to the applicant the historical significance of the historic resource, its significance to the Town, and alternatives to its demolition.
- (1) Class1 historic resources. A period not to exceed ninety-five (95) days.
- (d) Approval of the Planning Board. Within thirty-five (35) days of receiving the recommendation from the Architectural Review Board, the Planning Board shall consider the application at a public meeting, together with the recommendations from the Architectural Review Board, and vote either to approve the application as submitted, approve the application with changes, or defer their decision affording a delay of demolition for up to the periods specified above. The applicant shall be notified at least ten (10) days prior to the date of the public meeting, and shall have the opportunity to present reasons for filing the application. Within five (5) days of making its decision, the Planning Board shall provide written communication of its decision to the applicant, the Architectural Review Board, and the Code Enforcement Officer.
- (e) Issuance of a Demolition Permit. Where the Planning Board acts to approve the application, it shall authorize the Code Enforcement Officer to issue the permit. Where the approval is authorized to be granted with conditions, the Code Enforcement Officer shall be authorized to issue a permit upon receipt from the applicant of written acceptance of those conditions.
- (1) Documentation. Prior to the issuance of a demolition permit, the applicant may be required at the discretion of the Planning Board to provide documentation of the Class1 historic resource proposed for demolition. Such documentation may include:

- (a) Historical data, survey information, and other data provided by local, state, and federal historic preservation organizations and other agencies.
 - (b) Photographs. A complete photographic survey of the building interior and exterior.
 - (c) Floor plans.
 - (d) Measured drawings.
 - (e) Archeological survey, if appropriate.
 - (f) Other available comparable documentation.
- (2) Financial Analysis. In cases where there is claim that demolition of a Class1 historic resource is necessary due to financial hardship or the lack of an economically reasonable alternative for reuse, the applicant may be required at the discretion of the Planning Board, during the period of the delay of demolition, to prepare a financial analysis, which may include any or all of the following information:
- (a) Amount paid for the property, date of purchase and party from whom purchased.
 - (b) Assessed value of the land and improvements thereon, according to the most recent assessment.
 - (c) For depreciable properties, a pro forma financial statement prepared by an accountant or broker of record.
 - (d) All appraisals obtained by the owner in connection with the purchase or financing of the property, or during ownership of the property.
 - (e) Bona fide offers of the property for sale or rent, price asked, and offers received, if any.
 - (f) Any consideration by the owner as to profitable, adaptive uses for the property, and any other practical uses, as well as incentives which could be offered by the Town to preserve the historic resource and any input from preservation organizations.
 - (g) Where relevant, written estimates of the cost of rehabilitation from a professional restoration contractor.
- (f) Final recommendation on demolition by the Architectural Review Board. Prior to or at the end of the expiration of the ninety-five (95) or sixty-five (65) day review period, the Architectural Review Board may recommend approval of the demolition permit, or

where the Architectural Review Board does not believe that the applicant has proven hardship, may recommend denial of the application. In such cases, the Architectural Review Board shall make a written report to the Planning Board setting forth reasons for its recommendation and the evidence considered.

(g) Final decision on demolition by the Planning Board. The Planning Board shall act upon the application for demolition within or at the ninety-five (95) or sixty-five (65) day review period, whether or not it receives a recommendation from the Architectural Review Board, and shall vote either to approve the application, to approve the application with changes, or to deny the application. Within fourteen (14) days of making its decision, the Planning Board shall provide written communication to the applicant, Architectural Review Board, and Code Enforcement Officer.

(h) Any costs incurred by the Architectural Review Board, as agreed to by the applicant, to review plans or studies submitted by the Architectural Review Board's consultant specifically retained for this purpose, shall be reimbursed to the Town by the applicant in accordance with Chapter 75 of the Town Code.

E. Enforcement. Any person who demolishes a Class 1 Designated Historic Resource in violation of the provisions contained herein shall be subject to the Penalties for offenses imposed in § 164-54 of the Zoning Law.

- (1) The Code Enforcement Officer shall withhold issuing a building permit for a property that, at the date of enactment of Local Law No. 4 of 2016 creating this Section, was occupied by a Class 1 Designated Historic Resource that was subsequently demolished in violation of this Zoning Law, until the appropriate review is completed.
- (2) In addition to the above remedies, the Town Board may take other appropriate legal action, which may include equitable and injunctive relief, to enforce the provisions of this Section.
- (3) Appeals to this process shall be made in accordance with Article 78 of the New York State Civil Practice Law and Rules.

Town of Warwick Designated Historic Resource Inventory

Class 1 Historic Resources:

Jeremiah Morehouse House, 11 Hathorn Road, Warwick, NY 10990

Coordinates: 41° 14' 42" N | 74° 22' 08" W

General John Hathorn Stone House, Hathorn Road, Warwick, NY 10990

Coordinates: 41° 14' 48" N | 72° 22' 16" W

The Boulders AKA Homer A. Norris House, 99 Shore Avenue, Greenwood Lake, NY 10925

Coordinates: 41° 11' 18" N | 74° 18' 46" W

Class 2 Historic Resources:

Buildings, structures, or sites listed in Appendix B of the Town of Warwick Comprehensive Plan, adopted August 19, 1999 and as amended from time to time.

Section 10. Site plan and special permit approval

Section 164-46.J of the Zoning Law entitled "Special conditions" is hereby amended by replacing section 164-46.J(16) with a new subsection 164-46.J(16) as follows:

- (16) Accessory to a residential use, not more than one bitch and two other dogs over six months old nor more than one litter under six months of age; livestock and bees [according to the limitations and requirements of Subsection J(101) of this section] and not more than 10 fowl, rabbits, or other small domesticated animals shall be permitted; and no animals, bees, or fowl shall be housed within 100 feet of any lot line, except where livestock animals are housed, then such housing shall be set back 150 feet from any lot line. Any penning area less than one acre in size shall be set back 50 feet from any lot line. No storage of manure or other odor- or dust-producing substance or use shall be within 150 feet of any lot line. See also special condition in Subsection J(101) for large animals and bees.

