

RECEIVED  
SEP 24 2020

# VILLAGE OF WASHINGTONVILLE PLANNING BOARD

9 Fair Lawn Drive, Washingtonville, NY 10992

Phone: 845-496-7727

Fax: 845-496-1990

RECEIVED  
DEC 28 2018

BY: J.L.T.

## Application for Plan Approval

BY: .....

Type of Plan Submitted: [ ] Subdivision [X] Site [ ] Amended Site [ ] Change of Use/Intensity

VOW File#: \_\_\_\_\_ Application Fee Amount \$ \_\_\_\_\_ Date Received: \_\_\_\_\_

Project Name: Site Plan & Lot Line Removal for 12 Dallas, LLC

Contact Person: Michael Morgante, P.E. Phone: 845-234-2510 Email: mam@adenconsulting.net

Number of Acres: 4.5 acres (Subject to Correction)

Date: 12/12/18

APPLICATION IS HEREBY MADE to the Village of Washingtonville Planning Board for a site plan approval for the parcel described herein.

### 1. PROPERTY OWNER INFORMATION:

- a) Property Owner Name: 12 Dallas, LLC  
Address: P266 Keap St, Brooklyn NY 11211  
Phone: 718-930-1877 Email: go1877@gmail.com
- b) If the application is a corporation, give name and title of responsible officer:  
Name: \_\_\_\_\_ Title: \_\_\_\_\_
- c) If applicant is different than property owner:  
Name: \_\_\_\_\_ Phone: \_\_\_\_\_ Email: \_\_\_\_\_
- d) Subdivision Engineer of Land Surveyor (licensed)  
Name: Arden Consulting Engineers, PLLC (M. Morgante, P.E.) License #: 078577  
Address: POB 340, Monroe, NY 10950  
Phone: 845-234-2510 Fax: \_\_\_\_\_ Email: mam@ardenconsulting.net
- e) If the applicant does not own the property, prepare an endorsement at the end of this form establishing the owner's authorization of the applicant's proposed subdivision/site use of their land.
- f) All communications with regard to this subdivision/site plan shall be addressed to the following person until further notice:  
Name: Arden Consulting Engineers, PLLC (M. Morgante, P.E.)  
Address: POB 340, Monroe, NY 10950  
Phone: 845-234-2510 Email: mam@ardenconsulting.net

### 2. PROPOSED SITE:

- a) Metes and bounds description of the entire holding, deed, restrictions, easements, etc., are attached hereto.
- b) Deed or deeds recorded in the County Clerk's Office:

Date	Liber	Page
5/15/2018	14458	1935

- c) All marsh, water areas and lands subject to periodic or occasional flooding are located on the preliminary layout.
- d) Existing structures not specifically located and described in the preliminary layout shall be removed.

- e) The proposed subdivision is designed for the following type of land use: N/A
- f) Is there is any change of zoning requested at this time, or do you contemplate any future change in zoning?  
If so, describe the change: None
- g) Are all the public open spaces shown on the layout to be dedicated for public use? N/A
- h) How many acres are to be dedicated for public park or playground purposes? N/A
- i) The site will be serviced by the following special districts or utility companies:  
 Water: VOW Water  
 Electricity: \_\_\_\_\_  
 Gas: \_\_\_\_\_  
 Telephone: \_\_\_\_\_  
 Other: \_\_\_\_\_
- j) Will the final plat be filed in sections, or will it cover the entire preliminary layout? N/A

I hereby depose and say that all the above information and all statements and information contained in the supporting documents and drawings attached hereto are true.

