

**Village of Woodbury
Planning Board Meeting
August 16, 2023**

Minutes of the Planning Board Meeting held on August 16, 2023, at 7:30 PM.

Board Members Present: Christopher Gerver, Chairman
Richard Cataggio
Thomas DeLuca
Michael Pastel
Evan Yan

Village of Woodbury Planning Board Consultants:
Kelly Naughton, Attorney
Natalie D. Barber, Engineer
Philip Grealy, Traffic Consultant

Chairman Gerver opened the meeting with the 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:**

A motion was offered by Chairman Gerver, seconded by R. Cataggio, to approve and accept the minutes of the meeting held on August 2, 2023. Chairman Gerver conducted a roll call of the Board which resulted in the motion being:

ADOPTED

AYES 5 Chairman Gerver, R. Cataggio, T. DeLuca, M. Pastel, E. Yan
NOES 0

4. **Regular Agenda:**

- A. **Hamaspik/8 Laura Ln** - Review additional documents received for the proposed Site Plan and Special Permit for change of use to an indoor commercial recreation facility. Said property is located at 8 Laura Lane in Central Valley and is known as Village of Woodbury Tax Maps as Section 226 Block 1 Lot 24.2.

Present: Engineer, John Petroccione

Engineer Petroccione gave a summary of this application. He continued by explaining and giving a status report. This application was brought before the Village of Woodbury Board of Trustees in request of a waiver for the water moratorium. They were given an exemption to this moratorium bringing them back to the Planning Board due to some revisions to the plan. The revisions were made to address comments from the consultants.

Engineer Barber confirmed everything had been addressed leaving the Board to address this application as they feel fit in going forward.

After confirming the Board's review of several pages of facts and findings, Chairman Gerver began to read the Specific Conditions of the draft Resolution of Approval ARB for Hamaspik/8 Laura Ln application.

SPECIFIC CONDITIONS

1. *All conditions of prior approvals in connection with this property shall continue to be in full force and effect, and this Resolution does not supersede or otherwise modify such prior approvals and conditions except as specifically set forth in this Resolution.*
2. *Compliance with regulatory approvals, if any, shall be obtained.*
3. *The accessory building shall be maintained so that it will not be left to deteriorate.*
4. *All new plantings shown on the plans, or as required or authorized by this Resolution of Approval, shall be planted in a timely manner consistent with planting seasons and maintained in a healthy and vibrant condition in perpetuity.*

