

TOWN OF NEW WINDSOR

PLANNING BOARD

February 26, 2014

MEMBERS PRESENT: JERRY ARGENIO, CHAIRMAN
DANIEL GALLAGHER
HOWARD BROWN
HARRY FERGUSON
DAVID SHERMAN

ALSO PRESENT: DOMINIC CORDISCO, ESQ.
PLANNING BOARD ATTORNEY

MARK EDSALL, P.E.
PLANNING BOARD ENGINEER

JENNIFER GALLAGHER
BUILDING INSPECTOR

CAMMY AMMIRATI
PLANNING BOARD SECRETARY

ABSENT: HENRY VAN LEEUWEN

MEETING AGENDA:

1. Number One Shed, Inc.
2. Warriner Plumbing and Heating
3. Rock Tavern Village
4. Cornwall Commons LLC S.P.
5. Patriot Bluff
6. Trotter Lane Sidewalks
7. Summitt S.P. Driveway Islands

REGULAR MEETING:

MR. ARGENIO: I want to call to order the February 26, 2014 regular Town of New Windsor Planning Board. Would everybody please stand for the Pledge of Allegiance?

(Whereupon, the Pledge of Allegiance was recited.)

APPROVAL OF MINUTES DATED 2/12/14

MR. ARGENIO: Welcome everybody. First item we have on tonight's agenda is the approval of the minutes dated February 12, 2014 sent out via e-mail on February 18, 2014.

MR. GALLAGHER: So moved.

MR. GALLAGHER: Second it.

MR. ARGENIO: Motion to accept them as written. Roll call.

ROLL CALL

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| MR. SHERMAN | AYE |
| MR. GALLAGHER | AYE |
| MR. FERGUSON | AYE |
| MR. BROWN | AYE |
| MR. ARGENIO | AYE |

REGULAR ITEMS:

NUMBER ONE SHED, INC. (14-01)

MR. ARGENIO: Regular items, Number One Shed, Inc. Existing retail shed sales and display area with manufacturing changed to granite work. Represented by James Dillin. If you have a plan, you can put it right up there on that easel. This application proposes conversion of existing retail shed sales and display area manufacturing to granite work. I don't know what granite work is but I'm sure we'll know in a few minutes. Application was reviewed on a concept basis only. Mr. Dillin, is your owner here this evening?

MR. DILLIN: Yes.

MR. ARGENIO: Who is the owner? Why don't you, I know a little bit of the background on this, I don't know the whole story but I certainly am aware of some of the story, so why don't you tell us where you're at and what we're doing here.

MR. DILLIN: What we have done we updated the conditions of the site as you can see.

MR. ARGENIO: What does that mean?

MR. DILLIN: Showed any new, any sheds or any new structures that were there. So we were on the site and we actually showed everything that's on the property except the, you know, the shed display area. There's numerous sheds but they move all the time cause of sales and stuff. Use hasn't changed, it's been a retail for shed sales there in the front and in the office and the manufacturing hasn't changed either within that building there. The only change that we have is manufacturing of granite which is in the back portion of that building.

MR. ARGENIO: What does that mean manufacturing of granite?

MR. DILLIN: I believe it's making countertops, granite countertops, is that right?

MR. ARGENIO: Cutting, putting the edges on them?

MR. DILLIN: And everything is done inside that back portion of the building. I will note that in the front

part of the building it says warehouse furniture and storage, there's also manufacturing of the sheds that I should of had there.

MR. ARGENIO: That's almost like a workshop area where sales are also conducted.

MR. DILLIN: Sales are more conducted in the office.

MR. ARGENIO: Ma'am, please come up. What's your name?

MS. VALIANDO: Diane Valiando.

MR. DILLIN: There's office here, the sales for the sheds are done more within the office.

MR. ARGENIO: Up front. Yes, go ahead, you're going to say something?

MRS. VALIANDO: Since the '50s, it's always been manufacturing. When it was a lumberyard when we purchased it back in '95 we used to do concrete buildings and at that time we were manufacturing also.

MR. ARGENIO: What's a concrete building?

MRS. VALIANDO: Pre-fabbed, manufactured building, lot of times you'll see them for the water plants and that, telecommunications, okay. And we never had an issue, we just found out recently Jen brought it to our attention our C.O. it always said sales, not manufacturing, even though we did go to minutes and everything, it never got, I guess we assumed or kind of all assumed that it was, everything was grandfathered in cause we never had an issue on it. So now we're just going through the motions to have it stamped that we now have a C.O. that says we're manufacturers, we're not storage. Right?

MR. DILLIN: That's the note I got up on top there and that's in the minutes on that.

MR. ARGENIO: Certainly it's not the intent of this board to make it difficult for businesses to do business in our town. We try to make it easy, be friendly to businesses cause obviously, we need the tax base and especially a low impact business like yours is a good business to have in the town. But you understand that we need to keep things up to date and Jennifer has a job to do and code enforcement folks

have a job to do for the benefit of everybody in the town. Jen, how was this brought to your attention?

MRS. GALLAGHER: We received a complaint by a neighbor who lives right there on Suburban Court.

MR. ARGENIO: What was the complaint?

MRS. GALLAGHER: He actually had several, I think they have been having some issues back and forth several different complaints but this one in general was that they were manufacturing concrete or granite in there without the proper, he knew it was a separate business.

MR. ARGENIO: One guy, one person complaining?

MRS. GALLAGHER: Yes.

MR. GALLAGHER: Isn't manufacturing allowed in the NC zone?

MRS. GALLAGHER: No.

MR. GALLAGHER: So would a variance be needed or--

MR. DILLIN: This has been pre-existing for a long time.

MR. ARGENIO: Mark, what do you have to offer on this?

MR. EDSALL: As was represented back in the mid '90s, the application was before the planning board again because of a changing of the use or at least a clarification of the use and pursuant to some complaints.

MR. ARGENIO: We're talking 20 years ago.

MR. EDSALL: Absolutely correct. And the concerns of the neighbors were most likely similar, noise, visual, dust, and I was here for those discussions, and in fact the board wrestled with the pre-existing nature of the use. There was some expansion to the use as far as the amount of area being used for those non-conforming uses and they expanded up to the maximum 30 percent expansion permitted. It was brought back in two more times because of ongoing complaints with visual and noise and so on. There was some, effectively some agreements reached that said if you do A, B and C, you know, we're going to allow this to continue to monitor

it to make sure that you don't need to take any further actions or actual site plan application would not be required. Those mitigation efforts were cleaning up a bunch of debris and garbage and building a fence along the back property line and I guess since September 1996 things have been as far as complaints coming to this board have been quite quiet.

