

TOWN OF WARWICK PLANNING BOARD
December 18, 2019

Members present: Chairman, Benjamin Astorino
Roger Showalter, Vice-Chairman
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, December 18, 2019 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.

PUBLIC SCOPING SESSION

NADA, LLC.

Application for Site Plan Approval and Special Use Permit for the construction and use of a proposed 21,269 s.f. hotel and (6) 8-unit cottages **A/K/A Pulpit Rock Inn**, situated on tax parcel S 43 B 1 L 48; project located on the southern side of West Street Ext., 1,010± feet east of County Route 1, in the SL zone, of the Town of Warwick. The Planning Board issued a Positive Declaration on 10/16/19.

Representing the applicant: Karen Emmerich and Dave Getz from Lehman & Getz Engineering. Jane Samuelson from Engineering Properties. John Cappello, Applicant's Attorney.

Mr. Astorino: Before we start, I want to introduce everyone who is on the Planning Board as follows:

- Ted Fink, Town Planner
- Laura Barca, Planning Board Engineer
- Bo Kennedy, Planning Board Member
- Connie Sardo, Planning Board Secretary
- Ben Astorino, Chairman
- Roger Showalter, Vice-Chairman
- Chris Little, Planning Board Member
- John Bollenbach, Planning Board Attorney
- John MacDonald, Planning Board Member

Mr. Astorino: Just a few things for the public this evening. As a Board, we are just beginning this process. This is a Public Scoping Session for the project. The facts that we know up to date is that this property was zoned for this use back in the late 1970's early 1980's with a Special Use Permit. As far as reviewing any documents yet, we have not reviewed much of anything that has been coming to us. This process tonight is for comments and questions to be presented to the Planning Board that will be documented and answered in the Scoping Document. If you hear a comment asked by someone ahead of you, please don't ask the same question. Fifteen questions of the same thing will not change the results. This will not be the only public hearing. There will

be numerous public hearings. As I have said, this is just the start of the project. As a Planning Board, we focus on the Town's Code. We do not wright the Code. We follow the Town Code. We make sure the Applicant follows the Code. If we ask for materials, our Professionals and our Board reviews them. The comments go back to the Applicant. If we don't like what we see, then we don't move forward. This Board has been together for a long time. We are a no nonsense Board. That is how we operate. I will turn it over to our Town Planner, Ted Fink. He will explain the State Environmental Quality Review Act (SEQRA) process to everyone.

Mr. Fink: Good evening everyone. Thank you for attending tonight. This is a Public Scoping Session. It is not a public hearing on this project. There will be a minimum of 3 public hearings that will be held on this project at a later time. Before anything like that happens, the first thing the Planning Board must do under State Law is to conduct an environmental review. Tonight is the 1st Step in the environmental review process. The Applicant has been told that they must prepare a Draft Environmental Impact Statement (DEIS). That is a comprehensive document that will analyze all of the different areas of the environment that may be potentially affected by the proposed application. That means the Applicant must investigate and the Planning Board must analyze and evaluate the potential impacts and the mitigation measures that are available to reduce or avoid impacts in the area of water, wetlands, wildlife, traffic, community character, and a whole host of other issues that may be of interest to you tonight. That is why we have asked for you to come here and make your views known on what is called a Draft Scoping Document. The Planning Board's activities are all dictated by NYS Regulations for environmental review. It is known as the State Environmental Quality Review Act (SEQRA). The SEQRA Regulations allows the Applicant to prepare a Draft Scoping Document. That is the subject of tonight's meeting. I'm going to ask the Applicant in a few moments just to say a few words about the Draft Scoping Document. They have prepared that for the Planning Board to consider. As part of the Planning Board's consideration process it must open the process to the public. That is why you are here tonight. The Scoping Document is located on the Town's website. There are paper copies of the Scoping Document in the Planning Department's office. We are looking for your input. We want to know, what are the issues that are the most important to you? Is it traffic, wetlands, wildlife, community character, is it the size and scale of the project that is of your interest? If you do have an interest in that particular area, we are also looking for any ideas that you might have as to how this project could be approved with certain protective mechanisms in place. These are what is known as mitigation measures. For instance, if there is excessive traffic on the highways, do you have suggestions as to how that might be reduced or avoided? That is the purpose of the meeting tonight. It is to try to assemble all of your comments. Just as what the Chairman had said, if somebody says something that they would like to see included in this Draft Scoping Document, you don't need to mention it again. We will record all of your comments tonight. Each of these comments will be considered by the Planning Board. The Planning Board would be responsible for preparing a Final Scoping Document. The Planning Board will take this Draft Scoping Document and comments that you make tonight or comments that you may submit to the Planning Board in writing. We have a Public written comment period opened until January 2, 2020. You would have a couple of weeks to get your written comments into the Planning Board. Once we have all of the comments assembled, it will be put into a final form that will incorporate your comments on this document. This document will be made available to the Applicant. The Applicant will use this document to prepare all of the studies that the Planning Board had said that are necessary before they could move forward with the environmental review. Once that is done and the Applicant prepares a Draft Environmental Impact Statement (DEIS), there will be a Public Hearing held on the DEIS. You would have the opportunity to see how well the Applicant has studied all of the things that are within the Scoping Document. Once that happens the Applicant prepares the DEIS. There would also be an opportunity for you to comment on that document. When you, the Planning Board, and the Towns Professionals make