5. *All light levels must be limited to 0.1-foot candles at the property line so no offsite glare will result. The fixtures shall meet IDA, LEED or Green Globes criteria for Nighttime Friendly or Dark Sky lighting. Any wall pack fixtures shall include non-glare shields. The hours of lighting shall be the same as the hours of operation, as noted on the plans.*
6. *The property shall not be rented out for private events and/or gatherings. This is not being approved as an event venue.*
7. *The Applicant must take all reasonable steps to prevent improper materials being placed into the wastewater system, including, but not limited to, placement of signage in appropriate languages and locations as to proper and improper disposal of materials.*
8. *All waste shall be placed inside the dumpsters as shown on the plans, and the area surrounding the dumpsters shall be kept in a neat condition.*
9. *The Applicant may only proceed with its improvements to the extent allowed by the variances granted by the Village Zoning Board of Appeals decision dated June 11, 2015, and the plans reviewed therewith, which is incorporated herein by reference, and shall comply with any and all conditions of said decision.*
10. *There shall be no parking or off-loading on Laura Lane.*
11. *The employee parking on the other side of Laura Lane from the proposed development is part of the plan being approved herein, and must be maintained for such purposes and to the extent shown on the plans.*
12. *By this Resolution of Approval, the Planning Board is not approving the use of or the propriety of the location of the encroachments on the subject lot (Section 226, Block I, Lot 24.2) or the adjoining lots, including but not limited to the potential existing side yard encroachment in the 30-foot side yard setback area for the existing storage building.*
13. *The property owner shall be responsible for the maintenance and inspection of existing stormwater management facilities (e.g., rain gardens, inlets, etc.) per the plans and the Stormwater Drainage Report approved by the Planning Board in September 2014.*
14. *In accordance with the Village Code, the **Building Inspector Code Enforcement Officer, Fire Inspector and or Fire Marshal** shall conduct periodic inspections for compliance with the provisions of the New York State Uniform Fire Prevention and Building Code. If entrance to make an inspection is refused or cannot be obtained, the **Building Inspector Code Enforcement Officer, Fire Inspector and or Fire Marshal** shall have all remedies available under the Village Code. Additionally, refusing entry to the **Building Inspector Code Enforcement Officer, Fire Inspector and ork Fire Marshal** shall be deemed to be a violation of this Special Permit, and the Applicant shall be required to cease operations on the property and return to the Planning Board for further review.*
15. *No new signage or modifications to existing signage is approved by way of this action. If modifications to existing signage are proposed, the applicant shall apply to the Building Department for permit.*
16. *Prior to the issuance of a Certificate of Occupancy, the Applicant shall:*
 - a. *Install watermain in accordance with the plans and approvals of the Planning Board, Department of Health, and Norfolk Southern Railroad. Watermain installation and water service connections shall be witnessed by the Village Water Department and constructed in accordance with all requirements of the Water Superintendent.*
 - b. *Provide a drainage report advising as to the current operation of the stormwater management facilities, including the inlets and rain garden, to the satisfaction of the Village Engineer.*
 - c. *Make all repairs and/or modifications necessary to the stormwater management facilities as required by the Village Engineer based on drainage report provided, to the satisfaction of the Village Engineer.*
17. *Prior to the signing of the plans by the Chairman:*
 - a. *The Applicant shall comply with the memoranda of the Village Engineer dated May 12, 2023, to the satisfaction of the Village Engineer.*
 - b. *The Applicant shall comply with the memoranda of the Village Traffic Engineer, dated January 12, 2023, to the satisfaction of the Village Traffic Engineer.*
 - c. *The Applicant shall prepare a 50' wide easement in favor of the Village of Woodbury, as shown on the plat, with metes and*

bounds legally described, to the satisfaction of the Planning Board attorney, to allow construction, access, and maintenance of current and future stormwater facilities within the Laura Lane right-of-way under the control of the Village of Woodbury. Proof of filing the easement with the Orange County Clerk's Office shall be provided to the Building Department prior to the issuance of a Certificate of Occupancy. Stormwater facilities described in Specific Condition No. 13 above shall remain the responsibility of the property Owner.

- d. *The Applicant shall prepare a 15' wide easement in favor of the Village of Woodbury, with metes and bounds legally described, to the satisfaction of the Planning Board attorney, to allow construction, access, and maintenance of current and future stormwater facilities through the employee parking lot towards Woodbury Creek. Proof of filing the easement with the Orange County Clerk's Office shall be provided to the Building Department prior to the issuance of a Certificate of Occupancy.*

A motion was offered by Chairman Gerver, seconded by T. DeLuca, to accept counsel's draft Resolution of Approval as read in tonight's Planning Board meeting by the Chairman. Chairman Gerver conducted a roll call of the Board which resulted in the motion being:

ADOPTED

AYES 5 Chairman Gerver, R. Cataggio, T. DeLuca, M. Pastel, E. Yan
NOES 0

The former owner took the time to recall the moment when he had the building put up, in the year 2016 and thanked the Board for doing a phenomenal job.

- B. **Lite Brite Signs/Hampton Inn** Discuss and review the resolution for 2 signs proposed for the Hampton Inn located behind Woodbury Centre. Said property is located at 60 Centre Drive in Central Valley and is known on the Village of Woodbury Tax Maps as Section 225 Block 2 Lot 1.11

Present Maria Rotundo from Lite Brite Designs

After confirming the Board's review of several pages of facts and findings, Chairman Gerver began to read the Specific Conditions of the draft Resolution of Approval ARB for Lite Brite Signs/Hampton Inn.

