

TOWN OF WARWICK PLANNING BOARD

August 15, 2018

Members present: Chairman, Benjamin Astorino  
Roger Showalter, Vice-Chairman  
Dennis McConnell, Christine Little,  
Bo Kennedy, John MacDonald, Alt.  
Laura Barca, HDR Engineering  
J. Theodore Fink, Greenplan  
John Bollenbach, Planning Board Attorney  
Connie Sardo, Planning Board Secretary

The regular meeting of the Town of Warwick Planning Board was held Wednesday, August 15, 2018 at the Town Hall, 132 Kings Highway, Warwick, New York. Chairman, Benjamin Astorino called the meeting to order at 7:30 p.m. with the Pledge of Allegiance.

**Review of Submitted Maps:**

***Genius Ventures 1-Lot Subdivision***

Application for Sketch Plat Review of a proposed 1-Lot (**Major**) subdivision (noted as an **“Omit” Lot** on the prior subdivision map called East Ridge Road Assoc.), situated on tax parcel S 33 B 2 L 12; parcel located on the southern side of Cedar Hill Drive 1200± feet southwest of Belcher Road, in the RU zone, of the Town of Warwick.

Representing the applicant: Mike Morgante, Arden Consulting Engineers.

The following review comments submitted by HDR:

1. Planning Board to discuss SEQRA.
2. Applicant to discuss project.
3. Conservation Board: no comments received
4. Architectural Review Board: no comments received
5. TW Building Department: 05/07/18 vacant, no violations.
6. OC Planning Department: 05/04/18 possible Indiana Bat habitat onsite (tree clearing can only take place between November 15 and March 31). This information shall be placed on the plans.
7. Service capacity letters must be mailed.
8. The signature block for the chairman should only be located on the first sheet.
9. The first 25-ft of the driveway must be paved in accordance with Town Code §A168-19. Driveways; the detail on Sheet 2 must be updated. The detail on Sheet 3 must be updated to include a 3” min. NYSDOT Type 6 wearing course, 6” min. dense graded aggregate, and a firm unyielding subgrade.
10. The plans signed by the OCDOH must be incorporated into the plan set. The OCDOH approved plans and survey sheets must be the same size and be numbered consecutively (Sheet 1 of 7).

11. The notes included on the cover letter prepared by Arden Consulting, dated July 9, 2018 for comment #15 must be shown on the plan set. Applicant states that the SWPPP will be stored in a mailbox onsite; Applicant to clarify what constitutes the SWPPP for this project.
12. Sheet 4, Sediment & Erosion Control states 1.1 acres of disturbance, the drawing on this sheet shows the same area of disturbance; however Sheet 2 the Limit of Disturbance note states 1.5 acres will be disturbed. The notes on the plans must be consistent. Also on sheet 4, the 30' width shown on the Construction Entrance Detail should be 12'.
13. Drainage improvements discussed at the site inspection are shown on Sheet 3. PB to discuss offsite improvements near 10 Cedar Hill Drive.
14. The surveyor must sign and seal the plan that shows the metes and bounds.
15. Since this home is located within the Ridgeline Overlay District, the applicant should clarify if a 25-ft home will be constructed or if line of sight drawing will be submitted to possibly allow the construction of a 35-ft home.
16. Sheet 3, Bold Notes #4 states that vegetated buffer areas will be maintained on both sides of the property. These areas should be called out on the plans, along with any restrictions to maintain those areas as vegetated.
17. The pavement restoration detail on Sheet 4 of 4 should be revised to be compliance with §A168 Attachment 1, Figure 1A. (6" min. select granular subgrade (Item 203.20) and a form unyielding subgrade.)
18. The declaration information for the Ridgeline Overlay district shall be added to the plans.
19. Surveyor to certify that iron rods have been set at all property corners.
20. Payment in lieu of parkland fees per §75-3.A(2)(a)(3) for one lot.
21. Payment of all fees.

The following comment submitted by the Conservation Board:

Genius Ventures 1-Lot Subdivision – None submitted.

The following comment submitted by the ARB:

Genius Ventures 1-Lot Subdivision – None submitted.

Comment #1: Planning Board to discuss SEQRA.

Mr. Fink: The Planning Board has declared itself Lead Agency on this Unlisted Action. Because it went through an earlier SEQRA review when the subdivision was approved, the only issues were the septic, water supply and drainage. Those issues have been satisfied.

Mr. Astorino: Ok. Thank you.

Comment #2: Applicant to discuss project.

Mike Morgante: We had a site visit back in June or July with the Planning Board. We took a look at some drainage concerns associated with the lot. Pursuant to that site visit, I revised the maps to show some of the neighboring French drains that will be tied into our rip-rap outlet structure so everything would be funneled down into the catch basin that is located near the road. We have taken into consideration the neighbors with keeping a 25-foot buffer along the property lines in terms of not clearing vegetation and also maintain current conditions for runoff during rain events. We have modified the catch basins

to accept the additional flows that we had discussed at the site visit. Those details are on the plans. Those were essentially the main issues that we had discussed at the site visit. They are all addressed on the plans. There were a couple of other minor edits on the plans that I have discussed with the Planning Board's Engineer. They are minor housekeeping items. We will take care of those items.