Section 164-46.J of the Zoning Law entitled "Special conditions" is hereby amended by replacing section 164-46.J(101) with a new subsection 164-46.J(101) as follows:

- (101) Keeping of livestock accessory to a residence requires three acres for the first large livestock animal, such as horses, cattle, or bison, and one acre for each additional large livestock animal. Keeping of livestock accessory to a residence requires three acres for the first two medium livestock animals, such as goats, sheep, ponies, or llamas, and one acre for each two additional medium livestock animals. To protect public health, a beehive accessory to a residence shall require three acres for the first two hives and one acre for each additional hive.

Section 164-46.J of the Zoning Law entitled "Special conditions" is hereby amended by adding a new Subsection 164-46.J(138)(g) as follows:

- (138)(g) Conference Center in a Class 1 Designated Historic Structure.
 - (1) A minimum lot area of 10 contiguous acres is required for a Conference Center in a Class 1 Designated Historic Structure.
 - (2) The maximum number of guest rooms in a Conference Center in a Class 1 Designated Historic Structure shall be twelve (12).

- (3) Accessory recreational uses may include tennis, swimming pool, hiking trails, and similar low impact facilities, such recreational facilities limited to guests of the Center.
- (4) Access to a Conference Center in a Class 1 Designated Historic Structure shall be from a State, County or through Town road.

Section 164-46.J of the Zoning Law entitled "Special conditions" is hereby amended by replacing the entire section 164-46.J(154) with a new subsection 164-46.J(154) as follows:

- (154) Solar energy installations are subject to § 164-41.E of the Zoning Law for small and medium solar energy installations or § 164-42.G of the Zoning Law for large-scale solar energy installations. Solar panels are encouraged to be placed on building roofs or as solar carports covering designated parking areas and when constructed in this way, they shall be included within the calculation of building and/or parking area coverage. Where solar panels are used independently of a building or parking area, the entire square footage covered by the solar panels, including the area between the panels, shall be included in the determination of total lot coverage and shall not exceed the maximum lot coverage permitted by § 164-40.N, Table of Bulk Requirements. In no case shall solar panels where used independently of a building or parking area, exceed a maximum of 15 acres or a maximum of 60% lot coverage, whichever is less on parcels in existence on the date of adoption of Local Law No. 4 of 2016, except where applications have been filed with the Planning Board prior to this date.

Section 11. Campgrounds

Section 164-49.2 of the Zoning Law entitled "Campgrounds" is hereby amended by replacing Subsection 164-49.2.A in its entirety with a new Section 164-49.2.A as follows:

- A. Special permit use. Campgrounds are a special permit use consisting of a tract of land designed exclusively for overnight and temporary vacation camping, providing facilities for tents, camp trailers, travel trailers, recreational vehicles, recreation activities, administration, public health and safety.

Section 164-49.2 of the Zoning Law entitled "Campgrounds" is hereby amended by replacing Subsection 164-49.2B in its entirety with a new Section 164-49.2B as follows:

- B. Density. Campgrounds shall not exceed an average gross density of one and one-half (1½) campsites per acre, as approved by the Planning Board.

Section 164-49.2 of the Zoning Law entitled "Campgrounds" is hereby amended by replacing Subsection 164-49.2.V in its entirety with a new Section 164-49.2.V as follows:

- V. Occupancy. Occupancy by an individual or group of individuals in any form of permitted temporary, movable or portable shelter or recreational vehicle shall be for a period of not longer than 210 days in any twelve-month period, provided the following conditions are met and maintained on a continuing basis:
- (1) Annual renewal of the campground permit shall be subject to the occupancy limitations stated herein and compliance with the quarterly record of occupancy to be filed with the Town Building Department.
 - (2) A quarterly record of occupancy for each campsite shall be submitted to the Town Building Department no later than April 30th, July 31st, October 31st, and January 31st of each year of operations, such records to be on forms specified by and maintained by the Building Department.
 - (3) The quarterly record of occupancy shall include a map showing the location of each campsite and its occupancy during the quarterly period.

Section 12. Applications submitted and permits issued before adoption of chapter

Section 164-73 of the Zoning Law entitled "Applications submitted and permits issued before adoption of chapter" is hereby amended by replacing Subsection 164-73.C with a new Section 164-73.C as follows. Subsections (1) and (2) of Section 164-73.C remain the same:

- B. Filing deadline. The terms of the 2002 Zoning Law of the Town of Warwick, New York in effect at the time of acceptance of any final conditionally approved subdivision, site plan or special use permit application that is still pending before the Planning Board under the provisions of this section must receive complete approval by the Planning Board and have a map filed, as the case may dictate, in the Town Clerk's office or the Orange County Clerk's office by January 1, 2019. After such time, all such applications shall be subject to the Zoning Law then in effect, unless the Planning Board shall find:

Section 13. Effective Date.

This local law shall take effect immediately upon filing in the office of the Secretary of State of New York as provided by law.

PLEASE TAKE NOTICE that the Town of Warwick will be holding a Public Hearing to consider the adoption of a proposed Local Law to exceed the two percent property tax cap. Said public hearing to be held at October 13, 2016 7:00P.M. or soon thereafter as the matter be heard at the Town Hall, 132 Kings Highway, Warwick, NY

All interested persons will be given the opportunity to be heard.

DATED: October 5, 2016

**BY ORDER OF THE TOWN
BOARD OF THE TOWN OF WARWICK
EILEEN ASTORINO
TOWN CLERK**



Steven M. Neuhaus
County Executive

Orange County Department of Planning

124 Main Street
Goshen, NY 10924-2124
Tel: (845) 615-3840
Fax: (845) 291-2533

David E. Church, AICP
Commissioner

www.orangecountygov.com/planning
planning@orangecountygov.com

cc
T/le216 X

County Reply – Mandatory Review of Local Planning Action as per NYS General Municipal Law §239-l, m, & n

Local Referring Board: Town of Warwick Board
Applicant: Town of Warwick
Project Name: Local Law No. 4-Chapter 164 Zoning Revisions
Proposed Action: Local law to modify Town of Warwick official zoning map for two properties and amend Chapter 164 of the Town of Warwick code to address land use issues regarding historic resources, campgrounds, special use permits, and other uses and issues
Reason for County Review: Local law affecting zoning or land use
Date of Full Statement: September 12, 2016

Referral ID #: WRT 17-16M
Tax Map #: townwide
Local File #: none provided

Comments:

The Department has received the above referenced local law and has found no evidence that significant intermunicipal or countywide impacts would result from its approval. We would like to offer the following advisory comments:

Historic Resources: Proposed §164-43.3 C(3)(i)(1)(e) regarding deteriorated historic features states that they should be repaired if possible and if necessary, replaced with a new feature that “shall match the old in design, color, texture and other visual qualities to the greatest extent practicable”. We advise the Town to add “material” to the list of visual qualities, so that, for example, wood features are replaced with wood rather than fiberboard or concrete products, if it is reasonable for the applicant to do so.

