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August 2, 2024

**VILLAGE OF WARWICK PLANNING BOARD  
77 MAIN STREET  
WARWICK, NY 10990**

**ATT: JESSE GALLO, CHAIRMAN**

**RE: M&L EQUITY AUTO LLC & MANN PROPERTIES  
18 ELM STREET (SBL 210-11-16.22)  
42 ORCHARD STREET (SBL 210-11-5)  
WO# 1802.76**

Dear Mr. Gallo and Planning Board Members:

No revised documents, plans or reports were submitted to the Planning Board for review. However, our previously issued comments, provided below, still apply.

Introduction:

The proposed action involves the transfer of a 5,963-square-foot parcel of land from the residential Mann property, located at 42 Orchard Street, to the M&L Equity Auto “car wash” property located at 18 Elm Street. The purpose of the project is to eliminate the existing encroachment of M&L facilities across the rear of the Mann property.

The M&L property is located within the Light Industrial (LI) zoning district. The Mann property is located within the Residential (R) district. The properties are not located in the Village’s historic district.

It is our understanding that no construction or land disturbance is proposed.

Review Comments:

1. We have attached a list of items commonly required for subdivision approval. Because no construction is proposed, the Board can waive those elements related to site disturbance and construction. It appears that the following items should be added to or revised on the plan:
  - a. Name and address of the adjoining property owner to the north of properties.
  - b. Existing utilities. Are there any utilities located within the proposed transfer parcel?
  - c. Surveyor’s certification
  - d. I believe that the plan should be entitled “Subdivision Plan”.
  - e. The zoning data table should be revised to indicate that the lot depth of the Mann property will be reduced.
  - f. The zoning data table should be revised to list the specific variances obtained from the ZBA at the March 26<sup>th</sup>, 2024 meeting.

2. The site plan indicates that the existing gravel area extends past the Mann property onto a portion of Lot 210-11-4, the Dreyhaupt property. The applicant's representative stated at the October 10<sup>th</sup>, 2023 Planning Board meeting their intention to remove this encroachment. The site plan should be revised to detail the removal, and remediation of this area.
3. The properties are located within the 100-year flood plain and regulated floodway of the Wawayanda Creek. Because no construction is proposed, an application for development in flood hazard areas is not required.
4. Question 16 on the Short EAF (flood plain) should be answered "Yes".
5. As identified within ZBA Decision condition #2, the portion of the property being transferred to 18 Elm Street shall only be used as permitted under the Village Zoning Code, whereby the use of "car wash" is not permitted within the 'R' District. Applicant to address.
6. The mapped limits of the 100-year flood plain and regulated floodway should be added to the plans.
7. The vicinity map provided on the plan should be printed in black & white format to comply with the Orange County Clerk's map filing standards.
8. Applicant to clarify if a buffer of either landscaping or fencing is to be provided.
9. The language from the ZBA decision & approval should be added to the plans.

Sincerely,

Engineering & Surveying Properties, PC, Village Engineers



Keith Woodruff, CPESC, CPSWQ  
Senior Engineer

cc: Elizabeth Cassidy, Planning Board Attorney

**VILLAGE OF WARWICK PLANNING BOARD**  
**PRELIMINARY / FINAL SITE PLAN / AMENDMENT TO SITE PLAN**  
**CHECKLIST**

The following items shall be submitted with a completed checklist to the Planning Board secretary at least 3 weeks prior to the Planning Board Meeting before consideration for being placed on a Planning Board agenda.

INITIAL SUBMISSION

- \_\_\_\_\_ Project Cover Letter, including a narrative describing the existing and proposed use(s) of the property.
- \_\_\_\_\_ Completed Application for Preliminary / Final Site Plan Approval / Amendment to Approved Site Plan
- \_\_\_\_\_ Application fee payable to the Village of Warwick. The memo on the application fee check must indicate the project name and type of payment.
- \_\_\_\_\_ Escrow deposit payable to the Village of Warwick. The memo on the escrow deposit check must indicate the project name and type of payment.
- \_\_\_\_\_ Completed Escrow Account for Consultant Review Form.
- \_\_\_\_\_ Prior approved site plan, if applicable
- \_\_\_\_\_ Deed and if applicable, confirmation of corporate ownership and proxy.
- \_\_\_\_\_ Short or Full Environmental Assessment Form (EAF), as appropriate, completed using the NYSDEC online mapper.  
[https://www.dec.ny.gov/permits/357.html#EAF\\_Part\\_1](https://www.dec.ny.gov/permits/357.html#EAF_Part_1);  
[https://www.dec.ny.gov/docs/permits\\_ej\\_operations\\_pdf/seafpartone.pdf](https://www.dec.ny.gov/docs/permits_ej_operations_pdf/seafpartone.pdf)
- \_\_\_\_\_ Permit Application for Development in Flood Hazard Areas, if applicable.
- \_\_\_\_\_ Six collated sets of the Site Plan (4 full size sets, 2 of 11"x17" reduced sets, and entire submittal emailed to [planning@villageofwarwick.org](mailto:planning@villageofwarwick.org) in pdf format) bearing the signature and seal of a NYS licensed land surveyor or professional engineer. Refer to Site Plan Requirements for additional requirements.

SUBSEQUENT SUBMISSIONS

Subsequent submissions shall include a cover letter with itemized responses to the Planning Board's review comments and six sets of plans as described above.

