

TOWN OF WARWICK PLANNING BOARD

October 7, 2020

Members present: Chairman, Benjamin Astorino  
Roger Showalter, Vice-Chairman  
Dennis McConnell, Bo Kennedy,  
John MacDonald, Alt.  
Laura Barca, HDR Engineering  
Connie Sardo, Planning Board Secretary

The regular meeting of the Town of Warwick Planning Board was held Wednesday, October 7, 2020 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 HEARING OF Kathleen R. Pettit, Trustee/George Brunjes Family Trust**

Application for Site Plan Approval and Special Use Permit for the construction and use of a Guest House and associated well and subsurface sewage disposal system, situated on tax parcel S 65 B 1 L 15.12; project located on the northern side of Buttermilk Falls Road 0 feet west of Cascade Road (16 Buttermilk Falls Rd.), in the MT zone, of the Town of Warwick, County of Orange, State of New York.

Representing the applicant: Dan Getz from Lehman & Getz Engineering.

Connie Sardo: Mr. Chairman, we have received the certified mailings for the George Brunjes Guest House public hearing.

Mr. Astorino: Thank you.

The following review comments submitted by HDR:

- Planning Board to discuss SEQRA.
1. Applicant to discuss project.
  2. Conservation Board – no comments received
  3. Architectural Review Board – no comments received
  4. OC Planning Department – pending comments
  5. TW Building Department – 06/10/20 no violations
  6. Applicant to obtain 911 address for proposed home.
  7. If house is proposed to be greater than 25-ft tall (using the Town of Warwick Town Code definition for building height), a line of sight profile would be required.
  8. Applicant to clarify if a rattle snake monitor is required by NYSDEC; some projects require it and some do not.
  9. The declaration information for the Environmental Mitigation Notes (with revised Indiana bat notes) and Biodiversity Notes must be added to the plans.
  10. Surveyor to certify that iron rods have been set at all property corners.
  11. Payment of all fees.

The following comment submitted by the Conservation Board:

Kathleen R. Pettit, Trustee/George Brunjes Family Trust – None submitted.

The following comment submitted by the ARB:

Kathleen R. Pettit, Trustee/George Brunjes Family Trust – None submitted.

Comment #1: Planning Board to discuss SEQRA.

Mr. McConnell: The following SEQRA comment has been prepared by, Mr. Ted Fink: “The Planning Board declared Lead Agency on 6/17/20. Attached is a draft Negative Declaration. The issues are Ridgeline Overlay District, Biodiversity Overlay District, and stormwater management. Each of these have been addressed in the draft Negative Declaration with mitigation available in the form of map notes for both the Ridgeline and Biodiversity overlay districts as well as stormwater management through adherence with Town of Warwick requirements”.

Comment #2: Applicant to discuss project.

Dan Getz: There is an existing house located on 16 Buttermilk Falls Road. The Applicant proposed to build a 2<sup>nd</sup> house on the property as a Guest House. There is already an existing driveway entrance off Cascade Road & Buttermilk Falls Road. The entrances makes a loop through the property. Looking at the map, we would be adding the house off a stub of the driveway located here. Longhouse Creek is located here. We are keeping everything but the septic system 1200 feet away. That is about it.

Mr. Astorino: Thank you.

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 – 06/10/20 no violations

Comment #7: Applicant to obtain 911 address for proposed home.

Dan Getz: Yes. The 911 addresses had to be renumbered. The existing house would have a Cascade Road address. The Guest House would be 16 Buttermilk Falls Road.

Comment #8: If house is proposed to be greater than 25-ft tall (using the Town of Warwick Town Code definition for building height), a line of sight profile would be required.

Dan Getz: We are not proposing the house to be greater than 25 feet tall.

Comment #9: Applicant to clarify if a rattle snake monitor is required by NYSDEC; some projects require it and some do not.

Dan Getz: Will clarify.

Comment #10: The declaration information for the Environmental Mitigation Notes (with revised Indiana bat notes) and Biodiversity Notes must be added to the plans.

Dan Getz: Will do.

Comment #11: Surveyor to certify that iron rods have been set at all property corners.

Dan Getz: Ok.

Comment #12: Payment of all fees.

