
TOWN OF TUXEDO PLANNING & ARCHITECTURAL REVIEW BOARD

REGULAR MEETING & PUBLIC HEARING MINUTES

Tuesday, November 7, 2023

PB MEMBERS PRESENT: John Banyo, Chairman
Susan Boyle
William Friedlich
Chris Kasker
Ned Kugel
William Lemanski
Justin Jennings, Alternate

BOARD MEMBER ABSENT: Susan Reif

OTHERS PRESENT: Kelly Naughton, Planning Board Attorney
Sean Hoffman, Town Engineer (Via Zoom)
Valerie Monastra, Town Planner
Deborah Villanueva, Planning Board Secretary
Mitch Newman, Lennar
Brad Schwartz, Attorney for Related & Lennar
Steven Saputo, Langan Engineering
Christina Zolezi, Langan Engineering
Chuck Utschig, Langan Engineering
S. Brian Ware, Watchtower

Public Hearing

Tuxedo Farms – The Commons & Quail Road - Conditional Preliminary and Final
Subdivision Approval - Section 214 Block 1 Lot 34.2

Chairman Banyo motioned to open the public hearing at 7:00pm. Board Member Kugel seconded the motion and it was approved by a unanimous vote.

Engineer Utschig explained that they had received approval on the subdivision in June but that the plat had not yet been filed and they wanted to make some minor modifications for mainly housekeeping purposes. It was noted that they will now have only one building on each lot.

Chairman Banyo asked if there were any questions or comments from the public and there were none.

Chairman Banyo motioned to close the public hearing at 7:07. Board Member Friedlich seconded the motion and it was approved by a unanimous vote.

1.0 Call To Order

Chairman Banyo called the Regular Meeting to order at 7:07pm.

2.0 Approval of the Minutes

Chairman Banyo asked if there were any questions or comments on the Minutes of the October 3, 2023 meeting and there were none.

Chairman Banyo made a motion to approve the minutes of the October 3, 2023 Planning Board Meeting and Board Member Boyle seconded the motion. Board Members Kasker and Kugel abstained and the motion was approved by a unanimous vote.

3.0 Watchtower – 515 Sterling Mine Road – Driveway Access Extension Request Section 217 Block 1 Lot 19.21

Mr. Ware was present to request an extension of their approval to use their Tuxedo driveway for construction access, which currently expires on November 30th. He briefly discussed the Ramapo entrance noting that it is currently in use but would likely experience closures in the future due to utility installation and widening of the road. He indicated that they hope to continue using the entrance in Tuxedo during the Ramapo entrance closures and they are proposing to use it with the same restrictions that the Board had previously placed. He added that they are hoping that even with the restricted use of their Tuxedo entrance it would help to reduce some of the traffic and alleviate some of the congestion at the Ramapo entrance. He pointed out that they have been working with the temporary construction entrance for a year without incident.

Mr. Ware stated that they plan to develop the seven acres in Tuxedo and will submit a permit at a later date to add utilities, fencing and to upgrade the road and install a gate and lighting.

Chairman Banyo questioned if they would be shifting the permanent Ramapo entrance to the west and it was noted that they would be. He further questioned how far into the site they can go with the current Ramapo entrance and Mr. Ware stated pretty far.

Mr. Ware noted that they are still working with Ramapo to have the site plan signed and will then begin phase 6 which will include blasting for the parking garage and residences.

Board Member Kasker indicated that he would be in favor of a six month or one year extension as he does not see the need to burden the applicant with returning to the Board every three months. Board Member Boyle agreed assuming that they have some recourse in the event of a violation.

Attorney Naughton stated that the Building Inspector would investigate any complaints and added that she could include a requirement in the Resolution that they would need to come back to the Board if there was any type of violation against the specific conditions.

Chairman Banyo noted that the road closures have been handled well but questioned how they plan to handle bad road conditions during the winter. It was noted that deliveries would be suspended during bad weather.

Alternate Board Member Jennings stated that they have been compliant with the approval thus far and he did not have any objections to extending their approval through next summer.

Following a brief discussion, the Board agreed to a six-month extension.

Chairman Banyo made a motion to grant a six-month extension to May 30, 2024. Board Member Boyle seconded the motion and it was approved by a unanimous vote.

Attorney Naughton indicated that she will modify the Resolution to include a condition that they be required to return to the Board if any violation is found.

4.0 Tuxedo Farms – Amended Subdivision & Site Plan – The Commons/Quail Rd. Section 214 Block 1 Lot 34.2

Chairman Banyo began by asking the applicant for an update on the Japanese knotweed and Mr. Newman explained that he has asked their Contractor to keep an eye out but that he has not encountered any at this time. He stated that they plan to treat it with Roundup when identified. Planner Monastra pointed out that this is a common invasive species which will likely be common throughout the site.

Chairman Banyo asked for confirmation that Quail Road would be dedicated to the Town and it was noted that it would be and that the roads would all be consistent with the approved road hierarchy.