their comments and the other Agencies that have to approve this project, once all of that happens then there will be a Final Environmental Impact Statement (FEIS) that would respond to any of the comments that are made on the Applicant's DEIS. That is still not the end of the process. It is a multi-stage process. The Planning Board would eventually have to prepare a Findings Statement. They would have to prepare a Findings to either approve the project or approve it with modifications or deny the project. All of that has to happen before the conclusion of the Planning Board review of the application. There are a lot of studies that have to be done. That is why you are here tonight is to help us define what needs to be studied.

Karen Emmerich: I am with Lehman & Getz Engineering. The property is a 9-acre parcel on West Street. The property is located in the SL zone of the Town of Warwick. The proposed hotel consists of a main building of 7,853 square feet. The main hotel building will contain hotel rooms, lobby and a breakfast area. Also proposed are (6) 8-unit cottages at 2,236 square feet running along West Street and alongside of the property. They also propose a pool, parking and stormwater management on the site. They would be served by a well and a small sewage treatment plant. The development maintains a 200-foot buffer from the residential properties to the east as per the Town's Code. There is also a 100-foot buffer from the Wawayanda Creek which is also as per the Town's Code. The Pulpit Rock that is located on the property will remain intact. It will not be removed or destroyed.

Mr. Astorino: Thank you. We will now open up the Public Scoping Session. Please rise and state your name for the record.

John Cappello: I am the Applicant's Attorney. I am with Jacobowitz & Gubits. I just wanted to let the Board know that we have here tonight Jane Samuelson who prepared the Scoping outline with Engineering Properties. We thought it would be beneficial if she could run through as to what we had submitted to the Board so that the public knows what we have already committed to have in this DEIS. As to what Mr. Ted Fink had said tonight, we are here to come up with a table of contents for a document that we have to prepare. I wanted to let the people know in order to facilitate discussion. Thank you.

Mr. Astorino: You are welcome.

Jane Samuelson: The first portion of the DEIS would describe the project. It will talk about the history of the proposed action, location, description, site layout, site design, the structures, site access, and all of the utilities. It would also have a section about the operation and maintenance of the project and all of the permits and approvals that are required. The meat of the document is the environmental setting, potential impacts and the proposed mitigation which Mr. Fink had talked about. Under each one of the main headings there will be a potential impact section and a mitigation section. There are 8 Sections proposed to be included in the DEIS. The 1st Section would be land, which would cover the soils, the depth to bedrock, seasonal high ground water, the slopes that are found on the property. The 2nd Section is entitled surface water resources. It will talk about any water bodies found on the site; such as Wawayanda Creek. We will talk about the wetlands on the site and the wetland buffer areas. The 3rd Section is groundwater resources. The project is located within the Town's Aquifer Protection Overlay District. We will talk about that and as well as any existing wells in the area. We will also talk about the impact the project will have because a new well will be drilled to serve the project. The 4th Section would discuss plants and animals. On site alone with respective communities in the area of the site. The site is also located within the Town's Biodiversity Conservation Overlay District. That will also be discussed. The 5th Section would discuss Agricultural Resources. We will talk about Agricultural Districts in the area as well as the agricultural soils found on the site. The 6th Section is entitled

Esthetic Resources. We will talk about the visual impacts the project would have on the surrounding area. We will talk about the scenic resources the visual character and that sort of thing. The 7th Section is entitled the Historic and Archeological Resources of the site. The 8th Section is entitled Traffic and Transportation. That would be studied. We will take a look at the surrounding physical capacity of the roadways to protect how much traffic will be produced by the project. We will make sure the roads could handle those additional trips.

Mr. Astorino: Thank you. There is one final thing that I want to point out to the public. I know that there are photos and renderings. Those renderings are all provided by the Applicant. They have not been reviewed by the Planning Board. We work in coordination with the Town of Warwick Architectural Review Board (ARB). There will be Joint Meetings with the ARB and The Conservation Board. I know those photos and renderings are sitting up there. We don't know how they are going to look. They would have to follow the Town's Design Standards. It is way too soon. The Board has not reviewed any of that. It has not been submitted to the Planning Board. It has not been reviewed by us. I am going to ask for public comment. Raise your hand. Come up to the Board. Please be polite to everyone. Please hold your applause. It will disrupt our record. When you come up in front of the Board, please state your name for the record.

