

TOWN OF WARWICK PLANNING BOARD  
December 15, 2021

Members present: Chairman, Benjamin Astorino  
Dennis McConnell, Bo Kennedy,  
John MacDonald, Rich Purcell, Alt.  
Laura Barca, HDR Engineering  
J. Theodore Fink, Greenplan/via WebEx  
John Bollenbach, Planning Board Attorney  
Connie Sardo, Planning Board Secretary

The regular meeting of the Town of Warwick Planning Board was held Wednesday, December 15, 2021 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 Diana B. Boernstein Family Trust, Timothy Hermans & David Valentine, Trustees**

Application for Site Plan Approval and Special Use Permit for the use of an existing dwelling to be a two-family residential dwelling, situated on tax parcel S 27 B 2 L 40; project located on the eastern side of Blooms Corners Road 600 feet south of C.R. 1A (7 Blooms Corners Rd.), in the RU zone, of the Town of Warwick, County of Orange, State of New York.

Representing the Applicant: Dan Getz from Engineering Properties & Surveying.

Connie Sardo: Mr. Chairman, we received the certified mailings for the Boernstein public hearing.

Mr. Astorino: Thank you.

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 – 10/08/21 no advisory comments
6. TW Building Department – 10/14/21 open permit for #5042 for conversion of barn to a one-family; approvals needed for two-family residence.
7. NYS Parks, Recreation & Historic Preservation – 12/05/21 no impact letter
8. Surveyor to sign and seal final plan.
9. 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 C-1, Note 24 – but use is existing.
10. Surveyor to certify that iron rods have been set at all property corners.

11. The liber and page for the Agricultural Notes, as well as the Indiana Bat Notes, and Sight Distance Triangles must be added to the plan.
12. Payment of all fees

The following comment submitted by the Conservation Board:

Boernstein 7 Blooms Corners Rd. Site Plan – None submitted.

The following comment submitted by the ARB:

Boernstein 7 Blooms Corners Rd. Site Plan – None submitted.

Comment #1: Planning Board to discuss SEQRA.

Mr. Fink: The Planning Board has classified this application as an Unlisted Action and declared itself as Lead Agency. There were 3 SEQRA issues. There is only a small portion of construction proposed. The project is for the conversion of an existing single-family dwelling to a two-family dwelling. One issue is that the property is located in an area with Indiana Bats. If there would be any trees cut down on the site, the State looks for time constraint of clearing of trees during summer months. There are notes from HDR that should be placed on the site plan. There is a replacement septic system that is proposed. The Applicant went ahead and had an Archeological study done. The property is located within an Archeological sensitive area. The State had reviewed that. The State came back that it had no impacts. There are wetlands on the site. There is a stream that goes through the site. There is no construction proposed anywhere near those water resources. The Applicant has done an erosion control plan. That takes care of SEQRA.

Comment #2: Applicant to discuss project.

Dan Getz: This is a converted barn off Blooms Corners Road. It was converted back in the early 1980's from a barn into a dwelling. It has been used as a 2-family dwelling. It came to everyone's attention that it was not a legal 2-family dwelling. There is no CO for the 2-family dwelling. That is why we are here before the Planning Board. As Ted had stated, there are wetlands on the property. We are not going near the wetlands. There is one correction that I would like to mention. There was not a detailed Archeological study done on the property. We asked SHPO to take a look at the possibility of whether it would be needed. They had felt it was not needed. They had no concerns.

Mr. Fink: Right. SHPO issued a letter that there were no impacts as to what they had found. Is that correct?

Dan Getz: Yes.

Mr. Fink: Ok.

Dan Getz: There are 2 driveway entrances one for each dwelling unit. There is an existing well located on the property. We had checked the sight distance at the entrances. We will be adding notes to the plans to keep open sight distance triangles from plants that might grow into them.

Comment #3: Conservation Board – no comments received

Comment #4: Architectural Review Board – no comments received

Comment #5: OC Planning Department – 10/08/21 no advisory comments

Comment #6: TW Building Department – 10/14/21 open permit for #5042 for conversion of barn to a one-family; approvals needed for two-family residence.

Comment #7: NYS Parks, Recreation & Historic Preservation – 12/05/21 no impact letter

Comment #8: Surveyor to sign and seal final plan.

Dan Getz: Will do.

Comment #9: 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 C-1, Note 24 – but use is existing.

Mr. McConnell: Does that preclude the continued use that it already has?

Mr. Astorino: No.

Mr. McConnell: That wording does not make sense.

Mr. Astorino: It is. Maybe we could change that to reflect this application. It is a pre-existing use. It is an illegal 2-family dwelling as of right now.

Laura Barca: Correct. It is a standard note that we add to all projects. Perhaps we don't need this standard note for this project.

Mr. Astorino: I agree. We will strike Comment #9.

Comment #10: Surveyor to certify that iron rods have been set at all property corners.

Dan Getz: Will do.

Comment #11: The liber and page for the Agricultural Notes, as well as the Indiana Bat Notes, and Sight Distance Triangles must be added to the plan.

Dan Getz: Will do.

Comment #12: Payment of all fees

Dan Getz: Yes.

Mr. Astorino: Do any Board members or Professionals have any comments? This is a public hearing. If there is anyone in the audience wishing to address the Boernstein application, please rise and state your name for the record.

Don Lomax: I live across the road. I have been living there for over 30 years. It has been a multiple dwelling for all those years. I haven't seen the plans on this.

Mr. Astorino: They really are not changing anything. They are here before us to make it a legal 2-family dwelling. Theoretically it was an illegal 2-family dwelling. They are before us because the septic system wasn't either big enough or functioning properly. Laura, is that correct?

Laura Barca: It was not able to be verified because the septic system is underground.

Mr. Astorino: The septic system would be the only new construction.

Don Lomax: The structure will not change. It would continue looking like a barn. Is that correct?

Mr. Astorino: Yes.

Don Lomax: Ok. There would not be any new construction of a new house.

Mr. Astorino: Correct. They are before the Planning to make it a legal 2-family dwelling. There is no new construction proposed.

