

**Village of Woodbury
Planning Board Meeting
February 3, 2021**

Minutes of the Planning Board Meeting held on February 3, 2021 at 7:30 pm
(This meeting held via Zoom)

Present: Christopher Gerver, Chairman
Robert Anzalone
Richard Cataggio
Sandra Capriglione
Thomas Deluca

Absent: None

Also Present: Andrew Giacomazza, Village Board Member
Richard Golden, Planning Board Attorney
Natalie D. Barber, Engineer
Jon Bodendorf, Engineer
Jonathan Lockman, Village Planner
Phillip Grealy, Traffic Consultant

Christopher Gerver opened the meeting with Pledge of Allegiance.

1. Executive Session: No Executive Session was necessary.

2. Public Comment: No member of the public had comments.

3. Approval and Acceptance of Previous Minutes:

Motion was offered by Chairman Gerver, seconded by R. Anzalone to approve and accept the minutes as submitted of the meeting held January 6, 2021. Chairperson Gerver conducted a roll call of the Board which resulted in the motion being:

ADOPTED

AYES 5 Chairperson Gerver, R. Anzalone, R. Cataggio, S. Capriglione, T. Deluca
NOES 0

4. New Business: N/A

5. Regular Agenda:

A. Friedman - Review and discuss site plan submitted for conversion of an existing 1,000 sq. ft. addition of a single-family home to be used as a Place of Worship. Said property is located at 32 Blueberry Lane in Highland Mills and is known on the Village of Woodbury Tax Maps as Section 217 Block 2 Lot 4.2.

General – This improved 1.49-acre property with an existing two (2) story single-family dwelling is located at the end of a cul-de-sac, Blueberry Lane. The property borders Cromwell Lake to the East and Skytop Road to the South. The applicant proposes converting a portion (1,000 SF) of the existing dwelling to a Shul and adding other site improvements, primarily related to parking and sidewalk, to accommodate this use.

Background – This was last considered in October 2020, at which time the Planning Board requested a narrative describing waivers requested and proof of substantial burden, information on parking demand, clarification on building areas designated for each use, access, as well as other information listed in the Planning Board consultant’s memoranda.

Engineer, Alfred Fusco representing the applicant gave a brief description of what the applicant proposes. The applicant would like to turn a portion of the home into a house of worship. A community Shul for about 12 participants. Mr. Fusco acknowledged by adding a house of worship to a residential home would increase the Bulk Requirements which the applicant does not meet. He noted they will need waivers due to the bulk requirements. Mr. Fusco proceeded to list the bulk requirements the Planning Board Consultants listed in their memos. He spoke on how attractive the property is especially during the warm weather. He mentioned having done a traffic study and maybe having a parking issue but noted there will be about a dozen parishioners walking not driving to the property.

Engineer, Natalie D. Barber said since the applicant’s appearance in October a revised plan was presented to show some addition parking, sidewalk location and the relocation of the neighbor’s driveway. As per the relocation of the driveway, she recommends a minimum consent from the owner should be required. She continued to say Mr. Fusco described how the applicant will apply for waiver. It’s based on the substantial burden to religious practices and the applicant is responsible to demonstrate the burden it imposes based on the code requirements. Ms. Barber said the waivers required are for lot area, lot width, front yard and lot coverage. Also, it’s important to know which area of the home will remain single-family home and what’s designated to be a Shul since it would impact the water and sewer demand.

H2M Memo Dated January 28, 2021:

Waiver Requested

- *Lot Area – 3-acres required, 1.49-acres provided; waiver requested. The applicant’s plan should be updated to reflect the total acreage required (3-acres) to demonstrate the extent of the waiver requested.*
- *Lot Width – 175-ft required, 158-ft provided; waiver requested. The existing lot width is non-conforming to the bulk criteria for a single-family home (175-ft required). The Shul requires 125-ft.*
- *Front Yard – 50-ft required, 47.1-ft provided; waiver requested. Applicant’s bulk table should be updated.*
- *Coverage – 10% permitted, 19% proposed; waiver requested.*

Ms. Barber said according to the floor plans it shows a measurement 1,000 sq. ft. H2M calculated 2,763 sq. ft. used as a Shul. Therefore, the parking use would be larger requiring 14 spaces for the Shul along with two spaces for the single-family home totaling 16 spaces. She said at the moment the plan shows 5 parking spaces in addition to street parking spaces, not satisfying the code requirement. Ms. Barber said the narrative from the applicant tried to describe the parking spaces, but it was confusing and it didn’t make sense. She asked that it be clarified.

Parking – The Code (§310-40) requires a residential dwelling have two (2) spaces per dwelling unit and a place of worship have one (1) parking space/200 square feet of gross floor area or one (1) space/three (3) seats whichever is greater. At their last appearance the applicant was advised the congregation area should be clarified for confirmation of required parking. Although the application is listed as a 1,000-SF conversion of an addition in a single-family home to Shul, the floor plans submitted show 2,763-SF of area will be designated for the Shul. Parking required based on worshippers (12 expected) requires 4

spaces. Parking required based on Shul floor area (2,763-SF) is 14 spaces. Based on this assessment it appears 16 off-street parking spaces are required. The area reserved for the Shul should be clarified by the applicant and the parking demand calculation updated. Five (5) off-street spaces are shown.

In addition to the number of spaces required, we believe the following issues related to parking should be clarified:

- [§310-42.C.(1)] No parking space may be located within 10-feet of a residence district. Plan appears noncomplying at Southern lot line, but with the change to the plan the location of this property line is unclear and requires clarification.
- [§310-42.C.(2)] Applicant should confirm the screening requirements for parking spaces adjacent to residence districts are met. Landscaping between the retaining wall is now shown. We defer to your Planner for acceptability.
- [§310-42.D.] “All uses shall provide sufficient space on the same lot so that any storage lanes for traffic... will not... utilize public rights-of-way”. Blueberry Lane is a municipal road. The revised plan shows six (6) on-street parking spaces along the cul-de-sac. The Code requires 16 “off-street spaces” and for this we think you should consider the requested waiver as if the on-street parking is not proposed.
- [§310-40.C.] The Code allows the Planning Board to reduce the Code required number of parking spaces up to 25% if a use or combination of uses on a worship” your code allows for non-compliance if the parking requirement would “place a substantial burden on the religious exercise of a person, religious assembly or institution”. In such cases, the Planning Board has discretion to determine the appropriate amount of parking.
- [§310-40.A.(2)] The applicant should show the dimensions of the parking stalls on the plan. The Code minimum (9’ X 18’) should be confirmed where the spaces are not uniform on the plan.
- The parking stall detail on the plan includes a note about handicap parking stalls. This space should be shown on the plan and a proper detail provided.

