

TOWN OF WARWICK PLANNING BOARD
June 3, 2026

Members present: Chairman, Benjamin Astorino
Roger Showalter, Vice-Chairman
Dennis McConnell, Bo Kennedy,
Laura Barca, HDR Engineering
Temi Alao, HDR Engineering
Max Stach, NPV Planner
Danielle Dreyer, NPV Planner
Bob Krahulik, Planning Board Attorney
Connie Sardo, Planning Board Secretary

The regular meeting of the Town of Warwick Planning Board was held Wednesday, June 3, 2026 at the Town Hall, 132 Kings Highway, Warwick, New York. Chairman, Benjamin Astorino called the meeting to order at 7:00 p.m. with the Pledge of Allegiance.

PUBLIC SCOPING SESSION

Blain Town Square

Application for Site Plan Approval and Special Use Permit for the use and construction of mixed-use commercial, residential, recreational development, situated on tax parcel SBL #51-1-41.2; project located on the southern side of NYS Route 94, 1100 feet east of Warwick Tpke., (137 State Route 94S), in the CB zone, of the Town of Warwick. At the PB Meeting of 4/15/26- the Planning Board deemed the application Type 1 Action. At The PB Meeting of 4/15/26, the PB adopted a Part 2 & Part 3 EAF & Declaring a Positive Declaration. At the PB Meeting of 6/3/26, Public Scoping Session was held with written Public Comment Period extended to 6/15/26 until 4:00 P.m.

Representing the Applicant: Kirk Rother from Rother Engineering.

Chairman Astorino: Okay, before I even ask you to discuss the project, I'm just going to introduce the board to the public here. I know a lot of people are out for this project. Bob Krahulik, Planning Board's attorney, Max Stach is our planner from Nelson Pope Voorhis, Roger Showalter, our Vice-Chairman. Laura Barca from HDR Engineering, Planning Board's engineer, myself, Ben Astorino as the Planning Board's Chairman. Connie Sardo is our Planning Board's secretary. Dennis McConnell Planning Board member, and Bo Kennedy, Planning Board member. How this is going to work this evening. We don't have any answers to questions. This is just what this is. It's a scoping session. We're going to throw it to our planner in a minute to explain to you the SEQRA process and what this means. What is already in the scoping document from us and the applicant. If you have something to add, absolutely. This is what you're here for. To come up, say what you want to say. What I do say is if you hear your neighbor say the same thing you did. Whether it's said eight times or twice, it's going to be looked at. Everything that's going to be brought up is going to be looked at. And, again, I'll say this as I said at the last meeting. I'm sure some of you weren't here. The glory of

social media lets everybody know what's going on. But it also doesn't let you know the facts of what's going on. And I'll say this once again. This board is very transparent, as is everything in the town. If you want to know the facts to this, our secretary is available. Our Planning Board portal has everything on it. If somebody wants to make a phone call, talk to us. We return your calls. We'll give you the information. This process is a long process. Nothing is going to happen tonight. Nothing is going to happen right away. So, for the lovely comments you hear or you read or you hear from somebody that says, oh, this is going to get approved. No. It's a process. And we're on the very initial stages of the process. So, with that being said, again, any questions or concerns, please direct them to the planning office and our professionals. Max, you can explain the SEQRA process and the scoping document. Then Kirk, I'll throw it to you.

Max Stach: Tonight is the first formal opportunity for the public to provide input and advice to the board on the SEQRA process. SEQRA, you'll hear that term a lot. That stands for State Environmental Quality Review Act. That process requires any government agency that is going to review or approve a land use project before it does so to consider the environmental impacts that project will have and weigh and balance those environmental impacts against the project benefits, whether they be environmental, social, or economic. What we are doing tonight is really talking about a document that's going to be prepared.

The chairman spoke about the Part 1, the Part 2, and the Part 3 Environmental Assessment Forms. That is the initial phase of SEQRA. That identifies sort of like that first screening where we go through a project and we say, what are all the possible impacts that could occur? We did that process and we came away with about a dozen impacts that may occur, whether they be impacts to agricultural resources, impacts to wetlands, the aquifer, traffic, community character, aesthetics. We looked at all of those things and we said, okay, you know, there's a lot here. And I think the applicant really understood that there was a lot here. And rather than trying to say, no, no, we're not going to have the impacts, they said, yeah, we're going to have some impacts, let's go right into the EIS process. So, after you get past this first screening, now we go into the deep dive process of SEQRA. And a Draft Environmental Impact Statement (DEIS), is a document that looks at all those impacts we identified in that first phase and it's going to do a study on them. And that study is going to be prepared by the project sponsor. That's why it's called draft. This board will review that draft and we'll review it against the scope that you're all going to talk about tonight. The scope is the table of contents. It's the recipe that this board is telling the applicant they have to prepare this document. They have to use the standards. The Town engineer has suggested standards for how the traffic study needs to take place. There are standards in there against which they have to prepare flood studies and aquifer studies and stormwater studies. There are standards against which they're going to have to provide visual simulations and renderings. All of this will be submitted in a document called the Draft Environmental Impact Statement. That will be submitted to this board. We will review it against the scope and if everything's in there, we will then schedule a second hearing, a second public hearing. And you will be given about 30 days to review that document before the hearing. You will be able to come to this board and say, this doesn't look right. We disagree with this analysis. We disagree with this conclusion. Meanwhile, the board and its consultants will also be reviewing this document. This document will be sent to all Involved Agencies. This project requires permitting from at least two other agencies. Those are the Orange County Department of Health and the New York State Department of Environmental Conservation. These documents will be sent to those agencies for their comments. Once we've gotten all those comments back, we will go through another process of preparing the Final Environmental Impact Statement (FEIS). That would be this board's document. The DEIS is prepared to the project sponsor's standards. The Final Environmental Impact Statement (FEIS) is prepared to this board's standards. Even if we ask the applicant to take the first draft attempt at preparing that, ultimately this board will control what that final document says and make sure that it reflects its findings on the project's traffic, the project's visibility, the

impacts of the wetland, the impacts of the water, the impacts on the economy, the impacts on finances of the town, all of the items that we've asked them to study. Only after we've gone through that process will this board consider what's called a Finding Statement. The Finding Statement is, this is all the environmental information we've assembled on this document and this is our findings on whether this project's impacts outweigh the project's benefits, the social and economic benefits, or the social benefits, environmental benefits, and so on outweigh its impacts. That will decide whether we do findings to approve or findings to deny. That will likely occur, if I had to guess, because it's really dependent on how quickly the applicant gets the DEIS to us, probably in about six months is typical. As quickly as three, probably more like four to six. That's a long process. Let's go back to the beginning. We told the applicant; here are all the impacts that we think this project will have. The applicant prepared the draft scope. This is as the process is supposed to go. That scope says exactly what this DEIS will contain and the methods at which all of these environmental analyses will be written. This is what we have before you tonight. If you have not reviewed that document and you're not prepared to speak on it tonight, that's okay. That document is on the town website, and this comment period is not ending tonight. Anything you have coming away from this, you want to dive deeper in that. You are allowed to submit comments in writing to this board, and they are considered at the same level and on the same basis as anything you tell us tonight. Do not feel like you're being rushed, that you have to get everything done tonight. This is for you to come. The applicant's going to provide a presentation. He's going to go over the project. If you have comments, if you want to put in input tonight, we're going to listen to everything you have to say. But the process will remain open until Monday, June 15th. So just so you know, the reason what we're considering is SEQRA, the law, not only provides this process to benefit the environment; to provide public access, it also has rules that we have to adhere to that protect the applicant's rights. So that will be extended to June 15th until 4:00 p.m.

Chairman Astorino: Perfect. We'll make a mention of that at the end of the scoping session.

Max Stach: Kirk, are you going to go through at all the impacts that have been identified in the draft scope?

Kirk Rother: I was planning to just hit the headlines.

Max Stach: Ok.

Chairman Astorino: That's what we need. Would you like to go through your discussion of the project?

Kirk Rother: Good evening, everybody. I'm Kirk Rother, a civil engineer representing the project. Looking at the map, the property is 38 acres, situated on the eastern side of New York State, Route 94, in between Leo Kayte's Ford, right here, and what's known as the Sullivan Building. Shop Rite, Price Chopper across the street AutoZone and Chase Bank.

Barrett Circle and Wilder Drive are located up here. One thing that I think the public isn't aware of is the PDR Open space. So, this whole parcel is around 80 acres, which goes quite high up the hill. There are sections behind the Warwick Drive-In that has access onto Warwick Turnpike. The back half of this was always known as residential. There was a proposed development on it in 2005 called Miller's Ridge, and that land was put in PDR. This front 38-ish acres, was always zoned commercial. It used to be zoned Design Shopping, which allowed things like Shop Rite and Price Chopper. In 2010, the town changed the zoning of this whole corridor for this Community Business. It's the newest zone the town has. They've had some overlays since then, but as far as an actual zoning district, it's the newest zone. We propose nine buildings in a mix of retail, office, medical,

residential component, and then also recreation. Proposed access would be across from the Price Chopper entrance. This existing signalized entrance would definitely be upgraded to include a traffic light to accompany us. As a part of this Community Business zone, the town requires that we have marginal access road that runs parallel to Route 94 to try to alleviate traffic between the multiple properties along this corridor. We have the Sullivan Building here. We're proposing a connection to that. And then somehow, we have to get a connection out to Warwick Turnpike. It's complicated. The natural place would be through the Leo Kayte's lot that would bisect this lot. The other option is to somehow come out at ShopRite, but to push traffic through the ShopRite parking lot is also complicated. We have a couple of options. They haven't been finalized. They'll be analyzed as part of the EIS.