Dan Getz: Yes.

Mr. Astorino: Do any Board members or Professionals have any comments? We have a letter from the NYSDEC. There is no permit required from the NYSDEC.

Laura Barca: Correct. There is no permit required from the NYSDEC.

Mr. McConnell: When we were at the site visit, I did not know there was an entrance off Cascade Road. Is it open? Is it usable?

Dan Getz: Yes. Depending what direction you came from, you probably passed it and did not notice it. It is located right before you reached Buttermilk Falls Road.

Mr. McConnell: Ok. When I passed it, that driveway entrance would have been on my right side.

Dan Getz: Yes.

Mr. McConnell: Ok. Ben, are you aware of it? Is there a road cut?

Mr. Astorino: Yes. That is pre-existing.

Mr. McConnell: Ok. Thank you.

Mr. Astorino: This is a public hearing. If there is anyone in the audience wishing to address the Brunjes Guest House application, please rise and state your name for the record. Let the record show no public comment.

Mr. McConnell makes a motion for the Negative Declaration.

Seconded by Mr. Kennedy. The following Resolution was carried 5-Ayes.

617.12(b)

**State Environmental Quality Review (SEQR)**  
Resolution Authorizing Filing of Negative Declaration

**Name of Action:** Brunjes Guest House Site Plan/Special Use Permit

**Whereas**, the Town of Warwick Planning Board is the SEQR Lead Agency for conducting the environmental review of a proposed guest house on a 13.9 acre parcel containing an existing single-family dwelling at 16 Buttermilk Falls Road in the Town of Warwick, Orange County, New York, and

**Whereas**, there are no other involved agencies pursuant to SEQR, and

**Whereas**, the Planning Board has reviewed a Short Environmental Assessment Form (EAF) for the action dated 5/14/2020, the probable environmental effects of the action, and has considered such impacts as disclosed in the EAF.

**Now Therefore Be It Resolved**, that the Town of Warwick Planning Board adopts the findings and conclusions relating to probable environmental effects contained within the attached EAF and Negative Declaration and authorizes the Chairman to execute the EAF and file the Negative Declaration in accordance with the applicable provisions of law, and

**Be It Further Resolved**, that the Planning Board authorizes the Chairman to take such further steps as might be necessary to discharge the Lead Agency's responsibilities on this action.

Mr. McConnell makes a motion to close the public hearing.

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

Mr. Kennedy makes a motion on the Kathleen R. Pettit, Trustee/George Brunjes Family Trust application, granting Site Plan Approval and Special Use Permit for the construction and use of a Guest House and associated well and subsurface sewage disposal system, situated on tax parcel S 65 B 1 L 15.12; project located on the northern side of Buttermilk Falls Road 0 feet west of Cascade Road (16 Buttermilk Falls Rd.), in the MT zone, of the Town of Warwick, County of Orange, State of New York. A SEQRA Negative Declaration was adopted on October 7, 2020. Approval is granted subject to the following conditions:

1. Applicant to obtain 911 address for proposed home.
2. If house is proposed to be greater than 25-ft tall (using the Town of Warwick Town Code definition for building height), a line of sight profile would be required.
3. Applicant to clarify if a rattle snake monitor is required by NYSDEC; some projects require it and some do not.
4. The declaration information for the Environmental Mitigation Notes (with revised Indiana bat notes) and Biodiversity Notes must be added to the plans.
5. Surveyor to certify that iron rods have been set at all property corners.
6. Payment of all fees.

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

**Review of Submitted Maps:*****Cox Subdivision #3***

Application for Sketch Plat Review of a proposed 4-Lot Cluster Subdivision, situated on tax parcel S 61 B 1 L 38.2, parcel located on the western side of Old Tuxedo Road 300 feet south of Nelson Road (35 Old Tuxedo Road), in the MT Zone, of the Town of Warwick.