Don Lomax: Ok. Thank you.

Mr. Astorino: Is there anyone else wishing to address the Boernstein application? Let the record show no further public comment.

Mr. McConnell makes a motion for the Negative Declaration.

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

617.12(b)

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

**Name of Action:** 7 Blooms Corners Single Family to Two Family Conversion

**Whereas**, the Town of Warwick Planning Board is the SEQR Lead Agency for conducting the environmental review of proposed site plan and special use permit applications for a single family dwelling conversion to a two family dwelling located at 7 and 9 Blooms Corners Road, Town of Warwick, Orange County, New York, and

**Whereas**, there are no other involved agencies nor federal agencies pursuant to SEQR, and

**Whereas**, the Planning Board has reviewed the Short Environmental Assessment Form (EAF) for the action, including the Part 1, Part 2, and Part 3 dated 9-29-21 and 12-14-21, the probable environmental effects of the action against the Criteria For Determining Significance, and has considered such impacts as disclosed in the EAF.

**Now Therefore Be It Resolved**, that the Planning Board adopts the findings and conclusions relating to probable environmental effects contained within the attached EAF/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. Kennedy. Motion carried; 5-Ayes and 0-Nays.

Mr. Kennedy makes a motion on the Diana B. Boernstein Family Trust, Timothy Hermans & David Valentine, Trustees application granting Site Plan Approval and Special Use Permit for the use of an existing dwelling to be a two-family residential dwelling, situated on tax parcel S 27 B 2 L 40; project located on the eastern side of Blooms Corners Road 600 feet south of C.R. 1A (7 Blooms Corners Rd.), in the RU zone, of the Town of Warwick, County of Orange, State of New York. A SEQRA Negative Declaration was adopted on December 15, 2021. Approval is granted subject to the following conditions:

1. TW Building Department – 10/14/21 open permit for #5042 for conversion of barn to a one-family; approvals needed for two-family residence.
2. NYS Parks, Recreation & Historic Preservation – 12/05/21 no impact letter
3. Surveyor to sign and seal final plan.
4. Surveyor to certify that iron rods have been set at all property corners.
5. The liber and page for the Agricultural Notes, as well as the Indiana Bat Notes, and Sight Distance Triangles must be added to the plan.
6. Payment of all fees.

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

Dan Getz: Thank you.

**PUBLIC HEARING OF Amity Investors, LLC.**

Application for Site Plan Approval and Special Use Permit for the construction and use of apartments and a food retail market in the existing building to consist of a mixed use of Two 1-Bedroom Apartments located on the upper level of existing building and a 1,500 s.f. retail food market with café/deli service located on the lower level of existing building, situated on tax parcel S 12 B 2 L 12.21; project located on the southern side of C.R. 1 and the western side of Glenwood Road (625 Glenwood Rd.), in the LB zone, of the Town of Warwick, County of Orange, State of New York.

Representing the Applicant: Dan Getz from Engineering Properties & Surveying. Will Brown, Applicant.

Connie Sardo: Mr. Chairman, we received the certified mailings for the Jolly Onion public hearing.

Mr. Astorino: Thank You.

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 – 10/14/21 Certificate of Occupancy required for #29824 for esthetician.
6. OC Planning Department – 10/08/21 no advisory comments
7. OCDPW – 12/06/21 no impact letter received
8. OCDOH – Septic system accepted 04/27/18.
9. ZBA – existing lot area and lot coverage exceed allowed value but no change is proposed as part of this proposal
10. The survey must sign and seal the plan.
11. Please clarify in Sheet C-1, Note 14 that the beauty parlor water usage does not include a hair washing station. Some people may think that beauty parlor includes a hair washing sink.
12. Please add a note to the plan stating that all water features have been retrofit with water savings devices.
13. A second dumpster is not expected to be needed; existing dumpster must add doors to the front.
14. All parking lot spaces must be striped; please provide a detail for all spaces that are not currently striped.
15. §164-46.J(53) Town of Warwick Design Standards is mandatory; please show on the drawing and/or provide a narrative to demonstrate how this project complies to the extent possible for an existing building/property.
  - a. Existing and proposed lighting is required to be shielded,
  - b. Please add additional trees between the parking area and the septic field,
  - c. Please add additional trees between the large parking area and the propane tank,
  - d. Please grade large parking area to make use of the drainage basin located in the rear corner,

- e. Cleanup and define edges of parking areas, install compacted Item 4 for all required parking spaces; line all required parking spaces
  - f. Place a temporary barrier at the end of the required parking spaces,
  - g. Add a note to the plan stating that all kitchen fans will be off when not required to be on, and
  - h. Place bollards, as necessary, between the parking area and the propane tank.
16. 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 C-1, Note 19
  17. Surveyor to certify that iron rods have been set at all property corners; Applicant requesting a waiver.
  18. The liber and page for the Aquifer Notes must be added to the plan.
  19. Payment of all fees.

The following comment submitted by the Conservation Board:

Amity Investors, LLC – None submitted.

The following comment submitted by the ARB:

Amity Investors, LLC – None submitted.

Comment #1: Planning Board to discuss SEQRA.

Mr. Fink: The Applicant has provided us with a short EAF. We had done the Type 2 Action at the last meeting. I just wanted to make sure that this Type 2 threshold was read into the record. It is a new one. I believe this particular one has not applied to any of the applications that we've had since it was amended by the State rules. This application is for a reuse of a residential or commercial structure or of a structure containing mixed residential and commercial uses where the residential or commercial use is a permitted use under the applicable Zoning Law or Ordinances including permitted by a special use permit and the action does not meet or exceed any of the thresholds of Section 617.4. That is the Type I list. I just wanted to make sure that everybody was clear that this project is classified as Type 2 Action. That means no further SEQRA review needs to be done.

Comment #2: Applicant to discuss project.