SUPPORTING DOCUMENTS

The applicant shall submit reports, correspondence and/or approvals by other agencies, and other documents regarding the proposed project. These might include:

- Correspondence from the Village Board, Architectural and Historic Review Board, and Zoning Board of Appeals
- Environmental Reports (e.g. wetlands, endangered species, site remediation)
- Cultural resources reports
- Traffic studies
- Stormwater Pollution Prevention Plan (SWPPP) or other drainage studies
- Copy of all offers of cession, covenants, deed restrictions, and easements in effect or proposed.

SITE PLAN REQUIREMENTS

1. \_\_\_\_\_ Title block including the project name, the name, address, license number, seal, and signature of the design professional who prepared the drawings, and the dates of preparation and of each revision.
2. \_\_\_\_\_ Property boundaries and right-of-way locations, certified by a licensed land surveyor.

3. \_\_\_\_ Name(s) & address(es) of owner(s) and applicant(s).
4. \_\_\_\_ Parcel(s) tax map ID (Section, Block and Lot)
5. \_\_\_\_ Vicinity map. Show zoning district boundaries, if applicable
6. \_\_\_\_ Bulk table showing zoning district(s), applicable use group(s), and bulk requirements together with compliance information.
7. \_\_\_\_ Required yards and setbacks drawn on the plan.
8. \_\_\_\_ North arrow, written and graphic scale.
9. \_\_\_\_ The proposed use, location, height, and designs of all existing and proposed buildings and structures, including exterior renderings and details.
10. \_\_\_\_ Locations of existing utilities on and near the project site.
11. \_\_\_\_ Approval block near the lower right-hand corner.

The Planning Board can waive one or more of the following site plan elements that it deems to be not applicable to the proposed project:

12. \_\_\_\_ Existing contours, at intervals of two feet or less, extending at least 50 feet beyond the property boundary.
13. \_\_\_\_ Existing watercourses, intermittent streams, wetland areas, rock outcrops, trees with a diameter of 8 inches or more 3 feet above ground level, wooded areas, and any other significant features.
14. \_\_\_\_ Location and description of all existing and proposed site improvements, including but not limited to drainage pipes, drains, culverts, ditches, bridges or other drainage works, retaining walls, curbs, pavement, sidewalks, and fences. Provide applicable details.
15. \_\_\_\_ Wetland boundaries, including the name and address of delineator and date of delineation, and jurisdictional agency (NYSDEC or USACE).
16. \_\_\_\_ Boundaries of areas subject to flooding as per the FEMA Flood Insurance Study.
17. \_\_\_\_ Proposed contours, at intervals of two feet or less, with spot grades as needed to clarify proposed grading.
18. \_\_\_\_ Finished floor elevations.
19. \_\_\_\_ Proposed divisions of buildings into different uses.
20. \_\_\_\_ Road design layout information, profiles, and details.
21. \_\_\_\_ Existing and proposed water supply facilities, including profiles of proposed water mains.
22. \_\_\_\_ Existing and proposed sanitary sewer facilities, including profiles of proposed sewer mains.
23. \_\_\_\_ Erosion control measures, including locations, maintenance notes, and details.
24. \_\_\_\_ The location, type, and screening details for solid waste disposal facilities and containers.
25. \_\_\_\_ Existing signs, and locations and details of proposed signs.
26. \_\_\_\_ Landscaping plans and details.
27. \_\_\_\_ Lighting plans, details, and manufacturer's information on proposed fixtures.
28. \_\_\_\_ Design of parking and loading areas, with calculations.
29. \_\_\_\_ Locations of any outdoor storage facilities, with details of proposed screening measures.
30. \_\_\_\_ Locations, height and design of lighting, power and communications facilities.
31. \_\_\_\_ Location of fire and other emergency zones including location of nearby fire hydrants. Provide defined access and egress drives with truck turning radius shown where necessary.
32. \_\_\_\_ Location, height, design and direction of all exterior rooftop structures and facilities including placement of any generators, exterior equipment, exhaust systems, noise baffles and appropriate screening.
33. \_\_\_\_ Location and design of all parking and access facilities as are required for the handicapped pursuant to the NYS Building Code.
34. \_\_\_\_ Inventory and quantity of hazardous materials anticipated for on-site storage and/or use.
35. \_\_\_\_ Plans for the disposal of construction and demolition waste, whether on-site storage and/or use.

- 36. \_\_\_\_\_ Sight distances at each proposed driveway or roadway.
- 37. \_\_\_\_\_ Profiles of all driveways in excess of ten percent slope.
- 38. \_\_\_\_\_ Maximum number of employees, maximum seating capacity, hours of operation, etc. specific to the proposed use(s).
- 39. \_\_\_\_\_ Match lines.
- 40. \_\_\_\_\_ Locations of traffic safety devices and directional flow of traffic shown.
- 41. \_\_\_\_\_ For projects involving more than one phase, a site plan indicating the ultimate development of the entire property.
- 42. \_\_\_\_\_ Special mitigation measures required by the SEQRA review process, whether conducted by the Planning Board or another agency.

This list is provided as a guide only and is for the convenience of the applicant. The Village of Warwick Planning Board may require additional notes or revisions prior to granting approval. The applicant shall review the Village Code and all applicable State, including SEQRA documents in accordance with NYCRR §617 and Federal requirements for additional information required.

**Preparer's Acknowledgement:**

The plat for the proposed plan has been prepared in accordance with this checklist and the Village of Warwick Ordinances, to the best of my knowledge.

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Signature of Licensed Professional

Printed Name: \_\_\_\_\_