Looking at the map, the nine buildings we have roughly, these here are a mix of what they call Tier 1 and Tier 2 retail and residential. Tier 1 and Tier 2 retail is intended to be smaller-sized businesses. Depending on whether it's Tier 1 or Tier 2, the minimum size of the space is either 1,000 square feet or 2,000 square feet. I believe that was done at the time to prevent competition with the Village. I know that is a valid concern. These units here are allowed to have accessory apartments, which would access from the back. In the front, this would be a two-story building. These are two-story buildings in the front. It would be commercial on the first floor. In the back, it's built into the earth, and the rear would be second-story entry apartments. So, Wilder Drive and Barrett Drive would be looking at one-story residential entrance from the back side of these structures. The owners are very aware of the cemetery, the Blain Cemetery. In fact, when I was working on the residential part for Mr. Miller, this was overgrown. You couldn't even walk through it. It was that way when the current owners took possession of it. They've since then contacted a Veteran's group, or been in contact with a Veteran's group, in North of Jersey, just over the border, and they've cleaned that up and made it accessible. You can see the tombstones and things like that. So, a high-level overview of the project, we have a lot of studies yet to be done. I'm not going to take a lot of time, because there's a lot of people that want to speak. This is a rendering of what the site would look like from Route 94. This is the Price Chopper entrance. This would be the boulevard entrance into the site. The boulevard entrance is required by the Community Business zone. Just to quickly touch on the scoping document, when we're going through scoping, a lot of it is fairly standard cross projects. We have things like topography, soils, erosion, sediment control. So, we're going to go high-level. I'm sure a lot of you have seen this already. I know there have been comments on it. The purpose of tonight, like Max said, is for you to tell us if we missed anything. That's really it. And if we did, if the board tells us we need to add it, we'll add it and we'll study it. Our high-level impacts, we identified topography, soils, and geology, wetlands and surface water. There's a stream on this property that's a tributary to Wawayanda Creek. There's really not a lot of wetlands on this property. It's pretty high, well-drained soil. Regarding the Stormwater Management, that is my value of it. We would have to design our Stormwater Management system to comply with current NYSDEC standards. Regarding vegetation and wildlife, it's not just me working on this on our side of the fence. I have a team of professionals behind me. I'm kind of the lead on the overall site plan and general engineering. We have a Traffic Consultant, a Biologist, an Archaeologist. We have a Planner that's going to handle the fiscal impacts and those types of analyses and Market analysis. And then all of us professionals will come together and prepare this cohesive DEIS that Max is talking about. So, vegetation and wildlife, we have a Biologist looking at it already. We will get some cross-season analysis of the site to look at flora and fauna. Really the whole site right now is a field, or half of it is dirt because corn was planted on it. Cultural resources, again, we're very aware of the cemetery. When this site was looked at in 2005, folks were aware. Bon Secours was considering putting a medical campus on this property. So, they had pretty thorough archaeological study done back then. We have a copy of that. The gentleman that prepared it is still around and in touch with him. We know where the cemetery is. They covered that cemetery with ground-penetrating radar back then to

see the extent of it. We know where the cultural artifacts are and we will avoid them. Visual resources, obviously a concern for everybody. You can see based on the renderings that we took that into account right out of the gate. We're trying to somewhat maintain an agricultural feel to it. Not big box, not public. We might mix up the colors a little bit. The Planning Board will identify where we are to do the renderings. We should take photographs and superimpose the site onto those photographs.

Chairman Astorino: Also, there's an Architectural Review Board (ARB) that will review this.

Kirk Rother: Depending on where they suggest and we agree, we should take photos. We will have actual visual simulations done that show what this looks like on a real-world photograph. Transportation, we are fully aware of it. I know it's an issue. I live here. My clients live here. The list of intersections to be studied right now in the scoping document is based on feedback we got from the New York State Department of Transportation. The consultant that I use for traffic just happens to be the engineering firm that designed the Route 94 improvements for the New York State DOT from Vernon all the way to Chester. So, they're very aware of the traffic issues out here. We are fully aware of what happens during apple picking season. Regarding Land Use and Zoning, this is where it's going to community character. Are we a draw from the Village? Those types of things will be looked at in the land use and zoning. Fiscal impacts and utilities. Regarding Water and Sewer, I've heard possible connections to the village system. That is Definitely Not Happening! There's an existing Water District at Price Chopper. There's an existing Sewer District at Price Chopper. We plan to use those. We might have to make improvements to it. But that's to be sorted out. Regarding Water, Sewer and Community facilities, that would be things like Police, Fire and EMS. You can even identify impacts on schools and other schools that have resources and capacity for the folks that move in here. I want to touch base on the residential component. I saw some comments about why one-bedroom apartments? That is all the zoning allows. In this Community Business zone, one-bedroom accessory apartment to be no bigger than 750 square feet is what's allowed. My clients would like to have a mix of more than one bedroom. Greenhouse gas and climate change is a relatively new thing required by the state and in the EIS. Then short-term impacts of what's going to happen during the construction phase and things like that. We always do an analysis of what happens and how it compares this to a project we've never built. Then there would be noise and lighting. I'll end it there and let other people speak.

Chairman Astorino: Thank you. Before we open it up to the public, do any board members or professionals have any comments?

Kirk Rother: I talked about the team I have around me. We don't have a lot of answers now. Max said once the DEIS is accepted by this board and deemed complete, there will be a public hearing on it then. Max said six months. Wishful thinking, I said, based on my experience. And we're the ones that are in control of that timeline. When that time comes, all of those professionals that I mentioned will be here to answer questions and discuss and to address what is in the DEIS.

Chairman Astorino: I happen to agree with the timeline. I think six months is extremely wishful thinking. Very ambitious. Well played, Max. But I don't see that happening. I believe there's a lot of studies that need to happen. A lot of review by our professionals. And it's going to take a while. As I said, Mr. Krahulik our Attorney, do you have anything?

Kirk Rother: One thing we haven't talked about is the PDR.

Bob Krahulik: We can talk about that right now. There are a lot of complicated legal issues that the applicant must face. It is located on State Highway. Orange County Department of Health will be

involved. New York State Department of Environmental Conservation will be involved. There are water and sewer capacity issues. You mentioned the cemetery. Historic and archeological artifacts exist. Setback, lot area limitations, traffic and parking. I did want to say that from a fundamental zoning standpoint, this is a permitted use in that Zoning District, CB zone. One question we've been receiving here at Town Hall is, wait a minute, where are the development rights sold for this property? It's part of the PDR program. Looking at the map, what I have posted in yellow is an outline that shows that portion of the farm whose development rights have been sold. And that's basically the elevated portion of the farm that you can see from Route 94. The flat portion, which is not as visible because it's very flat, the Development Rights were not sold on the lower portion, the flat portion that face Route 94. It is a little confusing because there is a sign located on Route 94 that says Development Rights were sold. But the portion of the farm that was sold is the upper portion that Mr. Showalter will now highlight.

Mr. Showalter? Looking at the map, this is the upper portion here. Here's Route 94 right here. Leo Kaytes, ShopRite and the movie theater are located here. This is the upper part of the farm. This is more up toward Ochs Orchard. This is the people who live there and know their neighborhood. Right? Route 94 here. The shopping center, the driving movie theater. He has a small strip that you can access this. Right now, the applicant is using this as a vineyard. He has beautiful grape vines up there.

Chairman Astorino: The entire board was up there this evening for a site visit. We took a walk and looked around.

Mr. Showalter: This is where the development will be. Right in this piece here in pink.

Kirk Rother: Wilder Circle backs up against this open space.

Chairman Astorino: We did talk to the applicant today about the site. It's their right whether they want to move it or not. I think when they put it there, it was more of a prominent location. I don't know if it was even these owners at that time. Mr. Showalter mentioned to him that maybe it should be moved. It would make sense to move it. But that's not on us.

Mr. Showalter: Looking at the map, the sign should be located here because this is the property that's preserved. The sign has been down here for years. Everyone passes it on the highway.

Chairman Astorino: Mr. Krahulik, are you done?

Bob Krahulik: I'm done.

Chairman Astorino: Ms. Barca do you have any comments?

Laura Barca: Most of the things I was going to mention has already been said. The only thing I will say is in our comments, we are requesting specifically for the traffic that both Wilder Drive, Bradner Drive be added at intersections to the study. Also, the situation with the proposed traffic circle and without the proposed traffic circle. Because we know it's happening. But who knows what's going to happen first? I mean, it was supposed to happen this year. Now it's going to happen next year. So just as the catch-all, we are asking for those situations to be added.

Chairman Astorino: Do any board members at this time have any comments, concerns for the applicant? Let the record show no comment from the board. As I said, we are going to take public

comment. What I would like everyone to do is raise your hand. I'll ask you to come up and speak by the microphone. I would ask, we've had this in the past, you know, clapping doesn't do anyone any good. If you have a comment, I will get to everybody.

We will have you come up to the microphone to speak. The clapping doesn't do any good. We want to get what you say on the record. And all the clapping does is distort it. If there is anyone in the audience wishing to address the Planning Board on the Blain Town Square scoping document, please raise your hand and state your name for the record.

David Jones: I live in the Village. I just found out about this project quite recently. I actually had a few hours on Monday and Tuesday to review all the documents here in your Town Hall. I just heard this gentleman say that he has an archaeologist on site who has done studies. None of that data is in the record.

Chairman Astorino: We don't have it yet.

David Jones: I am just making an observation.

Chairman Astorino: And, I'm just saying we just don't have any of that data yet.

David Jones: Okay. So, I do have a number of observations that appear to be deficiencies in the initial scoping of your EIS. First of all, there apparently are two cemeteries. There's the Blain Cemetery and there's a First Nations burial grounds. The First Nations burial grounds need to be addressed. It is not delineated on this drawing anywhere. I believe it is a clear demarcation and understanding of where this burial ground extends and what artifacts, if any, should be preserved and how that preservation should look like. This, I feel, would require actually professional geological exploration. Point two on that. The Lenape should be contacted. A clear communication documentation should be initiated with all potentially interested descendants of the Lenape. The documentation should show that the Lenape have been contacted and what their response might be. Below, I include a small excerpt from the Museum of Indian Culture just to give some ideas of where they are. There are only two Lenape tribes in the United States federally recognized by the Bureau of Indian Affairs in Washington, D.C. That's the Delaware Tribe of Indians in Bartlesville, Oklahoma, and Delaware Nation in Anadarko, Oklahoma. There's also the Stockbridge-Munsee Band of Mohican Indians in Wisconsin, and they're also federally recognized. These are also federally recognized related to Lenape. In Canada, you have the Delaware of Six Nations, part of the Six Nations of the Grand River, Delaware Nation at Moravian Town, and the Munsee-Delaware Nation. I'm going to put this in writing also.

Chairman Astorino: If you could submit that to us. That would be great.