Richard Hull: I am the official Town Historian for the Town of Warwick. I have already submitted to you a lengthy statement about my views on the site. I know there are many people that want to make presentations tonight, I have summarized this to reduce it. But there is a more comprehensive report that I have already submitted.

Mr. Astorino: I will mention all the letters that were submitted for the record at the end of this scoping session.

Richard Hull: Thank you. The Pulpit Rock monument is one of the most important prehistorical Native American Indian sites in our entire Town and should be preserved intact along with the nearly 9-acre parcel embracing it. For many centuries, the rock has given our community a vital sense of place. As your Town Historian, I would therefore strongly recommend that before a Special Permit is issued a more thorough and comprehensive Archeological Survey be undertaken and that it be accomplished by a firm acting independently of the property's current owner. Moreover, the Pulpit Rock complex should be considered an important cultural resource in light of the substantial body of data available on the Lenape Peoples who used it for scores of generations to maintain their way of life. I believe that in the final analysis ours and future generations of people will be judged not only by what we have created but by what we have refused to destroy. This unique site provides us with a rare opportunity to understand, to celebrate, and to honor our community's prehistoric past in order for us to better prepare for its future.

Mr. Astorino: Is there anyone else wishing to address the Pulpit Rock Inn?

Ivy Tulin, Village Historian of Warwick states her comments and concerns as follows: Ms. Tulin has concerns about runoff into the Wawayanda Creek. It is also a green gateway to the Village. It is a real important spot as you are coming into the Village. She has concerns about how that would look and operate. Ms. Tulin has concerns about West Street that it is not in good shape. She also has concerns about the traffic. Ms. Tulin also states that it is culturally an important spot in our Village. It is her 14 year old grandson's favorite spot when riding the school bus to see the mist coming through the trees and over the pond. He enjoys looking at the rock. It makes him feel like home. Thank you.

Mr. Astorino: Is there anyone else wishing to address the Pulpit Rock Inn?

Mary Buono addresses her concerns to the Board regarding the Pulpit Rock Inn. Ms. Buono has been living in Warwick for 6 years. When they closed on their home, the best part of the closing was putting money into the Conservation Preservation Fund. Ms. Buono recommends that the Town buy the entire 9-acre parcel and leave it as it is. The Town has done that for many other parts of the farming land that is here. Ms. Buono hopes the Town would take that into consideration. The next concern she has in the planning and investigation is that we have a very thorough understanding of the parts of Town that already has the B&B's, Air B&B the Inns and Motels to find out if they are completely overrun. Ms. Buono wants to know if there has been a study of that. If there has not been a study of that, it needs to be part of the consideration. Thank you.

Mr. Astorino: Is there anyone else wishing to address the Pulpit Rock Inn?

Brian Currid addresses his concerns to the Board regarding the Pulpit Rock Inn. He grew up in Monroe, New York. He has seen what over development can do. It destroyed his Town. It was a Town made up of cops, firemen, and blue collar workers. It was destroyed. There was another element that destroyed it to. It is also destroying Orange and Rockland Counties. That element is Kiryas Joel. Mr. Currid is concerned if this hotel gets built that there is no guarantee that the hotel would do well. His concern is if the hotel fails, what plan do we have that it does not turn into a Shiva Has. His other concern is that this hotel is in close proximity to the schools. His concerns are the safety of the children with having a hotel close to the schools. We don't know the people coming in and out of this. That is my major concern.

Mr. Astorino: Is there anyone else wishing to address the Pulpit Rock Inn?

Geoffrey Howard addresses his concerns to the Board regarding the Pulpit Rock Inn. Mr. Howard thanks the Planning Board for having this scoping session. Mr. Howard states that Warwick is an unusual community. We did 20+ years ago Purchase of Development Rights (PDR). He states that was a very forward-looking thinking. It required a vote from taxpayers to raise their taxes. People voted to raise taxes to preserve open space. Eventually that money ran out. Warwick voted again to raise their taxes called a Preservation Fund to preserve farmland. Mr. Howard found out tonight that it was approximately 5,000 acres in Warwick that has been preserved as open space. The Town of Warwick will not be like any other Town because of the taxpayer's desire to preserve open space. Mr. Howard suggests to use PDR funds to buy this property where the hotel is proposed. Thank you.

Mr. Astorino: Is there anyone else wishing to address the Pulpit Rock Inn?

Joseph Shields has been a resident of Warwick for 35 years addresses his concerns to the Board regarding the Pulpit Rock Inn. Mr. Shields stated that he stood in this same meeting room approximately 18 years ago because they were putting in a development next to his house. He stated that the Applicant was requesting variance to supersede State Law. The Board issued him a variance. Mr. Shields sued the Town of Warwick. That variance was overturned because no Village Board has the authority to issue a variance that supersedes any State Health Code or anything that does with water. He asks what does the term Aquifer Protection Overlay means. He does not know what that is. He asks if this project in this particular case is asking the Board to grant a variance of anything that has to do with the State.

