

## **Town of Wawayanda PLANNING BOARD**

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**December 8, 2010**

**7:30 p.m.**

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

Consultants Present: William Bavoso, Attorney  
Patrick Hines, MHE Associate

Recording Secretary: Patricia Battiato

The December 8, 2010 Town of Wawayanda Planning Board meeting was called to order at 7:30 p.m. by Chairperson Barbara Parsons.

### I. INFORMAL

Country View Subdivision / SBL# 18-1-11.5 – 9 Lot  
Subdivision- Bergen Circle and South Plank Road

Mr. Joseph Pfau from Pietrzak & Pfau, engineer for the Applicant appeared before the board and gave a brief description of the proposal. This is on the corner of Rt. 6 and South Plank Road, currently a farm stand and part of the Orchard, about 43 plus acres. It's in a TC (Town Commercial) and AR (Agricultural Residential) Zone.

Presented both a conventional and cluster plan based on the current zoning. Cluster proposal is a total of nine lots, eight Residential lots and one lot (nine) which would encompass the existing farm stand and balance of acreage.

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Discussion on “clustering lots” per the town 195-10 zoning and that it would be required through clustering 50 % of the lot area to be clustered to remain permanent with a conservation easement restricted from development.

Discussed the conventional plan versus the cluster plan submitted to the board and the following motion was made.

Motion by Barbara Parsons, seconded by John Neiger, that the Planning Board prefers the cluster of nine-(9) - lots to the conventional plan of twelve-(12) lots.

Upon Roll Call:

James Driscoll	Nay
Richard Onorati	Aye
Ben Dombal	Aye
John Neiger	Aye
Daniel Long	Aye
Mary Markiewicz	Aye
Barbara Parsons	Aye

Ayes – 6

Nays – 1

Abstentions – 0

## II. REGULAR BUSINESS

Feders Acura / SBL# 5-5-10, 11 & 15 / Rte. 6 / Amended Site Plan

Approval was given at November 10, 2010 and the applicants representative Mr. Yanosh is back requesting to amend the Conditional approval after hearing back from the Department of Transportation for that access.

Per Patrick Hines, MHE Associate the plans now have the changes the board had asked for, keeping the proposed truck turnaround as an access for the car carrier trucks so they can pull into the new parking area, unload and continue through the site. The access will now be gated, no public access, a sign should be put up saying no public access.

The following motion was made:

Motion by James Driscoll, seconded by Daniel Long to amend the resolution of November 10, 2010, and now granting conditional final approval as this amendment will eliminate all of the previous conditions that were required, except payment of any outstanding review fees, proof of lot consolidation, details of the gate to be shown on the plans and signage showing "no public access".

All voting members votes yes. Motion Carried

#### CPV VALLEY

Motion by Barbara Parsons, seconded by Daniel Long to acknowledge the receipt of the FEIS from CPV.  
All voting members votes yes.

Chairperson Parsons advised the board that comments for the FEIS need to be in for the February 8, 2011 meeting.

#### DDI PROPERTIES / SBL# 21-1-37.1 / Amended Site Plan

Daniel Yanosh is before the board requesting an amended site plan for his client, Mr. Martin DiSieno for a shed addition of 32 x 32 square feet, maximum height of 16 feet.

Mr. DiSieno explained to the board that he does not want the property looking like a junk yard. Said it is possible that he may make the

shed size smaller.

Discussion on what is shown on the map, and what the applicant builds needs to be shown otherwise he would have to come back again before the board. Patrick Hines suggested to the board putting a note on the plans allowing the applicant to put up a smaller building than what is shown, by saying that the maximum size can go smaller within the existing footprint if the applicant wishes.

Discussed waiving the public hearing as there were not any public comments on the original plan, and the following motion was made.

Motion by John Neiger, seconded by Daniel Long that pursuant to Article VII, Section 195-69 of the Town of Wawayanda Zoning Law the Town of Wawayanda Planning Board hereby waives the obligation to hold a public hearing on this matter based upon the fact that a hearing would not be in the interest of the public health safety or general welfare and, therefore, not necessary in the circumstances surrounding this application.

All voting members voted yes, motion carried

Motion by Daniel Long, seconded by John Neiger for Conditional Final Approval.

All voting members voted yes, motion carried

Conditions being as follows:

1. Payment of any outstanding review fees
2. Note on the plans with regards to maximum building size shown; maximum size can go smaller within the existing footprint if the applicant wishes.

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### III. OTHER BUSINESS

#### Turtle Bay 5-Lot Subdivision Extension Request

Applicant received preliminary approval in May, 2010 and are asking for an extension. The applicant requested an extension request via fax on November 24, 2010 due to the fact that they are still waiting on OC Health Department approval. The Secretary was on vacation and the Planning Board work session was not held due to the Holidays. The applicant did submit their request within the required time frame.

Motion by James Driscoll, seconded by Daniel Long to grant a six month extension on the applicants preliminary approval for the 5-Lot Subdivision as they are currently awaiting Orange County Health Department approval. (Extension will expire in May 2011).

All voting members votes yes, motion carried.

### IV. MINUTES

#### Approval of minutes for October 27, 2010

Motion by Daniel Long, seconded by James Driscoll to approve the minutes of October 27, 2010 as submitted

All voting members votes yes, motion carried.

Please note for the record that the December 22 meeting date that was changed to December 15, 2010 due to the upcoming Holiday will not be held as all submittals were able to be placed on this agenda.

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The December 8, 2010 Town of Wawayanda Planning Board meeting  
was adjourned at 8:03 p.m.

Respectfully Submitted,

Patricia Battiato  
Secretary to Planning