Ms. Barber spoke of the water and sewer report for the property. She said a bacteria analysis was received and a report with findings on a dye test for the septic system. She asked the applicant to confirm the usage to be 620 gallons per day and to also demonstrate the well can produce the volumes as required. Also, additional testing should be done as per the DOH recommendations.

Wastewater Disposal – The plan depicts the location of the septic tank and assumed location of the absorption field. We note the subdivision plan we have on file places the absorption field for this lot approximately in the center of the proposed parking circle. The applicant submitted a report on a dye test that was performed in October. We have a couple of follow-up questions on this test:

- i. Was the location of the leach field confirmed? The plan submitted identifies an approximate location which varies from the subdivision plan we have on file.
- ii. What is the status of the septic tank? Was an internal inspection performed? What is the size of the septic tank? Does the capacity need to be increased to account for the increased flow? We recommend you consider with input from Counsel if restricting the Shul occupancy is appropriate to maintain water and wastewater limits within the capacity proven.

Ms. Barber mentioned receiving results of a dye test from the engineer but has some questions regarding the size and condition of the tank. She said due to a previous plan it showed the location underneath a paved parking area while the most recent plan shows a different location.

She said if the water and sewer facilities are acceptable. Her suggestion to the Board is limiting the number of worshipers as a condition of their action. Ms. Barber mentioned comments that were made regarding Storm Water.

Stormwater Management – The site plan does not show the existing nor proposed grade lines. We assume the site drains to Cromwell Lake, but this will need to be confirmed. We recommend the applicant show the 50-ft and 100-ft buffer from Cromwell Lake in accordance with the Water Quality Protection Overlay District to confirm any impacts to the buffer and adjacent areas. We would not expect the modest increase in impervious area to affect the on-site drainage. However, the applicant should provide an erosion and sediment control plan.

There were other comments, but she believes they would be answered on future revisions. Ms. Baber brought up the topic of relocation of the driveway onto the neighboring driveway. She believes a consent from the neighbor is required.

Village Planner, Jonathan Lockman began to go over his memo dated January 27, 2021. Mr. Lockman said he too commented on the site plan showing 1000 square ft. for the Shul, but he noted the same number Ms. Barber had 2763 square ft. His request is for the floor plans to be labeled along with the size of each specified room. The space considered for prayer is slightly under the fire code of 65 people, so he is questioning if 12 worshipers is a realistic number since it was reduced from 25 worshipers. That being said it can be added as a condition. He noted that there are no existing plantings in the landscaping plans, so he would like to know what would be planted if not, show what is currently there.

Regarding parking, Mr. Lockman said 16 spaces will be required. There are off-site parking spaces on the cul-de-sac. He also mentioned an earlier version of the application showing an island by the end of the driveway that was going to be removed. It is now back showing parking spaces going around the back, and some spaces are not wide enough or it shows difficulty to park in those spaces. He asked the engineers to take a look when possible.

Chairman Gerver asked why the number of worshipers decreased by 13. Engineer Fusco said he initially put in 25 worshipers prior to speaking to the applicant. He said the existing rooms are that large, its being converted to a house of worship. The applicant originally said 12 worshipers, but I wanted to go with a larger number due to the size of the rooms. He said as the consultants stated they are willing to take a conditional approval on 12 worshipers. Engineer Fusco said he will provide the dimensions of each room, name of the use for each room and show the relation to the residential use, he will be sharing photos of the area as well. All will be submitted prior to the next meeting with the applicant. According to the Mr. Lockman notes he said asked if the 2,763 adds up to the basement level - Mikvah dressing room, office and conference room with a waiting area, Shul pantry and mechanical room for Mikvah. First floor – Prayer room or main sanctuary, library, and a study. Engineer Fusco adding the laundry room as well add up to that square footage.

Chairman Gerver asked about the water retention. In other applications there have been a system collecting rain water and turning it into a landscape feature. He asked if the applicant plans to have one. Engineer Fusco said he believes it's the filter room.

Chairman Gerver said the Board received the applicant's narrative on the project, but it still needs to show in detail how it impacts the applicant's ability to practice on site. Engineer Fusco said he will do as requested.

S. Capriglione asked if Engineer Fusco know the exact location of the Shul that located a mile away. Also, because of other Shuls and Mikvahs applications she's noticed certain restrictions whether it's including children or children attending with their fathers, she would like to see the numbers. Now the number is 12, but she would like to see how it would be broken down. Engineer Fusco said they would have that information for the Board soon.

Chairman Gerver asked Engineer Fusco to discuss with the applicant other details like the time of operation, outside lighting and other things that go along that line.

R. Anzalone asked if the facility will be operating 7 day a week. Engineer Fusco said yes.

R. Cataggio asked what is the maximum capacity of a Mikvah in terms of women. Engineer Fusco replied there would be no women. Although there are many rooms in the basement as R. Cataggio noted, Engineer Fusco said the Mikvah will be built out using the existing rooms. S. Capriglione asked if children will attend as well. Engineer Fusco said only on Saturdays. S. Capriglione and T. Deluca asked if the children are part of the 12 worshipers and Engineer Fusco said no, the children are an addition to the 12 worshipers. Chairman Gerver asked the Engineer Fusco to have that clarified with the applicant. Mr. Lockman clarified, the minimum size for religious gathering is 10 adults. If 10 adults attend it leaves 2 spots for children.

R. Cataggio noted the basement only has one bathroom. In his opinion, due to the amount of people attending, there should be more than one bathroom. He asked if the Engineer Fusco can show a breakdown showing the residential vs the house of worship areas. Engineer Fusco said he just received that information and will forward it to the Board soon. R. Anzalone asked if currently there's a 3-person bathroom. Engineer Fusco said he will get back to the Board on that.

Chairman Gerver asked if there would be services for children for instance a day care or religious services other than prayer. Engineer Fusco said no. The applicant clarified the children will be accompany with their fathers on Saturdays, there won't be any other services for them. As for the bathroom in the basement. He said the Mikvah will only be used for 2-3 people at a time, it won't be used heavily. The applicant continues to say there is one bathroom in the basement and a few bathrooms upstairs. Chairman Gerver asked if the bathrooms will have a stall for men and a stall for women. The applicant said they won't be providing a separate women's area. It's a Shul for men. Mr. Lockman said the Board and consultants are looking for clarity for water and sewer system; need to know the amount of water that will be used hence the questions on the bathrooms. Especially for special holidays where the number may increase. The applicant said it's a neighborhood Shul and the congregates will most likely walk home to use their own bathrooms. Since their homes are close by.

