

A Planning Board Meeting took place on Thursday, April 8, 2021 at 7:00 P.M. at Village Hall, 9 Fairlawn Drive, Washingtonville, New York.

PRESENT:

Planning Board Chairperson Annalie Vallejo, Planning Board Members Richard Calore Jr., Michelle Dillon, Celina Rofer and Bob Buchalski.

ALSO PRESENT:

Planning Board Attorney Stephanie Tunic, Building and Code Enforcer John Terry.

PLEDGE OF ALLEGIANCE TO THE FLAG:

Planning Board Chairperson Annalie Vallejo led the Pledge of Allegiance to the Flag.

DISCUSSION – APPLICATION OF 36 NORTH STREET – SUBDIVISION:

Planning Board Chairperson Annalie Vallejo stated this application for subdivision and site plan SBL 107-2-63 RN Zoning District Proposal includes subdividing the subject property into two parcels and seeking approvals to construct a four-unit townhouse on each lot for a total of 8 units.

David Nimatko, representing the Application of 36 North Street, explained that in the past plans were presented regarding subdividing this 1.5 acre lot into 2 lots. The new lot would house a 3-townhouse development within that lot and in the other lot the existing house and separate barn would remain. Engineering plans were provided, and during the process it became evident that the existing house is in poor condition. The Building Inspector had notified and acknowledged the fact that it is a pre-existing non-conforming condition, and is only 0.8 feet away from the property line. The front yard does not comply and at that time we thought that it might be best to take the building down and add and develop that site into a three-unit townhouse development also. We notified the Village what our intent would be which is to amend the Planning Board Application. Three units on each lot would comply with the Zoning Code. All bulk requirements and technical aspects would be satisfied. The application and plans were submitted to the Zoning Board of Appeals. The public was notified by mailing. We appeared before the Zoning Board and they were not prepared to entertain the project and referred us back to the Planning Board. We have amended the application to include four (4) units on two (2) lots, and we realize it requires a variance. The units would be the same for both lots. They are only 1152 square feet of habitable space with a garage underneath. We did provide a rendering.

Mr. Nimatko added you will see one front entrance is facing the street as you have in your rendering and the other three would be facing a service road or a road that would come off the main street and service both areas. We submitted a Zoning Board application along with this submission, and the reason for that was to show the minor impact it would have on the Zoning Code.

Attorney Tunic questioned if Mr. Nimatko has received the April 3 engineering comments, and Mr. Nimatko responded he did not receive any documents. Building Inspector John Terry will send the comments to him.

**DISCUSSION – APPLICATION OF 36 NORTH STREET – SUBDIVISION-
(CONTINUED):**

Attorney Tunic indicated since this area is known to be a wet area the applicant may have to submit a letter to the Department of Environmental Conservation regarding this project. David Nimatko stated the applicant has documentation that it is not a regulated D.E.C. wetland.

Attorney Tunic stated there was a question about the positioning of the building brought up in the engineering comments with regards to one driveway versus two driveways.

David Nimatko indicated that the Boards need to inform the applicant if a fourth unit is allowed on each lot, whether one or two roads will be approved, the curb cut coming out on North Street and dumpster locations.

Planning Board Chairperson Annalie Vallejo read a letter provided by the Building Inspector John Terry from the Village Historian: "To whom it may concern: the proposed building site plan for 36 North Street, border the Washingtonville Cemetery. The lots that are being considered contain a wet and swampy area and are lower grade than the cemetery property. This historic cemetery started in 1854 with constructed stone walls to define the cemetery property. These walls support the roads as a protection for the Washingtonville Cemetery. The Committee and local Village Historian are concerned if the excavation is allowed to occur and fill is brought in to change the grade of the lots this will have an adverse impact on the neighboring properties. Erosion and deterioration will soon occur and damage will result to cemetery property. We strongly urge the Village of Washingtonville Planning Board to consider our Letter of Concern when discussing the proposed plans. Thanking you in advance for reconsideration, the Village Historian.

