

**BOARD OF TRUSTEES  
VILLAGE OF WARWICK  
OCTOBER 17, 2022**

**9385**

The Regular Meeting of the Board of Trustees of the Village of Warwick was held on Monday, October 17, 2022, at 7:30 p.m. in Village Hall, 77 Main Street, Warwick, NY. Present was: Mayor, Michael J. Newhard, Trustees: Carly Foster and Thomas McKnight. Trustee William Lindberg arrived at approximately 8:50 p.m. Trustee Cheney & DPW Supervisor, Mike Moser were absent. Also, present was Village Clerk, Raina Abramson and Village Attorney, Stephen Gaba. Others present: Peter Fairweather, Warwick Police Chief John Rader, Meghan Carlson, Kerry Bolland, Scot Brown, and Patrick Gallagher.

The Mayor called the meeting to order and led in the Pledge of Allegiance.  
The Village Clerk held the roll call.

**1. Public Hearing on the Village of Warwick draft updated Comprehensive Plan.**

The Village Clerk read the public hearing notice.

**NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE that the Village Board of the Village of Warwick will hold a public hearing on the Village's draft updated Comprehensive Plan on the 17<sup>th</sup> day of October, 2022, at 7:30 p.m., at Village Hall, 77 Main Street, Warwick, New York.

A copy of the draft updated Comprehensive Plan is on file in the office of the Village Clerk and is available for inspection by interested persons during Village Clerk's business hours, and the draft updated Comprehensive Plan has also been posted on the Village's website <https://villageofwarwick.org/>.

The Village Board will, at the above-stated date, time and place, hear all persons interested in the draft updated Comprehensive Plan. Persons may appear in person or by agent. Written comments regarding the draft updated Comprehensive Plan will be considered, but all such written comments must be received by the Village Board at or prior to the public hearing.

BY ORDER OF THE VILLAGE BOARD  
VILLAGE OF WARWICK  
RAINA ABRAMSON  
VILLAGE CLERK  
Dated: September 21, 2022

Mayor Newhard: As a form of introduction, in a minute I'll introduce Peter Fairweather. He was the planner that the Comprehensive Master Plan Committee worked with over approximately a year and a half. It was quiet a large comprehensive committee and I just want to mention their names at this beginning of this public hearing:

Barry Cheney, Village Trustee and Comprehensive Plan Committee Chairman  
Judy Battista, Resident at Large for Cultural and Mental Health Advocate

Elizabeth Bourne, Resident at Large from the African American Community  
Scot Brown, Zoning Board of Appeals  
Rosemary Cooper, Albert Wisner Public Library  
Jack Ellis, Warwick Valley Historical Society  
Matthew Finn, Architectural and Historic Review Board  
Carly Foster, Community2gether and Village Trustee  
Corrine Iurato, Warwick Valley Chamber of Commerce  
Robert M Kennedy III, Resident at Large, Town Planning Board  
Tom McKnight, Village of Warwick Planning Board and Village Trustee  
Susan Metzger, Resident at Large, Historical Society and other organizations

I just want to thank the committee members for the amount of work that happened over the year and a half. Peter was our guide and I thank you, Peter, for all the work that you put into this very ambitious and very, I think, good project, but now is the time when the public sees it and the public can give us their input. I just want to mention that we have received some responses and Peter after you finish your introduction and going through the plan, I'll just mention those people that emailed us or sent us information. I'm not going to read them all, but they will be part of the public record. (See attached comments)

So, Peter, I'll give you the floor. Peter Fairweather.

Peter Fairweather: Thank you. So, we're going to go through a PowerPoint presentation that's really going to through the process and the outcome of the plan. There are forty copies of that presentation available here which can be made available to the public. There are also an additional ten copies of the plan.

So, the agenda that we're going to go through will talk about the purpose of the plan, the process we used, the vision that resulted and the goals that came out of that vision and then the recommended actions and the process of implementation and then at the end we'll take comments and talk about next steps.

The Plan Purpose.

The Comprehensive Plan is identified in New York State Law and as it says here, the Comprehensive Plan means the materials, written and/or graphic, including but not limited to maps, charts, studies, resolutions, reports and other descriptive material that identify the goals, objectives, principles, guidelines, policies, standards, devices, and instruments for the immediate and long-range protection, enhancement, growth and development of the village.

Basically, it is a policy device that sets a direction of the Village's future. It goes through a public process. It is duly adopted by the Village Board. For example, all subsequent zoning

changes should be able to be justified based upon policies and recommendations in the Comprehensive Plan, so that's the role. It sets a direction for the future.

The process was overseen by a steering committee that met monthly and the Mayors already identified those people. This is my chance to provide another statement of gratitude. This is a group that worked very hard, very cooperatively, brought a lot of substance to the plan and a lot of positive suggestions. It really was a pleasure to work with them and I kind of feel bad that we're at the end of the process because I enjoyed our sessions together. I don't always say that, so.

Mayor Newhard: I just want to interrupt that it was also during COVID so it was definitely in some cases a challenge, but it worked really well.

Trustee Foster: Does anybody in the audience need a hard copy who can't see the screen?

Peter Fairweather: Also, it will be on the website for the plan shortly. I just emailed the webmaster a copy.

So, the process, there was a fair amount of community outreach and on this slide it lists the different activities that range from the monthly meetings of the Comprehensive Plan Committee to a whole variety of focus group meetings and interview processes that ranged from posters in the library that were up there for, I think, a month where there were different topics that were identified and people could respond to those topics as well as others. There was outreach to particular groups that ranged from Hispanic merchants to the Chamber of Commerce to civic groups and downtown merchants and a whole variety of individuals as well as sessions at the Farmers Market and a survey that had a substantial number of responses both from Village residents and from Town residents. So, there was really an extensive public outreach process that again, really helped to form the plan and provided us with guidance in addition to what the committee brought to us.

The vision that emerged out of all of this. This is the kind of thing that steers the ship overall. The Village of Warwick plays a unique role as a location where people gather face to face to participate in and celebrate commerce, culture and community life. That is sort of stating the obvious, but that's increasingly important in the world in which we live today and not only from kind of a social community perspective but even from an economic development perspective. The idea of having a gathering place where people can share ideas, get to know one another and take on joint projects is really important.

So, the plan vision that came out of our discussions was that the Village is a central gathering place. This plan is intended to strengthen the Village as a 21st-century gathering place by fostering attractive, walkable human-scaled development that provides a sense of place and a

sense of history, abundant and diverse economic opportunities, an inclusive community of economic, ethnic and social diversity, strong residential neighborhoods, celebrations of Arts, Culture and Civic Life, sustainability and resilience in the face of climate change and physical infrastructure to support and sustain the Village life in an effective and affordable manner.

So, part of this then as we start looking at what are the goals that we need to set to move the Village towards that direction of maintaining and strengthening its role as an essential gathering place and that's putting together the goals in the context of this is the Village that has little developable land. If you can see the map here, the yellow spots on the map are the developable land in the Village and there's not much. So, it makes sense that the plan focuses on preserving and strengthening its existing assets as well as cultivating new sources of strength to enhance the quality of life in the Village. And again, the good news, which I think should be no surprise to anybody in this room or otherwise watching, is the Village is starting from a position of strength. This is a community with a high quality of life to begin with, so the question is what do we do to keep that in place and prepare it for the changes that are likely to come as the 21<sup>st</sup> century moves forward?

So, as we looked at this, we looked at four elements of community life that should be addressed by the goal setting process. Quality of place as found in the quality of the built environment, housing and neighborhoods, parks and recreation as well as the culture of governance in the Village. And this was an important part of this plan because not only sort of the anatomy of the structure, the physical structures and proximities and so on, but the physiology of the Village. The process, the culture that people use to build and sustain quality of life, really got a substantial focus in the plan and deservedly so. It's one of the things that's help build Warwick advantage and the plan is intended to strengthen that.

