

TOWN OF WARWICK PLANNING BOARD
June 18, 2025

Members present: Chairman, Benjamin Astorino
Roger Showalter, Vice-Chairman
Dennis McConnell, Bo Kennedy,
Rich Purcell, Vickki Garby, Alternate
Laura Barca, HDR Engineering
Steve Seymour, HDR Planner
Temi Alao, HDR Engineering
Max Stach & 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, June 18, 2025 at the Town Hall, 132 Kings Highway, Warwick, New York. Chairman, Benjamin Astorino called the meeting to order at 7:00 p.m. with the Pledge of Allegiance.

Review of Submitted Maps:

Black Walnut Creek, LLC.

Application Site Plan Approval and Special Use Permit for the use and construction for commercial agriculture farm market over 4,000 s.f., museum village, and eating and drinking establishment, situated on tax parcel S 4 B 1 L 2.46; project located on the northern side of Van Sickle Road 375± feet north of intersection at Pulaski Hwy., (13 Van Sickle Road a/k/a 6 Sodrick Lane), in the AI zone, of the Town of Warwick. Previously discussed at the Planning Board Meeting of 5/21/25.

Chairman Astorino: We have an email letter from the Applicant asking for the application to be “Tabled” from tonight’s meeting.

Warwick Manor Senior Housing Development

Application for Site Plan Approval and Special Use Permit for the use and construction of a senior housing development to consist of (126) units, situated on tax parcel S 51 B 1 L 1; project located on the eastern side of Sanfordville Road 1,468± feet north of NYS Route 94S, in the OI zone and is also within the Town's Senior Housing Overlay District, of the Town of Warwick.

Representing the Applicant: John Furst, Applicant's Attorney. Tom Dickson, NPV.

Chairman Astorino: Just before we even get started, we did receive a letter from the Town Supervisor to myself and the Planning Board. Did you receive that?

John Furst: I just received it a couple of hours ago.

Chairman Astorino: Ok. I am going to read it for the record. It is stated as follows:

June 18, 2025

Dear Chairman Astorino and members of the Planning Board,

Please be advised that this is the Town Board's understanding that the proposed Senior Housing development, located on Sanfordville Road, is scheduled to appear before the Town Planning Board for site plan review and approval.

The subject property is situated within the Office and Industrial OI zoning district. However, by adoption of Local Law No. 8 of 2023, in November 2023, the Town Board established a Senior Housing Floating Zone applicable to this parcel.

Pursuant to provisions of said local law, the initial number of permitted residential units was set at 70. (Chairman Astorino I believe that 75 was). So, the Town Board subsequently approved a density bonus of 25 additional units for a total of 95 units. (Chairman Astorino I think it's 96? I'm not sure, but those numbers are close).

In 2024, the owner of the parcel submitted a request to the town board seeking approval for an additional 30 units, which would result in a total of 125 units. (Chairman Astorino I believe it was 126?) After due consideration, the Town Board has determined that it will not support or authorize any increase beyond the previously approved 95 units. The Board finds that no additional community benefit could warrant such an increase in density.

Chairman Astorino: So, with that being said, before we get into SEQRA, because is this what the applicant wants to pursue?

John Furst: So, we would like to proceed with our presentation because for the benefit of the public, because whether it's 125 units or 95 units, it's going to be the same questions, the same issues, the same concerns. So, we have a short presentation. We'd like to kind of present it to the board and for the members of the public so that way they have the correct information.

And then after getting feedback from the planning board, its consultants, my client will have to obviously circle back. I think the school district has some concerns. So, I'd be happy to talk to them.

Chairman Astorino: You just stole the thunder. We do have a letter from Scenic Hudson Land Trust. And a letter from the WVC School District. It will be noted for the record. Before you do your presentation, which I will allow the Planning Board will discuss SEQRA. So, Steve, if you want to just weigh in, you know, we need more information, correct?

The following review comments submitted by HDR:

Comment #1: Planning Board to discuss SEQRA.

Steve Seymour: Yes. Correct. I think we need more information on the several subjects that I will provide comment on. But initially, we understand there's incentives involved in this project. We need to know more about what the growth-inducing aspects are and those that are present and set. I do have comments on water, wetlands, and septic.

John Furst: Right.

Chairman Astorino: Also, I just want to point out Steve Seymour is with HDR Engineering.

Laura Barca: Yes. Correct.

Chairman Astorino: Nelson Pope Voorhis is our Town Planning Board Planner. But they did some work on this project which would cause a conflict. Correct, Danielle?

Danielle Dryer: Yes. Correct.

Chairman Astorino: Steve Seymour from HDR Engineering will be the Town's Planner for this project.

John Furst: I'm sorry to interrupt. Do you have copies of those letters from the School District and Scenic Hudson?

Chairman Astorino: We can get them to you. You could get them from Connie.

