

TOWN OF WARWICK PLANNING BOARD
May 18, 2022

Members present: Chairman, Benjamin Astorino
Roger Showalter, Vice-Chairman
Dennis McConnell, Bo Kennedy,
John MacDonald, Rich Purcell, Alt.
Laura Barca, HDR Engineering
John Bollenbach, Planning Board Attorney

The regular meeting of the Town of Warwick Planning Board was held Wednesday, May 18, 2022 at the Town Hall, 132 Kings Highway, Warwick, New York. Chairman, Benjamin Astorino called the meeting to order at 7:30 p.m. with the Pledge of Allegiance.

PUBLIC HEARING OF Mark Horberg & Risa Jaslow

Application for Final approval of a proposed 2-Lot Subdivision, situated on tax parcel S 1 B 1 L 82; parcel located on the southern side of Oil City Road, 5200 feet west of Liberty Corners Road (231 Oil City Road), in the AI zone, of the Town of Warwick, County of Orange, State of New York.

Representing the Applicant: Dave Getz from Engineering Properties & Surveying. Mark Horberg, Applicant.

Mr. Astorino: We received the certified mailings for the Horberg & Jaslow public hearing.

The following review comments submitted by HDR:

1. Planning Board to discuss SEQRA.
2. Applicant to discuss project.
3. Conservation Board – no comments received
4. Architectural Review Board – no comments received
5. OC Planning Department – 04/07/22 no advisory comments
6. TW Building Department – 04/19/22 no violations
7. Planning Board to determine if a site inspection is necessary.
8. 911 addresses must be obtained from the Building Department and then shown on the plan. Lot 2 is not for residential purposes but has access off Oil City Road, so the 911 address as shown on Sheet S-1, General Note 9 should state that the 911 address for Lot 2 is Oil City Road.
9. 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 C-1, Note 10
10. Surveyor to certify that iron rods have been set at all property corners.

11. The liber and page for the Agricultural and Biodiversity notes, Agreement must be added to the plan.
12. Payment in lieu of parkland for one lot per Town of Warwick Town Code §75-3.A.(2)(a)[3].
13. Payment of all fees.

The following comment submitted by the Conservation Board:

Mark Horberg & Risa Jaslow – None submitted.

The following comment submitted by the ARB:

Mark Horberg & Risa Jaslow – None submitted.

Comment #1: Planning Board to discuss SEQRA.

Mr. McConnell: This SEQRA comment has been prepared by Mr. Ted Fink: *The Applicant had submitted a short EAF to the Planning Board. “The Planning Board had previously deemed this application at a prior Planning Board Meeting as a Type 2 Action. There is no construction proposed. The Type 2 Action was adopted by the Planning Board on April 20, 2022”.*

Comment #2: Applicant to discuss project.

Dave Getz: Mr. Horberg and his wife own approximately 31 acres right at the corner of Warwick, Vernon, Minisink and Wantage. Their property borders the Wallkill River. The project involves splitting off approximately 8 acres to stay with their home. They are looking to create a Lot 2 to consist of approximately 23 acres which would become part of the National Lands through U.S. Fish & Wildlife. There is no construction proposed.

Comment #3: Conservation Board – no comments received

Comment #4: Architectural Review Board – no comments received

Comment #5: OC Planning Department – 04/07/22 no advisory comments

Comment #6: TW Building Department – 04/19/22 no violations

Comment #7: Planning Board to determine if a site inspection is necessary.

Mr. Astorino: The Planning Board deemed that a site inspection was not necessary.

Comment #8: 911 addresses must be obtained from the Building Department and then shown on the plan. Lot 2 is not for residential purposes but has access off Oil City Road, so the 911 address as shown on Sheet S-1, General Note 9 should state that the 911 address for Lot 2 is Oil City Road.

Dave Getz: Ok.

Comment #9: 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 C-1, Note 10

Mr. Bollenbach: Is that note necessary?

Mr. Astorino: We put that note on everyone.