Overall: We appreciate the attention and level of detail that the Town of Warwick shows to the zoning code. These periodic updates produce greater clarity both for the Town officials who enforce the code and for those of us who review it. We commend the Town for your concern for the quality of your zoning code and in turn the quality of life it protects for your residents.

County Recommendation: Local Determination

Date: September 26, 2016

Prepared by: Megan Tennermann, AICP, Planner



David Church, AICP
Commissioner of Planning

As per NYS General Municipal Law 239-m & n, within 30 days of municipal final action on the above referred project, the referring board must file a report of the final action taken with the County Planning Department. For such filing, please use the final action report form attached to this review or available online at www.orangecountygov.com/planning.

Supervisor – Alexander Jamieson

Town Board –

Hugh J. Murray
Claude Brischoux
Cynthia Smith
Robert Valentine

Town Justices –

Janet M. Haislip
Sharon Worthy-Spiegl

TOWN OF CHESTER

1786 Kings Highway
Chester, NY 10918

Tel: (845) 469-7000

Fax: (845) 469-9242

www.chester-ny.gov

Town Clerk – Linda A. Zappala

Highway Supt. – Anthony LaSpina

Receiver of Taxes – Vincent A. Maniscalco

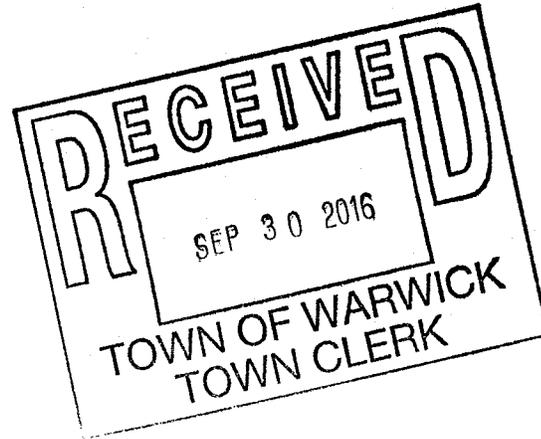
Building Inspector – Joseph J. Mlcoch

Assessor – John Schuler, III

Police Dept. – Daniel J. Doellinger, Chief

September 26, 2016

Town of Warwick
Attn: Ms. Eileen M. Astorino
Town Clerk
132 Kings Highway
Warwick, NY 10990



Re: Introductory Local Law - Moratorium

Dear Ms. Astorino:

Enclosed please find the Town of Chester "Introductory Local Law of 2016, " A Local Law Instituting a Moratorium on Certain Permits, Certificates of Occupancy and Approvals for Residential Development consisting of Five (5) or More Residential Lots of Multifamily or Multi-Unit Dwellings Containing Five (5) or Multifamily or multi-Unit Dwellings Containing Five (5) or More Dwellings" for your review and comments.

Kindly address any comments to the Town Board, Town of Chester, 1786 Kings Highway, Chester, New York, 10918.

Sincerely yours,

Linda A. Zappala
Town Clerk

**TOWN OF CHESTER
INTRODUCTORY LOCAL LAW**

**A LOCAL LAW INSTITUTING A MORATORIUM ON CERTAIN PERMITS,
CERTIFICATES OF OCCUPANCY AND APPROVALS FOR RESIDENTIAL
DEVELOPMENT CONSISTING OF FIVE (5) OR MORE RESIDENTIAL LOTS OR
MULTIFAMILY OR MULTI-UNIT DWELLINGS CONTAINING FIVE (5) OR
MORE DWELLING UNITS**

BE IT ENACTED by the Town Board of the Town of Chester, Orange County, New York as follows:

SECTION 1: PURPOSE AND INTENT

The purpose of this Local Law is to protect the public health, safety and welfare of the residents of the Town of Chester and to maintain the *status quo* of certain residential development in the Town that consist of five (5) or more residential lots or Multifamily or Multi-Unit dwellings containing five (5) or more dwelling units. This Local Law will allow the Town Board a reasonable opportunity to complete its comprehensive zoning review, including the adoption of zoning regulations consistent with the Town's recently adopted Comprehensive Plan. The moratorium is for a period of six (6) months, which is considered to be adequate time to consider such zoning regulations and amendments.

SECTION 2: LEGISLATIVE FINDINGS

The Town Board of Chester does hereby find that appropriate measures must be taken to secure a temporary reasonable halt on certain residential permits, certificates of occupancy and approvals for development within the Town to protect the public interest while the Town Board completes its review and potential revisions to the Town's Zoning Code to implement aspects addressed in the 2015 Comprehensive Plan, including the necessary compliance with the analysis and procedures mandated by the State Environmental Quality Review Act ("SEQRA").

Without a temporary halt on certain residential permits, certificates of occupancy and approvals for development within the Town of Chester, there is the potential that certain primary residential uses could be located in areas within the Town which would be unsuitable or incompatible with the goals and objectives cited in the 2015 Comprehensive Plan. The potential for such unsuitable or incompatible residential uses would have materially adverse and irreversible impacts to the Town. By maintaining the *status quo* on residential development consisting of five (5) or more residential lots or Multifamily or Multi-Unit dwellings containing five (5) or more dwelling units in the Town until such time as appropriate consideration and potential amendments to the Town Zoning Code and Comprehensive Plan are adopted, the Board of Trustees can provide for the planned orderly growth and development of the Town.

