

Town of Wawayanda PLANNING BOARD

May 12, 2010

7:30 p.m.

At the May 6, 2010 Town Board Meeting, the Town Board appointed Richard Onorati, II, to fill the vacancy left by Donald Siegel. Mr. Onorati's term will expire at the end of December, 2015.

Members Present: Barbara Parsons, Chairperson
 Ben Dombal
 James Driscoll
 Daniel Long
 Mary Markiewicz, Deputy Chairperson
 John Neiger
 Richard Onorati, II

Consultants Present: Wm. Bavoso, Attorney
 Patrick Hines / MHE

Recording Secretary: Patricia Battiato

The Town of Wawayanda May 12, 2010 Regular Meeting was called to order at 7:30 p.m. by Chairperson Barbara Parsons with the Pledge to the Flag.

I. **PUBLIC HEARING**

TURTLE BAY / SBL# 26-1-48.1, 48.2, 48.3 & 48.4 **5-Lot Subdivision**

The Certified Return Receipts were collected and recorded.

Chairperson Parsons read the Public Hearing Notice as it appeared in the Times Herald Record.

Motion by **John Neiger**, seconded by **Daniel Long** to open the Public Hearing. **All voting members voted yes**

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Joseph Pfau of Pieterzak & Pfau approached the board and gave a brief overview. Said that this is an 11.2 acre parcel, the property sits on Turtle Bay Road in an AB-Agricultural Business Zone. All five lots meet the minimum zoning regulations. All lots are served by individual wells and septic's. This was previously a reclaimed mining operation. This would need to go to Orange County Health Department because it is considered a Major Subdivision. To be able to do that, we need to obtain Preliminary Approval from this board first.

Chairperson Parsons asked for any questions or comments from the public. Let the record show that there were none.

The following were MHE Comments as discussed:

1. The Highway Superintendent's comments regarding driveway to Lot 2 has been received. Removal of a mound of dirt is required to make sure of adequate site distance.
2. A long form EAF for the subdivision has been submitted. It is noted the project occupies a reclaimed sand and gravel mine. The Planning Board previously issued a Negative Declaration for a 4 lot subdivision on the very same parcel. Based on the review of the information submitted this office takes no exception to the Planning Board issuing a Negative Declaration for the project.
3. County Health Department approval for the subsurface sanitary sewer disposal systems is required after the project receives preliminary approval.
4. The project is located in the agricultural district with active farming within 500 feet, such that Orange County Planning Department review is required.

Motion by **Mary Markiewicz**, seconded by **Daniel Long** to close the Public Hearing. **All voting members votes yes**

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Motion by **Barbara Parsons**, seconded by **Mary Markiewicz** for a Negative Declaration under SEQR. **All voting members voted yes.**

Motion by **John Neiger**, seconded by **James Driscoll** for the board to grant PRELIMINARY approval. **All voting members voted yes.**

II. INFORMAL

PJH Realty / Fulton Chevrolet Bldg. / SBL# 4-1-36.22 **Amended Site Plan / Rte. 17M**

Alfred Fusco approached the board and gave his name. **Chairperson Parsons** asked Mr. Fusco for clarification as she was a little confused by the proposed plans that were submitted. Specifically the lot line change.

Mr. Fusco explained that the sketch submitted is for a very nice face lift of the Fulton Chevrolet Building. First phase is the expansion on the building and grounds. Proposing a small addition, utilize a new service entrance when you would come in, stairs and elevator up to the showroom, which is the main reason for the addition. In addition, modifying the layout, make it more appealing, GM has there own color scheme, add some islands and plantings, an addition to the 17M corridor. We are also proposing to put in additional parking to the rear.

Chairperson Parsons asked about the existing property line and the proposed parking line and acreage. Says here the acreage is increasing form 6.9 acres to 7.85 acres, where is that property coming from?

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Mr. Fusco said that Sunrise Park is extremely wide, in excess of ninety-(90) feet wide in that area. Fulton Chevrolet has utilized that for parking and landscaping believing that they owned up to the right of way, they used right up to the road.

Chairperson Parsons asked who owns the other piece.

Mr. Fusco responded that he assumes the Town of Wawayanda owns it.

Attorney Bavoso explained that the applicant would need to speak to the Town Board to see if you can acquire that additional piece.

Mr. Fusco agreed and explained that this has been utilized as part of the dealership for thirty-(30) years and that eminent domain doesn't work with municipalities. What we are going to do is request to further this application and continue on with you and approach the Town Board and see if we can get this decided to us.

Chairperson Parsons said that it seems that you need to do that pretty soon as you have things proposed for that area.

Mr. Fusco felt that it was also appropriate to approach the Planning Board as well.

WOODBURY FIELD & STREAM / SBL# 1-1-53 / Accessory

No one was in attendance for this application.

Patrick Hines from MHE had prepared and submitted to the board comments with regards to this informal application.

RISCO / SBL# 24-1-22.21 / Expansion of Business / Ct. Rte. 93

No one was in attendance for this application.

III. REGULAR BUSINESS

Brannan / SBL# 10-1-45 / Kirbytown Road / 2-Lot subdivision

MHE comments as follows:

1. Representatives of this office witnessed deep and percolation testing on the subject property. A subsurface sanitary sewer disposal system designed in accordance with the tests results must be provided. Subsurface sanitary sewer disposal system must have plans stamped by a licensed design professional. Location of deep and percolation testing must be depicted on the plan.
2. Bill Bavoso's comments regarding the proposed common driveway must be received.
3. Highway Superintendent's comments regarding the location of the driveway has been received.
4. Long Form EAF has been submitted for the two lot subdivision. Review of the long form EAF identifies that it provides adequate information for the Board to review of the project under SEQRA.

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5. Submission of the project to the County Planning Department for the review as required as the project is located in a agricultural district with active farming within 500 feet.

Application has been placed on the June 9th, 2010 Planning Board Agenda and a Public Hearing has been set for that date.

IV. OTHER BUSINESS

Approval of Minutes / April 14, 2010

Motion by **Barbara Parsons**, seconded by **John Neiger** to approve the minutes from April 14, 2010 as submitted.

All voting members voted yes.

Motion by **Richard Onorati**, seconded by **Daniel Long** to adjourn the meeting. **All voting members voted yes.**

The May 12, 2010 Town of Wawayanda Planning Board meeting was adjourned at 8:11 p.m.

Respectfully Submitted,

Patricia Battiato
Secretary to Planning