

October 25, 2012

The Town Board of the Town of Warwick held a Public Hearing on a Proposed Local Law entitled “Amending the Code of the Town of Warwick, Chapter 164, Zoning” Said public hearing was held on Thursday, October 25, 2012 at the Town Hall, 132 Kings Highway, Town of Warwick. Supervisor opened the public hearing at 7:34 p.m.

ATTENDANCE: Supervisor Michael Sweeton
Councilman Floyd DeAngelo
Councilman Russell Kowal – Absent
Councilman James Gerstner
Councilman Mickey Shuback

Town Attorney, John Hicks

LEGAL NOTICE: The Clerk read the legal notice, which was duly published in the Warwick Valley Dispatch on October 3, 2012. (Copy of this legal notice is printed at the end of these minutes.)

Supervisor Sweeton – Before I explain the other required changes there are two map changes. One is a consideration to add this small parcel in Pine Island that is adjacent to the LB Zone which was originally intended to be in the LB Zone, local business because it was in fact a commercial property, but for whatever reason it was not picked up at the time so it remains in the residential zone. We are including that parcel in the LB Zone and the other is this parcel which is not a change to the zoning but it is being included in the Agricultural Protection Overlay Zone. It is a new tree farm and they’ve requested to be included in it, so that’s what we are going to entertain. That’s the only map changes that would be made. The other items that would be subject to this hearing are some corrections in the table of use requirements which is 164-40M at the end. There is a notation for the CB Zone, which is the Community Business Zone when we revamped the Route 94 there’s reference to special conditions that referenced the DS Zone but we failed to put in the notice that it also applied to the CB Zone in the table of use requirements. We are adding CB to those footnotes so that we make sure that we are including the right special conditions with the CB Zone as well. The other item that was being changed was, our Code had a provision where if an approved subdivision was not filed by the end of the year 2012 the approvals expired and the people had to start back at stage one. We felt that due to the economic climate, the struggles that people are having, we thought it would be prudent to give that a one year extension so we’re changing that time until next December. We felt it was prudent and our Planning Board has recommended that to us and that’s one of the changes that will be entertained this evening. The other change was actually to replace section of the code 164-47.10 entitled “Stormwater Management” which was new regulations in our zoning to deal with stormwater control. The DEC had sent about 2 years ago new regulations, concept being try to get the stormwater back into the ground as opposed to sending it into big ponds, try to step it into the ground. We had no problem adopting that and we did but what we found as we walked through the process was people who were trying to do some minor work were caught up in the fact that they had to do a

complete stormwater pollution prevention plan which again was very costly. We actually revised our stormwater management section to include a three step process, so in other words, if you're disturbing less than one acre whatever your project is; an addition to your house or garage you can fill out and submit for review what's called a simple stormwater pollution prevention plan. If you're disturbing one to five acres you have to do an intermediate stormwater pollution prevention plan which is a little bit more intense but not quite as intense as a full one. Then anything over five acres which is the DEC regulation would be a complete stormwater pollution prevention plan. That's what we're entertaining tonight and at this point I will ask the Board if they have questions on any of those changes and I will open the floor for public comment.

There were no public comments for or against this public hearing.

CLOSE PUBLIC HEARING: Motion Councilman DeAngelo, seconded Councilman Shuback that the public hearing be closed. Motion Carried (5 ayes, 0 nays) 7:39 p.m. 10-25-12

Marjorie Quackenbush, Town Clerk