SECTION 3: MORATORIUM IMPOSED; APPLICABILITY

Moratorium on actions by the Town Board, Planning Board and Zoning Board of Appeals: Other than as excepted below, for six (6) months following the Effective Date of this Local Law, the Town Board, Planning Board and Zoning Board of Appeals shall not process, hear, approve or sign any new or pending preliminary or final site plan, preliminary or final subdivision, special permit, variance or other land use application or permit which relates directly or indirectly to residential construction consisting consist of five (5) or more residential lots or Multifamily or Multi-Unit dwellings containing five (5) or more dwelling units , including but not limited to any grading permit, erosion and sediment control permit, wetland permit, sewer connection permit, floodplain development permit, water connection permit, which may be granted in association with such residential construction. No new applications may be accepted and no building or other permits or certificates of occupancy may be issued or granted for residential development consisting of five (5) or more residential lots or Multifamily or Multi-Unit dwellings containing five (5) or more dwelling units, other than for previously approved site plans and subdivisions as of the

Effective Date. Any applications for approvals or permits filed after the Effective Date, and not otherwise exempted from this moratorium, shall be filed at the risk of the applicants and shall not be granted or issued until this moratorium is lifted.

This Local Law shall be binding on the Supervisor, Town Board, Planning Board, Zoning Board of Appeals, all Town officials and employees, including, but not limited to, the Building Inspector, and all real property owners and other applicants desiring land use approvals involving five (5) or more residential lots or Multifamily or Multi-Unit dwellings containing five (5) or more dwelling units.

During the period of the moratorium, the Town Board shall endeavor to complete all reasonable and necessary review, study, analysis and, if warranted, revisions to the Town of Chester Zoning Code.

SECTION 4: TERM

This moratorium shall be in effect for a period of six (6) consecutive months from its effective date.

This Local Law shall be subject to renewal for cumulative periods of up to an additional six (6) months, if necessary, by Resolution(s) of the Town Board.

This moratorium may be withdrawn or lifted at any time by a resolution of the Town Board.

SECTION 5: EFFECT ON OTHER LAWS

To the extent that any law, ordinance, rule or regulation, or parts thereof, are in conflict with the provisions of this Local Law, including all provisions of Article 16 of the New York State Town Law concerning special use permit, site plan, building permit and certificate of occupancy procedure and requirements, this Local Law shall control.

SECTION 6: WAIVER

Owing to the limited scope and duration of this moratorium, there is no provision being made in this Local Law for any waivers to its applicability. However, the Town Board may, but is not obligated to, promulgate regulations by a Resolution of the Town Board authorizing a hardship waiver process to this moratorium if it subsequently determines that a waiver process is necessary and in the best interests of the Town.

SECTION 7: SEVERABILITY

If any clause, sentence, paragraph, section or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall be confined in its operation to the clause, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered, and the remaining provisions shall remain in full force and effect.

SECTION 8: EFFECTIVE DATE

This Local Law shall take effect immediately when it is filed in the Office of the Secretary of State in accordance with section 27 of the Municipal Home Rule Law.

**RESOLUTION TO
ESTABLISH LEAD AGENCY**

ON A MOTION BY Councilman Brischoux and second by Councilwoman Smith the following Resolution was offered:

The Town of Chester, New York Town Board hereby declares itself to be lead agency as required by SEQRA (6NYCRR Part 617)

Name of Action:	Town of Chester Local Law for Residential Building Moratorium
Location:	Town-wide, Chester, NY
Zone:	All zones
Project:	Town of Chester Local Law for Residential Building Moratorium
Action:	Type II in accordance with 617.5(c)(30) Adoption of a moratorium on land development or construction
Documents:	Available at Town Hall or available upon FOIL request for viewing

The Town Board declares itself Lead Agency.

RESOLVED that the Town Board of the Town of Chester hereby declares itself Lead Agency for the SEQRA review of the Town of Chester Local Law for Residential Building Moratorium and further identifies this as a Type II action in accordance with 617.5(c)(30).

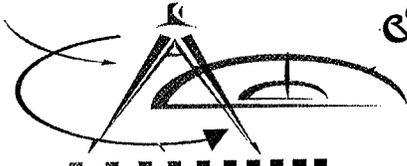
VOTE:

Supervisor Jamieson	AYE
Councilperson Brischoux	AYE
Councilperson Smith	AYE
Councilperson Valentine	AYE
Councilperson Wittekind	AYE

FUSCO ENGINEERING

& LAND SURVEYING, P.C.

Consulting Engineers



Alfred A. Fusco, Jr., P.E., Principal

Alfred A. Fusco, III, General Manager

- 233 East Main Street
Middletown, NY 10940
Phone: (845) 344-5863
Fax: (845) 956-5865

- 19 Waywayup Lane
Port Jervis, NY 12771
Phone: (845) 956-5866

**TOWN OF CHESTER LOCAL LAW NO. --- OF 2016
A LOCAL LAW INSTITUTING A MORATORIUM ON CERTAIN PERMITS,
CERTIFICATES OF OCCUPANCY AND APPROVALS FOR RESIDENTIAL
DEVELOPMENT CONSISTING OF 5 OR MORE RESIDENTIAL LOTS OR
MULTIFAMILY OR MULTI-UNIT DWELLINGS CONTAINING 5 OR MORE
DWELLING UNITS**

NARRATIVE

There are no environmental resources that may be affected in the municipality as a result of this proposed building moratorium.

In fact, the intent is to review the zoning codes to, in part, protect environmental resources.

RESOLUTION
State Environment Quality Review
NEGATIVE DECLARATION
Notice of Determination of Non-Significance

This notice is issued pursuant to 6 NYCRR Part 617 of the implementing regulations pertaining to Article 8 (State Environment Quality Review Act) of the Environmental Conservation Law.

The Town of Chester Town Board, as lead agency, has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

Name of Action: Town of Chester Local Law for Residential Building Moratorium

SEQR Status: Type II in accordance with 617.5(c)(30)
Adoption of a moratorium on land development or construction

Negative Declaration: Yes

Description of Action: Town of Chester Local Law for Residential Building Moratorium

Facts & Reasons Supporting This Determination:

Based on it careful review of the application, the plans and revisions thereto submitted by the applicant, Short Form Environmental Assessment Form, with supporting information and public comment, the Planning Board has identified the no areas of environmental concern in connection with the proposed project.