SPECIFIC CONDITIONS:

1. *All conditions of prior approvals in connection with this property shall continue to be in full force and effect, and this Resolution does not supersede or otherwise modify such prior approvals and conditions except as specifically set forth in this Resolution.*
2. *The 'Welcome' sign shall not be illuminated.*
3. *No trees may be removed to make the new "Hampton Inn" sign more visible.*
4. *No building permit shall be issued authorizing the construction of structures inconsistent with the architectural renderings submitted to, and approved by, the Architectural Review Board as part of this approval, nor shall any Certificate of Occupancy issue for any structures constructed except in conformance with such renderings. Any deviation from such renderings will require further Planning Board review.*
5. *Prior to the signing of the renderings, the Applicant shall comply with the memorandum of the Village Engineer dated **December 29, 2022** to the satisfaction of the Village Engineer.*

A motion was offered by Chairman Gerver, seconded by E. Yan, to accept counsel's draft Resolution of Approval with the modifications as read in tonight's Planning Board meeting by the Chairman. Chairman Gerver conducted a roll call of the Board which resulted in the motion being:

ADOPTED

AYES 5 Chairman Gerver, R. Cataggio, T. DeLuca, M. Pastel, E. Yan
NOES 0

- C. **Timber Trail/ARB – Public Hearing** for ARB and ridge preservation of proposed single-family dwellings located within a previously approved subdivision on Hallock Court in Highland Mills. Said property is known on the Village of Woodbury Tax Maps as Section 237 Block 2 Lot 5 through 11.

Present Larry Hartman from Hartman Designs

At the start of the meeting for this application, Mr. Hartman nor the Applicant was present. Chairman Gerver opened the floor to the public for comments regarding the Timber Trail/ARB.

There were no comments from the public.

A motion was offered by Chairman Gerver, seconded by M. Pastel, to extend the public hearing to December 6, 2023, Planning Board meeting for Timber Trail/ARB. Chairman Gerver conducted a roll call of the Board which resulted in the motion being:

ADOPTED

AYES	5	Chairman Gerver, R. Cataggio, T. DeLuca, M. Pastel, E. Yan
NOES	0	

Per Mr. Hartman's appearance later in the evening. Attorney Kelly Naughton explained the status and the options for proceeding with this application explaining the reasoning why the Board extended the public hearing for Timber Trail/ARB to December 6, 2023. This application needs to be referred to the Zoning Board of Appeals (ZBA) for a variance. If the variance isn't needed, Attorney Naughton and Engineer Barber explained the Applicant is in need of an amended subdivision. A subdivision map that has the metes and bounds descriptions of all the lots and those original notes and things like that need to be presented and amended in that form. Taking into consideration the time frame to submit those amended plans and or the appearance to the ZBA, a further time for a public hearing was decided.

An amended motion was offered by Chairman Gerver, seconded by T. DeLuca, to extend the public hearing to October 18, 2023, for Timber Trail/ARB. Chairman Gerver conducted a roll call of the Board which resulted in the motion being:

ADOPTED

AYES	5	Chairman Gerver, R. Cataggio, T. DeLuca, M. Pastel, E. Yan
NOES	0	

The Chairman noted a pending opinion from the Building Inspector that a room with a closet makes a bedroom. In the plans, there are rooms labeled music room, family room, and unfinished basement with closets in them. The Board stated they would reach out to the Building Inspector for a more defined interpretation. Mr. Hartman decided to wait for the interpretation from the Building Inspector prior to speaking to his client.

Engineer Barber noted that most of her comments on her memo on August 10, 2023, were answered during the discussion, what's left were comments regarding ARB and SEQRA will be postponed due to the required amended subdivision.

A motion was offered by Chairman Gerver, seconded by T. DeLuca, to reopen the public hearing for Timber Trail/ARB. Chairman Gerver conducted a roll call of the Board which resulted in the motion being:

ADOPTED

AYES	5	Chairman Gerver, R. Cataggio, T. DeLuca, M. Pastel, E. Yan
NOES	0	

Resident Maria Hunter said the setbacks were set in place so that the houses would have use for solar. Explaining why the 10-ft envelope was installed. She continued to say on the map in the cul-de-sac, there should be a snow removal section. An area for pushing back snow. She said the homes were supposed to be a certain size and close to the cul-de-sac area not near Rt. 32. She wants to make sure this is taken care of properly since its going from an amended site plan to a subdivision site plan. Promises were made in the past that these homes would be built and designed a certain way. She asked the Board to carefully go over these plans.

