

**Town of Wawayanda PLANNING BOARD**  
**March 11, 2020 / 7:30 P.M.**

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

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

Recording Secretary:  
Patricia Battiato

The March 11, 2020 Town of Wawayanda Planning Board meeting was called to order by Chairman Richard Onorati, II at 7:31 P.M.

**I. PUBLIC HEARING**

**Neretich / SBL# 19-1-80 / Bergen Circle / AR-Agricultural Residential Agricultural Buildings reuse / Site Plan**

Mr. Neretich was present with his Attorney and brought a Stenographer with him and a complete transcript of this Public Hearing is Attachment 1 to the minutes.

**II. INFORMAL**

**Groskin / SBL# 23-1-119 / AR-Agricultural Residential Zone / Venturi Road / Site Plan**

Mr. Groskin approached the board and explained that he was sent here by the Building Department for operating a business out of the property. He currently has a lease agreement with the owners. He is looking for a 24-

month reprieve from the zoning code, he would like to use it for 24 months as an office and then return it back to a cottage.

MHE Engineering comment was discussed as follows:

1. The Applicant is before the Planning Board based on a Notice of Violation issued by the Building Department. The narrative submitted identifies that two businesses are operating out of the residential parcel. The Applicant is apparently requesting temporary approval for the use on the site. The parcel is located in the Town's AR – Agricultural Residential District. The use is not permitted within the zone. The Planning Board does not have the ability to approve temporarily or otherwise uses which are not permitted in the underlying zone. The Applicant may request relief from the Zoning Board of Appeals for a Use Variance. If, successful in obtaining a Use Variance the Applicant must return to the Planning Board for Site Plan/Special Use approval for any activities on the site.

Numerous questions were asked by the board and the applicant addressed them as best as he could. The Board suggested he go to the ZBA for a variance. He did not request a motion for that at this time.

### III. REGULAR BUSINESS

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

The applicant has been before us for some time, we received OCPD comments and can now make a decision.

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

All voting members voted yes

**MOTION~CARRIED**

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

All voting members voted yes

**MOTION – CARRIED**

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Conditions being:

1. Fees

**Valley Cabinets / SBL# 9-4-3.1 / MC-I Mixed Commercial Zone  
Denton Hill Road / Site Plan to utilize one building**

MHE Engineering comments discussed as follows:

1. The project was submitted to County Planning. Response from County Planning should be addressed.
2. The Applicants have previously submitted a site plan identifying the structure utilized on the site. Parking and lighting have been addressed as well as sanitary and potable water service.

Motion for a Public Hearing was previously waived.

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

**All voting members voted yes**

**MOTION – CARRIED**

**Motion by Kenneth Kyle, seconded by John Neiger for Conditional Final Approval.**

**All voting members voted yes**

**MOTION – CARRIED**

Conditions being:

1. Payment of any outstanding review fees.
2. Receipt of written OCPD comments

**Motion by Kenneth Kyle seconded by John Razzano to adjourn the meeting.**

**All voting members voted yes**

**MOTON – CARRIES**

The March 11, 2020 Town of Wawayanda Planning Board meeting was adjourned at 8:34 P.M.

Respectfully Submitted,

Patricia Battiato  
Secretary to Planning

