



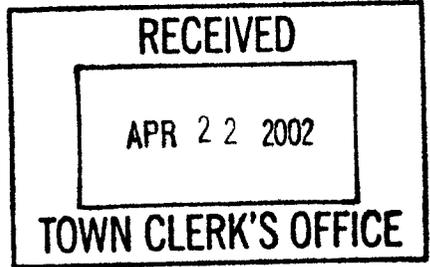
# Town of New Windsor

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## OFFICE OF THE PLANNING BOARD

WEDNESDAY - APRIL 24, 2002 7:30 PM

### TENTATIVE AGENDA



**CALL TO ORDER**  
**ROLL CALL**

#### POSSIBLE Z.B.A. REFERRALS:

- 1. KOCHAN, JOHN & MARYANNE SUBDIVISION (02-08) UNION AVENUE (HILDRETH) Proposed 2-lot residential subdivision.

#### REGULAR ITEMS:

- 2. H.R. & C OF NEW YORK SUBDIVISION (02-09) UNION AVENUE (HILDRETH) 2-Lot Commercial Subdivision
- 3. C. TRAINOR SUBDIVISION (02-04) TOLEMAN ROAD (TRAINOR) Proposed 4-lot residential subdivision
- 4. JOCOSA (01-62) RIVER ROAD (DILLIN)
- 5. HANNAFORDS FOOD & DRUGS (00-15) RT. 94 & RT. 32 (TECTONIC)
- 6. CORNWALL COMMONS LAND DEVELOPMENT (00-06) FORGE HILL RD & RT 9W (L.A. GROUP / JACOBOWITZ & GUBITS) Draft Generic Environmental Impact Statement review.

#### DISCUSSION

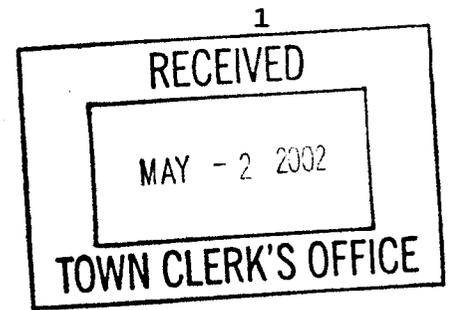
- 5. IMAGELAND SITE PLAN (01-46) DISCUSSION OF CHANGES TO SITE PLAN (Steiner)

#### ADJOURNMENT

(NEXT MEETING -MAY 8, 2002)

April 24, 2002

TOWN OF NEW WINDSOR  
PLANNING BOARD  
APRIL 24, 2002



MEMBERS PRESENT: JAMES PETRO, CHAIRMAN  
JIM BRESNAN  
RON LANDER  
JERRY ARGENIO  
THOMAS KARNAVEZOS

ALSO PRESENT: MARK EDSALL, P.E.  
PLANNING BOARD ENGINEER

MICHAEL BABCOCK  
BUILDING INSPECTOR

ANDREW KRIEGER, ESQ.  
PLANNING BOARD ATTORNEY

MYRA MASON  
PLANNING BOARD SECRETARY

REGULAR MEETING

MR. PETRO: I'd like to call the Town of New Windsor  
Planning Board meeting to order.

POSSIBLE Z.B.A. REFERRALS

KOCHAN, JOHN & MARY ANNE SUBDIVISION (02-08)

Mr. William Hildreth appeared before the board for this proposal.

MR. PETRO: Proposed 2 lot residential subdivision.

MR. HILDRETH: It's been a while since I've been here. My name is Bill Hildreth, I'm a land surveyor who prepared this subdivision plan. Very brief tonight because this requires a variance for which I would like to get a referral from the planning board and this property is right across the street. It was seen by this board over a lengthy period of time a number of years ago approved for 6 lots. Just as a refresher, if it looks familiar to anyone, that's what it is, it had a town road, there are two existing structures there that were, had their own lot on this one here, I placed it on its own lot there, it's virtually the same size, it's slightly bigger than this one, just slightly reconfigured, no town road. We're going to have one lot in the back that's 2.8 acres. The problem comes with the lot width which needs to be measured at the front yard setback. Obviously, the front yard setback is going to be on the 60 foot strip we have just used, it has to be measured from the street, so we need a referral to the ZBA for that. The other thing I'd like you to consider because I've done some research, I cannot determine how these two residences were addressed during this previous subdivision process. What you have is a pre-existing, non-conforming use here, as long as we're going to the ZBA, if that pre-existing, non-conforming use can also be referred, I wouldn't mind getting that taken care of, but it's been that way, it was bought that way by the current applicant. I don't know what your feeling is on that, but I need a referral at least for the lot width.

MR. PETRO: Motion to authorize lead agency coordination letter.

MR. ARGENIO: So moved.

MR. BRESNAN: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board authorize lead agency coordination letter for the project Kochan subdivision. Is there any further discussion? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. PETRO: As far as we're going to go, just do the referral to the zoning board for what Mark's requesting at this time but bring it up at the zoning board.

MR. HILDRETH: If it comes back that way, okay, that's fine.

MR. PETRO: Motion to approve.

MR. ARGENIO: Motion for final.

MR. BRESNAN: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant final approval to the Kochan subdivision on Union Avenue. Is there any further discussion? If not, roll call.

ROLL CALL

MR. ARGENIO	NO
MR. BRESNAN	NO
MR. KARNAVEZOS	NO
MR. LANDER	NO
MR. PETRO	NO

MR. PETRO: At this time, you have been referred to the New Windsor Zoning Board for your necessary variances. Once you have received them, if you can receive them or if you do, put them on the map, you can then again

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appear before this board for further review.

MR. HILDRETH: May I ask the engineer lot 3 do I fix that on the EAF or does the board?

MR. EDSALL: Why don't you, when you give me the copies to circulate it for lead agency, just give me a corrected EAF.

MR. HILDRETH: Thank you very much.

REGULAR ITEMS:

H.R. & C. OF NEW YORK SUBDIVISION (02-09)

Mr. William Hildreth appeared before the board for this proposal.

MR. PETRO: This is a 2 lot commercial subdivision. The application involves subdivision of the 8.25 acre parcel into two commercial lots. The plan was reviewed on a concept basis only, in the C zoning district, bulk information on the plan is correct.

MR. HILDRETH: You took half my speech.

MR. LANDER: Where are we located here?