Comment #3: Conservation Board: no comments received

Comment #4: Architectural Review Board: no comments received

Comment #5: TW Building Department: 05/07/18 vacant, no violations.

Comment #6: OC Planning Department: 05/04/18 possible Indiana Bat habitat onsite (tree clearing can only take place between November 15 and March 31). This information shall be placed on the plans.

Mr. Bollenbach: Ted, is that true?

Mr. Fink: I did not see any letters about that.

Mr. Astorino: I did not see that either.

Mr. Bollenbach: Maybe we could verify that. Either that would go on the map or it would not.

Mr. Fink: Yes. I will verify that.

Comment #7: Service capacity letters must be mailed.

Mike Morgante: Those were mailed.

Laura Barca: Did you give copies of those letters to Connie?

Mike Morgante: No. We can get those to her.

Mr. Astorino: Laura, are there any comments here that stand out? They seem to be about stormwater and such.

Laura Barca: No. I do not.

Mr. Astorino: Ok. Do any Board members or Professionals have any comments? We will list Comment #8 through Comment #21 for the record.

Mike Morgante: The only other thing that we discussed at that site visit was that easement area.

Mr. Astorino: Yes.

Mike Morgante: We would try to remove some of the brush and clean out the ditch up to and leading into the drainage easement basin.

Mr. Astorino: John, I know that is an easement on the final subdivision plat.

Mr. Bollenbach: Yes. It is. A drainage easement as shown on the filed plat.

Mr. Astorino: The homeowner was not a happy camper when we looked at it at the site visit.

Mr. Bollenbach: I called Mike. He is in charge of the P.R.

Mike Morgante: I spoke to the Applicant. He said fine, that he would notify the adjacent homeowners.

Mr. Astorino: Ok.

Mr. Bollenbach: Is there any work that would be required on the outfall of the basin?

Mr. Astorino: John, I don't think we could do much on the outfall when we looked at it.

Mr. Bollenbach: Does it seem to be adequate?

Mr. Astorino: It empties out. It be honest to you, it looks like the homeowners put a lot of Christmas trees and stuff there. You would think that they would want to keep it open. Maybe they will get the message to keep it clean.

Mike Morgante: We will take care of that.

Mr. McConnell: If the Applicant receives final approval, he would have the ability to say to the other that we cleaned it up this time but you can't be filling it up with stuff.

Mr. Astorino: Exactly. They should see that. Does the Applicant request to be set for a public hearing?

Mike Morgante: Yes.

**Mr. McConnell makes a motion to set the Genius Ventures application for a Preliminary Public Hearing at the next available agenda.**

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

Connie Sardo: This application has been set for a Preliminary Public Hearing. It's coming off a Major subdivision. You will need to submit a completed Preliminary Application, Preliminary Application Fee and a Preliminary Checklist. You will also need to submit a completed Final Application, Final Application Fee and a Final Checklist.

Mr. Bollenbach: The Applicant could request a waiver of the Final Public Hearing. But, you will need to submit applications for both.

Mike Morgante: Ok.

Mr. Astorino: Yes. You will need to submit those applications. We will see what comments we have from the public at the Preliminary Public Hearing.

Mike Morgante: Ok. Thank you.

Comment #8: The signature block for the chairman should only be located on the first sheet.  
Comment #9: The first 25-ft of the driveway must be paved in accordance with Town Code §A168-19. Driveways; the detail on Sheet 2 must be updated. The detail on Sheet 3 must be updated to include a 3" min. NYSDOT Type 6 wearing course, 6" min. dense graded aggregate, and a firm unyielding subgrade.

Comment #10: The plans signed by the OCDOH must be incorporated into the plan set. The OCDOH approved plans and survey sheets must be the same size and be numbered consecutively (Sheet 1 of 7).

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Comment #15: Since this home is located within the Ridgeline Overlay District, the applicant should clarify if a 25-ft home will be constructed or if line of sight drawing will be submitted to possibly allow the construction of a 35-ft home.

Comment #16: Sheet 3, Bold Notes #4 states that vegetated buffer areas will be maintained on both sides of the property. These areas should be called out on the plans, along with any restrictions to maintain those areas as vegetated.

Comment #17: The pavement restoration detail on Sheet 4 of 4 should be revised to be compliance with §A168 Attachment 1, Figure 1A. (6" min. select granular subgrade (Item 203.20) and a form unyielding subgrade.)

Comment #18: The declaration information for the Ridgeline Overlay district shall be added to the plans.

Comment #19: Surveyor to certify that iron rods have been set at all property corners.

Comment #20: Payment in lieu of parkland fees per §75-3.A(2)(a)(3) for one lot.

Comment #21: Payment of all fees.

