

June 22, 2023

The Town Board of the Town of Warwick held a Public Hearing to Amend Chapter 164 of the Code of the Town of Warwick, "Pertaining to the Definition of Commercial Solar, Cannabis Dispensary Overlay District and Campground Definitions of Reporting Requirements". Said public hearing was held on Thursday, June 22, 2023 at the Town Hall, 132 Kings Highway, Town of Warwick. Supervisor opened the public hearing at 7:12 p.m.

ATTENDANCE: Supervisor Michael Sweeton
Councilman James Gerstner
Councilman Floyd DeAngelo
Councilman Russell Kowal
Councilman Kevin Shuback

Attorney for the Town, Jay Myrow

LEGAL NOTICE: The Clerk read the legal notice, which was duly published in the Warwick Valley Dispatch on May 31, 2023.

(Copy of this legal notice is printed at the end of these minutes.)

Supervisor Sweeton – Tonight there's a hearing on some changes to the zoning code. The Clerk read what the message was about. Under our code we are required to refer them to both the Town Planning Board and the Orange County Department of Planning. We did receive word from both of those and the Planning Board from the Town recommended positively to adopt the changes. The County Planning Department has found no evidence that significant intermunicipal or countywide impacts would result and they have no advisory opinion. The changes are to clarify, in our code we have something called large scale commercial solar. That was intended to be solar that would be termed wholesale, which in other words it goes into the high-power lines that transverse the town. There's not that many locations where that could happen, we wanted to be able to have some code in there that would take care of it in the event that it did. The definition of it was confusing because it said wholesale and retail, it's not retail. Retail solar is the kind that goes into your wires that run along the road, so we just wanted to clarify that. The definition in the campground we wanted to clarify the definition of a campground unit and it reads, permitted temporary, removal, portable shelter, recreation vehicle, tent, motorhome, travel or camping trailer used by an individual or group of individuals to occupy a designated space at a campground. That's important because in our campground code we limit the occupancy to 210 days. We then strengthened the reporting requirements to enforce the 210-day requirement and require an electronic counting mechanism to show who is going to a particular campsite, so we can limit it to the 210 days. The other change that was made was adding 4 parcels that are on John Hicks Drive, which is the area where the cannabis medical marijuana companies already exist to add them to the overlay zone so they can continue to do their business. The only other change was to the section that talked about how many domestic animals and all that other stuff you have; it just requires you to keep the animals on your property and it doesn't seem obnoxious.

Colleen Daly – Lake Station Road, Warwick – I have a question about the solar energy large scale amendment that was made. Is this to go forward to implement the Delaware Solar Project?

Supervisor Sweeton – No, it's not. We have several categories of solar. The State of New York now was committed to sustainable energy electric for everybody, right and you can like it or not that's what they said. They put in place procedure where they supersede local zoning for "large scale solar" and that is solar that would be 200 acres, a 25 megawatts system which is huge. We monitor provisions in our code that would allow us to input to that process and we had a definition of it, so again it's what we called it wholesale solar which is instead of tapping in the way solar does now into the lines that run along the road. This would have to tap into a transmission line, so those big steel ones, but in the definition, we inadvertently said wholesale or retail which was confusing to someone, so we are taking out retail definition.

Colleen Daly – Ok.

Supervisor Sweeton - This has nothing to do with Delaware Solar.

Colleen Daly – So, it's not to include a smaller scale commercial solar.

Supervisor Sweeton – That is correct.

Colleen Daly – The cannabis overlay district I'm kind of worried about that.

Supervisor Sweeton – New York passed a cannabis law it's legal, but they designated two different things. Dispensaries which I equate to a pharmacy and consumption sites which I equate to a bar. The town and its villages opted out of consumption sites; they are not allowed in the Town of Warwick. The town opted into dispensaries for licensed products that's tested and we limited it to an overlay zone, so there's only a dozen parcels where you could actually have a licensed dispensary in the town. They are all in the OI Zone, which is our office industry zone.

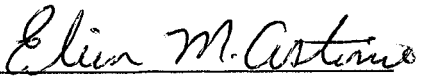
Colleen Daly - So the solar and the cannabis are not one in the same.

Supervisor Sweeton – No, not at all. The process of that overlay zone would be is someone would get a license from New York to have a dispensary, they would have to go to the planning board and have that zone dropped down on them and then go through an approval process.

Colleen Daly – Understood, thank you.

Supervisor Sweeton – You're welcome.

CLOSE PUBLIC HEARING: Motion Councilman DeAngelo, seconded Councilman Gerstner that the public hearing be closed. Motion Carried (5 ayes, 0 nays) 7:30 p.m. 06-22-23 CP


Eileen M. Astorino
Eileen Astorino, Town Clerk

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Town Board of the Town of Warwick will hold a public hearing at 132 Kings Highway, Warwick, New York, on June 22, 2023 at 7:15 P.M. to afford all interested parties the opportunity to be heard regarding Introductory Local Law No. 3 of 2023 entitled Amending Chapter 164 pertaining to the definition of Commercial Solar, Cannabis Dispensary Overlay District and Campground definitions of reporting requirements. A copy of the proposed amendment is available for review in the Town Clerk's Office at 132 Kings Highway, Warwick, NY 10990 or on the town website, townofwarwick.org.

All interested persons will be given the opportunity to be heard. All written comments must be received by the Board at or prior to the public hearing.

DATED: May 31, 2023

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF WARWICK
EILEEN M. ASTORINO
TOWN CLERK