MR. HILDRETH: This is Days Inn, the restaurant shown in the lower right-hand portion of this, this is Johnny D's, okay, this is the current existing motel, the proposed lot is adjacent south of Johnny D's, takes up the remainder of the frontage out to Union Avenue.

MR. PETRO: Up to the sewer line in the back?

MR. HILDRETH: Yeah, you have to study it because of the contours, I realize things are all parallel, but that's the back line, it's just behind the relocated sewer line, this proposal is for subdivision only, obviously, it's being cut out for commercial use whatever it is.

MR. PETRO: Off the hotel piece?

MR. HILDRETH: Yes, the original subdivision created Johnny D's, left the entire piece to the hotel, this is coming off that. You'll see whatever site plan comes back in or whatever is going on complies with the bulk requirements, it's probably going to have to go to DOT, however.

MR. PETRO: I think that it should.

MR. HILDRETH: However, we do have where Johnny D's is created, we have an existing easement put through the

parking lot to get to the piece knowing full well the access on and off this highway.

MR. PETRO: That's true, once you subdivide it and they sell it whoever buys it is going to be screaming bloody murder if they go to DOT and get denied access and told to use the easement so better to find out now when you're creating the lot whether it's good or not.

MR. LANDER: They can still use the easement but still have an access or an exit, they've got to have access to Union Avenue.

MR. PETRO: We're creating the lot.

MR. LANDER: So they have to have it.

MR. PETRO: Yes but if the lot's existing, they have to but if we create the lot, if DOT has the opportunity to look at it.

MR. HILDRETH: I know it's got to be sent to them, but what I'd like to make clear I guess is that DOT knows this easement exists when they look at it, that's all.

MR. LANDER: I'd like to see that, another curb cut.

MR. PETRO: Well, yes, DOT.

MR. HILDRETH: Yeah, they have to see it, but as long as I know the options, I don't care, whatever they want is what they want, it's their road.

MR. PETRO: I'm saying DOT, should be referred to DOT as part of the subdivision, not just the site plan.

MR. HILDRETH: Absolutely, knowing full well that it's going to be developed into something.

MR. PETRO: Motion for lead agency?

MR. ARGENIO: So moved.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare itself lead agency for the H.R. & C. of New York minor subdivision. Is there any further discussion? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. HILDRETH: Do you want to think about public hearing at this time or wait until you hear from DOT?

MR. PETRO: What else can we accomplish? You're going to go to DOT.

MR. HILDRETH: That's it, as far as I know, water and sewer are available, no zoning issues.

MR. LANDER: Make a motion to waive the public hearing.

MR. ARGENIO: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board waive the public hearing under its discretionary judgment for the H.R. & C. minor subdivision on Union Avenue. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. EDSALL: Why don't you wait until you hear back from DOT on the negative dec.

MR. PETRO: Okay.

C. TRAINOR SUBDIVISION (02-04) TOLEMAN ROAD

Mr. Craig Trainor appeared before the board for this proposal.

MR. PETRO: Proposed 4 lot residential subdivision. This application involves subdivision and a lot line changes to create three new single family residential lots and reconfigure two existing lots. This application was previously reviewed at the 27 February 2002 and 27 March 2002 planning board meetings. Bring us up to date, two new lots?

MR. TRAINOR: Three new lots, yeah, what we have here is the existing house it's on ten acres and what we're looking to do is break it up into 4 lots and do a lot line change here.

MR. PETRO: Mark, why don't you let us know where we are with this, too, seems like we've seen it?

MR. EDSALL: I guess the first question is where do we stand with SEQRA, are we done?

MS. MASON: It's all done.

MR. EDSALL: We're all set with that.

MR. PETRO: You're going to move the septic tanks forward or away from the other property line, I think that's what it was.

MR. EDSALL: No, not this one.

MR. TRAINOR: It was the septic that was moved here on lot number one.

MR. ARGENIO: I think he's right, they moved the septic fields because there was a local resident concerned about the proximity of the septic to the property line.

MR. EDSALL: Shouldn't have missed the meeting. Andy, have you received the private road maintenance declaration?

MR. KRIEGER: Yes, I have.

MR. EDSALL: Are we all set with that?

MR. KRIEGER: I've been in contact with the attorney, actually, it's gone through a couple times and it's gotten a final approval from me.

MR. TRAINOR: You got the latest one?

MR. KRIEGER: Yes.

MR. EDSALL: At this point under my comment 4, there's a couple of very minor corrections that need to be made to the plan and you could make, if the board's willing to consider a conditional approval, it can be subject to comments 4, 5 and 6 which are two procedural items and one minor correction to sheet 2 cause it is, as you said, in good shape.

MR. PETRO: Shoulder construction from the private road is the same as the traveled way without the oil and chip?

MR. EDSALL: Detail just isn't clear.

MR. PETRO: I don't think there's anything left.

MR. EDSALL: No, two very minor corrections on the detail.

MR. ARGENIO: What's required, oil and chip on the shoulder?

MR. EDSALL: No, the 12 inches of material, that's the base, is the same for both the traveled way on the shoulders, then you just oil and chip the traveled way, the detail doesn't show that, so we just need to make that clear.

MR. ARGENIO: Looks like Mr. Yanosh reconfigured the septic on lot number 1?

MR. TRAINOR: Yes.

MR. PETRO: And he corrected the spelling of the road as per the fire inspector.

MR. EDSALL: Yes, that's correct, and bulk table has been corrected.

MR. PETRO: Highway approval on 3/12/2002 and fire approval 2/26/2002. His only comment was the spelling of the road for 911. Okay, motion to approve?

MR. LANDER: So moved.

MR. BRESNAN: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant final approval to the C. Trainor and Sons Construction subdivision and lot line change on Toleman Road, subject to the shoulder construction for the private road be the same as the traveled way and the private road detail depict a 50 foot right-of-way. Applicant will be required to submit a private road completion bond, and a cost estimate should be estimated for review and approval to Mark and obviously, you should pay all your fees. Other than that, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. LANDER	AYE
MR. PETRO	AYE

JOCOSA (01-62)

Mr. Dillin appeared before the board for this proposal.

MR. PETRO: This application proposes construction of a waste oil collection facility on the existing lot on the east side of River Road. This plan was previously reviewed at the 14 November 2002, 10 April 2002 planning board meetings. A public hearing was held at the last meeting with no issues of concern identified. The holdup is a 30 day period for lead agency. This period has expired. We have received responses since Mark's comments and DOT says no objection to the town as lead agency, if the traffic study is prepared, please forward to DOT which we're not doing cause you don't need a highway work permit, you're not doing a new curb cut.