John Furst: Ok.

Comment #2: Applicant to discuss project.

John Furst: Yes. I'm going to just have the engineer go through the site plan. And I think you kind of went through the procedural history where back in 2023 the town board approved this floating zone. They approved it after a positive recommendation from the Planning Board. The floating zone allowed for; I think at that time there were 95 units contemplated. So, already you know those 95 units are subject to site plan review from the Board.

So, they're permitted as of right, but obviously subject to site plan review from the Planning Board. We had approached the Town Board sometime last year about maybe increasing the number of units because of financing, construction costs, a lot of the same issues that people have been dealing with for the last, developers have been dealing with for the last six years. At that time, originally the town board was somewhat interested, but obviously wanted to defer to the planning board. We just received this letter two hours ago. So, now they're not very interested. So, in any event, we feel like it's important to go through the presentation for the public. Because, again, if we do go forward with the 95 units, it's going to be the same questions, same comments, same concerns, which we hope to address. Thank you.

Tom Dickson: Yes, good evening. For the record, Tom Dixon, with the firm Nelson and Pope, office is located at 70 Maxis Road in Melville, New York. Here for the applicant, MGF Corp. The site is located on the east side of Sanfordville Road. It's located approximately 3,000 feet north of Route 94. The total site area is 71.9 acres. A large majority of the site is a freshwater wetland. And the development area is contained to the northwest corner of this property of approximately 30 acres. The actual development area is probably about 20 acres in this area that is contained. So, we are proposing a 100-foot undisturbed buffer adjacent to the wetlands area. We have made an initial application to the DEC to get their initial parcel jurisdiction. And we're in the process of preparing a non-jurisdiction application once we receive that response from the DEC. The vehicular access is located off of Sanfordville Road. It's approximately 450 feet north of the northerly entrance to Sanford Elementary School, which is located on the west side of Sanfordville Road. We are proposing 10 buildings containing 126 units and a one-story community center and outdoor amenity area. The community center would be approximately 1,000 square feet. And then we would provide some outdoor amenities behind there. A total of 230 parking stalls is shown on this plan. That works out to about 1.8 stalls per unit. This is a senior rental community proposed here. Along the northerly property line, we're providing the required 20-foot setback adjacent to the northern property here. The proposal would be to leave this undeveloped. And additional landscape screening would be provided along the northerly side here to provide privacy for the neighbor to the north. The site slopes down from Sanfordville Road to the wetland area. At the entrance here, we're at about elevation 550. And the wetlands are about 505 elevations. So, everything slopes down about 45 feet. The proposal is to provide this longer access road to drop the grade. And we're figuring that this would be about 20, maybe 25 foot lower than Sanfordville Road to set this kind of pad site here. We're proposing private water supply wells in this kind of southern portion of the property here. That's why we're leaving this area undeveloped here. We have made an initial submission to Orange County Department of Health. They have responded that we can move forward with doing our test wells in this location. So that would be our next step would be to come back with permits from the town and drill our test wells in this location here. Storm water would be handled in a couple different areas on the site here. We have one central area and then one larger area would be located on the easterly side here. We would be following the DEC Storm Water Design Manual. Thinking that this would be a storm water wetland type design that would provide treatment of the storm water and also detention within those same areas. The requirements are that our post development runoff would have to be less than the pre-developed runoff conditions. So the design of those storm water systems would be the next step on this here. Okay, the sewage treatment plant, we are proposing a sewage treatment plant in the northeast corner here. We are currently looking at two different options for treatment of the wastewater. Biologically engineered single sludge treatment known as a BEST system. And we're also looking at a membrane bioreactor known as an MBR. So these are two treatment systems. They're an advanced treatment technology. They provide for treatment down to drinking water standards for total nitrogen. And they also both would provide microfiltration. Discharge of the effluent

would be subsurface into infiltration beds. So, we would have filtration within the system before the effluent is discharged into infiltration beds. So, no effluent would be discharged into any surface waters. Okay, we are starting to work on traffic study. We have done traffic counts. We took counts at Sanfordville Road and West Street, Covered Ridge Road, Baird's Lane, elementary school north entrance, elementary school south entrance, and Route 94. We took counts on last Thursday and we took counts on Saturday. So, the next step would be to work on our traffic study to determine if there are any impacts and if there are impacts what mitigation might be necessary.

Chairman Astorino: Did you do West Street and County 1 and West Street and St. Stephens?

Tom Dickson: We did Route 94, which is obviously one all the way to the south. West Street, you're asking one all the way to the north? West Street and County 1 and West Street and St. Stephens Lane.

Chairman Astorino: West Street and County 1 and West Street and St. Stephens Lane.

Tom Dickson: I'll have to double check.

Chairman Astorino: I personally, if the board agrees, I personally think those two should be added.

