

VILLAGE OF WOODBURY
PLANNING BOARD MEETING

DECEMBER 22, 2009

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VILLAGE OF WOODBURY
PLANNING BOARD MEETING

DECEMBER 22 2009

PRESENT: G. Sewitt, Chairman
T. Bompensiero
S. Conroy

D. Lindsay
S. Turner
J. Echevarria

ABSENT: M. Hunter
L. McNeill

R. Golden

Chairman Sewitt opened the meeting with the Pledge of Allegiance and a moment of silence for our Armed Forces and all others in harm's way throughout the world.

MINUTES

T. Bompensiero made a motion to accept the minutes from the meeting of December 2, 2009 as written. S. Conroy seconded the motion. The vote was as follows:

G. Sewitt - In Favor
T. Bompensiero - In Favor
M. Hunter - Absent
S. Conroy - In Favor
L. McNeill - Absent

CARRYOVERS & RESOLUTIONS

SCA ENTERPRISES/ART STUDIO - TAX MAP 220-5-29.1

Chairman Sewitt explained that the Board was going to review a resolution for site plan approval of an art studio to be located at 548 Route 32 in Highland Mills. He informed everyone that the 239 reviews had been received from both the Orange County Planning Department and the Department of Public Works. Also, on November 18th the Board declared this a Type Two action under SEQRA, which means there is no further SEQRA action required.

Chairman Sewitt then began his review of the resolution of approval by reading the findings, as the Board had waived the requirement for a site plan signed by a licensed engineer or surveyor, as they found it would cause extraordinary and unnecessary hardship.

SCA ENTERPRISES/ART STUDIO - TAX MAP 220-5-29.1 (cont.)

T. Bompensiero had a question regarding item number 4 which dealt with the applicant's business plan. S. Auer, the applicant, explained that at times there may be more than five adults in a class, as some people may carpool. This began a discussion regarding the number of people that should be allowed in a class. The resolution states that five adults will be permitted in a class. S. Reineke suggested that the word "generally" be added prior to the word "permitted". The discussion continued. It was finally agreed that the wording will remain the same, as the applicant has a year to operate and can request changes at any time.

S. Conroy wanted to be sure that it was clear that there was to be no public access to the restricted areas. J. Echevarria will change the wording.

Chairman Sewitt then began his review of the resolution by reading from the Specific Conditions. When he concluded he asked for comments and questions. There were none. T. Bompensiero made a motion to approve the resolution with the changes that were made this evening, and authorize the Chairman to sign it. S. Conroy seconded the motion. The vote was as follows:

G. Sewitt - In Favor
T. Bompensiero - In Favor
M. Hunter - Absent
S. Conroy - In Favor L.
McNeill - Absent

REGULAR AGENDA

WP3/WOODBURY JUNCTION - TAX MAP 225-1-3.22 et al

Chairman Sewitt read from the Notice of Public Hearing which appeared in the Times Herald Record on Thursday, December 17, 2009 for proposed revisions to a construction phasing plan for property located off Dunderberg and Nininger Roads in Central Valley. He then asked the applicant to give the Board an overview of his proposal.

Jonathan Cella appeared on behalf of the applicant. He explained that they are here to request from the Planning Board that they be allowed to construct Pond Four as part of Phase 3 rather than Phase 2A of construction. He said he had provided documents showing that the majority of the runoff entering Pond Four will be from later phases of construction beginning with Phase 3 and ranging

from Phase 3 to Phases 4, 5, 6 and 7. A drainage study has also been produced, showing that the drainage area for Pond Four is 80 acres, with only 10 of those acres being in Phase 2A. The majority of Phase 2A and 2B drain to Pond 1, 3A, 3B and 3C which have all been constructed per the approved plans and the approved FEIS. J. Cella added that the applicant is currently working on the pond to produce a little extra volume so they can alleviate all storms from the ten to hundred year storm. Based on the full buildout of the WP3 subdivision, they currently have approximately 80 percent of the required volume for the mitigation of all storms, based on DEC and Village requirements. At this point, the pond they are proposing will alleviate all problems and there will be no impacts to on-site or downstream runoff rates.

At this point Chairman Sewitt asked D. Lindsay for his comments. D. Lindsay said that he had received a new plan and a new drainage report, which he had reviewed. He said the plan is not new, as it is the same plan that was in the original approval. They simply want to be able to phase some items to allow them to construct the dam.

Chairman Sewitt acknowledged that responses had been received from both the Department of Public Works and the Orange County Planning Department. Both said they were local determination with no impact.

Chairman Sewitt then opened the floor for comments and questions from the public. There were none, so S. Conroy made a motion to close the public hearing. T. Bompensiero seconded the motion. The vote was as follows:

G. Sewitt — In Favor
T. Bompensiero — In Favor
M. Hunter — Absent
S. Conroy — In Favor
L. McNeill — Absent

Chairman Sewitt explained that SEQRA had been done for the original subdivision, so S. Conroy made a motion to reaffirm SEQRA. T. Bompensiero seconded the motion. The vote was as follows:

G. Sewitt — In Favor
T. Bompensiero — In Favor
M. Hunter — Absent
S. Conroy — In Favor
L. McNeill — Absent

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Chairman Sewitt then read the resolution of approval, after which T. Bompensiero made a motion to accept the resolution as written, with the changes discussed this evening, and authorize the Chair to sign it. S. Conroy seconded the motion. The vote was as follows:

G. Sewitt In Favor
T. Bompensiero — In Favor
M. Hunter — Absent
S. Conroy In Favor
L. McNeill — Absent

MISCELLANEOUS

Chairman Sewitt explained that the agenda is very light, and there is nothing that needs to be done at the next meeting on January 6, 2010. Also, there is a chance that there will not be a quorum to conduct a meeting. As a result of this, T. Bompensiero made a motion to cancel the meeting of January 6, 2010. S. Conroy seconded the motion. The vote was as follows:

G. Sewitt — In Favor
T. Bompensiero — In Favor
M. Hunter — Absent
S. Conroy — In Favor
L. McNeill — Absent

There was no further business for the Board to conduct, so after wishing everyone a happy holiday, S. Conroy made a motion to adjourn. T. Bompensiero seconded the motion. The vote was as follows:

G. Sewitt — In Favor
T. Bompensiero — In Favor
M. Hunter — Absent S.
Conroy — In Favor L.
McNeill — Absent

The meeting was adjourned at 8:10 p.m.

Respectfully submitted,

Cale A. Naugle
Planning Board Secretary