

# Town of New Windsor

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## OFFICE OF THE PLANNING BOARD

WEDNESDAY – FEBRUARY 26, 2003- 7:30 PM  
TENTATIVE AGENDA

### CALL TO ORDER

### ROLL CALL

APPROVAL OF MINUTES DATED: JANUARY 8, 2003

### ANNUAL MOBILE HOME PARK REVIEW:

- a. Silver Stream Mobile Home Park – Rt. 207 (from previous agenda)
- b. Nugent Mobile Home Park – Union Ave.
- c. Monaco Mobile Home Park – Walsh Ave.

### REGULAR ITEMS:

1. **FIRST COLUMBIA SUBDIVISION (02-200) STEWART AIRPORT PROPERTY (BETTE)** Adopt Final DEIS Scope
2. **GMH SITE PLAN & SUBDIVISION (02-16, 17 & 18) STEWART AIRPORT PROPERTY** Proposed military and market-rate multi-family housing.
3. **MARGHERITA'S HAIR ZONE (PROKOSCH) SITE PLAN AND SPECIAL PERMIT (#03-02) WINDSOR HIGHWAY (PROKOSCH)** –Proposed Hair Salon with caretaker's apartment.
4. **E & M CONSTRUCTION SUBDIVISION (#03-03) RT. 300 & SHEPRO LANE (DALY)** Proposed two-lot residential subdivision
5. **BLOOM & BLOOM SITE PLAN (#02-22) BLOOMING GROVE TPK. (BLOOM)** Proposed addition to existing law offices.

### DISCUSSION

6. **MEADOWBROOK ESTATES (#01-42) Rt 94 & Mt. Airy Road** – Request for public hearing

### CORRESPONDENCE

7. **MOORES HILL ESTATES SUBDIVISION (98-4)** Request for 6 month extension of preliminary approval.

### ADJOURNMENT

(NEXT MEETING –MARCH 12, 2003)

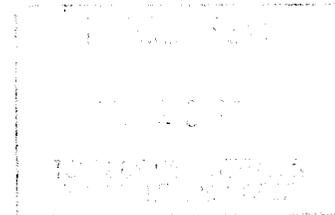
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TOWN OF NEW WINDSOR

PLANNING BOARD

FEBRUARY 26, 2003



MEMBERS PRESENT: JAMES PETRO, CHAIRMAN  
RON LANDER  
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

ABSENT: JIM BRESNAN  
JERRY ARGENIO

REGULAR MEETING

MR. PETRO: I'd like to call the February 26, 2003 meeting to order. Please stand for the Pledge of Allegiance.

(Whereupon, the Pledge of Allegiance was recited.)

APPROVAL OF MINUTES DATED 1/8/03

MR. PETRO: Approval of the minutes dated January 8, 2003. We do have two members absent tonight, Mr. Bresnan and Mr. Argenio, it takes three to have a quorum which we do have which we need a full vote to pass anything, so if someone doesn't want to take that

shot and wants to change their timing and not come tonight let me know right now. Does anybody want to excuse themselves? I didn't think so. Approval of the minutes dated January 8, 2003, can I have a motion for those to be accepted?

MR. LANDER: So moved.

MR. KARNAVEZOS: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board accept those minutes as written with no further questions, corrections. Any further comments from the board members? If not, roll call.

ROLL CALL

MR. KARNAVEZOS	AYE
MR. LANDER	AYE
MR. PETRO	AYE

ANNUAL MOBILE HOME PARK REVIEW:

SILVER STREAM MOBILE HOME PARK

MR. PETRO: Is someone here tonight? Would you come forward, sir, please and Mike, has someone from your department been there? Do you have any other comments?

MR. BABCOCK: Yes, we have, Mr. Chairman, and everything seems to be in order there.

MR. PETRO: Check for \$685 for one year extension made out to the Town of New Windsor. Any comments from the members? If not call for one year extension.

MR. LANDER: So moved.

MR. KARNAVEZOS: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board approve one year extension for the Silver Stream Mobile Home park. Is there any further discussion. If not, roll call.

ROLL CALL

MR. KARNAVEZOS	AYE
MR. LANDER	AYE
MR. PETRO	AYE

NUGENT MOBILE HOME PARK

Mrs. Kathleen Nugent appeared before the board for this review.

MR. PETRO: Mike, any problems there?

MR. BABCOCK: No, everything seems to be in order there also, Mr. Chairman.

MR. PETRO: Check for \$100 made out to the Town of New Windsor. Motion for one year extension?

MR. LANDER: So moved.

MR. KARNAVEZOS: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant a one year extension to the Nugent mobile home park on Union Avenue. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. KARNAVEZOS	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MONACO MOBILE HOME PARK

Mr. Carmen Monaco appeared before the board for this review.

MR. PETRO: Any comments?

MR. BABCOCK: No, everything seems to be in order.

MR. PETRO: One year extension. Now, Carmen, do you want to come up and bring your money?

MS. MASON: We have the check.

MR. PETRO: \$100 check made out of the Town of New Windsor which we have.

MR. MONACO: Yes.

MR. PETRO: Any comments from the board members? Entertain a motion for one year extension.

MR. LANDER: So moved.

MR. KARNAVEZOS: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant one year extension to the Monaco mobile home park. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. KARNAVEZOS	AYE
MR. LANDER	AYE
MR. PETRO	AYE

REGULAR ITEMS:

FIRST COLUMBIA SUBDIVISION (02-200)

MR. PETRO: Someone here to represent this?

