

## **Town of Wawayanda PLANNING BOARD**

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**February 11, 2009 @ 7:30 p.m.**

Members Present:	Ann Yates, Chairperson
	Ben Dombal, alternate
	James Driscoll
	Daniel Long
	Mary Markiewicz
	John Neiger
	Barbara Parsons
	Donald Siegel
MHE Associate	Patrick Hines
Attorney	William Bavoso
Special Consultants:	Ronald Miller, Hudson Group
	David Gaskell, Hudson Group
	Maryann Johnson, Greenplan, Inc.
	Steven Fleischacker, Allegiance Resources
Recording Secretary	Patricia Battiato

The February 11, 2009 Planning Board Meeting was called to order at 7:30 p.m. by Chairperson Yates with the Pledge to the Flag.

### **I. REGULAR BUSINESS**

#### **CPV VALLEY / SBL# 4-1-38.32, 4-1-38.33 & 4-1-40.22**

Discussion being brought to the board on scoping item "Social Economics" by CPV Valley. Opposition on the table with regards to whether this particular scoping item was addressed or not addressed in the DEIS. At this time they feel that they could not put numbers in the document as they are being requested to do because they feel they do not know what the accuracy of those numbers are. Would like for the Planning Board to determine if there is sufficient information on CPV VALLEY'S submittal for completeness.

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The Hudson Group and Greenplan explained that they are not challenging what the numbers are, they were just asking for the numbers as per what the scoping document clearly says they have to ask for. Can argue the accuracy of those numbers later on in the process. Felt the issue for them is according to SEQR, in order for them to get this document to a point of completeness and in order to accept the document as complete those numbers have to be in there and until those numbers are in there they cannot accept the document, or the alternative is to amend the scoping document.

After a very long discussion it was determined that the information that was being asked for must be put in the document or the scope has to be amended. It was decided that the information would be provided.

CPV Valley requesting a special meeting to discuss the information forthcoming and for possible acceptance of the document.

Motion by Donald Siegel, seconded by Barbara Parsons to hold a Special Planning Board Meeting solely for the purpose of reviewing CPV Valley.

All voting members voted yes

Motion/Carried

**II. INFORMAL**

**SORO / SBL# 25-1-57**

The following technical comments were discussed with the applicant Mr. Edward Soro.

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1. The Planning Board should address the surveying requirements. The entire parcel is 75.5 acres while the proposal is only for 6 acres of the parcel along the property frontage. We would recommend that the surveying be limited to the portion of the project associated with the subdivision and that a deed plot for the balance of the parcel be provided.
2. County Planning and County DPW approval for the subdivision is required. Subdivision should have appropriate notes and driveway access details for Orange County DPW review.
3. While the lot is greater than 5 acres in size and is not considered a realty subdivision, we would recommend that soil testing be performed to identify that a subsurface sanitary sewer disposal system could be placed on the property in the future.
4. Maps should contain sufficient information regarding zoning and bulk tables for review.

Mr. Soro said they were not going to build on it they were going to give it to one of the grandkids down the line. This is also in a Ag District.

Need to have their engineer or surveyor verify if this is in an Archeological sensitive area to determine if an Archeological Survey needs to be done.

No action taken at this time.

**Reginald Manigault / Slate Hill Commons / SBL# 15-1-73.11**

Pastor Manigault approached the board and explained that this request was for a prayer group to be held a couple times a week. Wanted to make a submittal for the next meeting tonight in order to be on the next agenda. This is a Special Use under the Zoning. Patrick Hines will review plans and have comments at the February 25, 2009 meeting.

No action taken at this time.

**School House Plaza / Joe Wilson / SBL# 22-1-79.12**

There was no one in attendance for this application.

**Back to REGULAR BUSINESS AGENDA ITEMS**

**B&B IRON WORKS / SBL# 6-1-8**

The following technical comments were reviewed with the applicant's representative.