David Jones: I will, and I'll give you the source of where I got that information. Another spin of this, another subject, socioeconomic and environmental modeling. Modeling the socioeconomic impacts of this should be undertaken. I find it hard to believe you can have a design before you do that, but that's me. All developments in the area should demonstrate to the best of our abilities that all developments benefit Warwick as a whole. These developments should show how our downtown businesses are supported, as well as the community at large. It is a sad reality that a lot of small downtown main streets have been decimated by developments outside the downtown area, and diminishing or destroying the small-town feel and culture. Warwick still has a fairly vibrant downtown, and maintaining that, we should absolutely support. I did not see anywhere in the documentation any mention of the use of the CTPPP databases, which are freely available. I'll just, in case you don't know what they are, I've written a small thing, just pulled it out of

Wikipedia. That's a very well-known database for planners. The Census Transportation Planning Products Program, CTPPP. The main uses of CTPPP tabulations are for creating population forecasts, performing environmental justice and social equity analyses, examining household life cycles and behavior, analyzing the social demographics of a population, creating models of vehicle ownership, and validating transportation forecast output. The CTPPP tabulations include several geographies. You'll get that in my writing when I put it in. I'll make it for everyone. This database should be fully utilized in socioeconomic modeling, as well as other databases that can facilitate a clear picture of the impacts of this development on Warwick. Modeling should include also a comprehensive examination of the impacts of all development on aspects of this proposed project. The variables and models used in that work should be transparently available to all interested parties, with the ability for input on how those models are designed and executed. Multiple decades of data should be incorporated to allow for model adjustments. All of the above modeling should be tied into a comprehensive GIS, the Geographic Information Systems Database. This GIS database should be sufficiently developed to identify all geography-related information, including endangered habitat regions, the subsurface systems like the aquifer, water runoff, bedrock, as these have all been mentioned already. One of the things about the aquifer is that you should clearly identify its extent. It likely includes both New York and New Jersey.

Chairman Astorino: It does.

Mr. Showalter: Yes. It does.

David Jones: I'm just looking at the data I have. So anyway, to me, that's pretty much all I'm going to tell you.

Chairman Astorino: Please submit that to us.

David Jones: I will.

Chairman Astorino: Thank you. Is there anyone else wishing to address the Blain Town Square Scoping Document?

Alan Held: Many of you have known me since elementary school, preschool in some cases. I'm 30 years old. I'm a 30-year resident at 98 Pine Island. I'm here as a private citizen, but I'm also the deputy Town Historian. I emailed the planning board on April 17th. I appreciate you addressing my letter via phone call. Unfortunately, I didn't get an answer to the questions that I asked, so I'm going to ask these questions or bring these questions up again.

Chairman Astorino: You won't get an answer this evening, as I had said.

Alan Held: That's understandable.

Chairman Astorino: But just so, as you heard, we are garnering the information to give answers.

Alan Held: Okay, understood.

Chairman Astorino: Giving misleading or false answers is not what we do.

Alan Held: I understand completely.

Chairman Astorino: We give the facts.

Alan Held: Thank you. So, my main concerns were, again, around the cemetery. I have it in somewhat of a historical context. Again, I'm the unpaid, appointed Deputy Town Historian, so, again, this is my amateur take on this. But the cemetery is outlined by Mr. Rother's drawings here. Again, this is his outline of it. Section 74 of the Town Code has to do with cemeteries, where you can build more than you can't build.

Chairman Astorino: Mr. Held, please address the board. We are the ones that need the information.

Alan Held: Ok. So according to Section 74 of the Town Code, this board cannot permit any commercial or residential building within 100 feet of any cemetery or burial ground. It doesn't – cemetery, graveyard, burial ground, it doesn't matter. It defines a burial ground as anywhere that anyone is buried. It doesn't have to be a defined – you know, a cemetery. As a matter of fact, it lists several cemeteries in the town. Some of them are well known. Some of them are not well known, including this cemetery. It specifically lists this one during the time that it was owned by Milton Sanford between 1886 and 1917. Building number 5 on Mr. Rother's drawing, despite his team of professionals, is within 100 feet. These plans, as submitted, do not comply with town law. In addition, buildings number 6 and number 9 are within 200 feet, which require a special use permit. I don't know if that's inside or outside the SEQRA process.

Chairman Astorino: All of this process is with us now, I can almost guarantee that these plans, as you see them now, will probably not be the same if and when this ever gets approved because things will morph into something different. We don't have any archaeological reports. We don't have any wetland reports. We don't have water reports. As they come in, things change. This is so initial of stages. The applicant drew up plans. That is great. We are not into the nuts and bolts of this yet. We will get there. As we start getting information to us, that's when things will morph into what it potentially could be.

Alan Held: Thank you. My other concern is the Town Code, while it describes certain cemeteries and where you can and can't build, it doesn't really describe what the definition of the boundaries of a cemetery. I would assume it's up to the planning board to define where exactly the Lane Cemetery starts and ends and whether or not there would have to be an archaeological survey, whether we have to dig, whether we're going to trust the survey. And my recommendation, like Mr. Jones had described, would that the Lenape Nation be officially brought on as an interested party in this case. And I think there is sufficient evidence to bring them on prior to any kind of digging or any kind of survey as the historical record clearly shows that there are Native Americans buried in the cemetery based off of the Miller family in 1921 describing it, the 1907 cemetery census describing Native Americans buried prior to the Blain family. In the record, it shows that there are 61 landmark graves in addition to the eight-mark graves in a 21st century cemetery census. There are those 61 field stones. So, the cemetery borders have changed in the last 120 years. So those are my recommendations. I'm here for factual context. I'm not here to generate an opinion. I'm just here to present things.

Chairman Astorino: Well, our planner may reach out to you as a Deputy Town Historian. I'm glad you came this evening.

Alan Held: Yes. No problem.

Chairman Astorino: Thank you.

Mr. Showalter: Ben, I would second that. I want to congratulate Alan. I read every bit of information that comes across my desk or computer. I spent last week, the whole evening in my office reading stuff. And folks, Alan Held, I'm very proud of him. I've known him since he was like two. And this guy, he's the real deal right here. Great job, Alan. We will use your information, and I'm sure, as the Chairman said, we'll hook you up with our planner here.

Alan Held: I did have one final thing. So, let's just say this process does go forward. The building does commence. And let's just say a bone is found somewhere in the process, and the construction company does somehow report that that bone is found. Would that theoretically take that 100-foot border and extend it to that point?

Chairman Astorino: I'm not going to get into hypotheticals. Let's find out first where we are. I mean, to sit here and do hypotheticals, does not do anyone good at this point?

Alan Held: Okay, Thank you.

Chairman Astorino: You're welcome. Is there anyone else wishing to address The Blain Town Square scoping document?

Logan Graney: I work as a sanitary engineer, environmental engineer, depending on where you want to build it. I'm not necessarily here to talk about the wastewater aspect. I know that's going through everything. Obviously, working as a wastewater engineer, I'm familiar with the SEQRA process. You know, I'm familiar with Environmental Impact Statements. I work as an environmental engineer. I'm familiar with all these aspects. I'm familiar with Kirk Rother's work. I know he does great stuff in the Town of Monroe, up in the Village of KJ, everything over there. My primary concern, personally, is just in terms of the effect that it may or may not have on the walkability with the Town and the Village of Warwick. I also know, you know, I mean, I, as anybody else, goes on to LinkedIn, which is a stupid website, and I do not like it. It annoys me. I'm speaking specifically on a few different articles that I've seen, right, particularly on mixed-use residential and commercial developments. I know they're kind of all the rage, particularly in urban areas. I don't think they work in either suburban or rural areas. There are quite a few studies that show—I actually have a couple copies, if anybody wants them. You're more than welcome to share them on the written record as well. But there's quite a few studies that show that a lot of these mixed-use residential commercial areas end up with vacant commercial on that first floor. You know, you end up with, I don't know, whatever the heck's going on over in Vernon, right, below the ski slope, the Mountain Creek, right?

Mr. Showalter: At the Appalachian Hotel?

Logan Graney: Yes. Over at the Appalachian Hotel. You know, you end up with dead, vacant areas down below there. You end up with, I mean, we can even see it over on, not Grand Street, but right over there by the—I'm sorry, I'm so bad with street names. Right over there by the fire department, right? We've got that new building that just went in on Forrester Ave. We've got that vacant restaurant that's down there, which I know may or may not have to do with the concrete flooring in there. But either way, we're going on, what, six, seven months there, where you've got a completely vacant commercial area down below. And you end up with this weird kind of, in my opinion, graveyard where you've got—I mean, I don't want to see anything developed there on a quite personal level. But you end up—I would rather see, I don't know, 10 or 12 mansions over whatever the heck is the hippest and happening thing going on LinkedIn in terms of commercial development. I don't think it's viable. I don't think it's sustainable. This is my personal opinion.

Mr. McConnell: Can I interrupt you just for a moment? I'm not following how this ties back into the scoping document, which is what we're supposed to be.

Chairman Astorino: Well, I think what it will tie into is the economic feasibility of the project. If you could submit that, that would be perfect?

Logan Graney: I would be happy to.

Chairman Astorino: One thing I will say, though, as far as the mixed use, this board follows the Code that's written. We don't change the Code as we go through the process. We can't. We follow the Code as the applicant will—as you know. So, whether—that's why our engineer, that's why even the applicant mentioned the economic, social studies that have to be done to put the data forth.

Logan Graney: I am so glad you said that, actually, because my first question right here is, I guess, whether or not the applicant has evaluated a similar mixed-use development, right, in either a suburban or rural area, and what, I guess, even what that commercial occupancy rate was after, let's say, five years, let's say ten years, if that was or wasn't part of that application.

Max Stach: I think what would help, actually, is probably for you to rephrase and ask that question.

Logan Graney: Okay.

Max Stach: It should be rephrased to have you considered this instead of what you proposed? That is something that we could directly put right in the scope as an alternative that he needs to consider.

Logan Graney: Okay.

Chairman Astorino: That makes sense.

Logan Graney: So, let's rephrase that right now.

Chairman Astorino: You don't need to rephrase it now. You can send it to us.

Max Stach: So that we better understand that from this conversation.

Connie Sardo: It's best to e-mail me your correspondence.

Chairman Astorino: All of this that you pointed out, very good points. Redirect that question. I think it makes a lot of sense.

Logan Graney: Okay, perfect. I could put that in an email.

Mr. Showalter: Ben, could you please explain to the public, the Comprehensive Plan that's eight to ten years? Then explain, how it affects the Code that we're talking about. This way, the public get an understanding of how it works in a nutshell.