Dan Getz: This property has had a building on it for years with a restaurant on it called the Jolly Onion. Looking at the site plan, the other uses on the eastern side of that building there is an Esthetician/Beauty Parlor. In the years past, there had been an antique shop. The antique shop is no longer there. We are here tonight for this portion of the building on the eastern side. This was essentially supposed to be a change of use through the Building Department. But we were told that this change of use had to go before the Planning Board for Site Plan Approval and Special Use Permit. That is what we have applied for. Other than those changes, we have been trying to not change much of the property as it currently is. It is currently functioning for the restaurant and other uses. We have been trying to make sure that we have enough parking for everything. The new uses are on the upper floor for a studio/live-work unit and a 1-bedroom residential apartment. On the ground floor, they proposed a food/retail with deli service. There has

been one change from the last submittal. We are not proposing to have a sit-down café service. With this change, we can now show enough parking in the eastern side of the parking lot for the uses on the eastern end of the building. After the discussions at the site visit, we are now showing more landscaping.

Mr. Astorino: I want to stop you right there for a minute so that the Board understands. I had a chat with Laura yesterday. I also spoke to the Board members yesterday as well. Mr. McConnell was able to meet with Laura, Dan and I today to go over some of the landscaping. We could go over that later. I just wanted to make the Board aware, we thought it was prudent where some of these trees would help with screening. We looked at the site and the parking. I just wanted to make the rest of the Board aware of that.

Dan Getz: Looking at the plans, there are already existing trees shown. We propose more trees along Glenwood Road, behind the building and along the parking areas to help screen from the neighbors and add some shade to the parking areas.

Mr. McConnell: That is to bring it closer to compliance with the Design Standards. Is that correct?

Dan Getz: Yes.

Mr. McConnell: That was one of the things we talked about when we were at the site. The backend of the building is completely wide open, which is contrary to the present Design Standards. Because of the leach field that is out there, we were limited to where trees could be planted. We found an area where we think trees could be planted that would effectively block the view of the back of the building.

Mr. Astorino: They are very short. We are looking at 6' to 8' trees.

Mr. McConnell: Also, to wrap it around to border the restaurant parking area. Dan, is that a fair description?

Dan Getz: Right.

Mr. McConnell: Ok. That was what all of that planting was going to be about. Today, we didn't look at any of the proposed plantings up front.

Dan Getz: Those plantings are existing.

Mr. McConnell: Ok. I am seeing two of them running east and west and three of them running north and south. I guess you are talking about more than that. Is that correct?

Dan Getz: Looking at the map, these are the trees proposed. We are looking at Boxwood shrubs, the taller type not the shorter type. The issue with putting trees here was keeping them far enough away from the septic system and its components.

Mr. McConnell: Right. We will leave that up to our Town Planner and Engineer.

Mr. Astorino: The only thing I would say is as we are going this way where you have the Boxwoods, I think we could get some more taller trees there.



We would have our Planner; Ted Fink take a look at that. There are some tanks there but you could drive over those tanks. I am not saying to plant the trees on top of the tanks. They should be the taller trees.

Mr. McConnell: When you get to that, it should be done to the Towns Planners specifications.

Mr. Astorino: Yes.

Comment #3: Conservation Board – no comments received

Comment #4: Architectural Review Board – no comments received

Comment #5: TW Building Department – 10/14/21 Certificate of Occupancy required for #29824 for esthetician.

Comment #6: OC Planning Department – 10/08/21 no advisory comments

Comment #7: OCDPW – 12/06/21 no impact letter received

Mr. Astorino: That is for both entrances off Glenwood Road and C.R. 1.

Comment #8: OCDOH – Septic system accepted 04/27/18.

Mr. Astorino: Laura, does that carryover until now with the sizing?

Laura Barca: I confirmed that with the OCDH.

Comment #9: ZBA – existing lot area and lot coverage exceed allowed value but no change is proposed as part of this proposal

Mr. Astorino: John, would that be a pre-existing condition? Is that correct.

Mr. Bollenbach: Yes. We will keep that comment as a place keeper.

Comment #10: The survey must sign and seal the plan.

Comment #11: Please clarify in Sheet C-1, Note 14 that the beauty parlor water usage does not include a hair washing station. Some people may think that beauty parlor includes a hair washing sink.

Dan Getz: No problem.

Comment #12: Please add a note to the plan stating that all water features have been retrofit with water savings devices.

Dan Getz: We will have that.

Comment #13: A second dumpster is not expected to be needed; existing dumpster must add doors to the front.

Mr. Astorino: I do see on the plans that you have added some Boxwoods in front of the dumpster area where it is off the septic system.

Dan Getz: Yes.

Mr. Astorino: Laura, you might want to take a look at that.

Laura Barca: Ok.

Comment #14: All parking lot spaces must be striped; please provide a detail for all spaces that are not currently striped.

Dan Getz: We are not proposing striping down in the back portion of the western side of the parking lot. That is part of the restaurant. We are not proposing changes to that. We are proposing striping on the eastern side of the parking lot. On the western side of the parking lot, we propose parking bumpers. It would be difficult to stripe this whole parking lot as is. We are not proposing to asphalt this parking lot.

Laura Barca: Dan, what is the proposed surface covering of the smaller parking lot where we parked today?

Mr. Astorino: That is the broken-up asphalt.

Laura Barca: Is there change proposed on that side of the parking?

Dan Getz: No. There is no change proposed to that.

Mr. Astorino: For the surface on that lot, what do you plan on doing there now? I know that we discussed numerous options when we were out there this morning.

Dan Getz: We did discuss that. At this time, we are not proposing to change the surface. A couple of years ago it was resurfaced with gravel. In future years when it needs to be resurfaced again, they will do that. At this time there are no changes proposed for that.

Mr. Astorino: Dennis, do you have any comment on that?

Mr. McConnell: Do you want me to discuss that now?

Mr. Astorino: Let's go through the rest of these comments first. We could discuss it later.

Comment #15: §164-46.J(53) Town of Warwick Design Standards is mandatory; please show on the drawing and/or provide a narrative to demonstrate how this project complies to the extent possible for an existing building/property.