MR. DILLIN: We're redoing it.

MR. PETRO: Highway work permit then.

MR. DILLIN: Yes.

MR. PETRO: Orange County Planning, no objection to the town as lead agency, so we've heard back from both. Motion for lead agency?

MR. ARGENIO: So moved.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board assume the role of lead agency for the Jocosa site plan on River Road. Any further discussion from the board members? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. PETRO: We had the public hearing, as it says earlier, there was no concerns to be identified. I'll take a motion for negative dec under the SEQRA process.

MR. BRESNAN: So moved.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare negative dec under the SEQRA process for the Jocossa site plan on River Road.

ROLL CALL

MR. ARGENIO	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. PETRO: Planning board will require that a bond estimate be submitted for the site plan in accordance with Chapter 19 of the Town Code. I'm aware of no reason why final approval cannot be considered at this time.

MR. LANDER: Except DOT.

MR. PETRO: He'd have to get a work permit from DOT.

MR. EDSALL: If you make it subject to number 4 and just require them to get a permit, you're all set.

MR. PETRO: You want to say anything?

MR. DILLIN: No, I think you've said everything.

MR. LANDER: I wouldn't say a word.

MR. PETRO: Motion for final approval.

MR. LANDER: So moved.

MR. ARGENIO: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant final approval to the Jocosa site plan on River Road subject to the bond estimate to the site plan in accordance with Chapter 19 of the Town Code and we require that you get a work permit from New York State DOT. Any further discussion? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. LANDER	AYE
MR. PETRO	AYE

HANNAFORD'S FOOD & DRUGS (00-15)

Larry Wolinsky, Esq. appeared before the board for this proposal.

MR. PETRO: This involves development of 55,200 square foot retail store on the 5.5 acre site. Application was previously reviewed at the 13 December 2000, 15 November 2000, 24 January 2001, 14 February 2001, 14 March 2001, 28 March 2001, 25 April 2001, 23 May 2001, 25 July 2001, 22 August 2001, 23 January 2002 and 13 February 2002 planning board meetings. I'd like to note that for the minutes just in case some wise guy reads it and thinks we're moving too quick. Go ahead.

MR. WOLINSKY: I can certainly tell you from the point of the applicant that you are not moving too quick. I'm Larry Wolinsky representing Hannaford. We're here this evening regarding the completion of the SEQRA process and also site plan approval. We believe we have addressed everything that could possibly be addressed. I commend the board for putting our feet to the fire which it has done very thoroughly and diligently. And we would ask the board to first consider the Findings Statement and then go on for site plan. That's all I have to say.

MR. PETRO: Mark, why don't you lead us through with the findings, give us the right momentum here to get going?

MR. EDSALL: Well, attached to my comments is a document 16 pages long, I'll save you the trouble of having me read it to you, I don't think that's necessary or appropriate. The Findings Statement basically takes all the conclusions as it may be from the SEQRA review and outlines the various areas of the evaluation and the conclusions and then it's boiled down starting on page 12 with the findings of the planning board as to the potential impacts and how the applicant has mitigated the impacts with the improvements that they're proposing. The document originated as part of a discussion between the applicant's attorney and the town, myself being the town's representative during the workshops. We have

made I believe four revisions, Larry, roughly?

MR. WOLINSKY: At least, yeah.

MR. EDSALL: So it's gone through a couple iterations. At this point, I believe it's complete and acceptable for the board to adopt. There are a number of off-site improvements that are required, they are all referenced in this Findings Statement as elements that must be included in the construction to support the findings that the impacts have been mitigated and as well as there are some other issues as to the on-site screening, lighting and so on, how that was reviewed and how it was designed and as to the board's findings that those potential impacts have been mitigated as part of the design of the actual site itself. So on-site and off-site have been evaluated and the conclusions are listed in this proposed Findings Statement. Larry, anything that maybe I didn't touch on?

MR. WOLINSKY: No, I think that's a comprehensive description.

MR. PETRO: Do any of the board members have any comments at this time about reading the Findings Statement or any other comments they'd like to make? If not, I'll accept a motion to accept the Findings Statement for the SEQRA review process of Hannaford's Food and Drug site plan.

MR. LANDER: So moved.

MR. ARGENIO: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board accept the Findings Statement for the Hannaford's Food and Drug site plan on New York States 32 and 94 as written and also authorize any circulation or publication as required by the SEQRA regulations according with these findings. Any further discussion from the board members? If not, roll call.

ROLL CALL

MR. BRESNAN            AYE  
MR. ARGENIO            AYE  
MR. KARNAVEZOS        AYE  
MR. LANDER             AYE  
MR. PETRO              AYE

MR. PETRO: Which brings us to the next point of the meeting. I had believed earlier that we were really pretty far along with this and was my understanding that frankly we were going to do a final approval tonight, just normal subject-to's that would normally come up. It's been brought to my attention that we need to have some other work done on surrounding properties, namely the Monro Muffler and Long John Silver applications. I understand that the Monro Muffler needs to go to the New Windsor Zoning Board for clarification or a variance, one or the other, and I guess we're going to look for a variance for an easement, is that correct?

MR. EDSALL: Yeah, I had spoke with Mike Babcock as well because ultimately, he has to make a determination as the zoning officer as to what, how that definition applies to the site and he has advised me that my understanding is his interpretation. So really what we need to do is have that either interpreted differently or just obtain an area variance for that related site plan amendment which is Monro Muffler.

MR. PETRO: I want to make it clear so everybody is under the same understanding that I am. I realize that the applicant's attorney and engineers probably don't agree with the town in the way they read our laws and what our engineers and maybe our attorney are saying, but there's one thing that is clear and one thing I feel that is definitely of precedence and that is that since we have been here that we have asked everybody to get the variance for the easements subtractions that you're talking about for the last 11, 12 years that I have been here and probably long before I got here. So what we do for others we have to ask you to do the same. In other words, there is no reason in the world we wouldn't ask you to do the same, but that's the precedence that was set, we need to ask you to go to

the zoning board and get the necessary variances or interpretation, whatever you find is easier.