Commerce and culture that support and bring meaning to daily life was another focus of the goals.

Connectivity among residents, businesses, civic groups, partner municipalities and others provided by transportation systems, including parking and sidewalks, to digital infrastructure.

And then environmental sustainability and resilience that keeps the Village safe and affordable in the face of climate change.

So, those were the four major areas that the goals addressed. Now, we'll talk about each one of those areas.

First, quality of place. Here are the goals. Safeguard the residential experience and quality of life in the Village and there are recommended actions under each goal. This one addressed a few

things like making sure the quality of design is well regulated in Village regulations. That, among other things, that there should be ongoing communication among the Boards involved in managing the built environment to ensure that it maintains as high a quality built environment as possible.

Goal two, improve affordability of housing in the Village while maintaining the quality of place. And this is not a unique situation to the Village but it's an important part of maintaining a balanced diverse community and there are recommendations about addressing what's called the missing middle in the housing market to make sure that there are starter homes and homes for middle income folks as well as the sort of upper and lower ranges of the income distribution in the Village.

Goal three, continue to instill and encourage dialogue in the community. Again, this goes back to making sure the process continues to work. There were recommendations about, again, ensuring the Boards communicate with one another. Ensuring that there are opportunities for members of different minority groups to participate in the Village and to be able to make their needs known as well as to make sure their aware of opportunities that they can have to volunteer on Boards and other activities in the Village to again strengthen that dialogue, strengthen the diversity of the conversation in the Village.

Commerce and culture. And there are a variety of goals here. Encourage redevelopment of vacant and under-utilized parcels in the Village. Again, not a lot of vacant land here so we have to look at the vacant lands that are available. What can we do with them. But also, how do we make sure that the under-utilized parcels that may have been vibrant uses in the past but now provide some opportunities for use. Where are they and what are the uses that can be done and what are the kinds of things that you need to pay attention to in terms of design and so forth.

Promote a balance between diversified retail and restaurants in the Village. That's, in a lot of sense, a lot of the economic base of the Village is in retail and restaurants, to make sure that opportunities for retail stay available in the Village as the restaurant trade continues to expand and as hospitality and tourism continue to grow. And it's not just stated explicitly here but also keeping the residential component in balance with those two as well.

Goal three, accommodate new forms of economic activities or economic actors that re-use existing structures. Again, just over the few years of COVID, we've seen a reinvention of office work and a whole variety of economic activities from those professional services to distribution. The question is what are the particular functions that fit well in the Village, that can be adapted for use in the Village, that can help maintain vitality and even increase it in the years ahead. Continue to promote the Village as the center of economic, cultural and social activity because this goes beyond just making sure there's enough stuff happening but making sure there's also

connections between let's say tourism and the arts, the retail sector and the arts. So, that the Village continues to provide that center for economic conversations, cultural activities and social activities that's a unique role that it plays right now in the Warwick area.

Support effective and expeditious review of projects in the Village. Again, the Village has done very well historically with moving forward with new projects and new development. It's always good to look at are there ways we can streamline the process so you get the outcome that you want with as little expenditure of energy and resources and there's some recommendations about that.

Encourage artists to live and practice in the Village and foster connections between artists and their audiences to promote tourism and enhance quality of life in the Village. So, those are the goals related to commerce and culture. Onward.

Connectivity. We've got four goals. Improve the Village's capacity to accommodate parking demand. That's the ongoing tension in any successful community is how do we maintain adequate parking in a way that doesn't disrupt the other functions that take place in the Village from retail to residential, tourism, cultural activities and there's a series of recommendations about parking studies and ways to make better use of existing parking opportunities.

Goal two, accommodate streetscape improvement strategies to better accommodate pedestrian and bicycle traffic in the Village. The extent to which the Village serves as a center for non-vehicular traffic successfully and safely, the stronger it will be economically, culturally and socially. So, there are recommendations that address that.

Goal three, focus new investments in parks and recreation on improving flexible outdoor recreation spaces, active transportation corridors and trails. This is a whole area that's being reinvented. The whole idea of outdoor recreation. In my childhood, summer outdoor recreation meant little league baseball just about period. And now, there just a wide variety of opportunities that families, children, other residents can participate in. It's important that the parks reflect that reality and there are recommendations about that.

Ensure that affordable broadband internet is available throughout the Village. That's the other part of connectivity, roads and parking are important, pedestrian access, but also making sure that people in the Village as they do their work, whether it's remotely or through online ecommerce, whatever, we have the infrastructure so they can make a living here. They can make the connections that they need to keep the Village a prosperous place.

And then lastly, resilience and sustainability. There were two goals. Improve environmental sustainability and resilience throughout the Village of Warwick and then there is a series of recommendations about ways to do that. And two, ensure that the Village sewer and water

infrastructure can accommodate the future demand without diminishing the quality of service provided to residents and businesses. And again, there are a series of recommendations related to that.

So, when we talk about actions and implementation, there was a series of really fancy animations that went with this slide that we've lost through a couple of technological glitches, but the idea is that each goal, as I mentioned, is accompanied by a variety of recommended actions to accomplish that goal and there's an example there under resilience and sustainability. There's goal one and there are three recommended actions under that one goal. And throughout the plan, that's the format. There's the goal, the desired state and then how do we get there. Then the second part of this which is really where the rubber meets the road is the prioritized action plan which you see on the right hand of the slide. It lists each of the recommended actions. It shows, for example, immediate priority, those that should be done within two years of the plan being adopted. It lists the action. It references the plan goal. You can see R1, R1, so on, C3. And then it lists the action and the responsible party. So, looking at this chart you can tell what's the action, what goal does it refer to, who is responsible and when does it have to get done.

So, this is put forth as a tool to help with the implementation of the plan. So, that's kind of the quick tour of the Comprehensive Plan and again, representative of the hard work of the committee for about a year and a half. And at this point, we're open to questions, comments. Again, we've received comments, I guess we've gotten three.

Mayor Newhard: Four actually and I'll just mention...

Peter Fairweather: Yes.

Mayor Newhard: We received from comments from the Orange County Department of Planning which is a review process that has to happen. It's mandatory but they gave us good marks. And then also Village of Warwick Planning Board comments on the review of the plan. And their comments were fantastic. They really, I think focused and really looked at all the aspects of the plan and gave us some really good suggestions. And then also, there was comments from Raymond and Lugene Maher, and they were directed towards our cluster zoning. And then also comments from Margaret McNeely, Maggie McNeely, and she had also really terrific comments that we will review and hopefully they'll be part of the implementation process.

Just to say to the public that this public hearing will not be closed because we anticipate hopefully people will see this and will want to add their comments so it will remain open until the next Board meeting. So, that's a two-week period and we also plan as a committee to re-meet after all the comments come and to review the comments and to kind of sort them out, see where they go and see if things can really add another dimension to the Comprehensive Master Plan.

So, with that, I think we'll open it up to the public.