A motion was offered by Chairman Gerver, seconded by T. DeLuca, to adjourn this public hearing for Timber Trail/ARB to October 18, 2023. Chairman Gerver conducted a roll call of the Board which resulted in the motion being:

ADOPTED

AYES 5 Chairman Gerver, R. Cataggio, T. DeLuca, M. Pastel, E. Yan
NOES 0

- D. **228 Route 32 LLC** – Review and discuss documents submitted for a revised site plan to include landscaping planting beds for water runoff. Said property is located at 228 Route 32 in Central Valley and is known on the Village of Woodbury Tax Maps as Section 229 Block 1 Lot 28

Present Attorney Mike Tynan and Designer Willie Zambrano.

Attorney Tynan updated the Board on the status of this application. The Applicant is before the Board due to a violation issued by the Building Inspector. The owner removed the planting beds from the property. A planting bed of 4 x 4 was suggested and it turned out that did not work. At this point they got Designer Zambrano to work with their engineer to come up with a proper size for the planting beds and it was submitted for the Board’s review.

Engineer Barber stated that the Applicant resolved the technical issues with stormwater management. In need of discussion is whether or not there should be any vegetation in the planter areas. She continued to mention outstanding items for the Applicant to submit, for instance, some administrative items need to be resolved, and the Water and Sewer Demand Form should be submitted. She confirmed receipt today of a Short Environmental Assessment Form (EAF).

Attorney Tynan noted the Water and Sewer Demand form was submitted today to the Building Department. Due to questions from the Board regarding the original layout of the plantings (the way it was prior to the owner’s removal), Attorney Tynan said the original landscaping had too many beds and it blocked people from the interior walkway to the parking lot. The removal of the beds gave an easier walkway to and from the parking lot. The Board tried to suggest what type of planting can sustain moisture in the ground. Attorney Tynan agreed to come up with types of plants that would work in that area.

A motion was offered by Chairman Gerver, seconded by T. DeLuca, to schedule a public hearing for 228 Route 32 LLC on September 6, 2023. Chairman Gerver conducted a roll call of the Board which resulted in the motion being:

ADOPTED

AYES 5 Chairman Gerver, R. Cataggio, T. DeLuca, M. Pastel, E. Yan
NOES 0

- E. **Woodbury Common Bollicine & Co.** – Discuss and review documents submitted for an Amended Site Plan, Special Permit, and ARB for a proposed kiosk with an outdoor seating area. Said property is located on Woodbury Common property off Route 32 in Central Valley and is known on the Village of Woodbury Tax Maps as Section 225 Block 1 Lot 70.2

Attorney Jennifer Knarich from Price, Meese, Shulman & D’Arminio and Simon Property Vice President of Construction William Pendergast

Attorney Knarich representing the Applicant proposed a Kiosk for a tenant known as Bollicine and Company to operate a Champagne Bar. She noted receipt of the consultant's memos dated August 10, 2023. The Applicant submitted renderings of both the interior and exterior of the proposed kiosk, design plans were also submitted dated May 22, 2023. This proposed kiosk will replace the previously approved double kiosk formerly known as Sugarfina Candy. The Champagne Bar will serve alcohol, and limited prepared and packaged foods. The tenant has a temporary retail permit from the New York State Liquor Authority on May 30, 2023. The area around the kiosk will remain have an outdoor seating area. She continued to say the utility connections include water sewer electric and gas. The ESO plan for the site will remain and there will be no encroachments to ESO access.

Chairman Gerver noted that on the application’s narrative, the bar will be open to the common passerby, but the renderings show the kiosk with an enclosure and a main entrance leading to believe there would be a host at the entrance. Mr. Pendergast said because of the liquor use, authority requires for the kiosk to be confined.

Engineer Barber noted that Attorney Knarich and Mr. Pendergast have addressed most of her comments from the H2M memo. She asked that the GLA tally be provided. The tally should be provided with every application associated with a kiosk at Woodbury Commons. The last one provided is years old so an updated one would be helpful. She continued to say that the outdoor area seems to be reserved for Bollicine & Co. in which case the Building Inspector will need to opine whether it should be counted as additional GLA. She advised the Board that they may want to get the Building Inspector’s opinion on the confined

kiosk. She asked that the Applicant provide an updated Water and Sewer Demand form, and provide a plan showing the limits of the ESO path around the kiosk. Engineer Barber recommended a condition that the Applicant installs safety barricades during construction and all appropriate safety measures, confirms the landscaping provided on the renderings, and makes a determination on similarity and dissimilarity.