Mr. Bollenbach: No. It is for everyone. We do it on a case-by-case basis.

Laura Barca: The note is already on the plan. It is on Sheet 1.

Mr. Astorino: Ok.

Comment #10: Surveyor to certify that iron rods have been set at all property corners.

Dave Getz: Ok.

Comment #11: The liber and page for the Agricultural and Biodiversity notes, Agreement must be added to the plan.

Dave Getz: Will do.

Comment #12: Payment in lieu of parkland for one lot per Town of Warwick Town Code §75-3.A.(2)(a)[3].

Dave Getz: Ok.

Comment #13: Payment of all fees.

Dave Getz: Understood.

Mr. Astorino: Do any Board members or Professionals have any comments? This is a public hearing. If there is anyone in the audience wishing to address the Horberg-Jaslow application, please rise and state your name for the record. Let the record show no public comment.

Mr. Showalter makes a motion to close the public hearing.

Seconded by MacDonald. Motion carried; 5-Ayes & 0-Nays.

Mr. Kennedy makes a motion on the Mark Horberg & Risa Jaslow application, granting conditional Final Approval for a proposed 2-Lot Subdivision, situated on tax parcel S 1 B 1 L 82; parcel located on the southern side of Oil City Road, 5200 feet west of Liberty Corners Road (231 Oil City Road), in the AI zone, of the Town of Warwick, County of Orange State of New York. A SEQRA Type II Action was adopted on April 20, 2022. Approval is granted subject to the following conditions:

1. 911 addresses must be obtained from the Building Department and then shown on the plan. Lot 2 is not for residential purposes but has access off Oil City Road, so the 911 address as shown on Sheet S-1, General Note 9 should state that the 911 address for Lot 2 is Oil City Road.

2. 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 C-1, Note 10
3. Surveyor to certify that iron rods have been set at all property corners.
4. The liber and page for the Agricultural and Biodiversity notes, Agreement must be added to the plan.
5. Payment in lieu of parkland for one lot per Town of Warwick Town Code §75-3.A.(2)(a)[3].
6. Payment of all fees.

Seconded by Mr. McConnell. Motion carried; 5-Ayes and 0-Nays.

Dave Getz: Thank you.

PUBLIC HEARING OF Mission Land Farm, LLC

Application for Site Plan and Special Use Permit for the use and construction of an agricultural manufacturing operation of a woodworking business with an existing building, situated on tax parcels S 3 B 1 L 23.22 and L 69; parcels located on the southern side of Mission Land Road 2500 feet west of C.R. 1 (93 Mission Land Road), in the AI zone, of the Town of Warwick, County of Orange, State of New York.

Representing the Applicant: Dave Getz from Engineering Properties & Surveying. Nils Kasparsons, Applicant.

Mr. Astorino: We received the certified mailings for the Mission Land Farm application.

The following review comments submitted by HDR.

1. Planning Board to discuss SEQRA.
2. Applicant to discuss project.
3. Conservation Board – no comments received
4. Architectural Review Board – no comments received
5. OC Planning Department – pending comments
6. TW Building Department – 01/26/22 no violations
7. A recent Code amendment to §164-42.E no longer required a ZBA interpretation for the date of the structure being built. ZBA variances granted on April 25, 2022; please add complete language to the plan.
8. Planning Board may wish to schedule a site inspection.
9. Please add a planting schedule to the plan (botanical name, common name, and size) and a planting detail – AND THREE-YEAR LANDSCAPE BOND.
10. Applicant to add Note 6 to the Monument Sign Detail stating that the sign must be 15’ or more back from the edge of pavement.
11. 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 C-1, Note 13
12. The declaration information for the Aquifer Overlay and Agricultural Protection Notes must be added to the plans.
13. The surveyor must sign and seal the plan.
14. Surveyor to certify that iron rods have been set at all property corners.
15. Payment of all fees.

The following comment submitted by the Conservation Board:

Mission Land Farm, LLC – None submitted.

The following comment submitted by the ARB:

Mission Land Farm, LLC – None submitted.