Chairman Astorino: Well, there is a comprehensive plan in the town of Warwick that was advised by the town residents that they wanted, as you pointed out, your homes. They wanted commercial properties in certain areas. This was one of the areas that were selected for the commercial corridor, as you have ShopRite, Price Chopper, the Banks, the AutoZone. There's a component that when you deal with, you hear it all the time, ah, our taxes are so high here, our school tax, all right, we need rateables. Okay, well, I don't think single family homes are the rateables you're going to get. Commercial properties do give you some rateables. You have the prison property that gives us some rateables. You have this corridor that will give us some rateables. So that's where we are as far as our board. A Comprehensive Plan was done, a Town of Warwick Zoning Code was enacted, and this is where we are to follow that. As you pointed out, there are ways to ask the question, does it make sense economically? Will it work? Will you be able to rent those stores? Will you be able to rent the apartments? Will it be, I don't think any developer, quite frankly, is going to want to build something and have it empty. It's quite foolish. But that's, again, that could be a reality. That's why we ask for these studies, and that's why we want to see those studies and see where they are. Mr. Showalter that was a good point up.

Mr. Showalter: Thank you. No problem. You good?

Logan Graney: I think I mentioned in the beginning, you know, I'm, maybe I'm a millennial, but I really focus on the walkability aspect. And I look at a development like this, right, which is strictly only accessible via car, which has, I mean, I don't know....

Chairman Astorino: I do believe the municipality is studying. And that isn't our board. That would be the Town Board's issue. They're studying a, like a walking trail or a trail system from the Village of Warwick through the 94 corridors. Where they are at that point, I really don't know? But I know that's between the Village of Warwick and the Town of Warwick. So, that is ongoing. That statement may or may not be true at this point. If they can work something out, I'm sure the leaders that are in place will get it done.

Logan Graney: Yes. That's exactly what we're just going off of. You know, I don't know. Maybe a, I don't know, maybe a Hobby Lobby could go down there?

Chairman Astorino: I don't think that would work. Not with our Tier 1 and Tier 2.

Logan Graney: Understood. My two key points were specifically walkability and the feasibility.

Chairman Astorino: Perfect. And, again, if you could submit that to us by email, I would truly appreciate it. Thank you so much.

Logan Graney: I will. Thank you.

Chairman Astorino: Is there anyone else wishing to address the Blain Town Square scoping document?

Katie O'Leary: I live at 7 Barrett Circle. My property line sits approximately 50 to 100 feet from the proposed Blain Town Square development, it seems to be that left off of these beautiful designs is the fact that our house is quite literally the backyard of this project. I wish there was actually a picture to show our backyard and how it would be impacted. My connection to Warwick runs much deeper than simply owning a home here. In 1979, my mother moved to Warwick with her ten siblings. Nearly five decades later, our family is still here. When our current home came on the market just down the road from my grandparents' house, we put in an offer that same day because staying in Warwick and being close to family was important to us. Like many families, we chose Warwick not because it was the easiest place to live but because it was the place we wanted to call home for generations. When my family purchased our home back in December, we paid a Warwick preservation tax. We believed it was meant to protect the very things that made Warwick worth living in – open space, farmland, scenic, and basically our backyard. Those values are not just part of Warwick's marketing materials. They are the foundation of the community and the reason many families choose to invest here. My primary concern is traffic. I know you guys are working on this. Residents living off of Route 94 already experience significant delays during peak weekends, particularly during orchard, winery, and tourism seasons. It is not uncommon for residents in our development to wait 10-15 minutes simply to exit onto Route 94. This is before adding 72 residential units, retail spaces, office space, and recreational area. The reality is that every apartment, every storefront, every employee, every delivery truck, and every visitor will rely on the same roadways that are already strained. Traffic is nearly an inconvenience when emergency vehicles, school buses, and local families are competing for the same limited infrastructure. I am also concerned about the transparency and long-term planning. Throughout this process, residents have heard discussions suggesting that additional future uses may be envisioned for this property. Whether those discussions prove accurate or not, they underscore a larger concern. The community deserves a complete understanding of the project's long-term vision before approvals are granted. Incremental expansion after initial approval is not uncommon, and once development rights are established, the impacts on surrounding neighborhoods become difficult, if not impossible, to reverse. This proposal is often framed as progress. But Warwick must ask itself a simple question. Progress towards what? Families do not move to Warwick because they are looking for apartment complexes, mixed-use developments, or suburban-style commercial centers. They move here because Warwick is different. They move because there are farms, orchards, and open lands, and a sense of community that cannot be replicated elsewhere. Warwick has never promised convenience. Most of us accepted longer

commutes or fewer chain stores and a slower pace of life because preserving our rural character was worth the trade-off. That character is not an obstacle to overcome. It's Warwick's greatest asset. I respectfully urge the Planning Board to reject the current proposal to protect the vision of future generations of Warwick residents.

Because once farmland becomes pavement, there is no undo button. No future Warwick can go on an orchard back into existence. No traffic study can restore a lost view. No apartment complex can replace a sense of place that brought families here in the first place. The question before you is not what Warwick will gain from this project. The question is what Warwick will lose and whether that loss is worth it. I ask you to choose the Warwick that people travel here to experience, not the Warwick that they left every place behind. Thank you for your time and consideration. And my biggest concern at this point is after we're talking about all of these proposals that are completed, what is stopping them from changing something later? Like you've seen going on in, like, I don't want to name certain businesses in Warwick that have had conflict recently that are really trying to add things post...

Chairman Astorino: It would be segmentation. Max is that correct? As they come through this process, what gets approved here is on an approved site plan and special use permit. That doesn't get changed.

Katie O'Leary: Okay.

Chairman Astorino: You mentioned your home. We did a walk on the property this afternoon, right before this meeting, actually. If there's something you'd like us to see... Give us a call. I'm sure the board...

Katie O'Leary: You're welcome to come to my house and stand in my backyard.

Chairman Astorino: That's the reason I'm asking that question. If there's something that you feel that we could see, this board is very amenable to take a run out there.

Katie O'Leary: Okay. I think you guys should definitely stop by. It will directly impact Barrett.

Chairman Astorino: We're not walking in people's backyards. If you invite us, we'll be there.

Katie O'Leary: Okay. Thank you.

Chairman Astorino: Is there anyone else wishing to address the Blain Town Square scoping document?

Max Stach: I just want to clarify again. The purpose of this meeting, there will be another hearing where we can get into how everybody feels about the project. But really, tonight is about what do you want them to study in the EIS? There will be another conversation we're going to have once this document is done where you guys can tell us every reason you think that this board shouldn't approve the project. That conversation is going to happen. But when it happens tonight, it's not going to be addressed in the EIS. If it happens in six months from now, it will. That's the distinction. So, if you say something tonight that's not about what you

want to be in the study, I think this board is going to listen to you and take it to heart. But it's not going to affect the process now. It needs to be restated in the future.

Mathew Hedge: 'm the owner of Pioneer Farm. I would just say that I think everybody here can agree that the PDR program has been a huge success. It's a privilege. I think this project really represents a stain to that PDR program. You know, we've all driven by this. We've seen the sign on Route 94 and said, okay, great. Let us pat ourselves on the back. That's part of our green home. That's preserved open land. Then to find this is on the horizon is going to be a huge stain to that PDR program that so many of the previous generations fought for. What my question would be to the planning board is how does that interact? Can we say, like, hey, we made a mistake?

Chairman Astorino: I just don't think you can say you made a mistake on a PDR. Here is the problem. That farm was done on a PDR. That was all vetted. They got paid for the development rights less than 38 acres. That was all public record. It was all public documentation. Where they put the sign, again, Mr. Showalter was a big proponent out there this evening. I think his exact words are what the hell is the sign here for? I agree. I don't want to use the words you used. But with that being said, your point is valid. The sign was there.

Matthew Hedge: I'm not as concerned about the sign. I'm concerned about the program. This is a blight on PDR.

Chairman Astorino: That's your opinion. I think the ones that did it had all intentions to preserve a lot of property. They pulled a commercial out of it. I don't know what to say about that? That was not done by us.

Matthew Hedge: No. I'm not blaming you. But I do think that maybe it's worth taking a look at. Maybe we should approach the owners about it. The leadership should approach them and get them to put it into PDR. Maybe we could offer them \$3 Million dollars for it? Thank you.

Chairman Astorino: Is there anyone else wishing to address the Blain Town Square scoping document?

Alejandro Martinez: I'm a New York State trooper and a resident of 7 Barrett Circle as well. On the current Environmental Assessment Form, I noticed that under the consistency of community character, the applicant currently has under the proposal for the creation for demand for community resources, such as police and fire, things like that, they marked it as no impact or little, which I find very hard to kind of imagine.

Chairman Astorino: In which we don't know yet. Letters will go to the emergency services such as; the fire, the police, the EMS. Absolutely. This is early in the process. They will respond to us.

Alejandro Martinez: Are we going to be advised as far as which areas are going to be studied?

Chairman Astorino: As far as what?

Alejandro Martinez: : As far as impacts in the Town of Warwick. The most recent information we have is from 2020, where the Town of Warwick responded to 235 domestics and 419 car accidents.

Chairman Astorino: Letters will go to the Warwick Police Department, which serves that area, to the Warwick Fire District, which serves that area, and to the EMS that serves that area.

Alejandro Martinez: Okay.

Chairman Astorino: It's not going to come from Pine Island. No. It's going to come from the district that it is serving.

Alejandro Martinez: Okay. My question was only going to be which areas are going to be studied, which I guess we don't know that right now.

Max Stach: It'll be in the scope. It is in the draft scope that identifies state, county, and local police departments to provide police coverage of the project site with a description of the following information for each. Station location, staffing levels, average response time expected to the project site, any existing deficiencies in staffing facilities, if available, any planned or proposed expansions, or improvements to identify deficiencies. Identify fire departments, EMS providers, the service of the project site based upon discussions and correspondence with the respective departments. This will include a description of the following information. Station location, staffing levels.

Chairman Astorino: Everything that you just had said.

Alejandro Martinez: Okay. Thank you.

Max Stach: All of this information that I'm reading, again, got everybody here, is online. It's the draft scope. If you want additional information added beyond what this prescribes, please let us know in writing. We will consider it.

Mr. Showalter: Thank you for your service to us.

Alejandro Martinez: Thank you for your support.

Chairman Astorino: Is there anyone else wishing to address the Blain Town Square scoping document?