MR. EDSALL: Mr. Chairman, would it be acceptable to just have the record be clear that the planning board has looked at the site plan and as well our office has and notwithstanding the fact that there is a technical reason why they need an area variance, they have, as part of their proposed amendment, will be able to provide all the necessary parking and relocated the dumpster and all the facilities that are needed to support the Monro Muffler facility are being accomplished. It's purely a numerical subtraction that the area has to come out to provide that through shared road accessway. So the site plan itself is in a form that we believe is complete and acceptable, maybe some minor corrections before it can be stamped, but they have demonstrated that the site, even with the area subtracted, supports the use. And it might be worthwhile for the zoning board to know that the board concurs with that, so that they don't believe that this area is some way a subtraction from the ability to--

MR. PETRO: I believe the board would give a positive recommendation to the zoning board. Anybody disagree with that?

MR. ARGENIO: I agree.

MR. PETRO: But I just think it's part of the procedure.

MR. EDSALL: I don't want them to think you haven't seen it yet.

MR. WOLINSKY: We certainly appreciate the fact that you will give us a positive recommendation. I don't want to, I'm not going to debate the issue here because obviously, I disagree with that interpretation but that is what the ZBA is for. The only other thing that I would ask what we'll probably do is take the time to get our, while we're going through that process, to take the time to get our plans, whatever issues remain from a technical end all wrapped up so that as soon as we get that variance, we can hopefully be in a position

to have the plan stamped. So as long as we can move forward with whatever bond estimates or process we have to go through then and we're not totally stopped, I think we can weather the storm.

MR. PETRO: We did receive a letter, I just want to note for the minutes from New York State DOT that did agree with your forms of mitigation and frankly, I guess you did a good job and they seem to approve of your, the way that you're going to handle it. So I want to let you know that we received and filed that. Thank you.

MR. EDSALL: Jim, in the interim, as Larry said, we're going to try to make some progress, I'm going to provide the applicant with whatever final comments I have for all three applications so that at the same time when they're moving on that at the ZBA, we can get the plans all finished up and be done. We'll expedite the referral.

MR. PETRO: How about your department, anything that you can take to expedite anything, look over anything yet or you think it's moving too quickly?

MR. BABCOCK: No, if there's building plans, we can start.

MR. WOLINSKY: Can we get on the next agenda of the ZBA?

MR. BABCOCK: Actually, the way that works we'll send the referral over and then you have to contact them. Depends on, we just had one Monday, so it's two weeks, I would assume. Mark has to do a referral letter, right?

MR. EDSALL: Franny's agreed we'll expedite that.

MR. PETRO: You'll be on the next agenda here whenever you're ready.

MR. WOLINSKY: Thank you.

CORNWALL COMMONS LAND DEVELOPMENT (00-06)

John Cappello, Esq. appeared before the board for this proposal.

MR. CAPPELLO: I'm John Cappello here on behalf of Cornwall Commons project. The map you see before me is pretty much the similar one that's been before this board over the course of the last at least two years. What's different now is we have submitted our draft environmental impact statement both to the Town of Cornwall Planning Board and to the Town of New Windsor Planning Board. As you recall, this project fronts on 9W, Forge Hill Road is probably about here 53 acres or so in the Town of New Windsor and 143 in the Town of Cornwall. The DGEIS is set up to look at impacts of the commercially zoned portion of the project in the Town of Cornwall and to do a little bit of a more site specific on the permit, the uses in the H-3 zoning district in the Town of New Windsor portion. We have shown and have an application pending before the board for 69 single family lots, the DGEIS also examines the potential impacts from a senior citizen development or a PUD development which are both special permits in this zoning district and what we have done is we have compared and contrasted the potential impacts as they relate to water, sewer, drainage, traffic from the various different types of permitted uses, so when the site specific plan is pursued, we'll be able to use this impact statement as the support for any future development. But we do have an application pending for these 69 lots.

MR. PETRO: What are the sizes of the lots?

MR. CAPPELLO: 20,000 square feet.

MR. PETRO: How did you sneak that passed me? I don't remember how you could have done that. March 2000, I know.

MR. CAPPELLO: We show I think when we were before the board, we discussed the access roads. As you can see, the Town of New Windsor line runs along here. There are two separate accesses and both will be constructed.

We have been in front of the DOT and had initial discussions with them, both access roads would be built so you would have a loop road with two entrances. This would go through the commercial development. This would basically service the residential development. It starts in Cornwall, runs along the town line and then it would be some sort of a demarcation here for the residential development to separate it off from the commercially zoned portion. I believe the Town of Cornwall and Town of New Windsor have similar arrangements where there's road crossing boundaries and so they make an agreement as to who will maintain the roads. I know there was a question that was raised in Cornwall, we have been pursuing water service, we have agreements between the Village of Cornwall-on-Hudson, Town of Cornwall and Town of New Windsor to provide water to the site. We have two options for sewer that we have been exploring, one would be servicing the whole development in the Town of Cornwall plant which does have the capacity and the other one was alternative would be serving the whole development in the Town of New Windsor plant. We have had draft agreements in front of both towns and will be meeting with the town attorney tomorrow in New Windsor to further that process along. The wetlands on the site have been delineated and confirmed by the Army Corps of Engineers. There are no wetlands on the Town of New Windsor site. There has been a Phase 1A and 1B archeological survey done on the site, it's all contained in the EIS to clear the site so--

MR. PETRO: How about the grades of the roads? I remember there was some pretty rough topo there.

MR. CAPPELLO: Yeah, it's discussed here and Art Tully will be, is the engineer on this, but we have met the minimum grades of the town and a grading plan obviously we're not that far, we're looking generic, but looks like we can do the cut and fill once we do the site.

MR. PETRO: No access on Forge Hill Road.

MR. CAPPELLO: No, two accesses from 9W, we did include the second emergency access the board requested at one of the very first meetings, so this is not the only

entrance into the site. This would be emergency access also and this is, the Moodna runs down here, it's a very steep incline, so it would be very difficult to access anywhere other than 9W.

MR. PETRO: All right, the board's going to, obviously, we received these today, each member is going to get a chance to look them over and I think we're going to coordinate with Mark and the Cornwall team.

MR. CAPPELLO: Okay, because traditionally, Town of Cornwall Planning Board is the lead agency and usually, you have one lead agency and the other involved agencies don't see the EIS until it's accepted and is complete by the lead agency. But being there's two separate jurisdictions here, we wanted to give you as much lead time and coordinate the process as much as we can in the Town of Cornwall. I believe it's on for the, is it the May meeting?

MR. EDSALL: It was on, Jerry Jacobowitz appeared at the meeting on the 9th of April and basically did the same with the Cornwall board as John is doing with you folks, just--

MR. CAPPELLO: I was a little better, right?