Chairman Gerver explained to the applicant the reasoning for the number of questions, since this application is different from other Shuls/Mikvah application in the past and the Board just want a better understanding.

Engineer Fusco said they are looking for 600 plus gallons of water for a day usage. He believes the Department of Health will not require a water test. Ms. Barber said the water testing will be required whether the Department of Health mandates it, because the review of the water supply will be by the Building Department and Planning Board. She references her memo regarding the dye test, assuming Engineer Fusco will be able to provide an answer.

Wastewater Disposal – The plan depicts the location of the septic tank and assumed location of the absorption field. We note the subdivision plan we have on file places the absorption field for this lot approximately in the center of the proposed parking circle. The applicant submitted a report on a dye test that was performed in October. We have a couple of follow-up questions on this test:

- i. Was the location of the leach field confirmed? The plan submitted identifies an approximate location which varies from the subdivision plan we have on file.*
- ii. What is the status of the septic tank? Was an internal inspection performed? What is the size of the septic tank? Does the capacity need to be increased to account for the increased flow?*

We recommend you consider with input from Counsel if restricting the Shul occupancy is appropriate to maintain water and wastewater limits within the capacity proven.

Chairman Gerver referred to landscape islands done previously in the Schunnefunk application. He asked if it would apply to this application. Mr. Lockman doesn't believe that would be the case for this application. He

doesn't think there is enough parking spaces to implement. If there were more than 5 parking spaces, then that is something the Board can require.

S. Capriglione asked if the 2,763 square feet is the correct size for the Shul. Engineer Fusco said yes. She found that size too large for 12 worshipers. She asked if there's anticipation for the number of worshipers to grow. Chairman Gerver said the applicant stated he is willing to take a condition of approval on the number of congregates.

Engineer Fusco asked if a public hearing can be scheduled, and Chairman Gerver said there are so many changes, amongst those updated submissions need to be reviewed by the Board and consultants and he rather not schedule a public hearing to then leave it open. It not time to schedule a public hearing.

Attorney Richard Golden referenced the number of worshipers. He noted the applicant confirmed 12 adult worshipers with children, which can easily add up to 25 worshipers. He suggests a study to be included on how many adults including children will be there. As for parking, in the narrative it should include the people driving and walking since it will be open all week long and especially on Sabbath. Mr. Golden reference the narrative that was provided as per his request in the last meet with the applicant. Although the narrative that was provided described the project and the variances needed, there was only one sentence that addressed the issue of substantial burden..." Without the approval of the waivers the local families within the neighborhood will have to travel to worship in alternative schools." Mr. Golden said he doesn't think that satisfies the showing of a substantial burden on the exercise of religion. Although there's a right on religious use on a property, waivers are needed for the bulk requirements. There's no guarantee that there can be any size of religious services, it depends on circumstances. Including a demonstration of substantial burden on exercise religion. Mr. Golden continues to say there should be a discussion as to why for 12 worshipers the Shul is over 2,000 square ft. when initially it was 25 worshipers in 1,000 square ft. The Board could determine 1,000 square ft. may be best for 12 worshipers, and if more is required then it needs to be demonstrated. He also said the applicant may be subject to the new water quality overlay district because its adjacent to Cromwell Lake. He asked that the applicant looks into it and see if they are subject to it, if so to comply with the requirements of the water quality overlay district. The driveway; it looks like the applicant will be using a driveway from a different property. He said the applicant will have to get an owner authorization for it to be included in the site plan as well as any potential easements or other recordings that may be needed in order to for that access to occur. Engineer Fusco understood.

- B. Schlesinger** – Review revised materials submitted for proposed 3 lot subdivision located off of Sequoia Trail and Schunnemunk Rd in Highland Mills. Said property is known on the Village of Woodbury Tax Maps as Section 204 Block 1 Lots 2 & 3.

Background – The applicant's last appearance before the Planning Board was in March 2020. The Board discussed the availability of a central water and sewer district connection among other issues including access and clearing limits. The public hearing for this application was closed on November 20, 2019, which would typically initiate a 62-day time period for making a decision. The applicant agreed to waive the time period to allow the Board to make a decision. This waiver may be rescinded initiating the time limit on action. SEQR remains to be concluded.

Engineer David Higgins representing the applicant began giving a brief background on the application. Back in March 2020 plans were revised and comments from Engineer Dennis Lindsay were brought forth. The public hearing was closed at that time SEQR was deterred due to the possibility of appearing in front of the Village Board of Trustees. A waiver was needed due to the septic system was proposal for each of the 3-lots. Since then minor changes were done and Mr. Lindsay's comments were addressed. He mentioned the applicant's attorney having correspondence indicating they are in no need of a waiver since the lots are not in the service area.

Engineer Barber said many of comments in the H2M memorandum have been addressed. She highlighted two issues, the property isn't within the Village sewer area and the public supply is by others. The Planning Board is to decide whether to waive the requirement for shade trees or tree plantings along the frontage. Previously the applicant had indicated that only lot 1 will be developed. Testing was done for one of the lots. The sewer disposal system was witnessed by the Building Inspector. However, she recommends adding a condition; the other lots should be tested and witnessed by the Building Inspector and a recommendation that quantity and quality be proven prior to the final plot approval. The Building Inspector Gary Thomasberger was spoken to regarding the requirement of shade trees, whether it can be waived by the Board. The Building Inspector Thomasberger verified that it has been done in the past for other applications where vegetation was present on the right of way or street line. She noted if the Board chooses to waive that condition, she thinks the Board can include a condition that healthy trees are maintained along the roadway. Renderings were provided attempting to demonstrate potential visibility of the site and in her opinion the visibility is limited.

As per the the new code provisions for ridge preservation it requires or allow the requirement of an easement preserved for landscaping. Ms. Barber thinks it may be appropriate for this application. She continued to go over her comments in her memo.

Mr. Lockman began to go over the comments from NPV memo dated January 27, 2021. Mr. Lockman said the submissions were unclear, it was difficult to see the Zoning District boundary. He continued to mention the pages/sections that were unclear and needed some updating.

Submission Comments:

1. It is difficult to see the zoning district boundary between R-2A and R-3A on the subdivision plan. We would suggest using color and/or a different line type.

