

## **Town of Wawayanda PLANNING BOARD**

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**July 28, 2010**

**7:30 p.m.**

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

**Consultants Present:** Wm. Bavoso, Attorney  
Patrick Hines, MHE Associate

**Recording Secretary:** Patricia Battiato

The July 28, 2010 Town of Wawayanda Planning Board Worksession meeting was called to order at 7:30 p.m. by Chairperson Barbara Parsons.

### **I. INFORMAL**

#### **HANNON / 84 Quick Stop / Rte. 17M / SBL# 6-1-76.1 Amended Site Plan**

**Mr. & Mrs. Kevin Hannon** of 84 Quick Stop approached the board and explained the reason they were before the board was that they were installing a diesel dispenser, the tank is already there. They did not know that they needed a special permit. The following were MHE comments:

1. The Building Inspector's comments regarding use of site should be addressed.
2. Site development details for proposed fuel dispenser which we believe is a proposed propane tank should be provided.

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3. Is proposed propane tank actually existing on site at this time?
4. Size of propane tank as well as any traffic protection, etc. should be depicted on plans.
5. The Planning Board should discuss the level of detail required for site plan approval for the addition of the propane dispensing facility.

Discussed the Building Inspector letter received explaining that Mr. Grifo has advised Mr. Brady, owner of the property that he should consider discussing a lot line change with the board since much of the business traffic spills over onto his abutting lot (6-1-114). Mr. Grifo also explained that it appears that he is also allowing a Park and Stop to operate from the properties.

Discussed that Mr. Brady came to the board for an informal on this at one time and never proceeded for approvals. There were issues with the DOT and the location of the driveway, and also the fact that this was not an accessory use as there was no use on that property. At that time it was explained that Mr. Brady would need to obtain site plan / special use permit approval for a commercial parking lot in order to allow that use on that property. Mr. Brady never came back before the board.

It was explained that if a lot line change was done to encompass the parking areas behind the 84 Quick Stop (which is a separate lot), it could then be an accessory use to the commercial 84 Quick Stop use. Until that issue is addressed the board cannot act on the informal proposal that has been submitted because the violation would have to be cleared up first before the Planning Board could act.

## II. REGULAR BUSINESS

### DePaulis / SBL# 24-1-85 / Subdivision/ Co. Rt. 12

The DePaulis application is on for acknowledgement that the applicant has submitted to the board per the stipulation of the April 28, 2010 meeting regarding dormant applications.

Maps were submitted by the applicant to Planning Board and Patrick Hines, MHE. Two Stormwater reports were dropped off for the Planning Board, one for the file and one for board members to review. Mr. Hines should have received one but the applicant did not provide one to him. The Planning Board gave Mr. Hines their second one (today) so that MHE can review. The engineering comments, below on plans submitted are as follows:

1. The applicant's representatives are apparently pursuing a conventional subdivision plan. The Planning Board has the authority to required the cluster subdivision plan once lot count is proved out.
2. Extensive percolation and deep testing has been performed on the project site. A review of the deep testing identifies the soils on the site identify mottling in all soil profiles. This is a limiting factor for use of subsurface sanitary sewer disposal systems. Each of the twenty-one-(21) lots identifies four-(4) foot of usable soil is not evident in any of the percolation tests identified.

Based on a review of the soils testing, it is doubtful that any approval for a subsurface sanitary sewer disposal system for a major subdivision would be forthcoming from the Orange County Department of Health.

3. Ownership of the detention pond facilities identified on the plan should be designed such that a drainage district could be established in the future for long term operations and maintenance of the stormwater management improvements.
4. Jurisdictional determination for Federal wetlands on the site should be received.
5. Single point of access is an issue. Jurisdictional Fire Department comments should be received.
6. Roadway access is a County road. Comments from County Department of Public Works should be received.

### **CPV Valley / Update**

The applicant has used the services of a professional Stenographer and a Certified Transcript of those proceedings can be obtained from the Town Clerks office here at the Town Hall. Mr. Steve Remillard and James Ullrich, representative for the applicant were present for a brief update with the board.

Addition to the Agenda:

### **BROOKFIELD**

Brief procedural discussion with regards to what consultants the board will be using for review on this application. After discussion, the board did feel that a visual expert consultant would not be warranted on this application.

Motion by **Barbara Parsons**, seconded by **Ben Dombal** that the Planning Board does not need a visual consultant on this project.

**All voting members voted yes. Motion Carried**

Note for the record that both CT Male, Inc. – John Munsey and ARC – Allegiance Resource Corporation, - Stephen Fleischacker will be the consultants that the board will use on the environmental review of this project.

Discussed the possibility of a site visit to another facility in Ohio, and the board members would like to do this if at all possible.

The July 28, 2010 Town of Wawayanda Planning Board meeting was adjourned at 8:12 p.m.

Respectfully Submitted by,

Patricia Battiato  
Secretary to Planning