

Town of Wawayanda Planning Board
April 26, 2017 / 7:30 P.M.

Members Present: **Barbara Parsons, Chairperson**
Ben Dombal
James Driscoll
Daniel Long
John Neiger
Richard Onorati, Deputy Chairman

Members Absent:
Kenneth Kyle

Consultant(s) Present:
David Bavoso, Attorney
Patrick Hines, MHE Principal

Recording Secretary:
Patricia Battiato

The April 27, 2017 Town of Wawayanda Planning Board meeting was called to order by Chairperson Barbara Parsons at 7:30 P.M.

I. INFORMAL

**Johnstons Subaru / SBL# 4-1-33.2 & 28.2 / TC-Town
Commercial Zone / Site Plan / Dolson Avenue**

The applicants Attorney John Capella and the applicants Engineer Andrew Fetherston, Maser Consulting approached the board and Mr. Fetherston gave a presentation of the proposed new commercial site plan for Johnstons Subaru on Wiedy's old furniture store property. Mr. Fetherston explained that site currently consists of five (5) total tax lots. The existing tax lots in the Town of Wawayanda are approximately 3.32 acres in size having frontage along NYS Route 17M (Dolson Avenue). Tax lot 4-1-33.2, in the Town of Wawayanda, is currently a developed property with an

abandoned ± 50,308 square foot building (former Wiedy's Furniture store) and tax lot 4-1-28.2 is currently a vacant parcel.

The ± 3.32 acres in the Town are located in the TC-Town Commercial zoning district which has a special permitted use of motor vehicles sales and service.

The existing tax lots in the City of Middletown are approximately 2.91 acres in size and have frontage along County Highway 108 (James P. Kelly Way) to the south and County Highway 78 to the north. Tax lots 54-1-19 and 54-1-21 are to the northern portion of the site. These parcels are vacant with the exception of a driveway from County Route 78 to the adjacent Mobil Gas Station (Tax lot 4-1-31.12). Tax lot 64-1-2.3 is at the southern portion of the site and is vacant. The ±2.91 acres in the City are located in the C3 (General Business) zoning district which has a special permitted use for public garages and motor vehicle storage. The Town lots are located within and serviced by the Town of Wawayanda Water and Sewer districts.

The applicant proposes to dissolve the shared property lines between the City of Middletown (Tax lots 54-1-21 and 19) and Town of Wawayanda (Tax lots 4-1-28.2 & 33.2). This will reduce the number of the lots for the development to three (3); leaving two (2) lots in the City, one on each side of the one (1) lot in the Town. The applicant proposes construction of a Subaru Dealership and service center. The facilities include an 18,095 square foot showroom, a drive in service drop-off and a 15,950 square foot service building. These facilities are located on the Town land and are rehabilitating a portion of the existing building on-site. As 1,800 square foot garage is proposed on the northern City lands which will be used for washing, detailing, and cleaning customer cars. The southern portion of the site within the City will be developed with the main site access point from James P. Kelly Way, and display areas for vehicles for sale, and an aesthetic water feature.

In addition to the site entrance to County Route 78 (James P. Kelly Way), the site will also maintain existing access points to the site from NYS Route 17M and County Route 78. Other pertinent site improvements include stormwater management areas which will be provided as required per the 2015 New York State Stormwater Management Design Manual. Additional site improvements include parking spaces for customer employee and inventory, landscaping and lighting improvements. Based on the City and Town parking requirements the proposed development is required to provide 126 total parking spaces. The total proposed parking for the site is 228 spaces. New water and sewer service connections of the proposed building will be provided connecting to the existing mains owned and operated by the Town of Wawayanda.

The following MHE Engineering comments were discussed with the applicant's representatives;

1. A Lead Agency circulation must be undertaken once more detailed plans are received. Coordination between the Town of Wawayanda and City of Middletown for Lead Agency and approval must be undertaken. The majority of the structures are located within the Town of Wawayanda jurisdiction.
2. NYSDOT and Orange County DPW approval for driveway access will be required. Currently a proposed right in right out on 17M and full turning movements on James P. Kelly Way/County Rt. 106 and County Rt. 78.
3. David Bavoso's comments should be received regarding an existing 13.62ft setback where 15 ft. is required. It is unclear if the existing structure is to remain or be completely reconstructed.
4. The Applicant's must propose language which requires operation of this site in both municipalities as a unified site plan. Transfer of ownership of any parcel of property

involved in the site plan will negate site plan approval.

5. Comments from jurisdictional emergency services agencies should be received. The Applicant's attention is drawn to the vicinity of the dumpster enclosure if full access to the westerly most portion of the building could be provided for emergency vehicle access.
6. The Applicant's representatives are requested to discuss the interconnection between the proposed site and town of Wawayanda parcel 4-1-30.12 Alta East, Inc.
7. Detailed utility connections should be provided.
8. Signage on the site must be addressed.
9. Additional review will be undertaken when detailed plans for grading, drainage, utilities, and traffic and site development details are provided.

It was also discussed that all uses proposed on each of the lots are permitted uses in the respective Town and City zoning codes, as well as the possibility of both Wawayanda & Middletown attending a combined board meeting to get everybody's ideas all in one place.

Motion by Daniel Long, seconded by James Driscoll for the board's intent for Lead Agency

All voting members Voted yes

Motion-Carried

MHE Patrick Hines office will circulate to the outside agencies, and copy the Planning Board.

Cucuyo Farms / Co. Rte. 49 / SBL# 11-1-1.2 / AR-Agricultural Residential Zone

Courtney Peshkovsky and Luis Martinez DelaRosa, owners of 481 Co. Rt. 49 approached the board and explained that they are an Animal Farm, and they need workers to help from May to November.

The following MHE Engineering comments were discussed as follows:

1. The project proposes the use of a mobile home as an accessory tenant housing for farm labor. Section 195-46 Housing for Migratory Workers is the section of the Zoning Code which applies.
2. As agriculture and one family dwelling are permitted as principal permitted uses, accessory uses including other structures customarily accessory to permitted principal or special uses will apply.
3. Design of appropriate potable water and sanitary sewer disposal system must be submitted.
4. The Planning Board should discuss the amount of information required for the accessory use i.e. Location of mobile home, location of other uses on the site, access topography, etc.

It was discussed that this is an accessory use, and it is allowed on a farm. MHE Patrick Hines explained that the only thing we would need is the provisions for potable water and septic for the mobile home and that this can be handled through the Building Department. He said that you could defer this to the Building Department and his (Patrick Hines-MHE) office will work with them on this.

Motion by Richard Onorati, II Seconded by Ben Dombal to refer this applicant to the Building Department for the design review of appropriate potable water and sanitary sewer disposal system for one-(1) Migrant Trailer.

II. OTHER BUSINESS

Approval of Minutes for March 22, 2017

Motion by James Driscoll, seconded by Richard Onorati II to approve the minutes form March 22, 2017 as submitted.

All in Favor

MOTION-CARRIED

The April 26, 2017 Town of Wawayanda Planning Board meeting was adjourned at 8:12 P.M. by Chairperson Barbara Parsons

Respectfully Submitted,

Patricia Battiato
Secretary to Planning