2. The information on the house sites, wetlands, septic systems, etc. found on sheets 2 and 3 should be shown on sheet 1 so that the overall context of the house sites on the entire plan can be visualized for the entire subdivision.

3. Once the determination of the Village boundary line location is received from Orange County, the revised line should be included on the plans.

4. Any federal or State wetlands should be flagged. Jurisdictional determinations by the Army Corps of Engineers and NYS DEC should be provided. The stream leading into Shadow Lake from the north and its outlet to the south should be clearly indicated, with stream buffers shown, per Local Law 6 of 2020 (not yet codified).

5. Sight distance measurements should be provided for the proposed driveways for Lots 2 and 3 and adequate stopping sight distance verified. The proximity of the curve in Schunnemunk Road to the north, as well as the speed of traffic, should be considered in driveway placement. Some clearing may be necessary to provide sight lines per §310-14.C.

6. Proposed grading should be indicated within the areas of disturbance for the three house sites. We defer to the Village Engineer's determination regarding drainage and erosional control.

Mr. Lockman noted the definition of lot area in Local Law 5 of 2020 was changed.

7. Lot areas need to be adjusted with steep slopes and wetlands deducted pursuant to the new definition of lot area in Local Law 5 of 2020 (not yet codified).

He referred to comment #9 in his memo, and it has to do with Lot 2. If it's subdivided in the future, there is an access road shown on a separate plan sheet. That road can provide access to the rear, if further down the road it's decided for subdivision. His recommendation is to show the access road on the subdivision plan, it shouldn't be on a separate sheet.

9. As the proposed Lot 2 is nearly 100 acres, the Planning Board requested that the applicant show potential road access to the rear, and future subdivision of this large piece is highly likely in the coming decades. The conceptual road location provided is on shown on a separate plan sheet from the subdivision set. We

recommend that the conceptual road across Lot 2 be shown as a future phase on the subdivision plan, so that the record is clear as to how future phases will connect.

Mr. Lockman went over his SEQR comments. He said his comments wasn't noted in part 1, so he would like to have these comments addressed in SEQR moving forward.

10. We note that per §310-13 of the Village Code, all areas of the Village with a natural elevation "above mean sea level of 600 feet" are designated as a Critical Environmental Area. We are not certain whether this CEA was filed with the Commissioner of DEC pursuant to 6 NYCRR 617.14(g)(2) as it does not appear on the State's catalog of CEAs. As we were not involved in the preceding SEQR review, we defer to the Planning Board Attorney on whether this CEA has already adequately and appropriately been considered, or whether it merits further consideration given its current status. We would be happy to assist the Planning Board Attorney and/or Village Attorney in determining the status of the CEA and uncovering why it is not listed in the State Catalog of CEAs.

11. We typically recommend that applicants be required to use the NYS DEC EAF Mapper to create their EAFs and to submit the EAF Mapper Summary Report along with the EAF. In this case, the EAF Mapper indicates that the property contains areas designated as sensitive for archeological sites. The EAF submitted by the applicant does not indicate this. Further, the EAF Mapper indicates the potential presence of threatened or endangered species of Indiana Bat, Northern Long-Eared Bat, and Timber Rattlesnake. The EAF submitted by the applicant does not list these species. Similar to our comment 10, since we were not involved in the earlier SEQR steps with this application, we defer to the Planning Board Attorney on whether these matters were already adequately and appropriately considered.

Mr. Golden said in the last application he indicated a new law "Water Quality Protection Overlay District" was enacted and it looks like there's a trigger area. He advised the applicant to go over the law and make sure they are complying. He referred to Mr. Lockman's comment on the EAF part 2. He said he did not see the mapper information that are attached to part 1. Engineer Higgins said it was probably when they made the submission the site wasn't working properly, so an EAF form was filed without using the online service. Although he said he did check the mapper after receiving Mr. Lockman's comments and it does say what he indicated. He said he will address it and get back to the Board. Mr. Golden said prior to the next meeting the applicant should submit EAF part 1 with the mapper and explanations with respect to the trigger aspects.

Engineer Higgins asked where he would find the code for the Water Quality Protection Overlay District. Mr. Golden said it should be codified if not to give him a call and he'll be able to provide. Chairman Gerver provided the link in the chat group to access the code.

Mr. Golden said there is a municipal boundary line issue on the property with respect to the Village of Woodbury and the Village of South Blooming Road. The boundary dispute between municipalities usually takes a long time to resolve. It may not be resolved before the Board can make their decision. Mr. Golden indicated that he will have something in the resolution that would indicate that to whatever extent this decision affects lands that are outside of Village of Woodbury, that the Board's decision will be restricted to those lands within the Village of Woodbury.

Chairman Gerver confirmed with Mr. Golden to hold off on the EAF.

Engineer Higgins asked to address some of Mr. Lockman's comments. He refers to comment #2. His preference is to keep sheet 1 clear considering the county. Since the clerk's office likes to have everything clear, text legible and not cluttered. He may add the house sites and driveway, but not the wetlands. He feels sheet 1 will get cluttered, then it will be hard to find the property line information. Mr. Lockman said he had to look at several pages to locate the information he was looking for. Mr. Lockman suggested that Engineer Higgins make a detailed sheet to see the relation. Engineer Higgins said he'll take care of it.

He referred to comment #3 the Village boundary line. He said his surveyors have been in contact with the surveyors at the county tax map office. They will be sending the map so it can be seen and hopefully they can

review and agree to it. Mr. Golden warned it may take longer because there's two different jurisdictions therefore two different taxing jurisdictions.

Engineer Higgins moved on to comment #5. The sight distances are shown on sheet 3 with a table. Mr. Lockman said he may have missed it. Engineer Higgins the sight distances meet the requirements.

He continued with comment #6, saying it will be added in the next submission.

As for comment #7 Engineer Higgins said the calculations are shown on sheet 1 based on his understanding of the Local Law. Mr. Lockman said it will be helpful it can be labeled on each to show the net acreage. Engineer Higgins said he understand, and they'll take care of that.

He went to comment #8. Mr. Lockman said he's curious as to how it will be when you can profile the highest house. Engineer Higgins said they will provide the other two, the view from the intersection. He picked the house on lot 3 was because it was the closest and because it's a straight shot down the road. He said he will add those profiles in the next submission.