Tom Dickson: I think when we met in the work session, I know we added West Street. I think it was just, and you're saying the next intersection to the north of that. I'll have to double check.

Chairman Astorino: I would definitely add them if the board so agrees. I think St. Stephens Lane gets a lot of traffic and County 1 intersection will get a lot of traffic.

Tom Dickson: Yeah, I think we. I'll double check on that. I have the intersection written down in the scope.

Mr. McConnell: But you didn't measure at Sanfordville Road and County 1.

Tom Dickson: Which is the one all the way to the north.

Chairman Astorino: We can provide those. I think that's another good one. We did the corner at Sanfordville and West Street. But Sanfordville and 1A

Mr. McConnell: Right.

Tom Dickson: Okay. We'll double check. I did submit a proposed scope to the town engineer.

And I know that we added, I know I revised it to add West Street. I just don't have that.

Chairman Astorino: I think there is going to be a few more additions to that scope.

Mr. McConnell: I have another question. So, you only measured on one school day?

Tom Dickson: Correct. Normally we measure during a weekday and we do a weekend. Correct. But we did make sure to, there were regions exams last week on Tuesday and Wednesday.

Which we made sure not to count on that day. We didn't at the high school. That's why we counted on Thursday.

Mr. McConnell: You just run the chance that for whatever's going on at the schools, there's less traffic on one day. It seems like that's a little fine to cut it.

Chairman Astorino: We'll go over the protocol. But I do think we should add a few more intersections. That is why we have the project.

Mr. McConnell: Okay. Yes.

Minas Michaelian: Can I interject something about this traffic that we are talking about? I'm one of the owners. My name is Minas Mikaelian. I'm with my wife and myself. I've been here since 1987. I have a lot of property. And we've been paying taxes and so on and so forth. The idea of the senior citizen came up because I was the supervisor. The previous supervisor. And I said, this is an industrial property I'm going to develop. He said to me, Minas, do me a favor. I don't want trucks here. I said, fine. I said to him that in order to be simple and easy, I've been operating senior citizen complex since 1983. I'm involved for close to 700 units, three places in Long Island. What I've noticed about senior citizen traffic is two times a day. One is in the morning around 10, 11 o'clock. They go out. They go to shop. They go do their hair. They go to pizza, whatever it is. By 4 o'clock, it's closed. There is no traffic going through a complex of 250 units or 240 units. There is no traffic. Now, the school opens before 10. The school closes after 4 or 4 o'clock, 3.30. These people are already in. So, the traffic coming from the senior citizen complex has no effect whatsoever. And I am, one of my complexes is adjacent to a high school, Sachem High School, which is very, very busy. High school kids come with the cars, go back and forth.

Chairman Astorino: This is why we do the traffic studies. It's nice that you say this, but that's why we need the studies.

Minas Michaelian: No, I'm telling you from my experience. Because a lot of people, a lot of people, seniors come. They hardly can drive, believe it or not, if I tell you.

Mr. McConnell: No, I'm telling you from my experience. Because a lot of people, a lot of people, seniors come. They hardly can drive, believe it or not, if I tell you.

Chairman Astorino: So as long as we have the studies, which we're working on, as we need. We need the actual studies.

Minas Michaelian: I'm not disputing any of the studies. I'm just telling you my own experience.

Mr. McConnell: We got it.

Minas Michaelian: Thank you.

Chairman Astorino: Thank you. Tom, anything else?

Tom Dickson: No, that was really the presentation. Certainly, let me know if there's additional intersections. We can do the additional intersections.

Chairman Astorino: Our engineer will contact you as soon as possible. I think we identified them just this evening. So, we'll add those. As far as, then I guess now it's up to you and your client to figure out how you would like to proceed. If you want to proceed at 96 units, you have to resubmit to the 96-unit project. Because as of right now, you're submitted to 126. So, we need to start SEQR on 96unit project. Then the board's going to make a decision on SEQR how we proceed. That's another topic that we will discuss before the next meeting.

Minas Michaelian: As an owner, I have not given the chance to talk to anybody to see why this sudden change. I have the right to ask somebody to help me out. Why is this so sudden change?

Chairman Astorino: That's a question you need to ask the town supervisor. He provided us with a memo. That's not our board. We were provided this memo this afternoon. And we go from there. This board cannot act on giving more units. It's as simple as that. Okay.

John Furst: Okay. Thank you. Yes. We'll follow up with the town board, try to get their concerns as well. We'll try to follow up with the school district and see what their concerns are. And then we'll take all that information and they'll have to make a decision as to how he wants to proceed.

Chairman Astorino: Ok. John, we are going to list Comment #3 through Comment #47 for the record. And we'll go from there. Okay. You'll be back. Any further comments from our Professionals or the Board? Bob, this memo you prepared really is immaterial at this point, correct?

Bob Krahulik: Correct.