- a. Existing and proposed lighting is required to be shielded,

Mr. Astorino: You are not proposing any new lighting. You do have to take care of the existing lighting that is there now. You have to make sure it complies with the standards. Those old lights that are on the building, I find it hard to believe that you would get shielding for that. I would assume that any lighting that is there that will be remaining there would need to either be replaced with the new

lighting and brought up to the standards that are shielded and no light spillage. Ted, is that correct?

Mr. Fink: Yes. That is correct.

Mr. Astorino: Whatever you have on that, I don't see any proposed lighting. You are leaving the lighting that is existing, which is fine. You would have to comply with the lighting standards. If you have to replace them with new lighting, that is what you would have to do.

Laura Barca: That was why I added the word proposed in that comment.

Mr. Astorino: I know. I just wanted to make that clear. I had seen the lights this morning. I find it hard to believe that you would get shielding from those lights. If you can, make sure it complies.

Dan Getz: Understood.

- b. Please add additional trees between the parking area and the septic field,

Mr. Astorino: We discussed that.

- c. Please add additional trees between the large parking area and the propane tank,

Mr. Astorino: We discussed that.

- d. Please grade large parking area to make use of the drainage basin located in the rear corner,

Mr. Astorino: While you are grading that parking area, I would say you throw down some Item #4 and compact it as we had discussed at the site today to make it a nice parking lot. That would probably be a cost-effective approach.

Mr. McConnell: You would need to have some lighting there for the parking.

Mr. Astorino: Right. I don't think it would be a huge expense to do that.

Will Brown: I am the owner of the property. I want to give you a little background on how we got here. We have been trying to gradually upgrade the property to get a higher quality tenant in this portion of the building. We have already put in a retaining wall and some landscaping along the fence. We have created a court yard in the front. We also tore out some old asphalt on the sidewalk. We planted grass there. We have upgraded the look upfront of the property. In looking for tenants, commercial tenants are harder to find in Pine Island, versus residential tenants are hot. We thought it would be a good idea to take the upstairs space which we have been trying to rent as commercial and convert it into apartments given the Zoning that is allowed for that. We were supposed to do this through a change of use. Six months later, we find out that we can't do that as a change of use. We would have to come before the Board for Site Plan Approval. I don't know why that change happened?

Mr. Astorino: That is in the Zoning. You need Site Plan Approval and Special Use Permit. It triggered you to come before this Board.

Will Brown: It is very hard to get tenants by going through the Planning Board process. What we are doing here is adding two apartments. There is only so much value to get two apartments. If we have to go through the whole property including the big parking lot for the restaurant and upgrade it, you are talking about over ¼-acre of paving.

Mr. Astorino: We are not talking about paving. Dennis and I discussed at the site today about this. You talk about getting a tenant. Looking at that parking lot is a deterrent just off the top. You had P gravel that was put there a couple years ago. That had all got plowed down as we had seen down to the bottom which now the basin is not functioning properly because water can't travel uphill. At the very least, that has to get pulled out of there. As we had discussed out there, the base is a very solid base. I will recommend to you. The Board could make their decision. I think a layer of Item #4 compacted and graded so the basin works would be good and would hold up if you do it every year. The bumpers and the stalls at 10 feet would probably work. I don't think that putting some loads of Item #4 would be a huge undertaking.

Mr. McConnell: I wouldn't expect it to be. I would be open to hear if they have got an estimate showing this is what you are asking for. We are not comparing it to paving it. That is off the table. I don't want to hear about paving it. We did not suggest that.

Mr. Astorino: We did talk about paving. We listened to the argument about that. There are businesses that don't have paving. We understand that it is in the back and on the side. That is fine. This Board could very well tell you to pave it. I think in this instance as a Board, you might not have a tenant. We are looking at this project as an entire project. You are here for Site Plan Approval and Special Use Permit for the whole property. That is why we are discussing the trees and lighting. The Planning Board is not interested if you have a tenant or not. But if this application is going to be approved, it would be done right. My personal opinion would be to put Item #4 in the parking lot, compact it and put the bumpers in. You would maintain it accordingly. That is my opinion.

Will Brown: The drainage does work. That parking lot we are talking about is used by the restaurant. It would not be used by the new tenants.

Mr. Astorino: We look at the whole property. This application is for Site Plan Approval and Special Use Permit for the whole property. Everything on that property has to comply with the Town Code.

- e. Cleanup and define edges of parking areas, install compacted Item 4 for all required parking spaces; line all required parking spaces

Dan Getz: I did delineate where the parking would come to for the required number of parking spaces for this restaurant. Looking at the maps, the catch basin is at a higher elevation than this whole area of the property.

Mr. Astorino: That basin has a lot material down there. Whoever plowed over there, all that P gravel got plowed down there.

- f. Place a temporary barrier at the end of the required parking spaces,

Mr. Astorino: That would mean if you do the Item #4 that would be “overflow” parking. If you have a big event, you could move the barriers that are there so people are not using it as freely. You could use that on a temporarily basis. We also discussed that at the site.

Mr. McConnell: Where did that come to?

Dan Getz: It is about 30 feet past this end of the fence.

Mr. McConnell: I don’t know what else to say about that.

Mr. Astorino: You heard my opinion.

- g. Add a note to the plan stating that all kitchen fans will be off when not required to be on, and

Mr. Astorino: Maybe you would need to put a timer on that or put up a sign for fan to be turned off when not in use. There will be a note added to the plan stating that would be a requirement for the Special Use Permit. For the record, there is a Design Standard and Performance Standard which there is a noise ordinance that there are 50-Decibels maximum at the property lines. The Town has a sound meter. It can be managed at the property line. The fans should not be running continuously especially when there is no one there. It is not good for you and the neighbors.

- h. Place bollards, as necessary, between the parking area and the propane tank.

Mr. Astorino: We talked about that.

Comment #16: 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 C-1, Note 19

Dan Getz: I just want to be clear that this is for new proposed use not the existing uses that are called out on the plan.

Mr. McConnell: Right.

Mr. Astorino: Yes.

Comment #17: Surveyor to certify that iron rods have been set at all property corners; Applicant requesting a waiver.

Mr. Astorino: I can understand that. The buildings are there. Does the Board have any problem with that?