MR. ARGENIO: Back in '96 the owner did what he promised he was going to do back then.

MR. EDSALL: I don't know that we have ever confirmed, at least I never did that the fence was put in as promised.

MRS. VALIANDO: The fence is.

MR. EDSALL: So again, it was a balancing act. The planning board tried to respect the property owner's rights that there was a crack of a pre-existing non-conforming use, allowed them then to expand it to its maximum permitted amount. I have to say that if it's expanded beyond what was dealt with by Mike Babcock back in the mid '90s that further expansion by law would require a variance. So we have, I think one of the first things the planning board and the building inspector need to determine is has this expanded at all since 1996 in let's call it manufacturing, storage and production area and retail sales area? Because the uses that are non-conforming cannot be expanded any further from 1996.

MR. ARGENIO: Without a variance.

MR. EDSALL: Without a variance, they could if they obtained a variance.

MR. ARGENIO: So yeah, it would seem to me that the actions taken back then were consistent.

MR. EDSALL: That's right, it's not 30 percent every time you come to see us, it's 30 percent total as Dominic's just pointing out so it's clear.

MR. ARGENIO: It seems as though the actions that the planning board took back then and the building inspector took seem to be reasonable.

MR. EDSALL: I think they tied in the favor of the applicant, if anything, by looking at the minutes they

really gave some real flexibility.

MR. ARGENIO: I don't know why they wouldn't, they have been doing business in this town for quite a few years.

MR. EDSALL: That goes back to the rights of the property owner, tried to not take away the rights that the property owner had prior to the zoning.

MR. ARGENIO: Do you know what the complaints were with specificity?

MRS. GALLAGHER: Just in general they were running a business in the back, a different business other than their own.

MR. CORDISCO: There was a restriction placed on hours.

MRS. GALLAGHER: That was the 1996, I mean--

MR. CORDISCO: You can talk about the most recent.

MRS. GALLAGHER: Yeah, the most recent, yeah, them driving on the easement, bringing stuff back, he complained about that, he complained about how it looked, there were several different complaints that he had.

MR. ARGENIO: Almost in the order of wholesale complaints.

MRS. GALLAGHER: Basically.

MR. ARGENIO: Have your guys been down there?

MRS. GALLAGHER: Yes.

MR. ARGENIO: What did they say?

MRS. GALLAGHER: Lou, my building inspector, has been down there, they cleaned up, we asked them to clean it, it was to our satisfaction, it wasn't really to the satisfaction of their neighbor but it was to our satisfaction. And then this, our complaint, you know, I talked to Diane several times about it and that's why we had her come in because the plans that we have in our file she has no stamped plans stating that they can have manufacturing there so--

MR. ARGENIO: Very much appropriate for you to have

them come in because Diane you understand you haven't a stamped plan memorializing what your use is and what you're doing there, it protects you as well having a plan as well as the town, you know, you're not flying under the radar and that's a good thing.

MS. VALIANDO: Oh, yeah.

MR. ARGENIO: So we have somebody that's complaining in a wholesale fashion, do we have by code hours of operation down there?

MRS. GALLAGHER: I believe it was in the minutes.

MR. CORDISCO: Eight to eight.

MR. EDSALL: It started out as being eight to 4:30 and then it stretched at the following meeting to eight to six and then there was some random comments about maybe some later nights but ignoring all the random comments and going by what the chairman put into the record as the restrictions the last I'm see seeing eight to six with an occasional Saturday morning.

MRS. GALLAGHER: For the record this complainant did not complain about the hours of operation.

MR. ARGENIO: How do we verify the expansion? How do we reconcile that, Mark or Jennifer?

MR. EDSALL: Well, I think Jen and I would have to go back and the best available records that the town has go back to whatever is in the file, attempt to verify what areas were used for warehouse, what were used for manufacturing. And if we're able to find that since late 1996 to current there's been no expansion or no additional buildings added and the like then it would seem to me they are still within the 30 percent that the board acknowledged then.

MR. ARGENIO: Cause the onus is on us to give the applicant guidance. We have to tell them if you're deficient here's where you're deficient, here's what you need to do.

MR. EDSALL: I don't think we can take them out of the equation, they've got plans that we can all sit down and verify that if it's over the 30 percent from September '96 we have to go to the zoning board. If they are not then what we really need to do once and

for all is create a plan and Jim Dillin's office is doing that, create a plan that can be put on the record so we don't have to go through this investigation.

MR. ARGENIO: This plan does not look deficient to me, this plan looks appropriate.

MR. EDSALL: But it may need more information as far as locking in the uses and where it's obviously a survey that's where we had to start.

MR. ARGENIO: Ma'am, you were going to say something?

MRS. VALIANDO: Back in the '90s we were doing concrete and we were using a whole thing and we had transit mix coming in, we had tractor trailers coming in constantly and there was a restriction on when we could use our payloaders and forklift and have the trucks coming in because of noise. The woman had a baby I believe and she said it was too much noise. We're actually doing less manufacturing now than what we were doing then but I don't want to, you know, I would still want it that that whole warehouse is able to do manufacturing, you know, up to, you know, I don't want to put less if I can have the maximum.

MR. ARGENIO: If I were you, I would be saying the same thing.

MRS. VALIANDO: Okay.

MR. DILLIN: A portion of the building, you know, the foundation which it was the full structure.

MR. ARGENIO: That's a good point.

MR. DILLIN: Which I have on the site plan.

MR. EDSALL: We have to look at the plan.

MR. ARGENIO: So I think that's what we need to do. You guys got any other thoughts, Harry or Howard, David?

MR. SHERMAN: No, other than the fact that there's no specific complaint which is important to me there's nothing specific here.

MR. ARGENIO: Kind of wholesale.

MR. SHERMAN: We don't know the origins of it and, I mean, this could be more personal than anything else.

MR. ARGENIO: It could very well be.

MR. DILLIN: They, what we have is this was an existing site and then they did a new subdivision with residential lots and that was after and it's right along here, I believe.

MR. ARGENIO: Yeah, that was controversial that subdivision I remember it well.

MR. DILLIN: That's where the fence went up in the back there so there's really, you know, they have satisfied this but there's a direct open site there and but, I mean, these are, they're after, I mean, they bought these lots, they were sold, this property has been like this.

MR. ARGENIO: Mark, it seems to me and Jennifer, it seems to me, it seems to me that these folks are, have demonstrated in the past that they are trying to be good neighbors, I think, it seems to me. That doesn't mean we're going to resolve this at this particular moment.