X

[Signature]  
Applicants Signature

Sworn to before me this 24<sup>TH</sup> day of DECEMBER, 2018

X

[Signature]  
Notary Public

MARTIN WERZBERGER  
 NOTARY PUBLIC-STATE OF NEW YORK  
 No. 01WE6133924  
 Qualified in Orange County  
 My Commission Expires September 19, 20

Zone property is located in: OR District

Bulk Table:

	Required		Provided	
Minimum Lot Area	15,000 sf		101,532	
Minimum Lot Width	75'		270'	
Maximum Lot Coverage	15%		7.1%	
Minimum Yards	Front 40'	Rear 50'	One Side 25'	Both Sides 99'
Minimum Lot Area/Dwelling	14,000 sf		14,000 sf	

Technical Meeting Scheduled: \_\_\_\_\_

## DISCLOSURE ADDENDUM STATEMENT TO APPLICATION, PETITION & REQUEST

Mindful of the provisions of Section 809 of the General Municipal Law of the State of New York, and of New York, and of the Penal provisions thereof as well, the undersigned applicant states that no State Office, Officer or Employee of this municipality, or the Town or County of which it is a part, has any interest, financial or otherwise, in this application or in the applicant as defined in said Statute, except the following person or persons who is or are represented to have only the following type of interest, in the nature and to the extent hereinafter indicated:

- ☒ None  
☐ Names: Address: Relationship or interest (financial or otherwise)

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This disclosure addendum statement is annexed to and made part of the petition, application and request made by the undersigned applicant to the following Board or Officer or Political Subdivision of the Municipality.

- ☐ Village/Town Board  
☐ Zoning Board of Appeals  
☐ Building Inspector

- ☒ Planning Board  
☐ Zoning Enforcement Officer  
☐ Other

Dated: \_\_\_\_\_

X \_\_\_\_\_  
Individual Applicant

X \_\_\_\_\_  
Corporate or Partnership Application

By: \_\_\_\_\_  
Pres./Vice Pres./Partner/Sec./Treas.

### GENERAL MUNICIPAL LAW OF THE STATE OF NEW YORK

Section 809. Disclosure in certain applicants:

1. Every application, petition or request submitted for a variance, amendment, change of zoning, approval of a plat, exemption from a plat or official map, license or permit, pursuant to the provisions of any ordinance, local law, rule or regulation constituting the zoning and planning regulations of a municipality shall state the name, residence and the nature and extent of the interest of any state officer or any officer or employee of such municipality or of a municipality of which such municipality is a part, in the person, partnership or association making such application, petition or request (hereinafter called the applicant) to the extent known to such applicant.
2. For the purpose of this section an officer or employee shall be deemed to have an interest in the applicant when he, his spouse, or their brothers, sisters, parents, children, grandchildren or the spouse of any of them.
  - a) is the applicant, or
  - b) is an officer, director, partner or employee of the applicant, or
  - c) legally or beneficially owns or controls stock of a corporate applicant or is a member of a partnership or association applicant, or
  - d) is a part to an agreement with such an applicant, express or implied, whereby he may receive any payment or other benefit, whether or not for services rendered, dependent or contingent upon the favorable approval of such application, petition or request.
3. Ownership of less than five percent of the stock of a corporation whose stock is listed on the New York or American Stock Exchanges shall not constitute an interest for the purposes of this section.
4. A person who knowingly and intentionally violates this section shall be guilty of a misdemeanor.



**To:** Village of Washingtonville  
 Planning Board  
 29 West Main Street  
 Washingtonville, NY 10992

**Date:** July 13, 2020  
**Re:** 61 East Main Street Site Plan

**Attention:**

We are sending you ☒ Enclosed ☐ Under separate cover via ☐ Mail ☒ Messenger, the following items:

- ☐ shop drawings ☐ prints ☐ data sheets ☐ \_\_\_\_\_  
☐ specifications ☐ sketches ☐ brochures ☐ \_\_\_\_\_

Our action relative to items submitted for approval has been noted on the drawings.

COPIES	PREPARED BY	REFERENCE NO.	DESCRIPTION
6	Arden	18-017	Proposed Site Plan (4 Sheets) Dated 12-28-18
6	DJG		Floorplan, Elevation & Rendering (4 sheets) Dated 7-10-19
6	Arden	18-017	Short EAF

## THESE ARE TRANSMITTED AS CHECKED BELOW:

- ☐ As requested ☐ Approved ☐ Resubmit \_\_\_\_\_ copies for approval  
☒ For your use ☐ Approved as Corrected ☐ Submit \_\_\_\_\_ copies for distribution  
☒ For review & comment ☐ Revise and Resubmit ☐ Return \_\_\_\_\_ corrected Prints  
☐ For your information ☐ Not Approved ☐ \_\_\_\_\_

Remarks: Please schedule us for the July 2020 Planning Board meeting. The enclosed documents have been submitted several times over the years and have been provided again for the July 2020 meeting. The Planning Board Application was submitted several times over the past few years and fees for this project were previously deposited by the Village. Thank you for your attention to this matter.