Mr. Bollenbach: The property lines are not being changed.

Comment #18: The liber and page for the Aquifer Notes must be added to the plan.

Dan Getz: No problem.

Mr. Astorino: Ok. We would need to add another comment, provide 3-Year Landscaping Bond.

Mr. Bollenbach: We will make that Comment #20, Provide supplemental plantings to the Town Planner's specifications with 3-Year Landscaping Maintenance Bond.

Comment #19: Payment of all fees.

Dan Getz: Ok.

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

Mr. McConnell: Looking at the plans, could you explain to me the difference between 1-bedroom apartment and 1-bedroom live-work unit? Why are they being described differently if there is no difference?

Dan Getz: The difference is that a live-work unit is intended to be used not just for someone to live in but to have a home office in it. The reason for that is it is the requirement for what is allowed in a mixed-commercial use building in this zone.

Mr. McConnell: Ok. It doesn't change any of the requirements. Is that correct?

Mr. Bollenbach: It does change the requirements.

Laura Barca: It changes the minimum square-footage requirement.

Mr. Bollenbach: In the Town Code under §167-46J(13) states one or two-bedrooms are permitted in the area square-footage shall range between 800 and 1400 square feet.

Dan Getz: I thought that had applied to residential only and not to the live-work units? I thought that was how it was interpreted in the past. I could be wrong.

Mr. Bollenbach: I thought we had discussed that during the pre-application meeting. Laura, is that correct?

Mr. Fink: John, I think I could provide some clarification on this. It is Special Condition 13B. It states that 2<sup>nd</sup> floor uses are limited to 1 and 2-bedroom apartments between 800 and 1400 square feet for business, professional offices and live work-units. It is

separating the 1 and 2-bedroom apartments from the live work units. If you look at the definition in the section of the Code, there is a definition for a live-work unit. It is a mixed-use unit consisting of a commercial and residential function. It has substantial commercial components that may accommodate employees who often trade. The unit is intended to function as work space for one individual business establishment with incidental residential accommodations that meet basic habitability requirements. If the 800 to 1200 square feet applies to the one 2-bedroom apartment, it meets the basic habitability requirements.

Mr. Bollenbach: Where is that listed in the Code for the minimum square footage?

Mr. Fink: It is in the definition for live-work units.

Mr. Bollenbach: What is the square footage?

Mr. Fink: It doesn't have a square footage.

Mr. McConnell: He has 498 square feet for the studio/live-work unit. If you are going to call it a studio/live-work unit, could you advertise it and rent it out as a residence?

Mr. Astorino: We should put a note on the plan to make that clear.

Mr. Purcell: I would like to make a comment regarding the parking area. If there was ever a situation that might require to repair that, pay close attention to that. With your exposure to the public, you could have someone coming out of there from having dinner and could step into a lower spot. The parking lot could become difficult explaining that to an insurance company. We should mention to you that having compacted Item #4 would probably be critical in my mind. I have seen litigation go crazy over the darndest things in parking lots with no lighting or possibly a pothole. No matter how deep or shallow it may be, it could be troublesome. You would want to pay attention to that.

Mr. McConnell: I just want to let everyone know that Mr. Purcell is not speaking as an attorney. He is speaking as a career insurance man. When he says that he has seen litigation over this, that is his expertise.

Will Brown: We have had our insurance company come out and inspect it. We have patched some of the asphalt area in the front at their request. They were happy with it. That parking lot has been used for a very long time. It is being used now by the restaurant. There never has been any trouble. We never had any complaints from customers.

Mr. Purcell: We just want you to have a claim free union with Warwick.

Will Brown: The area that is visible to the road is paved. In terms of upgrading this intersection, we suffer from the fact that on one corner there is an abandoned brewery. There are two gas stations that are ok, but they are not snazzy. We have already upgraded this property to levels that are substantial and above. What we would like to do is do it gradually. We had done the front section last year. This year, we will do the apartments and down at the sides. We will landscape that. What we don't want to do is have to do the other side of the property where the restaurant is. The restaurant has been there for 60 years. If we have to do the whole site at once, then we won't do it. It is not worth doing for 2 apartments.

Mr. McConnell: I have a question for Dan. Did you investigate the apartments upstairs to see if the fire escape is accessible by both apartments or not?

Mr. Astorino: What we can do is put a note on the plan stating that if an additional fire escape needs to be added. That would actually come from the Building Department when a building permit is issued. That is a very valid point if another one is needed or not.

Mr. McConnell: Ok. I don't know whether this is covered in the Code, but if you had someone upstairs as a tenant who is perhaps not the most abled body, I don't know if a ladder coming down is an appropriate fire egress.

Mr. MacDonald: Is there no 2<sup>nd</sup> means of egress there?

Mr. Astorino: You would know that. It is just a straight ladder coming down. We should put a note on the plan to that effect.

Laura Barca: We need something internal if there is nothing external.

Mr. Astorino: This is a public hearing. If there is anyone wishing to address the Amity Investors/Jolly Onion application, please rise and state your name for the record.

Theresa Benjamin: I live directly behind this. I heard tonight that the Café' is not on the table.

Mr. Astorino: The sit-down part of it is not.

Theresa Benjamin: Ok. Could someone show me where the parking will be for the tenants and where these customers would be?

Dan Getz shows the plans to Ms. Benjamin and explains where the parking would be located between Glenwood Road and C.R. 1.

Theresa Benjamin: Could this studio be a business or a live-in dwelling? Where do they park?



Mr. Astorino: It would be one car for that unit. They are not assigned spots. All of the parking is for the building for Site Plan and Special Use Permit. It is not for a business. It is not for a tenant. As a Planning Board, we look at the whole site.

Theresa Benjamin: It is a restaurant. Often the car alarms go off. I call the front desk about it. If there will be a person that is going to be there constantly, I want to know where that person is going to be?

Mr. Astorino: I would assume they would park close to their entrance.

Theresa Benjamin: Regarding the noise of the fan, I appreciate you talking about that.