Mr. Astorino: This Board does not grant variances. It is the Zoning Board of Appeals that grants variances. This is the Town of Warwick Planning Board. We are not the Village. As far as the Town's Aquifer Protection Overlay, this Town has numerous Overlay Districts. Ted, maybe you want to explain that? It is where water resources are found. There is an Overlay of different parcels in the Town.

Mr. Fink: There was a study done approximately 20 years ago. The Town looked at groundwater specifically. Where the areas were that were the most important to protect in the Town which relies on groundwater. People drill wells. There is always the potential that if there is any activity that occurs on the ground has a potential of creating pollution problems. Once groundwater has been polluted, then you would be in trouble. What the Town had done was take a proactive approach to identify those areas where there were high yielding wells within the Town. There was a lot of groundwater available for residential use. These were mapped areas. The Town developed some special Regulations that pertain to all of the areas where large amounts of groundwater was found. That is the Aquifer Protection Overlay District. It is in the Zoning. In addition to all of the requirements for the Site Plan, Special Use Permit and for everything else in the Town's Zoning Law, applicants within these Aquifer Protection Overlay Districts also have to abide by certain rules that protect the groundwater.

Joseph Shields continues to discuss variances for this project and that is what is mentioned in the newspaper. Mr. Astorino states again that this is not the Zoning Board of Appeals. This is the Town of Warwick Planning Board. The Planning Board does not issue any variances. Mr. Astorino also states that this property has been zoned this way since the 1970's. Nothing has changed since then. As of right now, there are no variances required for this project. Mr. Fink stated that the Applicant has not asked for any variations on Zoning rules in effect. The Applicant has not asked for that.

Joseph Shields: Thank you.

Mr. Astorino: Just to let the public know, this Board cannot grant PDR. That is something between the Town Board and the Applicant. It is a voluntarily program. That would be up to the Applicant. The Planning Board does not have the power granting PDR. Is there anyone else wishing to address the Pulpit Rock Inn?

Nancy Driscoll was born and raised in Warwick, New York. Ms. Driscoll has some concerns about the Pulpit Rock Inn that she would like to address to the Planning Board. Ms. Driscoll moved back to the area after serving in the United States Air Force. Her and her husband purchased an Inn in Warwick. They ran the Inn for 3 years. In that time span, she became connected to other Inn owners. Their busy season would be in the fall or if there is an event going on. Ms. Driscoll has concerns with the amount of rooms that are proposed in the Pulpit Rock Inn including the cottages, which would be over 100+ rooms. Ms. Driscoll next concern is that if this Inn gets approved, then down the road they might look at doing events and then putting in a restaurant/bar.

Mr. Astorino: That is not included in this application.

Ms. Driscoll states that it might not happen right now. She has seen other Inns go forward and it happened. Ms. Driscoll wanted to bring that to the Board's attention. Ms. Driscoll states to the Board that she lives on Eagles Watch and her view is of the Pulpit Rock. She states that the rock is very historical and Historians have mentioned that. Ms. Driscoll has traffic concerns. She

states that the traffic is horrible right now. She can't imagine what the traffic would be like once this Pulpit Rock Inn gets built. Thank you.

Mr. Astorino: Is there anyone else wishing to address the Pulpit Rock Inn?

Richard Tevter addresses his concerns of the Pulpit Rock Inn to the Planning Board. Many of Mr. Tevter's concerns were brought up tonight. One of my concerns is that if the rooms don't get rented out, where does it go from there? The likely answer is it would be Section 8 Housing. That is happening all over the place. I don't want to see that happening because of the proximity of the schools and churches. Thank you.

Mr. Astorino: Is there anyone else wishing to address the Pulpit Rock Inn?

Timothy Hull addresses his concerns of the Pulpit Rock Inn to the Planning Board. Mr. Hull has written some letters to the Board outlining some ideas. Mr. Hull understands that in the deed it is stated that the rock would not be removed. Mr. Hull's concern is what would happen if during construction and accident happens for instance with a backhoe and it destroys or damages the rock? He wants to know if there would be any retribution, any follow up or any legal action to protect the rock. He wants to know if there would be any real protection or real legal ramification for protection of that rock. I would like for that to be added in. Thank you.

Mr. Astorino: Thank you.

Mr. Fink: Ben, could I answer that one?

Mr. Astorino: Yes.

Mr. Fink: The comment that Mr. Hull made about the rock is the kind of suggestion that we are looking for tonight. That would be a mitigation measure. What ways could be implemented in the construction plans to insure that there is a broad buffer around the rock so that construction equipment would not be able to come close to it?