MR. EDSALL: No, I told them this was just a procedural item, saved them a little travel.

MR. PETRO: Bring us up to date.

MR. EDSALL: The board pos dec'd the subdivision application in recognition that was part of a major action involving the redevelopment of New York International Plaza, the First Columbia leased parcel. The board worked with First Columbia in preparation of a scope, you noticed the public that it was prepared, received public comment, we've gone through I think three revisions since trying to address the concerns of both our office, Stu Turner, who's a planning consultant that the board authorized to be brought on board to assist in the review and as well comments from the public and the board that we received. What you have attached to my comments are a final version of the scope that we believe addresses all the issues and it's my recommendation that the board adopt the scope and direct the applicant to prepare a DEIS for the board's review.

MR. PETRO: Basically we're just going to make a motion to adopt the scope as written.

MR. EDSALL: As attached, yes.

MR. PETRO: No further discussion or additions or subtractions to it, it's as written?

MR. EDSALL: As written, this includes all the comments I'm aware of from both the board members, Stu Turner, the public as we received any correspondence, so I think this will do it. We should all recognize that once the DEIS is submitted, there's an opportunity to comment on that then even if the FEIS when it gets to a point it's submitted, there's an opportunity to comment, so there's an opportunity for a lot of public

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comment beyond this point.

MR. PETRO: Motion to accept, to approve the scope as written and as Mark just discussed?

MR. LANDER: So moved.

MR. KARNAVEZOS: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board accept the scope for First Columbia New York International Plaza Parcel H subdivision as written. Any further discussion from the board members? If not, roll call.

ROLL CALL

MR. KARNAVEZOS	AYE
MR. LANDER	AYE
MR. PETRO	AYE

GMH SITE PLAN & SUBDIVISION (02-16, 17 & 18)

Mr. Jim Sperry appeared before the board for this proposal.

MR. SPERRY: Jim Sperry, BL Companies.

MR. PETRO: This project involves subdivision of 69.78 plus or minus acre parcel into two lots. This is the subdivision we're looking at first.

MR. SPERRY: Exactly.

MR. PETRO: Parcel into two lots associated with the proposed multi-family development. This was previously reviewed at the 26 June, 2002, 9 October, 2002, 11 December, 2002 planning board meetings. All right, Jim?

MR. SPERRY: I think I'm going to be very brief tonight on all three of these, in fact, on the subdivision, I don't believe we had any comments of any significance at all last meeting and in the public hearing so I'm just going to open it up for any questions that the board may have written up.

MR. PETRO: We've seen this is the fourth time I believe Mark you don't have anything further on this right as far as--

MR. EDSALL: No, just the review of the final plan for stamping but it's all the issues I believe have been addressed.

MR. PETRO: And I think that we can move forward with this, I don't see this as a problem.

MR. EDSALL: No, I think it's your option. One thing you have to do before you can move forward on any approval tonight or any future time is we have to get SEQRA out of the way. Are you inclined to deal with that tonight?

MR. PETRO: Yes.

MR. EDSALL: Okay, as you're aware, the subdivision and the two associated site plans the board considered as a single action under SEQRA rather than doing the evil deed of segmenting the review. So you have incorporated it all into a single environmental review, the board from their review acknowledged that it could be considered a Type I action because of the total number of units but there's the curve ball that there are existing units out there and if you stay the existing units and subtract those from the proposed number of units, the resultant new units don't exceed the threshold. But to be conservative, the board treated it as if it was a Type I and did a very thorough review and subsequent to receiving a full EAF, you also asked for drainage studies and a separate traffic study. The traffic study was the only open issue of any significance. There was one submitted, we had comments, we returned comments back to the applicant, they have resubmitted, that's been reviewed by Phil Greely who is the traffic specialist who we brought on board, that's now been all resolved. And to cut to the chase, the bottom line determination is that this board's requirement that Clark Street extension was needed was reflected in the traffic study as being mandatory, if that's not included, it creates an unacceptable level of service out on 207, so we should keep that in mind when First Columbia comes back, that crossconnection between the Clark Street extension with the alternate access through the First Columbia parcel is a critical item and we're all aware of it. But the traffic study supported the chairman's initial beliefs so that's a, it's a good thing that you included that. With that in mind, all the issues that were raised have been addressed and attached to my comments for the subdivision is a negative declaration which was prepared in cooperation with the applicant's attorney. If you want to take a look through that and then consider adopting that, it would be appropriate, I believe.

MR. PETRO: Okay, when we adopt this, my question then would be it's for all three parcels?

MR. EDSALL: Covers all three applications which under SEQRA is considered one action.

MR. PETRO: We can do this at this time under the subdivision portion of it, we don't have to wait for the site plans?

MR. EDSALL: We'd adopt it and acknowledge that it covers all three applications.

MR. PETRO: Any members have any problems with that or additions or subtractions to any of this? I think Mark's gone over it pretty thoroughly along with the applicant. I'm certainly ready to adopt it if we have a motion.

MR. LANDER: So moved.

MR. KARNAVEZOS: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board adopt the negative declaration that's been prepared by the applicant and by Mark Edsall as written. Is there any additions, subtractions or any changes to this by any of the members? We already know that Mark finds it acceptable, if there isn't any, I don't hear any, I will do a roll call.

ROLL CALL

MR. KARNAVEZOS	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. PETRO: That's for all three portions of this application. All right, we've seen this subdivision a number of times, it's a minor subdivision, and I think it's ready to go, so I think with this one tonight we can grant final approval to the GMH Stewart Terrace minor subdivision.