Mr. Astorino: When we were at the site today, we had them run the fan. We walked to your property line. We did not have the dosimeter with us. The owner mentioned to us that it does not do him any good to have the fan run for days if it is not needed. It would be a waste of electric.

Theresa Benjamin: Ok. When you walked that property line, did you notice that grate that is back there and who owns it? It is a mess back there.

Mr. Astorino: We pointed that out regarding the grading and drainage. That is where it gets plowed.

Theresa Benjamin: Ok. People use that as a cut through road.

Dan Getz: Are you talking about the catch basin?

Theresa Benjamin: Yes. That catch basin is along my fence.

Dan Getz: According the surveyor, that basin is located off this property.

Mr. Astorino: The basin is there. It is for the drainage to cover that parking area. I don't know who the owner is. The basin is in very good condition.

Theresa Benjamin: Ok. Our main concerns are the noise and lighting issues. I know you will be addressing those. There was a service road there approximately 30 years ago where that basin is located. Make them responsible to plant mature 10-foot trees not 6-foot or less trees. I will check the trees. I will make it an issue that every tree is exactly what they are supposed to be.

Mr. Astorino: You don't have to make it an issue. We the Planning Board make it an issue.

Theresa Benjamin: Have them put up 10-foot trees all along the back of property as a buffer. It is away from their sewer. I can see their propane tanks. I can hear their deliveries and fans. I can see their lights. You are going to have tenants come in. I still get the lights.

Mr. Astorino: The lights will be changed. Regarding the noise, it will be no more than 50 decibels at the property lines. It is a business. We cannot change that. It is zoned for

that use. It does have restrictions and standards that goes with it. We went to the site. We said what could we do out there? We looked at the back of the building. The trees would be closer to their building. I mentioned to put in 6' to 8' trees. They could go taller. It depends on what the Board would like to do. Those trees that are closer to the building would help with the noise. The fan is right there. Those trees will deflect the noise right away. That was what we had looked at. For residential there is no light spillage. Laura, is that correct?

Laura Barca: Correct.

Theresa Benjamin: Ok. Thank you for that. Those are our biggest issues. We would like to see the plantings go from that trash bin all the way to the fence that they have against their parking lot. I don't want to look at the propane tanks.

Mr. Astorino: You won't.

Laura Barca: We had done that.

Mr. Astorino: Dan, please point out where that trash bin is located.

Dan Getz shows the map to Ms. Benjamin where the trees will be located on the property.

Mr. Astorino: That space that is located there. I think we could do something different there. I know that the tanks are there.

Dan Getz: Yes. There is the line between the tanks.

Mr. Astorino: We have to be careful with exactly what is there. We don't want to put it over a septic line.

Dan Getz: Yes. Roots grow over into the lines.

Mr. Astorino: We would have to get creative there. Those other trees and Boxwoods, I think we could add them a little taller. Ted Fink is our Planner. He is very good with that type of stuff with the trees and buffering. He will take care of that. I always said to put in 6' to 8' trees. If the Board wants to go taller to 8' to 10' trees, I have no problem with that.

Laura Barca: Typically, when we do subdivisions, we have them put in 6' to 8' trees. The reason for that is because the age of the tree. It is still in its bigger growing stage. If you plant something that is going to grow tremendously in the next couple of years, the bigger tree that you plant, the slower growth you would get. That is how it is.

Theresa Benjamin: That would be ok.

Mr. Astorino: That would be the decision that our Planner would have to make.

Theresa Benjamin: Ok. Would you make a note about fixing this gap?

Mr. Astorino: We will do the best we can there.

Theresa Benjamin: Ok. Thank you.

Mr. Astorino: Is there anyone else wanting to address the Amity Investors/Jolly Onion application?

Robert Benjamin: Could I get a copy of the plans?

Mr. Astorino: You could go to the Planning office and FOIL a copy. This is the map that we have this evening. It is not a final copy. We were just discussing about adding more plantings. The parking was discussed as far as gravel. That could all be conditions of the approval.

Robert Benjamin. Right. My concern is since we are looking at the plan for the first time is that our house located right here. These parking spaces that are located here are facing our house. The headlights will come into our bedroom.

Mr. Astorino: Do you get those headlights now?

Robert Benjamin: Yes. We don't want to look at that.

Mr. Astorino: Dan, maybe we could put in those planters that are about 2' to 3' tall? Cars are about 2' to 3' off the ground. Maybe, you could put in a couple of those planters and make them look pretty.

Laura Barca: The weight of the planters cannot go over the septic system.

Mr. Astorino: Ok. Ted, could we get creative on that with something? There are about 3 or 4 spaces there.

Mr. Fink: Yes.

Dan Getz: What about a fence? We could put a fence there.

Mr. Astorino: You probably could.

Mr. McConnell: There are 6 spots located there.

Mr. Astorino: We will make a note to alleviate 6 spots with something. Our Planner will take care of that.

Robert Benjamin: Ok. Thank you.

Mr. Astorino: Is there anyone wishing to address the Amity Investors/Jolly Onion application?

Diana Fox: I live on School House Road in Pine Island. I heard earlier about something about removal of the septic tank at the front of the Jolly Onion property.

Mr. Astorino: That wasn't the Board.

Will Brown: I made a comment about the removal of oil tank. That was when there was a gas station or garage located there. They had 2,000-gallon tank.

Diana Fox: Could we get the history on that and the soil samples from those abatements?

Laura Barca: Only if soil samples were necessary. All of that is maintained by the Building Department. You would go to the Building Department for copies of permits for the removal of oil tank.

Will Brown: The tanks were removed by the prior owner.

Mr. Astorino: You could go to the Building Department for that information.

Diana Fox: Is the back of the property septic or sewer?

Mr. Astorino: It is septic.

Diana Fox: Is there a history of the septic system on the back of that property?

Mr. Astorino: It was approved by the O.C. Health Department. Our Engineer called them about this project.

Laura Barca: Correct. At one point a fire truck drove over it because of an incident. It has been completely repaired. It has been reviewed and approved by the O.C. Health Department.

Mr. Astorino: That was why our Engineer had pointed out that she doesn't want the planters placed on top of that.