Chairman Gerver asked if the definition of a kiosk changes due to the serving of food in a confined kiosk. Attorney Naughton said that would be a modification to the definition. The Chairman as well as the Board felt a referral to the Building Inspector on GLA calculation should take place. The Board will wait for the Applicant's resubmission for the outstanding items.

- F. **Woodbury Common Pylon Sign** – Discuss and review ZBA's decision for the proposed pylon sign with 6 tenant sign faces to be placed in the area between Entrances A and B on Route 32. Said property is located on Woodbury Common property off Route 32 in Central Valley and is known on the Village of Woodbury Tax Maps as Section 225 Block 1 Lot 70.2

Present Simon Property Vice President of Construction, William Pendergast

Mr. Pendergast said there was a sign at the entrance at the far end of the center near Nininger Road that was removed by the Department Of Transportation (D.O.T) because of the change in the roadway and there was no way to put it back. The Applicant then appeared before the ZBA to get the third sign approved for use for the third pylon sign that's on the property there's one at Nininger Road at the traffic circle there's one at the secondary entrance and this would be the one removed by the DOT by the main entrance. He continued to say the sign has multiple tenants on it with the same color versus the tenant colors.

Chairman Gerver asked if they had smaller signs and Mr. Pendergast said they had larger ones compared to the one in question. The sign is 20 ft. in width and 25 ft. in height.

Engineer Barber noted that the Applicant received a variance from the ZBA for the sign area as well as a permit for the third standing sign on the property. No new materials were received from the Applicant since the original submission, she asked if they were revised to forward them to the Building Department for the Board's review. The ZBA's decision for grading and landscaping around the sign On the plans should be shown on the plans, and also provide requirements for illumination. Engineer Barber added that the site for the sign appears to be in conflict with the utility easement that exists on the site, the legal documents for the easement should be provided to Attorney Naughton for review. Mr. Pendergast added that the utility easement has been vacated by Orange and Rockland; the lines were all relocated underground.

A motion was offered by Chairman Gerver, seconded by T. DeLuca, to schedule a public hearing for the Woodbury Common Pylon Sign on September 6, 2023. Chairman Gerver conducted a roll call of the Board which resulted in the motion being:

ADOPTED

AYES	5	Chairman Gerver, R. Cataggio, T. DeLuca, M. Pastel, E. Yan
NOES	0	

- G. **Highland Mills Center Group** – Review documents submitted for Site Plan, Special Permit, and SEQRA for the proposed 84-unit senior housing project located on the east side of Route 32 near the intersection of Ford Avenue in Highland Mills. Said property is known on the Village of Woodbury Tax Maps as Section 218 Block 2 Lots 7, 9, 10, 11, and 13.

Present Attorney George Lithgow, Engineer Joe Fao, and Environmentalist Steven George from North Country Ecological Services

Attorney Lithgow said they have finally resolved the sewer issue raised by Engineer Barber and believe they are ready to proceed with SEQRA, they had turned to the Village Board of Trustees for their decision on whether or not to apply for the senior housing. Engineer Fao went over briefly on this application and its status along with traffic determination. While doing so provided plans for the Board's view.

Engineer Barber noted that in her memo dated August 10, 2023, she segmented site plan issues, subdivision issues, SEQRA issues, deductions on easements required, and discrepancies with the Applicant's calculations versus H2M. Last but not least, the discussion with the Board regarding the riparian zone. Engineer Barber continued to address other important comments in her memo.

Traffic Consultant Philip Grealy addressed his memo dated August 10, 2023, from Collier's Engineering & Design.

Collier's Engineering & Design Memo:

We have received the various July and August submissions from Pietrzak & Pfau Engineering & Surveying, PLLC and Jacobowitz and Gubitz LLP, respectively, together with the Part 1 EAF dated July 7, 2023, revised Part 3 Environmental Narrative (Revision 6 dated July 2023), as well as a copy of the phasing plan indicating the 84 two-bedroom senior housing units to be completed in two phases. The following summarizes our comments on the submissions:

Part 1 EAF - Traffic

The traffic-related portions of section J on page 7 of the EAF have been completed appropriately.