MR. LANDER: So moved.

MR. KARNAVEZOS: Second it.

MR. PETRO: Motion has been made and seconded that the

New Windsor Planning Board grant final approval to the GMH Stewart Terrace minor subdivision Clark Street which is off Route 207. Is there any further discussion from any of the board members? If not, roll call.

ROLL CALL

MR. KARNAVEZOS            AYE  
MR. LANDER                AYE  
MR. PETRO                 AYE

MR. PETRO: Jim, I think you're up next.

MR. SPERRY: I'll be thorough again, very quickly on the site plans and just comment that there were numerous clean-up type comments I think after our last meeting and review by Mark Edsall and we have addressed those and I think Mark can certainly comment on the level of that. There are perhaps some minor housekeeping items that we still have to address as we just close the final plan and additionally, any concerns that came out in the public hearing for both the site plans we have addressed those. We have letters that document, for example, the water and sewer capacity so all those issues that were brought up in the last meeting were addressed. First plan is P1, the lot 1 for the market rate and one of the primary concerns was revisiting the parking layout which we did and we adjusted the layout I think of the parking areas and how each of the buildings spoke to that and other than that, just some very, very minor utility comments so open it up for questions again.

MR. PETRO: I know it's covered in the statement that we just adopted but go over the downstream drainage for me one more time, I just want to get a good idea how the water and where it's going.

MR. SPERRY: Let me take you, if I can, both lot 1 and 2 just so you understand and it's a little easy to see I'll start really here, you've got two watershed areas on the site, what we call the upper terrace which is part of lot 2 and all of this actually drains up into the corner over here and right now, there's just a

discharge point where it moves down into a swale off the site, with no means at all for a storm water management. Again, it's a collection system within the street. On lot 2, excuse me, the lower portion of lot 2, this water all drains towards the lower portion of the site right now and let me go to lot 1, explain where that ends up going, again, it's in-street collection system right now located within this area and also throughout the existing roadway section in lot 1, all of which then has direct discharge into the adjoining stream. I believe there's four or five locations and you've got like 1, 2, 3, 4, possibly a 5th and these are pipes again that just directly discharge into the stream. Right now, our plan first we've looked at the system, we have evaluated pipe sizes, identified where pipes have to be replaced and increased in size and we have also brought into lot 1 significant detention area that's going to be shown on the grading plan but really runs all the way through this area where the water comes in, it collects into that and we're doing what's called a first flush treatment for water quality and a limited amount of detention so we're actually creating the situation now where there's some control outflow that does not exist now.

MR. PETRO: You said four or five, is there four or five?

MR. SPERRY: I think there's four of them that had been identified, I think there was a question that there might be a fifth one that nobody can find because of the fact that the wall over in this area.

MR. PETRO: Obviously, it will function without that.

MR. SPERRY: Exactly.

MR. PETRO: Did you ever find a name for the stream.

MR. SPERRY: Yes, it's Gillick (phonetic) and it's on our plan, by the way.

MR. PETRO: The outflow you're telling me it's controlled through the detention basin, it's going to

be actually probably better than it is at this point.

MR. SPERRY: Absolutely, that's both quantity and quality, the most significant thing is that there's absolutely no control for either one right now.

MR. PETRO: You have upsized some of the interior drainage systems, I know some are smaller.

MR. SPERRY: We have both for size, condition and also location of the basins we have adjusted some and that's throughout both lot 1 on lot 2.

MR. PETRO: Last thing I'm going to bring up again is the road that's now the extension of Clark Street, Mark, before I go any further, Clark Street, is it a town road or isn't it? There was some discussion about that, again, Clark Street, the main portion I thought was a town road and we were because there was some discussion.

MR. SPERRY: It's not.

MR. EDSALL: I have heard both answers but last I heard was that it was not and to make it even clearer this application proposes that none of the roads be town roads.

MR. PETRO: So the extension is picking up off the private road, Clark Street?

MR. SPERRY: Right and we have a detail of that, by the way.

MR. PETRO: Twenty foot.

MR. SPERRY: Twenty 20 foot, we're increasing it, right now, it varies but we're increasing it so that it has a consistent 20 foot carriage way all the way through, we're adding guardrails and we're improving the shoulder of the road as well so that it meets the current private road standards of the town.

MR. PETRO: But not impacting any of the wetlands, just straightening it out basically just already uneven?

MR. SPERRY: Correct, all the work is going to be done within the existing roadway.

MR. PETRO: Two way complete flow in and out of the property?

MR. SPERRY: Yes.

MR. LANDER: Now, how many buildings are existing there now military housing?

MR. SPERRY: 299 I believe is the current number.

MR. LANDER: They're still occupied?

MR. SPERRY: In different stages of being occupied now, yes.

MR. LANDER: And the plan is after the lease is up in 50 years it will revert to the government?

MR. SPERRY: Exactly.

MR. LANDER: And the traffic study was, how is that going to impact the local community?

MR. SPERRY: What's interesting in the study--

MR. LANDER: Cause we have 299 but they're not exiting off the base, they were coming from housing onto the base.