Patrick Gallagher: Thank you for all the hard work that you did. I read through the plan. I have some comments. My name is Patrick Gallagher. I live on West Street. Regarding references to safeguarding the quality of residential experience and neighborhood quality of life, accommodating pedestrian and bicycle traffic while fostering traditional neighborhood design means having respect for the traditional neighborhoods that already exist. On West Street between Elm and Pond Hill there are forty-three homes. There are at least another eighty-five in Van Buren and Howe, River, Division, Factory, and John. Many more on Wheeler, McEwen, Cottage and North Street. The draft Comprehensive Plan only mentions Pond Hill and Oakland Avenue and only as locations where undertaking intersection improvement strategies are in order. This is grossly insufficient and neglects consideration for the safety of the residents of one hundred and twenty-eight or more homes on or approximate to West Street with nothing being done to discourage the constant excessive speed of an enormous amount of local and commercial traffic. I want to stress that this is not an enforcement matter. The police do what they can. The Village needs to take effective administrative action before a tragedy occurs. Please take this to heart. Consider these residents and take short and long term measures to protect those in the existing traditional neighborhoods. A plan must include them and go beyond ambiguous language and onto the immediate action priority list. I outlined a list of suggestions in a letter to the Village on September 21<sup>st</sup> requested outreach and have not received a response or acknowledgement of receipt. The inclusion task force listed under immediate priorities speaks only of broadening participation in the Village economy but in the same breath suggests regulating short term rentals. Main Street is not the only street in the Village. Many of our neighbors who are not on any Boards are hosting visitors who spend freely and expansively in the Village. Significant revenues are realized. It's cheaper than the much wanted rateables aggressively pursued and preserves rather than disrupts neighborhoods. When hosted in a primary residence, the committee should grasp that this is a valid aging in place strategy and should be applauded and encouraged not de facto, taxed and discouraged. Appointing and supporting liaisons who will actively reach out to neighborhoods and neighbors who are not on a Board or the interest groups that the Boards normally engage with is a priority and belongs also on the immediate priority list.

Lastly, the audio for these meetings, and this is unrelated to this evening's problems, completely understandable, the audio for these meetings is painfully difficult to follow and broadcast and people quickly lose their interest when they can't understand what's being said. Thanks.

Mayor Newhard: Thank you. Could we have a copy of this?

Patrick Gallagher: I emailed it.

Mayor Newhard: Oh, you did. Ok, thank you.

Patrick Gallagher: Sure.

Trustee Foster: Are we allowed to speak in response? So, the plan calls for traffic calming along West Street.

Patrick Gallagher: It's not on the priority list. It's not in the first things to be accomplished within a year or two.

Peter Fairweather: So, your concern is it needs to be in the first few years.

Trustee Foster: They need to be named.

Patrick Gallagher: Not only does it need to be specified but it needs to be in the first years because someone's going to get hurt on West Street. There's no question about it and I won't go into the details. I sent a letter to the Village on the 21<sup>st</sup> of September that pretty much outlines something that wouldn't be expensive that could be done. We need influencers. The cops can do a catch and release program but ...

Mayor Newhard: Patrick, I just want to mention one thing. The Village did change the speed limit throughout the entirety of the Village and that was an administrative thing that was done and so it's not fair to say that they haven't, but the other thing is that we have made it a priority. It's not just West Street. It is Galloway. It is Forester. It's streets throughout this entire Village and so we are working with NYS DOT engineers to come up with, hopefully, a more comprehensive plan to start putting in traffic calming measures. So, we want to do it not nilly willy but we want to do it with specificity and...

Patrick Gallagher: We don't need speedbumps. We need signage of which there are not slow down signs between Elm and Pond Hill. I painted one on the street, both sides, and the Village hired an outside contractor to scrape it and paint over it. It was neatly done. You can paint lines in the Village. You can paint green ones and blue ones, but you can't paint 'slow down' on West Street.

Mayor Newhard: It does say 'slow' in multiple areas on West Street.

Patrick Gallagher: No between Elm and Pond Hill where...

Trustee McKnight: Well, vandalism is not the right way to do that either.

Patrick Gallagher: Ok, that's great. I guess it's free speech if it's one thing and vandalism if it's another.

Mayor Newhard: And let's focus on the Comprehensive Master Plan.

Patrick Gallagher: I think we are but thank you.

Mayor Newhard: Thank you.

Kerry Bolland: I would just add to that. My heart is in my throat every time I see those middle schoolers and high schoolers walking and they should be able to walk to the Village when what a gift that the school is close enough that they can walk to the Village and have a little bit of independence and enjoy the best that Warwick has to offer so I think of West Street as a priority. I have since I was on the sidewalk committee back in 2007.

Patrick Gallagher: Children and baby carriages with their mother's pushing them are honked at on West Street all the time.

Trustee Foster: So, all of this is well taken because I agree that these are really high priorities, and this is something that the Board has also been discussing. One thing I did want to mention, and I didn't mention it during your presentation but I feel like we should now is the way that the action plan is set up is actually, some things do take longer than others and so it's also set up not just kind of in priority order because the traffic issue or the speeding issue is extremely high priority but some of the major infrastructure changes those will take time. One of the other things that we're in the process of doing right now is gathering data about speeding on the different streets to help with the planning. The Board is going to have a working meeting with DOT as the Mayor mentioned, so this is definitely a huge focus, so I don't want you to think that ...

Patrick Gallagher: No, no, no.

Trustee Foster: So, that is something that we see as really important.

Patrick Gallagher: There's a simple, and I appreciate what you're saying. There's a very simple strategy for emailing a broad group of people to whom the Village very likely has access expressing to the PTA, to the school board, to the bus drivers, to the Village employees, to the Town employees, to the Chamber of Commerce – I mean I'm talking about an email and saying to people, look, it's really important that you and your constituents, whoever they might be, observe the speed limit. That's not expensive and not difficult to do in the short term.

Trustee Foster: That's good feedback and we've talked about other public outreach and signage. So that's good feedback.

Patrick Gallagher: We need influencers.

Mayor Newhard: Aren't you an influencer, sir?

Patrick Gallagher: I'm apparently a vandal.

Mayor Newhard: And I just kid.

Patrick Gallagher: And let me tell you something I was complemented more than once on the penmanship. This was not raw graffiti.

Mayor Newhard: But then...

Trustee McKnight: I'm not really laughing about graffiti. That's not what this is about.

Mayor Newhard: Yes.

Trustee McKnight: Let's get back to the Comp Plan.

Patrick Gallagher: Please, don't let me upset you any further Mr. McKnight.

Trustee Foster: The other, we should set some ground rules here.

Mayor Newhard: Yes, that's fine.

Trustee Foster: We need to be respectful. So, the other thing you mentioned, kind of like neighborhood engagement, and so one of the other things, and we got another comment about that as well and that's also something that we've been working on, is this idea of doing neighborhood based listening sessions because I think you're right, the Village does a really great job of reaching out to all of these different civic groups. We're constantly talking about how to do outreach more effectively and that is one of the solutions that we've been talking about, and it was really nice to see some of those ideas come in fresh and to validate that that is something that we should be doing.

Mayor Newhard: Very good. Yes, please.

Kerry Bolland: Hi, my name is Kerry Bolland and I live in the Village.

Mayor Newhard: Hi, Kerry.

Kerry Bolland: I'm speaking as a resident of the Village of Warwick and I'm particularly grateful to see the following and the draft of the new Comprehensive Plan addressing climate change, parking, traffic management, serving underrepresented communities and encouraging

more engagement in Village decision-making, honoring the arts, respecting the Village's history, protecting and securing the Village's water supply. Thank you for hearing the residents of Warwick and reflecting that it this thoughtful Comprehensive Plan.

My suggestions for the draft Comprehensive Plan are based mainly on concern with strengthening the language in regards to environmental actions. Under 'Goal R1 Resilience and Sustainability' on page 25 'Recommended Action: Implement policies to reduce reliance upon fossil fuels by encouraging the increased use of geothermal heating in new construction and building rehabilitations through the creation of zoning and subdivision regulations that...' whenever feasible.

Firstly, what do encourage and feasible actually mean. Please consider strengthening the language and codifying environmental practices. There is no greater urgency then addressing the Village's sustainability even if it is not feasible because of increased cost because it will only cost taxpayers far more in the long run.

The Town of Woodstock's Comprehensive Plan has examples of meaningful language appropriated to protect the environment.

Page 26, 'Recommended Action: Enhance capacity to monitor issues related to climate change and energy conservation by designating a citizen's committee or other group to follow these issues and inform Village Government on important related topics.' Going a step further, the Village could create the position of Environmental Resource Officer. This position's role would be to evaluate building applications from a point of view of sustainability and mitigate cost and damage in the case of natural disaster, to serve residents and businesses when making landscaping decisions such as buffers, to collectively obtain shared resources to reduce costs and to monitor construction throughout the Village to verify compliance to the highest degree to protect drinking waterways.