Comment #1: Planning Board to discuss SEQRA.

Mr. McConnell: This SEQRA Comment has been prepared by Mr. Ted Fink: *The Applicant had submitted a short EAF to the Planning Board. Under the review of SEQRA, the applications meet the thresholds for a Type 2 Action. There is no construction proposed. The building exists on the property. There is no need for SEQRA review. I have prepared a draft Type 2 Action Resolution for the Planning Board's consideration.*

Comment #2: Applicant to discuss project.

Dave Getz: Mr. Kasparsons has a woodworking business. It is located off Transport Lane in Pine Island. He become the owner of the property in question. It was previously 2 lots. They now have been merged into one lot. There is an existing steel building on the property that he will move his shop into. Since we last appeared before you, we have gone to the ZBA. The ZBA granted an area variance. We spoke at the Work Session that the Town Board had changed the Code regarding Adaptive Reuse.

Mr. Astorino: Yes. It now meets the Code.

Dave Getz: Right.

Comment #3: Conservation Board – no comments received

Comment #4: Architectural Review Board – no comments received

Comment #5: OC Planning Department – pending comments

Comment #6: TW Building Department – 01/26/22 no violations

Comment #7: A recent Code amendment to §164-42.E no longer required a ZBA interpretation for the date of the structure being built. ZBA variances granted on April 25, 2022; please add complete language to the plan.

Dave Getz: Ok.

Comment #8: Planning Board may wish to schedule a site inspection.

Mr. Astorino: We decided that a site inspection was not necessary.

Comment #9: Please add a planting schedule to the plan (botanical name, common name, and size) and a planting detail – AND THREE-YEAR LANDSCAPE BOND.

Dave Getz: Will do.

Comment #10: Applicant to add Note 6 to the Monument Sign Detail stating that the sign must be 15' or more back from the edge of pavement.

Dave Getz: Yes.

Comment #11: 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 C-1, Note 13.

Dave Getz: Ok.

Mr. Astorino: That note is already on the plans.

Comment #12: The declaration information for the Aquifer Overlay and Agricultural Protection Notes must be added to the plans.

Dave Getz: Will do.

Comment #13: The surveyor must sign and seal the plan.

Dave Getz: Ok.

Comment #14: Surveyor to certify that iron rods have been set at all property corners.

Dave Getz: We have requested a waiver of the iron rods. We are not making any changes to the property lines.

Mr. McConnell: Is it pretty clear where the property lines are to the neighbors?

Dave Getz: I believe so. The back two corners are very close to the utility poles that are shown on the plan. We don't think it is anything controversial.

Mr. McConnell: John, is the reason for certify pins is to put people on notice?

Mr. Bollenbach: It is not necessarily to put people on notice. There are deeds that are filed as legal metes and bounds. When one property's delineations are changed such as lot line changes and subdivisions, that is when pins would have to be placed to memorialize where those angle points are.

Mr. McConnell: Is part of this within an agricultural area of the black dirt where you might wind up with pins being knocked over? I am just wondering if we should waive the pins.

Mr. Bollenbach: The property lines are not being modified or changed in any way.

Dave Getz: Correct. They are not located in black dirt. The black dirt is on the other side of Mission Land Road.

Mr. McConnell: Ok.

Comment #15: Payment of all fees.

Dave Getz: Ok.

Mr. Bollenbach: Regarding Comment #9 the planting schedule, we would need to add the 3-Year Landscaping Bond.

Mr. Astorino: Yes. We will add that to the comment. This is a public hearing. If there is anyone in the audience wishing to address the Mission Land Farm application, please rise and state your name for the record. Let the record show no public comment.

Mr. McConnell makes a motion for the Type 2 Action.

Seconded by Mr. Kennedy. The following Resolution was carried 5-Ayes and 0-Nays.