Representing the applicant: Brian Friedler from Lehman & Getz Engineering

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 – pending comments
6. TW Building Department – 02/05/20 open permit for oil tank removal and installation (#22921)
7. NYS Parks, Recreation, and Historic Preservation letter dated January 30, 2020 – no impact letter.
8. Planning Board to determine a date for a site inspection.
9. Please clarify the driveways being so close together; there are three driveways within 75-ft. The driveways for Lots 3 and 4 will have to be paved in their entirety due to the slope. Applicant to consider a revised layout including consideration of a shared driveway.
10. Applicant to clarify the unique shape of Lot 3; it does not confirm to the lot configurations identified in §137.
11. Yield Plan: It is noted for the record that Lot 1 will require OCDOH approval for the septic system (it is less than 100-ft from the pond) and Lot 4 indicates that the existing home will be removed and replaced with a new home that meets all setback requirements. Further, this Yield Plan did not use the environmental control formula described in §164-41.3 but used actual on-site soil test completed by the Project Engineer. The on-site soil testing is a much better indicator that the soils are suitable for a septic system. The roadway profile on Sheet 2 of the Yield Plan shows that the road grade is at 10% or less, as required by the Town Code. This Yield Plan complies with the requirements of §164-41.1.D.(2).
12. Context Plan: The context map should also include the following items:
  - a. Topography
  - b. Streams
  - c. NYS wetlands
  - d. Federal wetlands
  - e. Ridgeline overlay area
  - f. Utility easements & ROWS as shown on tax maps

If these features are not present on the plan, please add a note indicating that.

13. Context Plan: Applicant to indicate on the plan the difference between woodlands and parklands with a note.

14. Four Step Process: Notes should be added to the plan stating what primary and secondary conservations areas are; a note should indicate if that feature is not located on this property.
15. Four Step Process: In Step 2, the house for proposed lot 2 is located on 15 to 25% slopes, which should be preserved as part of the cluster subdivision.
16. Four Step Process: The driveways for all three proposed lots cross over 15 to 25% slopes, requiring that all three driveways are paved in their entirety and disturbing slopes that should be preserved as part of the cluster subdivision.
17. Four Step Process: The lots lines for lots 2 and 3 go through an existing stone wall, which is a secondary conservation area. Lot line should travel along existing stone walls not through them.
18. A note shall be added to the plan stating that there will be no future subdivision of any lot included within this subdivision.
19. A replacement septic system location must be shown on Lot 1. The engineer shall test the soil to confirm suitability for future septic system installation and the replacement area must be shown on the drawing.
20. On Lot 2, there is curtain drain outlet piping being placed beneath an existing stone wall. Please indicate whether the stone wall is to remain or if any portions are to be removed.
21. Soil tests for the septic systems on Lots 2, 3, and 4 must be witnessed by the Office of the Planning Board Engineer.
22. On Sheet 6, the design flow for the septic designs on Lots 2 and 3 indicates that it is for three bedrooms; please clarify.
23. 911 addresses must be obtained from the Building Department and then shown on the plan.
24. Visual Impact Analysis if Applicant would like a 35-ft home in the Ridgeline Overlay District; a house of 25-ft or less does not require this Analysis to be completed.
25. The Town of Warwick Standard Notes for projects that are in the immediate area of the former Penaluna Landfill are shown on Sheet 4. These are important notes that should be included on Sheet 1 or at least referenced on Sheet 1.
26. 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.” Sheet 1, Note 13.
27. Surveyor to certify that iron rods have been set at all property corners and stone cairns have been set along open space boundaries.
28. The liber and page for the Ridgeline Overlay, Aquifer Protection, and Penaluna Landfill proximity Notes (Water Testing & Vapor Barrier Notes) must be added to the plan.
29. A legal description and declaration for the dedication strips to the Town for highway purposes will need to be submitted for the Town Board’s consideration. Applicant to clarify if a roadway dedication is proposed.
30. Payment in lieu of parkland for two lots per Town of Warwick Town Code §75-3.A.(2)(a)[3].
31. Payment of all fees.

The following comment submitted by the Conservation Board:

Cox Subdivision #3 – None submitted.

The following comment submitted by the ARB:

Cox Subdivision #3 – None submitted.

Comment #1: Planning Board to discuss SEQRA.