Very truly yours,

Copies: File

Michael A. Morgante, P.E.  
 Arden Consulting Engineers, P.L.L.C.  
 PO Box 340  
 Monroe, N.Y. 10950  
 Phone: 845-782-8114  
 Cell: 845-234-2510  
 Email: ardeneng@optonline.net



Michael A. Morgante, P.E.

**RECEIVED**  
 JUL 21 2020

**BY:** .....



**John Petroccione, P.E., PLLC**  
**129 Neptune Drive**  
**Monroe, NY 10950**  
**(845) 782-7725**

3/11/21

Village of Washingtonville Planning Board  
9 Fairlawn Drive  
Washingtonville, NY 10992

Re: Site Plan & Lot Line Removal for 61 East Main Street Assoc. LLC  
61 East Main St.  
SBL: 113-2-31 & 114-1-3.22  
Site Plan

Planning Board Members:

I have received the materials recently submitted on behalf of the above referenced project, including:

- A 2 sheet plan set entitled "Site Plan & Lot Line Removal for 61 East Main Street Assoc. LLC" prepared by Arden Consulting Engineers, PLLC, dated February 10, 2021
- Preliminary architectural plan Sheets A1 prepared by Barry Terach Architect, dated 3/08/21.

The project includes 2 separate tax lots, containing 4.5 acres of land, located in the O-R Zoning District. The northerly parcel, fronting on East Main Street, contains an existing frame dwelling, detached garage, shed and driveway. The project site is bounded to the south by the Erie railroad bed. The Otterkill Creek crosses the southerly parcel. The 100 Year floodplain of the Otterkill impacts both parcels of land. The application includes the removal of all existing improvements to allow for the construction of two 2-story structures, each having a 7,000sf footprint. Each building is proposed to have 13 2-bedroom units and 1 3-bedroom unit.

Previous versions of the plan have included two 7000 sf buildings with first floors dedicated to commercial/office uses and 7 residential units on the second floor. The current plan iteration notes the need for a variance to allow 7 residential units on the first floor of each building, replacing the commercial/office uses, in addition to the 7 residential units on the second floor. An additional variance will be required to allow two separate buildings to be constructed on one parcel.





The plan has been reviewed as a preliminary plan, intended to obtain a referral to the ZBA. Many of the comments below are a reiteration of previous comments, which it is anticipated will be addressed in future submissions, once the required variances have been obtained. Comments 1 & 2 are new comments, specific to the current layout.

1. The proposed parking lot configuration creates a long dead-end travel path. Consideration should be given to connecting the parking lots at the northerly end, creating a circular traffic flow pattern.
2. Consideration should be given to widening the strip between the two parking lots to allow for the creation of a landscaped area.
3. The O-R Zoning District includes Multiple Dwelling as a Permitted use.
4. The site plan should identify tax lot 114-1-3.22.
5. It appears that the proposed site plan will impact the 100 Year Floodplain. If so, a Floodplain Development Permit will be required. Further evaluation will be performed as more detailed plans are submitted.
6. It appears that the disturbed area associated with the plan will exceed 1 acre. If so, a SWPPP, in compliance with all requirements of the NYSDEC Stormwater Design Manual will be required. Further evaluation will be performed as more detailed plans are submitted.
7. Future submittals should address the landscaping and screening requirements of Sections 175-51, 175-52 and 175-137 (G).
8. A sign is permitted on the site. Future submittals should include information regarding the sign, if one will be proposed.
9. An EAF reflective of the current proposal must be submitted.
10. The Site Plan is missing many of the requirements of Section 175-137 of the Village Zoning Code. The applicant may either provide, or request, in writing, a waiver from these mapping requirements.
11. Review of the elevation views indicate that the buildings may exceed the 30' maximum building height. According to Section 175-49, the Planning Board shall have the authority and discretion to approve a building height not to exceed 40 feet, provided that front and rear yard requirements are met, each side yard is at least 20 feet and the Planning Board determines that sufficient side and rear yard screening is provided.
12. Review of the Bulk Table and Dwelling Unit Yield include conflicting lot area information. Clarification is needed.