I have some other things that I probably will email to you.

Mayor Newhard: Ok, very good.

Kerry Bolland: One of those was additionally for clear public communication would be incredibly helpful to have a large screen at the meetings so that both the Board and the public can see the plans as they are being discussed. How long has that thing been there?

Mayor Newhard: A year.

Kerry Bolland: How come the Planning Board isn't using it?

Mayor Newhard: I do not know. It was put there specifically because of a request from a resident

who could not see the plans and had to come up and look over people's shoulders and so we responded to that because we felt that the Planning Board of all the Boards, could use this so.

Kerry Bolland: So, what needs to happen for that, to present plans during...

Mayor Newhard: I would think that the applicant should be aware that they have the capability of doing that.

Kerry Bolland: That's a great...yes.

Mayor Newhard: Yes.

Kerry Bolland: Ok, in conclusion the Comprehensive Plan is an opportunity to set meaningful principles and immediate and long-term protections for the Village for the next decade. The time is now to make environmental sustainability the priority to ensure our future. Please strengthen the language on this Comprehensive Plan. Thank you.

Mayor Newhard: Thank you very much, Kerry. I'm going to pass it on to Tom because he's been working on our application for Climate Smart Communities and part of that was developing a committee, just as you speak of, and so Tom, I'll give you the floor.

Trustee McKnight: Kerry, great feedback. So, what we've done first of all, if you look at the feedback from the outreach we did. We did a postcard to every Village resident with a survey, Peter helped with that. We were at Farmers Markets. We got a decent bit of responses and if I recall, eighty percent of the responses were all in favor of furthering our sustainability efforts. Pretty overwhelming compared to all the other questions on the survey. So, as a result, what we've done is, I've drafted something to stand up a Conservation Advisory Council that would have a larger role within the Village to have a focus on all the environmental aspects so it would work as another Board in conjunction with some of the other Boards. That will take some time to stand up. In the interim what we did is we created a Climate Smart Community Task Force to pursue this New York State program to achieve a certification.

Kerry Bolland: Ok, I'm hearing committee and committee and committee, and I think committees are great. I think directly into the Comprehensive Plan perhaps the language can be strengthened there. That's the only teeth we have.

Trustee McKnight: Yes, got it. So, let me roll back to that for a second so in order to get things done, yes, you do need to have committees so it's not one person making a decision, right, so it's not just making committees for committees' sake but as part of this Climate Smart Communities program, to become certified we basically took language, one of their high priority actions is to include sustainability language in the Comprehensive Plan. So that was the model for what we

put in yet maybe there's room to strengthen that a bit more but when you say things like Environmental Resource Officer, all sort of things that for me are conjuring up similarities that we have within the Conservation Advisory Council that we're kind of kicking around as well as the Climate Smart Community.

Kerry Bolland: Ok, I mean that piece is separate. I'm talking specifically about...

Trustee McKnight: You mentioned a couple of things. I'm trying address each of them.

Kerry Bolland: Ok, ok. I see but yes, but I mean I think the priority for the Comprehensive Plan is to have, it's now or never, you know.

Mayor Newhard: It's true.

Kerry Bolland: We need to have really clear language.

Trustee McKnight: Sure. And then last plan from 2004 there's zero about sustainability.

Kerry Bolland: I know and that's why I commented how grateful I was that climate change was acknowledged and sustainability is an important part of this plan. It's impressive, it's great let's take it to the finish line.

Peter Fairweather: Can I just bring up one thing about the nature of Comprehensive Plans because I hear comments about wiggle room and that comes up pretty regularly and justifiably but I think it's important that in the context of a Comprehensive Plan that you maintain some leeway in terms of what your options are because if you identify a particular option and for whatever reason it gets stonewalled then you've got no way forward. Whereas if you have a menu and one of them gets stopped you can still go forward on another front. So, that's why a lot of times Comprehensive Plans will provide a menu of options rather than one particular route so that there are multiple paths to move the goal forward.

Kerry Bolland: I understand. I think when you use a term like feasibility though with a developer, that they should use best practices as long as it's feasible, like no expense is spared in other avenues but it's not feasible, it's not cost whatever, I mean it's a little too flexible perhaps.

Mayor Newhard: Yes.

Trustee Foster: Yes, I hear you, but I think there's opportunity here to strengthen, like overencouraging in some cases it could make sense to explore policies that will require. Like, would that be, would that meet the need? Because in some cases we may not know exactly what those policies are at this point in time, but we should explore what those policies might be.

Trustee McKnight: I'll give you an example. I mean we can't force, necessarily, developers to do a particular clean energy treatment. Now, things that we can do is look to something like the New York Stretch Energy Code which basically stretches it one cycle in the future, twelve to eighteen months, where it's basically what's coming down the line for New York State Energy Codes and so if we explore something like that, that will allow a developer to choose from a menu that's more environmentally friendly, right. Another thing we're looking at to reduce fossil fuels is CCA, Community Choice Aggregation, where essentially, that was what the last meeting was pretty much about, but what that's going to allow us to do, is to basically, for the community have collective purchasing power to allow basically O&R to be the delivery mechanism for electricity that is derived from clean energy, right, instead of fossil fuels. That's one thing that we can do. Now, it might only reduce the average users bill \$8 per month which is fine, it's not life changing, but the underlying thing there is that it's using a renewable source. So, those are different things that we can explore but we can't force a developer, say thou shalt do geothermal energy, right, so I think the point is well, if you have specific ideas on how to strengthen that we're all ears. We have to be, I think as Peter mentioned, have a little bit of leeway in case years down the road (inaudible).

Mayor Newhard: You mentioned Woodstock's plan. I think we should take a look at that, definitely.

Trustee Foster: You said you'll email those as well?

Kerry Bolland: Yes. I had some other ideas, but I don't know if like the Comprehensive Plan itself or maybe it needs to go to a subcommittee so I'm going to reflect on that since we have a little more time.

Mayor Newhard: Ok, thank you. Thank you, Kerry. Ok, anyone else? Mr. Brown, you were part of the Committee.

Scot Brown: No comment, thank you. I came to observe and support.

Mayor Newhard: Thank you. Ok, with that, I think we're done for this evening, but we will be keeping the public hearing open for two weeks and if anybody has comments, we have copies of the plan. They can stop by Village Hall and get a copy for themselves, or they can get it online. It's on the Village's website.

Stephen Gaba: You should probably have a motion to continue the public hearing to a date specific.

Mayor Newhard: Yes, absolutely. Very good.

**Public Hearing on the Village of Warwick draft updated Comprehensive Plan - Public Hearing Open Until November 7, 2022**

A **MOTION** was made by Trustee McKnight, seconded by Trustee Foster and carried to keep the Public Hearing on the Village of Warwick draft updated Comprehensive Plan open until November 7, 2022.

The vote on the foregoing **motion** was as follows: **APPROVED**

Trustee Cheney Absent    Trustee Foster Aye    Trustee Lindberg Absent

Trustee McKnight Aye    Mayor Newhard Aye

Trustee Foster: Just a quick note is we do now have suggestion box at Village Hall as well as a virtual suggestion box that you can access on the homepage too, so you know if you don't include an email about something in particular you can use that and then the emails go directly to the Mayor, Raina, and myself and then once a month at the Board meetings they also all get shared to the other Trustees and then if it's relevant, to a Trustee or anyone else in between, then they go to other places.

Patrick Gallagher: I'm sorry but it's not been my experience that a response is forthcoming when things are sent.

Mayor Newhard: We're working on a response to you, sir. It will be forthcoming.

Patrick Gallagher: No, I don't mean today. I mean historically.