***Blue Arrow Farm***

Application for Site Plan Approval and Special Use Permit for the construction and use of restoration of an old horse farm, Agricultural and Retail Uses, and expansion of parking areas, situated on tax parcels S 24 B 1 L 19.11, 23, 24, 46.1 & 46.2; project located on the eastern side of Glenwood Road (86 Glenwood Road), in the RU/CO zones of the Town of Warwick.

Representing the applicant: Dave Getz from Lehman & Getz Engineering. Dave Griggs from ERS Consultants. Bob Krahulik, Attorney.

The following review comments submitted by HDR:

1. Planning Board to discuss SEQRA.
2. Applicant to discuss project.
3. Conservation Board – no comments received
4. Architectural Review Board – no comments received
5. OC Planning Department – 05/04/18 advisory comments for combining parcels, commend for no construction in wetland or its buffer, needs stormwater management
6. TW Building Department – pending list of open permits / any violations
7. OCDPW – approval must be granted for the use of the three existing / proposed driveways.
8. OCDOH – approval of water supply and septic system
9. NYSDEC – possible approval of septic system
10. ZBA approval was granted on June 26, 2017 for an 80’x200’ riding arena and a 50’x104’ maintenance shed. The May 22, 2017 and June 26, 2018 minutes from the ZBA meetings clearly state that the proposed uses of these two buildings were for farming operations.
11. Planning Board to determine if site inspection is desired.
12. The neighbor at 110 Glenwood Road states that she holds an expired permit over a portion of the track on this property that is attached to the deed.
13. An updated Application Form must be submitted and signed by an owner of Blue Arrow Too.
14. Property owners within 300-ft of this property must be added to the plan.
15. Any proposed lighting must be shown, including the shielding that will comply with Town of Warwick lighting requirements.
16. A lighting plan must be prepared showing the proposed lighting.
17. The building identifier for the “Proposed Indoor Arena” should more specifically state “Proposed Indoor Riding Arena.”
18. There is a proposed driveway shown (immediately to the north of the existing stables), the purpose of this driveway that traverses a northeasterly direction across the site should be shown on the drawing (it leads to the wetland buffer; nothing can be proposed in this area).
19. Applicant to clarify why the existing well closest to the existing stables will become a non-potable water source.
20. Applicant to clarify if brewing is proposed onsite.
21. Sheet 1, Notes 6, 14, and 16 state several uses, the Applicant must provide the use from §164-40M Table of Use Requirements that allows the proposed uses in the RU zone.
22. The Hours of Operations for the proposed wedding/assembly use must be clarified.
23. The Hours of Construction must be added to the plans.
24. Any signage must be shown on the plan and must be in conformance with §164-43.1 Signs.
25. The survey (Sheets 2 and 3) indicates changes to the property lines / Orange County Right of Way; Applicant to clarify if these changes have been filed in the Orange County Clerk’s Office.

26. On Sheet 4 near Existing Building #1, there is a square with a circle in it; Applicant to clarify what this is.
27. Sheet 4 includes the proposed uses for most buildings, the proposed use(s) for the 50'x50' pavilion has not been shown.
28. A landscaping plan and schedule (Sheet 5) must be included for the proposed trees (species, number, size).
29. Appropriate landscaping details must be added to the plan.
30. The details for the proposed box beam guiderail must be added to the plan.
31. The details for the proposed timber guiderail must be added to the plan.
32. On Sheet 1, there are 2 call outs for Proposed Hops; however, Applicant to clarify if these hops have already been planted. Applicant to revise the drawings to be consistent with "prior conditions."
33. On Sheet 5, there are four hops poles shown. Applicant to clarify if these are existing or proposed. Applicant to clarify the area where the hops will be planted.
34. On Sheet 8, there is proposed landscaping within the bioretention system. A landscaping plan must be prepared, including planting schedule.
35. Applicant to clarify if the Typical Excavation Section is related to the OCDPW entrance(s). The title of this detail should be revised to better reflect its purpose.
36. Sheet 10 includes a typical sidewalk detail; the location of the proposed sidewalk must be called out on the plan.
37. Sheet 10 contains a Typical Driveway Tar and Chip Section. Application to clarify where this is being proposed. This cross section is not recommended because it does not have the strength and structure of typical pavement and fails much sooner than typical pavement.
38. Applicant to provide more information on the proposed geothermal system, including specifications / details.
39. The Handicapped Sign Detail must be revised to show a minimum of 7' between the ground elevation and the bottom of the sign.
40. The proposed driveway 1 and associated construction area should be incorporated into the Limits of Disturbance.
41. Line types for the following items should be added to the legend: proposed contours, silt fence, existing pipes / culverts.
42. Confirm if any existing trees are to be protected on site during construction. If yes, add detail to drawings.
43. Applicant to identify locations of acceptable soil stockpile locations on Sheet 5. Note that stockpiles should not be kept in or adjacent to water bodies or waterways, and should also not be stored in the locations of future retention / bioretention areas and SSDS location to avoid soil compaction.
44. Due to the disturbance area being greater than 5 acres, the construction will be phased, as noted in Section 1 of the SWPPP Report. Applicant to identify sequence of phasing and construction on Sheet 5.
45. Applicant to provide inlet elevations for structures within proposed bioretention basin B and for the outlet structure at proposed dry detention basin #1.
46. Applicant to determine if culvert protection is needed to construct road over the existing pipe carrying offsite runoff, in the southern end of sub-basin A.
47. Applicant to determine if there is an existing culvert carrying offsite runoff underneath the proposed entrance to the 85-space parking lot at the intersection of sub basins C and D; if there is a pipe present, confirm if any additional protection is required to avoid damaging the pipe during construction.
48. A concrete washout location is recommended if concrete work (i.e., foundations for the pavilion or buildings) is anticipated on site.

