

TOWN OF WARWICK PLANNING BOARD  
December 18, 2024

Members present: Roger Showalter, Vice-Chairman  
Dennis McConnell, Bo Kennedy,  
Rich Purcell, Vickki Garby, Alternate  
Laura Barca, HDR Engineering  
Temi Alao, HDR Engineering  
Danielle Dreyer, NPV Planners  
Bob Krahulik, Planning Board Attorney  
Connie Sardo, Planning Board Secretary

The regular meeting of the Town of Warwick Planning Board was held Wednesday, December 18, 2024 at the Town Hall, 132 Kings Highway, Warwick, New York. Chairman, Benjamin Astorino called the meeting to order at 7:30 p.m. with the Pledge of Allegiance.

Vice-Chairman Showalter: I am filling in for the Planning Board Chairman Ben Astorino tonight. We just found out that Ben had a baby grandson born on Monday. We would like to mention for the record congratulations and we hope the best for him and his family.

**Review of Submitted Maps:**

***St. Stanislaus Church***

Application for 2<sup>nd</sup> Amended Final Approval of a proposed Lot Line Change, situated on tax parcels S 13 B 1 L 1.11, 1.4 and 17.2; parcels located on the northern side of Cty. Hwy. 1 570 feet west of Pulaski Hwy., in the SL/LB zones, of the Town of Warwick, County of Orange, State of New York. Previously discussed at the Planning board Meeting of 11/20/24.

Representing the Applicant: Stephen Mandracchia, Applicant's Attorney.

The following review comments submitted by HDR:

Comment #1: Planning Board to discuss SEQRA.

Danielle Dryer: This is a Type 2 Action. No further SEQRA is required.

Comment #2: Applicant to discuss project.

Stephen Mandracchia: There is a parcel of land that separates St. Stanislaus property and Philip Hamling's property. St. Stanislaus is going to donate a portion of their property and Mr. Hamling is going to donate a portion of his property to St. Stanislaus to have one contiguous piece connecting the cemetery to the CYO building. We would also eliminate the issue with regard to the CYP septic line running through Mr. Hamilton's property. That would be entirely on St. Stanislaus property.

Comment #3: Conservation Board – no comments received

Comment #4: Architectural Review Board – no comments received

Comment #5: TW Building Department – 10/30/24 parcel 13-1-1.4 expired permit #31301 for rear addition: 16' X 12' Mudroom, full bath and laundry, rear deck 12' X 13'9", front porch 6' X 6'

Stephen Mandracchia: Mr. Hamling is working on getting that all cleared up. I believe all of the inspections have been completed. We have to get an electrical certification to the Town of Warwick Building Department so that we could get a final C of O inspection. We are taking care of that.

Comment #6: OCDPW – 11/21/24 no application needed, no comments

Comment #7: OC Planning– 10/31/24 no advisory comments

Comment #8: Applicant to show square rule §137-21.K(1). Requesting a waiver.

Comment #9: Applicant to show buildable area §137-21.A. Requesting a waiver.

Stephen Mandracchia: We are requesting from the Board those waivers.

Vice-Chairman Showalter: Ok.

Comment #10: Applicant to update tax ID's in all locations on the drawing. The large parcel is 13-1-17, the "top finger" is 13-1-11, and the parcel with the home is 13-1-1.4.

Stephen Mandracchia: We will add that to the map. We had spoken to the County. The County is going to designate SBL # 13-1-17.2 to encompass the former SBL # 13-1-11. That will all be reflected on the map.

Comment #11: Town of Warwick Standard Notes must be added for lighting.

Stephen Mandracchia: Will add that.

Comment #12: Surveyor to certify that iron rods have been set at all property corners.

Stephen Mandracchia: That has been done.

Comment #13: Surveyor to sign and seal drawing.

Stephen Mandracchia: Will do.

Comment #14: Payment of all fees.

Stephen Mandracchia: Ok.

Vice-Chairman Showalter: Do any Board members or Professionals have any comments?

Mr. McConnell: There is no construction proposed. It is just a simple lot line change. Is that correct?

Stephen Mandracchia: Yes.

Mr. McConnell: Ok. Thank you.