Mayor Newhard: Oh, historically. It depends if the questions are...

Patrick Gallagher: Are pertinent?

Mayor Newhard: Or rhetorical.

Patrick Gallagher: They're not rhetorical, their pertinent.

Mayor Newhard: Very good. Thank you and we will move onto the next portion of the meeting.

**Acceptance of Minutes**

A **MOTION** was made by Trustee McKnight, seconded by Trustee Foster and carried for the Acceptance of Minutes: September 19, 2022, and October 3, 2022.

The vote on the foregoing **motion** was as follows: **APPROVED**

Trustee Cheney Absent    Trustee Foster Aye    Trustee Lindberg Absent

Trustee McKnight Aye    Mayor Newhard Aye

**Acceptance of Reports**

A **MOTION** was made by Trustee McKnight, seconded by Trustee Foster and carried for the Acceptance of Reports – September 2022 Clerk’s Office, Tax Collection, Justice Department, Building Department, and Department of Public Works.

The vote on the foregoing **motion** was as follows: **APPROVED**

Trustee Cheney Absent    Trustee Foster Aye    Trustee Lindberg Absent

Trustee McKnight Aye    Mayor Newhard Aye

**Authorization to Pay all Approved and Audited Claims**

A **MOTION** was made by Trustee McKnight, seconded by Trustee Foster and carried for the Authorization to Pay all Approved and Audited Claims in the amount of \$208,997.56.

The vote on the foregoing **motion** was as follows: **APPROVED**

Trustee Cheney Absent    Trustee Foster Aye    Trustee Lindberg Absent

Trustee McKnight Aye    Mayor Newhard Aye

2. Police Report.

Warwick Police Chief, John Rader, said that Applefest went very well and that he’ll be working with Mike Moser on the Halloween parade barricades and road closures.

**Correspondence**

1. Orange County Department of Planning comments on the review of the Village of Warwick’s draft updated Comprehensive Plan.
2. Village of Warwick Planning Board comments on the review of the Village of Warwick’s draft updated Comprehensive Plan.

3. Comments for the public hearing on the Village of Warwick's draft updated Comprehensive Plan from Raymond and Lugene Maher.
4. Letter from Applefest 2022 Coordinator, Cristina Hohmann, expressing appreciation for the Village's support of the 32nd annual festival.
5. Letter from the New York State Department of Health regarding the completion of water supply emergency plan updates.

### **Announcement**

1. The Village of Warwick will hold a tree planting event at Veterans Memorial Park on Thursday, October 27, 2022, at 10:00 a.m. thanks to a grant from the NYS Forestry Council in conjunction with the Warwick Valley Gardeners. All are welcome!
2. All Things Halloween in the Village of Warwick: Halloween Parade & Costume Contest, 'Scare the Mayor', and Halloween Curfew and Road Closures.
3. Village of Warwick Fall Leaf Pickup.
4. New York State Low Income Household Water Assistance Program.

Mayor Newhard read the notice and explained that 'Low Income' may be misleading because in the Village's conversations with the administration of this program, they take many things into consideration and review each circumstance carefully. Mayor Newhard said that this program is trying to approve as many applications as possible and can be very helpful. All of the information is available on the Village's website and if residents have any questions, they can call the Village's Water Department at 986-2031 or they call the State directly at (833) 690-0208.

### **Privilege of the Floor**

Please limit your comments to **three (3)** minutes. If reading a document, please submit a copy to the Clerk. Please note all remarks must be addressed to the Board as a body and not to individual Board members. Please state your name clearly before speaking. These rules are taken from the Handbook for Village Officials – New York State Conference of Mayors and Municipal Officials.

No comments were made.

**Motions**

**Vacation Carry Over – Mike Finelli**

A **MOTION** was made by Trustee McKnight, seconded by Trustee Lindberg and carried to grant permission to Village of Warwick employee, Mike Finelli, to carry over 2.65 vacation days.

The vote on the foregoing **motion** was as follows: **APPROVED**

Trustee Cheney Absent    Trustee Foster Aye    Trustee Lindberg Aye

Trustee McKnight Aye    Mayor Newhard Aye

**Temporary Revocable License Agreement with the Warwick Grove Homeowners Association**

A **MOTION** was made by Trustee McKnight, seconded by Trustee Lindberg and carried to authorize the Mayor to enter into a Temporary Revocable License Agreement with the Warwick Grove Homeowners Association and their snow removal contractor, Wright Brothers Landscaping, to allow two pieces of motorized equipment to be parked inside the fenced area of the sewage pump station located off Mistucky Circle.

The vote on the foregoing **motion** was as follows: **APPROVED**

Trustee Cheney Absent    Trustee Foster Aye    Trustee Lindberg Aye

Trustee McKnight Aye    Mayor Newhard Aye

**Discussion**

Trustee McKnight said that he read the revocable agreement and the wording there doesn't seem revocable unless all parties agree. Trustee McKnight recapped that this was Village owned property where the Homeowner's Association is looking to park snow removal equipment on Village property.

Mayor Newhard explained that this is a property that the Village has an easement on but it's actual property that's owned by Warwick Grove Homeowner's Association.

Trustee Foster clarified that it was property owned by Warwick Grove Homeowner's Association but the Village has an easement on it for the pump station.

Village Attorney, Stephen Gaba, said yes, and that they are not allowed to put anything on it, build anything on it because you might need it at the pump station. Mr. Gaba said had a problem with the equipment that would go in to remove snow but wasn't sure if they keep it there all year or if it's put there just before the storms come.

Mayor Newhard said that they will keep the equipment there throughout the winter season.

Mr. Gaba said that there will be some equipment out there and then when there's a storm, they can remove the snow and put the equipment back. Mr. Gaba said that the reason for the agreement is that there was nowhere to put the equipment causing a delay in the ability to move the snow or they had to park them on the streets and if there was snow, there was problems with that, so this is a work around.

Mayor Newhard said that the original request was to park them in the top of Memorial Park, and they did not feel that that was appropriate so after much discussion and a site visit with the HOA and pointed out that this was a much better location.

Trustee McKnight asked if there were liability concerns.

Stephen Gaba said that both parties have insurance and mutual indemnification clauses in the agreement as far as that goes.

Trustee Foster asked why it would be it would be mutual.

Stephen Gaba explained that if the Village is negligent and they are negligent then if they're negligent they indemnify us and if we're negligent, we indemnify them. Mr. Gaba said that in either event the Village is covered by insurance anyway so the odds of the indemnification kicking in are very slim but it's standard practice.

Trustee Foster asked if the removal or placement of snow removal equipment somehow damages the pump station would the Village have to pay for that with our own insurance.

Stephen Gaba replied that it would be covered by their insurance because they would've damaged it, if you can prove it.

Trustee Foster stated that it says, 'hold harmless'.

Stephen Gaba said that the Village will hold harmless them in the event that they're sued because of something that the Village did. They will hold harmless the Village in the event that the Village is sued or there is damage to the property because of something

they did. That's what the mutual indemnification clauses are for. Mr. Gaba stated that if the Board is concerned about the language, the Village can go back and ask for modifications.

Trustee Foster asked if the placement of this equipment will disrupt the access to the pump station in any way and if the DPW was involved.

Mayor Newhard replied that it would not, and that Mike Moser was there.

Trustee Lindberg asked if it was a grassed in area or if was asphalt.

Mayor replied that it is a mixture but that there is plenty of room and that what they recognized when they were there was that the neighbors have no windows that even look out at this area so there aren't any site issues and with two pieces of equipment, we don't feel the noise levels will be extreme when they start them up.

Trustee Lindberg said that the issue has been worked on for a number of years and that this sounds like a pretty good compromise with a fenced in area on their property not on our park's property. Trustee Lindberg stated that Warwick Grove doesn't do something unless it doesn't look like it should meaning, neat.