Chairman Banyo pointed out that there were no new submissions by the Applicant for this application and therefore no new consultant comments.

Chairman Banyo made a motion to authorize Attorney Naughton to draft a Resolution and Board Member Lemanski seconded the motion. All were in favor and the motion carried.

Attorney Schwartz pointed out for the record that the site plan portion of the approval is for horizontal/infrastructure site work only and not for any buildings.

5.0 Tuxedo Farms – Prelim. Review – Subdivision/Site Plan/ARB – West Terrace Section 214 Block 1 Lot 34.2

Mr. Newman provided an overview of West Terrace noting that it will be the first residential neighborhood in the development and will offer a variety of homes. He stated that there will be 31 single family homes, 34 2-story townhomes and 72 3-story townhomes. He noted that the walking path to the Commons was very steep and would

have required approximately 70 steps so it has been eliminated. He stated that the Roads and catch basins will be private and will be maintained by the HOA. He added that if not maintained, the Town could step in and provide maintenance and charge it to the HOA.

He discussed the pricing of the homes which ranged from upper \$500K for the 3 story townhomes, low 600K for the 2 story townhomes and low \$800k for single family homes.

Engineer Utschig pointed out that they are providing the same roadway alignment as the prior submission but have just changed the product. He stated that they meet all requirements of the Smart Code. He noted that they will be asking for a waiver to allow sidewalks along a road that does not require sidewalks. He proceeded to address the parking comments and noted that guest parking will be along the road at the curb with no striping, adding that there will be 95 spaces which is double the requirement.

Planner Monastra asked that they provide clarification on the bulk table included on the layout plan.

Engineer Hoffman indicated that he reviewed the components of the items that are currently being considered. He addressed the subdivision plat and stated that the easements should be shown on the plan. He also noted that there were a number of items that should be reviewed by the Fire Code Official with regard to the roads.

Board Member Kasker questioned whether there would be parking near the fire hydrants and it was noted that there wouldn't be. He further questioned the flow of the hydrants and Engineer Utschig indicated that they will be designed to current standards.

Mr. Newman stated that they are working on a Will Serve letter from Orange and Rockland and noted that initial conversations confirmed that they could handle servicing the development. It was noted that there would be no natural gas to the area and that electric would be the only utility.

Alternate Board Member Jennings pointed out that one of the attractions to the area is the walkability and stated that he does not think it makes sense to remove the walkway. Engineer Utschig stated that there are sidewalks throughout the neighborhood as they have put a lot of thought into the walkability. Mr. Newman noted that they would give the walking path additional consideration.

Mr. Newman proceeded to discuss the architectural elements and pointed out that they had submitted a chart to show conformance with the Architectural Guidelines which was acknowledged by Planner Monastra. He noted that each neighborhood may have a slightly different style but all styles are approved by the guidelines. He showed the 3 single family models all of which have 3 style options, "Signature", "Traditional" and "Classic", providing a total of 9 different elevations.

Alternate Board Member Jennings asked whether the Smart Code limits the size and dimension of the homes and it was noted that it does.

Board Member Boyle questioned how they will establish which style home is built where and Mr. Newman explained that their practice is to build – sell – close which allows them to maintain control over what style home is built where.

Board Member Kugel questioned the single garage doors and asked if they would consider adding a center post and Mr. Newman explained that the 40' homes planned for this neighborhood would have the single door but the 50' homes planned later on in the development would have two doors with a center post.

At this time there was a brief discussion about the style of the homes and some of the Board Members voiced a concern that there was nothing unique or special to Tuxedo as well as that the garage seems to be the focal point. Board Member Boyle suggested painting the garage doors something other than white and emphasizing the front door instead. Mr. Newman stated that he could look into it but that they have all been designed to the guidelines. Attorney Naughton explained that the Design Guidelines have been approved by the Town Board and Attorney Schwartz noted that Article VIII addressed the ARB's role.

Mr. Newman proceeded to review the 3 story townhomes which included stone along with vertical siding and steep gables and noted that they have added some Tudor elements as well. Board Member Boyle indicated that she would like to see some depth added to the flat expanse area of the center of the four unit building and Mr. Newman stated that he would consider the feedback.

6.0 Tuxedo Farms – Clearing Filling and Grading – Upland Park Section 214 Block 1 Lot 34.2

Engineer Utschig explained that they will be working within the limits of disturbance from the prior plan. He stated that they would like to take advantage of the limited window of time they have to remove the trees. There was a brief discussion about whether or not a SWPPP was required and Engineer Utschig indicated that he would provide the required documentation showing that it was not required.

Chairman Banyo made a motion to schedule the Public Hearing for Tuesday, December 5, 2023. Board Member Kugel seconded the motion and it was approved by a unanimous vote.

7.0 Adjournment

There being no further business, Chairman Banyo motioned to adjourn the meeting at 9:35 and the Board unanimously agreed.