Vice-Chairman Showalter: Do any Board members or Professionals have any comments or concerns? Let the record show no further comment from the Board and Professionals. Does the Applicant wish to waive the final public hearing?

Stephen Mandracchia: Yes. We request the Planning Board to waive the final public hearing.

Mr. McConnell makes a motion to waive the Final Public Hearing.

Seconded by Mr. Kennedy. Motion carried; 5-Ayes and 0-Nays and 0-Absent.

Vice-Chairman Showalter: We need a motion for the waiving of the square rule and buildable area.

Mr. McConnell makes a motion to waive Comment #8 square rule and Comment #9 buildable area.

Seconded by Mr. Kennedy. Motion carried; 5-Ayes and 0-Nays and 0-Absent.

Mr. Kennedy makes a motion on the St. Stanislaus Church, granting conditional 2<sup>nd</sup> Amended Final Approval of a proposed Lot Line Change, situated on tax parcels S 13 B 1 L 1.11, 1.4 and 17.2; parcels located on the northern side of Cty. Hwy. 1 570 feet west of Pulaski Hwy., in the SL/LB zones, of the Town of Warwick, County of Orange, State of New York. A SEQRA Type 2 Action was adopted on November 20, 2024. Approval is granted subject to the following conditions:

1. TW Building Department – 10/30/24 parcel 13-1-1.4 expired permit #31301 for rear addition: 16' X 12' Mudroom, full bath and laundry, rear deck 12' X 13'9", front porch 6' X 6'
2. OCDPW – 11/21/24 no application needed, no comments
3. OC Planning– 10/31/24 no advisory comments
4. Applicant to show square rule §137-21.K(1). Requesting a waiver. (Waived)
5. Applicant to show buildable area §137-21.A. Requesting a waiver. (Waived)
6. Applicant to update tax ID's in all locations on the drawing. The large parcel is 13-1-17, the "top finger" is 13-1-11, and the parcel with the home is 13-1-1.4.
7. Town of Warwick Standard Notes must be added for lighting.
8. Surveyor to certify that iron rods have been set at all property corners.
9. Surveyor to sign and seal drawing.
10. Payment of all fees.

Seconded by Mr. McConnell. Motion carried; 5-Ayes and 0-Nays and 0-Absent.

***Pine Island Solar, LLC***

Application for Site Plan Approval and Special Use Permit for the use and construction of a 3.5 MW-AC Photovoltaic Solar Array and Application for Sketch Plat Review and Final Approval of a proposed 3-Lot Subdivision, situated on tax parcel S 27 B 1 L 16.5; project located on the northern side of CO. Hwy. 1 (312 Co. Hwy. 1), in the RU zone, of the Town of Warwick.

Representing the Applicant: Ryan Clark, Seaboard Solar.

The following review comments submitted by HDR:

Comment #1: Planning Board to discuss SEQR.

Danielle Dreyer: We originally recommended that this action be classified as an Unlisted Action. However, we noticed that it is a Type 1 Action a project or action that involved the physical alteration of 10 acres. The Applicant must provide a Full EAF Part 1, before this Lead Agency NOI (Notice of Intent) can be distributed. Once the Full EAF Part 1 has been provided, then they could go through with that. We would then provide an EAF Part 2.

Ryan Clark: We did submit a Full EAF Part 1.

Danielle Dreyer: We had only seen the Short EAF Part 1.

Ryan Clark: There was a 2<sup>nd</sup> submission with the EAF. We emailed that to Connie.

Connie Sardo: The 2<sup>nd</sup> submission was for the subdivision portion of it that you emailed to me. It was forwarded to the Town's Professionals. There was no Full EAF Part 1 included in that submission.

Ryan Clark: We will double check that.

Danielle Dreyer: Once you submit the Full EAF Part 1, we would provide a draft Full EAF Part 2.

Ryan Clark: Ok.

Comment #2: Applicant to discuss project.

Ryan Clark: At the Work Session, it was mentioned that we are trying to get a determination on the required variances for the setbacks and lot coverage ratio. I believe that you recommended to do a determination Memorandum. Is that correct?