Mr. McConnell: Just out of curiosity, the Applicant is obviously going to have to go to the fire department and emergency services because one entrance that looks like that it gives me the creeps.

Chairman Astorino: Okay. That's all going down the road.

John Furst: Yep. We'll see if there needs to be an emergency access entrance, maybe a separate emergency access entrance.

Chairman Astorino: Well, that's part of the process. Any other comments, concerns at this point? All right.

John Furst: That's part of the site plan review process. So, it looks like the traffic, just to kind of nail down the intersections.

Chairman Astorino: We're going to discuss with our engineer.

John Furst: Okay.

Chairman Astorino: She'll provide it to your engineer. I can think at least three more that I'm thinking of just off the top of my head and we'll provide them to you.

John Furst: Okay.

Tom Dickson: Yeah, one of the things, you know, now we are into finals week at the high school. I understand that.

Chairman Astorino: I understand that. But here's our concern. As all of us live here, we all drive by and see what it is there every day. One of our biggest concerns is traffic.

Mr. McConnell: I get hung up in the traffic all the time.

Tom Dickson: The elementary school is open until the end of the month. So, if we do, if you can get us the intersections, so we can do those. I'm just saying that the high school will now be into the previous exams.

Chairman Astorino: You'll have the intersections by tomorrow. If it has to be done in September, it will be done in September.

Tom Dickson: Yeah. And if there's additional that you want to do on multiple days, we could do that as well.

Chairman Astorino: Listen, as you all well know, this is not going to, this process is not going to take you 10 minutes. So, if there's a couple months from now, I need to revisit an intersection. It can be done. It's not out of the question. All right. Everybody good?

Tom Dickson: Yep. Thank you.

John Furst: Thank you very much.

Comment #3: Conservation Board – no comments received

Comment #4: Architectural Review Board – no comments received

Comment #5: OC Planning Department – pending comments

Comment #6: TW Building Department: pending comments

Comment #7: OCDOH review required due to proposed private well system.

Comment #8: NYSDEC review of proposed wastewater system required, due principal source aquifer on site location.

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

Comment #10: Proposed private well system will require a New York Professional Engineer's certification that it is functioning properly.

Comment #11: Wastewater: The EAF cites a water usage of 35,000 gallons per day, or well production of 40 gallons per minute. Applicant must support this by showing how they would provide this volume of water, provide back-up storage tanks for hours of peak use.

Comment #12: Wastewater: Applicant to confirm if they plan to provide a back-up generator to run the well pumps in the event of power failure.

Comment #13: Wastewater: Applicant to modify EAF to include the need for a Primary and Principal Aquifers General Permit under Item B – (g) State Agency Approvals.

Comment #14: Wastewater: Drawing C-104 cites the location of the proposed sewage treatment plant (2,500 sf) and a “future expansion” of 2,500 sf. Please clarify if the wastewater flow (GPD) cited in Item D.2. d of 19,360 GPD is included in the future expansion, as the upper discharge limit for a PCI is 30,000 GPD.

Comment #15: Wetlands: On Sheets C-102 – C-104 of the site plan, the wetlands are cited to be delineated on 07/07/23. Applicant to clarify if this line been confirmed by NYSDEC Region 3.

Comment #16: Wetlands: Applicant to review the NYSDEC Environmental Resource Mapper to include all resources and update EAF to include this information.

Comment #17: Wildlife: Applicant to provide IPAC results, run within the past 90 days. And include in the EAF.

Comment #18: Wildlife: The EAF cites federally regulated species, but no state regulated species. Applicant to contact NYSDEC Heritage Program and include results in the EAF.

Comment #19: Wildlife: As per the not of Figure 5 of the EAF, Applicant to confirm with NYSDEC Region 3 that no species-specific studies are required for the project site.

Comment #20: §164-49.1. Senior Housing Districts C(1) Uses: All dwelling types should allowable in an SH District. Applicant to conform with these requirements.

Comment #21: Uses of any ancillary facilities located within the housing district should be defined, and comply with the requirement of § 164-49.1. Senior Housing Districts C(2).

Comment #22: Site plan should be in compliance with §164-49.1. Senior Housing Districts (D) Design standards.

Comment #23: §164-49.1. Senior Housing Districts. D(13): Minimum floor area requirements should be met for all buildings within the Senior Housing District.

Comment #24: Applicant to include this note on the site plan: §164-49.1. Senior Housing Districts. D(15): Senior Housing (SH) Districts, all construction must conform to the New York State Multiple Dwellings Law as appropriate, the New York State Energy Conservation Construction Code and the New York State Uniform Fire Prevention and Building Code, as may be amended from time to time.

Comment #25: §164-49.1. Senior Housing Districts. D(17): Each dwelling unit shall contain a minimum of 65 square feet of outdoor common area. All outdoor tables must allow a minimum of 29 inches from the ground to the underside of the top of the table to accommodate the arms of wheelchairs. Outdoor common areas shall be well defined by landscape plantings and shall be linked to the natural open space of the site. Seating should be provided.