Diana Fox: I have concerns about the traffic on Glenwood Road.

Mr. Astorino: Both roads Glenwood Road and C.R. 1 is the OCDPW jurisdiction. They were notified about this project. They sent us a no impact letter about that. They supersede us.

Diana Fox: Ok.

Laura Barca: If your concern is about the speed limit, that is an enforcement issue.

Diana Fox: I am more concerned about the people entering and existing at the entrance.

Mr. Astorino: That is what OCDPW looks at when they go to the site.

Diana Fox: Ok. Thank you.

Mr. Astorino: Is there anyone else wishing to address the Amity Investors/Jolly Onion application? Let the record show no further public comment. What is the Board's opinion on the parking lot?

Mr. McConnell: Clean it up. Put down compacted Item #4.

Mr. Kennedy: I agree.

Mr. MacDonald: It would be inexpensive to do.

Mr. Astorino: In my opinion, I think it still should be done. If the Applicant wants to hold off on it, tell us now. We will adjourn the public hearing. You could then make your decision. The Board will not vote on it without that. It is the Applicant's call?

Will Brown: In terms of whether we do the project, we would have to price everything out once we see the plans. Then, we would make a decision on that.

Mr. Astorino: At this point, it is your call. We have addressed all of the other concerns regarding the plantings, screening and lighting.

Will Brown: What is required regarding the lighting?

Mr. Astorino: The lighting has to comply.

Will Brown: All of the existing lighting has to comply. Is that correct? We are not proposing any new lighting.

Mr. Astorino: You are not proposing new lights. What you have there already existing does not comply.

Mr. McConnell: Mr. Chairman, we might be requiring them to have new lighting for the parking area. I am not sure if you took those 2 lights off the corner, which would not comply to the Code today, you are not going to have adequate lighting for the parking area. I think we are going to require a couple of new lights.

Mr. Astorino: Yes. They would have to comply for safety and adequacy. I agree with that.

Dan Getz: I want to be clear on about where the lighting needs to comply.

Mr. Bollenbach: It is for the whole site.

Dan Getz: Which areas are the parking areas?

Mr. Astorino: Are you going to have a completely dark parking area?

Dan Getz: We discussed earlier about if the need be they could use the further back areas. Do we need to be lighting those further back areas?

Mr. Astorino: I don't believe you do. That is the overflow parking area. You have the required spots. You just have to make sure they have adequate lighting.

Laura Barca: Lighting is required in both parking lots.

Dan Getz: Ok.

Mr. Astorino: We are looking at the whole site. The whole site has to comply. It is up to the Applicant. If the Applicant wants, we could adjourn the public hearing without a date.

Will Brown: We don't have the financial ability to do that right now. We would have to price everything out first. Once we do that, we will then come back before the Board.

Mr. Astorino: Ok. We will adjourn the public hearing without date.

**Mr. McConnell makes a motion to adjourn the Amity Investors/Jolly Onion Public Hearing without date.**

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

Mr. Astorino: To the residents, we have adjourned this public hearing without date. When the Applicant is ready to have a public hearing, you will be re-noticed.

Dan Getz: Thank you.

**PUBLIC HEARING OF Mark and Jill Mante**

Application for Preliminary Approval of a proposed 2-Lot Cluster subdivision, situated on tax parcel S 47 B 1 L 78.232; parcel located on the eastern side of Bellvale-Lakes Road 8,775 feet north of Kain Road, (242 Bellvale Lakes Rd.), in the MT zone, of the Town of Warwick, County of Orange, State of New York.

Representing the Applicant: Kirk Rother, P.E.

Connie Sardo: Mr. Chairman, we received the certified mailings for the Mante public hearing.

Mr. Chairman: Thank you.

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 – 12/08/21 advisory for conservation easement language; appreciate open space
6. TW Building Department – 10/23/20 no violations
7. ZBA – variance needed for 280(a). Granted (insert date here).
8. NYS Office of Parks, Recreation, and Historic Preservation letter is needed for ground disturbance. Received no impact letter dated 10/15/21.
9. Planner requested more information regarding endangered species. Applicant provided NYSDEC enviromapper and Hudson Valley Natural Resource Mapper.
10. The common driveway cross section has been added to Sheet 3 of 4; please add the road stationing to where this cross section applies onto Sheet 1 or 2.
11. Surveyor to certify that iron rods have been set at all property corners and stone cairns have been set along open space boundaries.
12. The shared driveway improvements must either be built before the plans are signed by the chairman or bonded if the chairman signs the plans before the improvements are made. In either case, a 5% site inspection fee is required.
13. The liber and page for the Biodiversity including Indiana Bat time of year cutting restrictions, Aquifer, Open Space, and Shared Driveway/Right-of-Way notes must be added to the plan.
14. Payment in lieu of parkland for one lot per Town of Warwick Town Code §75-3.A.(2)(a)[3].
15. Payment of all fees.

The following comment submitted by the Conservation Board:

Mark and Jill Mante – None submitted.

The following comment submitted by the ARB:

Mark and Jill Mante – None submitted.

Comment #1: Planning Board to discuss SEQRA.

Mr. Fink: The Applicant has provided us with a short EAF. It is classified as an Unlisted Action. There were only 2 SEQRA issues because this is a Cluster subdivision. There will be 50% percent of the property that would remain as open space. It is located in an Archeological Sensitive Area. The Applicant did contact SHPO. They have issued a no impact letter on this property. The only other issue is that there are bat species known in the area. This is subject to the time of year restrictions.

Comment #2: Applicant to discuss project.

Kirk Rother: This is a proposed 2-lot subdivision with a little over 10 acres of land. It is located in the MT zone. It is located on the eastern side of Bellvale Lakes Road. It is about a mile south of the Warwick/Chester boundary. The application is being pursued as a Cluster subdivision so that the owner could have a house located on the lot with a more desirable setting. We had done a Yield Plan. It meets the zoning. Soil tests have been done. The Board has done a site visit.