MR. SPERRY: Exactly. What was interesting was that when we did that, first we looked at just the Clark Street and the impact right through there and comment came back the question was can we look at 207 and 300 and Drury Lane and 207 and as this is done in phases in the first couple of phases, it really has no impact at all, only when you get to a full built scenario to be conservative because the Drury Lane connector is in litigation, we opted to look at it in a no-build scenario, what if this is not built, what happens and we did, if we get to the full build of this project and the connector has not been constructed, we have to go

back and look at the activity on 300 because if we get all the activity in particular Clark Street going out onto 207, it's not going to create a problem on 207 itself but it's going to create more of a backup for people trying to get out on 207 and because of the, there will be the light at the Avenue of the Americas but to be conservative again to make sure we get traffic out of 207, the conclusion on it was that we may have to look at and do a deceleration lane into the project down just to move the traffic out of the free flow on 207. But that would only be something to look at not even guaranteed we need it but to look at it if we get to full build-out and Drury Lane still does not exist other than that as we look at the other intersections, even with the no-build, the conditions on the, for example, 300 and 207 really don't, there's no degradation to that due to the fact that so much of the traffic is already in the mix because of the project, the fact that these units have been there for so long and the increase is not so great.

MR. PETRO: I want to read comment number 2A, final review of the plans by the planning board engineer to determine that all corrections are included on the plans to be stamped. This should include a final evaluation on the adjustment or relocation of approximately 12 units to result in better parking distribution as well. The plan should identify and note that one of the units is an office, what's that all about?

MR. EDSALL: Well, as you recall, one of, as part of the site plan review, one of my concerns was that the parking, although the gross number may be adequate, that the distribution of the parking is consistent with the distribution of the housing units. And what I effectively did was took areas and looked at the total site and created almost pods of where parking lots that were near buildings and where the likely parking would occur for different units and there was one area that had quite an imbalance and I have come up with an idea of moving a couple units where the parking is and where the units may fit but I'm not aware of what other impacts may occur, it could live the way it is now but what I found may be an improvement so I'm suggesting

and we may have it resolved when they come back is to look at the alternative of moving four of the blocks as it may be which is three stories tall.

MR. PETRO: You're aware of this?

MR. SPERRY: We're aware and we agreed that we can do that because it doesn't, you may recall the way we designed it around the infrastructure roadway that's in there right now, so we don't have to impact anymore than necessary. That being said, utility infrastructure really gets in there, we're making improvements to it, but even moving some of the units is not going to have an impact on that if we have to adjust and move a unit, perhaps flip it.

MR. PETRO: This plan is not reflecting the change?

MR. EDSALL: Correct, we don't know if it will for sure work. The second issue on that that you discussed, Jim was just that as you recall was that of those units, one was on office and there's some cases where it's listing total number of units, but not indicating that one is an office. So I want the plans to be complete and consistent when you're ready to stamp them, I don't think either are significant issues but just final tune-ups to the plan.

MR. PETRO: So adjust that to either accommodate his new comment.

MR. SPERRY: We want to get what Mark's thoughts are and see if an adjustment can be made and if it makes sense we'll make it.

MR. EDSALL: Initially, I think the parking was more imbalanced, they did a real good job of moving things around creating new parking and it's very balanced now, just that one area that I'm concerned about.

MR. PETRO: Don't necessarily have to do it but you're going to explore the idea of doing it, see how it works out.

MR. SPERRY: Absolutely.

MR. PETRO: Anything else?

MR. SPERRY: No, unless there's any comments on lot 1 or 2, lot 2?

MR. PETRO: No, I don't have anything else. Mark, do you have anything else you want to add?

MR. EDSALL: No, as Jim said we started out with a very long list of concerns and comments and we boiled them down to just a couple so we're on the home stretch.

MR. KARNAVEZOS: The only comment I have was the back road that we were talking about as part of the traffic study, is that First Columbia's responsibility to redo North Jackson Avenue, is that where the traffic's going to come out of?

MR. PETRO: They don't have responsibility to do it at this time, it's coming out on there right now, it may be part of their plan but we're not requiring it as part of this application.

MR. KARNAVEZOS: I thought we needed two egresses to get--

MR. PETRO: We do here but it's already passable, they're going to bring it up to that point and what happens at that point we'll review when First Columbia gets to there.

MR. EDSALL: My concern is that when we get First Columbia in as part of their SEQRA document where they look at the overall plan, we have to ensure that that cross-connection doesn't go away and if anything it gets improved.

MR. SPERRY: You may recall we took LSI through, there was a provision made when we realigned the road and the intent was that the road that would pass LSI and comes over and connects into Jackson which allows any connection directly to Avenue of the Americas.

MR. EDSALL: It's a convenient alternate access.

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MR. PETRO: Thank you.

MR. SPERRY: Thank you very much.

MARGHERITA'S HAIR ZONE (PROKOSCH) SITE PLAN AND SPECIAL PERMIT (03-02)

Mr. Al Prokosch appeared before the board for this proposal.

MR. PETRO: Proposed hair salon and caretaker's apartment. Where is this?

MR. LANDER: Route 32 next to used to be Amaco Transmissions right across from Carpet World.

MR. PETRO: The property is located in a C zone, proposed hair salon which is a use by right, caretakers property special permit B5, we're going to have a public hearing for the special permit?

MR. EDSALL: Yes.

MR. PETRO: There's a few corrections that need to be done on the plan which when you leave you can take a copy of Mark's comments, just relay that to your engineer.

MR. PROKOSCH: There's an amendment to the plan, we want to bring the culvert all the way across.

MR. LANDER: Do you have a copy of this plan? Put it right up on the board.

MR. PROKOSCH: No, I don't.