Engineer Higgins refer to comment #9 and he said in the previous meeting a map was shown and he said it was agreed that the conceptual road would not be on that map because the map will then be filed with the county clerk's office. A note was included instead on sheet 1, indicating there's a map on file with the Village of Woodbury Planning Board. Mr. Lockman apologized for any confusion he may caused. Engineer Higgins made it aware this topic was discussed several times prior to this meeting.

Engineer Higgins went over a comment from Ms. Barber's memo, referencing the percolation test for lot 2 and lot 3. In the past there were soil testing with the Building Inspector Thomasberger. He said he sent an email to Mr. Lindsay and Sean Hoffman in July 2019 indicating a site visit with the Building Inspector Thomasberger and it was determined that given the size of the lots, there was no need for a soil test. Ms. Barber said she will check with Mr. Lindsay.

Engineer Higgins had a question regarding well testing. Well testing is part of the site plan; it's part of the ARB and the applicant is required to go back to the Planning Board. He wanted to know when it needs to be done. Ms. Barber said its recommended for it to be proven before the final flat approval. For information purpose she referred to the subdivision code (section 2723- requirements of 310 zoning for site plans). Applicant's attorney said only one lot is approved for developing and he finds it excessive to require well drilling for one lot. The other lots will later come back for a review, so he's asking the Board if it's necessary to require a well drilling before getting a subdivision approval when the Building Department can handle this issue. Attorney Golden advised the Board of what is essential prior to approving the lots, that is water and septic and sewer. He said the Planning Board as always made sure there is adequate water and sewer for each parcel before an approved subdivision. Mr. Golden's advised the Board was that they need to be certain there is water and sewer before approving a subdivision.

Chairman Gerver asked if the only way to go is well drilling. In Ms. Barber's opinion developing the well is the way to go. She understand that lot 1 is approved the well has to be drilled. If it was five or more lots it would be the responsibility of the Orange County Health Department, since its less than five lots the responsibility falls on the Building Department and the Planning Board to make sure the water and sewer facilities are adequate. She reminded all that when it comes to subdivision, capacity and quality are to be verified prior to final plot approval. Engineer Higgins said he will review with the applicant. He asked as per the Orange County Department of Health is it a 4 hour test and its demonstrated 5 gallons per minute. Ms. Barber said yes. She continues to say that Engineer Higgins should submit a pumping test plan to H2M for the Board's review. Engineer Higgins said they will submit it.

Engineer Higgins began to respond to Ms. Barber's comments on federal wetlands not flagged. He said the general vicinity of the wetland was delineated by Michael Nowicki. He said the wetland on lot 1 was indeed located and was mapped and noted on sheet 2. He said its the land is large and they are not really looking to develop those lots. He said they used Orange County Water Authority mapping, so they don't have jurisdictional determination. Since they are not proposing any wetland disturbance Engineer Higgins believe it may have trigger jurisdictional determination. He's hoping what they have is sufficient. Ms. Barber said it wasn't her comment and she's recognized that in sheet 2 the note is written and flagged. The disturbance of the wetlands were discussed in the past, mentioning no wetland disturbance. She said there could be, therefore may be a condition. Engineer Higgins said that would be fine.

Engineer referred to the ARB review. He asked if that was something they can do after the subdivision map. He wasn't sure what has changed as per the terms of the Local Law. Mr. Golden said there are no changes to the new local law on ARB except for timing. He said sometimes the application is for subdivision or site plan and ARB and the applicant will then choose to separate them. Unless it goes to the ARB, it then be deferred in that aspect of it to an amended subdivision that would include the ARB review. Engineer Higgins understood.

As she pointed out in their last meeting. S. Capriglione asked if Engineer Higgins was able to check the pipes that crisscrossed on the property. Engineer Higgins said he has asked around and looked for those pipes, he's mentioned it to his surveyors and no one has seen the pipes. S. Capriglione offered to send the pictures she previously took and explained the location where she found them. She believes it's in lot 2, she gave a brief description of the area. The pipes are above ground and underground. Engineer Higgins asked how far off the road are they adn she said maybe 75 ft. to 100 ft. Chairman Gerver shared the pictures of the pipes on the screen. Engineer Higgins said he'll go back and take a look. He asked Ms. Barber to asked Mr. Lindsay if he can recall of any pipes in that area.

The applicant said he started the application back in 2015 and he hasn't closed on the property as of yet. It has turned out to be costly and he is asking if it was truly necessary to the well drill now or can it wait till after closing on the property. Ms. Barber listed steps that need to be taken when pursuing preliminary plan approval, leading to final plot approval. Since things are time sensitive she asked for the status. Engineer Higgins said there are items that need to be given to the Planning Board prior to the final approval. He listed a few like metes and bound descriptions and right of way. He's waiting on the DEC for storm water species permit for disturbance of less than 5 acres. He said after preliminary approval they will provide all that information. Engineer Higgins said between prelimary and final the only benefit to postponing would be if it can be put off till site plan with ARB review. Mr. Golden said his advice to the Board is to be consistent with how they have done things in the past. Ensuring there be adequate water and septic capabilities for each lot in a subdivision prior to giving a final subdivision approval. Chairman Gerver said they have never wavered from that and believes its the right thing to do to protect any purchaser of the land going forward.

The applicant added that the Village does not provide water for the entire subdivision. Mr. Golden said yes. Its not connected to the Village and therefore the Board must ensure that it has adequate non-municipal source.

The applicant and a representative of the subdivision commented saying they are only trying to buy and not sell. He said they are buying the corner property containing one house. He continues to say they are trying to prove the septic, they have been bounced around. The land is 6 acres and based on the entire area, he doesn't think it should be questioned if there's adequate water sewer. As buyers they are trying to get all the information needed in prior to approval but to require the buyer to spend time and money to prove if there's water. He believes if there is an issue, then it falls on the buyer and he doesn't have an issue with that. He continues to say there is a possibility they may not build. The representative expressed his frustration, saying if the question is about water and protecting the buyer then he is waiving all the rights and all the questions. He said they will have water and they have proven the sewer, so there shouldn't be any issues. He said they have appeared in front of this Board so many times now and he's asking if they can wrap it up as soon as possible. Mr. Golden said water has always been issue for this Board. He said the Board has not delayed this application, it has been

almost a year since the applicant's appearance and it has not been because the applicant has been denied. Mr. Golden clarified the amount of times they have appeared before the Board since 2018. He said the Board has been consistent with every subdivision approval. The representative of the subdivision they have been asked to check if they can connect to the water and sewer district and they did and yet they are bounced around. The applicant asked if they were to connect to the private water district, would it be suffice. Mr. Golden said if the applicant proposes water supply through some other means other than wells then they should propose it and Ms. Barber will review it. If its subject to another water district and they have a well served letter that is one possibility. He continued to clarify it depends on the particulars of what they are proposing. He said the Board is not asking to drill a well if you don't need one. Just show there's adequate water source.