MR. EDSALL: You did a hell of a lot better job. Bottom line just letting the board know where it stands and formally submitting the DGEIS so at this point and as I believe I note this in my comments, the board should look at the document, the scope has already been determined probably a year ago and if they have any comments, we can just start to gather them and pass them over to Cornwall as lead agency and get them addressed as soon as possible.

MR. PETRO: Any comments?

MR. EDSALL: Cornwall had one comment that I will pass over so when they ask if I said it, I can have a clear conscience and say I did, your comment about the size of the lots and how did they slip it by you. They would probably prefer some, a less lot count and some larger lots as well. That was one of their concerns.

MR. PETRO: What's the chance of that?

MR. CAPPELLO: We'll examine the impacts also just so you know one of the things we have examined in New Windsor is potential for senior citizen development, which is also a permitted use from the zoning district and PUD so there's, you know, some leeway, but this is as you can see, there is a lot of infrastructure associated with the development.

MR. PETRO: I understand you have the cost of the build-out, but you have to realize that 250,000 square foot lots in this day and age you're building a little larger houses and I don't have to give you all the reasons, you probably know, so maybe if you lost some of them, if you lost 10 percent or something and you made and divided that up, each lot would certainly be nicer size, build a better house and still captivate your audience and get some extra money.

MR. CAPPELLO: Without asking any commitments, I mean, does the board or the town have any feelings about a senior citizen, need for senior citizen development or examining the other possibilities because like I said, we have raised them and they are permitted in the zoning district. So as you think about larger lots and single family, I don't want to take that totally off the table if that's something that you feel there's a need or a demand for.

MR. PETRO: I will just answer very simply the town is not opposed to senior citizen housing.

MR. LANDER: I think there's a need for senior citizen housing.

MR. CAPPELLO: Some communities are senior citizenized out. Thank you very much.

DISCUSSION

IMAGELAND SITE PLAN (01-46)

Mr. Steve Steiner appeared before the board for this proposal.

MR. S. STEINER: The reason why we're here this evening is in reference to the town engineer's letter, I'm Steve Steiner, I'm the president of Imageland Inc., This is Troy Steiner and T.J. McCarry, we're all partners in the organization and our lease is about to terminate at 1008 Little Britain Road. It's very imperative that we receive a full C.O. and be able to move into the new building. We're here tonight, that is what you had and this is what you have now. We originally budgeted with the business plan that we would spend \$100,000, this was our plan, we presented it at a workshop meeting to the town engineer, he looked at it briefly. It was given to our architect and we had proposed roughly \$50,000 interior \$50,000 exterior and needless to say, once 28 tons of debris was removed from the premises, many things began to surface. We had to install 60 feet of steel I-beams, had to replace floor joists, told cement block walls were unacceptable, if it was going to be a heated facility, and through the budget into, steel studding, metal studding and sheetrocking, so we're then in a dilemma to say how can we maintain, you know, the building construction and stay close to the budget. So by exceeding the budget of \$40,000 we had to skimp in a few areas, instead of a five foot sidewalk, we went with a four foot sidewalk.

MR. T. STEINER: This is the site review from Mark Edsall that we received. I will give you all a copy of this.

MR. LANDER: Do cars park in front of the sidewalk?

MR. S. STEINER: No, sir.

MR. LANDER: I don't see any striping in this area.

MR. S. STEINER: If you were to look at the sidewalk,

it's roughly 80 feet and we have originally proposed in our site plan that was approved by the town our original budget was for 2,500 square feet of paving. We since trimmed it, we went over 6,000 square feet of paving and instead of using interior curbing, we went to the concrete curb of the State. Why? Because we went to the State, received the application, filled it out, submitted color photographs and it was rejected. We said why and they said we're widening the road, we don't want anymore construction and we may present a water problem. They said ask the town if you can plant shrubbery that will not exceed 18 inches in height. The building department was contacted, we did get approval on that and we purchased 30 shrubs. We started to put additional trees, it was too close to the neighbor's property, they came over, they tore up the landscaping, the police had to come. It's been an issue over here because we're the new kid on the block, it's like taking meat from a hyena. Mr. Mans refused to fix his fence. We had to hire people and repair the fence which I might get heck from him when he recovers, I understand he's not feeling well. The oil company were told to please keep off the property, after battles with the fire department and police department, lawyers delayed our work back there for many months and they finally removed approximately 15,000 gallons of three storage tanks of fuel which was removed.

MR. ARGENIO: Can I jump in for one second? Where are we going here? Were you looking for relief on some of these items?

MR. S. STEINER: What we're trying to say to you at this point in time is the major issue that the town engineer is presenting is that they want a \$20,000 bond in order for us to complete additional work. Mr. Jerry Sherman, the architect, presented a drawing to us and I must admit that it was a blunder, it says here new paving and it should of said new surfacing. We installed 48 yards of crushed stone that was spread by tractors. The reason why we would not pave the back of this area is that it's basically had about a dozen coats of paving, we wanted to even it out.

MR. PETRO: The back portion where it says paving on

the plan, is it part of the required parking?

MR. EDSALL: Yes, it is.

MR. PETRO: Then it's out of our hands. If it's part of required parking, it has to be paved, there's no exceptions to that.

MR. S. STEINER: I beg your pardon, sir. This is a printing organization. We have been in business three years. We never have more than two cars in the lot at one time. We want to comply but if you're forcing us to spend an additional, our budget is finished right now, we'll have to shut down the doors, put the building up for sale, we can't do it.

MR. PETRO: Money is not a concern of the planning board. You may not need the parking spots, we're approving the building on that parcel of land, we're not approving it for you.

MR. S. STEINER: This is all pre-existing.

MR. PETRO: Let me speak, the building we're approving, you can move out in three days and somebody else can come in here approaching it by the number of square feet that's required in that building for the number of parking spots that are required for the building, you may never use those parking spots. I own Orange Boat Sales, we need handicapped parking, handicapped doors. I have never had a person in my life come in there in a wheelchair to buy a boat. But I have to have that, it's part of the law. That's what we do have, so some of which requires not necessarily for you, I understand that you may never use those parking spots, but you can sell the building tomorrow and somebody would have to utilize those parking spots. You cannot use parking spots on shale or impervious area because you cannot delineate the lines, snow plow plows it, it's the law, there's no relief of that law, if they're required spots. Now, if you have second excess parking over and above what's required, what's required on the site?