Mr. McConnell: The following SEQRA comment has been prepared by, Mr. Ted Fink: “The Planning Board already adopted a Resolution declaring the Planning Board as lead agency at its meeting in February. Although the application has now changed from a conventional 2-lot subdivision to a 4-lot cluster subdivision, the basic SEQR procedures remain the same. So at this time, the Planning Board should simply let the record show that it has already determined it will be SEQR lead agency for the review of the subdivision and the underlying facts that apply to the SEQR procedures for the application remain the same. My preliminary comments made for the 9/28/20 Planning Board workshop are still applicable and should be addressed by the applicant”. Brian, do you still have those comments from the Work Session?

Brian Friedler: Yes.

Comment #2: Applicant to discuss project.

Brian Friedler: The application is for a proposed 4-Lot Cluster subdivision. The property is located at Old Tuxedo Road. Lot #1 has an existing dwelling situated on 17 acres. Thirteen of those acres would remain as open space. The 3 remaining lots would range from 3.8 acres to 1.7 acres. The driveways would be coming off Old Tuxedo Road.

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 – 02/05/20 open permit for oil tank removal and installation (#22921)

Brian Friedler: Yes. We are working on closing that out.

Comment #7: NYS Parks, Recreation, and Historic Preservation letter dated January 30, 2020 – no impact letter.

Comment #8: Planning Board to determine a date for a site inspection.

Mr. Astorino: What date would the Board like to schedule a site visit? It would have to be on a Saturday or Sunday since it will be getting darker earlier. How does Saturday, October 17, 2020 at 9:00 a.m. work for everyone?

Mr. McConnell: That is fine.

Mr. Kennedy: That is fine.

Mr. Showalter: That is fine.

Mr. Astorino: Ok. We will schedule the site visit for Saturday, October 17, 2020 at 9:00 a.m. I know we had discussed at length the driveway locations out there. Once we do the site visit, we could determine that a little more. Do any Board members or Professionals have any comments?

Laura Barca: The comments that I have added are about the Four Step Process. It specifically called out some of the questions that the Planning Board had before we talked about the Four Step Process. Comment #15 in Step 2, the house proposed for lot 2 is located on 15% to 25% slopes, which should be preserved as part of the Cluster subdivision. If it was slid over a little it, it would be off those steep slopes.

Mr. Astorino: That is the process of the 4-Step Process before it even gets to the Cluster end of it.

Laura Barca: Correct. Similarly in Comment #16 the driveways for all three proposed lots cross over a portion of the property over 15% to 25% slopes that all the driveways would be paved in their entirety and disturbing slopes that should be preserved as part of the cluster subdivision.

Mr. Astorino: We will determine all that at the site visit.

Laura Barca: Yes.

Mr. Astorino: The site visit is scheduled for Saturday, October 17, 2020 at 9:00 a.m. We will list Comment #8 through Comment #31 for the record. Connie will notify everyone about the site visit.

Brian Friedler: Thank you.

Comment #9: Please clarify the driveways being so close together; there are three driveways within 75-ft. The driveways for Lots 3 and 4 will have to be paved in their entirety due to the slope. Applicant to consider a revised layout including consideration of a shared driveway.  
Comment #10: Applicant to clarify the unique shape of Lot 3; it does not confirm to the lot configurations identified in §137.

Comment #11: Yield Plan: It is noted for the record that Lot 1 will require OCDOH approval for the septic system (it is less than 100-ft from the pond) and Lot 4 indicates that the existing home will be removed and replaced with a new home that meets all setback requirements. Further, this Yield Plan did not use the environmental control formula described in §164-41.3 but used actual on-site soil test completed by the Project Engineer. The on-site soil testing is a much better indicator that the soils are suitable for a septic system. The roadway profile on Sheet 2 of the Yield Plan shows that the road grade is at 10% or less, as required by the Town Code. This Yield Plan complies with the requirements of §164-41.1.D.(2).

Comment #12: Context Plan: The context map should also include the following items:

- a. Topography
- b. Streams
- c. NYS wetlands
- d. Federal wetlands
- e. Ridgeline overlay area
- f. Utility easements & ROWS as shown on tax maps

If these features are not present on the plan, please add a note indicating that.

Comment #13: Context Plan: Applicant to indicate on the plan the difference between woodlands and parklands with a note.