617.6
State Environmental Quality Review (SEQR)
Resolution
Type 2 Action

Name of Action: Mission Land Farm Site Plan/Special Permit

Whereas, the Town of Warwick Planning Board is in receipt of applications for Site Plan and Special Use Permit approvals by Mission Land Farm, LLC for a 1.416 acre parcel of land, located at 93 Mission Land Road, Town of Warwick, Orange County, New York, and

Whereas, an Environmental Assessment Form (EAF) dated 1/24/22 was submitted at the time of application, and

Whereas, after comparing the thresholds contained in 6 NYCRR 617.4 and 5, the Planning Board has determined that the proposed project is a Type II Action that meets the thresholds found in 6 NYCRR 617.5(c)(9) with no new construction proposed as part of the action and therefore, SEQR does not apply, and

Whereas, the Planning Board has determined that the proposed project is within a New York State Agricultural District or on property with boundaries within 500 feet of a farm within an Agricultural District and, therefore, the requirements of 6 NYCRR 617.6(a)(5) apply meaning that an Agricultural Data Statement must be filed with the owner(s) of farm operations identified in the Statement and the Planning Board must evaluate and consider the Statement to determine possible impacts the proposed project may have on the functioning of farm operations within the agricultural district, and

Whereas, after examining the EAF, the Planning Board has determined that there are no other agencies involved on the action.

Now Therefore Be It Resolved, that the Planning Board hereby declares that no further review under SEQR is required.

Mr. McConnell makes a motion to close the public hearing.

Seconded by Mr. Kennedy. Motion carried; 5-Ayes and 0-Nays.

Mr. Showalter makes a motion on the Mission Land Farm, LLC application, granting conditional Site Plan Approval and Special Use Permit for the use and construction of an agricultural manufacturing operation of a woodworking business within an existing building, situated on tax parcels S 3 B 1 L 23.22 and L 69; project located on the southern side of Mission Land Road 2500 feet west of C.R. 1 (93 Mission Land Road), in the AI zone, of the Town of Warwick, County of Orange, State of New York. A SEQRA Negative Declaration was adopted on May 18, 2022. Approval is granted subject to the following conditions:

1. A recent Code amendment to §164-42.E no longer required a ZBA interpretation for the date of the structure being built. ZBA variances granted on April 25, 2022; please add complete language to the plan.
2. Please add a planting schedule to the plan (botanical name, common name, and size) and a planting detail – AND THREE-YEAR LANDSCAPE BOND.
3. Applicant to add Note 6 to the Monument Sign Detail stating that the sign must be 15' or more back from the edge of pavement.
4. 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 C-1, Note 13
5. The declaration information for the Aquifer Overlay and Agricultural Protection Notes must be added to the plans.
6. The surveyor must sign and seal the plan.
7. Surveyor to certify that iron rods have been set at all property corners.
8. Payment of all fees.

Seconded by Mr. Kennedy. Motion carried; 5-Ayes and 0-Nays.

Dave Getz: Thank you.

Review of Submitted Maps:***NY Hemp Source-WVLDC -Town of Warwick-Urban Extracts Lot Line Change***

Application for Sketch and Final Approval of a proposed Lot Line Change, situated on tax parcels S 46 B 1 L 35, 39.21 and 39.22; parcels located on the south side of John Hicks Drive 50 feet west of State School Road, in the OI zone, of the Town of Warwick, County of Orange, State of New York.

Representing the Applicant: Jerry Casesa, HV Realty Service.

The following review comments submitted by HDR:

1. Planning Board to discuss SEQRA.
2. Applicant to discuss project.
3. Conservation Board – no comments received
4. Architectural Review Board – no comments received
5. OC Planning Department – pending response
6. TW Building Department – pending response
7. Planning Board to determine if site inspection is desired.
8. Application forms must be signed by all current property owners.
9. If there is no land disturbance proposed, there should be a note added to the plan stating that no land disturbance is proposed as part of this application.
10. A copy of the 30' access easement must be submitted for record keeping purposes.
11. It must be confirmed that the 30' access easement can be separated between two properties as shown.
12. The surveyor signature and seal must be included on the final drawing.
13. The Town of Warwick standard note for lighting shall be added to the plan.
14. The applicable declaration information must be added to the plan.
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.”
16. Surveyor to complete and submit Town of Warwick Certification of Iron Pins form.
17. The liber and page for the deed referencing the lot line changes must be added to the plan.
18. Payment of all fees.