Resolution:

BE IT RESOLVED THAT based on the Town Board's review and consideration of the Project, Full Environmental Assessment Form, supplementary technical information, public comments and consideration of the criteria for determining significance set forth in 6 NYCRR 617.7 (c), the Project as designed together with the applicants completion of the Local Law for revisions of the Subdivision Regulations set forth herein will not result in any significant impact to the environment.

On a motion by Member Smith, seconded by Member Brischoux

The foregoing resolution was adopted on a vote of 5 Ayes, 0 Nays.

Supervisor Jamieson	AYE
Councilperson Brischoux	AYE
Councilperson Smith	AYE
Councilperson Valentine	AYE
Councilperson Wittekind	AYE

Dated: Town of Chester
Orange County, NY



Alex Jamieson, Supervisor
Town of Chester

For Further Information Contact:
Linda Zappala, Town Clerk
Town of Chester
1786 Kings Highway
Chester, New York 10918

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Town of Chester			
Name of Action or Project: Town of Chester Local Law for residential building moratorium			
Project Location (describe, and attach a location map): Town-wide			
Brief Description of Proposed Action: The Town of Chester is proposing a local law instituting a moratorium on certain permits, certificates of occupancy, and approval for residential development consisting of 5 or more residential lot, multi-family or multi-unit dwellings consisting of 5 or more dwelling units.			
Name of Applicant or Sponsor: Town of Chester		Telephone: 845-469-7000	
		E-Mail: ajamieson@thetownofchester.org	
Address: 1786 Kings Highway			
City/PO: Chester		State: NY	Zip Code: 10918
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		_____ acres	
b. Total acreage to be physically disturbed?		_____ acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

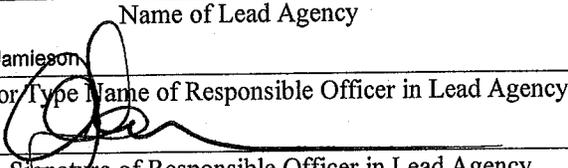
18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____ _____	NO	YES
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____ _____	NO	YES
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____ _____	NO	YES
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>Alex Jamieson, Supervisor</u> Date: _____ Signature: _____		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input checked="" type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
Town of Chester	9/14/16
Name of Lead Agency	Date
Alex Jamieson	Supervisor
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
	Signature of Preparer (if different from Responsible Officer)
Signature of Responsible Officer in Lead Agency	

PRINT

RESET

TOWN OF WARWICK



EILEEN ASTORINO
TOWN CLERK
132 Kings Highway
Warwick, New York 10990
Tel: (845) 986-1124, ext. 248
Fax: (845) 987-1499

Carolyn Purta, Deputy Town Clerk
Melissa Stevens, Registrar & Deputy Town Clerk

Request to Serve Alcoholic Beverages

NAME: Matthew Day

PERMIT#: WWM-19

DATE OF EVENT: 11/19/16

LOCATION OF EVENT: Wickham Woodland Manor

- Request must be submitted within 10 days prior the date of the event

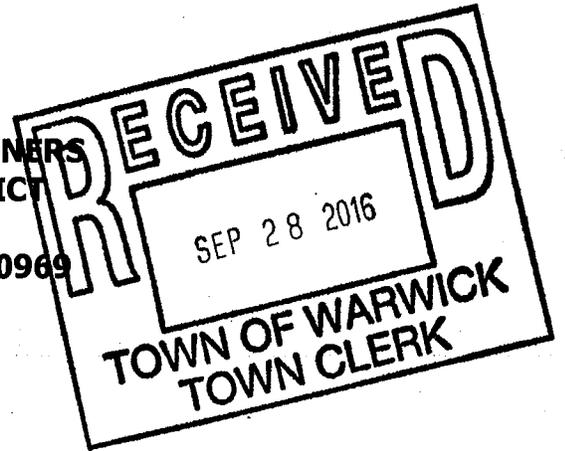
OFFICE USE ONLY:

Received by & Date

Town Board Approval

Date Approved

BOARD OF FIRE COMMISSIONERS
PINE ISLAND FIRE DISTRICT
PO BOX 306
PINE ISLAND, NEW YORK 10969



September , 2016

Town Clerk
Town of Warwick
132 Kings Highway
Warwick, New York 10990

Dear Sir or Madam:

We are enclosing a copy of a public notice of the annual budget hearing for the Pine Island Fire District, regarding the proposed budget for the year 2017. Also enclosed is a copy of our proposed 2017 budget.

In accordance with the provisions of the Laws of 2006 Chapter 240, codified at Sections 105 and 181 of the Town Law, you "shall cause" a copy of this Notice to be posted on the signboard of the Town, maintained pursuant to subdivision 6 of Section 30 of the Town Law, and shall also post this Notice on your town website, not sooner than September 28, 2016 and not later than October 3, 2016. You will note that the Notice states that a copy of the fire district's 2017 proposed budget is available at your office, where it may be inspected by any interested person during office hours. Please note that the posting(s) you make should remain until after the budget hearing date, October 18, 2016.

If you have any questions in connection with this matter, kindly contact our attorneys, Kornfeld, Rew, Newman & Simeone, 46 Washington Avenue, P.O. Box 177, Suffern, New York 10901 (845-357-2660) at your earliest convenience.

Very truly yours,

Paulette Wilk Rudy
Secretary, Pine Island Fire District

Florida Fire District

Warwick Town Clerk

From: Karen Pennings <Karen.Pennings@wakefern.com>
Sent: Thursday, September 29, 2016 7:54 AM
To: Warwick Town Clerk
Cc: kjpennings@gmail.com
Subject: Copy of Florida Fire District 2017 Proposed Budget
Attachments: MX-M565N_20160929_074236.pdf

Attached is a copy of the Florida Fire District Proposed Budget that was sent on September 7, 2016. This was accepted as the proposed budget at the September 6th monthly meeting of the Florida Fire Commissioners.