MR. LANDER: Just give us a brief rundown of what you want to do here.

MR. PROKOSCH: There's an existing culvert underneath the driveway which has to be extended to make the driveway area larger, we want to bring the culvert all the way across so we can get rid of the rocks and mess that's in there for landscaping.

MR. LANDER: Question for you, it says new covered porch, is that existing now or is that going to be--

MR. PROKOSCH: There's an existing enclosed porch.

MR. LANDER: That's right where it says new covered porch so we'll just change that to existing because that's already there.

MR. BABCOCK: Are you rebuilding it?

MR. PROKOSCH: Rip it down and put up an open porch.

MR. BABCOCK: That's why you're saying new.

MR. LANDER: Thanks for clarifying that, Mike.

MR. PETRO: I like your comment here, says no parking sign should be no parking any time. When does no parking mean some of the time?

MR. EDSALL: We've seen a lot of it, that's the problem.

MR. PETRO: No parking sometimes.

MR. LANDER: But to enforce the law, it has to say any time.

MR. EDSALL: I think that's the legal text.

MR. PETRO: I learn something every day.

MR. LANDER: And the lot in front that's all going to be paved?

MR. PROKOSCH: Yes.

MR. LANDER: How many parking spaces are required? I see you're providing 11.

MR. BABCOCK: They're required 10 and they're providing 13.

MR. LANDER: Says 11 on here and the living quarters is two more?

MR. BABCOCK: Right.

MR. PETRO: Motion to issue a lead agency coordination letter.

MR. LANDER: So moved.

MR. KARNAVEZOS: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board issue a lead agency coordination letter for the project. Any further discussion from the board members? If not, roll call.

ROLL CALL

MR. KARNAVEZOS	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. PETRO: I'd also entertain a motion to authorize mandatory public hearing.

MR. LANDER: So moved.

MR. KARNAVEZOS: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board authorize mandatory public hearing because of the special use permit for Margherita's Hair Salon. Is there any further discussion? If not, roll call.

ROLL CALL

MR. KARNAVEZOS	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. PETRO: Submittal of this application will be necessary to the DOT, you can take care of that and get it out. I guess you have already given copies it says here so Mark will take care of it.

MR. EDSALL: Yes, I have copies, I want to make sure you thought it was ready.

MR. PETRO: That culvert pipe that you want to extend is it on that plan?

MR. PROKOSCH: Yes.

MR. PETRO: So the copies that are going to DOT are showing that?

MR. PROKOSCH: It doesn't show it extended to the point where we want to bring it.

MR. PETRO: Take the plans back from Mark because you're going to change it, you don't want to do it twice, that would be a nightmare.

MR. EDSALL: For the one out in the state highway, yeah, you'd want to show it before we send it to DOT, show it the way you want it.

MR. LANDER: It's 24 feet wide here on the plan, what's existing there now 24 feet, no?

MR. PROKOSCH: No, maybe 15.

MR. LANDER: So your plan is reflecting what you're going to do, that's my point.

MR. PROKOSCH: Well, it's reflecting the culvert coming up to the edge of the new driveway, the end of the new entrance, but we want to bring the culvert all the way across the property going towards Ace Transmission.

MR. PETRO: He better get it on the plan.

MR. LANDER: It's 24 feet wide he has on the plan, what I'm saying is now existing is probably only 12 feet, it's a driveway right going to that?

MR. BABCOCK: Right.

MR. LANDER: Now he has on the plan 24 feet wide, he's extending the culvert now he's already doing that.

MR. PROKOSCH: Probably want to extend it to 40 feet.

MR. LANDER: You want to go up going south on 32?

MR. PROKOSCH: Yes, continue up the property so we can get out of the swale in the front.

MR. LANDER: Yeah, you have to do that.

MR. KARNAVEZOS: Can you do that from drainage coming off the road?

MR. LANDER: I don't see why not. Well, I can't speak for DOT.

MR. KARNAVEZOS: DOT issue, not ours.

MR. BABCOCK: The most they can do is make him put a slotted drain if there's an area.

MR. EDSALL: They may make you put a basin before the driveway cut.

MR. LANDER: He wants to run that all the way up to 40 feet you know.

MR. PETRO: They'll have to look at it, do it right on the plan, otherwise, they're going to kick it back.

MR. LANDER: Reflect what you want to do on the plan cause you don't want to deal with them more than once, deal with them once, hopefully you get away with your skin.

MR. PETRO: There's six or seven items here on Mark's notes, if you take that, correct the plan and we issue, authorize the lead agency coordination letter tonight, public hearing and I think once you get the plan corrected, you can come back and we'll set you up for a public hearing. There's not much more we can do tonight but take a page of Mark's comments.

MR. PROKOSCH: Okay, conceptually nobody has a problem?

MR. LANDER: No.

E & M CONSTRUCTION SUBDIVISION (03-03)

Mr. Rob Daly appeared before the board for this proposal.

MR. PETRO: Proposed 2 lot residential subdivision, involves subdivision of 2.4 acre parcel into two single family residential lots, R-4 zoning, so you were permitted to go higher so you're going to put two single families in the R-4 zone. Okay.