The following comment submitted by the Conservation Board:

NY Hemp Source-WVLDC-Town of Warwick-Urban Extracts Lot Line Change – None submitted.

The following comment submitted by the ARB:

NY Hemp Source-WVLDC-Town of Warwick-Urban Extracts Lot Line Change – None submitted.

Comment #1: Planning Board to discuss SEQRA.

Mr. McConnell: This SEQRA comment has been prepared by Mr. Ted Fink: *“The Applicant has submitted a short EAF to the Planning Board. This application is for a proposed lot line change. There is no construction proposed. This application meets the thresholds for a Type 2 Action. I have prepared a Type 2 Action Resolution for the Planning Board’s consideration.*

Comment #2: Applicant to discuss project.

Jerry Casesa: I represent NY Hemp Source and Urban Extracts. My clients recently purchased an 8.16-acre lot in the Wickham Tech Park, which is part of the old Mid-Hudson Correctional Facility off Kings Highway in the Town of Warwick. The lot is located on the southern side of State School Road. And John Hicks Drive. It is known as SBL # 46-1-35. My clients are in contract to purchase just over 4 acres of the 6.4-acre parcel on the eastern side of this map. That lot is currently owned by WVLDC. The remaining 2.40 acres, will be transferred to the Town of Warwick and added to their 640-acre parcel. What that allows is the existing firehouse and water tower that the Town owns and operates for the benefit of the Tech Park for full access for that property. They would own that. Looking at the map, additionally on the upper right-hand corner on the east side of the map, NY Hemp Source would be conveying 2.28 acres to the Town of Warwick and its buildings which would be used for a future Town Park. The Town of Warwick would be conveying 11.63 acres of mostly of wetlands, which would allow NY Hemp Source to delete the 2 lot lines currently shown on the map noted to be deleted. Part of that 11.63 acres is the old building which is listed as the Hog House. That is the last farm building on the parcel. To date, we have restored the Dairy Barn. It is now a hemp and traction facility as well as the old Poultry House which is now a testing lab facility. We are going to look at restoring that building. It has remanence of 2 greenhouses. We hope to restore that and utilize the building for greenhouses and cultivation facility. This is a combination of an agreement that was in place early on with the LDC. This would allow them to convey their last parcel to the Town so they could finish their development of the correctional facility. This map was reviewed by some of the Board members at the Work Session. There were some modifications requested. We believe this map has those changes.

Mr. Astorino: Ok. Thank you.

Comment #3: Conservation Board – no comments received

Comment #4: Architectural Review Board – no comments received

Comment #5: OC Planning Department – pending response

Comment #6: TW Building Department – pending response

Comment #7: Planning Board to determine if site inspection is desired.

Mr. Astorino: We discussed this at the Work Session. We agreed that there was no need to have a site visit.

Comment #8: Application forms must be signed by all current property owners.

Mr. Astorino: I am not sure if that has been done yet. Connie, our secretary is not here this evening to verify that.

Comment #9: If there is no land disturbance proposed, there should be a note added to the plan stating that no land disturbance is proposed as part of this application.

Jerry Casesa: Ok. Will do.

Comment #10: A copy of the 30' access easement must be submitted for record keeping purposes.

Jerry Casesa: Yes. Will do.

Comment #11: It must be confirmed that the 30' access easement can be separated between two properties as shown.

Jerry Casesa: It must be confirmed by who?

Laura Barca: Once the Attorney provides the document, it will be looked at.

Jerry Casesa: Ok. We will provide the document.

Comment #12: The surveyor signature and seal must be included on the final drawing.

Jerry Casesa: Yes.

Comment #13: The Town of Warwick standard note for lighting shall be added to the plan.