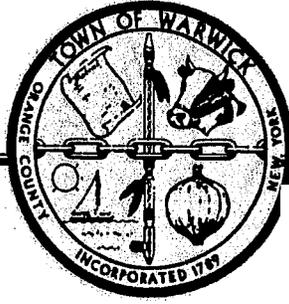
ShopRite Supermarkets, Inc.

Karen J. Pennings | Administrator Benefits - Human Resources

📧karen.pennings@wakefern.com | 📍176 North Main Street, Florida, NY 10921 | 📞 845.651.2799 | 📠E-

Fax: 845-231-6256

TOWN OF WARWICK



132 KINGS HIGHWAY
WARWICK, NEW YORK 10990

BUILDING & PLANNING DEPT (845) 986-1127
FAX NO. (845) 987-9644
BUILDING DEPT EXT. 258/260
PLANNING DEPT EXT. 261
ENGINEER EXT. 259

September 30, 2016

Supervisor/Town Board

RE: 65-1-52.221
46 Buttermilk Falls Rd

Dear Supervisor/Town Board:

The Building Department has received a letter from the homeowner requesting a trailer bond to be returned. An onsite inspection has been completed to verify trailer has been removed and we suggest the return of the \$500 bond.

Sincerely,

Wayne Stevens
Building Inspector

c/c: Ana Kanz (Comptroller)

WS/sw

Trailer Bond

Date Issued: 3/15/16

S-B-L: 65-1-52.221

Address: 46 Buttermilk Falls Rd.

Reason: House fire

Bond Posted By: Richard Barth
(Money will be returned to) 46 Buttermilk Falls Rd
Warwick, NY 10990

Payment Method: Cash

Amount: \$500.00

TOWN USE ONLY

Bookkeeper Signature: D. Donnelly

Date Received: 3/15/16

Amount Received: \$500.-

Warwick Town Clerk

From: Pamela O'Dell <pjodirect@earthlink.net>
Sent: Friday, September 30, 2016 10:54 AM
To: Pamela O'Dell
Subject: Stars for our Troops and how you can help.
Attachments: The_Star_and_note.pdf

Hello - I am a local (Ulster County) volunteer for a group called Stars for our Troops (www.starsforourtroops.org). We honor active and retired military veterans and all first responders with "star" packets from retired US flags. (see sample in the attached pdf). I'm writing today to see if you and your organization can help in any of the following ways:

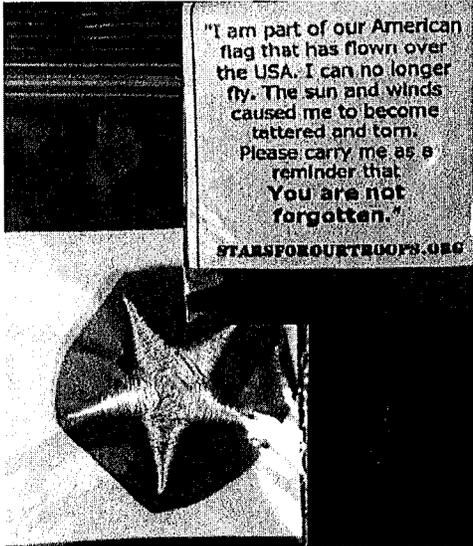
- I'm collecting used and worn American Flags, particularly the blue star field. I can only use embroidered stars of 2" diameter or less. If your organization collects flags, I'd be happy to accept the usable blue star fields. I cut out the stars and put together the individual packets for handing out.
- I'm looking for ways to distribute star packets to individuals who are active retired military, or first responders. I'm happy to come to any event your organization holds to distribute stars, or give them in bulk for you to distribute. I'm currently working to create many packets for Veterans' Day.
- I've already collected a number of flags, however, only about 1/3 of those given to me are embroidered and the right size. About 2/3's of the flags are not unusable. I'm looking for help from any organization to take the unusable flags and give them a proper disposal ceremony.
- If anyone would like to assist Stars for our Troops make packets, let me know, and I can give you information on how to become a star maker.

I hope you can help. This is a great way to recycle flags and honor our troops and first responders at the same time. You may reach me at this email address or the phone number below.

Thank you in advance,

Pam

Pamela O'Dell
pjodirect@earthlink.net
475 South Mountain Road
Gardiner, NY 12525
+1 845-255-3420



"I am part of our American
flag that has flown over
the USA. I can no longer
fly. The sun and winds
caused me to become
tattered and torn.
Please carry me as a
reminder that
You are not
forgotten."

STARSFOROURTROOPS.ORG

Warwick Town Clerk

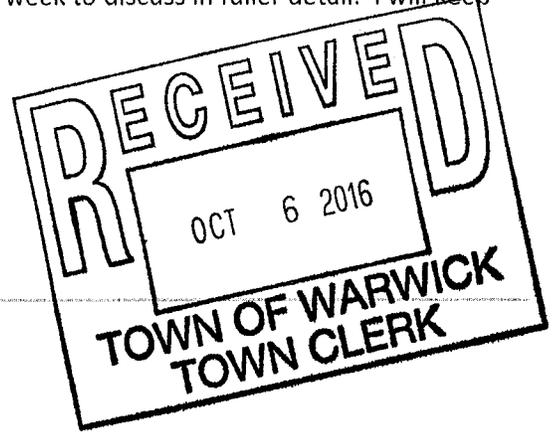
From: Siljkovic,Ermin <ESiljkovic@orangecountygov.com>
Sent: Thursday, October 06, 2016 11:50 AM
To: Michael Sweeton
Cc: Warwick Town Clerk
Subject: RE: Request for Participation in Statewide Clothing Recycling Initiative

Thank you very much! Do keep me posted on the resolution and if/how you choose to take on any of the other actions.

FYI I am in discussion with Warwick Valley Community Center about *potentially* conducting a collection event there. SW likes the idea and will probably support it. We are meeting next week to discuss in fuller detail. I will keep you in the loop.