49. There is “proposed geothermal” within the same footprint as proposed bioretention basin B. Applicant to verify that there will not be a vertical conflict between these 2 systems, including for access and maintenance.
50. Applicant to clarify where on site a proposed rip-rap swale will be since a detail is included on Sheet 8.
51. Applicant to provide supporting documentation / calculations to confirm that diverting offsite runoff from Proposed Manhole 1 to Proposed Manhole 2 and through the proposed 30” dia. pipe will not exceed the capacity of the existing swale and culverts downstream.
52. Applicant to identify if culvert outfall scour protection is required downstream of the proposed pipe leaving manhole #2.
53. Applicant to provide proposed inverts for manholes 1 and 2 to demonstrate positive drainage.
54. On Sheet 1, there is a “proposed food preparation” building call out. However, on Sheet 5, the same building is called out as “Existing Building #2”. Applicant to clarify what buildings have been constructed to demonstrate “prior conditions” vs. “proposed conditions.”
55. Applicant to confirm if proposed hops locations are considered soil disturbances and require erosion and sediment control protection and inclusion within the Limit of Disturbance.
56. Initial feasibility soil infiltration testing should be conducted in the proposed vicinities of the bioretention basins to demonstrate adequate percolation. It is noted that these basins are proposed within HSG B soils (PtB); however, the neighboring soil type, Wd, is a hydric soil which behaves as a HSG D under saturated conditions.
57. Applicant should include dimensions and sizing of the stabilized outfall riprap apron for Detention basin #2.
58. Gravel diaphragms are shown in the detail on Sheet #8 but not on plan view for basins A, B and C. Applicant to confirm the location and dimensions on Sheet 5.
59. The pipe bedding detail on sheet 8 called out a water or sewer main. Applicant to confirm if this detail is appropriate for the proposed HDPE pipes.
60. The post-development land use identified in Question #3 of the NOI is stated to be “Agricultural.” Applicant to confirm that this is an appropriate fill-in, given some of the proposed features include: wedding / assembly, antique gallery, candy shop, guitar shop, and food truck.
61. Applicant to include a detail for construction fencing which will delineate the wetland buffers and show this feature in plan view.
62. The last sheet of the plan set should be numbered Sheet 11 of 11.
63. 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.”
64. Surveyor to certify that iron rods have been set at all property corners.
65. Provide the liber and page for all recorded declarations.
66. Provide a three-year landscaping bond, and any other required bonds for this project.
67. Payment of all fees.

The following comment submitted by the Conservation Board:

Blue Arrow Farm – None submitted.

The following comment submitted by the ARB:

Blue Arrow Farm – None submitted.

Comment #1: Planning Board to discuss SEQRA.

Mr. Fink: This application is a Type 1 Action. It exceeds the thresholds in the SEQRA Regulations. There are other Agencies involved. At this point tonight, the only action the Board could take is to declare its Intent To Be Lead Agency. We will need to circulate to all of the other Involved Agencies. I have prepared a draft Resolution for the Planning Board's consideration to declare its Intent To Be Lead Agency. I have also prepared the letters to be circulated to the other Involved Agencies.

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

Seconded by Ms. Little. The following Resolution was carried 5-Ayes.

**617.6**  
**State Environmental Quality Review (SEQR)**  
**Resolution Establishing Intent to be Lead Agency**  
Type 1 Action

**Name of Action:** Blue Arrow Horse Farm, Brewery and Bar/Tasting Room, Wedding/Assembly Space, Food Service, and Antique Gallery

**Whereas**, the Town of Warwick Planning Board is in receipt of a Site Plan/Special Use Permit application by Blue Arrow Too, LLC for a  $\pm$  78.7 acre parcel of land located at Glenwood Road near the New Jersey Border, Town of Warwick, Orange County, New York; and

**Whereas**, an Environmental Assessment Form (EAF) dated 8/13/18 was submitted at the time of application; and

**Whereas**, after comparing the thresholds contained in 6 NYCRR 617.4 and 5, the Planning Board has determined that the proposed project is a Type 1 action because it involves 7.7 acres of physical alteration for construction of nonresidential facilities on a farm within a New York State Agricultural District; and

**Whereas**, the Planning Board has determined that the proposed project is within an agricultural district and, therefore, the requirements of 6 NYCRR 617.6(a)(6) apply meaning that an Agricultural Data Statement must be filed with the owners of farm operations within 500 feet of the site and then the Planning Board must evaluate and consider the agricultural data statement in its review of the possible impacts of the proposed project upon the functioning of farm operations within such agricultural district; and

**Whereas**, after examining the EAF, the Planning Board has determined that there are other involved and/or federal agencies on this matter including the Town of Warwick Zoning Board of Appeals, the Orange County Departments of Public Works and Health, and the New York State Department of Environmental Conservation.