The applicant's attorney added under this circumstance the only possibility would be to put a note on the map saying a well has not been drilled, the water supply has not been tested. He said that would protect the buyer. The applicant said he would add a disclaimer stating he will not hold anyone responsible. Mr. Golden said the buyer may one day become a seller. Ms. Barber said there's a preliminary plot approval for one lot, but there are two other residential dwellings. If those lots were to proceed to building permit then adequate water should be provided. Its in the code and a requirement of the Board.

The applicant's attorney asked if the requirement is one well or three wells. Chairman Gerver said there is one house being built and two more house to be built. Applicant's attorney noted in the plans the other two are not proposed to be built. Mr. Golden said under the subdivision law is to subdivide property for the purpose of resale and use as permitted. He said the applicant will have to have a deed restriction if they are not to build on the other two lots. Engineer Higgins propose to drill the well on lot 1 and test 15 gallons per minute, Mr. Golden said that is not the way the Planning Board has dealt with subdivision applications. He said it required for each lot to show that its a buildable lot with respect to developable and water and sewer. Those are the essentials.

The applicant asked for some clarification. He said since the Village does not provide water, the Village still demands that there be some source of water before its sold. Mr. Golden said before its subdivided, even though the Village doesn't provide water. He explained the purpose of subdivision is to divide property from the area that its in now into smaller lots. Lots that can be built on.

The applicant said he wasn't the owner and yet he is asked to spend so much money. He said he has spent close to \$100,000.00 in getting approvals amongst other things. It has been a financial burden.

Engineer Higgins mentioned the differences the county upholds. He asked if the Village of Woodbury recognizes a natural subdivision in its code. Mr. Golden said he wasn't sure if the Village of Woodbury recognizes a natural subdivision (divided by some road or some other water He recognizes that other municipalities may do. He will look into. Ms. Barber doesn't recall.

There was a question on the extension. He said the application was permanently extended, but if the applicant withdrew that extension, then the 62-day clock starts. Applicant's attorney said they will not withdraw at the present meeting, but would like to withhold the right to do so in the future meetings.

Chairman Gerver offered a solution to help the applicant without straying away from the Planning Board's practices. He said if the Board was to approve the application as is, could the Board condition the approval that any further subdivision or building of lots outside of lot 1 must prove adequate water. A building permit could then be issued on those lots. Mr. Golden said the Board can do so, but if there's going to be a further subdivision it will go back before the Board, and it can be conditioned as upon no building permit could be issued until adequate water is done. Its allowed legally, but the result would be that if there was no adequate water at that time, it will turn into an unbuildable lot approved by the Board, putting the Board in a bad position.

Applicant's attorney read the definition on subdivision and said he will discuss it with Mr. Golden on another occasion. The representative of the subdivision expressed his thoughts. Chairman Gerver thanked everyone for their comments and thoughts.

- C. Rainbow Group Inc/Marriott** - Review status of project and site plan for proposed 108 room hotel to include guest amenities parking and associated utilities. Said property is located at NYS Route 32 and Turner Road in Central Valley and is known on the Village of Woodbury Tax Maps as Section 226 Block 1 Lots 6.1, 7.and 8.

Background – The applicant is proceeding in accordance with Local Laws 3 and 4 of 2019 which amended the comprehensive plan and created a Hotel Overlay Zoning District as adopted by the Village Board of Trustees on June 13, 2019. The hotel development is proposed to be located on three (3) tax lots that are currently improved with residential and business structures intended to be razed. The applicant last appeared before the Planning Board in December 2019 to discuss a conceptual layout for the proposed hotel. The Board advised the issues of access and proposed road improvements are important considerations for this application and authorized meetings with the DOT and ESO's to solicit early input. On August 25, 2020, a meeting with DOT was held. On September 3, 2020, an ESO meeting was held. On September 9, 2020, the applicant was informed they should resolve the issues with the DOT before returning to the Planning Board.

Engineer Steve Esposito gave an overview of the application. The application was resubmitted back in February, the pandemic hit and yet they were authorized to work with consultants to evaluate access onto Rt. 32. He said there is also another hotel application to the south of them. He said in August the consultants had a meeting with the DOT and both applicants along with the Planning Board consultants to discuss concepts or alternatives for both applications and individual applications. There was an arranged ESO meeting, and they received input on concepts that they are evaluating at the time. He said a letter was received from the Planning Board to resolve the access issue with DOT prior to a meeting with the Board. They worked with the consultants and Mazer Consulting. Engineer Esposito said in December 2020 they started a process called PERM 33 consisting of three parts. A concept plans with two alternatives for access onto their site, a traffic impact study, and location plans. He said the DOT got back to them with some preliminary comments. The DOT wanted them to combine the two alternatives. Which came about the plan that has been submitted to the Planning Board.

Engineer Esposito spoke of distances and proposed access from Turner Road. He said they wanted to realign Turner Road. Right away issues that currently exist were discussed with the DOT and at the moment it needs work. The site if made of 3 tax parcels, two to the north have not been before the Planning Board for some time. The deed lines goes out the center line of the road. The parcel to the south must have been in front of the Planning Board at some time. Turner Road was taken by the Village, so an offer to the Village of Woodbury to modify the right of way of Turner Road. A proposal as well will be given to the DOT.

Traffic Consultant Carlito Holt said a traffic study was submitted dated December 2, 2020, to the DOT and Village of Woodbury. The DOT gave the green light to go ahead with part 2 submittal. Which helped to see how the new right of way and drainage will be laid out. He feels they are in a good position with DOT moving forward. He acknowledged receiving Traffic Consultant Phillip Grealy from Mazer Consultants memo as well. He said he doesn't have any issues addressing Mr. Grealy's comments nor find the comments changing their findings of the traffic study.