Sean Jermaine: Good evening. I have lived in the residential neighborhood situated between the intersection of the Ochs Orchard and Price Chopper since I was two years old. Previously mentioned in the full environmental assessment form, the Blain Homestead Town Square is expected to have a moderate to large impact, leading to increased traffic in the intersections along Route 94, as Katie mentioned previously, and how, as we have sit there on our road, that we sit there for long periods of time on Wilder and Bradner Drive, and adding an additional 72 apartments and retail businesses is going to make it very difficult and worsen our driving conditions. As according to Section 164.32a, it states that to limit the number of curb cuts along 94, a marginal access road is required to help reduce traffic conflict. As Kirk mentioned recently, the two marginal access routes that are on the map, the conceptual marginal access route that runs from Blain to the back of the Shop Rite parking lot, when vehicles enter this narrow parking lot region through this access, this is going to introduce additional traffic issues and create dangerous conditions for pedestrians and shoppers. Additionally, vehicles may use this access road to avoid the Price Chopper-Shop Rite intersection, diverting heavy traffic directly into the

Warwick Turnpike through the Shop Rite parking lot, so the turning lane in the parking lot that goes on to Warwick Turnpike. And as we know, this is a particularly dangerous lane as we've seen numerous tragic accidents in the past. Therefore, a marginal access road behind Shop Rite may condense the traffic to a more dangerous intersection, and essentially this means that there is no safe and efficient manner in which this development can divert traffic without causing drastic issues on 94. Because as we know, the conceptual marginal access route is supposed to divert traffic and lessen the traffic on 94, but if you just divert it through the parking lot, you're just going to make it more dangerous for pedestrians and also on the more dangerous Warwick Turnpike. Regarding water issues, with an anticipated 30,000 gallons a day of water usage being taken from the Fairgrounds Water District to Price Chopper, what type of negative effects can we expect on nearby neighborhoods? My parents had recently informed me that after Price Chopper was developed in 2010, they, as well as many of our neighbors, were forced to lower their wells. And after this costly, frustrating experience, we don't wish to be wrapped into another development that demands additional water from the aquifer, that causes our well pumps to run dry. So, I ask, this is a rhetorical question, if the project claims that their proposed well plans will meet the demands of their water usage, who is responsible for any residential well issues if they arise? Surely the developers won't claim any fault, even us poor citizens with the repercussions. The Town of Warwick's 2008 Comprehensive Plan, which was created in October, to accommodate new growth with the least impact on the environment and to preserve Warwick's natural beauty and its rural quality of life. As per this statement, the Community Business zone, as we know, which on the map is highlighted in pink to my right, is supposed to encourage growth but not at the expense of our surrounding environment. According to the environmental assessment form, the proposed action may result in impairment of natural functions or ecosystem services provided by an undeveloped area, including but not limited to stormwater storage, nutrient recycling, and wildlife habitat. The project was deemed to possibly have a moderate to large impact on aforementioned statements. This effect clearly disregards the main priority of Warwick's foundational Comprehensive Plans. Overall, I feel this project will put a great strain on the Town of Warwick. Our road systems, electricity, water capacity, and other resources have to be carefully distributed to ensure all individuals have equal access. A project that may appear to improve the lifestyle of Warwickians may actually lead to a decrease in quality of life. The Community Business zone claims that it is an effect to create growth that meets community needs. Under quick inspection, does this development actually meet the needs of the community? Do retail businesses, an additional sports complex where many are already found all over our town, and an introduction of a large number of individuals to apartments meet the needs of the community? And then the last main concern that I wanted to mention. According to Section 164.46 J.127, the following setback requirements shall prevail for parking, loading fences, and solar panels. On the Section B, residential district says that it has to remain 200 feet back from the boundary. Now, I'm not an expert, so I don't know, but this is kind of just to have it on the record as a question. It appears to be on the map that it is only 100 feet from the parking lot, or just over, and so I just wanted to bring that up, that that might be a possible violation for building #4.

Chairman Astorino: You had very good comments. It's not a violation because nothing's approved. These are just conceptual at this point. We will go through the process. Yeah, Regarding the water uses, all of that, again, as you heard, that's an ongoing.

Sean Jermaine: I just also wanted to make a statement about if there was going to be a water analysis, obviously with the DEIS form that hasn't been completed yet, would that include our Aquifer region under our residential neighborhood? That would be a very big concern for us.

Sean Jermaine: Thank you.

Chairman Astorino: Is there anyone else wishing to address the Blain Town Square scoping document?

Sherwood Stevens: This is going to be really quick for you all. My point of concern is mainly environmental and cultural. Currently, what is existing rural farmland is going to be a going monolith. These are all going to be commercial and residential buildings. I worry about light pollution and the impact on the businesses. We're going to have nine buildings that are going to be covered with outdoor lighting. What is the impact going to be on, let's just say, where we're driving?

Chairman Astorino: Absolutely.

Sherwood Stevens: It's a cultural impact. You can't even drive into the drive-in at night with your headlights on. It would impact all three screens. What is this going to do?

Chairman Astorino: Again, as you heard this evening, that was one of the things we said at the site visit. Just where the fields are going, what will it do to the drive-in? The Town of Warwick's Code, has a lighting code. The light spillage is only allowed so much. You can't go with so many foot candles over the property line. That has to all be ironed out. That's a very good question. All the planning board members said that. You're putting fields next to the drive-in. Great. There's a noise issue to that also.

Sherwood Stevens: That was my question. The athletic field is directly behind. There.

Chairman Astorino: Those will all be vetted out.

Sherwood Stevens: Thank you.

Chairman Astorino: Thank you. Those were very good questions. Is there anyone else wishing to address the Blain Town Square scoping document?

Jennifer Christian: : I actually lived in Woodhaven Estates for 50 years in August. I have two homes, one on Bradner where I grew up, and my husband and I live at 8 Wilder Circle, which comes off the top of the map there. I have a question about the access to the possible future winery that hasn't been brought up. I see there's an access road here. If I'm understanding properly, this here is where that is PDR. What is proposed of that winery? I ask only for the fact that the other side of my property line is where the vineyards are.

Chairman Astorino: Kirk, do you have an answer to that question?

Kirk Rother: Bob, can you pull up the PDR map? I

Bob Krahulik: Yes.

Jenifer Christian: I guess my question would be, is that just your growing rates there, or would you have a Warwick winery type business there as well?

Kirk Rother: When these lands get PDR, as is the case with all PDR applications, they usually will accept out an area that can be used for a homestead or some type of an agricultural business, and they don't get paid money for that acreage. On this PDR application, this area B and this area A were accepted out as potential areas for some sort of agricultural use or maybe A as a homestead. I wasn't really involved in the PDR of this. The intent right now, the owners are growing grapes here. The intent is they do want to have a winery eventually in area B, which I believe is allowed in the document that established the PDR for this property, and they need an access to it because this, although they have access to Warwick Turnpike, this stream, particularly in this stretch, is a very big ravine, so the cost of this was really not practical. So we left it out. It's just a very conceptual, at this point, entrance at the end of our development to potentially get to a winery.

Jenifer Christian: Okay. I only ask because I live here, and I have two driveways, actually, so my other driveway is an easement that goes up into Ochs Orchard. My question is this potentially could now fall into, would that be used to access this property?

Kirk Rother: No.

Jenifer Christian: Okay. That's all. Thank you.

Chairman Astorino: As this process goes along, we could vet that out also. As we start going through the process, the access road, what could potentially go there. It is allowed as an agricultural operation. We will ask how it's going to fit through this project.

Jenifer Christian: Okay. Thank you very much.

Max Stach: Because that last question was a back and forth between Kirk and Jenifer. Do you want, for the record for Kirk to tell what that was about?

Chairman Astorino: We are going to vet this out regardless.

Max Stach: I think she talked about is there going to be a road from one location to another?

Jenifer Christian: Would the access possibly then come from the other side of my property at Wilder Circle and then come back around?

Chairman Astorino: No.

Jenifer Christian: Thank you.

Chairman Astorino: Is there anyone else wishing to address the Blain Town Square scoping document?

Jerry Schlichting: I live on Big Island Road. For the last 30 years, my family has owned Frazzleberries Country Store here on Main Street in Warwick. And having been around this long, it's been an interesting evolution to watch the 94-corridor kind of evolve. I was here 16, 17 years ago when we were talking about the changes to the zoning and creating the Community Business district. In some ways, seeing these renderings is a little satisfying because back then we were worried about Walmart and extremely big box Home Depot and whatnot. So, in some

ways, there is progress in this evolution. But for the scoping document, one of my biggest concerns, and I did submit a letter, but when we went through this process 16 or 17 years ago, the world was very different. The creation of the Tier 1 and Tier 2 uses reflected economies that existed back then, and the world has changed a lot. When we look at market analyses and when we evaluate sort of how much business a local economy can sustain, when we did this 16 or 17 years ago, Amazon just sold books. Now that truck comes to everybody's house every day. And so, my biggest concern is, as we go through this process, that any market analysis of what our local community can sustain is not just limited to brick and mortar. That is what I've always seen these analyses focus on, is how much median income is in a 5- or 10-mile radius of the proposed project and maybe what sort of product categories are underserved. But we now have Amazon vans that deliver pretty much anything you need within 24 hours. So, my request is that as we go through this process and we look at these financial and market analyses, that there be some consideration for the fact that online and e-commerce have exploded in a way that didn't exist 16 or 17 years ago when this zone was created and the Tier 1 and Tier 2 uses were created. I think that's a critical part to evaluate what our community can sustain. Speaking on behalf of dozens of my neighbors who have been small business owners for quite a long time, it's not easy right now. I feel like between COVID and all of the aftershocks that we're all living through, we're all hanging on by a thread. I worry that whatever analyses can be sort of created may not fully bake in all of the challenges that we currently face. So, if there was a way to incorporate in that study e-commerce and the expansion of the shopping areas, not only here locally, but look at how Wallkill has exploded in Middletown. Look at Monroe and Harriman. So much more competition than there was when this zone was created. Thank you.

Chairman Astorino: That was a very valuable point. Thank you. Is there anyone else wishing to address the Blain Town Square scoping document?

Kathleen Furey: Most of my thoughts were on the change in the nature of the town. I've lived here for 30 years. And if you just think of what's happened in the last few years, we have the townhouses in Forrester. We have the 90 new townhomes on the extension. Even across from Maskers, we're going to have another 11 houses. I would say to the board, I would ask you to protect us in terms of don't shoot the golden goose. Nobody comes up to this place to look at another rec center. Nobody comes up to look at how many new one-bedroom apartments? That's not something that really will enhance an agricultural community or a community based on tourism. It will have a very bad impact. I haven't reviewed the documentation because I wasn't aware of it before I got here. I will do so and I will ask further questions.