MR. EDSALL: I don't have the site plan.

MR. PETRO: Whatever's required, let's say there's 15 spots required and you want to provide 30, then that can be shale or whatever are stone that you put down. I don't know any way around it. He could do a binder, maybe a binder area first or something that's cheaper.

MR. ARGENIO: That's dust free, isn't it?

MR. EDSALL: What you have done in the past again on overflow parking is allowed oil and chip instead of paving but for required parking, you have always required paving cause that's what the law calls for.

MR. BABCOCK: On the front plan, how many parking spots are required, how many did you propose? It should be on the front plan.

MR. STEIN: Total of 19 spaces including handicapped.

MR. EDSALL: That's what's required.

MR. BABCOCK: Is that what's required or less?

MR. S. STEINER: I believe that's what was required.

MR. ARGENIO: I was going to say let me just say I drive passed this building every night on my way home from work. They have done a beautiful job. They have taken an eyesore and they have turned it into what hopefully will be an asset for our community for many years to come. It looks really nice.

MR. MC CARRY: I'm the manager of Imageland. I'm a partner in the company and what we're trying to work out something with you guys at is the fact that we're way over budget, totally over budget, we have no more funds to put out a \$20,000 bond now to get a C.O. so we can continue our business.

MR. ARGENIO: We're trying to help you guys find the solution, too, but we can't say okay to do something that's contrary with the law of the Town of New Windsor, can't do that.

MR. MC CARRY: I understand that but there must be some

way to--

MR. PETRO: I have 11 items there, Mark, have any of them been corrected?

MR. EDSALL: I have not been back out, I don't know that they've changed anything.

MR. PETRO: Have any of the 11 items been corrected?

MR. S. STEINER: The signage of course has been corrected and the issue about the curbing, if you're not going to get a permit from the State, you can't build half curb if your neighbor next door is coming over and sending his ghouls to rip up our tiling and shrubbery and calling the police, you can't operate like this. When we call for assistance, they say hey, this is a civil matter, you've got to have the lawyers fight it out. And because there's an encroachment on the property now to make one point very significant here is I'm looking at the Town of New Windsor signed off on this drawing back in 1986 and there are buried tanks on this property right here, when the two brothers owned this land, one was Prendergast, I don't know who the other brother was, recently I heard from the workers that Rumsey Oil is trying to bury tanks again and the fire department came over recently in recent months and said let's see the paper that was supposed to be given, I understand the New Windsor Fire Inspector at that time going back to 1986 would not sign anything but gave them a verbal okay. So now they may be digging this up again and to pave this, this is ludicrous because now I install a fence right between, you know, which was once one property and for these monsters, you know, to come in and start tearing out--

MR. PETRO: How would they go in and dig holes on your property? I don't understand that.

MR. S. STEINER: That's where the tanks were buried.

MR. PETRO: Remove the tanks, you mean tanks are still there?

MR. S. STEINER: They have been removed, but something

is up because they want to dig again. And the fire department is not willing, the inspector is not willing to give them a certificate to dig and bury tanks because when it was dug up back in '86, they don't have anything in writing to show. Now, again, this is all hearsay over the fence gossip, I have nothing to prove.

MR. LANDER: How are they going to bury tanks on your property?

MR. PETRO: Why would they dig on your property?

MR. S. STEINER: Mr. Babcock, you know the area before I got involved in it.

MR. LANDER: Why would they go on his property to bury tanks?

MR. BABCOCK: I don't know.

MR. PETRO: I want to go over items that we can help you with.

MR. LANDER: Start from number one, curbing, each side of the curb cut Route 207 is asphalt, not concrete, there was curb cuts there already?

MR. PETRO: It's a very small curb up in the front, there's some flowers in there. I looked at it with Mike Babcock, it's very minor in nature. Mark is correct, we don't normally allow that, we allowed one with Mr., what's his name up here?

MR. LANDER: Thing is they're doing it in the DOT right-of-way.

MR. PETRO: Did DOT tell you they can't have it there?

MR. EDSALL: I believe DOT will only permit concrete curbs.

MR. PETRO: Is this the curb we're talking about just that goes around the flower bed?

MR. BABCOCK: Also one on each side. What we had

talked to the applicant about is possibly putting a bond up for the little bit of curb work. Once they, if they widen the road, if he gets an agreement with the neighbor to do a lot line change, open up the other area, we can do that, that was an issue we kind of solved and put on the back burner.

MR. PETRO: That's not a problem putting the bond up for the curb?

MR. S. STEINER: I will put it up for the curb.

MR. LANDER: Number 2, that's the same thing, curbing west side of curb cut on Route 207 is non-existent.

MR. EDSALL: That was the planting area on the left, there was a curb that outlined the planting area so the curb and the planting area were eliminated.

MR. S. STEINER: I will put my cards on the table, we may never negotiate.

MR. PETRO: Bond both curbs.

MR. EDSALL: And the planting area that's in the curb.

MR. PETRO: But that's not a lot of money to bond that.

MR. EDSALL: No.

MR. PETRO: \$1,000?

MR. EDSALL: I'll have to look at the estimate.

MR. BABCOCK: We have to look at the estimate, I didn't bring that stuff, I wish I would have.

MR. S. STEINER: It's approximately \$1,000.

MR. LANDER: Number 3, planting area on east side of curb cut is incomplete, does not conform to detail on plan Our stand on that was if so, how many plants are we talking about here?

MR. S. STEINER: What's happening with the water

restrictions right now if we put in all this shrubbery, I mean, should we hold off, can we take a moratorium?

MR. PETRO: What's there now? Is there any planting there at all, Mark?

MR. EDSALL: I think there was a couple items planted.

MR. PETRO: That's good enough. I don't want to see that on there again.

MR. LANDER: We're not going on any of the planting areas.

MR. PETRO: I like everything when I ride by, very happy, looks nice, I get excited. Let's go to something else.

MR. LANDER: Parking in rear sign at entrance missing.

MR. S. STEINER: That's done.

MR. LANDER: Interior curbs shown as Belgian block are asphalt.

MR. S. STEINER: These are eliminated and went right to the State curb with the blacktop.

MR. LANDER: Another island on the plan.

MR. EDSALL: There was a planting island in the front, that's the one you just eliminated.

MR. LANDER: Shaped curb at east side of property near back of building missing.

MR. EDSALL: That's one you said for truck movement.