**Now Therefore Be It Resolved**, that the Planning Board hereby declares its intent to be Lead Agency for the review of this action; and

**Be It Further Resolved**, that the Planning Board hereby authorizes its Chairman to circulate the attached lead agency coordination request letter(s) to all other involved agencies and to discharge any other SEQR responsibilities as are required by 6 NYCRR 617 in this regard; and

**Be It Further Resolved**, that unless an objection to the Planning Board assuming lead agency status is received within thirty (30) days of the date of mailing the EAF, the Planning Board will become lead agency for the review of this action.

Comment #2: Applicant to discuss project.

Bob Krahulik: Before we introduce the project, I would like to dispel one rumor that we hear circulating throughout the community. This is not an application seeking approvals for work that was done without proper permits. We are not here back tracking trying to get approvals for which we should have received in the past. The renovations and the construction of the new barn that are ongoing right now have been done with Zoning Board Approval and with valid permits issued by the Building Department for permitted agricultural uses. That is what is going on at the site right now and nothing more. The reason why we are now here is we are seeking application and approval for a craft beer brewery, a tasting room to accompany the brewery, and a facility for special events to be held at the Blue Arrow Farm.

Mr. McConnell: Could I ask for a clarification?

Bob Krahulik: Yes.

Mr. McConnell: You had said they had been done with Zoning Board Approval. It is not us.

Bob Krahulik: No. It is the Zoning Board of Appeals.

Mr. McConnell: Ok.

Bob Krahulik: That is a brief introduction of the project. The site plan describes the various uses that are proposed throughout the site.

Dave Getz: I would like to add one new aspect to the project. The Applicant owns a residential lot that is adjacent to the farm parcel. A new aspect of the project is that a lot line change is proposed. That existing lot line crosses the existing horse track. A sliver of the horse track is on a separate property. This lot line change would clean up that ownership. The horse track would then be all on one lot.

Connie Sardo: Would you be sending us a revised application that will also include the lot line change?

Dave Getz: Yes. Correct.

Connie Sardo: Ok. The fees will change.

Ms. Little: Would the house lot still be conforming?

Dave Getz: It is a little less than 2 acres now in the 4-acre zone. It does not conform. Our plan is to make the lot larger than it is now as part of the lot line change.

Mr. Astorino: Ok.

Comment #3: Conservation Board – no comments received

Comment #4: Architectural Review Board – no comments received

Mr. Astorino: For the record, I assume there would be a Joint Meeting with the Planning Board and the Architectural Review Board (ARB). That is usually how this would play out.

Bob Krahulik: Ok.

Comment #5: OC Planning Department – 05/04/18 advisory comments for combining parcels, commend for no construction in wetland or its buffer, needs stormwater management.

Mr. Astorino: We will deal with that as we go through the process.

Comment #6: TW Building Department – pending list of open permits / any violations.

Mr. Astorino: Laura, I don't believe there are any. Is that correct?

Laura Barca: We do have a recent list now. It is a list of open permits. I don't believe there are any violations.

Mr. Astorino: Ok. That would be something we could go through with the Building Department.

Comment #7: OCDPW – approval must be granted for the use of the three existing / proposed driveways.

Dave Getz: Yes.

Comment #8: OCDOH – approval of water supply and septic system.

Dave Getz: Ok.

Comment #9: NYSDEC – possible approval of septic system.

Dave Getz: Yes. The will also need a SPEDES Permit.

Comment #10: ZBA approval was granted on June 26, 2017 for an 80'x200' riding arena and a 50'x104' maintenance shed. The May 22, 2017 and June 26, 2018 minutes from the ZBA meetings clearly state that the proposed uses of these two buildings were for farming operations.

Laura Barca: That is just a statement.

Mr. Astorino: I understand that. But, if these buildings were to change that might affect the ZBA approval. Is that correct?

Bob Krahulik: That is why we are here before the Planning Board. We are here to seek additional uses in addition to the agricultural uses that are presently ongoing.

Mr. Astorino:

Comment #11: Planning Board to determine if site inspection is desired.

Mr. Astorino: I believe that is a yes. Does the Board want to do a site visit?

Mr. Kennedy: Yes.

Mr. McConnell: Yes.

Ms. Little: Yes.

Mr. Astorino: Let us go through the rest of these comments first. We will schedule a site visit with a date and time.