Chairman Astorino: You could submit a letter to the board.

Kathleen Furey: One of the things I did want to say is I would like information in the document on the builder who is proposed and their former projects. Not only what the reputation is and any complaints that might be. Also, what do people in their communities feel about the success of their projects? It strikes me as what you're dealing with here, you have all these one-bedroom apartments being added on to multiply the profitability of the project rather than something good for Warwick. When you're talking about one-bedroom apartments, they're going to be new. They're going to be expensive. We're not accommodating workers who we might want to accommodate from the town. We're introducing the demographic that we used to be when we were 30 years old. Working really hard at work five days a week and then partying on the weekend. Are we looking at the impact of the commute to the bars and back on the weekend? Think about it.

One-bedroom apartments, who is that going to attract?

Chairman Astorino: We asked for the economic feasibility studies which will include that.

Kathleen Furey: Will it include that?

Chairman Astorino: Absolutely.

Kathleen Furey: That is something that I'd be interested in. Again, as a general comment, you guys are here to protect us and this won't protect us. This does not improve our lives. Thank you.

Chairman Astorino: You're welcome. Is there anyone else wishing to address the Blain Town Square scoping document?

Sheilah McGlone: : I live at 2 Wilder Circle My property line borders this development. I have lots of notes and just about everything was addressed. I don't want to echo all of that. Of course, I have major concerns. I have a simple question. Noise levels and lighting are going to have a great impact on my quality of life and my neighbors. How is that measured?

Chairman Astorino: There is a Design Standard for lighting in the town that they would have to adhere to. That would be down lighting. It can't be intrusive on your property, your neighbor's property. Again, we haven't seen that yet. To comment on it is premature.

Sheilah McGlone: I'm not an environmentalist or an archeologist. I'm a registered nurse.

Chairman Astorino: We will have a lighting engineer review. Again, all of these documents that are prepared by the applicant are reviewed by our professionals. HDR Engineering has professionals that does lighting, traffic, environmental, etc... Everything that's prepared is reviewed by our professionals. Questions are asked by our board members. That's why they are here. They represent the Town of Warwick Planning Board. Your concerns are our concerns, which are now their concerns.

Sheilah McGlone: I've heard traffic congestion over and over again. I still have to mention it.

Chairman Astorino: We know about that. I can't comment on how because we just don't know what the circumstances were.

Sheilah McGlone: I just have to voice it. Getting out of Wilder or Bradner Drive is difficult.

Chairman Astorino: As you heard our engineer mention, that was added to the study. As the process goes along, if something else comes up, it will be added. It's not set in stone. If we feel that something comes up, there's another intersection, add it. It's not an issue.

Sheilah McGlone: As the gentleman who has left before said, the decimation of the Village downtown.

Chairman Astorino: Again, that's a study. We did receive numerous letters from residents. I see the mayor of the Village of Warwick is here this evening. We received a letter from him and his board. Again, it's not like we're not aware of it. I just can't answer questions on it.

Sheliah McGlone: I understand. 47 years ago, I sold my house in Bergen County to live in beautiful Warwick, following our friends. I believe in progress. There has been great progress. I appreciate you going over the process.

Chairman Astorino: I think progress has to happen.

Sheilah McGlone: Right.

Chairman Astorino: Our previous planning board chairman told me this, and I'm going to express it. He did say, "if you don't grow, you die". No truer words are ever said. You need to grow, and you need to grow properly. If you look at the leaders that this Town has had over the years, they are all, and I'm talking the Village of Warwick. I'm talking the town of Warwick. They all work together, and they all make Warwick what it is today. I've been born and raised here. I think most of the people on this board have been here a long time. What you see, what everybody says here is a testament to the Comprehensive Plan, to the Zoning Code, and to the forethought of everyone that's involved in this community. Our job, and as you can see, we take it very seriously. I don't think there's another board in this county or held at state, and I will go that far to say, has the wherewithal that this board takes it seriously. Our professionals are held to a standard that probably no other professionals are in this state. We require them to do everything 110%. I can't be any clearer than that. But as you said, you came 47 years ago. There are probably people in this room that came three years ago. They will continue to come. And that is why we look at these projects, we follow the code. We go step-by-step. There is no rush here. There is the point of doing it correctly and doing it right. And that's what this board strives on, and it's continued for 25 years I've been here, and it will continue until we all leave. And again, with the leadership we have now, it will continue after that. So, rest assured, as I said when we opened this up this evening, if there's any questions, if there's any comments, call us. We are not afraid to answer questions. We are not afraid to talk to people. And social media is the biggest farce out there. If you want the facts Connie Sardo, myself, Laura Barca, Max Stach, Bob Krahulik, Roger Showalter, Dennis McConnell and Bo Kennedy, we will give you the facts. We are hiding nothing. We never will. So again, if that puts your mind at ease, it's what we do.

And again, it's not just this project. It's every project in the Town of Warwick. This is only one project that we're dealing with at this point.

Sheliah McGlone: Let's just keep our town beautiful and our village thriving.

Chairman Astorino: Honestly, I grew up here. I live in the village. And I think, as you can see by this board, it's what we do. This is what we do.

Mr. Showalter: I raised my children here in this town. I care very, very, we all, everyone on this board cares very, very much about this town. Just like you do. I do want to make one shout out to Mr. Jermaine, Katie, the trooper, Alan. These people who spoke, I thank everyone for coming here tonight to speak out. These people are our future right there. Very proud of you guys

for what you said tonight and coming in and participating. As well as all of us, you are the future. My time on the earth is limited. They got more time than I got. And I'm very proud of them. I thank all you guys for coming.

Chairman Astorino: Is there anyone else wishing to address the Blain Town Square scoping document? Anyone else wish to speak on this evening?

Laurie Jermaine: I live on Barrett Circle. There's a marking on this map that shows this potential road.

Chairman Astorino: That is not happening.

Laurie Jermaine: Thank you. That's all I have.

Chairman Astorino: Is there anyone else wishing to address the Blain Town Square scoping document? There will be an open written public until June 15, 2026 to 4:00 p.m. You can submit your written comments until that time. We need a motion to close the Public Scoping Session with the written comment period open until June 15, 2026 until 4:00 p.m.

Mr. Kennedy makes a motion to close the Public Scoping Session with the written comment period open until June 15, 2026 until 4:00 p.m.

Seconded by Mr. Showalter. Motion carried; 4-Ayes and 0-Nays and 1-Absent.

Chairman Astorino: Thank you all for coming. Have a good evening.

Review of Submitted Maps:***Ball Farm Subdivision Section II***

Application for Final Approval for Section II to consist of a proposed 14-Lot Cluster subdivision and Special Use Permit for 1-Affordable Home, situated on tax parcel S 53 B 1 L 37.2; parcel located on the northern side of Ball Road intersection of South Street Extension and Ball Road (56 Ball Rd.), in the SL zone, of the Town of Warwick. Conditional Final Approval for Section I to consist of 4-Cluster Lots was granted on 9/18/24. Preliminary Approval for filing 14-Lot Cluster subdivision in Sections and Special Use Permit for 1-Affordable Home was granted on 5/21/25. Conditional Final Approval for Section I to consist of a proposed 4-Lot Cluster subdivision was granted on 5/21/25.

Representing the Applicant: Kirk Rother from Rother Engineering. Jon Shafran, Applicant.

The following review comments submitted by HDR:

Comment #1: Planning Board to discuss SEQRA.

Max Stach: This application received a Negative Declaration.

Chairman Astorino: Thank you, Max.

Comment #2: Applicant to discuss project.

Kirk Rother: We have our long-awaited Department of Health approval.

Chairman Astorino: Which is what we were waiting on.

Kirk Rother: So we were waiting on the board last time agreed to waive the final public hearing. We are hoping the board would grant conditional final approval tonight.

Chairman Astorino: We do have comments here for the record. Laura, are there any comments tonight that you would like to discuss?

Laura Barca: No.

Chairman Astorino: Do any other professionals or board members have any comments or concerns? Let the record show no comment from the other professionals or the board.

Kirk Rother: So the board knows, too, we have some Town Board business that's in the works.

Chairman Astorino: We discussed that at the work session. We're fine with that as a condition. We will list Comment #3 through Comment #31 for the record. Does the Applicant request from the board to waive the final public hearing?

Kirk Rother: Yes.

Mr. Showalter makes a motion to waive the Final Public Hearing.

Seconded by Mr. Kennedy. Motion carried; 4-Ayes and 0-Nays and 1-Absent.

Mr. Kennedy makes a motion on the Ball Farm Subdivision Section II application, granting conditional Final Approval for Section II to consist of a proposed 14-Lot Cluster subdivision and Special Use Permit for 1-Affordable Home, situated on tax parcel S 53 B 1 L 37.2; parcel located on the northern side of Ball Road intersection of South Street Extension and Ball Road (56 Ball Rd.), in the SL zone, of the Town of Warwick, County of Orange, State of New York. Preliminary Approval for filing 14-Lot Cluster subdivision in sections and Special Use Permit for 1-Affordable Home was granted on 5/21/25. The Planning Board “Reaffirmed” adoption of the Negative Declaration on January 21, 2026. Conditional Final Approval is subject to the following conditions:

1. OC Planning Department – 09/07/23 advisory comments:(a) connectivity items (e.g., sidewalk), (b) lighting, and (c) a bioretention system for stormwater.
2. TW Building Department – 08/25/23 overgrown property and dwelling in disrepair
3. Comments on provided rain garden detail:
 - a. Include callout or note that the rain garden must be a minimum of 10’ away from any building foundation (unless foundation is waterproofed).
 - b. Include depth of soil media layer in callout, similarly to mulch and gravel layers. Expected to be 12”-18” per NYSDEC Design Manual.
 - c. Note 5 indicates that weeding and watering are essential, is there a recommended frequency that should be followed?
 - d. There is no note 4, it skips from 3 to 5. Please update as needed.
 - e. There are a few spelling errors in the notes that should be corrected – “Relatively” and “accommodate” in note 1, “community” and “stabilize” in note 2, and “first” in note 5.
 - f. Update the rain garden detail to identify the maximum contributing impervious drainage area (not to exceed 1,000 square feet, confirm that the combined soil media, gravel layer, and surface ponding storage meet the required treatment volume & do not exceed a 5:1 drainage area-to-rain garden surface area ratio (can use Water Quality Volume (WQv) calculations or dimensioning).
 - g. Applicant to confirm a maximum ponding depth of six inches or less and clarify whether an underdrain is required based on native soil infiltration rates.
4. Applicant applying to the Town Board to opt into the AP-O Overlay District.
5. To comply with §164-46.H(7)(a)[8], show the areas with slopes of 15% or greater on the drawings, so that it can be confirmed that these areas are avoided.
6. Cul-de-sac shall be a T-turnaround that can accommodate a fire truck and a school bus.
7. Applicant to add to the plan with locations and landscaping table (botanical name, common name, size, quantity).
8. The Applicant must prepare a drainage ownership and maintenance document for the proposed stormwater infrastructure, including the detention basins.
9. Applicant must prepare a backup drainage district with the Town of Warwick Town Board in the event that the residents do not properly maintain the stormwater infrastructure, including the stormwater basins.
10. Applicant to include a detail on the plans to show a sectional view of the pipe in ROW, see §A168a. Add a note to the plans stating that the ROW must be properly restored after pipe installation.