Jerry Casesa: Yes. Will do.

Comment #14: The applicable declaration information must be added to the plan.

Jerry Casesa: Yes.

Laura Barca: I believe they had added the Aquifer Protection Note and the Bio-Diversity Conservation Overlay Note on the plans.

Mr. Astorino: Ok. Are they the only two notes?

Laura Barca: I think so. I don't know if the lot line changes are required to have that declaration information.

Mr. Bollenbach: Yes. Just have the declaration added to the map.

Jerry Casesa: Ok.

Comment #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."

Jerry Casesa: Yes.

Comment #16: Surveyor to complete and submit Town of Warwick Certification of Iron Pins form.

Jerry Casesa: Yes.

Comment #17: The liber and page for the deed referencing the lot line changes must be added to the plan.

Jerry Casesa: Agreed.

Comment #18: Payment of all fees.

Jerry Casesa: Agreed.

Mr. Astorino: Do any Board members or Professionals have any comments?

Mr. McConnell: I am just a little confused with the Parties that are in this transaction. The name of the action that is listed in Ted Fink's form states Urban Extract Re-subdivision. The map is titled the Town of Warwick, NY Hemp Source & Warwick Valley Local Development Corp. I don't see anything about Urban Extracts. Who are Urban Extracts? What is their role in this?

Jerry Casesa: Urban Extracts is the parent company of NY Hemp Source. New Hemp Source is the entity that owns the property. Urban Extracts currently has a lease for the barn building and does the actual production of the hemp extraction.

Mr. McConnell: Ok. I get that. But, is it Urban Extracts that owns the title?

Jerry Casesa: The property is entitled to NY Hemp Source/Urban Extracts, Inc.

Mr. McConnell: John, could you take a look at this?

Mr. Bollenbach: I will take a look at the deeds to make sure everything is properly referenced.

Mr. McConnell: I would hate to see if we are granting something to the wrong party.

Jerry Casesa: Right. I will provide a copy of the deed.

Laura Barca: The Surveyor has indicated that the current owner of that parcel is NY Hemp Source, LLC.

Mr. Bollenbach: I will have to confirm if that is correct also.

Jerry Casesa: I know that is the name on the deed. That is the entity that owns the property. That is the entity that will be owning the reconfigured parcel. Perhaps the application has to be modified.

Mr. Astorino: We will have our Attorney verify that.

Jerry Casesa: Ok.

Mr. Astorino: Do any Board members have any comments or concerns?

Mr. Bollenbach: Does the Applicant request from the Planning Board to waive the Final Public Hearing?

Jerry Casesa: Yes.

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

Seconded by Mr. McConnell. Motion carried; 5-Ayes and 0-Nays.

Mr. McConnell makes a motion for the Type 2 Action.

Seconded by Mr. Kennedy. Motion carried; 5-Ayes and 0-Nays.

617.6

State Environmental Quality Review (SEQR)

Resolution

Type 2 Action

Name of Action: Urban Extracts Re-Subdivision

Whereas, the Town of Warwick Planning Board is in receipt of an application for Re-Subdivision (Lot Line Alteration) approval by NY Hemp Source, Warwick Valley Local Development Corp, and Town of Warwick for a 655.65 acre parcel area, located on the south side of John Hicks Drive, 50 feet west of State School Road, in the Office and Industrial Park Zoning District, Town of Warwick, Orange County, New York, and

Whereas, an Environmental Assessment Form (EAF) dated 4/28/22 was submitted at the time of application, and

Whereas, after comparing the thresholds contained in 6 NYCRR 617.4 and 5, the Planning Board has determined that the proposed project is a Type II Action that meets the thresholds found in 6 NYCRR 617.5(c)(4) and (32), with no new construction proposed as part of the action and therefore, SEQR does not apply, and

Whereas, the Planning Board has determined that the proposed project is within a New York State Agricultural District or on property with boundaries within 500 feet of a farm within an Agricultural District and, therefore, the requirements of 6 NYCRR 617.6(a)(5) apply meaning that an Agricultural Data Statement must be filed with the owner(s) of farm operations identified in the Statement and the Planning Board must evaluate and consider the Statement to determine possible impacts the proposed project may have on the functioning of farm operations within the agricultural district, and

Whereas, after examining the EAF, the Planning Board has determined that there are no other agencies involved on the action.