MR. EDSALL: I don't know that you will ever make a non-conforming use immediately adjacent to a residential lot a good thing so, I mean, they can't change that.

MR. ARGENIO: Let me interrupt you. How many times have I sat up here, have we sat up here and had this discussion, somebody is going to live on the zone line? Remember Chet Pallazo on Silver Stream, he was right between the I want to say the AP zone and the R-4 or R-5 zone and unfortunately, it is what it is. And people are going to live near the zone line and they're going to have businesses near them and it is what it is. So I think the smart money has us referring this to county posthaste.

MR. EDSALL: You want to make sure you don't send it to the county before we know what we're sending.

MR. ARGENIO: Well, we have a drawing here of the site as it exists, I mean, what else?

MR. EDSALL: Reason is because if they are, and I'm not

saying they are, but the, if they are 10 percent over the 30 and they need to go to the zoning board we'll have to send it again because you've got to send it as a zoning board application. I'd rather send it to them knowing exactly what it is, that it's still within the 30 percent, no zoning board is required, that they're, you know, that they're within their rights under that pre-existing, non-conforming section of the code.

MR. ARGENIO: It certainly would be good if they were under the 30 percent.

MR. EDSALL: If we send something out to them that's not accurate we'll likely get back comments that we won't be happy with.

MRS. GALLAGHER: I'll have somebody from my office and the assessor's office maybe go out and get some square footages of the building, see if it matches up with our records.

MR. ARGENIO: I don't think we need to turn it into a science project but that's where we need to start. Jen is to verify some of that stuff and some of that information that you just described and we'll get this resolved and get a plan on the record.

MRS. VALIANDO: Can I ask a question because I know we're not going to the same capacity as we were years ago so I know I have no worries about the 30 percent.

MR. EDSALL: But it's not 30 percent of operations, it's square footage of the building.

MRS. VALIANDO: Nothing's changed, yeah, alright, cause then so I just want to make sure I understand this, right, when you send it in, even though I'm the front half now basically more as, you know, warehousing, my furniture or showcasing my outdoor furniture that's not going to take away for the fact that sometimes I do manufacture in there? You know what I'm saying where the back is definitely?

MR. ARGENIO: Go ahead, Mark.

MR. EDSALL: My question to the board and it may end up dumping to my able counsel next door to me here is the, for a pre-existing non-conforming use if 75 percent of the use was storage and 25 percent was manufacturing and that was the pre-existing, non-conforming condition

and 10 years down the road they want to make it 100 percent manufacturing is that the same thing under the code? Again, it seems to be she needs to designate the area that's manufacturing and the area that's showroom/sales cause that's what the 30 percent is going to be based on, I believe based on my interpretation and what I'm hearing and Jen you're looking over here cockeyed.

MR. CORDISCO: That's correct, that's absolutely correct.

MR. ARGENIO: So you're going to need to do that.

MRS. VALIANDO: So basically then I should get the furniture out of there if I want to make sure that it is all manufacturing.

MR. EDSALL: You can't take 2014 and set that as the new baseline. What I'm saying is is that if there's a use that's pre-existing, non-conforming and this is my belief and I can be corrected as I always can be, if you have something that's storage 75 percent and 25 percent manufacturing, the impacts of being 100 percent manufacturing clearly is a lot more.

MR. ARGENIO: Get it?

MRS. VALIANDO: No, I don't get it because it always did use that whole building.

MR. EDSALL: I'm going to correct you. In the minutes the use back in March 1996 that was acknowledged was that it was a lumberyard that had incidental window manufacturing and door manufacturing and based on that thin sliver of manufacturing doors and windows they said oh, manufacturing does exist there, it was not all manufacturing.

MR. ARGENIO: That area of manufacturing needs to be as small an area as you can reasonably represent it.

MR. EDSALL: You can't take something that was 10 percent manufacturing and 90 percent warehouse of lumber and turn it into 100 percent granite and concrete manufacturing in 2014 and say oh, that's the way it's always been.

MRS. VALIANDO: How do you figure it was only 10 percent manufacturing?

MR. EDSALL: We have records from March 1996 which qualified it as manufacturing based on incidental window manufacturing.

MRS. VALIANDO: Incidental means 10 percent?

MR. EDSALL: Could have been 15 but I don't think there's any indication.

MR. ARGENIO: He's trying to help you.

MR. EDSALL: They found a sliver of hope for manufacturing, for window manufacturing and door manufacturing and it was not full time, they said oh, they make windows there.

MRS. VALIANDO: Some manufacturing there.

MR. EDSALL: So I'm not defining what percentage but clearly it was not 100 percent manufacturing.

MRS. VALIANDO: Okay.

MR. EDSALL: It wasn't even close to 100 percent.

MR. ARGENIO: So you will memorialize a smaller percentage of manufacturing so you can stay under that 30 percent threshold.

MRS. VALIANDO: Because?

MR. DILLIN: We're under that because you're using only two thirds of the building, of the existing building that was there.

MR. ARGENIO: Please get with Jen, she'll have Lou go down or Frank.

MRS. GALLAGHER: Either one with the assessor's office to measure.

MR. ARGENIO: Probably Lou with Todd and we need to identify these areas and do your best to see to it that you don't go outside of that 30 percent threshold because that would make things a lot easier for you to proceed forward. It would be another meeting and we can hopefully dispose of it. Please identify the areas of the building so she can come up with some numbers.

MRS. VALIANDO: Okay.

MR. ARGENIO: We're here to help you, not to hurt you.

MRS. VALIANDO: No, no, I understand, we weren't even aware of it until Jen had said something because like I said for years almost 20 years we were manufacturing concrete buildings and that was the whole building being used.

MR. ARGENIO: It's always okay until somebody complains.

MRS. VALIANDO: Until this, you know, if he wasn't, he's just a grumpy neighbor as you know, you would have never known and we still would have done our thing.

MR. ARGENIO: I'd like to have a dollar for every one of those folks who have come through here over the years. Would you please work with Jennifer and get those areas identified, get the plan cleaned up and I'd like that plan to go to county, Mark, I want the plan to go to county before we see them next.

MR. EDSALL: Absolutely, I just want to make sure we get it cleaned up so we didn't have to do it twice and waste time.

MR. DILLIN: Do we have to go to the county?

MR. ARGENIO: You don't have to go to the county, the plan is referred to the county by law we have to do that cause you're within 500 feet of the state highway. Cammy will do that referral as soon as Diane you and Jennifer get resolved on the issues and then we'll come back here hopefully we can wrap it up then.