As additional information is submitted, additional comments may be generated.

Very Truly Yours,

John Petroccione, P.E.



## Washingtonville Building Department

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**From:** Michael A. Morgante, P.E. <mam@ardenconsulting.net>  
**Sent:** Tuesday, March 9, 2021 4:44 PM  
**To:** Washingtonville Building Department  
**Subject:** RE: PDF-61 East Main Street  
**Attachments:** EXISTING CONDITIONS PLAN.pdf; SITE PLAN.pdf; 03.08.21 - SCHEMATIC DESIGN - HAL 2031.pdf

John,

Attached is the site plan and architectural plan in PDF format. The requested variances are listed below:

ZONING VARIANCE REQUIRED:

1. AN ADDITIONAL DWELLING UNIT YIELD INCREASE OF 14 UNITS IN PLACE OF THE PERMITTED 14,000 SF COMMERCIAL USE.
2. THE PERMISSION OF TWO BUILDINGS ON THE SUBJECT PARCEL.

Let me know if you need anything else.

Best regards,

Arden Consulting Engineers, PLLC  
Michael A. Morgante, P.E.  
P.O.B. 340  
Monroe, N.Y. 10949  
T: 845-782-8114  
E: [mam@ardenconsulting.net](mailto:mam@ardenconsulting.net)

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**From:** Washingtonville Building Department <BuildingDepartment@washingtonville-ny.gov>  
**Sent:** Tuesday, March 9, 2021 3:29 PM  
**To:** Michael A. Morgante, P.E. <mam@ardenconsulting.net>  
**Subject:** PDF-61 East Main Street

Mike:

Re: 61 East Main Street:

Pls send PDF on what Moche delivered and also a breakdown of the Variances that shall be requested for the Planning Board to review and subsequently going forward to the ZONING BOARD.

If I can print out the PDF for the Variances I will do so or otherwise, pls submit hard copies.

Thanks,

John Terry  
Building Inspector  
Village of Washingtonville  
(845) 496-7727

CONFIDENTIALITY NOTICE: This message and accompanying documents are covered by the Electronic Communications Privacy Act, 18 U.S.C. §§ 2510-2521, and contains information intended for the specified individual(s) only. This information is confidential. If you are not the intended recipient or an agent responsible for delivering it to the intended recipient, you are hereby notified that you have received this document in error and that any review, dissemination, copying, or the taking of any action based on the contents of this information is strictly prohibited. If you have received this communication in error, please notify us immediately and delete the original message.

**John Petroccione, P.E., PLLC**  
**129 Neptune Drive**  
**Monroe, NY 10950**  
**(845) 782-7725**

10/1/20

Village of Washingtonville Planning Board  
9 Fairlawn Drive  
Washingtonville, NY 10992

Re: Site Plan & Lot Line Removal for 12 Dallas, LLC  
61 East Main St.  
SBL: 113-2-31 & 114-1-3.22  
Site Plan

Planning Board Members:

I have received the materials recently submitted on behalf of the above referenced project, including:

- Plan entitled “(Option 1) Site Plan & Lot Line Removal for 12 Dallas, LLC” prepared by Arden Consulting Engineers, PLLC, dated December 28, 2018
- Preliminary architectural plans Sheets A1 through A4 prepared by Design Custom Design and Build Company, dated 7/10/19

The project includes 2 separate tax lots, containing 4.5 acres of land, located in the O-R Zoning District. The northerly parcel, fronting on East Main Street, contains an existing frame dwelling, detached garage, shed and driveway. The project site is bounded to the south by the Erie railroad bed. The Otterkill Creek crosses the southerly parcel. The 100 Year floodplain of the Otterkill impacts both parcels of land. The application includes the removal of all existing improvements to allow for the construction of two 2-story structures, each having a 7,000sf footprint.