1. NYSDOT comments dated 24 July 2008 continue to be outstanding.
2. In September the applicant representative was requested to provide a written response to Orange County Planning comments dated 25 June 2008.
3. The landscape architect has signed off on the site with the exception of the title block revision requested.
4. Jurisdictional Fire Department has requested an access control box (lock box) be provided at the facility.
5. The undersigned field reviewed the subject project site with regards to potential impacts identified by properties located to the rear of the subject parcel. During the field review it was noted that a heavy stand of wood exist between the subject property and the adjoining property. The applicant's representative and owner were made aware of the neighbors concerns regarding loud noises emanating from the equipment and the dropping of steel products on the site. No additional impact to the property wills results as all facilities on the site have been constructed.

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Patrick Hines, MHE representative went out to the site twice and did not hear any noise. Said the house's were really far way and it was heavily wooded and relatively quiet.

Attorney Bavoso said the trailers were OK as this was an existing condition.

Applicant still needs DOT sign off, and a note with regards to accessible wheelchair, ADA sidewalks etc.

No action taken at this time.

**LANDS OF DUL / SBL# 13-1-11.3**

The following were technical comments discussed as follows:

1. The applicant's representative requested to provide appropriate information regarding the proposed dedication of land for highway purposes along Mt. Orange Road. It is unclear if lot area calculation includes this dedication strip. Notes acceptable to Bill Bavoso regarding the dedication strip should be incorporated on the plan sheets.
2. The applicant's representative should discuss the letter received regarding water taking rights for adjoining property. The Planning Board received a letter dated 18 August 2008 from the Law offices of Sobo and Sobo.
3. Percolation and deep testing results must be witnessed. It would appear from the results of the deep testing depicting mottling within the soil of profiles that shallow absorption trench system should be proposed on some of the lots.
4. Several of the lots exceed the 2-1/2 to 1 length width ratio. The Planning Board should discuss the same and determine if a waiver of the length to width ratio is appropriate. If such waiver is granted we would recommend a no further subdivision on the four lots which exceed the 2 to 1 length to width ratio.

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5. The applicant's representative are requested to evaluate requirements of the ridge preservation zone critical environmental area with regard to the subdivision appropriate notes including compliance with the ordinance must be added to the plans.

6. Item 19 on the EAF should be appropriately answered yes, as site is located in the Town's critical environmental area.

A second letter was submitted from Mr. & Mrs. William Purdy, adjoining property owners with regards to an agreement for water rights which has never been signed by the Purdy's or Christopher Dul, CJBD, LLC. To date this issue has not been resolved.

No action was taken at this time.

### **MIDDLETOWN PONTIAC / SBL# 5-5-18.1**

Kirk Rother the applicants engineer was unaware that there was a newspaper article in the local paper that this business had closed. MHE comments have been prepared by Patrick Hines and were given to Mr. Rother. No review was done.

1. Parking has been modified to more closely fit within the existing topography on the project site. Stacked parking for storage of vehicles has been shown.
2. It is noted that the applicant has identified that the project site is serviced by public water. A note requiring a well to be abandoned per AWWA standards has been added to the plans.
3. No additional site improvements are proposed. The existing area consists of the gravel based which will be utilized to park vehicles.

**SIMON BUSINESS PARK / SBL# 6-1-107**

Mr. Kirk Rother from Rother Engineering requested a six-month extension of the preliminary approval that was granted on August 13, 2008. Said that his applicant was still in the process of securing outside agency approvals.

Motion by James Driscoll, seconded by Mary Markiewicz to grant a six-month extension.