MRS. VALIANDO: Thank you.

MR. EDSALL: We'll get together and figure it out.

MR. ARGENIO: Thank you.

WARRINER PLUMBING AND HEATING (09-17)

MR. ARGENIO: Next is Warriner Plumbing and Heating, formerly At Your Service, no longer At Your Service because they used to be At Your Service. This application proposes a warehouse building on the existing 3.7 acre parcel in the industrial park. The plan was previously reviewed at the 13 May 2009 and 23 January 2013 planning board meetings. This is off of Wembly Road, is that right?

MR. ATZL: Yes, Mr. Chairman. John Atzl from Atzl, Scatassa & Zigler. This is Bill Smith and Greg Smith, the owners of the property

MR. ATZL: This is actually on Wembly Road right at the bend at the very end of Wembly Road. It's an application for a warehouse and offices, the warehouse area is 51,400 square feet, 4,200 square feet of office for a total of 55,600 square feet. Last time we were here, the last, we revised, significantly revised our drainage design. We had underground storage for the drainage and now we have gone to open ponds for the drainage. We have done test holes, we were out there over the summer to do test holes and essentially the layout of the property is still the same with the building and the circulation for the traffic. We still have the 30 foot wide road as requested by I believe the fire inspector and we submitted a drainage report to the town and we're here to get any additional comments from the board.

MR. G. SMITH: That corner lot right there.

MR. ARGENIO: Mark has a comment here that parking calculation correction, your SWPPP still needs a little bit of work, I want to read this comment from Mr. Edsall. Take heed, a basic concern I have is with regard to the elevations on the site. The project is nearly surrounded by significant drainage courses that are subject to significant flow as well as surcharging. We have observed problems in other areas of the park in this regard and the applicant's engineer should make sure the site design is adequate to prevent problems on the site, the potential conditions also potentially impact the SWPPP. I have in my possession at my house a book that's this thick crafted by Cy Capowitz who owns I think Mt. Ellis Paper building Mark?

MR. EDSALL: Yes.

MR. ARGENIO: And just on and on and on and on about how the drainage is not appropriate, how it's everybody else's fault that his building floods except his fault. At the end of the day, I could bore you with a lot of details, the bottom line is the building is too low, end of story. So you're in a very low area, Mr. Atzl, this is very low and it's poor draining soil, it's poorly graded, it's clay, I don't know gray shale till, heavy gray shale till, so you need to be careful here.

MR. ATZL: That's one reason we did raise the building up. You can see from the plan from the corner of the road the elevation is roughly 264, our finished floor is about 269. It's about five foot above the road.

MR. EDSALL: Mr. Chairman, I did note that they had brought it up as quite a bit as part of the redesign.

MR. ARGENIO: I see the spot elevation in the loading docks which is typically the lowest area looks to be 265.75.

MR. ATZL: Yes, floor elevation is 269.75.

MR. EDSALL: They're up quite a bit more than Mt. Ellis. I wanted them to be aware of the ongoing history in the area. And secondly John Atzl should talk to John Szarowski from my office just to confirm some questions that John had on the storm water again because of the sewer charging issues over there but those issues would seem to be the most initial concerns to get resolved cause the layout they fixed as far as zoning compliance.

MR. ARGENIO: There's pipe slopes of 4/10 of a percent.

MR. EDSALL: That trapezoidal channel that goes through the industrial park is very wide and flat to carry a significant capacity from this whole area of the town.

MR. ARGENIO: Is that the channel in the back of the building, Mark?

MR. EDSALL: Yes, that's the one that runs around and turns and goes next to Mr. Capowitz's building which unfortunately experiences quite a bit of problem.

MR. ARGENIO: There's a triple 48 that takes it under Wembly to some stream.

MR. EDSALL: Silver Stream.

MR. ATZL: Yes.

MR. EDSALL: And that triple 48 as much as you would think it can carry unlimited flow does surcharge back in the trapezoidal channel during extreme events.

MR. ARGENIO: Yeah, the low side of the trapezoidal channel is at 261.40 and the high side is 261.70 and that looks like probably I don't know four or 500 lineal feet there, that's nothing.

MR. ATZL: It's flat.

MR. ARGENIO: I'm looking at a spot elevation here, this is a low point then I'm looking at this high point it's 3/10 and how many feet is that?

MR. EDSALL: Virtually a flat channel.

MR. ARGENIO: It's essentially flat. Yeah, so be cautioned, don't come back here telling us that you got problems.

MR. ATZL: We'll doublecheck, take a look at that, yes.

MR. ARGENIO: There's no landscape plan or anything, Mr. Edsall?

MR. ATZL: No, we haven't developed a landscape plan because we wanted to make sure the board and consultants are happy with what we have before you at least, you know, regarding the location for the drainage that since we have revised the drainage and this is the first time coming back in we haven't developed the landscaping plan or erosion control plan.

MR. ARGENIO: This is a big building.

MR. ATZL: Yes.

MR. G. SMITH: Yes.

MR. ARGENIO: I'm okay with it.

MR. G. SMITH: Rateables to the town.

MR. ARGENIO: Your money. Where does that water go as

it comes around the corner where the truck bays are?
Looks like it's real close to the right.

MR. ATZL: It actually, yes, the drainage from the back road's actually going into this basin over here.

MR. ARGENIO: Runs right up the pavement.

MR. ATZL: There's curb cuts and it runs into a gravel--

MR. ARGENIO: I don't see curb cuts indicated, I just see a continuous curb.

MR. ATZL: No, we do note one curb cut, probably drafting error, probably have to add some more.

MR. ARGENIO: Well 63.00 is the low point and I don't see anything, work it out.

MR. ATZL: They're not labeled.

MR. ARGENIO: See what I'm saying, Mark?

MR. EDSALL: Yes, I'm looking.

MR. ATZL: They're not labeled but there are numerous curb cuts along the curb line, we'll have to label it.

MR. ARGENIO: Yeah, I see one label to the left there and what's that indication going around the edge of the--

MR. ATZL: That's actually the gravel, the four inch wide by 12, it's two by one, it's gravel.

MR. ARGENIO: Slow the water down.

MR. ATZL: It catches the water and directs it out to this pond up there.

MR. ARGENIO: Alright. Dave, what do you think?

MR. SHERMAN: Looks good.

MR. ARGENIO: I think so, right? I mean, should probably get, that whole park is sorely lacking, well, I shouldn't say that, make an unfair statement, there's a couple buildings that does some pretty nice landscaping but probably should do something along,

show us something along those lines. Mark, do you have any, is there anything else significant here that I need to be focused on, that we need to be focused on up here?