Now **Therefore Be It Resolved**, that the Planning Board hereby declares that no further review under SEQR is required.

Mr. Showalter makes a motion on the NY Hemp Source-WVLDC-Town of Warwick-Urban Extracts application, granting conditional Final Approval for a proposed Lot Line Change, situated on tax parcels S 46 B 1 L 35, 39.21 and 39.222; parcels located on the south side of John Hicks Drive 50 feet west of State School Road, in the OI zone. A SEQRA Type II Action was adopted on May 18, 2022. Approval is subject to the following conditions:

1. Application forms must be signed by all current property owners.
2. If there is no land disturbance proposed, there should be a note added to the plan stating that no land disturbance is proposed as part of this application.
3. A copy of the 30' access easement must be submitted for record keeping purposes.
4. It must be confirmed that the 30' access easement can be separated between two properties as shown.
5. The surveyor signature and seal must be included on the final drawing.
6. The Town of Warwick standard note for lighting shall be added to the plan.
7. The applicable declaration information must be added to the plan.
8. 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."
9. Surveyor to complete and submit Town of Warwick Certification of Iron Pins form.
10. The liber and page for the deed referencing the lot line changes must be added to the plan.
11. Payment of all fees.

Seconded by Mr. McConnell. Motion carried; 5-Ayes and 0-Nays.

Jerry Casesa: Thank you.

Other Considerations:

1. **Wheeler Road Estates** – Received Letter from Nicholas Rugnetta, P&P Engineering, dated 5/10/22 addressed to the Planning Board in regards to Wheeler Road Estates – requesting 33rd 6-Month Extension on Preliminary Approval of a proposed 31-Lot Cluster subdivision + 3-Affordable Homes, situated on tax parcel SBL # 8-2-44.223; parcel located along the northerly side of Wheeler Road (C.R. 1) at the intersection with Dussenbury Drive, in the SL zone, of the Town of Warwick. Preliminary Approval was granted on 11/2/05. *The Applicant has stated that they recently made a complete submittal addressing the Town's consultants' comments.* The 33rd 6-Month Extension on Preliminary Approval becomes effective on 5/2/22.

Mr. Astorino: We did discuss this at the Work Session. Nick Rugnetta was going to be here tonight, but he came down with Covid.

Mr. Showalter makes a motion on the Wheeler Road Estates application, granting granted a 33rd 6-Month Extensions on Preliminary Approval of a proposed 31-Lot Cluster subdivision + 3-Affordable Homes, SBL # 8-2-44.223. Preliminary Approval was granted on, 11/2/05.

The 33rd 6-Month Extension on Preliminary Approval becomes effective on, 5/2/22.

Seconded by Mr. Showalter. Motion carried; 5-Ayes and 0-Nays.

2. Planning Board Minutes of 4/20/22 for PB approval.

Mr. Showalter makes a motion to approved the Planning Board Minutes of 4/20/22.

Seconded by Mr. MacDonald. Motion carried; 5-Ayes and 0-Nays.

3. Planning to discuss canceling the 5/23/22-W.S. & 6/1/22-PB Meeting.

Mr. Kennedy makes a motion to cancel the 5/23/22-W.S. & 6/1/22-PB Meeting.

Seconded by Mr. Showalter. Motion carried; 5-Ayes and 0-Nays.

Correspondences:

Mr. Astorino: We don't have any correspondences this evening.

Privilege Of The Floor For Agenda Items!!

Mr. 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. Let the record show no public comment.

Mr. McConnell makes a motion to adjourn the May 18, 2022 Planning Board Meeting.

Seconded by Mr. Showalter. Motion carried; 5-Ayes and 0-Nays.