MR. DALY: My name is Rob Daly and I'm here representing, the applicant E & M Construction, the owner of the property is Jim Massoud and Jim has authorized the applicant to come and proceed before the board with the subdivision of this residential property into two lots. In total, there's 2.4 acres and it's going to be subdivided into two lots, just so you're oriented, this is not, this is Route 300, Temple Hill Road, Continental Manor is right here, this is where the overhead, the lines go and this is right off of the road Shepro Lane, which you're talking about, I sort of darkened in here, it goes down and picks up residences down here of O'Connell and Jim Massoud and this is the property along the frontage 380 foot of frontage on Temple Hill Road. It's being divided between the two lots, lot 1 will be 1.2 acres, lot 2, 1.3 acres and in essence what you're looking at is two dwellings which meet the requirements. You'll see the envelope on here and the black hashed line for setbacks and the driveways come to a common access point on Route 300. Line of sight is not really an issue here even though it's, you know, the road is busy, there's a good sight distance in both directions and when we looked at it, it looked fine. There are a couple of issues that we did want to make sure the board was aware, number 1, this would, both residences would tie into municipal water and sewer. We were showing on the plan which was submitted to the board that the water line would come across Temple Hill Road. That's not the case. We actually have water right here at the corner of Shepro Lane, so we'll be making our hookup from there and bringing it down and addressing that so we don't have to deal with potential cutting up.

MR. PETRO: How are you going to cross the northern lot with the water line to get to the second lot? You're going to do an easement for the water line?

MR. DALY: That was the thought or bringing it down along the existing right-of-ways.

MR. PETRO: The state right-of-way?

MR. DALY: Yes.

MR. PETRO: Depending on the state that could be expensive.

MR. DALY: Well, whichever worked out to be the most practical.

MR. PETRO: But you're going to be bringing down two separate 3/4 taps is what you're going to do, two separate water lines into the lots?

MR. DALY: That's correct.

MR. PETRO: Not one and branch off?

MR. DALY: No, two separate water taps. And just one other issue, I'm sorry.

MR. PETRO: Well, I think you should resolve that and show us how you're going to do that. Right now, you have it coming from across 300 anyway so you're going to change that.

MR. EDSALL: Just a kind of a correction, which is actually a choice, comments 2 and 3 are actually two different approaches as to whether or not because these are residential driveways, if you consider that a need to send it for to DOT for SEQRA, Mike and I were just discussing normally if it's a commercial application, a private road or some other type of a project, you normally do coordinate. But for minor subdivisions where there are just driveway accesses which is a normal permit application, you may not coordinate lead agency. I think that's probably the more appropriate thing. It's a much more minor application. So when

you look at comments two or three, it's kind of an either/or so depending on which approach you want to take you can choose.

MR. LANDER: Let me ask you a question. The sewer's on the other side of Temple Hill Road and the water is on the site where your driveway's going to be?

MR. DALY: No, the existing sewer main runs along the same side, the eastern side.

MR. LANDER: So sewer and water are both on that side?

MR. DALY: That's correct.

MR. EDSALL: The original plan actually they submitted a corrected plan, the original plan showed the water on the west side of Temple Hill Road, the corrected plan shows it on the east side so that both services are available right in front of the lots.

MR. DALY: That's correct.

MR. LANDER: My question was why would you consider even going up to Shepro Lane? I can see if it was on the other side of the road but--

MR. BABCOCK: This plan reflects that the water and sewer line goes directly out from the house to the water and sewer line.

MR. DALY: That's correct.

MR. BABCOCK: And you're talking about going up to Shepro Lane?

MR. DALY: Yeah, I wasn't sure which one you guys had, if you had the water line, you know, the water main crossing Route 300, it does not in this case here it does not so that was amended and I don't know if your plan recognized that or not.

MR. EDSALL: The new plans show conventional services just running out to the road so--

MR. BABCOCK: So there's no cause to have an easement for lot 2 to go across lot 1.

MR. PETRO: He said he's going up to Shepro Lane to get the water.

MR. DALY: No, it's on the same side of Shepro Lane is what I was saying.

MR. PETRO: I thought you were going all the way up there.

MR. DALY: No.

MR. PETRO: All right, scratch on all that.

MR. LANDER: We have a common driveway probably going to have to separate that, DOT's not going to go along with that, neither is the planning board here, it's a nice thought but it just is not done.

MR. DALY: Let me just clarify because what we have, we have two separate driveways with a common access point, I don't know.

MR. LANDER: DOT's going to want those separated.

MR. EDSALL: They can be next to each other but individual.

MR. PETRO: You might have ten foot and ten foot but they can't be combined 15 foot access.

MR. PETRO: Motion for lead agency.

MR. KARNAVEZOS: So moved.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare itself lead agency under the SEQRA process for the E & M Construction minor subdivision on Temple Hill Road. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. KARNAVEZOS            AYE  
MR. LANDER                AYE  
MR. PETRO                 AYE

MR. PETRO: We're not going to do the lead agency coordination letter, just go to DOT as a normal application. Let's discuss a public hearing for a moment. This is R-4 which is permitted use in the zone, matter of fact, it's even a higher use, I don't think this needs a public hearing myself. What do you feel?

MR. KARNAVEZOS: I don't think so.

MR. LANDER: I don't think so, not for two lots.

MR. PETRO: Motion to waive the public hearing under our discretionary judgment.

MR. BABCOCK: R-4 is single family residential.

MR. LANDER: Is there any wetlands here?

MR. DALY: There are no wetlands. In fact, we reviewed it and we put a note on the map that said reviewed state DEC wetlands map and the Federal wetlands map show there are no wetlands on and contiguous to the subject property.

MR. PETRO: Still a motion to waive the public hearing.