Chairperson Vallejo indicated this was brought to us as a major concern. One of the Village's biggest priorities is aesthetics which is why we are always concerned about how things look, as well as safety issues. There are many points that need to be addressed regarding this project.

DISCUSSION OF SITE PLAN – ORANGE COUNTY BAGEL – 32 WEST MAIN STREET:

Planning Board Chairperson Annalie Vallejo stated that Brent Kunis is the applicant of 32 West Main Street and is here on behalf of Orange County Bagel. Proposal includes demolition of existing structure and seeking approvals to construct a business center development.

Engineer Ryan Fellenzer from Fellenzer Engineering is presenting on behalf of Orange County Bagel, joined with him is Engineer Mark Fellenzer, and owner of Orange County Bagels Brent Kunis and Walter Thomas. We are proposing a 5400 square foot single-story commercial building. If you could go to the C-101. There will be three different units each 1800 square feet. Two other spaces will be for office space. Variances were previously obtained from the Zoning Board of Appeals. We have to go through SEQRA process to get a final decision from the Zoning Board of Appeals. We did initiate the SEQRA Lead Agency Notices.

Planning Board Attorney Stephanie Tunic adds that Section 149-8 of the Code allows the Village to establish an escrow account. In addition, discussion took place regarding the need for a crosswalk in front of 32 West Main Street and connecting with the Village municipal parking lot. The applicant will check with D.E.C. regarding this matter.

DISCUSSION OF SITE PLAN – ORANGE COUNTY BAGEL – 32 WEST MAIN STREET – (CONTINUED):

Planning Board Member Bob Buchalski added that the list provided by the village proposes a continuing use of the accessory building in the rear of the property and those that will have one employee.

Owner Brent Kunis indicated there will not be more than three – five employees in this area.

Planning Board Attorney Stephanie Tunic explained due to the proximity of the Junior School and High School, consideration should be made as to ensuring the site will not pose a hazard, particularly during demolition phase. The Board is concerned with rubble being left in the area overnight with School in session the next day.

Planning Board Member Richard Calore Jr. expressed safety concerns regarding the demolition of the building and Mr. Kunis stated all safety precautions will be followed. In addition, 30-foot dumpsters are available to take everything away the same day. A landscaping company is interested in the foundation and will remove it as well.

Engineer Ryan Fellenzer indicated there is an existing curb cut for that driveway which we are not changing or altering. There will be some minor work in the right of way but not to the actual driveway itself.

RESOLUTION – 32 WEST MAIN STREET – SCHEDULING OF PUBLIC HEARING:

Planning Board Member Celina Rofer made a motion, seconded by Planning Board Member Bob Buchalski and adopted to schedule a Public Hearing regarding the application of Orange County Bagels, 32 West Main Street on April 29th, 2021 at 7:00 P.M. at Village Hall; said Resolution passed by a unanimous vote of the Planning Board. 5 Ayes, 0 Nays, 0 Abstentions.

RESOLUTION – 32 WEST MAIN STREET – ORANGE COUNTY PLANNING DEPARTMENT:

Planning Board Member Celina Rofer made a motion, seconded by Planning Board Member Michelle Dillon and adopted to authorize referral of the applicant of 32 West Main Street, Orange County Bagels to Orange County Planning Department under 239M; said Resolution passed by a unanimous vote of the Planning Board. 5 Ayes, 0 Nays, 0 Abstentions.

ADJOURNMENT:

Planning Board Member Bob Buchalski made a motion, seconded by Planning Board Member Michelle Dillon and adopted to adjourn the April 8, 2021 Village Planning Board Meeting; said Resolution passed by a unanimous vote of the Planning Board. 5 Ayes, 0 Nays, 0 Abstentions.

RESPECTFULLY SUBMITTED,

SOPHIA FOLEY

CLERICAL ASSISTANT