MR. BABCOCK: The curb along the side, if he wants to make the turn to back a truck in, it doesn't work. It looked nice on the plan and nice the way it made the movement, we said that that was okay.

MR. PETRO: Number 7 is out.

MR. LANDER: Mr. Chairman gave them relief on that.

MR. BABCOCK: That's correct.

MR. LANDER: Curbing along east side of building along sidewalk not installed.

MR. S. STEINER: We put--

MR. LANDER: That's where the sidewalk is?

MR. S. STEINER: Yes, sidewalk that's being used as the curb and there's no parking along here so there's a--

MR. LANDER: Well, normally, you incorporate your curb and your sidewalk all in one thing but all right let's move on. The four and five foot, this is sidewalk along the side of the building is 4 foot not 5?

MR. S. STEINER: Well, handicapped area is 5 and plus 6 then it drops down to 4 the rest of the way.

MR. PETRO: If you're parking cars into it, Ronny's point usually is four is not enough.

MR. LANDER: Handicapped person can't go down the sidewalk because the bumpers stick out.

MR. ARGENIO: I'm with you on all of it. I'll just chime right in if I disagree on anything.

MR. LANDER: Handicapped sign mounted too low.

MR. S. STEINER: That's corrected.

MR. LANDER: Rear lot area not paved.

MR. PETRO: That's the biggest item. The other ones you're going to bond which would be anything in the State right-of-way, talk with Mark and Mike and get that bonded one way or the other because we can't do anything with that no matter what.

MR. S. STEINER: Understood.

MR. PETRO: You've got that, Mark?

MR. EDSALL: We're just talking if you're removing the planting island on the west side of the entrance, you don't need the curb anymore.

MR. PETRO: Good.

MR. EDSALL: If you have eliminated it, you don't need it, otherwise, you're not going to have a curbing area, just going to be open.

MR. PETRO: I don't know how to help him on number 11 so I don't know what to do about that, anything that's required parking has to be paved.

MR. ARGENIO: For the record, as Mike said earlier, we'll accept a partial section, is that correct, in binder, only as long as it's a dust free surface?

MR. PETRO: Does it say required parking spots? Do you have a plan here?

MR. EDSALL: They're all required.

MR. BABCOCK: They provided 19, they're required to have 19.

MR. ARGENIO: Is that right or not?

MR. S. STEINER: Approximately.

MR. LANDER: 7,000 square feet at a dollar and a half so what do you got left, a thousand dollars just to get you so you can put stripes on it, so a handicapped person can--

MR. S. STEINER: Well, they're up here.

MR. LANDER: You still can't stripe the shale so--

MR. S. STEINER: What happens if they come in and want to dig up now, they're required, the EPA says they want the soil dug up, it's going to destroy the place.

MR. LANDER: I would imagine it would.

MR. S. STEINER: This was one parcel of land and you know rumors sometimes they're surfacing for a reason, man came over to me and said you're costing me \$3,000 a month by moving in here, I can't sell gasoline, I'm losing my parking business and I don't think we're ever going to resolve the encroachment.

MR. ARGENIO: I don't understand that, you're costing him \$3,000 a month?

MR. BABCOCK: He was using his whole property, he had all his gas tanks and parking on this guy's property.

MR. PETRO: I want to move this along, if they come in and dig it up, I can't do anything about that. The bond that he has to put up can he not purchase a bond, he doesn't have to put up a cash bond?

MR. EDSALL: He can purchase a paper bond or put up a letter of credit which means that he's still got the money gaining interest.

MR. PETRO: Letter of credit is almost like cash unless he had a CD and put it up as collateral, can't he go to an insurance agent and buy the bond for--

MR. EDSALL: They're tough to get, too. It's another option from the insurance company.

MR. PETRO: We're looking at the bond is now at \$10,000, not 20.

MR. EDSALL: The bond is going to be set based on the standard numbers of the town. We can't rewrite again, we have numbers we apply.

MR. PETRO: I don't have the numbers.

MR. EDSALL: We'll use the same numbers we used for the last hundred applicants that have come through the doors.

MR. PETRO: Would seem to me by what we just discussed

it's going to be a lot less than what originally it was, so you made some progress, but I don't know any way around blacktopping that back area, even if we let it go to the end of the season, I don't know how to do that, frankly, really just can't do it, right?

MR. EDSALL: It's not what the law says. Law says you have to have the work done or bonded when you ask for your C.O.

MR. S. STEINER: So if we get it bonded for \$10,000, could you live with that?

MR. PETRO: Mark's going to make up the bond. I'm assuming just by being an educated guy that we just eliminated 10 of 11 items that it's going to be considerably less than 19, 5 that he has here now and Mr. Lander told you the paving is going to be 10 or 11,000, that seems to me approximately, all that you have left. What else is on that list? Basically, the paving, so I think you're going to be in that area, yes, you can try to purchase the bond, I would try that first.

MR. S. STEINER: We have to do this starting tomorrow morning right way so if we, when will I know the dollar amount?

MR. EDSALL: I can try it now.

MR. PETRO: What's the figure you use for blacktop?

MR. BABCOCK: It's all set in the cost estimate.

MR. EDSALL: There's a schedule we use to apply to everybody so we treat everybody fairly. Tomorrow morning I can look it up.

MR. S. STEINER: We just got an estimate tonight \$1.50.

MR. EDSALL: Some people's estimate.

MR. PETRO: You can get it cheaper.

MR. LANDER: Don't listen to him.

MR. EDSALL: I'm sure he'll be cheaper than that guy.

MR. S. STEINER: You will be?

MR. EDSALL: Just kidding.

MR. PETRO: Good luck.

MR. S. STEINER: Thank you very much. If this bond is presented within the next day or two--

MR. BABCOCK: As soon as he gets the thing you've got the C.O.

MR. S. STEINER: Inspectors have been through, electrical, everybody has been passed, so we can switch our business over by May 1st?

MR. EDSALL: Can I get a fax number?

MR. PETRO: Here's your plans and your pictures.

MR. S. STEINER: 567-3786.

MR. PETRO: Mark, I want to let you know you do a fine job at the estimates and bonds and you're doing your job and we know that you're doing the right thing, just we're trying to just work with the people.

MR. EDSALL: Bottom line is when there's 11 differences on the plan, I think it's your decision to change it, not mine.

MR. ARGENIO: Don't you agree he's done a beautiful job? It's a first class eyesore two years ago, it's no longer an eyesore.