Comment #26: Plans should be submitted to Emergency Services for comment (Fire Department, Police).

Comment #27: All applicable Town of Warwick Standard Notes must be added to the plans.

Comment #28: All bulk zoning requirements for Senior Housing districts should be followed, setbacks should be shown on the plans.

Comment #29: §164-49.1. Senior Housing Districts. D(2)(j): Required maximum distance between buildings should be determined by the Planning Board.

Comment #30: §164-49.1. Senior Housing Districts. E. Density. The maximum number of dwelling units per acre (gross density) permitted in an SH District shall not exceed five times the number of dwellings that would otherwise be permitted in a single-family detached residential subdivision.

Comment #31: Include this note on the plans: §164-49.1. B(7) The occupancy for a senior citizen housing development shall be limited to persons who are 55 years of age or

older, with the following exceptions: (a) A husband or wife under the age of 55 years who is residing with his or her spouse who is of the age of 55 years. (b) Adults under the age of 55 years will be admitted as permanent residents if it is established that the presence of such persons is essential for the physical care or economic support of the eligible older occupant or occupants.

Comment #32: A complete stormwater pollution prevention plan, SWPPP, in compliance with §164-47.10 Stormwater Management, should be included in the plans.

Comment #33: Landscaping requirements should follow §164-49.1. Senior Housing Districts. D(12).

Comment #34: Applicant to submit all planned community benefits to the town board, such as affordable senior housing or another suitable amenity, which may make the district eligible for an additional density bonus.

Comment #35: Applicant to confirm whether the district will include any affordable housing units.

Comment #36: Lighting requirements should follow §164-49.1. Senior Housing Districts. D(11).

Comment #37: The applicant must ensure compliance with New York State Building and Fire Codes. This includes the installation of site hydrants, automatic sprinkler systems, and fire alarm and detection systems within the buildings.

Comment #38: Applicant to include this note on the plans: §164-49.1. Senior Housing Districts. H. Responsible party. In senior housing developments, one person shall be designated as a responsible party and shall be the informational center for the complex. The designated responsible party shall be on duty a minimum of four hours per day and shall have an emergency number posted 24 hours per day.

Comment #39: §164-49.1. Senior Housing Districts. D(21). Signs shall be permitted in accordance with §164-43.1.

Comment #40: The location and related signage for any handicapped accessible parking spaces should be included on the plans. Indicate locations of all proposed signs (stop, no parking, fire lane, etc.) and stop bar on the plans that correspond to the sign schedule and details.

Comment #41: Architectural renderings of proposed building exterior must be submitted.

Comment #42: The 911 addresses must be shown on the plan. Please confirm the address with the Town.

Comment #43: 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 #44: Surveyor to certify that iron rods have been set at all property corners.

Comment #45: The liber and page for Town of Warwick Standard Notes must be added to the plans.

Comment #46: Applicant to post any required Performance Bond or Landscaping Bond.

Comment #47: Payment of all fees.

Student Bus Co.

Application for Site Plan Approval and Special Use Permit for the use and construction of a school bus yard and repurpose of existing residence into an office building, situated on tax parcel S 35 B 1 L 20; project located on the northern side of Lake Station Road 800 feet east of Kings Highway (C.R. 13) (19 Lake Station Road), in the OI zone, of the Town of Warwick.

Representing the Applicant: Brad Cleverly from MJS Engineering.

Chairman Astorino: Our Planner Danielle Dreyer from NPV is back with us. So, Steve Seymour from HDR is still going to sit here because he's does wetlands for us.

Brad Cleverly: Excellent.

The following review comments submitted by HDR:

Comment #1: Planning Board to discuss SEQRA.

Danielle Dreyer: This is an Unlisted Action under SEQRA. No materials were submitted in response to our reviews. While technical studies were provided, those technical studies are under the review assignment of HDR. We will review this subject matter for SEQRA relevance when a draft Part 3 is provided as requested.

Chairman Astorino: Thank you, Danielle. While we are SEQRA Steve, you want to comment on the wetlands on us?

Steve Seymour: Yes, there are wetlands possible to the site, which may be under DEC jurisdiction under Article 24. Has application been made a jurisdictional determination request been made to DEC Region 3?

Brad Cleverly: Yes, we have made a JD and they are DC wetlands. We've also determined that we're not going to impact them.

Chairman Astorino: Have they determined it?

Brad Cleverly: No, not yet.

Chairman Astorino: We're still waiting on that. Is that correct?

Brad Cleverly: Yeah, we don't have like the validation of the wetland yet.

Chairman Astorino: Okay.

Brad Cleverly: We do have a map. We're going to go through next process will be decided for the validation.

Chairman Astorino: Okay.