Trustee Foster said that she agrees that this is a much better solution then looking to put the equipment on the park property since it's Warwick Grove's property and the Village has an easement for the pump station. Trustee Foster added that she hasn't seen the space but trusts the fact that the DPW looked and isn't concerned about any impacts to the pump station or access, she's ok with that. Trustee Foster asked if Mr. Gaba was comfortable with the liability language.

Stephen Gaba said that the language was fine but said you could write it more one side or change the language, but you could wind up in pretty much the same place at the end of the day. Mr. Gaba stated that the fact that the Village has insurance should be sufficient since there's not that great of risk with what they're doing.

Trustee Foster asked what the financial arrangement is with the existing easement and does the Village pay for that or is that something the Village paid for upfront or was it a no cost easement.

Mayor Newhard stated that it was a not cost easement.

**Parade/Facility Use Permit – Veterans Day Parade, Memorial Park**

A **MOTION** was made by Trustee Foster, seconded by Trustee Lindberg and carried to grant permission to the Veterans of Foreign Wars Post No. 4662 to hold a Veterans Day Parade Friday, November 11, 2022, as per their facility use application and parade map received October 4, 2022. Parade lineup will take place at High Street at 10:30 a.m. with step-off beginning at 11:11 a.m. The parade will culminate with a ceremony at Veterans Memorial Park at approximately 12:00 p.m. The parade route has been approved by the Town of Warwick Police Department. Completed park permit, security deposit and proof of insurance have been received.

The vote on the foregoing **motion** was as follows: **APPROVED**

Trustee Cheney Absent    Trustee Foster Aye    Trustee Lindberg Aye

Trustee McKnight Aye    Mayor Newhard Aye

**Budget Modification**

A **MOTION** was made by Trustee Foster, seconded by Trustee McKnight and carried to approve the FY 2022-23 budget modification and transfer request as per the Village Treasurer's letter dated October 13, 2022.

The vote on the foregoing **motion** was as follows: **APPROVED**

Trustee Cheney Absent    Trustee Foster Aye    Trustee Lindberg Aye

Trustee McKnight Aye    Mayor Newhard Aye

**Halloween Parade 2022**

A **MOTION** was made by Trustee Foster, seconded by Trustee Lindberg and carried to grant permission to the Village of Warwick Recreation Department to hold a Halloween Parade on Monday, October 31, 2022. Lineup will be at 4:30 p.m. on High Street. The parade will start at 5:00 p.m. and proceed down Main Street to Railroad Avenue, ending on Railroad Green for a Costume Contest. The Warwick Police have been notified and will assist with the event.

The vote on the foregoing **motion** was as follows: **APPROVED**

Trustee Cheney Absent    Trustee Foster Aye    Trustee Lindberg Aye

Trustee McKnight Aye    Mayor Newhard Aye

**Discussion**

Mayor Newhard said that he will reach out to the Warwick Police Chief regarding a request that there will be more police presence in Welling Avenue neighborhood which Mayor Newhard stated that he thinks is justified considering the amount of folks even though the roads are closed down.

Trustee Foster said that she remembers in year's past there's been vehicles coming through, so it makes sense.

**Road Closures – Halloween 2022**

A **MOTION** was made by Trustee Foster, seconded by Trustee McKnight and carried to close Oakland Court, Welling Avenue and Orchard Street on Monday, October 31, 2022, from 4:00 p.m. until 9:00 p.m. and to close High Street from 4:00 p.m. to 5:00 p.m. on October 31, 2022.

The vote on the foregoing **motion** was as follows: **APPROVED**

Trustee Cheney Absent    Trustee Foster Aye    Trustee Lindberg Aye

Trustee McKnight Aye    Mayor Newhard Aye

**Halloween Curfew 2022**

A **MOTION** was made by Trustee Foster, seconded by Trustee Lindberg and carried to impose a Halloween curfew for all persons under the age of 18 unless accompanied by a parent or guardian on all Village streets and parks and other public areas in the Village of Warwick between the hours of 9:00 p.m. on Sunday, October 30, 2022, to 6:00 a.m., Monday, October 31, 2022, and again on Monday, October 31, 2022, from 9:00 p.m. to 6:00 a.m., Tuesday, November 1, 2022.

The vote on the foregoing **motion** was as follows: **APPROVED**

Trustee Cheney Absent    Trustee Foster Aye    Trustee Lindberg Aye

Trustee McKnight Aye    Mayor Newhard Aye

**Rescind Motion made on September 19, 2022, approving the Authorization to Pay all Approved and Audited Claims**

A **MOTION** was made by Trustee Foster, seconded by Trustee Lindberg and carried to rescind the motion made on September 19, 2022, approving the Authorization to Pay all Approved and Audited Claims in the amount of \$229,577.50 due to an error in the calculation of the abstract.

The vote on the foregoing **motion** was as follows: **APPROVED**

Trustee Cheney Absent    Trustee Foster Aye    Trustee Lindberg Aye

Trustee McKnight Aye    Mayor Newhard Aye

**Authorization to Pay all Approved and Audited Claims for the abstract dated September 19, 2022**

A **MOTION** was made by Trustee Foster, seconded by Trustee Lindberg and carried to approve the Authorization to Pay all Approved and Audited Claims for the abstract dated September 19, 2022, in the amount of \$229,727.50.

The vote on the foregoing **motion** was as follows: **APPROVED**

Trustee Cheney Absent    Trustee Foster Aye    Trustee Lindberg Aye

Trustee McKnight Aye    Mayor Newhard Aye

**Discussion**

Trustee Foster stated for the record that it was less than a \$200 difference.

**Rescind Motion made on October 3, 2022, approving the Authorization to Pay all Approved and Audited Claims**

A **MOTION** was made by Trustee Foster, seconded by Trustee Lindberg and carried to rescind the motion made on October 3, 2022, approving the Authorization to Pay all Approved and Audited Claims in the amount of \$223,465.64 due to an error in the calculation of the abstract.

The vote on the foregoing **motion** was as follows: **APPROVED**

Trustee Cheney Absent    Trustee Foster Aye    Trustee Lindberg Aye

Trustee McKnight Aye    Mayor Newhard Aye

**Authorization to Pay all Approved and Audited Claims for the abstract dated October 3, 2022**

A **MOTION** was made by Trustee Foster, seconded by Trustee Lindberg and carried to approve the Authorization to Pay all Approved and Audited Claims for the abstract dated October 3, 2022, in the amount of \$224,044.42.

The vote on the foregoing **motion** was as follows: **APPROVED**

Trustee Cheney Absent    Trustee Foster Aye    Trustee Lindberg Aye

Trustee McKnight Aye    Mayor Newhard Aye

**RESOLUTION SETTING PUBLIC HEARING ON PROPOSED SIDEWALK IMPROVEMENTS AT RAILROAD GREEN PUBLIC PARKLAND SPACE**

WHEREAS, The New York State Department of Transportation ("NYSDOT") has proposed a project that will, in part, improve the sidewalks along Route 17A/94 in the Village of Warwick to ensure compliance with the Americans with Disabilities Act ("ADA"); and

WHEREAS, a portion of the project is located adjacent to the Village-owned land (parcel SBL 211-6-1.21) known as Railroad Green located at the northeast quadrant of the intersection of Oakland Avenue (NYS 17A/94) and Railroad Avenue; and

WHEREAS, the existing sidewalk along Railroad Green has not been constructed entirely within NYSDOT's right-of-way boundary, as a result of which in order to construct the ADA compliant improvements it will be necessary for the NYSDOT to acquire ownership of approximately 447 square feet of Railroad Green; and

WHEREAS, Railroad Green is municipal public parkland space and, as such, constitutes a Section 4(f) resource under 23 CFR 774; and

WHEREAS, under 23 CFR 774, alienation of Section 4(f) parkland requires public notice and an opportunity for the public to review and comment on the proposal;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Village Board hereby sets a public hearing for 7:30 o'clock P.M. on November 7, 2022 to receive and discuss comments from the public on the proposed sidewalk improvements and alienation of land at Railroad Green; and

2. That the Village Clerk is directed to publish and post due notice of the public hearing no later than ten (10) days prior to the public hearing date.