Comment #14: Four Step Process: Notes should be added to the plan stating what primary and secondary conservations areas are; a note should indicate if that feature is not located on this property.

Comment #15: Four Step Process: In Step 2, the house for proposed lot 2 is located on 15 to 25% slopes, which should be preserved as part of the cluster subdivision.

Comment #16: Four Step Process: The driveways for all three proposed lots cross over 15 to 25% slopes, requiring that all three driveways are paved in their entirety and disturbing slopes that should be preserved as part of the cluster subdivision.

Comment #17: Four Step Process: The lots lines for lots 2 and 3 go through an existing stone wall, which is a secondary conservation area. Lot line should travel along existing stone walls not through them.

Comment #18: A note shall be added to the plan stating that there will be no future subdivision of any lot included within this subdivision.

Comment #19: A replacement septic system location must be shown on Lot 1. The engineer shall test the soil to confirm suitability for future septic system installation and the replacement area must be shown on the drawing.

Comment #20: On Lot 2, there is curtain drain outlet piping being placed beneath an existing stone wall. Please indicate whether the stone wall is to remain or if any portions are to be removed.

Comment #21: Soil tests for the septic systems on Lots 2, 3, and 4 must be witnessed by the Office of the Planning Board Engineer.

Comment #22: On Sheet 6, the design flow for the septic designs on Lots 2 and 3 indicates that it is for three bedrooms; please clarify.

Comment #23: 911 addresses must be obtained from the Building Department and then shown on the plan.

Comment #24: Visual Impact Analysis if Applicant would like a 35-ft home in the Ridgeline Overlay District; a house of 25-ft or less does not require this Analysis to be completed.

Comment #25: The Town of Warwick Standard Notes for projects that are in the immediate area of the former Penaluna Landfill are shown on Sheet 4. These are important notes that should be included on Sheet 1 or at least referenced on Sheet 1.

Comment #26: 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." Sheet 1, Note 13.

Comment #27: Surveyor to certify that iron rods have been set at all property corners and stone cairns have been set along open space boundaries.

Comment #28: The liber and page for the Ridgeline Overlay, Aquifer Protection, and Penaluna Landfill proximity Notes (Water Testing & Vapor Barrier Notes) must be added to the plan.

Comment #29: A legal description and declaration for the dedication strips to the Town for highway purposes will need to be submitted for the Town Board's consideration. Applicant to clarify if a roadway dedication is proposed.

Comment #30: Payment in lieu of parkland for two lots per Town of Warwick Town Code §75-3.A.(2)(a)[3].

Comment #31: Payment of all fees.

***RTT Associates/Ted Edwards***

Application for Sketch Plat Review of a proposed 3-Lot subdivision, situated on tax parcel S 40 B 1 L 97; parcel located on the northern side of Onderdonk Road 250 feet east of Acorn Drive (90 Onderdonk Road), in the RU zone, of the Town of Warwick.

Representing the applicant: Brian Friedler from Lehman & Getz Engineering.

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 – pending comments
6. TW Building Department – 09/18/20 no violations
7. NYS Parks, Recreation, and Historic Preservation letter
8. The previous owner to provide a notarized letter stating how long he lived there and include past uses of the property, including that this property was not utilized as an apple orchard (like the property across the road).
9. A replacement septic system location must be shown on Lot 1. The engineer shall test the soil to confirm suitability for future septic system installation and the replacement area must be shown on the drawing.
10. Soil tests for the septic systems on Lots 2 and 3 must be witnessed by the Office of the Planning Board Engineer.
11. Lines of sight profiles are required if the Applicant would like homes that are taller than 25-ft (as defined by the Town of Warwick Building code).
12. Updated 911 addresses must be obtained from the Building Department and then shown on the plan.
13. 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.” Sheet 1, Note 13
14. The bubble or cloud line type (shown in red on Sheet 1) seems to indicate existing tree line however it is not reflected in the legend. This should be clarified along with any individual trees to either remain or to be removed.
15. Surveyor to certify that iron rods have been set at all property corners.
16. The liber and page for the Ridgeline Overlay Notes must be added to the plan.
17. Payment in lieu of parkland for two lots per Town of Warwick Town Code §75-3.A.(2)(a)[3].
18. Payment of all fees.