Bob Krahulik: Yes. Mr. Sweeney submitted a Memorandum dated 10/16/24. I am in an agreement with his Memorandum.

Ryan Clark: Ok. Do you need anything else for us to submit to get on the ZBA's next agenda?

Page 5 of 17                      Town of Warwick Planning Board Minutes      December 18, 2024  
Connie Sardo: You would need to complete a ZBA application packet. You would need to submit that by January 6, 2025.

Ryan Clark: Ok. Is that all we need to do?

Connie Sardo: If you go on the Town of Warwick's website. The ZBA applications are on the website. The ZBA application has a checklist of items that you would need to submit along with the ZBA application.

Ryan Clark: Ok. We will submit that before January 6<sup>th</sup>.

Connie Sardo: You could also email the ZBA submission to me and provide hard copies.

Ryan Clark: Ok.

Connie Sardo: Thank you.

Comment #3: Conservation Board – no comments received

Comment #4: Architectural Review Board – no comments received

Comment #5: OC Planning Department – pending

Comment #6: TW Building Department – 10/01/24 #5425 permit for garage has expired, #7419 permit for pool has expired; pool area is overgrown, #26903 permit for re-roof has expired.

Vice-Chairman Showalter: You would have to address those issues with the Building Department.

Ryan Clark: Ok. We are not currently the owners of the property. Is that something that we have to take care of?

Connie Sardo: Yes.

Vice-Chairman Showalter: Yes. You would need to get the owners of the property to take care of that. That is part of your do diligence.

Ryan Clark: Ok.

Comment #7: SHPO – must be sent due to limits of disturbance

Ryan Clark: Yes.

Comment #8: PB to determine if a site inspection is desired. Site inspection held on 11/02/24.

Comment #9: OCDPW – must be sent due to entrance onto County Road.

Ryan Clark: Ok.

Comment #10: ZBA – determination pending.

Ryan Clark: Right.

Vice-Chairman Showalter: Do any Board members or Professionals have any comments or concerns on the rest of these comments? Does the Applicant want to go over any of these comments this evening? Let the record show no comment from the Board, Professionals, and Applicant. We will list Comment # 11 through Comment #65 for the record. We need a motion for the Type 1 Action.

Mr. McConnell makes a motion for the Type 1 Action.

Seconded by Mr. Kennedy. The following Resolution was carried 5-Ayes and 0-Nays and 0-Absent.

617.6

State Environmental Quality Review (SEQR)

Resolution Notifying Intent to Assume Lead Agency

Type I Action

Name of Action: Pine Island Solar

**Whereas**, the Town of Warwick Planning Board is in receipt of an application for Site Plan Approval and Special Use Permit for a 3.5 MW-AC Photovoltaic Solar Array situated on a 57.5 acre parcel of land located at 300 County Route 1, Town of Warwick, Orange County, New York, and

**Whereas**, a Short Environmental Assessment Form (SEAF) Part 1 was received from the Project Sponsor dated September 17, 2024; and

**Whereas**, after examining the EAF, the Planning Board has determined that New York State Research and Development Authority (NYSERDA), the New York State Department of Agriculture and Markets, the New York State Department of Parks, Recreation and Historic Preservation (SHPO) and the Town of Warwick Zoning Board may be involved or interested agencies for the project; and

**Now Therefore Be It Resolved**, that the Planning Board hereby classifies the proposed action as Type 1 pursuant to 6 NYCRR 617.4(b)(6)(i) (physical alteration of more than 10 acres) and declares its intent to assume Lead Agency Status for the coordinated SEQR review of this action; and

**Be It Further Resolved**, that the Planning Board Secretary is hereby directed to mail copies of the attached lead agency notice along with the Full Part 1 EAF to be provided by the project sponsor along with a copy of the application to all identified involved and interested agencies

Connie Sardo: Your next step would be to submit to the ZBA by January 6, 2025.

Ryan Clark: When is the next ZBA meeting?

Connie Sardo: January 27, 2025.

Ryan Clark: Ok. Thank you.

Comment #11: NYSEDA – pending.

Comment #12: Applicant to clarify if project is a large-scale solar project (greater than 40,000-sf) or a commercial large-scale project; see §164-22 for definitions. Please add a note to the plans.