Best,

Ermin



From: Michael Sweeton [mailto:msweeton@townofwarwick.org]
Sent: Thursday, October 06, 2016 11:42 AM
To: Siljkovic,Ermin
Cc: Warwick Town Clerk
Subject: Re: Request for Participation in Statewide Clothing Recycling Initiative

I will ask the clerk to add this resolution to our next meeting agenda. Will consider the other items.
Mike

From: Siljkovic,Ermin <ESiljkovic@orangecountygov.com>
Sent: Thursday, October 6, 2016 10:36:52 AM
To: Michael Sweeton
Subject: Request for Participation in Statewide Clothing Recycling Initiative

Dear Supervisor Sweeton,

Thank you for your time in responding to our survey, especially in such a timely manner. I do not mean to inundate you with correspondences however I am writing to you today to request you join us and other municipalities in the county in participating in the ReClothe NY campaign. ReClotheNY is a coalition of local governments, clothing and textiles recyclers and non-profits who are dedicating this year's America Recycles Day on November 15th to the goal of increasing diversion of clothing and textiles from landfills and supporting the local economy.

In NY, it is estimated we trash 85% of our unwanted clothing and textiles. That is over 1.4 *billion* pounds of clothing, shoes and other household textiles that are trashed each year, totaling over \$130 million in lost revenues and about 1,000 jobs which could have potentially been created. Fortunately unlike other recyclables commodities, clothing and textiles are easy to reuse, repurpose or recycle. [For a list of items that are readily accepted by ReClotheNY participating recyclers, please see this page. For more on the ReClotheNY campaign and its partners see the attached document titled "Talking Points".]

Working together I feel we can push the needle on clothing recycling by increasing awareness of existing collection programs or perhaps setting up a new program wherever there might be a need. There are a number of ways the Town of Warwick can elect to participate:

- 1) *Draft a resolution supporting this statewide campaign.* Thus far, some towns and villages in the county have taken positive strides toward streamlining the placement of bins which have become more prevalent and sometimes an eyesore. In addition to this, it is recommended towns and villages also pass resolutions to further support textiles recovery efforts within their own communities. The language for such a resolution is attached.
- 2) *Promote existing drop-off programs.* The next step would be to encourage use of bins or drop-off programs that are already in place and complying with existing ordinances. You may already know of a program in your community which you can choose to get the word out about or you can utilize the extensive database provided on the ReClotheNY website for a list on locations of bins or drop-off programs. Just type in your zip code [here](#) and let your constituents know where they can bring their unwanted clothing and textiles.
- 3) *Set up your own one-off event or a new permanent collection bin.* Setting up collection infrastructure or even just a one-off event is a great way to boost participation. Some recyclers even offer a return of a nominal cash value generated from the proceeds of the event or bin to a charity of the host's choice. A [media kit](#) is available on the ReClotheNY website to help you kick off the placement of a new bin or create buzz for an event.

If you are interested in any of the ideas above or might have an idea of your own, please let me know. In any case, I would be happy to assist you in any way I can and make sure your efforts don't go unnoticed. If you're not interested or if this request is too short notice, that is fine. If there's any way I can improve communication or assist you in any other way, please do not hesitate to reach out.

I am looking forward to your correspondence.

Ermin Siljkovic
Recycling Coordinator
Orange County DPW
Division of Environmental
Facilities & Services (EF&S).
2455-2459 Route 17M, P.O. Box 637
Goshen, NY 10924
(845) 291-3246 (Office)
(845) 637-9041 (Cell)
(845) 291-4570 (Fax)
esiljkovic@orangecountygov.com

This communication may contain confidential information and is intended only for the individual or entity to whom it is addressed. Any review, dissemination, or copying of this communication by anyone other than the intended recipient is strictly prohibited. If you are not the intended recipient, please contact the sender, and destroy all copies of the original message. No responsibility is accepted by Orange County Government for any loss or damage arising in any way from receiving this communication.

This message has been scanned for malware. -

Click [here](#) to report this email as spam.

This communication may contain confidential information and is intended only for the individual or entity to whom it is addressed. Any review, dissemination, or copying of this communication by anyone other than the intended recipient is strictly prohibited. If you are not the intended recipient, please contact the sender, and destroy all copies of the original message. No responsibility is accepted by Orange County Government for any loss or damage arising in any way from receiving this communication.

WFD AUX Blood Drive

Ve Vant Your Blood! Mwahaha!

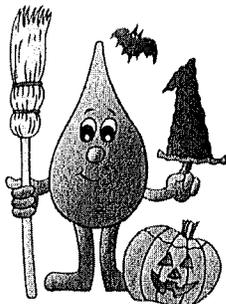
Come donate a pint of the red stuff and get some treats
you can sink your fangs into!!

Thursday - October 27, 2016
2:30 pm - 7:00 pm

Warwick fire department ·
Station #1 - 25 Church st. ext.
Warwick, ny 10990

Bring Photo ID - Eat & Drink before donating

For appointments or more information, please contact:
Heather M. Gardner at 845-222-2855 or hgardner@warwick.net



If you have medical eligibility questions, please call 1-800-688-0900.

You must be between 16* and 75 years of age.

(76 and Over, you may donate with a note from your physician)

*16 Year Old Donors Require Parental Permission on New York
Blood Center form (available at drive)

You must weigh at least 110 pounds.

 **New York** Blood Center
LIFESAVING INNOVATION SINCE 1964

TOWN OF WARWICK



132 KINGS HIGHWAY
WARWICK, NEW YORK 10990

BUILDING & PLANNING DEPT (845) 986-1127
FAX NO. (845) 987-9644
BUILDING DEPT EXT. 258/260
PLANNING DEPT EXT. 261
ENGINEER EXT. 259

October 7, 2016

Town Supervisor
Town Board

RE: 94-3-56
129 Evan Rd

Dear Supervisor/Town Board:

The Building Department has received a written request from Beatrice Henley requesting a return of a building fee of \$130.00 for permit number 25214 that was issued for a fence. The fence will not be built. The Building Department suggests keeping application cost of \$100 for administrative fees and refunding the portion of the permit fee in the amount of \$30.00.