MR. EDSALL: No, I think in a nutshell the initial application had some, they were caught in the zoning change so they have resolved that 100 percent. They're still showing more parking than they need so they really could lose seven spaces because of the one per 150 versus one per 200.

MR. ARGENIO: They don't have to take the spaces out, they may want it, I think you said you were going to rent some of the space?

MR. EDSALL: That's their choice, they can show them as alternate.

MR. ATZL: We have to revise the calculation.

MR. EDSALL: You can leave the capacity for storm water and show them as alternate, whatever you want. The elevations, they just, they'd need to doublecheck and check with John and then they should probably go ahead at that point and develop actual plans. It does not have to go to County Planning cause it's over the 500 foot, there's really no problems just they're looking to get things locked in before they spend the time on the other designs.

MR. ATZL: Yes, there will be a landscaping and lighting plan.

MR. ARGENIO: Howard or Harry?

MR. FERGUSON: The property goes all the way to the other side of Wembly, there's not a building already there on the other corner?

MR. G. SMITH: Yeah, there's another building up here.

MR. ARGENIO: You guys have a plumbing business commercial or residential?

MR. G. SMITH: Both, family owned business, my great grandfather started in 1908, still doing the same thing.

MR. ARGENIO: Here in New Windsor? I never heard of

you guys.

MR. G. SMITH: Based out of Rockland.

MR. ARGENIO: Where in Rockland?

MR. G. SMITH: New Clarkstown Road, we've got a 30,000 square foot building down there.

MR. ARGENIO: Yeah, I mean, I'm okay, you guys okay?

MR. GALLAGHER: I'm okay.

MR. ARGENIO: I think you're on the right track and it's good to see that, it's good to see somebody going in there, I think it's a good thing. Mark, anything else with this?

MR. EDSALL: No, they have, if they get a couple things nailed down, they can complete the plans.

MR. ATZL: What we'll do is we'll address Mr. Edsall's comments and his drainage, engineer's comments and basically come back with landscaping and lighting plan, complete plans and then would the board schedule a public hearing the next time we come back?

MR. ARGENIO: That's a good question. I don't know why we wouldn't do that now if we're going to have a public hearing, why wouldn't we have it? And, you know what, who owns the property? These are all individual lots in the vicinity of this, Mark, is that right?

MR. EDSALL: Yes, all commercial park.

MR. ARGENIO: Can we take lead agency tonight, Dominic?

MR. CORDISCO: There's no other involved agencies is there?

MR. EDSALL: No.

MR. CORDISCO: So you can declare yourselves lead agency but you don't have to send out a notice.

MR. ARGENIO: I'll accept that motion.

MR. GALLAGHER: So moved.

MR. BROWN: Second it.

MR. ARGENIO: Motion made and seconded by Howard that the New Windsor Planning Board declare itself lead agency for Warriner Plumbing and Heating. I'll have a roll call.

ROLL CALL

MR. SHERMAN AYE
MR. GALLAGHER AYE
MR. FERGUSON AYE
MR. BROWN AYE
MR. ARGENIO AYE

MR. ARGENIO: What about the public hearing, counselor?

MR. CORDISCO: Waivable, you can decide whether or not you want to have it.

MR. ARGENIO: I mean what do you guys think?

MR. BROWN: I think it should be waived, it's all commercial basically.

MR. GALLAGHER: I don't see anything that's out of the ordinary from what anybody else is doing out in the same area.

MR. ARGENIO: You're on a private road here now.

MR. EDSALL: Hold on, time out, you can waive the site plan public hearing but it's a special permit use.

MR. ARGENIO: Why?

MR. EDSALL: Because it's B7, that's special permit.

MR. ARGENIO: What is it?

MR. EDSALL: Special permit use B7 so it's a mandatory public hearing.

MR. CORDISCO: My apologies.

MR. EDSALL: Unless I'm reading the bulk table wrong.

MR. ARGENIO: Schedule it then I gotta tell you I think you're on the right track. I think it's very waivable. We're on the corner of nothing. Let me caution you about this road business, make sure you get, Dominic,

we gotta make sure they get tied up with the private road business.

MR. ATZL: They are very much aware.

MR. CORDISCO: We were discussing that in terms of--

MR. ARGENIO: Motion to schedule a public hearing?

MR. FERGUSON: So moved.

MR. SHERMAN: Second it.

MR. ARGENIO: Motion made and seconded that we schedule a public hearing for Warriner Plumbing and Heating. Roll call.

ROLL CALL

| | |
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| MR. SHERMAN | AYE |
| MR. GALLAGHER | AYE |
| MR. FERGUSON | AYE |
| MR. BROWN | AYE |
| MR. ARGENIO | AYE |

MR. ARGENIO: I don't think there's heavy lifting there. So Mr. Atzl, go do what you need to do.

MR. FERGUSON: I have a question, the retention pond, are you widening that stream that's behind that property?

MR. ATZL: No, we're not touching the channel behind this you're talking about?

MR. FERGUSON: Yes.

MR. ATZL: No.

MR. FERGUSON: Cause I know there's that stream that runs all the way across to the other side, right?

MR. ATZL: Right.

MR. GALLAGHER: South or where does it go?

MR. ARGENIO: Where are you, Harry, you're talking about this stream here or something over here?

MR. FERGUSON: Behind the retention pond across from

between Air Gas and where they are.

MR. G. SMITH: There's a little tiny stream, we're away from that, we're not touching that.

MR. FERGUSON: I didn't know if that was on the property you were widening that to make that the retention pond.

MR. ATZL: No.

MR. ARGENIO: I got a note from the fire inspector says you need a fire hydrant.

MR. ATZL: I believe, actually, there's one right in front around the corner here if I can find it.

MR. FERGUSON: There's one right about here.

MR. ARGENIO: John, make sure you get--

MR. ATZL: There's one right here.

MR. FERGUSON: There's one by the pump station.

MR. G. SMITH: Yes, there's one there as well.

MR. FERGUSON: Up from the pump station.

MR. ARGENIO: Make sure you get buttoned up with the fire inspectors.

MR. ATZL: There's one right in front here.

MR. ARGENIO: Let me speak for a second. I have a letter here saying disapproval because of, and I'll read it to you, hydrants would be included on this plan, site plan, no additional information has been received in the 17 months since, just update those guys so they can update their letter to this board because we're not going to give you approval without those folks saying they're good with it.

MR. ATZL: They might be asking for a hydrant.