Comment #12: The neighbor at 110 Glenwood Road states that she holds an expired permit over a portion of the track on this property that is attached to the deed.

Dave Getz: That is the same lot.

Mr. Astorino: You will amend the application to clean that up. Is that correct?

Dave Getz: Yes.

Bob Krahulik: We don't own the lot. We are going to clean it up anyway.

Comment #13: An updated Application Form must be submitted and signed by an owner of Blue Arrow Too.

Dave Getz: Ok.

Comment #14: Property owners within 300-ft of this property must be added to the plan.

Dave Getz: Will do.

Comment #15: Any proposed lighting must be shown, including the shielding that will comply with Town of Warwick lighting requirements.

Dave Getz: Ok.

Comment #16: A lighting plan must be prepared showing the proposed lighting.

Dave Getz: Ok.

Mr. Showalter: Regarding Comment #12, it really is no longer the neighbor. He owns that lot. Maybe for the record the wording on Comment #12 should be clarified?

Mr. Bollenbach: That will be stricken. There will be a new application for a lot line change.

Mr. Showalter: Ok.

Comment #17: The building identifier for the "Proposed Indoor Arena" should more specifically state "Proposed Indoor Riding Arena."

Dave Getz: Ok.

Comment #18: There is a proposed driveway shown (immediately to the north of the existing stables), the purpose of this driveway that traverses a northeasterly direction across the site should be shown on the drawing (it leads to the wetland buffer; nothing can be proposed in this area).

Dave Griggs: That is an existing driveway that goes down to the track. That is the only access to the track.

Mr. Astorino: You will need to state that on the plans.

Dave Griggs: Ok.

Comment #19: Applicant to clarify why the existing well closest to the existing stables will become a non-potable water source.

Dave Griggs: It won't meet the separation distance.

Comment #20: Applicant to clarify if brewing is proposed onsite.

Dave Griggs: Yes. It is.

Comment #21: Sheet 1, Notes 6, 14, and 16 state several uses, the Applicant must provide the use from §164-40M Table of Use Requirements that allows the proposed uses in the RU zone.

Dave Getz: We will clarify that.

Comment #22: The Hours of Operations for the proposed wedding/assembly use must be clarified.

Dave Getz: Ok.

Mr. Astorino: There have been concerns from surrounding residents and beyond about noise issues. Just to bring it to your client's attention, as this project unfolds keep that in mind from what I have been told it is like an echo chamber out there. If music is going to be played, is it indoor or outdoor? What time would it end? Be respectful of what is out there. How could it be soundproofed if it is going to be music indoors? We need to know about

that, and what the hours of operation would be, and when it would cease. Start from the beginning and work on it that way.

Comment #23: The Hours of Construction must be added to the plans.

Mr. Astorino: That is in the Town Code.

Dave Getz: Ok.

Comment #24: Any signage must be shown on the plan and must be in conformance with §164-43.1 Signs.

Dave Getz: Ok.

Comment #25: The survey (Sheets 2 and 3) indicates changes to the property lines / Orange County Right of Way; Applicant to clarify if these changes have been filed in the Orange County Clerk's Office.

Dave Griggs: Today they are in front of OCDPW. They are still reviewing it. Once they are done reviewing it, then we could move forward.

Mr. Astorino: Ok.

Comment #26: On Sheet 4 near Existing Building #1, there is a square with a circle in it; Applicant to clarify what this is.

Dave Getz: Ok.

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Dave Getz: We will add those.

Comment #28: A landscaping plan and schedule (Sheet 5) must be included for the proposed trees (species, number, size).

Dave Getz: Ok.

Comment #29: Appropriate landscaping details must be added to the plan.

Dave Getz: Ok.

Comment #30: The details for the proposed box beam guiderail must be added to the plan.

Dave Getz: Ok.

Comment #31: The details for the proposed timber guiderail must be added to the plan.

Dave Getz: Ok.

Comment #32: On Sheet 1, there are 2 call outs for Proposed Hops; however, Applicant to clarify if these hops have already been planted. Applicant to revise the drawings to be consistent with "prior conditions."

Dave Getz: Ok.

Laura Barca: Meaning if they are already planted, it should be in prior conditions.

Dave Getz: Ok.

Comment #33: On Sheet 5, there are four hops poles shown. Applicant to clarify if these are existing or proposed. Applicant to clarify the area where the hops will be planted.

Dave Griggs: Ok.

Comment #34: On Sheet 8, there is proposed landscaping within the bioretention system. A landscaping plan must be prepared, including planting schedule.

Dave Getz: Ok.

Comment #35: Applicant to clarify of the Typical Excavation Section is related to the OCDPW entrance(s). The title of this detail should be revised to better reflect its purpose.

Dave Getz: Ok.

Comment#36: Sheet 10 includes a typical sidewalk detail; the location of the proposed sidewalk must be called out on the plan.

Dave Getz: Ok.