Timothy Hull: The typography is really quite great there. It is sloped. In order to level it to put big buildings, cottages, and houses, I don't know how you could level that land without disrupting that rock.

Mr. Astorino: I don't want to get into that now. But this would be something that I could almost insure you that it would be part of the process. Your point was greatly taken. If or when this project gets approvals and I will stress the if or when, it would have to be something put on a plan that you would not be able to go near that rock. I don't want to say anything about that now. We are not to that point yet.

Timothy Hull: What would happen if you do go near that? Would there be a fine? Would the Planning Board issue a \$50.00 fine?

Mr. Astorino: The Planning Board does not issue fines. I should not be answering questions tonight, but I will give you a quick synopsis? If any project gets approved by the Town of Warwick Planning Board, they would be granted Conditional Approval. There would be a list of final conditions that they would have to meet before the final maps are signed. Once the final maps are signed, then all of the construction goes over to the Town of Warwick Building Department. There will be and there is for our Engineer to have Inspectors on site. On a case like

this project, it would be a given. On any type of a major project, they will be there. It will be a representative from HDR Engineering. The Building Inspector will be out there. That is not just with this project, it is with every project in the Town of Warwick. If the job is not going according to the plan, it would get shut down. This Board and our Professionals take every project very seriously. If the plans are there, you would follow what is on the approved plans. If you do not, then you would pay for the ramifications. Is there anyone else wishing to address the Pulpit Rock Inn?

Michael Allen Pennings who lives right across the street from the project addresses his concerns of the Pulpit Rock to the Planning Board. He states to the Planning Board that there has to be a better place for this hotel project than here on this property. Mr. Pennings has concerns about the view from his front porch if this hotel is built. He has stated that it would not be conducive from his view. He has concerns about the drainage. He said the drainage has been so bad that he couldn't do plantings. He has concerns about hammering and/or blasting to the rock ledge. He has stated that his family has owned that property for 70 years. They went in front of the Board numerous times to try to do much smaller projects. The Board told them no, they wanted to keep it just as is. The Pennings offered to sell the property. They were told that the price was too high. He stated that it should be easy to say no to this proposed project. Thank you.

Mr. Astorino: Is there anyone else wishing to address the Pulpit Rock Inn?

Tara Lampert addresses her concerns of the Pulpit Rock to the Planning Board. Ms. Lampert stated that she had previously submitted a letter to the Planning Board. Mr. Astorino stated that he will site that letter for the record at the end of the meeting. Ms. Lampert property adjoins the field directly east of where the Pulpit Rock sits. Ms. Lampert grew up in Rockland County. Back in the 1970's there were many working farms and open space in Rockland County. Ms. Lampert has seen a lot of flexing of zoning and special permits in Rockland County. It has destroyed the character of that County. Ms. Lampert would hate to see that happen in Warwick. She had moved to Warwick 3 years ago. Ms. Lampert has 2 children that goes to the Warwick Middle School. They see a lot of wildlife on the property. Ms. Lampert's house is approximately 1800 square feet. The (6) proposed cottages are larger than her home. She feels it is misleading to call them cottages. Ms. Lampert has concerns about the ability to be able to enjoy her home if this hotel project is built. Ms. Lampert has concerns about lighting, flood lights, noise, and traffic. The large number of people that would be coming through that would not be neighbors. Ms. Lampert does not want to see this proposed hotel project go through. It would have an impact on the quality of her life and the value of her home. Ms. Lampert asks the Board about a description or definition regarding zoning vs. special use permit. Mr. Astorino tells Ms. Lampert that it is one of the same.

Mr. Fink: A special use permit applies to certain uses above and beyond the residential uses that might associate with the Zoning District. These are uses that the zoning has taken into consideration for potential objectionable characteristics. There are certain special conditions that applied to anything that would be proposed within this residential Zoning District. That is the way that works. The Planning Board not only has to review the environmental impacts and mitigation measures associated with the project. They also have to review the special use permit conditions to make sure that the Applicant has satisfied all of the conditions that are necessary for approval. It goes above the site plan requirements that they also have to meet i.e. adequate access and the lighting is not excessive, etc... The special use permit also looks at things like noise, excessive traffic and those types of characteristics that may make it incompatible. The Planning Board would have to take a look at that somewhere along in the process.

Tara Lampert: Ok. When I purchased my home, I asked the Realtor what could possibly happen there, I wasn't told. This just is not any area. It is a special area. It is recognized as having special significance. There is a lot of oral history about that rock. I understood that homes could be built there. I understood it was an agricultural area. I would have never in a million years would have thought that something like this could be proposed next to the home that I had bought. If I had thought that, I would have never purchased my home. Thank you.

Mr. Astorino: Is there anyone else wishing to address the Pulpit Rock Inn?