MR. ARGENIO: I don't know what they're asking for, that's for you to figure out.

MR. ATZL: We'll follow up with the fire inspector.

MR. ARGENIO: Anything else? I'm glad you guys are putting a building there, it's good, it's a good spot, it's a good building, right place, it's all good.

MR. G. SMITH: We live in the town so it's close.

MR. ARGENIO: Thank you.

ROCK TAVERN VILLAGE (13-18)

MR. ARGENIO: Next is Rock Tavern Village. Application proposes lot line revision between lots 92.2 and 93. The plan was previously reviewed at the 8 January 2014 planning board meeting. I see Mr. Pfau is here. This is Mr. Van Leeuwen's property?

MR. PFAU: Yes, it is.

MR. ARGENIO: Corner of 207 and Toleman Road. I believe that all the issues have been resolved for the lot line change only, we're not here to talk about the site plan or the building or any of that business.

MR. PFAU: No, although we've had a workshop and we're addressing those comments and we'll be back at the next meeting.

MR. ARGENIO: I don't want to talk about it tonight. Tell us what you got here.

MR. PFAU: It's a simple lot line modification between two existing tax parcels, we're taking an existing 50 foot strip off Toleman, adding it to the adjoining parcel and that's really it, lot line change, no proposed improvements of any sort.

MR. ARGENIO: Let me see the county letter, please. In the order of housekeeping, I certainly think that when the site plan time comes it will be appropriate to have a public hearing but and again, I defer to my contemporaries up here for the lot line change. Anybody see the need for it? I can't imagine.

MR. GALLAGHER: Motion we waive public hearing.

MR. FERGUSON: Second it.

MR. ARGENIO: Motion made that we waive the public hearing for the lot line change. Roll call.

ROLL CALL

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| MR. SHERMAN | AYE |
| MR. GALLAGHER | AYE |
| MR. FERGUSON | AYE |
| MR. BROWN | AYE |
| MR. ARGENIO | AYE |

MR. ARGENIO: Different situation when the site plan comes up there's, you know, talk about guys having to live near the zone line, there's residences all up and down Toleman Road that somebody's gonna have to deal with. I have a letter here from county, it says, I'm going to paraphrase just a bit, the above-referenced subdivision Orange County Planning has found no evidence that significant inter-municipal county-wide impacts will result from its approval. So one sentence letter, simple and straightforward. I'll accept a motion that we declare ourselves lead agency under the SEQRA process.

MR. GALLAGHER: So moved.

MR. FERGUSON: Second it.

MR. ARGENIO: Motion made and seconded that the Town of New Windsor Planning Board declare itself lead agency under the SEQRA process. Roll call.

ROLL CALL

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| MR. SHERMAN | AYE |
| MR. GALLAGHER | AYE |
| MR. FERGUSON | AYE |
| MR. BROWN | AYE |
| MR. ARGENIO | AYE |

MR. ARGENIO: Lot line change only, I'll accept a motion we declare negative dec.

MR. GALLAGHER: So moved.

MR. FERGUSON: Second it.

MR. ARGENIO: Motion made and seconded that the Town of New Windsor Planning Board declare a negative declaration under the SEQRA process. Roll call.

ROLL CALL

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| MR. SHERMAN | AYE |
| MR. GALLAGHER | AYE |
| MR. FERGUSON | AYE |
| MR. BROWN | AYE |
| MR. ARGENIO | AYE |

MR. ARGENIO: Do you guys have any comments on this? Mark, anything we're missing here? Pretty simple

stuff.

MR. EDSALL: No, we've gone through the necessary procedures and as you have indicated, the site plan is completely different, that's where the meat and potatoes are and they do have two minor corrections to make on the final plan to be stamped. I have noted that under comment six. Other than that, I think you're free to take action.

MR. ARGENIO: Seems as though he's teeing it up for the big game. Joe, do you have anything else to offer?

MR. PFAU: No, I'm all set.

MR. GALLAGHER: Motion we make final approval for lot line change of Rock Tavern Village, Route 207.

MR. BROWN: Second it.

MR. ARGENIO: Motion made and seconded that the Town of New Windsor Planning Board offer final approval to the Rock Tavern Village lot line change corner of Toleman and 207. Roll call.

ROLL CALL

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| MR. SHERMAN | AYE |
| MR. GALLAGHER | AYE |
| MR. FERGUSON | AYE |
| MR. BROWN | AYE |
| MR. ARGENIO | AYE |

MR. ARGENIO: Joe, thank you for coming in, hope we didn't hold you up.

MR. PFAU: Thank you. Have a good evening.

DISCUSSIONS:

CORNWALL COMMONS, LLC SITE PLAN (GML 239NN REFERRAL FROM TOWN OF CORNWALL)

MR. ARGENIO: Next is Cornwall Commons. Mark, Dominic, somebody?

MR. CORDISCO: The Town of Cornwall Planning Board has sent out a lead agency circulation notice because it's seeking to be lead agency for the proposed revisions to the Cornwall Commons site plan.

MR. ARGENIO: Where is this?

MR. CORDISCO: This is off of Route 9W, it'd property that's, well, it's directly on the town line, a good portion of the Cornwall Commons site actually used to be within the Town of New Windsor but then there was an and annexation and it went into the Town of Cornwall.

MR. ARGENIO: Tell me where it is.

MR. EDSALL: Opposite New York Military Academy.

MR. ARGENIO: Is it where all the pipe and catch basins are stored in the woods there?

MR. CORDISCO: Not quite that far.

MR. EDSALL: If you're coming up Moodna Hill, it's on the right when you get to the crest and extends all the way back toward Willow up and to the right.

MR. CORDISCO: Project's been reviewed and under SEQRA and although it doesn't have final approvals, it has nearly reached that stage for a Planned Adult Community for 490 units as a senior citizen project.

MR. ARGENIO: It's all in the Town of Cornwall?

MR. EDSALL: All in the Town of Cornwall.

MR. ARGENIO: Who is the developer?

MR. CORDISCO: Joseph Amato and Mr. Amato has proposed to the Town Board in Cornwall to change the project, not physically but to actually convert it to 80 percent not age restricted so that instead of the 490 units of seniors, 80 percent of those would be available to

anyone who wanted to purchase or rent them.

MR. ARGENIO: So it would be rental apartments?

MR. CORDISCO: Potentially. There's a variety of housing types throughout the project. The town board referred it to the planning board. The planning board is looking to re-establish itself as lead agency to evaluate the potential impacts that might result from that change in project type going from a senior restricted project to 80 percent not restricted project. And as a result, the SEQRA requirement is that the project also be referred to the Town of New Windsor because it's on the town line. Really it's informational.

