



## MEMORANDUM

**To:** Chris Gerver, Chairman  
Woodbury Planning Board Members

**cc:** Maria Rubio, Building Department  
Natalie Barber, P.E., Village Engineer  
Rick Golden, Esq., Planning Board Attorney  
Steven T. Esposito, RLA, for the applicant Rainbow Group of Central Valley, Inc.

**From:** Jonathan Lockman, AICP  
Maximilian Stach, AICP

**Date:** May 13, 2021

**Re:** Courtyard by Marriott  
Tax Map IDs: 226-1-6.1, 7 and 8  
Addresses: 154 Route 32, 92 & 96 Turner Road, Central Valley

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### New Materials Received and Reviewed

- Transmittal Letter, by Steven T. Esposito, RLA, dated April 7, 2021.
- Full EAF Form, Part 1, with EAF Mapper Summary, dated November 6, 2019, revised April 7, 2021, signed by Steven T. Esposito, RLA.
- Traffic Impact Study, for Rainbow Hotel Group, Woodbury Marriott Hotel, prepared by Provident Design Engineering PLLC, updated April 7, 2021.
- Plan Set, 8 sheets, for Rainbow Group of Central Valley, Inc., signed by Jay Samuelson, PE (unstamped), Engineering & Surveying Properties, with latest revision dated of 04/06/21, as follows:
  - C-100, Site Plan
  - C-101, Existing Conditions
  - C-102, Grading, Drainage & Utility Plan
  - C-201, 202, 203, 204, 205, Details

### Materials reviewed for our previous memorandum, dated November 27, 2019:

- Transmittal Letter, by Steven T. Esposito, RLA, dated November 6, 2019.
- Application Form Packet, Site Plan Review and Approval, signed by Nihaya Albatineh for Rainbow Group of Central Valley, Inc., dated 11/06/2019.
- Full EAF Form, Part 1, with EAF Mapper Summary, dated November 6, 2019, signed by Steven T. Esposito, RLA.
- Existing Conditions Plan, Sheet EX-1, by Engineering & Surveying Properties, unstamped, dated 11/05/19.
- Sketch Plan, Sheet SK-3, by Engineering & Surveying Properties, unstamped, dated 11/05/19.

## Summary of Proposed Action

The applicant has submitted a special permit/site plan review/lot consolidation application for a new hotel. The proposed action would have two steps:

- A. Combine three tax parcels, 226-1-6.1, 7 and 8, to create a single 3.001-acre lot.
- B. Remove three dwellings and construct a 108-room hotel on the combined lots, with 135 automobile parking spaces, and two bus parking spaces.

The property is located on the east side of Route 32 with frontage along Route 32 and along Turner Road, and currently contains three lots with three buildings, at 154 Route 32 and 92 & 96 Turner Road, respectively. Each lot contains a dwelling, and the middle lot (96 Turner Road) also includes a business use "Printing Plus." The site is located within the LC zoning district with Hotel Overlay. The standards of the Hotel Overlay include (but are not limited to):

- Motels and motor courts are prohibited. Only hotels, defined as having rooms connected to interior hallways, lobbies and/or stairways are permitted, by special permit and site plan approval of the Planning Board.
- Land area of 700 square feet per room is required, with a maximum of 200 rooms.
- Building setbacks are 50' minimum. Parking areas are allowed in required yards, but a 15' landscaped buffer is required. Parking areas are required to be screened.
- Height required is 60 foot maximum or 5 stories, whichever is less, with allowances for rooftop mechanical equipment.
- 100-foot minimum frontage on State or County Highways or Larkin Drive is required.
- Hotel rooms may not contain full kitchens and must have a maximum of two rooms exclusive of bathrooms.

## Planning, Zoning and Landscaping Comments

1. Last Reviewed. At the February 3, 2021 meeting, the Planning Board discussed the proposed access improvements to Route 32, and the status of the application to the DOT. NPV was not requested to prepare a report on the updated plans and submissions from last January that were discussed at that meeting. Our previous memorandum on this application was dated November 27, 2019.
2. DOT and Access Improvements. In his transmittal letter for this meeting, Mr. Esposito indicates that the applicant now is preparing Part 2 of the "PERM33" for DOT processing. This application will require modifications to the intersection with Turner Road, right-of-way dedication, and possibly off-site improvements, all to be coordinated with other projects in the vicinity (including Beer World and the Avalon Hotel). We will defer to the Planning Board's traffic consultants at Colliers Engineering & Design, regarding the Marriott traffic impact study and the analysis of the geometry and safety of the proposed driveway locations, as well as any off-site improvements that may be required.
3. Bulk Requirements.
  - a. Bulk requirements for the Hotel Overlay appear to be met.
  - b. We note that in the Bulk Requirements Table for the LC district with HO Overlay, the minimum lot area required is shown as "43,560 sf" or one acre. Additionally, the special permit criteria require a minimum lot area per room of 700 square feet multiplied by 108 rooms, for a minimum lot area of 75,600 sf or 1.74 acres. Minimum lot area per room should be added to the table. The proposed hotel meets the minimum lot area with 3.23 acres provided.