Trustee McKnight presented the foregoing resolution which was seconded by Trustee Lindberg,

The vote on the foregoing resolution was as follows: **APPROVED**

Barry Cheney, Trustee, voting	<u>Absent</u>
Carly Foster, Trustee, voting	<u>Aye</u>
Thomas McKnight, Trustee, voting	<u>Aye</u>
William Lindberg, Trustee, voting	<u>Aye</u>
Michael Newhard, Mayor, voting	<u>Aye</u>

### **Announcement**

Trustee McKnight read the following announcement:

1. No overnight on street parking in the Village of Warwick from November 1<sup>st</sup> to April 1<sup>st</sup> between the hours of 2 a.m. and 6 a.m.

Mayor Newhard stated that this information will be on the Village's website and Facebook.

### **Reports**

**Trustee Cheney's Report:** Absent.

**Trustee Foster's Report:**

Trustee Foster reported that the Village received an announcement that St. Anthony's Community Hospital is offering an education virtual, Zoom, stop the bleed program for community members on October 26, 2022, from 6 p.m. to 7 p.m. Stop the bleed is a national campaign that encourages bystanders to become trained, equipped and empowered to help in a bleeding emergency before professional help arrives. The registration address is located at the

Albert Wisner Public Library's website. Trustee Foster also stated that created a tiny URL so people can go to [tinyurl.com/Warwickstopthebleed](http://tinyurl.com/Warwickstopthebleed).

**Trustee Lindberg's Report:** No report.

**Trustee McKnight's Report:**

Trustee McKnight reported that the Children's Book Festival was really good this year with quite a large turnout and there were food trucks. Trustee McKnight said that he was there and felt that the location at Stanley-Deming Park worked really well and gave enough space for parking and for the food trucks and that the tent that was put up was great. Trustee McKnight said that the event was really well attended and that he looks forward to next year.

Mayor Newhard said that this year the pilot program was the parking on the grass area near the basketball court. Mayor Newhard asked Trustee McKnight if he felt that was effective.

Trustee McKnight said that fortunately it was dry. Mayor Newhard said that is true and that they wouldn't have done it if it was soggy. Trustee McKnight said he looked at it afterwards and it didn't seem like it killed any of the grass.

Trustee Foster said that the event seems like it's growing in participation because she doesn't see how it could've been managed on Railroad Avenue and how many people were there.

Mayor Newhard said that the reason they opted to try that parking was because of the spillover effects on the neighborhoods that surround Stanley-Deming Park, that starts going up the curb and in certain situations, creates traffic issues where emergency vehicles may not be able to get through so in that respect, Mayor Newhard said that he felt it was very effective.

Trustee McKnight said that he still saw people trying to park every which way and stated that maybe there wasn't enough clear signage to put people in designated parking area.

**Mayor Newhard's Report:** No report.

**Final Comments from the Floor**

No comments.

**Final Comments from the Board**

No comments.

**Executive Session**

A **MOTION** was made by Trustee Lindberg, seconded by Trustee Foster to enter into Executive Session for the proposed acquisition, sale or lease of real property, or the proposed acquisition of securities, or sale or exchange of securities held by such public body, but only when publicity would substantially affect the value thereof.

The vote on the foregoing **motion** was as follows: **APPROVED**

Trustee Cheney Absent    Trustee Foster Aye    Trustee Lindberg Aye

Trustee McKnight Aye    Mayor Newhard Aye

Mayor Newhard stated that when the Board comes back into regular session, they will not make any more motions or determinations.

**Adjournment**

A **MOTION** was made by Trustee Lindberg, seconded by Trustee McKnight and carried to exit Executive Session, resume the regular Village Board meeting and adjourn at approximately 9:55 p.m.

The vote on the foregoing **motion** was as follows: **APPROVED**

Trustee Cheney Absent    Trustee Foster Aye    Trustee Lindberg Aye

Trustee McKnight Aye    Mayor Newhard Aye



Steven M. Neuhaus  
County Executive

## Orange County Department of Planning

124 Main Street  
Goshen, NY 10924-2124  
Tel: (845) 615-3840  
Fax: (845) 291-2533

Alan J. Sorensen, AICP  
Commissioner

[www.orangecountygov.com/planning](http://www.orangecountygov.com/planning)  
[planning@orangecountygov.com](mailto:planning@orangecountygov.com)

### County Reply – Mandatory Review of Local Planning Action as per NYS General Municipal Law §239-l, m, & n

**Local Referring Board:** Village of Warwick Board of Trustees      **Referral ID #:** WRV 03-22M  
**Applicant:** Village of Warwick      **Tax Map #:** villagewide  
**Project Name:** Village of Warwick Comprehensive Plan      **Local File #:** none provided  
**Proposed Action:** Local Law to adopt new Village Comprehensive Plan  
**Reason for County Review:** Local law affecting zoning or land use  
**Date of Full Statement:** September 22, 2022

#### Comments:

The Department has received the above referenced local law and has found no evidence that significant intermunicipal or countywide impacts would result from its approval. The proposed Comprehensive Plan is aligned with the County Comprehensive Plan in goals and values and is creative and flexible in its recommended actions to incorporate these goals and values into the Village fabric. We particularly commend the Village for their thoughtful and thorough approach to inclusion, both evident in the proposed Comprehensive Plan and in the focus groups assembled to inform it. We are happy to offer technical assistance to the Village in completing a number of these recommended actions, such as the parking study and the Climate Vulnerability Assessment, or providing sample codes regarding things like form-based codes, mixed-use development, and a variety of sustainability and resiliency measures.

**County Recommendation:** Approval

**Date:** September 29, 2022

**Prepared by:** Megan Tennermann, AICP  
Senior Planner

  
\_\_\_\_\_  
Alan J. Sorensen, AICP  
Commissioner of Planning

As per NYS General Municipal Law 239-m & n, within 30 days of municipal final action on the above referred project, the referring board must file a report of the final action taken with the County Planning Department. For such filing, please use the final action report form attached to this review or available online at [www.orangecountygov.com/planning](http://www.orangecountygov.com/planning).

RECEIVED

OCT 03 2022

VILLAGE OF WARWICK  
CLERK



VILLAGE OF WARWICK  
INCORPORATED 1867

October 13, 2022

To: Mayor Michael Newhard and  
Village Board of Trustees

From: Village of Warwick Planning Board

Re: Comments from the Planning Board regarding the Draft Comprehensive Plan

Overall, the plan addresses the major issues of concern for the Village Planning Board including procedures to control sprawl-type development, accommodation of new uses and anticipated residential growth, while ensuring that the Village infrastructure is not overburdened.

The following areas perhaps should be given greater emphasis or expanded:

**General:**

The plan could be enhanced to include a summary in the beginning of the document on what/how recommended actions were accomplished from the 2004 plan and a brief rationale to why others were not and if they have been retained in the new plan.

**Affordable housing:**

As the Village continues to be a desirable residential community and has worked to preserve its Main Street core area, the price of housing has increased significantly, making it difficult to provide housing for a more diverse population. While this topic is discussed in several places (on p13 there is a discussion of "Missing Middle Housing" and on p3 of appendix prepared by the Fairweather Consulting group), this issue should be more strongly emphasized to address a significant problem. A potential consideration could be a homestead project, like the one in Port Jervis, that gives new homeowners the opportunity to buy tax-delinquent or condemned homes at low cost before they go to auction.

Although mentioned on p15 (as part of Goal C&C 1), the plan should strongly recommend more opportunity for mixed-use developments, with the primary use on the first floor and residential or office uses on the upper floors both in the Central business area and residential zones. Also, the plan should more strongly encourage the development of townhouses, multiple family units and allowing of Accessory Units in residential zones.