MR. ARGENIO: Referred to us for what purpose?

MR. CORDISCO: Well, for you to provide any comments should you have any comments.

MR. GALLAGHER: Backing up against any of our residential houses in New Windsor?

MR. EDSALL: No.

MR. GALLAGHER: Neighbors of ours?

MR. EDSALL: As you recall possibly from when it used to be a subdivision in New Windsor originally submitted as a subdivision to this board long time ago, very steep slope that goes down to the railroad bed and slopes back down and goes to either the stream or to Forge Hill Road.

MR. CORDISCO: That property was annexed into Cornwall at the same time that Cornwall allowed the annexation of Meadowbrook property into New Windsor.

MR. EDSALL: And annexed the property along Knox's Headquarters, there was a triple annexation swap.

MR. ARGENIO: Do we have the plans?

MR. EDSALL: There are no new plans. This is a request for consideration of change in zoning which would allow as Dominic expressed a release of 80 percent of the units from being age restricted to being non-age restricted.

MR. ARGENIO: What I'm not getting, Mark, I don't understand, I understand that they're submitting it for us to review and comment on but--

MR. EDSALL: It's more of a notification like we do to the Town of Newburgh when we get an application along the municipal boundary, it was sent because the law requires it to be sent.

MR. CORDISCO: If you have no comments, you have no comments.

MR. ARGENIO: Yeah, and we would need a plan to have a comment on, other than what you just said, please comment on our use of the property.

MR. EDSALL: You can just say good luck.

MR. ARGENIO: I really I think it should be that simple.

MR. CORDISCO: You don't have to say anything if you don't want to. If you want to say that you received it and have no comments, that's fine, just to make it clear so that--

MR. ARGENIO: What do you guys think? Option one, we receive it, we have no comment. Option two, don't respond.

MR. EDSALL: My suggestion is one just so that you keep the communication open.

MR. GALLAGHER: I have no comment.

MR. ARGENIO: Tell them that we have no comment.

MR. EDSALL: Good or bad. We'll both be at the meeting Monday night, we can tell them.

MR. ARGENIO: Tell them we have no comment on that. You guys okay with that?

MR. SHERMAN: It's just changing the usage.

MR. ARGENIO: Yeah, and it's in their town.

PATRIOT BLUFF/APPROVAL EXTENSION

MR. ARGENIO: Okay, Tom, good to see you, sorry for putting you to sleep. Are you telling me I'm boring?

MR. PERNA: No, I thought you were very lively. Greetings from Greg Shaw. I made a mistake, I first called him 11:00, he got back from the golf course to return my call so he sends his regards. My name is Tom Perna with Perna Development. We own a piece of property right off 32 and we got a 360 day extension last year and regrettably and not of my best wish to do so but we're requesting another 360 day extension at this time for a 178 lot subdivision. The town granted conditional final approval of a site plan and the subdivision in 2012. Since that period of time and last year we have been paying up all our fees, rec fees, sewer capacity fees, so we're all caught up and paying our fees and the market hasn't caught up with us. I don't request an extension because we like to request an extension, I request an extension because we still don't find a residential market. Stopped by our project in Fishkill on the way over here, we're about 25 percent capacity in sales as compared to what we were doing in the la-la days of 2007, 2008. So regrettably we're asking for another 360 day extension for Patriot Bluff which you fellas granted final approval and in 2012, citing in our letter that Greg sent you in December 27 we're also asking in the January 27 letter.

MR. ARGENIO: Any objection? I'll accept a motion that we offer them that.

MR. SHERMAN: So moved.

MR. FERGUSON: Second it.

MR. ARGENIO: Motion that we offer Patriot Bluff 365 day extension.

MR. CORDISCO: It's 360.

MR. EDSALL: For both subdivision and site plan.

MR. ARGENIO: Both subdivision and site plan approval 360.

ROLL CALL

MR. SHERMAN AYE
MR. GALLAGHER AYE
MR. FERGUSON AYE
MR. BROWN AYE
MR. ARGENIO AYE

MR. PERNA: The second request is that we show an extension from the end of our project to the property that abuts us to the west on Route 303.

MR. ARGENIO: You show a right-of-way.

MR. PERNA: I'm sorry, we show extension of right-of-way and we're asking that a note be permitted to be put on our final plat which you fellas approved a note to the effect that all work pertaining to construction of extension of Epiphany Drive will be performed by others and not by RPA Associates or its successors.

MR. ARGENIO: Okay, here's the deal, you guys are familiar with this I think, come to the top of Epiphany in the order of brevity, ever so brief history, the top of, what is it called, Tom, the road, Epiphany Drive?

MR. PERNA: Epiphany Drive.

MR. ARGENIO: When Mr. Perna, when they do their development up there they're going to extend Epiphany Drive, it's going to back up Mandelbaum's property. Years ago when Mr. Perna came to us the master plan was, we said, I said to Mr. Perna or maybe it was Jimmy Petro, I don't remember who it was, would you give us an easement, very wide easement to back up the Shedden's property in the event Shedden ever does get developed we'll have the opportunity then to create a link from one parcel to the next and help our Five Corners situation that we have in this town which is obviously the traffic issue? So Mr. Perna agreed graciously to offer us that right-of-way but he said, you know, nobody owns that property, I mean, I'm not going to build, you're not going to make me build a road to nowhere, are you? The obvious answer is no. Now Mr. Perna subsequent to that or around that time, Tom, if I misspeak, please correct me, they made substantial contributions to the town to mitigate their impact. They provided us money to do sewer work and cameraing and changing of sewers and downstream drainage, a whole host of things. Well, subsequent to this, Jonah Mandelbaum bought the Shedden property and

he hired a contractor to build a road and do all he has to do. Now I'm putting myself in Tom Perna's shoes and Tom Perna's saying somebody now bought this property, built a road, I don't, I gave the town hundreds and hundreds and hundreds of thousands of dollars to mitigate my impact, I don't want to get sucked into building this 411 feet of road in addition to all the contributions I've made already. Is that about correct?

MR. PERNA: Right on.

MR. ARGENIO: So it was never the intent whether RPA or the original approval went through when the right-of-way was dedicated to compel RPA to build that piece of road. Now it leaves us with the problem we don't have any money to build that piece of road but that's something we'll deal with at some point in time. The important thing is we have acquired the right-of-way, it exists, the whole Mandelbaum thing evolved subsequent to that road. So we have taken step one, two, three, four, five, six and seven, couple more steps and we'll be able to tie this thing together. So I think what Mr. Perna's asking he wants to include the note on the plan that nobody's going to get him in a headlock at some point in time and compel him to spend whatever it is in addition to all the money he's already contributed to the town and spent on public improvements.