Comment #13: Service capacity letters must be submitted.

Comment #14: Add a bulk table with the zoning requirements for installing solar panels on this property [i.e., §164-40M, §164-42G, §164-46J(127)].

Comment #15: Applicant to adhere to setback requirements from internal roads for fencing/solar panels in accordance with §164-46J(127).

Comment #16: Include tax map section, block, and lot numbers on plan.

Comment #17: Include 911 addresses on the plans.

Comment #18: Applicable Town of Warwick Standard Map Notes must be added to the plans.

Comment #19: Applicant to submit the four-step process [§164-41.1E(3)] and show how it was used to site the locations for the solar panels.

Comment #20: Applicant to submit documentation (drawings, separate reports, etc.) to comply with §164-42G Large-scale solar energy installations.

Comment #21: Applicant to submit documentation to comply with §164-46J (53), (81), (97), (127), (131-137), & (154).

Comment #22: §164-46J(53) requires compliance with the Town of Warwick Design Standards.

Comment #23: Applicant shall clarify on the plans, compliance with the Town of Warwick Performance Standards (§164-46J(81)). A note shall be added to the plan.

Comment #24: Bulk zoning requirements for each proposed lot should be shown.

Comment #25: Proposed use of each new lot should be shown on the plans.

Comment #26: Applicant to show buildable area §137-21.A.

Comment #27: Applicant to show square rule §137-21.K(1).

Comment #28: Show proposed driveway details and profiles for existing residential and proposed lot.

Comment #29: Applicant to show on drawings that existing trees surrounding the solar panels are proposed to remain.

Comment #30: Per §164-46J(97) additional screening may be required; Applicant to update plans to show compliance.

Comment #31: Applicant to clarify the number of utility poles to be used and if underground connections can be made. Similar previous solar applications have made this connection underground, as the Town of Warwick requires all new utilities to be underground.

Comment #32: Applicant to provide the electrical one-line diagram.

Comment #33: Applicant to provide the electrical drawings showing the quantity and location of inverters and transformers.

Comment #34: Applicant to clarify on the plans where the direct connection to a utility is located and how that connection will be made.

Comment #35: Applicant to clarify how panels will be installed and if soil testing is required prior to installation. Applicant to provide soil boring and test pit results.

Comment #36: A stormwater plan in compliance with Town of Warwick Town Code (§164-47.10 Stormwater Management) and NYSDEC (SPDES General Permit for Stormwater Discharges from Construction Activity Permit No. GP-0-20-001) requirements shall be submitted.

Comment #37: Provide a brief step-by-step phasing process for solar panel installation on plans.

Comment #38: The proposed grading for the access road must be shown; steeper areas (areas of approximately 10% grade or greater) should have a profile prepared.

Comment #39: Please add compliance with 2020 Fire Code of New York State onto plans.

Comment #40: Applicant to clarify how project complies with 2020 Fire Code NYS 503.1.1 or clarify if an exemption has been granted of the Code Official.

Comment #41: A lighting plan in compliance with §164-43.4 Lighting shall be submitted.

Comment #42: Any proposed signage shall follow §164-43.1 and must be shown on the drawings. If no signage is proposed, then a note must be added to the plans.

Comment #43: Applicant to comply with signage requirements adjacent to utility meters per §164-42G(8).

Comment #44: Applicant to provide structural Engineer of Record for the PV raking structure, for the foundation design, and for the geotechnical report.

Comment #45: Applicant to submit a preliminary “Basis of Design” that provides a summary description of the PV racking system, the type of foundations intended to be used for all electrical and PV equipment, the Risk Category that will be used, and the building code specified for wind, snow, ice, and seismic parameters.

Comment #46: Applicant to provide structural drawings and structural calculations for the PV tracker system, for the tracker foundation / pile system, and for all solar PV auxiliary equipment foundations. This information is required as part of the planning board review. The final documents will be presented to the Building Department for the issuance of a permit.

Comment #47: Applicant to provide project geotechnical engineering report that was used to design all foundations for this project.

Comment #48: The complete electrical design drawing should be submitted for review.