Comment #3: Conservation Board – no comments received

Comment #4: Architectural Review Board – no comments received

Comment #5: OC Planning Department – 12/08/21 advisory for conservation easement language; appreciate open space

Comment #6: TW Building Department – 10/23/20 no violations

Comment #7: ZBA – variance needed for 280(a). Granted (insert date here).

Kirk Rother: We received the 280(a) variance from the ZBA.

Comment #8: NYS Office of Parks, Recreation, and Historic Preservation letter is needed for ground disturbance. Received no impact letter dated 10/15/21.

Comment #9: Planner requested more information regarding endangered species. Applicant provided NYSDEC enviromapper and Hudson Valley Natural Resource Mapper.

Mr. Fink: That is correct.

Comment #10: The common driveway cross section has been added to Sheet 3 of 4; please add the road stationing to where this cross section applies onto Sheet 1 or 2.

Kirk Rother: Will do.

Comment #11: Surveyor to certify that iron rods have been set at all property corners and stone cairns have been set along open space boundaries.

Kirk Rother: Ok.



Comment #12: The shared driveway improvements must either be built before the plans are signed by the chairman or bonded if the chairman signs the plans before the improvements are made. In either case, a 5% site inspection fee is required.

Kirk Rother: Ok.

Comment #13: The liber and page for the Biodiversity including Indiana Bat time of year cutting restrictions, Aquifer, Open Space, and Shared Driveway/Right-of-Way notes must be added to the plan.

Kirk Rother: Yes.

Comment #14: Payment in lieu of parkland for one lot per Town of Warwick Town Code §75-3.A.(2)(a)[3].

Kirk Rother: Yes.

Comment #15: Payment of all fees.

Kirk Rother: Ok.

Mr. Astorino: Do any Board members or Professionals have any comments? This is a public hearing. If there is anyone wishing to address the Mante Subdivision application, please rise and state your name for the record. Let the record show no public comment.

Mr. Purcell makes a motion for the Negative Declaration.

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

617.12(b)

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

**Name of Action:** Mante Cluster Subdivision

**Whereas**, the Town of Warwick Planning Board is the SEQR Lead Agency for conducting the environmental review of a proposed two lot cluster subdivision at 242 and 244 Bellvale Lakes Road, Town of Warwick, Orange County, New York, and

**Whereas**, there are other involved agencies pursuant to SEQR including the Town of Warwick Zoning Board of Appeals, which has made its own SEQR determination, and

**Whereas**, the Planning Board has reviewed the Short Environmental Assessment Form (EAF) for the action, including the Part 1, Part 2, and Part 3 dated 11-11-20 and 12-14-21, the probable environmental effects of the action against the Criteria For Determining Significance, and has considered such impacts as disclosed in the EAF.

**Now Therefore Be It Resolved**, that the Planning Board adopts the findings and conclusions relating to probable environmental effects contained within the attached EAF/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 Preliminary public hearing.

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

Mr. Kennedy makes a motion on the Mark and Jill Mante application, granting Preliminary Approval of a proposed 2-Lot Cluster subdivision, situated on tax parcel S 47 B 1 L 78.232; parcel located on the eastern side of Bellvale-Lakes Road 8,775 feet north of Kain Road, (242 Bellvale Lakes Rd.), in the MT zone, of the Town of Warwick, County of Orange, State of New York.

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

Kirk Rother: We ask if the Board could waive the Final Public Hearing?

Mr. Astorino: I don't have a problem with that. What is the Board's discretion?

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

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

Mr. Kennedy makes a motion on the Mark and Jill Mante application, granting Final Approval of a proposed 2-Lot Cluster subdivision, situated on tax parcel S 47 B 1 L 78.232; parcel located on the eastern side of Bellvale-Lakes Road 8,775 feet north of Kain Road, (242 Bellvale Lakes Rd.), in the MT zone, of the Town of Warwick, County of Orange, State of New York. A SEQRA Negative Declaration was adopted on December 15, 2021. Approval is granted subject to the following conditions:

1. ZBA – variance needed for 280(a). Granted (4/26/21).
2. NYS Office of Parks, Recreation, and Historic Preservation letter is needed for ground disturbance. Received no impact letter dated 10/15/21.
3. Planner requested more information regarding endangered species. Applicant provided NYSDEC enviromapper and Hudson Valley Natural Resource Mapper.

4. The common driveway cross section has been added to Sheet 3 of 4; please add the road stationing to where this cross section applies onto Sheet 1 or 2.
5. Surveyor to certify that iron rods have been set at all property corners and stone cairns have been set along open space boundaries.
6. The shared driveway improvements must either be built before the plans are signed by the chairman or bonded if the chairman signs the plans before the improvements are made. In either case, a 5% site inspection fee is required.
7. The liber and page for the Biodiversity including Indiana Bat time of year cutting restrictions, Aquifer, Open Space, and Shared Driveway/Right-of-Way notes must be added to the plan.
8. The required driveway widening improvements and paving must be completed before a Certificate of Occupancy for proposed dwelling on Lot 2. Revise General Map Note.
9. Payment in lieu of parkland for one lot per Town of Warwick Town Code §75-3.A.(2)(a)[3].
10. Payment of all fees.

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

Kirk Rother: Thank you.

**Other Considerations:**

1. **Warwick Ridge II 6-Lot Subdivision** – Planning Board to discuss scheduling site visit. Project located at 306 Ridge Road, Warwick, NY.

Mr. Astorino: We could discuss scheduling a site visit at our next Work Session.

2. Planning to discuss canceling the 12/27/21-Work Session & 1/5/22-PB Meeting.

Mr. McConnell makes a motion to cancel the 12/27/21-Work Session & 1/5/22-PB Meeting.

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

3. Planning Board Minutes of 11/17/21 for PB approval.

Mr. McConnell makes a motion to approve the PB Minutes of 11/17/21.

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

**Correspondences:**

Mr. Astorino: Connie, do we have any correspondences this evening?

Connie Sardo: No.

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

Mr. Astorino: Is there anyone in the audience wishing to address any of the agenda items? Let the record show no public comment.

**Mr. McConnell makes a motion to adjourn the December 15, 2021 Planning Board Meeting.**

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