Lisa Kevins addresses her concerns of the Pulpit Rock Inn to the Planning Board. Ms. Kevins wanted everyone to know that the Planning Board is a very special Board. She knows John MacDonald, Ben Astorino and Bo Kennedy. Ms. Kevins states that we all love Warwick and all of the apple trees and such. We cannot have a hotel here in Warwick. She states that Warwick is a very special place like Bedford and Westchester areas. Warwick is bigger than Ridgewood, New Jersey. It is a very special place. Warwick is more than historical. Ms. Kevins states to the Board that LEGOLAND should stay in Goshen. Ms. Kevins feels the hotels should be built somewhere else such as; Florida, Goshen and Woodbury Commons area. Ms. Kevins has concerns that this proposed hotel would be dangerous to children, traffic concerns and pollution concerns. Ms. Kevins lives 2 houses from the proposed hotel. She has a kid that goes to the High School. She runs and bikes on the streets. Ms. Kevins use to live in Cape Code, Chatham, MA. It is beautiful and quaint there because they preserve their land and sand dunes. She wants the same special treatment here in Warwick. Ms. Kevins suggests that the proposed hotel should go in the Florida, Goshen and Woodbury Commons areas. There is history too. Thank you.

Mr. Astorino: Is there anyone else wishing to address the Pulpit Rock Inn?

Robert Agnello addresses his concerns of the Pulpit Rock Inn to the Planning Board. He has concerns about traffic. Mr. Agnello walks around Town all the time with his 2 large German Sheppards. He states when school lets out there is a line of buses and cars from Main Street past Elm Street. This proposed hotel will increase the traffic. It will be unbelievably dangerous to cross West Street with that line of traffic. You cannot see anybody coming from Main Street back the other way. Traffic is his concern. Thank you.

Mr. Astorino: Is there anyone else wishing to address the Pulpit Rock Inn?

Kenny Delaney has been living in Warwick for approximately 15 years. He addresses his concerns of the Pulpit Rock Inn to the Planning Board. Many of his concerns have been brought up. He has a concern regarding sidewalks. There are no sidewalks between Pond Hill and C.R. 1. There are kids including his son that walks back and forth from school. There will be people walking from restaurants back to the hotel. They would be walking in the street. Mr. Delaney's asks the Board about a sewage treatment plant. Mr. Astorino states that they propose a package sewage treatment plant. Mr. Delaney has concerns about the sewage running downhill and that they all live downhill. Mr. Delaney also has concerns about safety, security and traffic.

Mr. Astorino: Is there anyone else wishing to address the Pulpit Rock Inn?

Susan Fogel-Morris has been living there since 1984. She is an artist. She has been painting areas in Warwick for approximately 25 years. She has done paintings of the rock and property. She addresses her concerns of the Pulpit Rock Inn to the Planning Board. Ms. Fogel-Morris was happy that it was mentioned about the visual impact of this project. She cannot imagine any manmade structure that would do justice to the Pulpit Rock. She remembers when there were

plans to build a library on that property. She could not imagine the geometry of a building. She states the Board has done an amazing job on keeping the character integrity of this Town intact. She feels that this proposed hotel project would not be moving in the right direction for this Town. Thank you.

Mr. Astorino: Is there anyone else wishing to address the Pulpit Rock Inn?

Bria Metzger addresses her concerns of the Pulpit Rock Inn to the Planning Board. She has concerns about the sewage that could impact the wetlands to Wawayanda Creek. Ms. Metzger has concerns about light pollution. That is an important issue to the people that are nearby and to the eco systems that are nearby. Light and noise pollution are both very hard to quantify but can have serious impacts. There would also be short-term noise pollution from the construction equipment that would be breaking up that rock ledge. Ms. Metzger would like to know how oral history would be treated just in the survey of historical and archeological import needs and impacts. Warwick is a very beautiful place and has grown up here. She knows that view from the school bus window. She loves it. Thank you.

Mr. Astorino: Is there anyone else wishing to address the Pulpit Rock Inn?

Jeff Honerkamp addresses his concerns of the Pulpit Rock Inn to the Planning Board. He has a concern about traffic. He stated that this year the Warwick School Board and the bus companies rerouted the bus schedules because of concerns of traffic and safety for the children on West Street. They had done this for 3 streets. They are not allowing students to cross the street to get onto and off the bus. The students now have to go 20 to 30 minutes out of their way. It has become very dangerous to our students. This has happened this year. This proposed hotel on West Street will increase traffic. If it can't be improved now, how can it be mitigated later? Mr. Honerkamp wants to know how the increased traffic and the safety of the children will be addressed.

Mr. Astorino: Is there anyone else wishing to address the Pulpit Rock Inn?