Steve Seymour: Great. Quite the process, isn't it?

Brad Cleverly: Yes, it is.

Chairman Astorino: So that's a little bit of a time process to do this, correct? Steve, it takes some time to get through, correct?

Steve Seymour: Well, it's basically at the mercy of the DEC field biologist who's going to come out, Mike France or Brian Drum, whoever you might get to come out on their schedule. But the more complete your application, the fewer questions they have, the sooner they'll get out.

Brad Cleverly: We have it flagged and surveyed. We should be good to go.

Steve Seymour: Like I said, at the mercy of their schedule to get out in the field.

Chairman Astorino: Okay.

Comment #2: Applicant to discuss project.

Brad Cleverly: Well, there have been no changes to the projects since the last time we submitted. Again, this is 40 buses off of Lake Station Road. There'll be a parking lot. We'll be screening in accordance with all done in accordance with the Town of Warwick Design requirements. And the existing residents will be repurposed as office for just the office staff who are associated with the student buses that go out in the morning and come back in the afternoon. And we are proceeding with the full design of the project to meet the Warwick requirements. And also, now that we have the actual wetland flag locations, those are going to be reflected in those new design documents, which you are preparing at this time.

Chairman Astorino: Okay. Thank you.

Mr. McConnell: Can I just ask a question?

Chairman Astorino: Sure.

Mr. McConnell: You said they go out in the morning and they come back in the afternoon. That's different than going out in the morning, coming back and then going out in the afternoon and coming back.

Brad Cleverly: You're correct. You are correct. I was mistaken. I misspoke.

Chairman Astorino: Okay. So, it sounds like you are working on this project. Any of these comments you'd like to discuss?

Brad Cleverly: No.

Chairman Astorino: I know you're working on these comments. It doesn't pay to go through them. We will list Comment #3 through Comment #54 for the record. Do any Board members or Professionals on the comments at this time? Board member and Professionals have no further comments. You will be back. Thank you.

Brad Cleverly: Thank you.

- Comment #3: Conservation Board – no comments received
- Comment #4: Architectural Review Board – no comments received
- Comment #5: TW Building Department – 01/03/25 permit needed for gazebo
- Comment #6: OC Planning Department – pending comments
- Comment #7: Planning Board to determine if a site inspection is necessary.
- Comment #8: Applicant to submit all items from the required Site Plan and Special Use checklist.
- Comment #9: Applicant to clarify the structure that appears to be located on the Town of Chester/Town of Warwick boundary line.
- Comment #10: Sheet C-1. Note should include that §164-40.M Table of Use Requirements, Use #95 is being proposed.
- Comment #11: The bulk table information shown on Sheet C-1, Note 5 should include lot width, lot depth, and setbacks adjacent to special area (i.e., USACE wetland).
- Comment #12: Bulk zoning table and setback distances from office, should be shown on plans. Setbacks for parking should comply with §164-46J(127).
- Comment #13: Applicable Town of Warwick standard notes added to plans.
- Comment #14: §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 #15: The Applicant should file a Project Jurisdictional Determination request with NYSDEC for the previously mapped wetland in the parcel.
- Comment #16: Applicant to modify site plans to include 100-foot wetland buffer.
- Comment #17: Applicant should delineate the boundary of the stream from the wetlands onsite, and show the 50-foot adjacent regulated from each bank, on the site plans.
- Comment #18: Applicant to submit a wetlands survey delineation report, and any other available resources related to the wetlands (ie: maps, delineation data sheets, photos, etc.)
- Comment #19: §164-46.J(81) require compliance with §164-48: Performance Standards should be followed: No land or building use shall be used or occupied in any manner so as to create any dangerous, injurious, noxious, or otherwise objectionable fire, explosive, or other hazard, noise or vibration, smoke, dust, electromagnetic or other disturbance, glare, liquid or solid refuse or wastes or other substance, condition or element in such a manner or in such amount as to adversely affect the reasonable use of the surrounding area or adjoining premises.
- Comment #20: §164-46J(89): Storage of vehicles in a bus, truck, or railroad freight terminal shall not be located nearer than 200 feet to a residence district,
- Comment #21: §164-46J(90): Shipping and receiving docks in a bus, truck or railroad freight terminal shall have adequate access to and from a public street without using said street for maneuvering purposes and shall not be located nearer than 200 feet to a residence district.
- Comment #22: §164-46J((91) In a bus, truck or railroad freight terminal, no repair of motor vehicles, or shipping and receiving, shall be permitted within 600 feet of a residence district or between the hours of 8:00 p.m. and 6:00 a.m.
- Comment #23: §164-46J(97): A minimum area equal to 1/3 of the first 50,000 square feet of building coverage, plus 20% of the square footage in excess of 50,000 square feet, shall be devoted to aesthetic landscaping enhancing such areas as outer courtyards, building perimeters and major vehicular entrances and exits. All proposed plant species should be included on plans.
- Comment #24: §164-46J(131) The minimum floor area shall be 2,000 sq ft for the first floor of each principal building. Square footage proposed use of office building should be shown on plans.