Comment #49: Provide a map note stating that “No construction or proposed use shall begin until the maps are signed by the Planning Board Chairman and Building Department permits are obtained.”

Comment #50: The declaration information for the Agricultural, Aquifer, and Biodiversity Overlay Notes must be added to the plans.

Comment #51: Surveyor to sign and seal final plans. The survey must be incorporated into the plan set.

Comment #52: Surveyor to certify that iron rods have been set at all property corners.

Comment #53: Applicant to clarify if there is a power purchase agreement (PPA) with the utilities. Please provide the signed PPA from the utility company.

Comment #54: Since this application requires the approval for a special use, Planning Board to consider making the approval/permit renewable through the building department every year with proof of current ownership of the facility, confirmation that the current owner assumes the decommissioning obligations, & general status report of the operation of the facility.

Comment #55: Applicant to confirm that Orange & Rockland is aware of project and if any upgrades are required (e.g., lines, substation, etc.). The fully executed copy of this agreement should be submitted during the planning board process.



Comment #56: Applicant to submit a copy of the lease/buy agreement between the solar developer and the landowner.

Comment #57: Applicant to confirm the submittal timing for the detailed design, including civil, structural, and electrical drawings (i.e., permit drawings).

Comment #58: Provide declaration information for Agricultural, Aquifer, and Biodiversity Overlay map notes.

Comment #59: Applicant to provide Landscape Bond cost estimate.

Comment #60: Applicant to provide Performance Bond for site inspection fees.

Comment #61: Applicant to provide Decommissioning Report to the satisfaction of the Planning Board Engineer/ Attorney. Applicant to verify if cost of monitoring during decommissioning has been included in the estimate.

Comment #62: Applicant to provide Decommissioning Bond to the satisfaction of the Planning Board Attorney/ Engineer.

Comment #63: The PILOT agreement must be submitted to and accepted by the Town Board.

Comment #64: Applicant to provide the liber and page for access easements and other applicable documents after they are filed in the Orange County Clerk's Office.

Comment #65: Payment of all fees.

***642 Pine Island Mart Holdings, LLC***

Application for Site Plan Approval & Special Use Permit for the use and construction of a 3,700 s.f. gas station and mixed-use mini mart and apartment residence, situated on tax parcel S 14 B 2 L 1 and on approximately 0.37 acres; project located on the northern side of Co. Hwy.1 and 0 feet east of Co. Hwy/ 6 (642 County Route 1), in the LB zone, of the Town of Warwick.

Representing the Applicant: Brad Cleverly from MJS Engineering.

The following review comments submitted by HDR:

Comment #1: Planning Board to discuss SEQRA.

Danielle Dreyer: The action as currently submitted would be classified as an Unlisted Action. However, in an email dated December 10, 2024, Laura Barca indicated that the Applicant would like to proceed with an application for a motor vehicle service station without an accessory apartment. Such an amended application, once received would be a Type 2 Action not subject to SEQRA. We recommend that the Planning Board defer classifying the action until the revised application is submitted.

Brad Cleverly: Yes.

Danielle Dreyer: We have a couple of other design comments. If you are proposing any new lighting, we would like to see that on the plans. Landscaping, we would like to see more details especially with the Meadow landscaping towards the rear of the building. Details should be provided to include the type of seeding to be done and/or type of plantings proposed, if any. Signage, if any new signage is proposed, they should be shown on the plans. Design Guidelines, The Applicant is proposing white painted brick for the façade. That is not recommended. They highly recommend low reflecting, subtle, neutral, or earth tone colors. That would be up to the Planning Board's discretion. We recommend that the Applicant provide color architectural elevations and/or renderings for the Board's consideration.

Brad Cleverly: I don't believe our clients would have an issue with the different color. I would rather do that then request something else.

Vice-Chairman Showalter: Right. I agree. Is the Board ok with that?

Mr. McConnell: Could you clarify, that this application was originally going to have an apartment and now they are going to make a change in what they are going to ask for?

Vice-Chairman Showalter: They are not going to do the apartment. They want to use that space for storage/office.

Mr. McConnell: Is it presently being used as an apartment?