Sincerely,

Wayne Stevens
Building Inspector

C/c: Bookkeeping
Town Clerk

WS/sw

TOWN OF WARWICK



132 KINGS HIGHWAY
WARWICK, NEW YORK 10990

BUILDING & PLANNING DEPT (845) 986-1127
FAX NO. (845) 987-9644
BUILDING DEPT EXT. 258/260
PLANNING DEPT EXT. 261
ENGINEER EXT. 259

October 7, 2016

Town Supervisor
Town Board

RE: 41-1-65
42 Covered Bridge Rd

Dear Supervisor/Town Board:

The Building Department has received a written request from Russell Wedge of SolarCity requesting a return of the permit fee for a part of application number 20160265 that was applied for solar panels. The solar panels will not be built. The Building Department suggests a refund for the portion of the permit fee in the amount of \$60.00. Please return fee to Russell Wedge, 203 Ridgewood Drive, Elmsford, NY 10523.

Sincerely,

Wayne Stevens
Building Inspector

C/c: Bookkeeping
Town Clerk

WS/sw



August 24th, 2016

Town of Warwick Building Department

NOTICE OF CANCELLATION

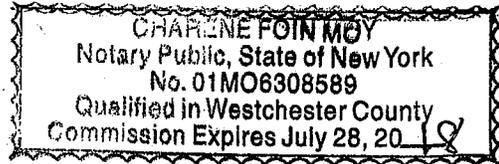
This letter is to certify our proposal to install Solar (PV) at the property listed below has moved into a cancellation status.

Carmen Bernard
42 Covered Bridge Road
Warwick, NY 10990

SolarCity Corporation and Carmen Bernard will not be moving forward with the proposed installation. No work was completed at this address. Please close the above referenced permit application and proceed with the town's reimbursement policy.

If you have any questions/concerns, please contact myself directly.

Regards,



Russell Wedge
Jr. Permit Coordinator | SolarCity
203 Ridgewood Drive
Elmsford NY 10523
P: 914-218-4217
F: 914-592-2189



October 11, 2016

Michael P. Sweeton, Supervisor
Town of Warwick
132 Kings Highway
Warwick NY 10990

Re: **Salt Barn Demolition Project**
Warwick, New York
Bid Summary and Award Recommendation

Task: TB027

Dear Supervisor Sweeton:

Below is our Bid Summary and Award Recommendation for the Salt Barn Demolition Project.

Project Advertisement:

The Advertisement for Bids was published in the Town's official newspaper (The Warwick Dispatch) on September 28, 2016. Three companies picked up the plans and specifications:

1. Earth-Tec Associates, Inc. from Vernon NJ
2. Allied Excavating, Inc. from Warwick NY
3. Ground Control Excavating, Inc. from Warwick NY

Bid Opening/Review:

The bids were opened publicly and read aloud at the Town of Warwick Town Hall at 2pm on October 03, 2016. Three contractor bids were received; below is a listing of the contractors and the total amount of each bid amount:

Contractor	Amount
Earth-Tec Associates, Inc.	\$14,650.00
Allied Excavating, Inc.	\$19,630.00
Ground Control Excavating, Inc.	\$52,000.00

Contractor Evaluation:

HDR reviewed the Bidder Qualification Statement that was prepared by the lowest bidder (Earth-Tec Associates, Inc.) and determined that Earth-Tec Associates, Inc. appears to have the experience required to perform this work.

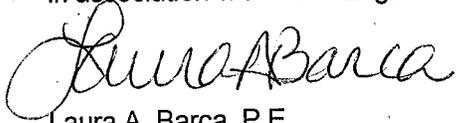
Award Recommendation:

Based on the information obtained Earth-Tec Associates, Inc. appears to be the lowest responsive and responsible bidder. **Based on the information presented, HDR recommends that a contract for demolition of the Town of Warwick Salt Barn project be awarded to the lowest responsive and responsible bidder, which is Earth-Tec Associates, Inc.** This recommendation is conditioned upon satisfactory review of bonds, insurance, and the bid package of the recommended bidder by the Town's legal counsel. HDR further states that this review does not imply that the equipment and materials proposed by the recommended bidder has been formally evaluated and approved.

If there is a need for additional information, please contact me at (201) 335-9473.

Sincerely,

Henningson, Durham & Richardson
Architecture and Engineering, P.C.
in association with HDR Engineering, Inc.



Laura A. Barca, P.E.
Planning Board Engineer for the Town of Warwick



October 11, 2016

Michael P. Sweeton, Supervisor
Town of Warwick
132 Kings Highway
Warwick NY 10990

Re: **Salt Barn Fabric Building Project**
Warwick, New York
Bid Summary and Award Recommendation

Task: TB027

Dear Supervisor Sweeton:

Below is our Bid Summary and Award Recommendation for the Salt Barn Fabric Building Project.

Project Advertisement:

The Advertisement for Bids was published in the Town's official newspaper (The Warwick Dispatch) on September 28, 2016. One company picked up the plans and specifications:

1. Clearspan Fabric Structures International, Inc. from South Windsor, Connecticut

Bid Opening/Review:

The bids were opened publicly and read aloud at the Town of Warwick Town Hall at 2pm on October 10, 2016. One contractor bid was received:

Contractor	Amount
Clearspan, Inc.	\$200,000.00

Contractor Evaluation:

HDR reviewed the Bidder Qualification Statement that was prepared by the lowest bidder (Clearspan, Inc.) and determined that Clearspan, Inc. appears to have the experience required to perform this work.

Award Recommendation:

Based on the information obtained Clearspan, Inc. appears to be the lowest responsive and responsible bidder. **Based on the information presented, HDR recommends that a contract for demolition of the Town of Warwick Salt Barn project be awarded to the lowest responsive and responsible bidder, which is Clearspan, Inc.** This recommendation is conditioned upon satisfactory review of bonds, insurance, and the bid package of the recommended bidder by the Town's legal counsel. HDR further states that this review does not imply that the equipment and materials proposed by the recommended bidder has been formally evaluated and approved.

If there is a need for additional information, please contact me at (201) 335-9473.

Sincerely,

Henningson, Durham & Richardson
Architecture and Engineering, P.C.
in association with HDR Engineering, Inc.



Laura A. Barca, P.E.
Planning Board Engineer for the Town of Warwick