Dan Mack addresses his concerns of the Pulpit Rock Inn to the Planning Board. Mr. Mack had previously sent a letter to the Planning Board. Mr. Mike Pennings was a big surprise to Mr. Mack tonight. Mr. Mack wanted to underline what he had said. Mr. Pennings stated that this was a legacy issue for the Board. Mr. Mack had stated that in his letter rather than a zoning issue. This Board should preserve that land. It is more than a technical issue. It is a spiritual issue. That was what Mr. Mack had learned tonight.

Mr. Astorino: Is there anyone else wishing to address the Pulpit Rock Inn?

Adam Powers owns Fetch Bar & Grill in the Village. He addresses his concerns of the Pulpit Rock Inn to the Planning Board. Mr. Powers at first was excited when he heard that a hotel was coming in. He thought at first it would be great for business. Once he found out where the proposed hotel was going, he was not excited about the location. Mr. Powers lives right across the street from the proposed hotel. Mr. Powers and his 8-year old son goes fishing at the pond with Mr. Pennings approval. Mr. Powers states that there is a need for a hotel in Warwick. The community is growing. Mr. Powers can't see the hotel being put in a back yard. His kids bus stop is located right there. Mr. Powers can't understand why putting the hotel on this property. As a business owner, he thinks it would be great that Warwick has a hotel, but he feels it should not be built on this proposed property. Thank you.

Mr. Astorino: Is there anyone else wishing to address the Pulpit Rock Inn?

Pat Foxx addresses her concerns of the Pulpit Rock Inn to the Planning Board. Ms. Foxx travels through Amity and C.R. 1 a lot. When she drives she sees the open space and mountains. It makes her feel like she is in the Country. Once you have destroyed that, it would be destroyed forever. Ms. Foxx states "Don't take paradise and put up a parking lot".

Mr. Astorino: Is there anyone else wishing to address the Pulpit Rock Inn?

Matthew Finn addresses his concerns of the Pulpit Rock Inn to the Planning Board. Mr. Finn stated that he is the father of 2 young daughters. It was brought to his attention that it was an interactive map. He went on the website and looked at the map. It was detailed out of arrests or police calls that have been made for sexual predators and related things at hotels. He was very shocked to find out that the Holiday Inn in Chester, New York had 60 to 100 responses to that in a year. This proposed hotel project is very close to the schools. Mr. Finn being a father has safety concerns for his children and all children. Mr. Finn stated that the Middletown Holiday Inn over by the mall had over 100 responses in a year. Those are concerning numbers being so close to where we are. Thank you.

Mr. Astorino: Is there anyone else wishing to address the Pulpit Rock Inn?

Abby Ashley addresses her concerns of the Pulpit Rock inn to the Planning Board. Ms. Ashley has concerns about sex trafficking. She stated that there was a symposium for drugs/drug trafficking at the school this past Monday night. Ms. Ashley wanted to know how the Sex Trafficking, Drug Trafficking and Safety concerns are going to be addressed. Her Grandparents were very involved in the historic preservation and conservation off all of the Warwick area. Her Grandmother climbed a Maple tree on Maple Ave to make sure it did not get cut down. Ms. Ashley is here in her Grandmothers honor and on her behalf and on the behalf of Jane to discuss and to reiterate those green beltways/entrances that come into our beautiful Village and how we are preserving them. Ms. Ashley stated that the Pulpit Rock was one of the original pieces in the Comprehensive Plan. Ms. Ashley wanted to know how we are going to address all of these areas in the Comprehensive Plan. Ms. Ashley's concerns are Sex Trafficking, Drug Trafficking, historical stuff, Safety issues, Schools that are within the district, and the waterways, etc...

Mr. Astorino: Is there anyone else wishing to address the Pulpit Rock Inn?

John Stage who is a resident of Warwick address his concerns of the Pulpit Rock Inn to the Planning Board. Mr. Stage asked the Board to be mindful that there is only one Pulpit Rock. He stated that sometimes we don't value something until it is threatened. There was as big boom in Warwick starting preservation approximately 25 years ago. He mentions all of the PDR properties in Warwick. He stated that the school buses do go past it. Mr. Stage stated that there is only one Pulpit Rock. There is only one real connection to the people that lived here before us white folks came. He asked that the Planning Board be mindful of that. The Pulpit Rock is quite essential for the history of Warwick. Thank you.

Mr. Astorino: Is there anyone else wishing to address the Pulpit Rock Inn?

Hannelore Chambers addresses her concerns of the Pulpit Rock Inn to the Planning Board. She states to the Board that whatever historical study is done is to make sure it is thorough and complete. Ms. Chambers is not a Native of Warwick. She has heard that there are some oral tradition about the rock. Regarding all of the excavation of the site, she asked that all of the

prehistoric history is analyzed properly. She wanted to know if there was a way of collecting oral tradition that still exists. Ms. Chambers asked to make sure all studies are thoroughly done to make sure that it would be protected. Thank you.