Vice-Chairman Showalter: Let us go to Comment #2, Applicant to discuss project.

Comment #2: Applicant to discuss project.

Brad Cleverly: This building is an existing motor vehicle service station. Right now, it has some retail in the front. There is vehicle service in the back. What the Applicant would like to do is to cut off the front of the building to create a more safe and better egress in and out of this building. At this point, there is a second floor over this area that was going to be removed to create this wedge. We had previously submitted that the proposed 2<sup>nd</sup> floor would be retail. That is not allowed in this zone. What they would like to do is use the 2<sup>nd</sup> floor as a storage room/office and a breakroom for the employees. It would all be associated with the accessory retail use on the 1<sup>st</sup> floor. It is all associated with the retail use while the retail use on the 1<sup>st</sup> floor would be less than 2000 square feet as required by Code for the motor vehicle service station use. We also propose a new canopy, new pumps and storage tanks. We would make the site look more presentable.

Mr. McConnell: Is there some demolition that would happen here?

Brad Cleverly: Yes. There would be demolition. The existing building is shaped like a parallelogram. Looking at the map, this corner here would get cut off and removed. A new wall would be built. That would essentially be the front of the building. A new canopy would be constructed. The new pumps would be parallel with this front of the building here.

Mr. McConnell: Ok. Is the space on the 2<sup>nd</sup> floor that was being considered to be used for an apartment, is that presently occupied by a resident?

Brad Cleverly: I don't think so. I would have to check that with my client. I will confirm that with my client.

Mr. McConnell: How many employees are there that would need a breakroom?

Brad Cleverly: I would have to check that out as well with my client. I don't have the exact number of employees. There would also be storage and office space located there.

Mr. McConnell: We need more facts. The amount of space for the "Mini Mart" is how much?

Brad Cleverly: The retail space is 1,094 s.f. There would be a storage and freezer area of 412 s.f. The retail space would be under 2,000 s.f. as required by Code.

Mr. McConnell: Ok. So, we are not talking about any serving of food for onsite consumption. Is that correct?

Brad Cleverly: They would be making food.

Mr. McConnell: It would be something like going in and getting a cup of coffee and a bagel. Is that correct?

Bob Krahulik: Dennis, think of it like a Quick Check. Quick Check has table service. Do you want to prohibit that?

Mr. McConnell: I am just trying to figure out why an Applicant would submit plans stating they are going to have an apartment upstairs, which represents a certain revenue stream. Now, we are told that they are not going to have that revenue stream. I just wanted to be sure that I understand whether there is some substitute revenue stream to make it economically feasible. It is not that the economic feasibility is our concern. It is not that they would put in a couple of tables in to make up for the loss of residential rent. I want to know what is happening so that we could fit it in to where it fits.

Bob Krahulik: They got rid of the apartment because it was prohibited.

Brad Cleverly: They have a storage room on the 2<sup>nd</sup> floor. They would not run out of chips. If they run out of chips on the 1<sup>st</sup> floor, they would bring down chips from the 2<sup>nd</sup> floor. They would always have better stock.

Mr. McConnell: Ok. Thank you.

Comment #3: Conservation Board – no comments received

Comment #4: Architectural Review Board – no comments received

Comment #5: TW Building Department – 12/05/24 expired permit #28425 for motor vehicle service station with accessory retail store & motor vehicle repair shop; fire inspection needed; CO required for permit 28425

Comment #6: OC Planning Department – 12/09/24 advisory comments - proposed canopy should not encroach on County Rt. 1, coordinate with OCDPW, stormwater hotspot, use double-wall fuel tanks, variances may be required.

Comment #7: OCDPW – pending comments.

Comment #8: Applicant to confirm that the Town Board has accepted the property into the water district: access is required for food service.

Comment #9: Planning Board to determine if a site inspection is necessary.

Comment #10: A bulk table must be added to the plan showing the allowed/required, existing, and proposed values.

Comment #11: Applicant to add a note to the plan that residential use is not permitted on this property.

Comment #12: Plans should include total number of employees.

Connie Sardo: Brad, are you ok with Comment #5 through Comment #12?

Brad Cleverly: Yes. I am ok with all of the comments this evening.