Part 3 Environmental Narrative - Traffic

We had previously provided several comments on the site plans, traffic study, and pedestrian considerations, the most recent of which were outlined in our attached May 11, 2022 letter to the Board. The New York State Department of Transportation (NYSDOT) provided recommendations regarding sidewalks and pedestrian accommodations in their May 25, 2022 email (copy attached).

In the last bullet on page 11 of the Applicant's narrative, they indicate that a concept to install a new sidewalk on the east side of NYS Route 32 from the project entrance to Ford Avenue is being developed. That plan should be submitted for our review and an update of the NYSDOT review status should be provided by the Applicant's engineer.

Our other previous comments from May 11, 2022 should still be addressed. We will be available at the upcoming meeting to answer any other questions.

Attorney Naughton proceeded to read the provided Full Environmental Assessment Form (FEAF).

A motion was offered by Chairman Gerver, seconded by T. DeLuca, to accept the FEAF Part 2 as presented by counsel. Chairman Gerver conducted a roll call of the Board which resulted in the motion being:

ADOPTED

AYES	5	Chairman Gerver, R. Cataggio, T. DeLuca, M. Pastel, E. Yan
NOES	0	

Attorney Naughton announced that the Applicant would like to proceed with an expansion of FEAF Part 3.

Attorney Lithgow tried to briefly answer a few of Engineer Barber's comments as she highlighted sections in need of the Applicant's attention, and he believes they can move forward with details on the SEQRA determination addressing certain points. For instance, the riparian zone, and concerns about continuous construction for a period of time (the reason being they are trying to break the project into three phases.).

Mr. George said he did a wetlands land endangered species review on the site. He also reviewed the environmental mapper and Fish and Wildlife Service lists. He mentioned speaking with the Department of Environmental Conservation (DEC) regarding Timber Rattlesnakes. They're within two and a half miles of a known Hibernacula so that kind of puts the Applicant into that zone where protective measures are taken. The Applicant agreed to use the exclusionary fencing during construction, which DEC was satisfied with, and Mr. George is also licensed by the DEC to come down and do the monitoring. If a Timber rattlesnake is on the site, he is licensed to remove it and take it somewhere else. In regard to the Northern Long-Eared Bat and Indiana Bat, both are endangered species.

Chairman Gerver acknowledged the fencing would be used to protect and stop the rattlesnakes during construction, he asked if it would be taken down after construction. Will there be there a long-term plan to keep them out? Mr. George assumes the fencing will be taken down after construction, but at the same time it's highly unlikely it will come down. He said they are on call if a rattlesnake enters the property.

Mr. George also made an assessment of the beavers at the Beavers Pond near the project site. Residents of the trailer park had issues with the Beavers flooding the property. A resident contacted the Town of Woodbury Council member and was advised to contact the DEC. A permit was issued, and a Nuisance Wildlife Control Agent arrived and removed five beavers. The dam breached and the pond was let go. He continued to say beavers can be a nuisance; they are the type to return. At this time that has not happened.

- H. **Rushmore Estate** – Review and discuss documents submitted for the Site Plan and Special Permit for a proposed Event venue. Said property is located at 14 Castleton Road in Highland Mills and is known on the Village of Woodbury Tax Maps as Section 202 Block 1 Lot 70.

Present Applicant Seth Pulver, Attorney George Lithgow

Attorney Lithgow began by saying this is a novel project and the Village Board of Trustees adopted legislation in February 2023. The Applicant has been working with his engineer and architects to develop the plan for what he wants to accomplish. He noted that the Applicant has a consent agreement with the Village of Woodbury to allow the activities on the site to go forward pursuant to a schedule and the Applicant has been working hard to make those activities take place in a manner that is respectful of neighbors and his clients in a way that it will be a credit to the Village. Attorney Lithgow continued to say that their Engineer Larry Torro is recuperating from a double knee surgery, (explaining his absence). He continued to say this is a novel project, there are questions as to how this will work from the Planning Board's standpoint. He acknowledged receiving Engineer Barber's memo and is hoping to be helpful since their engineer is not available.

Engineer Barber gave a general background on this application.

H2M Memo dated August 10, 2023:

Background – This property has been the subject of several Planning Board applications over the years, most recently a farm/winery was proposed and withdrawn circa February 2022. On February 23, 2023, the Village Board adopted a zoning amendment (LL No. 3 of 2023) to permit Event Venues with site plan and temporary special permit in the R-1A zone.