All voting members voted yes

Motion / Carried

**AB CAULKING / SBL# 1-1-64.1**

The following were technical comments that were reviewed:

1. The applicant is proposing hot mix asphalt curbing on the project site. It is our recommendation that curbing on the site be concrete curbing as typically required by the Planning Board or an alternative of Belgian block curbing which has been allowed in some instances.
2. We have reviewed the lighting plan and found the plan to be in compliance with Town of Wawayanda standards. The lighting will only be located on the building with no free standing light bulbs proposed.
3. The plans show both straw or building paper as well as a geo-textile fabric in the curtain drain. It appears based on the use of the geo-textile fabric that the straw or building paper could be removed from the curtain drain detail.

4. Representatives of this office reviewed deep and percolation test results for septic system design. A septic system designed based on a hydraulic loading rate anticipated from five employees has been provided on the site. Occupancy of the site will be limited by the septic design. The applicant and their representative are requested to evaluate whether this provides adequate number of employees on the site. Future occupancy of the building would be limited to the five employees.
5. Highway Superintendent comments regarding the roadway access should be received.
6. The applicant's representative has provided a stormwater analysis of the existing culvert under Dolsontown Road. We questioned the capacity of the culvert due to the 12 inch diameter culvert located at the existing road crossing. Analysis of the culvert identifies that the culvert has adequate capacity to pass a 25 year design storm from the relatively small water shed.
7. The applicant's representative has made suggested modifications to the Environmental Assessment Form, information from the NYSDEC, U. S. Fish and Wildlife, and parks and recreation have been incorporated as attachments. Part III information has been provided regarding construction on steep slopes which is limited to the outlet for the curtain drain system proposed in conjunction with the subsurface sanitary sewer disposal system.
8. The project requires the Public Hearing Plans and reports are satisfactory for scheduling of the Public Hearing should be if the Board wishes to do so.

Discussed the proposed hot mix asphalt curbing and the board preferred concrete curbing. Plans need to be sent to the Orange County Planning Department for review. The board has received a revised long form EAF.



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Motion by Daniel Long, seconded by Barbara Parsons for the board to act as Lead Agency.

All voting members voted yes

Motion / Carried

Motion by Donald Seigel, seconded by John Neiger to set a Public Hearing date for March 11, 2009.

All voting members voted yes

Motion / Carried

**GRANDVIEW / SBL# 24-1-32.1, 32.2, 32.3, 53.12 & 26-1-1.21**

Travis Ewald from Pieterzak & Pfau gave a brief update as to where we are at this time. This is a 34 lot subdivision that had received Preliminary Approval and is waiting on several outside agency approvals. Applicant has just received NYS Health Department Approval; all comments with regards to OCHD have been addressed. The following are MHE comments as follows:

1. The applicant's representative are requested to update the Planning Board as to the status of outside agency approvals which were to be obtained including the following:
  1. Orange County Health Department -Septic Systems and Realty Subdivision approval;
  2. NYS Department of Health - Water system approval;
  3. NYSDEC Water Taking Permit;
  4. The Town of Wawayanda Town Board - Water District creation;
  5. Drainage District Formation Transportation Corporation approval;
  6. Conservation Area Covenants and restrictions;
2. The applicant's representative is requested to evaluate the roadway cross-section with regards to modifications in the Town Road specifications. In addition, sidewalks are depicted in the plan sheets; however, no details of the sidewalk are shown on the roadway cross-section.

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3. Maintenance of the sidewalk may be an issue which should be discussed with the Town Board.
4. Bonding for all proposed public improvements should be approved by the Town Board. The applicant's engineer should submit an estimate for review prior to being forward to the Town Board for approval.
6. The applicant's representative should discuss the plans which were approved by the NYS Department of Health for the water system. Water system plans should be part of the approved plans and details should be part of the Planning Board approval package.

Still waiting on the Water District creation, Drainage District Formation Transportation Approval and the Conservation Area Covenants and Restrictions.

No action taken at this time.

Motion by Donald Siegel, seconded by Daniel Long to adjourn the meeting.

The February 11, 2009 Town of Wawayanda Planning Board meeting was adjourned at 11:19 p.m.

Submitted by,

Patricia Battiato  
Secretary to Planning