MR. KARNAVEZOS: So moved.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board waive the public hearing for E & M Construction minor subdivision on Temple Hill Road. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. KARNAVEZOS        AYE  
MR. LANDER            AYE  
MR. PETRO             AYE

MR. PETRO: We have fire approval on 1/28/2003, I think if you do some corrections to the map and come to the meeting, we'll see you again.

MR. EDSALL: One other issue I think it's important that Shepro Lane is crossing through lot 1 and this plan obviously doesn't show the residence for lot 1 using Shepro Lane. I think we should make it that there's no intent to use Shepro because if it was, we'd have to get into the issue of lot counts, check the deeds to make sure that they have a right to use it, that it wasn't given away, so just indicate that lot 1 will not use Shepro Lane for access without subsequent approval of the planning board. If they wanted to, I guess you guys could review it but we're not dealing with that tonight or at least as part of this application.

MR. PETRO: See you next time.

BLOOM & BLOOM SITE PLAN (02-22)

Daniel Bloom, Esq. appeared before the board for this proposal.

MR. PETRO: This proposes 1 1/2 story addition to the existing attorney's office, the plan was previously reviewed at the 14 August, 2002 planning board meeting, PO zone and I know you had to go to the zoning board for some clarification which I know you did and those comments are put on the map. Are they on the map, Mark?

MR. EDSALL: Yes, they are.

MR. BLOOM: They are on the far right, on the bulk table on the top of the page.

MR. PETRO: Make sure you call me Jim while you're here. I know you too long, you can't call me Mr. Petro.

MR. BLOOM: Thank you. Gentlemen, we were as you indicated we were here last July, I made an application to put an extension on our office so my son who's joined us last July would have someplace to sit, he's been roaming around with a Compaq computer with no permanent quarters. So I promised that I'd come here tonight and hopefully get approval to start the extension. We needed several variances, went to the Zoning Board of Appeals and we obtained them, we needed a variance for parking for the, we needed a variance for the setbacks since it was considered a front yard rather than side yard because of the paper street on the side. The Zoning Board of Appeals granted the necessary variances. We have included also an application for parking, we obtained the necessary variances for the parking as well. I might say that with respect to the paper street and the parking and the access, I have been in communication with Mark Edsall and it's my understanding that there's going to be an attempt to try to coordinate effort in that regard with the owner of the property behind our property who is going to be developing it. As a matter of fact, I have been contacted by the attorney for that

developer and he's indicated to me that they wanted to clarify our rights to use that paper street for ingress egress off Route 94. We have clarified those rights, we have sort of exchanged letters acknowledging our rights to use it and certainly our interest in coordinating their development efforts in that regard along with our site plan, so while at the present time, we have a berm along the side of that road, it's been there for many years, but to keep the water from draining dirt across our driveway and into the catch basin now that it's going to be developed back there we're going to make a coordinated effort to synchronize the development of that road, the enhancement of our parking and I've had a meeting with our neighbors, Planned Parenthood and the podiatrist further down from us, further west of us and as soon as the road goes in, Suburban Court, and is developed properly, it's our intention of course with planning board permission to bring in public facilities, public sewer, public water and use a common easement across the back of your property to do that so it's sort of a work in progress subject to this board's approval.

MR. PETRO: Bulk table must include values for lot frontage, building height, livable area, these are a couple things that need to be corrected on the plan, Mark, I assume they're not. Oh, I'm on the wrong one.

MR. BLOOM: My heart rate just went up there, Jim.

MR. PETRO: Handicapped parking spaces not properly sited, detail should be added to the plan. Motion for lead agency.

MR. LANDER: So moved.

MR. KARNAVEZOS: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare itself lead agency under the SEQRA process for the Bloom & Bloom site plan. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. KARNAVEZOS        AYE  
MR. LANDER            AYE  
MR. PETRO             AYE

MR. PETRO: As far as did you have a public hearing at  
at zoning board?

MR. BLOOM: I did.

MR. PETRO: Anybody show up?

MR. BLOOM: No. I shouldn't say that. My one neighbor  
did show up to the west to support the application.

MR. LANDER: In the rear of you?

MR. BLOOM: No, contiguous to Dr. Kappa's office.

MR. PETRO: Motion to waive the public hearing.

MR. KARNAVEZOS: So moved.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the  
New Windsor Planning Board waive the public hearing for  
the Bloom & Bloom site plan. Is there any further  
discussion? If not, roll call.

ROLL CALL

MR. KARNAVEZOS        AYE  
MR. LANDER            AYE  
MR. PETRO             AYE

MR. PETRO: The planning board should require that a  
bond estimate be submitted with the site plan.

MR. EDSALL: Negative dec.

MR. PETRO: Motion for negative dec.

MR. LANDER: So moved.

MR. KARNAVEZOS: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare negative dec under SEQRA process for the Bloom & Bloom site plan on 530 Blooming Grove Turnpike. Is there any further discussion? If not, roll call.

ROLL CALL

MR. KARNAVEZOS            AYE  
MR. LANDER                AYE  
MR. PETRO                 AYE

MR. PETRO: What's number 7, I'm sorry?

MR. EDSALL: Seven just the same comment as effectively as two, second bullet, but what Mike has requested I thinks it's one of the most important details we have added on site plans is the handicapped parking space detail because in plain terms everybody screws it up so if we give them a detail, it's harder for them to screw it up. So that's one we ask for on a regular basis. It's a technical term, it's in the slang dictionary.