MR. EDSALL: In all fairness, we don't have the right to change the site plan in the field so that's why it comes back to you folks.

DRAKE, SOMMERS, LOEB, TARSHIS & CATANIA FOR GMH  
MILITARY HOUSING ZONE CHANGE REQUEST

MR. EDSALL: Everyone is familiar with the Clark Street, is it?

MR. BABCOCK: Yes.

MR. EDSALL: Stewart Terrace housing, which is the military housing off Route 207, that property is going to be very shortly in front of planning board for possibly a subdivision and either one or two site plans. Basically, they want to reconstruct the multi-family military housing and apparently, the government has used a new approach on military housing, privatizing military housing now so it goes out as a joint venture between private parties and the military. The meetings we have had to date have been to help them understand New Windsor zoning and as a result of those discussions, they have come to the conclusion that they cannot accomplish what they're intending to do unless they have a rezoning to R-5.

MR. BABCOCK: That's correct.

MR. EDSALL: We're trying to resolve some R-5 issues with them but their first step was a request to the Town Board for rezoning. The Town Board referred this to you folks for the mandatory recommendation so it's multi-family now, it's technically non-conforming because the military, they weren't subject to zoning but now it will be so they have to meet the zoning.

MR. PETRO: What's the new zone going to be?

MR. EDSALL: R-5 multi-family, which is really what it is now and they with have to come back in with site plans and they have to split a subdivision. R-5 is one unit per 7,000 square feet of lot area.

MR. PETRO: Which is approximately 6 units per acre.

MR. EDSALL: It's R-3 right now, but that property was not subject to New Windsor town zoning because it was military property.

MR. PETRO: They want to make it a legal multi-family use.

MR. EDSALL: They have to apply for this board because it's going to be privatized. Before they make the application, they want to get the zoning to where it should be is the bottom line.

MR. PETRO: What the board would need to do is make a positive recommendation to the Town of New Windsor Town Board to go from the R-3 to the R-5 zoning, that's what we need a motion for, but I think Tom wants to talk first.

MR. KARNAVEZOS: The question is is it still military property or joint venture now and no longer?

MR. BABCOCK: It's going to be me or you can live there in part of it and it's going to be part which is on the very top is going to be still military.

MR. EDSALL: Combination of market rate units, they're calling them luxury units, and then there's going to be also multi-family and then there's going to be also on the left side the west side of the site housing for military personnel, my understanding of the concept at this point is the easterly portion will be apartment style, the western side is going to be duplexes, triplexes, quadplexes, kind of like pods of buildings, so two different styles.

MR. PETRO: All up scale, too, but one thing Tom should know is the Army is still in control of everything and it cannot be condos, it's going to be apartments only. The reason we're going with apartments there they need to have them back on a 30 day notice in case of time of war, they're going to house their own people.

MR. KARNAVEZOS: That was the rumor I heard too.

MR. PETRO: That's why they're not condos because they have to have control of each unit, national emergency that they can go in and take them right back immediately, 30 days.

MR. KARNAVEZOS: Well that's what I heard, too, that's the only question I had.

MR. PETRO: They also spit out this number that every ten year period, the average of 28,000 will be spent on each unit for upgrade, like a government law.

MR. LANDER: It's like Dunkin Donuts, they upgrade.

MR. KARNAVEZOS: We collect tax money from that government piece of property?

MR. PETRO: We are now.

MR. KARNAVEZOS: We definitely will be collecting tax money now?

MR. PETRO: Yes.

MR. KARNAVEZOS: So yes, they do, that's the only question I wanted to know, I couldn't understand if it's still military property to me, I still consider military property, if you can chase everybody out of an apartment that they're living in for 30 days, in 30 days.

MR. EDSALL: It's some type of a lease arrangement.

MR. PETRO: Yes, this group is leasing the property from the military.

MR. EDSALL: For 50 years, is it, Jimmy, the term of the lease is 50 years?

MR. PETRO: Fifty or a hundred.

MR. EDSALL: There's requirements so that it wouldn't turn into a run down development on the 49th year. As Jim said, there's requirements that every 10 years, 20 years that they have to spend so much money and then there's also requirement that right before the 50 years the place almost gets redone so it's going to be a guaranteed maintained facility.

MR. PETRO: Positive recommendation, can I have a motion?

MR. BRESNAN: So moved.

MR. ARGENIO: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board give a positive recommendation to the New Windsor Town Board for the GMH military zoning housing request from R-3 to R-5. Any further discussion? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. LANDER	AYE
MR. PETRO	AYE

JOHN MILLER - (92-39)

MR. EDSALL: Planning board application 92-39, if you can remember back ten years, New Windsor Business Park, John Miller, the New York Life building, the plan as it was submitted showed both Phase 1 and Phase 2, Phase 2 was shown as dashed addition and dashed parking, apparently they are prepared to build Phase 2 and it was shown on the plan they are inquiring as to whether or not they need to come back to the planning board, make an application and I have looked at it and normally, if we don't want to review Phase 1 and Phase 2, we tell them to take off Phase 2, but they didn't, parking is shown, building is shown.

MR. PETRO: Does it conform the parking and everything?

MR. EDSALL: So the bottom line is we believe that the intent was to approve it all and they were just going to build it in phases.

MR. BABCOCK: The parking requirements have gotten less restrictive.

MR. EDSALL: If there is no objection from the board.

MR. PETRO: Make it simple, it's a beautiful site, I'm sure whatever they do they're going to do it as nice as the original.

MR. LANDER: Back then, they were going to phase that.

MR. EDSALL: So we have received an inquiry from Cathy Dewkett, she's in Rhinebeck, still Dewkett Engineering, if the board has no objection, we'll just advise them that I have reviewed it with the building inspector and the planning board concurred that they can proceed with Phase 2.

MR. PETRO: Okay.

MR. EDSALL: Without need of any further application.

MR. PETRO: Yes. Motion to adjourn?

April 24, 2002

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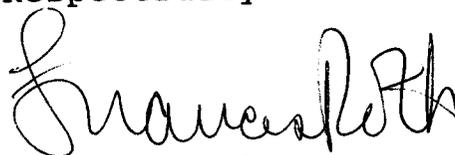
MR. BRESNAN: So moved.

MR. ARGENIO: Second it.

ROLL CALL

MR. ARGENIO	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. LANDER	AYE
MR. PETRO	AYE

Respectfully Submitted By:



Frances Roth  
Stenographer