Vice-Chairman Showalter: We will submit Comment #5 through Comment #28 for the record.

Connie Sardo: You will need to submit a new revised application.

Brad Cleverly: Ok. Will do.

Connie Sardo: Also, please submit a cover letter addressed to the Planning what has been revised in the application regarding the uses.

Brad Cleverly: Ok.

Laura Barca: You would also need to submit a new SEQRA form because the uses proposed have changed.

Brad Cleverly: Will do. Thank you.

Vice-Chairman Showalter. Do any Board members or Professionals have any comments or concerns. Let the record show no comment from the Board and Professionals.

Comment #13: Square footage of proposed building and proposed uses should be shown on plans.

Comment #14: Sediment and erosion control measures should be included on the plans.

Comment #15: Any existing and all proposed signage must be shown on the plan, in compliance with MUTCH standards.

Comment #16: Applicant to submit all items from the required checklist.

Comment #17: The hours of operation should be shown on the plans.

Comment #18: The proposed septic system must have the soil tests witnessed by the office of the planning board engineer or OCDOH.

Comment #19: The 911 address must be shown on the plan.

Comment #20: Parking calculations must be provided for all uses of property.

Comment #21: All parking lot spaces must be striped.

Comment #22: §164-46.J(53) Town of Warwick Design Standards is mandatory; please show on the drawing and/or provide a narrative to demonstrate how this project complies.

Comment #23: Table of Uses, Use #50 requires compliance with §164-46.J (57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 129, and 145), as appropriate. Please clarify this information on the plan, show what is proposed, or add applicable notes to the plan.

Comment #24: Provide a map note stating that “No construction or proposed use shall begin until the maps are signed by the Planning Board Chairman and Building Department permits are obtained.”

Comment #25: Please include applicable Town of Warwick standard notes on the plan.

Comment #26: Surveyor to certify that iron rods have been set at all property corners.

Comment #27: Surveyor to sign and seal drawing.

Comment #28: Payment of all fees.

***Frederick & Susan Fisher Site Plan***

Application for Site Plan Approval for the use and construction of a 4-bedroom single-family dwelling, situated on tax parcel S 33 B 1 L 4.23; project located on the northern side of Demarest Road 800± feet west of 4 Corners Road (16 Demarest Rd.), in the RU zone, of the Town of Warwick.

Representing the Applicant: Brian Friedler from Friedler Engineering.

The following review comments submitted by HDR:

Comment #1: Planning Board to discuss SEQRA.

Danielle Dreyer: This is a Type 2 Action. No SEQRA review is required. We don't have any comments on lighting or landscaping. It is not required for a single-family dwelling. This project is located in the Ridgeline Overlay District (RL-O). We just wanted to confirm that the materials that you would be using would blend in with the natural surroundings.

Brian Friedler: Yes. They would do that once they submit building plans to the Building Department.

Laura Barca: Ok.

Comment #2: Applicant to discuss project.

Brian Friedler: This is a vacant piece of property that is approximately 22.8 acres located on Demarest Road. The Applicant's are looking to construct a 4-bedroom dwelling on the vacant piece of land.

Mr. McConnell: This was not an approved building lot. Is that correct?

Brian Friedler: Back in 1976, there was a note on the original subdivision plans stated that this lot needed Planning Board approval before construction.

Mr. McConnell: I would ask our Attorney to explain that.

Bob Krahulik: We discussed this at the Work Session. We don't really know why the note appeared on the original subdivision plans.

Mr. McConnell: Ok. It is just unusual for us seeking approval for building a house. There is nothing unusual for building a house.

Bob Krahulik: Right. Except if you are within so many feet of a Designated Protection Area. You would then have to come before the Planning Board.

Mr. McConnell: Right.

Bob Krahulik: We don't know exactly what happened 20 to 30 years ago when this was done. But for some reason there was a note put on the plans for them to come before the Planning Board for site plan approval before they could build a house.

Mr. McConnell: That would suggest to me that there might be an issue that is not jumping out at us.

Bob Krahulik: There is a pond in the middle of the property. Maybe they were concerned about impacts on the pond. I am just speculating. Maybe that was why they added the note. We don't really know.

