

Town of Wawayanda PLANNING BOARD  
February 26, 2020 / 7:30 P.M.

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Members Present:                      **Richard Onorati, II Chairman**  
Ben Dombal  
James Driscoll  
Kenneth Kyle  
John Neiger  
John Pierce- (Alternate)  
John Razzano - Deputy Chairman

Members Absent: Daniel Long

Consultants Present:  
David Bavoso, Attorney  
Patrick Hines, MHE Principal

Recording Secretary:  
Patricia Battiato

The February 26, 2020 Town of Wawayanda Planning Board meeting was called to order by Chairman Richard Onorati, II at 7:31 P.M.

**I. PUBLIC HEARING**

**GURDA / SBL# 6-1-95 / Ridgebury Road and Co. Rte. 12 / Site Plan Approval to restore a former wetland area and construct a two-family dwelling.**

The Certified Return Receipts were collected and recorded. Reading of the Public hearing was waived as the notice is in the file.

**Motion by John Neiger, seconded by Kenneth Kyle to open the Public Hearing.**

**All voting members voted yes**

**MOTION – CARRIED**

Mr. Gurda and his representative Brian Getz approached the board and gave a brief overview.

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MHE Engineering Comments discussed as follows:

1. The Applicants have revised the plans to depict the proposed subsurface sanitary sewer disposable system 100 feet away from the designated Federal Wetland areas. 10-foot separation has been provided at property line. It is recommended a note be added to the plans stating that the subsurface sanitary sewer disposable system will be staked in the field by licensed professionals prior to installation, as the septic fields are located at the 10-foot minimum property line separation.
- 2 The Highway Superintendent has requested that the Applicants representative evaluate an existing drainage issue which may have been caused by filling of the property in the vicinity of the intersection of County Route 1 and Ridgebury Road. Highway Superintendent met with the Applicants representative in the field to review this condition. Grading revisions may be required in order to allow the ponded area to positively drain toward the reconstructed wetland area.
- 3 We had previously requested comments from Orange County DPW regarding work along the County right of way.
- 4 Once again, we reiterate review for this project involves only the project site located in the Town of Wawayanda, and not any off-site disposal site located outside of the Town of Wawayanda. The Applicants are required to receive any necessary approvals for the disposal site of the material removed from the Town of Wawayanda.
- 5 The Applicants were previously requested to evaluate whether a single larger diameter culvert could be placed at the driveway access to the two-family dwelling. Currently two culverts are depicted where one larger diameter culvert may be more appropriate.
- 6 The use of the duplex must identify four parking spots on the site.

The duplex has been identified and the plans need to show 4 parking spaces on the plans.

**Motion by John Neiger, seconded by James Driscoll to close the Public Hearing.**

**All voting members voted yes**

**MOTION-CARRIED**

**Motion by James Driscoll, seconded by John Razzano for a Negative Declaration under SEQR.**

**All voting members voted yes**

**MOTION-CARRIED**

**Motion by John Neiger, seconded by James Driscoll for Conditional Final Approval**

**All voting members voted yes**

**MOTION-CARRIED**

Conditions being:

1. Payment of any outstanding review fees
2. Subject to MHE Engineering comments dated February 25, 2020.
3. Prior to Building Permit; subject to DEC Stormwater Permit and coverage under the Towns Stormwater Permit.
4. To allow the applicant to clear the trees prior to meeting the conditions.

## **II. INFORMAL**

### **JAMES / SBL# 23-1-111.2 / Gardnerville Road / AR-Agricultural Residential Zone / Driveway Amendment**

Mr. James explained that he and his father have two separate lots and we are looking to get a property easement to share the driveway.

MHE Engineering comments discussed as follows:

- 1 The Applicants are requesting permission to utilize a common driveway to access their lot at 307 Gardnerville Road. The existing common driveway

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serves the Rutgers Creek Pet Resort located at 309 Gardnerville Road. Each of the lots is in family ownership.

- 2      Should the Planning Board consider allowing the common driveway, common driveway access and maintenance agreements, as well as easements permitting the long-term use of the common driveway should be required. Common driveway access and maintenance agreements and easements should be submitted for David Bavoso's review and approval.
  
- 3      The Applicants have identified that should either of the parties sell the property to a new owner, a new separate driveway would be required to be installed at 307 Gardnerville Road. David Bavoso's comments regarding the provisions for the common driveway to revert back to only permit access to 307 Gardnerville Road should be received.

Attorney Bavoso will send a driveway agreement to the applicants

**CCI Construction/ SBL # 1-1-57.21 / Amended Site Plan / Dolsontown Road/ MC-Mixed Commercial Zone**

Mr. Lou Rozzelli gave a brief overview of the proposed use for CCI and that Sossi will be taken off for the Healey property on Dolsontown Road.

MHE Engineering comments were discussed as follows:

1. Status of the SOSSI Formals application should be determined. Plans have been revised to show this; however, we have been recently advised that this will be removed from the plans.
  
2. Parking has been modified on the plans to depict the current parking layout on the site.
  
3. General notes should remove the SOSSI Formals application as applicable.
  
4. An accessible parking detail has been added to the plans.
  
5. A site paving detail has been added to the plans. It is unclear where this detail will be utilized.

6. Notes should be added to the plan stating that the CCI application does not permit outdoor storage of goods and materials.
7. Plan must be submitted to Orange County Planning once revised to address the comments.

**Motion by John Neiger, seconded by Ben Dombal to waive the Public Hearing as set forth in Article 7 of the Towns Zoning Law on the basis that there are not going to be any changes to the site plan, any significant impacts to the site and that the board does not anticipate any public controversy.**

**All voting members voted yes**

**MOTION – CARRIED**

**Motion by James Driscoll, seconded by John Neiger for a Negative Declaration under SEQR**

**All voting members voted yes**

**MOTION-CARRIED**

This needs to go to Orange County Planning Department prior to a decision.

### **III. REGULAR BUSINESS**

**Babb Ground Mounted Solar / SBL# 23-1-27 / Co. Rte. 93 /AR-Agricultural Residential Zone**

Off Agenda / Still waiting on OCPD

### **IV. OTHER BUSINESS**

**Grandview 6 Month Extension**

**Motion by John Neiger, seconded by John Razzano for the board to grant a six-month extension.**

**All voting members voted yes**

**MOTION – CARRIED**

**ADS / Sheeley's Car Wash 6 Month Extension Request**

**Motion by James Driscoll, Seconded by John Razzano to grant a six-month extension.**

**All voting members voted yes**

**MOTION – CARRIED**

**Approval of Minutes** for September 25, 2019

**Motion by Kenneth Kyle, seconded by John Neiger to approve the September 25, 2019 minutes as submitted**

**All voting members voted yes**

**MOTION-CARRIED**

(Noted for the record that John Razzano abstained from voting as he was not on the board at that time)

The February 26, 2020 Town of Wawayanda Planning Board Meeting was adjourned by Chairman Richard Onorati at 8:01 P.M.

Respectfully Submitted,

Patricia Battiato  
Secretary to Planning