General – Applicant proposes an event venue on the subject property. At this time, it is not clear if any improvements are proposed to existing facilities. Correspondence from the applicant's engineer indicates the event venue is in operation under Consent Agreement between the Village of Woodbury and 14 Castleton Drive, LLC. The applicant submitted materials in support of the site plan and temporary special permit application as required under recent Zoning.

Engineer Barber went straight to the threshold to give Engineer Torro a chance to work on the plan and address some of the comments. She started with parking availability at the venue. It is not sufficient to accommodate the number of attendees as well as the employees that the Applicant is proposing. Regarding water supply, due to the moratorium, the Applicant should supply an estimate of the average day and maximum day demand and it should reflect on the Water and Sewer Demand Form, and demonstrate the increase of an event venue as opposed to what is being used currently as a bed and breakfast. The property is served by a private septic system that should be adequate for up to 99 users and the certified inspector report should be shown on the plan. There's also missing information including the maximum number of events and hours of operation, noise issues associated with the property, and last but not least the property location; there is no clearing or new structures therefore no further review under Ridge Preservation unless there are any improvements to the site.

Traffic Consultant Philip Grealy mentioned his memo dated August 10, 2023. He began to say the narrative of the application needed to be expanded just as Engineer Barber commented. He asks that the applicant be clearer.

Collier's Engineering & Design Memo:

We have reviewed the submission including the project narrative dated August 1, 2023 as well as the site plans dated July 31, 2023 prepared by Civil Tec Engineering & Surveying P.C. for the above referenced project.

1. Based on the information provided, the Applicant should provide a more detailed narrative discussion of the proposed operation to determine whether or not the EAF Item 8 indicating no significant increase in traffic is appropriate. A detailed description of the proposed operations, capacity of the events, layout of parking areas, access road improvements, how will larger vehicles including deliveries and buses be accommodated, and other project details will be critical for us to review and to provide the Board with an understanding of potential traffic and parking impacts.

2. Depending on the information provided in response to Comment 1, it will likely be necessary for the Applicant to prepare a Traffic & Parking Management Plan that would have to be used by them for specific events at the site.

3. Previous traffic evaluations indicated the need for improvements on NYS Route 32 at Quaker Road (see previous correspondence from Colliers (Maser) review comments dated September 9, 2020). The Applicant should provide an update on the status of this work including the permits from the New York State Department of Transportation (NYSDOT).

4. Input from Emergency Services Operations (ESO's) should be obtained

T. DeLuca had questions regarding parking. Attorney Lithgow tried to be informative for the Board and consultants. He noted that Engineer Torro once available will be able to provide more information.

Chairman Gerver asked for some clarification on entrances/exits due to Engineer Torro's narrative. The Applicant noted there are four entrances/exits and listed them. The brick driveway, service gravel driveway leading towards the back where the pool is located has a gate, one on Icehouse road that runs from Castleton to Quaker and the Applicant assures the Board emergency vehicles are able to fit through and last the entrances to the additional lots. The Applicant explained when you go down the driveway make a left then pass the Icehouse Road on the left if you keep going there's another entrance with two gravel driveways that go into the property that's the fourth.

A motion was offered by Chairman Gerver, seconded by T. DeLuca, to type this as an Unlisted Action and declare the Board's intent to be the Lead Agency. Chairman Gerver conducted a roll call of the Board which resulted in the motion being:

ADOPTED

AYES 5 Chairman Gerver, R. Cataggio T. DeLuca, M. Pastel, E. Yan
NOES 0

***This motion was retracted.**

A motion was offered by Chairman Gerver seconded by T. DeLuca, to type this as a Type II Action under SEQRA. Chairman Gerver conducted a roll call of the Board which resulted in the motion being:

ADOPTED

AYES 5 Chairman Gerver, R. Cataggio T. DeLuca, M. Pastel, E. Yan
NOES 0

Adjournment:

With no further business to discuss, a motion was offered by Chairman Gerver, seconded by E. Yan, to adjourn the meeting at 9:20 PM.

ADOPTED

AYES 5 Chairman Gerver, R. Cataggio, T. DeLuca, M. Pastel, E. Yan
NOES 0

Claudia Valoy-Romanisin, Planning Board Secretary