Comment #25: §164-46J(132): The minimum distance between buildings is to be 30 feet or equal to the height of the tallest building, whichever is greater.

Comment #26: §164-46.J(137): For the purposes of the Office and Industrial Park District, a "lot" shall be defined as land which is leased, as well as land which is conveyed in fee.

Comment #27: §164-46J(61): No gasoline pumps shall be located nearer than 20 feet to any street line right-of-way.

Comment #28: A lighting plan, compliant with §164-43.4 of the town code must be included in the plans.

Comment #29: A stormwater management plan, in compliance with §164-47.10 of the town code must be included on the plans (intermediate SWPPP).

Comment #30: Any existing and all proposed signage must be shown on the plan, in compliance with MUTCD standards.

Comment #31: The hours of operation should be shown on the plans.

Comment #32: Editorial – correct the page numbering, as it is starting from the Existing condition page and reference in the table of content

Comment #33: Existing condition edits: Lake Station Road – please add that that the road is between Kings Highway in the WEST and Bellvale Rd in the EAST

Comment #34: Existing Conditions: For all roads, there is data missing that has a place holder of "xx": Station Rd – lane width, Kings Highway - Jurisdiction, lane width, Bellvale Rd – Jurisdiction, lane width

Comment #35: Existing Traffic Counts:

- a. Remove the "manual" from the title as the data was not collected manual if Miovision cameras were used
- b. Correct the typo in Park Dr (showing as Par Dr)
- c. Are there field observation notes?

Comment #36: Data collection hours: Why was the data not collected in accordance with the operating hours stated in the Introduction section? Especially in the morning and afternoon periods, a data collection period should have been consider to capture the drivers arriving and leaving the sites.

Comment #37: Figures: Update the figure titles – the name of the figure, at the bottom, should be after the second time and above the figure number. If applicable, Existing numbers should be rounded to the nearest 5 (this is a NYC practice that may not be applicable and needed here)

Comment #38: Synchro: (1) How were the HV% and PHF calculated? (2) Which lane width were used, as it is missing in the report. Please send a an excel (or any table format) showing all the volumes (existing, growth to No Build and Build with project trips) so the reviewer can confirm the maps volumes.

Comment #39: Existing Capacity analysis: As all the intersections in the study are unsignalized, there is no need for the LOS description for signalized intersections in page 3.

Comment #40: No Build: (1) 9:00-10:00am - WB volumes at Lake Station/Kings Highway in the map and synchro don't match, (2) 3:30-4:30pm – for all intersections, volumes in the map and synchro don't match. Capacity analysis will be checked once this discrepancy is corrected.

Comment #41: Build: (1) Why are only 32 buses are assigned? The introduction discussed 40 buses, (2) Please describe the staff shifts to explain the assignment (are they leaving the site once they are back with the buses and return in the afternoon before the 1:45pm shift starts?) Build synchro files and results will be checked once the above data is submitted.

Comment #42: Site Distance: (1) Are there field observation notes? (2) It is stated that "For the Bellvale Road/Lake Station Road intersection, we meet the stopping sight distance in all

cases and for the intersection stopping sight distance, we meet the distance looking northbound but not southbound.” (3) Please they expand upon this further? As it’s an existing condition, they can propose to not route the new traffic (buses) to make this left turn. As Bellvale Rd and Kings Hwy intersect ~1 mi. north of the facility, not directing any traffic along this route could be beneficial. (4) It is stated that “However, since we meet the stopping distance for all cases, a vehicle will be able to stop safely should a bus or other vehicle turn left onto Bellvale Road. This is also true for the Lake Station Road/Project Driveway intersection.” It does not appear that intersection sight distance was considered for this new driveway placement. This is unacceptable. They should modify the site plan to accommodate all required geometric design criteria including Intersection Sight Distance.

Comment #43: Crashes: (1) It is not noted at what intersections the crashes occurred. Please summarize per intersection. The conclusion should mention that between 2020-2021 the decline in crashes may be attributed to COVID.

Comment #44: Queueing: (1) Lake Station Rd WB approach at Kings Highway (a) The 2.5 average cars queueing was between 9:07 to 9:43am and not 9:30-10:30am. The only count done in that range was at 9:45am. (b) 3:30 – 4:30pm: (i) Please correct the sentence starting with “The longest”. It should say “The longest Queue” and not “The longest vehicle. (II) Also, the longest queueing was 6 cars at 4:18pm and not 4 cars which will extend the queue to 150 feet. Please send the source for Table 6

Comment #45: Applicant to remove the proposed 3,000 gallon fueling tank from the plans, as its not a permitted use in the Town code.

