

OCT 09 2013

VILLAGE OF WOODBURY

**VILLAGE OF WOODBURY
PLANNING BOARD MEETING**

OCTOBER 2, 2013

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**VILLAGE OF WOODBURY
PLANNING BOARD MEETING**

OCTOBER 2, 2013

PRESENT: M. Hunter, Chairperson
R. Anzalone
C. Scibelli
R. Cataggio

D. Lindsay
K. O'Donnell
R. Golden

ABSENT: C. Correia
S. Turner

Chairperson Hunter opened the meeting at 7:45 with the Pledge of Allegiance and a moment of silence for our Armed Forces and all others in harm's way throughout the world. She then introduced the Board members and Consultants.

MINUTES

R. Anzalone made a motion to accept the minutes from the meeting of September 18, 2013 as submitted. R. Cataggio seconded the motion. The vote was as follows:

M. Hunter – In Favor
R. Anzalone – In Favor
C. Correia – Absent
C. Scibelli – In Favor
R. Cataggio – In Favor

CARRYOVERS & RESOLUTIONS

PRINCE - TAX MAP 230-8-3.1 & 3.2

Chairperson Hunter read the resolution of approval for a two lot minor subdivision located at 18 Valley Avenue in Central Valley, beginning with the Specific Conditions. When she was finished, C.Scibelli made a motion to accept the resolution. R. Anzalone seconded the motion. The vote was as follows:

M. Hunter – In Favor
R. Anzalone – In Favor
C. Correia – Absent
C. Scibelli – In Favor
R. Cataggio – In Favor

REGULAR AGENDA

TIMBER TRAIL – TAX MAP 237-2-1.21 & 4.11

Chairperson Hunter explained that this was to be a discussion of a request for extension of preliminary approval for an 8 lot subdivision located on Route 32 and Timber Trail in Highland Mills. At this point, Lorraine Potter, with Lanc & Tully Engineers, appeared on behalf of the applicant, Susan Shapiro who was also in attendance. Ms. Potter explained that since their preliminary approval on April 3rd of this year they have made application to the Orange County Health Department for realty subdivision, and for a water main extension. They also made application to the DEC for the sanitary sewer extension. While the DEC was beginning their review for the sanitary sewer it was discovered that there are Timber Rattlesnakes in this area. She said that Robert Torgesson, a biologist, did a report in August of this year and it was finally acknowledged by the DEC that there are no Timber Rattlesnakes on this particular site, and the application for sanitary sewer could continue. They are still waiting for the results of the review from the DEC and respectfully requested an extension of their preliminary approval.

After some discussion, C. Scibelli made a motion to extend the preliminary approval for this application to April 16, 2014. R. Cataggio seconded the motion. The vote was as follows:

- M. Hunter – In Favor
- R. Anzalone – In Favor
- C. Correia – Absent
- C. Scibelli – In Favor
- R. Cataggio – In Favor

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

Chairperson Hunter explained that this was to be a review and discussion of a revised subdivision site plan for proposed relocation of sewer lines through Julien Court. The property is located off Dunderberg Road in Central Valley. She then asked the applicant for an overview.

Bill Brodsky appeared as the applicant and owner of Woodbury Junction/WP3 LLC. He introduced Travis Ewald of KC Engineering, who will be filling in for Jason Pitingaro. He then thanked the Board for allowing them to make this presentation and then explained that, at the last meeting, everyone thought that re-routing the sewer to a gravity feed system into the sewer main on the corner of Dunderberg and Nininger would be a better way to go. He said that over the past eight months they have tried to come up with various ways to do this. He explained that they had appeared before the Town Board for an easement through property that he had given to the Town. However, he was unsure whether they were going to grant the easement or not, so they decided to take an alternate route. He then showed the Board this route on the plans. He added that this new route has less impact on the County road, and helps everyone.

WOODBURY JUNCTION/WP3 LLC - TAX MAP 225-1-3.22 et al (cont.)

Mr. Brodsky said that by running the sewer line down Julien Court he can give the residents there the opportunity to have access to the sewer in the event their septic systems fail. He acknowledged that he does not have the authority to grant them this access, but he will install the laterals so that they can make application to the Village to access the sewer line.

Mr. Brodsky also said that he will be making repairs to Julien Court, and the entire road will be re-paved and improved. He also showed the Board an area of roadway which will actually be flattened out somewhat, causing less impact on the environment.

At this point Chairperson Hunter noted, for the record, that correspondence had been received from the Orange County Department of Planning stating that this was a local determination. Also, as requested by the Board, all property owners in question had signed the application, so they are aware of this proposal.

At this point Travis Ewald added that there were some engineering comments that they are more than certain they can satisfy. He wanted to be sure the Board was comfortable with their proposal so they can move forward with what he believes is an excellent solution to making improvements to this project.

Chairperson Hunter then asked D. Lindsay for his comments. D. Lindsay agreed that this proposal is a good thing. He said the Sewer Superintendent also like the idea of eliminating the pump station in favor of a gravity feed sewer system. He said there are some details to be worked out but, overall, he endorses the concept.

As far as drainage is concerned, D. Lindsay said the applicant has added Pond 6 back into their plans. Also, a design will need to be submitted for the roadway change as described earlier by Mr. Brodsky. His recommendation to the Board is that, if they act favorably on this proposal, the plans are not signed and no construction is authorized until there is a complete plan.