Mr. Grealy began to go over his memo dated January 28, 2021. There were some technical comments, he listed briefly that Traffic Consultant Holt can address clarifications on analyses, accident data, summaries, and other related items. No major issues. Mr. Grealy explained DOT recommendation; the plan would have a right turn in and right turnout access directly to Rt. 32 and the project site. Turner Rd would be realigned to a 90-degree intersection with Rt. 32 to remove the current condition and DOT agrees. He said it would be aligned opposite the motel. Mr. Grealy continue to say the left turn lane would be part of this application, so that traffic turning on to Turner Rd would be separated from the through traffic. Its what DOT recommends, and Mr. Grealy said he

agrees. He said there was a discussion that there was not enough traffic to warrant a signal light at the intersection, however in the future the turn lane installation would allow it if it was ever needed. He noted the analysis shows the left turn exiting from the site heading south onto Rt. 32 will experience delays. Again, the traffic signal at that location doesn't appear to be warranted based on their traffic generation figures. He mentioned the ESO meeting back in September and the intersection and concerns were discussed. Now that the DOT has given feedback and some direction, he said the ESO should be brought up to speed to get their feedback. Just to make sure ESO doesn't have any issues with the proposal.

Mr. Grealy mentioned the other hotel applicant. He said they believe the intersection improvements for the turn lane at Turner Rd. would accommodate traffic. As far as he knows the DOT has yet to respond to other hotel application. Which may affect the DOT's position on the signal light. Chairman Gerver asked if it's typical for the DOT to view these applications separately when they are right next to each other. Mr. Grealy thinks the DOT is reviewing them together. He said the other hotel application had a request for a new access, opposite of Oakland Avenue, which he believes the DOT is still reviewing. He believes the improvement Traffic Consultant Holt provided is an improvement for that intersection regardless of anything else.

R. Anzalone asked if it will this require an acquisition of property owners along the way to realign Turner Road. Mr. Grealy said there would be some dedication of the hotel property frontage to the New York State DOT as part of the final permit process. It does not require any other private properties its all within the Village right of way or the DOT right of way or lands that the applicant owns. R. Anzalone asked if there was a plan to add a sidewalk along the hotel property. Mr. Grealy said sidewalks were mentioned but that would be part of the final planned submission. He believes that would be appropriate as part of the reconstruction of the intersection. Engineer Esposito agree, once they reach that stage, they will be able to know the pedestrian access and sidewalk safety would part of it as well. Mr. Grealy said with these types of applications the DOT usually requires installations of sidewalks along their frontage.

S. Capriglione wanted to confirm the turns. Mr. Grealy said right turn in and right turn out on the northern side. Going south there would a left turn on to Turner to proceed onto the driveway to access the site. He said there will be a left turn lane onto Turner Road, so that southbound traffic can proceed and not create backups on Rt 32. Engineer Esposito shared the plan to showing the turn in and out access to the site. Pointing to the turn in and out northbound lanes S. Capriglione expressed her concerns as to how do they plan to prevent drivers from the southbound lane from making a left. Mr. Grealy and Engineer Esposito said there will be a no turning sign, plus there will be a raised island. DOT will adjust accordingly so that vehicles cannot make that left turn.

S. Capriglione asked if Rt 32 will widened to add that turning lane. Engineer Esposito said they are doing a very detail survey. He's hoping they don't have to widen it since its already wide.

Mr. Golden said the applicant's property line shows going outside the property line, going on Village property. Pointing to a certain area on the site plan, Mr. Golden asked if Engineer Esposito anticipated they the Village would deed over that section to the hotel. Engineer Esposito said yes. Mr. Golden said if that piece of land will be swapped from the Village, that would make the Village an involved agency for which they would have to give their permission. For SEQR purposes he wanted that clarified. Chairman Gerver said if that was the case, he would like this to be taken care of early.

Chairman Gerver asked if the DOT takes the Planning Boards input on what that intersection appearance (the layout of the island). Mr. Grealy said they will, but they go by their standards. Chairman Gerver has the same concerns as S. Capriglione. He mentioned the entrance to the Woodbury Commons has a similar idea and on a busy day it's been seen cars go up and over the raised islands, turn onto a road they're not suppose to go to. He asked instead of having a 6-inch curve, is there any design standard that can make it curve the right in and out. Just to make it obvious no turns allowed from the southbound lane. Mr. Grealy said yes. The idea would be best shown in the detailed design plan. He said the two-lane roadway on Rt 32, there will be a crosshatch striping in

that area. He said the height of the island and the striping around it would be a signal indicating the driver can not make that turn. Chairman Gerver asked if signs are optional. Mr. Grealy said yes.

Engineer Esposito believes that 90% of the occupancy in the hotel will be coming from Woodbury Commons. Traffic would be seen making the right in and right out and the exit.

S. Capriglione asked about existing homeowners that live by Turner Rd. They already have a difficult time getting on to Rt 32. She's concern with this new project; it will be even harder for them. Engineer Esposito said they will be going back to 17 through way corridor back to the common.

Traffic Consultant Holt provided a plan based on the DOT feedback to show the width of the lane on Rt.32 since there was a question earlier of whether it should be widening. Traffic Consultant Holt doesn't believe there's a need to widen it. R. Anzalone asked if there are any plans by the Dot to widen from a certain road like Buena Vista Rd all the way to Turner Rd on Rt 32. Mr. Grealy said there are no current plans. DOT is reviewing both applications together. As of yet, DOT hasn't made a decision on the access opposite of Oakland Avenue as proposed by the other hotel application. He said there may be some curbing work and some minor widening, but the DOT's focus is whether they will permit an access opposite of Oakland Avenue. R. Anzalone pointed out that beyond Bond Street there's a turning lane that runs all the way down Rt. 32 to Maple Avenue. He said it seems the road run from 2 lanes to 3 lanes then back to 2 lanes. He wishes the DOT to look at the entire picture, because it can be confusing for drivers. To make that request Mr. Grealy suggest the Village provide an additional letter to the DOT. Mr. Grealy said depending on what's decided across from Oakland Avenue, it would make sense to have a center-turn lane for the entire section of the roadway. The DOT's focus is on individual intersections for each of the applications.

Mr. Grealy pointed out a four-way intersection on the Traffic Consultant Holt plan. He said the DOT will take that into consideration when they look at the warrants and determination of the other hotel application. This will weigh in whether there will be a light signal installed.

Attorney Will Frank represent the applicant thanked the Board for placing them on the agenda. This is helping the project to move forward. He said he was appreciated that all had participated in the ESO meeting back in September. Just as the DOT is looking at this project and its traffic needs alongside the other hotel application. He wanted to point out that while the project and his client have every intention to cooperate with the other hotel application it's an independent project. He said whatever the outcome of the other hotel application they have asked DOT to keep moving forward with this project. Attorney Frank addressed Ms. Barber's memo dated January 28th. Attorney Frank referred to page 3 section 4 of Ms. Barber's memo.