MR. LANDER: Let's go back to number 2, about connecting the end of the parking lot to Suburban Court, it's constructed?

MR. EDSALL: Dan indicated that he's working on that, reasons for it in discussing this application early on there's very much an inefficiency in all three sites having access three places off the road and it wastes space because if they had one common access, they can put more parking spaces in. So I know that one of the engineers representing Planned Parenthood mentioned to me that they were going to discuss it with Dan to make one long parking lot and share it, cross easements, have one access which means they can add more spaces and then have the secondary off Suburban Court. I think it's a great goal and this is just part of it. So I wanted to make it clear that they're proposing that so that they wouldn't have to come back for an amendment if they wanted to put the curb cut in. If the board doesn't object, they can do it when it's

available.

MR. BLOOM: We'd like to do it, we're working on it.

MR. EDSALL: As the subdividers come in with the application you folks have seen, I mentioned it to them and they didn't seem to have a problem but once it's dedicated, they really have no choice.

MR. PETRO: Mark, do you have anything other than the comments?

MR. EDSALL: No, it's in very good shape.

MR. KARNAVEZOS: The only quick comment I have was Shaft Road, is that where it goes by Mr. Shed there?

MR. BABCOCK: That's Suburban Court.

MR. KARNAVEZOS: Cause it's not really not a road.

MR. EDSALL: Not yet, it's a paper road but there's many houses proposed.

MR. PETRO: Behind all that is going to be some houses.

MR. EDSALL: Newly improved town road when they go to build the houses.

MR. PETRO: We're going to have one subject-to which I can read in so if I have a motion for final approval.

MR. LANDER: So moved.

MR. KARNAVEZOS: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant final approval to the Bloom & Bloom site plan subject to the handicapped space detail being added to the plan before stamping. Other than that, I don't think there's any subject-tos. So let's do a roll call.

ROLL CALL

February 26, 2003

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MR. KARNAVEZOS	AYE
MR. LANDER	AYE
MR. PETRO	AYE

DISCUSSION

MEADOWBROOK ESTATES (01-42)

Mr. Ross Winglovitz appeared before the board for this proposal.

MR. EDSALL: Well, Ross is here but we have discussed it, the bottom line is that the board has requested additional information as part of a full EAF, you had decided that it didn't appear necessary or appropriate to pos dec it and ask for a DEIS, that supplemental information was submitted, it's been circulated to the Town of Cornwall cause as you recall, the subdivision overlaps the town line. It's been sent up to DOT to both Planning and to Traffic and Safety and they've had how long to look at it now probably two months at least.

MR. WINGLOVITZ: Just about two months, yes.

MR. EDSALL: They've asked and I believe it's probably fair to go ahead and set a public hearing date in March and tell these other people please get your comments in, you'd like to keep rolling.

MR. PETRO: Now I don't have a problem with setting a public hearing date, you're serviced by municipal water?

MR. WINGLOVITZ: Yes.

MR. PETRO: You realize that it is not available at this time but we can go through the process and bring it up to that point so you realize that if you had approval tonight that it's not going to do you much good until the moratorium is lifted?

MR. WINGLOVITZ: Correct, we're aware of that.

MR. PETRO: But you can get to that point anyway so that's what we're doing.

MR. WINGLOVITZ: Yes, we had a discussion with Mark at the work session.

MR. PETRO: Motion to set a public hearing.

MR. EDSALL: To give us enough time to push them for comments as it may be, maybe the second meeting in March.

MR. WINGLOVITZ: Yes, the 26th.

MR. PETRO: We'll authorize a public hearing when you're complete and Mark is satisfied they have it, motion that someone can make.

MR. LANDER: So moved.

MR. KARNAVEZOS: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board authorize a public hearing for Meadowbrook Estates on Route 94 and Mt. Airy Road when they have everything together as I had just said and Mark is amenable to having it we'll set it up. Any further discussion from the board members? If not, roll call.

ROLL CALL

MR. KARNAVEZOS	AYE
MR. LANDER	AYE
MR. PETRO	AYE

CORRESPONDENCE

MOORES HILL ESTATES SUBDIVISION (98-4)

MR. PETRO: Moores Hill Estates request for 6 month extension of the preliminary approval.

MR. EDSALL: This application has been dragging significantly but I don't believe it's at the fault of the applicant or their engineer. It appears from my discussions with them that this might be the last extension they ask for. They have finally gotten reviews back from Historic Preservation, Army Corps, so they're on the home stretch from what they're telling me.

MR. PETRO: This is for six months.

MR. EDSALL: Six months, hopefully they'll be in for final.

MR. PETRO: Take care of the dates and you'll check the dates?

MR. LANDER: So moved.

MR. KARNAVEZOS: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant 6 month extension to the Moores Hill Estates subdivision. Any further discussion from the board members? If not, roll call.

ROLL CALL

MR. KARNAVEZOS            AYE

MR. LANDER                AYE

MR. PETRO                 AYE

MR. PETRO: Motion to adjourn?

MR. LANDER: So moved.

MR. KARNAVEZOS: Second it.

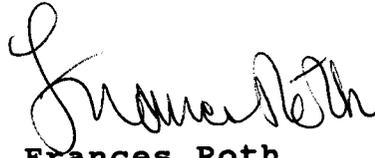
February 26, 2003

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ROLL CALL

MR. KARNAVEZOS	AYE
MR. LANDER	AYE
MR. PETRO	AYE

Respectfully Submitted By:



Frances Roth  
Stenographer

3/10/03