Comment #46: Add this note to the plans: No onsite servicing or repair of motor vehicles shall occur.

Comment #47: Applicant to clarify if there is a proposed septic system onsite.

Comment #48: The 911 address must be shown on the plan.

Comment #49: Parking calculations must be provided for proposed transportation terminal and office parking spaces.

Comment #50: All parking lot spaces and lot must be striped.

Comment #51: 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 #52: Surveyor to certify that iron rods have been set at all property corners.

Comment #53: Surveyor to sign and seal drawing.

Comment #54: Payment of all fees.

Other Considerations:

1. PB Minutes of 5/21/25 for PB approval.

Mr. McConnell makes a motion to approve the PB Minutes of 5/21/25.

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

2. PB to discuss canceling the 6/23/25-Work Session & PB Meeting of 7/2/25.

Mr. McConnell makes a motion to cancel the 6/23/25-Work Session & PB Meeting of 7/2/25.

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

Correspondences:

1. Email letter from Michael H. Sussman, Esq., Sussman & Associates, dated 5/30/25 addressed to the Planning Board in regards to the BMMY College.
2. Email letter from Ashley Walterich, Scenic Hudson, dated 6/17/25 addressed to the PB in regards to Sanfordville Senior Housing.
3. Letter from Town Supervisor Jesse Dwyer dated 6/18/25 addressed to the PB in regards to Sanfordville Senior Housing.
4. Email Letter from David Leach, WVC School District, dated 6/18/25 addressed to the PB in regards to Sanfordville Senior Housing.

Chairman Astorino: We received them. We will list Correspondences #1 through #4 for the record.

Privilege Of The Floor For Agenda Items!!

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

David Leach. Thank you for affording us the opportunity to be here this evening. I serve as the superintendent of schools in Warwick. Since 2014. Joining me is Mr. Keith Parsons, the Board of Education president. So, we were here this evening just to share the concerns that I assume that you would I'm not going to read the letter because you're busy. And most of you, I'm sure, worked a long, hard day. Just some highlights would be from it. Obviously, the traffic, safety, and congestion. The number one complaint as the superintendent of schools that I receive. From community members is the traffic around the area. And we're very concerned. Because we educate about 3,800 students in the district. But 3,300 of them are located in very close proximity to where this project would be. You know the schools as well as I do. The high school, middle school, and Sanfordville. We also have 345 students who drive. That's always on our mind as well with the congestion and traffic that we have there.

About 400 employees with the three schools close to that location. And we have two-tier busing. So, we have 50 school buses that come to the middle school and high school and leave at once. So, in the letter we talk about traffic and safety congestion concerns. Emergency vehicle access

concerns. The lack of a pedestrian infrastructure. The school transportation disruption that we see as a potential. The after-hours facility usage as well. So, while they reference when a school is closed. And how seniors seem to only want to drive a couple hours a day. The schools are open often. We have drama and we have athletics. It's the hub of the community and the school is bustling throughout the day and night. The construction phase impacts are what we're really concerned about. What happens when this construction takes place and we are the arrival and dismissal process. Or if there's an emergency and what that's going to look like for us when it's already a pretty big problem there. You know you made a salient point. Many salient points. And one was when you asked for that traffic study to be done at different times. So, for example; Thursday the day they did the traffic study. I can know just off the top of my head and I didn't know until I got here tonight that was the day. That was the date of the senior prom. So, you would have had the school is empty of seniors. So that's you know 25% of the school of the high school. It's also you know we're racing to the end of the school year. The high school is basically empty. You know the attendance is way down. Regents' exams are over etc. Now is not the time to be doing that study as I'm sure you're well aware of. So, I think that captures in essence the spirit of the board and the concerns that the school board had about the project. But thank you so much for listening.

Chairman Astorino: I will say this as far as this board. This project is just initially submitted. And as in every project not just this project. Every project this board sees. Every application this board sees. We follow the Code. We make sure it's done properly. Period. There are no exceptions. There is no anything else. We have the best professionals in the market that are on our side here. I will vouch for each and every one of them as I will for each and every one of these board members. There are no cutting corners. There is no slipping through the cracks. It's what we do. We've been doing it a long time. So, any questions you have for us as this process goes along. If it goes along, you can reach out to our secretary. You can reach out to our professionals. You can reach out to myself. We will keep you informed all the way. We're very open as we do in every project. So that invitation is open to the applicant as well as the public.

Keith Parsons: We do appreciate that.

David Leach: Thank you very much for listening to us. And you should have received the letter as well.

Connie Sardo: I did. I wrote receive back.

David Leach: Very nice. Thank you.

Chairman Astorino: We have it. Every board member has it.

David Leach: Thank you for listening to us.

Chairman Astorino: Anyone else wishing to address the board or privilege of the floor this evening? Let the record indicate there's no further public comment.

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

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