Comment #37: Sheet 10 contains a Typical Driveway Tar and Chip Section. Application to clarify where this is being proposed. This cross section is not recommended because it does not have the strength and structure of typical pavement and fails much sooner than typical pavement.

Dave Getz: We will discuss that.

Mr. Astorino: I think there are other options that might be better.

Comment #38: Applicant to provide more information on the proposed geothermal system, including specifications / details.

Dave Getz: Ok.

Comment #39: The Handicapped Sign Detail must be revised to show a minimum of 7' between the ground elevation and the bottom of the sign.

Dave Getz: Ok.

Comment #40: The proposed driveway 1 and associated construction area should be incorporated into the Limits of Disturbance.

Dave Getz: Ok.

Comment #41: Line types for the following items should be added to the legend: proposed contours, silt fence, existing pipes / culverts.

Dave Getz: Ok.

Comment #42: Confirm if any existing trees are to be protected on site during construction. If yes, add detail to drawings.

Dave Getz: Yes. We will add the detail to the plans.

Comment #43: Applicant to identify locations of acceptable soil stockpile locations on Sheet 5. Note that stockpiles should not be kept in or adjacent to water bodies or waterways, and should also not be stored in the locations of future retention / bioretention areas and SSDS location to avoid soil compaction.

Dave Getz: Ok.

Comment #44: Due to the disturbance area being greater than 5 acres, the construction will be phased, as noted in Section 1 of the SWPPP Report. Applicant to identify sequence of phasing and construction on Sheet 5.

Dave Getz: Ok.

Comment #45: Applicant to provide inlet elevations for structures within proposed bioretention basin B and for the outlet structure at proposed dry detention basin #1.

Dave Getz: Will do.

Comment #46: Applicant to determine if culvert protection is needed to construct road over the existing pipe carrying offsite runoff, in the southern end of sub-basin A.

Dave Getz: Ok.

Comment #47: Applicant to determine if there is an existing culvert carrying offsite runoff underneath the proposed entrance to the 85-space parking lot at the intersection of sub basins C and D; if there is a pipe present, confirm if any additional protection is required to avoid damaging the pipe during construction.

Dave Getz: Ok.

Comment #48: A concrete washout location is recommended if concrete work (i.e., foundations for the pavilion or buildings) is anticipated on site.

Dave Getz: Ok.

Comment #49: There is “proposed geothermal” within the same footprint as proposed bioretention basin B. Applicant to verify that there will not be a vertical conflict between these 2 systems, including for access and maintenance.

Dave Getz: Ok.

Comment #50: Applicant to clarify where on site a proposed rip-rap swale will be since a detail is included on Sheet 8.

Dave Getz: Ok.

Comment #51: Applicant to provide supporting documentation / calculations to confirm that diverting offsite runoff from Proposed Manhole 1 to Proposed Manhole 2 and through the proposed 30” dia. pipe will not exceed the capacity of the existing swale and culverts downstream.

Dave Getz: Ok.

Comment #52: Applicant to identify if culvert outfall scour protection is required downstream of the proposed pipe leaving manhole #2.

Dave Getz: Ok.

Comment #53: Applicant to provide proposed inverts for manholes 1 and 2 to demonstrate positive drainage.

Dave Getz: Ok.

Comment #54: On Sheet 1, there is a “proposed food preparation” building call out. However, on Sheet 5, the same building is called out as “Existing Building #2”. Applicant to clarify what buildings have been constructed to demonstrate “prior conditions” vs. “proposed conditions.”

Dave Getz: Ok.

Comment #55: Applicant to confirm if proposed hops locations are considered soil disturbances and require erosion and sediment control protection and inclusion within the Limit of Disturbance.

Dave Getz: Ok.

Comment #56: Initial feasibility soil infiltration testing should be conducted in the proposed vicinities of the bioretention basins to demonstrate adequate percolation. It is noted that these basins are proposed within HSG B soils (PtB); however, the neighboring soil type, Wd, is a hydric soil which behaves as a HSG D under saturated conditions.

Dave Getz: We will schedule soil tests.

Comment #57: Applicant should include dimensions and sizing of the stabilized outfall riprap apron for Detention basin #2.

Dave Getz: Ok.

Comment #58: Gravel diaphragms are shown in the detail on Sheet #8 but not on plan view for basins A, B and C. Applicant to confirm the location and dimensions on Sheet 5.

Dave Getz: Ok.

Comment #59: The pipe bedding detail on sheet 8 called out a water or sewer main. Applicant to confirm if this detail is appropriate for the proposed HDPE pipes.

Dave Getz: Will clarify.

Comment #60: The post-development land use identified in Question #3 of the NOI is stated to be "Agricultural." Applicant to confirm that this is an appropriate fill-in, given some of the proposed features include: wedding / assembly, antique gallery, candy shop, guitar shop, and food truck.

Dave Getz: Will clarify.

Mr. Astorino: Some of these items are out.

Dave Getz: Yes.

Comment #61: Applicant to include a detail for construction fencing which will delineate the wetland buffers and show this feature in plan view.

Dave Getz: Ok.