MR. GALLAGHER: This is for the section of the triangle?

MR. ARGENIO: It's that triangle that you just drew here, correct. So we appreciate the right-of-way, Mr. Perna. Does anybody take exception to that note being on the plan? Harry, you okay with it? Dave, you alright? Danny?

MR. GALLAGHER: Yes.

MR. SHERMAN: Yes.

MR. ARGENIO: And it's directly congruent with what we discussed with you Tom since day one.

MR. PERNA: Yes, yes.

MR. ARGENIO: Are you comfortable?

MR. PERNA: My nervousness increased recently.

MR. ARGENIO: I get that too. Dominic or Mark, have I misspoke?

MR. EDSALL: I think you did a terrific job.

MR. ARGENIO: Please review the note, you guys know what we're trying to get at here, we'll vote on that that we permit that that note be included on the plan subject to Mark and Dominic's review.

MR. GALLAGHER: So moved.

MR. EDSALL: We're both good with the note.

MR. CORDISCO: We have reviewed it.

MR. SHERMAN: Second it.

ROLL CALL

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| MR. SHERMAN | AYE |
| MR. GALLAGHER | AYE |
| MR. FERGUSON | AYE |
| MR. BROWN | AYE |
| MR. ARGENIO | AYE |

MR. ARGENIO: Okay.

MR. PERNA: Thank you very much.

MR. ARGENIO: We're looking forward to you building that project out but I get it, it's all market driven and gotta have somebody to buy the units before you build them.

TROTTER LANE SIDEWALKS

MR. ARGENIO: Trotter Lane sidewalks. Do I need to talk about that? Is that obvious? Is there something I don't know?

MR. EDSALL: I don't know why it's on the agenda, we had a piece of correspondence.

MRS. GALLAGHER: The town attorney asked that it be put back on the agenda so we can finalize it.

MR. ARGENIO: Anything changed?

MRS. GALLAGHER: Nothing, we just need your approval.

MR. CORDISCO: We're just confirming that they confirmed it.

MRS. GALLAGHER: That you're allowing him not to put the sidewalks, there's going to be 22 homes in the subdivision.

MR. ARGENIO: Didn't we vote on this?

MR. CORDISCO: You did.

MRS. GALLAGHER: No, no.

MR. EDSALL: I think the planning board had said that it's up to the town board and the attorney's office to work out whatever arrangement would need to be arranged.

MR. ARGENIO: And the town supervisor said Jerry, can you work with Mike and figure it out?

MR. EDSALL: Apparently, there has been an agreement reached and I think they're just looking for the planning board to acknowledge that they have no objection to the agreement and that they have no objection to the sidewalks being eliminated.

MR. ARGENIO: I don't remember what the number was, do you guys?

MRS. GALLAGHER: About 22 homes in the subdivision.

MR. ARGENIO: Dollars?

MRS. GALLAGHER: No.

MR. ARGENIO: I don't remember the number. The owner of the project, Cammy's writing down a number of \$15,000, has offered the Town of New Windsor \$15,000 to be used towards recreational stuff in the town, maybe the town park, whatever, the town supervisor will see to that, yeah, and it's a wide open area. And, I mean, I don't see the issue, the town board looks favorably on eliminating the sidewalks as does the supervisor, makes all the sense in the world and we get something out of it. That cover it, Jen?

MRS. GALLAGHER: Yes.

MR. ARGENIO: Make a motion that--

MR. GALLAGHER: Make a motion that we waive the Trotter Lane sidewalks.

MR. FERGUSON: Second it.

MR. ARGENIO: Motion made and seconded that is in lieu of, Jennifer, in lieu of us receiving that money.

MRS. GALLAGHER: We've already received it.

MR. ARGENIO: Great, it's a Christmas present.

MR. GALLAGHER: I guess we have to approve it.

ROLL CALL

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| MR. SHERMAN | AYE |
| MR. GALLAGHER | AYE |
| MR. FERGUSON | AYE |
| MR. BROWN | AYE |
| MR. ARGENIO | AYE |

SUMMITT SITE PLAN DRIVEWAY ISLANDS

MR. EDSALL: Everyone in their comments should have a copy of this eight and a half by 11 plan.

MR. ARGENIO: Yes.

MR. EDSALL: The typical building plan included these little peninsula islands, dividers, whatever you care to call them between garage doors and they look very nice on paper, I'm sure that the landscape architect was very excited to put them in. I think somewhere along the line reality set in and they realized they'd be an absolute--

MR. ARGENIO: After a winter like this they'd be a pile of rubble in front of somebody's garage.

MR. EDSALL: My suggestion is that we congratulate them for figuring it out. The impact on landscaping is minimal because it's just two rows per building of very narrow plants and I think it would look worse if they were damaged islands rather than no islands. So I would suggest that you accept that as a minor field change to the plans and we'll work with them on not installing them.

MR. GALLAGHER: Which ones are we looking to remove?

MR. EDSALL: All the ones with the Xs, the larger ones will remain.

MR. GALLAGHER: Just having blacktop run between two different driveways?

MR. EDSALL: Yeah, double wide width, it's easier to clean, easier to plow, less maintenance, I think it makes a lot of sense.

MR. ARGENIO: Anybody got any issue with that? I'll accept a motion that we tell Mark to tell Mr. Sarchino it's okay to remove those islands.

MR. SHERMAN: So moved.

MR. BROWN: Second it.

MR. GALLAGHER: Motion made by David and seconded by Howard. Roll call.

ROLL CALL

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| MR. SHERMAN | AYE |
| MR. GALLAGHER | AYE |
| MR. FERGUSON | AYE |
| MR. BROWN | AYE |
| MR. ARGENIO | AYE |

MR. ARGENIO: Mark, this is not, this is typical of six buildings or eight buildings?

MR. EDSALL: It's typical for any of the buildings that had that garage layout.

MR. ARGENIO: Got it. Do you guys have anything else to my right, Howard, Harry, Dave, got anything else? Motion to adjourn?

MR. FERGUSON: So moved.

MR. BROWN: Second it.

ROLL CALL

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| MR. SHERMAN | AYE |
| MR. GALLAGHER | AYE |
| MR. FERGUSON | AYE |
| MR. BROWN | AYE |
| MR. ARGENIO | AYE |

Respectfully Submitted By:

Frances Roth
Stenographer