The following comment submitted by the Conservation Board:

RTT Associates/Ted Edwards – None submitted.

The following comment submitted by the ARB:

RTT Associates/Ted Edwards – None submitted.

Comment #1: Planning Board to discuss SEQRA.

Mr. McConnell: The following SEQRA comment has been prepared by Mr. Ted Fink: “The applicant provided a Short Environmental Assessment Form and the action should be classified as an Unlisted Action under SEQR. There are no other agencies involved on the subdivision. Therefore, I have attached a draft Lead Agency resolution for the Planning Board’s consideration. My preliminary comments made for the 9/28/20 Planning Board workshop are still applicable and should be addressed by the applicant”.

Mr. Kennedy makes a motion for Lead Agency.

Seconded by Mr. McConnell. The following Resolution was carried 5-Ayes.

617.6

**State Environmental Quality Review (SEQR)**  
Resolution Establishing Lead Agency  
Unlisted Action

Name of Action: RTT Associates Subdivision

Whereas, the Town of Warwick Planning Board is in receipt of an application for Subdivision approval of a 15.1 ± acre parcel of land located at 90 Onderdonk Road, Town of Warwick, Orange County, New York, and

Whereas, an Environmental Assessment Form (EAF) dated 9/16/20 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 an Unlisted Action, 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 identified in the Statement, and the Planning Board must then evaluate and consider the Statement to determine possible impacts the proposed project may have on the functioning of farm operations within the agricultural district, and

Whereas, after examining the EAF, the Planning Board has determined that there are no other involved and/or federal agencies on this matter.

Now Therefore Be It Resolved, that the Planning Board hereby declares itself Lead Agency for the review of this action.

Be It Further Resolved, that a Determination of Significance will be made at such time as all information has been received by the Planning Board to enable it to determine whether the action will or will not have a significant effect on the environment.

Comment #2: Applicant to discuss project.

Brian Friedler: The application is for a proposed 3-Lot subdivision. There is one existing dwelling located on the property. The Applicant proposes 2-New dwellings on the property.

Mr. Astorino: Is this a Cluster subdivision?

Brian Friedler: No. It is a Conventional subdivision.

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 – 09/18/20 no violations

Comment #7: NYS Parks, Recreation, and Historic Preservation letter

Brian Friedler: We recently sent a letter to NYS Parks, Recreation, and Historic Preservation.

Comment #8: The previous owner to provide a notarized letter stating how long he lived there and include past uses of the property, including that this property was not utilized as an apple orchard (like the property across the road).

Mr. Astorino: We discussed Comment #8 at the Work Session. The property that is located across the road had some issues with chemicals in the soils.

Brian Friedler: I have a letter from the previous owner who is an elderly gentleman.

Mr. Friedler distributes the handwritten letter to the Planning Board. The letter is from Mr. Russell Stickle, dated 10/2/20.

Laura Barca: Is the letter notarized?

Brian Friedler: No. It is not notarized.

Connie Sardo: Who owns the property?

Mr. Astorino: Harold Stickle had farmed this land for his cows back in 1948.

Mr. Showalter: Harold Stickle had passed away a while ago.

Mr. McConnell: The letter should be official by having it notarized. Please get the letter typed up and notarized.

Brian Friedler: Ok.

Comment #9: A replacement septic system location must be shown on Lot 1. The engineer shall test the soil to confirm suitability for future septic system installation and the replacement area must be shown on the drawing.

Brian Friedler: Ok. Will do.

Comment #10: Soil tests for the septic systems on Lots 2 and 3 must be witnessed by the Office of the Planning Board Engineer.

Brian Friedler: Ok.

Comment #11: Lines of sight profiles are required if the Applicant would like homes that are taller than 25-ft (as defined by the Town of Warwick Building code).

Brian Friedler: Ok.

Comment #12: Updated 911 addresses must be obtained from the Building Department and then shown on the plan.

Brian Friedler: Ok.

Comment #13: 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.” Sheet 1, Note 13.

Brian Friedler: Ok.

Comment #14: The bubble or cloud line type (shown in red on Sheet 1) seems to indicate existing tree line however it is not reflected in the legend. This should be clarified along with any individual trees to either remain or to be removed.