11. Applicant to include an easement in the plan to address the pipe on parcel 219-1-1.2, shown on Sheet 3 of 11 from overall Subdivision Plan.
12. SWPPP Applicant to provide draft eNOI in Appendix A. The eNOI can be pdf'd from the website.
13. SWPPP Applicant to include a legend for the CRISPR figure provided in Appendix B.
14. Sight distance triangle descriptions and maintenance requirements must be shown on the plans.
15. Provide a map note stating that "No construction or proposed use shall begin until the maps are signed by the Planning Board Chairman and Building Department permits are obtained." Sheet 1, Note 26.
16. Surveyor must sign and seal the plans.
17. Surveyor to certify that iron rods have been set at all property corners and stone cairns have been set along open space boundaries.
18. The Ridgeline Overlay Notes must be added to plans.
19. Affordable Housing documents must be submitted. The liber and page must be shown in the drawings.
20. Applicant to add the following notes to the plans:
 - a. The approved plans must be filed with the Orange County Clerk prior to offering lots for sale and within 90 days of the last approval of the plans
 - b. All easements including drainage and storm water maintenance easements are herewith created. Filed declarations for drainage easements have been recorded with the Orange County Clerk on 03/04/25 at Liber 15694, Pg 1322 & 12/12/25 at Liber 15827, Pg 903.
 - c. A 100-foot wide no mow buffer on Lot # 3 is created for the purpose of buffering the other lots from active agricultural activities.
 - d. The buffer shall be allowed to revert back to its natural state of woodlands and underbrush.
 - e. The buffer will also satisfy NYS Appendix 5B standards for 100-foot separation from agricultural activities including barnyards, silos and animal pen areas.
 - f. A declaration and easement related to the agricultural buffer was recorded with the Orange County Clerk on 07/28/25 at Liber 15763, Pg 744.
 - g. Tree clearing to be limited to between November 1 and March 31.
21. Payment in lieu of parkland for 13 lots per Town of Warwick Town Code §75-3.A.(2)(a)[3].
22. Applicant to provide the drainage easement location and information on the drawing over parcel 53-1-5.2.
23. Applicant to prepare cost estimate for landscaping bond, including installation which will include both the street trees and the trees planted within the no mow area. A data source must be submitted for the costs.
24. Applicant to prepare cost estimates for the Performance and Landscape Bonds, including references for the unit costs.
25. Applicant to submit landscape bond to the Town, in a form agreeable to the planning board attorney.
26. Applicant to submit performance bond to the Town, in a form agreeable to the planning board attorney.
27. Payment of all fees.

Seconded by Mr. McConnell. Motion carried; 4-Ayes and 0-Nays and 1-Absent.

Kirk Rother: Thank you.

Comment #3: Conservation Board – no comments received

Comment #4: Architectural Review Board – no comments received

Comment #5: OC Planning Department – 09/07/23 advisory comments:(a) connectivity items (e.g., sidewalk), (b) lighting, and (c) a bioretention system for stormwater.

Comment #6: TW Building Department – 08/25/23 overgrown property and dwelling in disrepair

Comment #7: Comments on provided rain garden detail:

- a. Include callout or note that the rain garden must be a minimum of 10' away from any building foundation (unless foundation is waterproofed).
- b. Include depth of soil media layer in callout, similarly to mulch and gravel layers. Expected to be 12"-18" per NYSDEC Design Manual.
- c. Note 5 indicates that weeding and watering are essential, is there a recommended frequency that should be followed?
- d. There is no note 4, it skips from 3 to 5. Please update as needed.
- e. There are a few spelling errors in the notes that should be corrected – “Relatively” and “accommodate” in note 1, “community” and “stabilize” in note 2, and “first” in note 5.
- f. Update the rain garden detail to identify the maximum contributing impervious drainage area (not to exceed 1,000 square feet, confirm that the combined soil media, gravel layer, and surface ponding storage meet the required treatment volume & do not exceed a 5:1 drainage area-to-rain garden surface area ratio (can use Water Quality Volume (WQv) calculations or dimensioning).
- g. Applicant to confirm a maximum ponding depth of six inches or less and clarify whether an underdrain is required based on native soil infiltration rates.

Comment #8: Applicant applying to the Town Board to opt into the AP-O Overlay District.

Comment #9: To comply with §164-46.H(7)(a)[8], show the areas with slopes of 15% or greater on the drawings, so that it can be confirmed that these areas are avoided.

Comment #10: Cul-de-sac shall be a T-turnaround that can accommodate a fire truck and a school bus.

Comment #11: Applicant to add to the plan with locations and landscaping table (botanical name, common name, size, quantity).

Comment #12: The Applicant must prepare a drainage ownership and maintenance document for the proposed stormwater infrastructure, including the detention basins.

Comment #13: Applicant must prepare a backup drainage district with the Town of Warwick Town Board in the event that the residents do not properly maintain the stormwater infrastructure, including the stormwater basins.

Comment #14: Applicant to include a detail on the plans to show a sectional view of the pipe in ROW, see §A168a. Add a note to the plans stating that the ROW must be properly restored after pipe installation.

Comment #15: Applicant to include an easement in the plan to address the pipe on parcel 219-1-1.2, shown on Sheet 3 of 11 from overall Subdivision Plan.

Comment #16: SWPPP Applicant to provide draft eNOI in Appendix A. The eNOI can be pdf'd from the website.

Comment #17: SWPPP Applicant to include a legend for the CRISPR figure provided in Appendix B.

Comment #18: Sight distance triangle descriptions and maintenance requirements must be shown on the plans.

Comment #19: Provide a map note stating that “No construction or proposed use shall begin until the maps are signed by the Planning Board Chairman and Building Department permits are obtained.” Sheet 1, Note 26.

Comment #20: Surveyor must sign and seal the plans.

Comment #21: Surveyor to certify that iron rods have been set at all property corners and stone cairns have been set along open space boundaries.

Comment #22: The Ridgeline Overlay Notes must be added to plans.

Comment #23: Affordable Housing documents must be submitted. The liber and page must be shown in the drawings.

Comment #24: Applicant to add the following notes to the plans:

- a. The approved plans must be filed with the Orange County Clerk prior to offering lots for sale and within 90 days of the last approval of the plans
- b. All easements including drainage and storm water maintenance easements are herewith created. Filed declarations for drainage easements have been recorded with the Orange County Clerk on 03/04/25 at Liber 15694, Pg 1322 & 12/12/25 at Liber 15827, Pg 903.
- c. A 100-foot wide no mow buffer on Lot # 3 is created for the purpose of buffering the other lots from active agricultural activities.
- d. The buffer shall be allowed to revert back to its natural state of woodlands and underbrush.
- e. The buffer will also satisfy NYS Appendix 5B standards for 100-foot separation from agricultural activities including barnyards, silos and animal pen areas.
- f. A declaration and easement related to the agricultural buffer was recorded with the Orange County Clerk on 07/28/25 at Liber 15763, Pg 744.
- g. Tree clearing to be limited to between November 1 and March 31.

Comment #25: Payment in lieu of parkland for 13 lots per Town of Warwick Town Code §75-3.A.(2)(a)[3].

Comment #26: Applicant to provide the drainage easement location and information on the drawing over parcel 53-1-5.2.

Comment #27: Applicant to prepare cost estimate for landscaping bond, including installation which will include both the street trees and the trees planted within the no mow area. A data source must be submitted for the costs.

Comment #28: Applicant to prepare cost estimates for the Performance and Landscape Bonds, including references for the unit costs.

Comment #29: Applicant to submit landscape bond to the Town, in a form agreeable to the planning board attorney.

Comment #30: Applicant to submit performance bond to the Town, in a form agreeable to the planning board attorney.

Comment #31: Payment of all fees.

Liberty Fields Farm Subdivision

Application for Amended Sketch Plat Review of a proposed 24-Lot Cluster subdivision + Special Use Permit for 2-Affordable Homes, situated on tax parcel SBL #42-1-8; parcel located on the western side of Sanfordville Road across from Eagles Watch Road and Co. Hwy 1(72 Sanfordville Rd. & 119 C.R. 1) and located on approximately 121± acres, in the RU zone, of the Town of Warwick.

Representing the Applicant: Kirk Rother from Rother Engineering.

The following review comments submitted by HDR:

Comment #1: Planning Board to discuss SEQRA.

Max Stach: : I think we need to submit for DEC JD on this one.

Kirk Rother: Okay. I didn't know they were even still doing it.

Max Stach: I think they are? It is only for mapped wetlands and unmapped wetlands over either 12.4- or 8-point something acres. I forget what the number is, but it's definitely this wetland is over that.

Kirk Rother: The number historically was the 12.4.

Max Stach: Right. Yes. I think I was trying to – everybody's kind of fuzzy on it. It's at least the 12.4 which you hit.

Kirk Rother: Okay.

Max Stach: It might even be the 8 number. I'll try and get to the bottom of it. This is a Type 1 Action under SEQRA. Initial plan approval of a realty subdivision. We have prepared a resolution for the Board of Declared Lead Agency and commenced coordinated review with the Orange County Department of Health, Orange County Department of Public Works, and New York State DEC.

Mr. McConnell makes a motion establishing Lead Agency for Type 1 Action.

Seconded by Mr. Kennedy. The following Resolution was carried 4-Ayes and 0-Nays and 1-Absent.