With regard to the retaining wall that will need to be constructed, D. Lindsay said he wants to be sure that wall is constructed properly. He added that the area should be subject to a geo-technical report to determine what the underlying materials are, and what they need to do to construct the wall. He was concerned about settling of the soil, which may lead to settlement, deposition, ponding, and a number of other problems because of the relatively flat slope. He reiterated the request for a geo-technical report, as well as an engineer's report stating the manner in which the sanitary sewer will be constructed. Also, there are some areas where deep cuts will be required. He recommended these areas be sheeted, and the sheeting remain after construction.

WOODBURY JUNCTION/WP3 LLC - TAX MAP 225-1-3.22 et al (cont.)

With regard to the improvements on Julien Court, D. Lindsay said the work is described in a narrative, which is an agreement Mr. Brodsky has with the people on Julien Court. He added that, as far as he knows, this is a private contract. He has not asked for drawings for this work. He wanted R. Golden to confirm this.

At this point Mr. Ewald asked to address D. Lindsay's concerns, as it appears a majority of them are construction related. He said that they have no problem including a construction detail for the access road for the sewer line. With regard to the 28' of fill to put the sewer pipes in, Mr. Ewald said they are proposing that the topsoil be removed, any unsuitable soil be removed, and the existing soil will be tested in place to make sure it can hold the appropriate compaction. He said their geo-technical staff can report on this. They can submit a narrative to the Board's consultants for their review of what they believe the process should be as far as installation. He was confident that there would not be any settling if this process is followed.

Finally, Mr. Ewald said the language for the easements will be supplied to the Board.

Chairperson Hunter asked K. O'Donnell for her comments. K. O'Donnell said that they reviewed the original SEQRA findings and believe this application is consistent with the original findings.

Chairperson Hunter asked R. Golden for his comments. R. Golden said that he would need a listing of all the properties which this pipeline is going to traverse that are not owned by the applicant, and there would need to be easements to the satisfaction of the Planning Board attorney as to form. These must be executed and filed before a building permit can be issued. Chairperson Hunter asked if this also applied to work on property owned by the applicant. R. Golden said he would defer to D. Lindsay regarding the mechanics of this issue. However he did not feel that it would be wise to begin construction of a pipeline to traverse several properties which would need to be stopped if some of the easements were missing. He said that from a legal standpoint he would like to have all the easements in place before the building permits are issued. D. Lindsay agreed, and said the applicant had a lot of work to do prior to constructing the sanitary sewer.

Mr. Brodsky noted that time is not on his side as winter is fast approaching. He said R. Golden can work with his attorney. He also wanted to have a meeting with D. Lindsay immediately to address any of his issues. As a point of clarification, he said there are only two property owners outside of himself. One parcel is owned by Rosner/Chow, and Julien Court, which has been retained by the Cornell family. R. Golden said he will be looking at the County property records to determine the proper owners of these properties. Also, the County will need to give an easement as well for work in the County right-of-way.

WOODBURY JUNCTION/WP3 LLC - TAX MAP 225-1-3.22 et al (cont.)

R. Golden also informed the Board that this application would be subject to a public hearing because it is an amendment to an existing site plan. This is not something the Planning Board can waive.

The discussion continued regarding the public hearing, after which C. Scibelli made a motion to set a public hearing for this application for October 16, 2013. R. Anzalone seconded the motion. The vote was as follows:

- M. Hunter – In Favor
- R. Anzalone – In Favor
- C. Correia – Absent
- C. Scibelli – In Favor
- R. Cataggio – In Favor

Chairperson Hunter offered a motion to authorize the attorney to prepare a resolution of approval for this application. R. Anzalone seconded the motion. The vote was as follows:

- M. Hunter – In Favor
- R. Anzalone – In Favor
- C. Correia – Absent
- C. Scibelli – In Favor
- R. Cataggio – In Favor

WOODBURY COMMON - FIELD CHANGES

D. Lindsay explained to the Board that Woodbury Common has had to make some adjustments as they have begun their construction, particularly with regard to the ring road. They are now in a position to construct the Alternate A ring road behind Marigold. This plan has already been approved by the Board, and was actually the plan that was preferred. He also said that they will not be able to put the detention basin under the parking lot in this area because ground water has been found. This detention will now be located back towards the ring road. He then showed the Board the locations of these areas on the map.

The ring road has also been adjusted so that the very tall wall that had been proposed is no longer necessary, and a small keystone wall will be erected in this area.

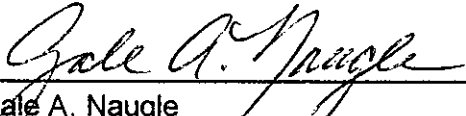
After some discussion, all Board members agreed that these issues could be handled as field changes.

There was no further business for the Board to discuss, so Chairperson Hunter made a motion to adjourn the meeting. R. Anzalone seconded the motion. The vote was as follows:

M. Hunter – In Favor
R. Anzalone – In Favor
C. Correia – Absent
C. Scibelli – In Favor
R. Cataggio – In Favor

The meeting was adjourned at 8:43 p.m.

Respectfully submitted,



Gale A. Naugle
Planning Board Secretary