Mr. McConnell: Who is going to educate us on that.

Bob Krahulik: We are not going to know other than we know that they have to appear before the Planning Board before they could obtain a building permit.

Mr. McConnell: Ok.

Vice-Chairman Showalter: That is why there is a note on the plans.

Mr. McConnell: I would have a predisposition to be skeptical because of why they wouldn't make it a building lot when they were in front of the Planning Board years ago.

Bob Krahulik: We might learn the answer to that when we schedule the public hearing. Someone might bring up concerns about the property from years ago that needs to be known today.

Mr. McConnell: Yes. I know that the last time we ran across from one of these was located off Ceder Hill was a withhold lot.

Connie Sardo: That was an Omit lot.

Mr. McConnell: Yes.

Laura Barca: Dennis, the process for this lot is the same process as an Omit lot.

Mr. McConnell: Ok. Thank you.

Comment #3: Conservation Board – no comments received

Comment #4: Architectural Review Board – no comments received

Comment #5: OC Planning Department – 12/05/24 advisory comments locations of test pits and percolation tests for proposed septic system on site plan.

Brian Friedler: No problem.

Comment #6: TW Building Department – 12/05/24 no violations.

Comment #7: Planning Board to determine if need a site inspection.

Vice-Chairman Showalter: Would the Board like to do a site inspection?

Mr. McConnell: Yes.

Mr. Kennedy: Yes.

Mr. Purcell: Yes.

Vice-Chairman Showalter: Ok. The Board is in favor of doing a site inspection. We will discuss that at the January 6<sup>th</sup> Work Session.

Brian Friedler: Ok.

Comment #8: Town of Warwick Standard Note that all utilities must be installed underground needs to be added to the plans.

Brian Friedler: No problem. I am ok with the rest of the comments.

Vice-Chairman Showalter: Ok. We will list Comment #9 through Comment #17 for the record.

Comment #9: Add a note to the plans stating, "No planning board approval needed for additions that qualify as permitted uses under §164-46J".

Comment #10: Applicant to show driveway complies with §79-3 Construction Specifications of town code.

Comment #11: Applicant to show buildable area §137-21.A

Comment #12: Applicant to show square rule §137-21.K(1).

Comment #13: All standard map notes must be filed with Orange County Clerk. Liber and deed should be added to site plans.

Comment #14: The surveyor must sign and seal the plan because metes and bounds are included on the drawings.

Comment #15: Provide a map note stating that "No construction or proposed use shall begin until the maps are signed by the Planning Board Chairman and Building Department permits are obtained." Note is located on Sheet 1.

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

Comment #17: Payment of all fees.

Vice-Chairman Showalter: Does the Applicant request to be set for a public hearing.

Brian Friedler: Yes.

**Mr. Kennedy makes a motion to Set the Frederick & Susan Fisher Site Plan Application for a Public Hearing at the next available agenda.**

Seconded by Mr. McConnell. Motion carried; 5-Ayes and 0-Nays and 0-Absent.

Brian Friedler: Thank you.



**Other Considerations:**

1. Planning Board to discuss canceling the 12/23/24-W.S. & 1/1/25-PB Meeting.

Mr. McConnell makes a motion to cancel the 12/23/24-W.S. & 1/1/25-PB Meeting.

Seconded by Mr. Kennedy. Motion carried; 5-Ayes and 0-Nays and 0-Absent.

**Correspondences:**

Vice-Chairman Showalter: Connie, do we have any correspondences this evening.

Connie Sardo: No. I just wanted to mention that starting January 1, 2025 all of our Work Sessions and Planning Board Meetings will start at 7:00 p.m. Our next Work Session is January 6, 2025 @ 7:00 p.m.

Vice-Chairman Showalter: Ok. Thank you.

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

Vice-Chairman Showalter: Is there anyone in the audience wishing to address the Board on any of the agenda items? Let the record show no public comment. I wanted to wish everyone Happy Holidays.

**Mr. McConnell makes a motion to adjourn the December 18, 2025 Planning Board Meeting.**

Seconded by Mr. Kennedy. Motion carried; 5-Ayes and 0-Nays and 0-Absent.