1. There is conflicting information regarding the utilization of the proposed buildings throughout the submission.
  - The proposed plan view indicates that Building 1 will contain 7,000sf of commercial space on the first floor and 7,000sf of residential space on the second floor. Building 2 is shown to include unspecified areas of commercial and residential spaces.
  - The site plan calculations indicate 14 dwelling units and 7,000sf of commercial space.



right-of-way dedication is required. The Planning Board and attorney should discuss.

As additional information is submitted, additional comments may be generated.

Very Truly Yours,

John Petroccione, P.E.





**John Petroccione, P.E., PLLC**  
**129 Neptune Drive**  
**Monroe, NY 10950**  
**(845) 782-7725**

8/10/20

Village of Washingtonville Planning Board  
9 Fairlawn Drive  
Washingtonville, NY 10992

Re: Site Plan & Lot Line Removal for 12 Dallas, LLC  
61 East Main St.  
SBL: 113-2-31 & 114-1-3.22  
Site Plan

Planning Board Members:

I have received the materials recently submitted on behalf of the above referenced project, including:

- Plan entitled "Site Plan & Lot Line Removal for 12 Dallas, LLC" prepared by Arden Consulting Engineers, PLLC, dated December 28, 2018
- Preliminary architectural plans Sheets A1 through A4 prepared by Design Custom Design and Build Company, dated 7/10/19
- Short Form EAF, dated 7/13/20

The project includes 2 separate tax lots, containing 4.5 acres of land, located in the O-R Zoning District. The northerly parcel, fronting on East Main Street, contains an existing frame dwelling, detached garage, shed and driveway. The project site is bounded to the south by the Erie railroad bed. The Otterkill Creek crosses the southerly parcel. The 100 Year floodplain of the Otterkill impacts both parcels of land. The application includes the removal of all existing improvements to allow for the construction of two 2-story structures, each having a 7,000+/- sf footprint. One building appears to contain a total of 10 apartment units; 5 units on each the first and second floor. The second building appears to contain 7,000+/- sf of commercial space on the first floor and 5 apartments on the second floor.

1. The O-R Zoning District includes, as Permitted uses, Multiple Dwelling, Professional office and Combination of office and dwelling. Additional information should be provided regarding the proposed commercial use.
2. The site plan should identify tax lot 114-1-3.22.
3. The proposed site plan may impact the 100 Year Floodplain. If so, a Floodplain Development Permit will be required. Further evaluation will be performed as more detailed plans are submitted.
4. It appears that the disturbed area associated with the plan will exceed 1 acre. If so, a SWPPP, in compliance with all requirements of the NYSDEC



Stormwater Design Manual will be required. Further evaluation will be performed as more detailed plans are submitted.

5. Future submittals should address the landscaping and screening requirements of Sections 175-51, 175-52 and 175-137 (G).
6. A sign is permitted on the site. Future submittals should include information regarding the sign, if one will be proposed.
7. An EAF must be submitted.
8. The Site Plan is missing many of the requirements of Section 175-137 of the Village Zoning Code. The applicant may either provide, or request, in writing, a waiver from these mapping requirements.
9. Review of the elevation views indicate that the buildings may exceed the 30' maximum building height. According to Section 175-49, the Planning Board shall have the authority and discretion to approve a building height not to exceed 40 feet, provided that front and rear yard requirements are met, each side yard is at least 20 feet and the Planning Board determines that sufficient side and rear yard screening is provided.
10. The Dwelling Unit Yield calculations on the site plan indicate a maximum of 14 dwelling units are allowable, however; it appears in the architectural plans that 15 dwelling units are proposed.
11. The building uses indicated on the site plan, EAF and architectural plans should be coordinated and the parking calculations updated, as needed.
12. The EAF indicates that the project is located in an archeological sensitive area. Correspondence indicating SHPO acceptance will be required.
13. The EAF indicates that the project site may contain a threatened or endangered species. An evaluation prepared by a biologist, or similarly qualified individual, will be required. Tree cutting restrictions will likely also be applicable.

As additional information is submitted, additional comments may be generated.

Very Truly Yours,

John Petroccione, P.E.