- c. Note 2 indicates the combined parcel area is 3.23 acres (140,699 sf). The proposed lot area in the Bulk Table is shown as 136,264 sf which equals 3.13 acres. This should be reconciled.
  - d. Proposed height and number of stories have not been provided in the submissions (the table indicates only "<5 stories/60 feet," without specific figures). A specific height should be listed and ideally the corresponding dimension shown on a building architectural elevation.
4. Building Size. Plans for this Marriott Hotel submitted in 2019 indicated the building size proposed as 130,729 sf. The H2M review memorandum of January 28, 2021 indicated that the building was at that time proposed to be 79,200 sf. The proposed square footage of the building should be shown on the site plan, as well as in the project description on the first page of the FEA Form Part 1 form.
5. Landscaping. Planting details and a landscaping plan will need to be provided as the application progresses. We will provide further analyses of compliance with landscaping standards once a full landscape plan is submitted.
  - a. Buffers. The Hotel Overlay requires a 15-foot-wide landscaped buffer, in addition to the parking lot screening standards of §310-27(C). In the Hotel Overlay parking spaces are allowed in setbacks and yards, beyond the 15-foot buffer. It is unclear on the April 6, 2021 site plan whether a full 15-foot buffer is going to be provided between the new proposed street line and the western edge of the parking area.
  - b. Street Trees. Along Turner and Route 32 frontages, street trees will be required pursuant to §310-27(C).
  - c. Parking Lot Islands. The parking lot plan will require interior landscaping on islands to meet the standards of §310-27(D). This section requires ten square feet of interior landscaping and one 2.5-inch caliper tree for every 10 parking spaces. For 137 parking spaces, this would compute to 1,370 square feet of interior landscaping and 14 parking lot trees. Three parking islands and 4 or 5 "peninsulas" are shown. The applicant will need to demonstrate compliance with these standards.
6. Bus and Truck Maneuvering. Two bus parking spaces are shown. However, no loading berths or areas are indicated. See §310-41(B)(5). For hotels and motels one berth is required for each 25,000 square feet of floor area. (Size of proposed building is unknown – see comment 4 above.)
7. Solid Waste. Dumpster locations appear to be to be shown at the southeast corner of the parking lot but are not labeled on the site plan.
8. Architectural Review will be required pursuant to Code Chapter 8. Building elevations and proposed exterior materials and colors will need to be provided in future submissions.
9. Floorplans will need to be provided to indicate compliance with standards for hotel rooms (see §310-7.1 E).
10. Lighting details and photometric light spread will need to be shown in future submissions.
11. Drainage will need to be shown in future submissions. The proposed facility at the south end of the site may not be adequately sized.

12. Parking Requirements appear to be met and no waivers area requested.
13. Wetlands. A 100-foot buffer from the delineated NYSDEC Wetland PO-17 is shown at the southeast corner and is indicated as being left undisturbed. Standards of Chapter 165, Freshwater Wetlands, will need to be followed.

#### **SEQR/Procedure Comments**

14. We defer to the advice of counsel, but if the square footage exceeds 100,000 sf in floor area we believe it would qualify as Type 1 under the following threshold:

*activities, other than the construction of residential facilities, that meet or exceed any of the following thresholds...in a city, town or village having a population of 150,000 persons or less, a facility with more than 100,000 square feet of gross floor area;*

Even if the action is less than 100,000 square feet, the action would need to be coordinated and treated as a Type 1 action pursuant to 6 NYCRR 617.4(a)(2), and 10 NYCRR 97.14, which identifies the New York State Health Department's own Type 1 list and includes:

*Initial plan approval: ...hotel/motel.*

15. We defer to advice of counsel, but suggest that involved agencies may include:
  - a. NYS DOT - curbcut;
  - b. Orange County Health Department for initial plan approval of a hotel/motel, and potentially for a public swimming pool
  - c. New York State DEC for a possible wetlands permit.
  - d. Village of Woodbury ZBA for possible variances
  - e. Orange County Sewer District #1 and Town of Woodbury for sewer and water hookups.
16. We note that on the revised FEAF part 1, dated April 7, 2021, the answer to question E.2.h.i still needs to be answered "yes," as there are wetlands present on the southeast corner of the site.
17. This application will require referral to Orange County Planning Department as it is located within 500 feet of a State Highway.

Please let us know if you have any additional questions on this matter.