Brian Friedler: Yes.

Comment #15: Surveyor to certify that iron rods have been set at all property corners.

Brian Friedler: Yes.

Comment #16: The liber and page for the Ridgeline Overlay Notes must be added to the plan.

Brian Friedler: Ok.

Comment #17: Payment in lieu of parkland for two lots per Town of Warwick Town Code §75-3.A.(2)(a)[3].

Brian Friedler: Ok.

Comment #18: Payment of all fees.

Brian Friedler: Ok.

Mr. Astorino: Do any Board members or Professionals have any comments? Seeing that the Planning Board and Professionals don't have any comments, does the Applicant wish to be set for a public hearing at the next available agenda?

Brian Friedler: Yes. We would request to be set for a public hearing.

**Mr. Showalter makes a motion to set the RTT Associates/Ted Edwards Subdivision application for a Final Public Hearing at the next available meeting.**

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

Brian Friedler: Thank you.

***Ansley Subdivision “Amended” Final Approval Lot #3 (Pete Fini)***

Application for Amended Final Approval of a proposed 1-Lot subdivision in the Ansley Subdivision a/k/a Lot 3, situated on tax parcel S 63 B 1 L 16.3; parcel located on the eastern side of Wawayanda Road 4400 feet south of Hoyt Road (73 Wawayanda Road), in the MT zone, of the Town of Warwick, County of Orange, State of New York.

Representing the applicant: John McGloin, PLS.

Mr. Astorino: When the Ansley subdivision was approved, the house location was placed on the plan by the Engineer. It was backed up against a sheer cliff. Unfortunately the Planning Board did not catch that at that time. They had to move the house location. They had to go to the ZBA for a variance. They received the variance. They are here before the Planning Board for relocating the house and well in the RL-O. We need to amend the approval.

Mr. Showalter makes a motion on the Ansley Subdivision granting “Amended” Final Approval of a proposed 1-Lot subdivision in the Ansley Subdivision a/s/a Lot 3, situated on tax parcel S 63 B 1 L 16.3; parcel located on the eastern side of Wawayanda Road 4400 feet south of Hoyt Road (73 Wawayanda Road), in the MT zone, of the Town of Warwick, County of Orange, State of New York.

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

John McGloin: Thank you.

**Other Considerations:**

1. **Round Hill Subdivision** – Letter from Dan Getz, Lehman & Getz Engineering, dated 9/16/20 addressed to the Planning Board in regards to the Round Hill Subdivision Section I – requesting a 6-Month Extension on conditional Final Approval for Section I to consist of a 3-Lot Cluster subdivision, situated on tax parcel SBL # 7-2-51.1; parcel located along the northerly side of Wheeler Road between Meadow Road and Hunt Drive, in the RU zone, of the Town of Warwick. Conditional Final Approval for Section I was granted on 3/20/19. *The Applicant has stated that the plans are ready to be filed, but need more time to finish the last requested revisions and get all required signatures on the plans.* The 6-Month Extension becomes effective on 9/20/20.

Representing the applicant: Dan Getz from Lehman & Getz.

Laura Barca: Dan has the final plans with the revisions. They are very close to the end of the process.

Dan Getz: We just have one item for John Bollenbach to look at.

Mr. Astorino: We will take a look at it tomorrow.

Mr. McConnell makes a motion on the Round Hill Subdivision application, granting granted a 6-Month extension on conditional Final Approval for Section I to consist of a 3-Lot Cluster subdivision. (SBL #7-2-51.1). Conditional Final Approval was granted on 3/20/19.

The 6-Month Extension becomes effective on 9/20/20.

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

2. Planning Board Minutes of 9/2/20 for PB Approval.

Mr. McConnell makes a motion to Approve the PB Minutes of 9/2/20.

3. Planning Board to discuss canceling the 10/12/20-Work Session & 10/21/20-PB Meeting.

Mr. McConnell makes a motion to cancel the 10/12/20-Work Session & 10/21/20-PB Meeting.

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

**Correspondences:**

Mr. Astorino: Connie, do we have any 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 October 7, 2020 Planning Board Meeting.**

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