Comment #62: The last sheet of the plan set should be numbered Sheet 11 of 11.

Dave Getz: Ok.

Comment #63: 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."

Dave Getz: Ok.

Comment #64: Surveyor to certify that iron rods have been set at all property corners.

Dave Getz: Ok.

Comment #65: Provide the liber and page for all recorded declarations.

Dave Getz: Ok.

Comment #66: Provide a three-year landscaping bond, and any other required bonds for this project.

Dave Getz: Ok.

Comment #67: Payment of all fees.

Dave Getz: Ok.

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

Mr. McConnell: Did we identify how many Hops and poles are there? I thought there was an indication at the Work Session that what was shown on the plan that was submitted was more for the location rather than actual numbers. Is that correct?

Dave Getz: It is more the perimeter.

Dave Griggs: It is just the perimeter to show the location of the Hops field.

Mr. McConnell: Ok. Will you then provide us with an actual number?

Dave Griggs: Sure.

Mr. McConnell: Let's get the plan accurate.

Dave Griggs: Ok.

Mr. Astorino: Does the Board have any other questions?

Ms. Little: Regarding Comment #26, near Existing Building #1 with a square and circle in it. You said it was a water tower.

Dave Griggs: It is a water tower prop. It is a non-functioning water tower.

Ms. Little: Did the Applicant construct that?

Dave Griggs: Yes.

Ms. Little: How tall is that?

Dave Griggs: I don't know.

John MacDonald: It is less than the building. It is not taller than the building.

Ms. Little: Do they need a permit for that?

Mr. Astorino: He might have planned it to be a permanent building. I am not sure.

Mr. McConnell: Is it to remain or be removed?

Dave Griggs: It is to remain.

Mr. Astorino: We could look at that at the site visit. To that effect, we should set a site visit.

The Board discusses scheduling a Planning Board site visit for the Blue Arrow Farms project. The site visit is scheduled for Saturday, August 25, 2018 at 9:30 a.m.

Mr. Astorino: The site visit is scheduled for Saturday, August 25, 2018 at 9:30 a.m. You are all set.

Dave Getz: Thank you.

Dave Griggs: Thank you.

Bob Krahulik: Thank you.

**Other Considerations:**

1. **Ty & I Ranch Subdivision** – Planning Board to discuss scheduling a site visit.

Mr. Astorino: We will scheduled the site visit for TY & I Ranch Subdivision for Monday, September 10, 2018 at 6:00 p.m. before the Planning Board's Work Session. We will meet at Cherry Tree Hill Road.

2. **Barricella 35 Union Corners Rd Solar Farm** – Planning Board to discuss scheduling a site visit.

Mr. Astorino: We will scheduled the site visit for Barricella Solar Farm located at 35 Union Corners Road for Saturday, August 25, 2018 at 8:00 a.m.

3. **Apple Dave's Orchard Subdivision** – Letter from Karen Emmerich, Lehman & Getz Engineering addressed to the Planning Board, dated 7/20/18 – in regard to Apple Dave's Subdivision requesting a 6-Month Extension on Re-Approval of Final Approval of a proposed 2-Lot subdivision, situated on tax parcel SBL #23-1-23.12; parcel located on the eastern side of Four Corners Road 3000± feet north of Demarest Road, in the RU zone, of the Town of Warwick. Conditional Final Approval was granted on 2/15/17. *The Applicant has stated that the extension is needed because some additional survey work is required but will not affect the current subdivision application.* The 6-Month Extension becomes effective on 8/15/18.

Mr. McConnell makes a motion on the Apple Dave's Orchard Subdivision application, granting a 6-Month Extension on Re-Approval of Final Approval for a proposed 2-Lot subdivision. SBL # 23-1-23.12). Final Approval was granted on 2/15/17.

The 6-Month Extension becomes effective on 8/15/18.

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

Mr. Astorino: John, does that mean the legal action that was taken has been concluded?

Mr. Bollenbach: Yes. That has been finished.

4. Planning Board Minutes of 7/18/18 for PB Approval.

Mr. McConnell makes a motion to Approve the Planning Board Minutes of 7/18/18.

Seconded by Ms. Little. Motion carried; 5-Ayes.

5. Planning Board to discuss cancelling the 8/27/18-Work Session & 9/5/18-PB Meeting.

Ms. Little makes a motion to cancel the 8/27/18-Work Session & 9/5/18-Planning Board Meeting.

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

### **Correspondences:**

1. Email addressed to PB from Rachel Chaput, dated 8/11/18 regarding Blue Arrow.

Mr. Astorino: We have that email correspondence in our packets. Connie, do we have any other correspondences this evening?

Connie Sardo: No.

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

Mr. Astorino: If there is anyone in the audience wishing to address any of the agenda items, please rise and state your name for the record. Let the record show no public comment.

**Mr. McConnell makes a motion to adjourn the Planning Board Meeting of August 15, 2018.**

Seconded by Ms. Little. Motion carried; 5-Ayes