### **Commerce and Culture:**

Goal C&C 2 (p16) specifically discusses a balance between “diversified retail and restaurants in the Village” but neglects to incorporate residential uses as previously stated in the photo caption on p6. Emphasis should be placed on recommendations not negatively impacting existing or potential future residential uses.

### **Review of Projects in the Village:**

Perhaps one of the most confused and misunderstood aspects of project review is that of timing of public notification, input and participation that often leads to less constructive and efficient public hearings, when applicable. Recommended actions should include exploring opportunities to improve this process.

### **Protection of the village reservoir watershed:**

An issue not discussed in the plan is the need for increased protection of the Village reservoirs. Between the reservoirs and wells the Village appears to have an ample and reliable water supply, but contamination of the reservoirs from surface runoff may be a future threat as development in the Cascade mountain area in the town continues. While these reservoir lakes are in the town, the Village has purchased some watershed property; opportunities to preserve more land should be explored.

### **Wawayanda Creek:**

This is a significantly underutilized asset in the Village. In 2012 the Village commissioned a study of the creek which produced a document entitled the “Strategic Plan for the Wawayanda Creek.” Also, an earlier project in 2000 entitled the “Central Place Strategy” described the Wawayanda Creek as an underutilized open space and recommends creation of a linear trail to enhance pedestrian movement to and within the downtown area. Although several comments addressing the better use of the creek were included in the plan (p24 and p26), the concepts discussed in these earlier plans were not mentioned in the draft comprehensive plan. A suggestion to help reduce the impact of creek flooding mentioned earlier was to develop a significantly large water retention basin in the flood plain on the northwest side of Memorial Park between the creek and the railroad track.

### **Village Gateways:**

Protection of the Village Gateways has always been a major concern of Village residents and is discussed on p12-13, 21 and shown on the map on p22 of the plan. Since this is an issue so important to many village residents perhaps discussion of this issue should not be relegated to a less accessible “appendix.” Could a “Scenic Overlay district” be an option?

### **Walk ability and sidewalks:**

Probably the most important walkway upgrade may be the installation of a safe sidewalk along West Street to the town line where there is a designated walkway. This street is used by many students walking to and from the school campus during high volume traffic times. This project along with traffic calming techniques is discussed on p21 and shown on the map on p22 but perhaps there should be stronger emphasis on this particular walkway.

**Annexation:**

The “Warwick Village - Town of Warwick Intermunicipal Agreement” on annexation has been in place since 2002. The most important provisions in the agreement are that the developer does not get an automatic increase in density and access to Village water and sewer services just by the property being annexed by the Village. Additionally, under the agreement the developer can build on smaller lots following Conservation Subdivision Cluster development or Traditional Neighborhood Design guidelines and is required to preserve a significant amount of the annexed land as open space. This topic is mentioned briefly on p17 and p26 and in Recommendation R1 on p30. With the improving economy the owners of 2 or 3 large properties bordering the Village may consider annexation in the near future, more emphasis on the Annexation Policy should be considered in the Comprehensive Plan.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Jesse Gallo', with a stylized flourish at the end.

Jesse Gallo, Chairman  
Village of Warwick Planning Board

October 3, 2022

RECEIVED

OCT 05 2022

To: Mayor Newhard and Village Board of Trustees

From: Raymond and Lugene Maher

VILLAGE OF WARWICK  
VILLAGE CLERKS OFFICE

Subject: Public Hearing Comments Oct. 17, 2022: Comprehensive Master Plan

Dear Mayor Newhard and Village Board of Trustees:

Following please find our comments pertaining to the draft Comprehensive Master Plan (CMP):

The CMP currently has no accommodation for correcting the Village's Cluster Code. As has been previously noted, there are flaws in the cluster scheme. We are requesting that a revision to the cluster code be accommodated for as part of the comprehensive plan.

Additionally, there are several intersections requiring assessment for long-standing safety and/or congestion concerns in the Village that are not included in the CMP. These intersections are:

Locust St./Woodside Dr.  
Rte. 94/Locust St.  
Rte. 94/Grand St.

Thank you.

Regards,

Raymond and Lugene Maher

RECEIVED

OCT 17 2022

VILLAGE OF WARWICK  
VILLAGE CLERKS OFFICE

## MEMORANDUM

TO: Village of Warwick Comprehensive Plan Committee

FROM: Margaret McNeely  
Village of Warwick Resident

SUBJECT: Comments on 2024 Comprehensive Plan

Thank you for the opportunity to comment on the 2024 Plan. Taken as a whole, the Plan provides a clear and thorough approach to the issues and opportunities the Village may face in the coming years. While no one knows what the future may hold, the Plan includes many aspirational goals that will (or should) provide a positive living and working space for Village residents.

At the end of this Memorandum, I have provided specific comments on a few of the Recommended Actions and Implementation Steps by Goal Area. My comments are focused on those areas that have, in my experience, been particularly troublesome over the years. Other comments are more generic in nature and do not seem to be supported by the data presented in the Appendices.

- **MISSED OPPORTUNITY**

My most important comment concerns what I perceive as a missed opportunity in the plan, i.e. the need to establish more communication channels between and among the various neighborhoods, the business interests, civic groups, and Village governance structure. I do understand that the meetings of the Village Trustees, Planning Board Meetings, and the like all have opportunities to be heard but rarely is it before an issue or disagreement arises. On-going informal neighborhood forums might be one way to increase the need for community engagement that I believe is articulated throughout the plan.

- **Quality of Place**

Given the map of vacant land in the Village, it is critical that more specific buffering standards are created and enforced. The language of “may wish to” must be strengthened to “shall” provide. In addition, new zoning maps should be provided to clearly indicate the possibilities for future development that reflect the residential nature of the village.

The need for “missing middle” housing in the Village is critical. All age levels and family structures complain about the lack of reasonable housing to accommodate their varying needs. This is not unique to the Village, region, or state. This concern needs to be addressed across all levels.

In my opinion, the concern over short term rentals, either Airbnb or VRBO, is overblown. I have seen no problems with those rentals in my neighborhood or others in the Village. Short term rentals provide a valuable service to the Village and its residents without unnecessary regulation or further development of limited land.

As mentioned previously, there should be on-going outreach and dialogue in the Village. Not all residents are part of the business community, serve on Boards, belong to civic organizations, or identify as under-represented community members. Outreach must include all of the Village. A starting point could be Community Forums in those neighborhoods with undeveloped lands to know more about their needs and wants.

- **Commerce and Culture**

The current parking lot map on the Village website indicates there are over 250 parking spaces without counting on-street spaces on Main Street and close-in residential areas. It is unclear why further study is necessary. While the parking in the South Street lot disappears on Sunday from May to November, I have never had difficulty finding a place to park or been inconvenienced during the Farmers Market. It should also be noted that the data included in the Appendices indicate that two-thirds of the respondents drive to the Village. This is another indicator of plenty of parking. (See Connectivity for additional comments).

On a negative note, the Village does not need boutique lodging nor a floating zone to accommodate it. Not every developer's dream or "new thing" needs a home in the Village of Warwick.

- **Connectivity**

The need for improved signage is evident on a daily basis as I am asked for directions to public parking, explanations of Maple/Main/Oakland, and how to get to Stanley Deming Park. A few well-placed signs appropriately designed that indicate public parking lots, street names, and known points of interest will greatly improve the experience of visitors and residents alike.

Street calming is both a Village and neighborhood issue. Living on Welling Avenue – a known cut through to avoid the light at West and Main and other backups – leads me to reluctantly request speed bumps as the best traffic calming method. Yelling *slow down* to passing vehicles has proven ineffective.

Again, thank you for the opportunity to comment on the plan and all your efforts to prepare it.

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