4. SEQRA – You previously deemed the action a Type 1 under the premise that the building was greater than 100,000 SF; however, the building area is approximately 79,200 SF. Although this lesser area does not meet the level of a presumptive Type 1 action under the SEQRA regulations, you may wish to hear from your traffic consultant on the level of impact on traffic and consider all other areas of environmental impact before classifying as an Unlisted action. We recommend you discuss this with Counsel.

The following comments are repeated regarding the previously submitted Full Environmental Assessment Form (no new form received):

- *C.2.a. – Second answer should also be “yes”. LL #3 modified Comprehensive Plan to include specific recommendations for the site.*
- *C.3.a. – Fix typo: LC is the "Limited Commercial Zone" not "Light"*
- *D.2.1. – For Saturdays, Sundays, and holidays the noise ordinance limits construction to 10 AM to 4 PM.*
- *E.2.h.i – The first answer in this section is also “yes” since there is a Wetland on the site.*

This project will require a DOT access approval and other regulatory permits. A coordinated review under SEQRA is recommended.

He said the project is a Type I Under SEQR. The building area is under 100,000 sq. ft. and its under 80,000 sq. ft. He wanted to know if there was any consideration to reclassifying the project. Mr. Golden said Attorney Frank is right. It was to the understanding of the Board and counsel that this project will exceed a 100,000 sq. ft. originally. Its clear that now its less than that, so Mr. Golden suggestion to the Board is to retype the action as an unlisted action, assume lead agency, and authorize to draft an EAF part 2 for discussion at the next meeting when the application is on the agenda. Therefore, there won't be any difference as far as the Planning Board standard of review as lead agency between the unlisted action and type 1 action. The Board will go ahead and it with reason elaboration and look whether there may be a significant adverse environmental impact. The same level of scrutiny should be given to a Type 1 Action SEQR. Chairman Gerver asked if Mr. Golden had enough information for the EAF part 2 information. Mr. Golden said he believed so. The EAF should be done early in the SEQR process. The purpose for the EAF is for the Board to determine all those identified areas in part 2 form. Whether there may be significant environmental impact. If the Board was rushing to an EIS positive declaration (which Attorney Golden is not suggesting) then what the Board will do is forestall the Board determination of significance. Giving the applicant an opportunity to submit additional studies.

Chairman Gerver asked what level of service 32 operates. Mr. Grealy said most of those signalization intersections operate at an overall level service D or E (pre-pandemic) worst time periods. In terms of unsignalized intersections as identified in Traffic Consultant Holt's study are in peak hours are either level of service E or F (the F stands for average delays of 60 seconds). Mr. Grealy continued explaining the difference between the intersection on Rt. 32 vs the side roads as an example.

S. Capriglione said since it's important to get the Fire Department input on this, she asked if anyone from the Fire Department attended the ESO meeting. Chairman Gerver said he'd have to go back to his emails, but the Fire Department was invited and chose not to attend. Mr. Grealy said it was recommended to reconvene with the ESO to get additional input, since the DOT given some direction to the applicant as per Turner Road intersection. Mr. Grealy said another meeting with the ESO should be set and have Traffic Consultant Holt's plan and the DOT's input viewed prior to the design plans.

Engineer Barber said so far almost all her comments were addressed. She mentioned the GML response from the DPW referenced the town of New Winsor, if Attorney Golden doesn't have any objections it needs to be redistributed. She thinks the Rt. 32 access to the north from Turner Road is a benefit. She agrees on setting up another meeting with the ESO. She also said the applicant was asked to confirm site distances and turning radiuses for Village of Woodbury Fire trucks and assumes it will be confirmed in the future. As for the sidewalks, the Orange County Planning Department also suggest it be provided in future revisions.

Chairman Gerver asked Engineer Barber to try and set a meeting with the ESO and if necessary, it can be set up as a virtual meeting.

A motion was offered by Chairman Gerver, seconded by R. Anzalone, to re-type the SEQR as an unlisted action. Chairperson Gerver conducted a roll call of the Board which resulted in the motion being:

ADOPTED

AYES 5 Chairperson Gerver, R. Anzalone, R. Cataggio, S. Capriglione, T. Deluca
NOES 0

A motion was offered by Chairman Gerver, seconded by S. Capriglione, to declare the Planning Board as lead agency. Chairperson Gerver conducted a roll call of the Board which resulted in the motion being:

ADOPTED

AYES 5 Chairperson Gerver, R. Anzalone, R. Cataggio, S. Capriglione, T. Deluca
NOES 0

A motion was offered by Chairman Gerver, seconded by S. Capriglione, for counsel to prepare an EAF Part 2 for review by the Planning Board. Chairperson Gerver conducted a roll call of the Board which resulted in the motion being:

ADOPTED

AYES 5 Chairperson Gerver, R. Anzalone, R. Cataggio, S. Capriglione, T. Deluca
NOES 0

Engineer Esposito asked once the EAF Part 2 is reviewed when can it be on the table for discussion. Attorney Golden said that would be something the Chairman would have to decide on, bear in mind more information is needed with respect to the Village Board of Trustee; the realignment of Turner Road, the transfer of Village property to the applicant as proposed. Engineer Esposito said he would be happy to pursue with the Village Board of Trustees and to do so he would like to have the ESO's and DOT's input prior to appearing before the Village Board of Trustees if possible. Chairman Gerver said he doesn't believe there would be an issue with the ESO or the DOT, it would be necessary to go before the Village Board and present the reports/designs the applicant has now. He said he doesn't want to go back and forth with the applicant to then have the Village Board have a different opinion having to start all over. Since this is such a huge and important part of this project. Attorney Frank clarified that as per the Chairman's suggestion they are to contact the Village Board and try to get on their agenda. He also acknowledged Attorney Golden's point as well, they just wanted to get a clear direction as to what they need to do next.

Attorney Golden asked Chairman Gerver if there was a date to submit the EAF Part 2. It was agreed to submit it in 2 weeks for the Board to have it, at that point the Chairman can schedule it. Attorney Golden stated a draft may be given to start the discussion on the EAF Part 2, to uncover any potential areas of significance that the applicant may need to provide. All agreed.

Adjournment:

With no further business to discuss, a motion was offered by Chairperson Gerver, seconded by S. Capriglione to adjourn the meeting at 10:28 PM.

ADOPTED

AYES 5 Chairperson Gerver, R. Anzalone, R. Cataggio, S. Capriglione, T. Deluca
NOES 0

Claudia Romanisin, Planning Board Secretary