617.6

State Environmental Quality Review (SEQR)

Resolution Establishing Lead Agency

Type I Action

Name of Project: Liberty Fields Farm Major Subdivision

Whereas, the Town of Warwick Planning Board is in receipt of an application for cluster subdivision and special use permit approval of a 121-acre lot identified as Town of Warwick tax lot section 42 block 1 lot 8, located on the west side of Sanfordville Road north and south of County Route 1A.

Whereas, a Full Environmental Assessment Form (FEAF) Part 1 was submitted by the project sponsor, dated May 12, 2026; and

Whereas, the Planning Board has determined that the proposed project includes the, "initial approval of a Realty Subdivision," and therefore qualifies as a Type I Action, pursuant to 10 NYCRR §97.14 and 6 NYCRR 617.4; and

Whereas, the Planning Board has identified the following potentially involved agencies for this project:

**NYS Department of Environmental Conservation
Orange County Department of Health
Orange County Department of Public Works**

Now Therefore Be It Resolved, that the Planning Board hereby classifies the project as Type I and declares itself Lead Agency for the coordinated SEQR review of the project; and

Be It Further Resolved, that the Planning Board Secretary is hereby directed to distribute the attached lead agency notice, a copy of the FEAF Part 1 and a copy of the application to all involved agencies.

Comment #2: Applicant to discuss project.

Kirk Rother: Liberty Fields is a proposed a Cluster subdivision of the former Bollenbach Farm, 120 acres on both sides of County Route 1 and Sanfordville Road. We have a Yield Plan that was prepared based on the underlying zoning of four acres. We did not take any density bonuses. We did not take the one lot you can get based on the old zoning if you're in the ADPO district. So, it's truly a buy right plan. Regarding the 26 Lots on that plan, you'll remember at the workshop we talked about the affordable housing need, two affordable houses required. So that would give us a 26 by yield, two more by affordable, 28 total. The applicant, doesn't want to revise this layout. We're quite comfortable with it and the size of the lots and the open space we're preserving. Brian decided he's going to go with 26 lots total, so 24 market rates plus the two affordable lots. We're trying to keep the visual vista from County Route 1 open. This is the ridge here. We have nothing proposed on it. These Shading areas are all steep slopes. Existing dwelling right here, the Kwanzaa, everybody knows is right here. Our road is basically going through it. Brian plans to move this house down to where the Bollenbach homestead was. We need to do a site visit.

Chairman Astorino: I'm glad you said that. We are going to discuss scheduling a site visit now. I know this is the initial thing. Laura, do we need to discuss any of these comments this evening?

Laura Barca: No.

Chairman Astorino: I think we need to do a site visit before we even get into these comments. We will list Comment #3 through Comment #45 for the record. What date and time works for everyone?

The board and professionals discussed scheduling a site visit. The site visit has been scheduled for Monday, June 8, 2026 @ 5:00 P.M. Parking will be at the house located at 40 Sanfordville Road.

Kirk Rother: Thank you. We will see you at the site visit on June 8th at 5:00 p.m.

Chairman Astorino: Ok. Thank you.

Comment #3: Conservation Board: no comments received

Comment #4: Architectural Review Board: no comments received

Comment #5: OC Planning: pending comments

Comment #6: OCDPW: pending comments

Comment #7: OCDOH: pending submittal

Comment #8: TW Building Department: 04/08/26 cape cod (currently renovating home on proposed lot 23) can not obtain a CO until approved by the planning board.

Comment #9: SHPO: pending submittal/response.

Comment #10: Applicant to clarify status within APO District.

Comment #11: PB to determine if a site inspection is needed.

Comment #12: Provide service capacity letters for school, highway, police, ambulance, and fire department.

Comment #13: Applicable Town of Warwick Standard Notes should be added to the plans, including: overlay protection notes, signature block, limit of disturbance, lighting, relevant overlay notes, private road notes, sign note, cluster note, off a town and county road note, and open space notes.

Comment #14: Please clarify why the open space area is separated into lots 11 and 22.

Comment #15: §164-46H(7)(a)[9] requires the subdivision to avoid the habitats of any threatened or endangered species. Please confirm if any of these locations are present.

Comment #16: Applicant to submit wetlands delineation survey and show boundaries on plans. Applicant to confirm that all clearing/disturbance activities will be more than 100 feet from the wetland.

Comment #17: A note should be added to the plan stating who and when the wetlands were delineated.

Comment #18: The EAF (E.1.b) cites there will be 5.8 acres of tree removal. The Applicant must follow the USFWS tree clearing window of 1 November – 31 March of each calendar year. Add a note to the plans.

Comment #19: The Applicant should consult the USFWS IPaC tool and provide results with regard to federally listed species.

Comment #20: There should be a table added showing the lot number and the 911 address for each lot.

Comment #21: Existing Resources Plan – floodplains and historic sites missing.

Comment #22: Cluster Sheet, General Note 9 states that the wells and septic systems within 300-ft area shown, but the drawing does not show 300-ft beyond the property lines. Applicant to clarify.

Comment #23: Cluster Sheet, General Note 15 appears to contain the incorrect Section, Block, and Lot information. Applicant to update.

Comment #24: Traffic: The Applicant should clarify the status of the traffic study; an updated study or amendment may be necessary.

Comment #25: §164-41.1.G(4) states that the land used for agricultural purposes shall be buffered from residential uses with a 100 to 200-ft setback. If this buffer is not wooded, the planning board may require vegetative screening be provided. Applicant to clarify.

Comment #26: § 164-46J(100)(c): Affordable units must be located in areas that are not less desirable than market-rate units and must be equally accessible to public amenities. The Planning Board may consider financial hardship and development costs when determining feasibility.

Comment #27: § 164-46J(100)(d): Affordable units must be integrated into the development and match market-rate units in design, appearance, and quality. Feasibility will be evaluated based on financial and economic factors. Applicant is proposing that lots 23, 24, 25, and 26 will be the affordable lots. Only two affordable units are required.

Comment #28: The Table associated with §164-46J(100)(e) shows that Affordable Unit 1 must be built after Market-Rate Unit 10 has been built; Affordable Unit 2 must be built after Market-Rate Unit 23 has been built; and Affordable Unit 3 must be built after Market-Rate Unit 24 has been built. On Sheet 1, please add the timing of when the affordable houses are required to be constructed to the plans.

Comment #29: § 164-46J(100)(i)[2]: The Planning Board will require compliance with affordability rules as a condition of the special use permit. A deed rider must be executed, and the certificate of occupancy will not be issued until the deed restriction is recorded. Applicant to include this note on the plans.

Comment #30: Applicant to clarify if the proposed roads will be public or private.

Comment #31: Applicant to provide SWPPP, supporting maps and calculations, printed copy of the eNOI, details, etc.

Comment #32: Applicant to demonstrate that all driveways comply with §79-3 Construction Specifications.

Comment #33: Applicant to demonstrate that all driveways comply with §A168-19 Driveways.

Comment #34: Applicant to provide driveway details and sight distances.

Comment #35: The profiles for all driveways must be shown, or a note must be added to the plan stating that the driveway is less than 10%.

Comment #36: A note should be added to the plan stating that any driveways greater than 10% shall be paved in its entirety.

Comment #37: Applicant to add driveway profiles for all proposed roads on the plans.

Comment #38: Language for the Cluster Open Space Area(s) must be prepared and submitted for review.

Comment #39: Applicant to provide a description of the proposed open space area.

Comment #40: Provide a map note stating that "No construction or proposed use shall begin until the maps are signed by the Planning Board Chairman and Building Department permits are obtained."

Comment #41: Surveyor to certify that iron rods have been set at all property corners.

Comment #42: Applicant to provide a Performance Bond, a Landscape Bond, and the associated Site Inspection Fees for both.

Comment #43: Applicant to add the declaration information for the Town of Warwick Overlay Notes, Open Space, Private Road, No Further Subdivision of any Lot, and any other applicable notes.

Comment #44: Payment in lieu of parkland for applicable lots per Town of Warwick Town Code §75-3.A.(2)(a)[3].

Comment #45: Payment of all fees.

Other Considerations:

1. PB Minutes of 5/20/26 for PB approval. (Approved)

Mr. McConnell makes a motion to approve the PB Minutes of 5/20/26.

Seconded by Mr. Kennedy. Motion carried; 4-Ayes and 0-Nays and 1-Absent.

2. PB to discuss canceling the 6/8/26-W.S. & 6/17/26-PB Meeting. (Canceled)

Mr. McConnell makes a motion to cancel the 6/8/26-W.S. & 6/17/26-PB Meeting.

Seconded by Mr. Kennedy. Motion carried; 4-Ayes and 0-Nays and 1-Absent.

Correspondences:

Chairman Astorino: We have received numerous correspondences regarding the Blain Town Square project. We have them. We will go through those correspondences and see what needs to go into the scoping document. Connie, do we have any other correspondences?

Connie Sardo: No.

Privilege Of The Floor For Agenda Items!!

Chairman Astorino: If there is anyone in the audience wishing to address any of the agenda items, please rise and state your name for the record.

Alan Held: I have something to say about the Liberty Fields Farm subdivision. I know it is not part of the public scoping session.

Chairman Astorino: It is not. You could make a comment on the Liberty Fields subdivision?

Alan Held: I was just going to mention about the old Bollenbach homestead is an old one room schoolhouse. What will the status be with that old house?

Brian Singer: I am trying to preserve that old house. The issue right now, is that all the sills are rotting out of it. There is a tree growing up the side of it?

Alan Held: Okay.

Brian Singer: If I can save it, I'll save it. If it can't stay in that location, I will have it lifted up. But the issue with that is all the sills are rotting out. Old buildings, oak sills, all the beams that are tied into it, so that's my issue right now.

Mr. McConnell: If it crumbles to dust, it crumbles to dust.

Alan Hill: Okay. It used to be 84 Sanfordville Rd.

Brian Singer: Schoolhouse 18, which was moved from a location at Sanfordville over to that in 1952. I am trying to preserve that house. If I can, I have to open up more of the walls inside, but the sills are rotted out right now, so the floor's caved in. Not sure if it's viable, but we'll find out once I open up more of the walls on it, and see if there's other beams underneath there. It's not in the best shape right now.

Alan Hill: Ok. Thank you.

Chairman Astorino: Ok. Keep us posted as we go forward.

Brian Singer: Yes.

Chairman Astorino: Thank you. Have a good evening.

Mr. McConnell makes a motion to adjourn the June 3, 2026 Planning Board meeting.

Seconded by Mr. Kennedy. Motion carried; 4-Ayes and 0-Nays and 1-Absent.