Mr. Astorino: Is there anyone else wishing to address the Pulpit Rock Inn? Let the record show no further public comment. I want to thank all that came out this evening. You were all very respectful and thoughtful group of residents. I and this Board appreciated that. I want to reiterate what Mr. Stage had said. Town of Warwick Planning Board will be mindful of your concerns. When any application is made to the Planning Board, our task is to follow the Zoning Code. We cannot change or alter the Town of Warwick Zoning Code. I am very proud to say that this Board and its Professionals review "Every" application that comes before us to the utmost. I will make sure that would be done not only for this application, but for every application that comes before the Town of Warwick Planning Board. Again, I thank everyone for coming out this evening. Everything that we have will be complied and be made part of the record. The written comment period for the Draft Scoping document would remain open until January 2, 2020 until 4:00pm. As I have mentioned, this is the initial start of this project. This project has a long ways to go. Thank you again for coming out this evening.

Other Considerations:

1. Planning Board Minutes of 10/16/19 & 11/20/19 for PB Approval.

Ms. Little makes a motion to Approve the Planning Board Minutes of 10/16/19 & 11/20/19.

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

2. Planning Board to cancel the 12/23/19-W.S. & 1/1/20-PB Meeting.

Ms. Little makes a motion to cancel the 12/23/19-W.S. & 1/1/20-PB Meeting.

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

3. **Sorrenti 2-Lot Subdivision** – Letter from David Getz, Lehman & Getz Engineering, dated 12/9/19 addressed to the Planning Board in regards to Sorrenti Subdivision – requesting 6-Month Extension on conditional Final Approval of a proposed 2-Lot subdivision, situated on tax parcel SBL # 42-1-7; parcel located on the eastern side of Foley Road 900 feet south of Silo Lane (29 Foley Rd.), in the RU zone, of the Town of Warwick. Conditional Final Approval was granted on 7/17/19. *The Applicant has stated that they request the 6-Month Extension to allow for the finalization of the conditions of approval.* The 6-Month Extension becomes effective on 1/17/20.

Mr. Bollenbach: Dave Getz is here this evening. He is the Applicant's Engineer. Let's have him explain to the Board the status of the project.

Dave Getz: I can't tell you exactly the reasons. Those of you who remember the process let's say that Mr. Sorrenti does not make things simple and straightforward. It has been a struggle.

Mr. Astorino: Is he moving forward with the project?

Dave Getz: Yes. We have written the Declaration. They have been approved and filed. The Surveyor had told me this week that he has set the iron pins. There has been progress that has been made. We request the extension to allow some time for the finalization of the rest of the conditions of the approval.

Mr. Kennedy makes a motion on the Sorrenti 2-Lot Subdivision application, granting a 6-Month Extension on Conditional Final Approval for a proposed 2-Lot subdivision, situated on tax parcel SBL #42-1-7; parcel located 29 Foley Road, in the RU zone, of the Town of Warwick. Conditional Final Approval was granted on 7/17/19.

The 6-Month Extension becomes effective on, 1/17/20.

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

Correspondences:

1. Letter from Mary Ann Knight, The Town of Warwick Historical Society, dated 11/19/19 addressed to the Planning Board in regards to the Pulpit Rock Inn.
2. Letter from Christina Thomas, dated 12/3/19 addressed to the Planning Board in regards to the Pulpit Rock Inn.
3. Letter from Sue Gardner, Deputy Historian of Town of Warwick, dated 12/4/19 addressed to the Planning Board in regards to the Pulpit Rock Inn.
4. Letter from Dr. Richard W. Hull, Professor Emeritus of History NY University Official Warwick Town Historian, dated 12/9/19 addressed to the Planning Board in regards to the Pulpit Rock Inn.
5. Letter from Daniel Mack, dated 12/9/19 addressed to the Planning Board in regards to the Pulpit Rock Inn.
6. Letter from Timothy Hull, dated 12/9/19 addressed to the Planning Board in regards to the Pulpit Rock Inn.
7. Letter & Email from Jane Newman, dated 12/11/19 & 12/16/19 addressed to PB in regards to the Pulpit Rock Inn.
8. Letter from Tara Lambert, dated 12/18/19 addressed to PB in regards to the Pulpit Rock Inn.
9. Letter from Penny Steyer, ARB dated 12/17/19 addressed to PB in regards to the Pulpit Rock Inn.
10. Letter from Eric Knieriemen, undated but received 12/18/19 hand delivered but not addressed to PB in regards to the Pulpit Rock Inn.
11. Letter from Eric Knieriemen & Vivian Nickless McElligott, undated but received 12/18/19 hand delivered but not addressed to PB in regards to the Pulpit Rock Inn.

Mr. Astorino: We will list correspondences #1 through #11 for the record. All of these correspondences will be included in the Scoping Document.

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. Showalter makes a motion to adjourn the December 18, 2019 Planning Board Meeting.

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