



Town of New Windsor

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OFFICE OF THE PLANNING BOARD

WEDNESDAY – OCTOBER 25, 2006 — 7:30 PM

TENTATIVE AGENDA

CALL TO ORDER

ROLL CALL

APPROVAL OF MINUTES DATED SEPTEMBER 13, 2006 & SEPTEMBER 27, 2006:

ANNUAL MOBILE HOME PARK REVIEW:

- a. WINDSOR HTS. MOBILE HOME PARK – ANNUAL REVIEW

PUBLIC HEARINGS:

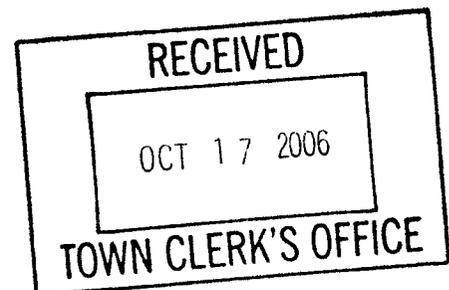
1. SANDCASTLE HOMES SITE PLAN (05-24) RIVER ROAD (COPPOLA)
Proposed three office buildings on three separate lots.

REGULAR ITEMS:

2. APPLE RIDGE SUBDIVISION (06-24) SHAW ROAD (ESPOSITO & ASSOC.)
Proposed 49-lot residential subdivision.
3. RIDGE RISE SITE PLAN (04-27) RT. 32 (ENTEC) Proposed 125 residential townhouse units.

DISCUSSION

ADJOURNMENT



(NEXT MEETING – NOVEMBER 8, 2006)

October 25, 2006

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TOWN OF NEW WINDSOR
PLANNING BOARD
OCTOBER 25, 2006

MEMBERS PRESENT: JERRY ARGENIO, CHAIRMAN
NEIL SCHLESINGER
HOWARD BROWN
JOSEPH MINUTA
HENRY SCHEIBLE

ALTERNATE: DANIEL GALLAGHER

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

MICHAEL BABCOCK
BUILDING INSPECTOR

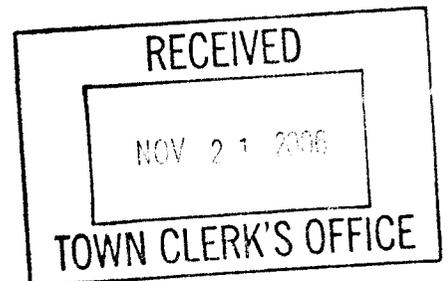
MYRA MASON
PLANNING BOARD SECRETARY

DOMINIC CORDISCO, ESQ.
PLANNING BOARD ATTORNEY

ABSENT: HENRY VAN LEEUWEN

REGULAR MEETING

MR. ARGENIO: I'd like to call to order the October 25, 2006 meeting of the New Windsor Planning Board. Please stand for the Pledge of Allegiance.



(Whereupon, the Pledge of Allegiance was recited.)

APPROVAL_OF_MINUTES_DATED_SEPTMBER_13,_2006_&

SEPTMBER_27,_2006

MR. ARGENIO: I just want to, let's just clean this up, Neil, would you get that page we're talking about the, I just want to get this in the minutes.

MR. SCHLESINGER: The minutes dated September 27, 2006 on page 30 part of what Mr. Kartiganer was saying at the bottom of that paragraph I will read it as it is, let's see, I do think sidewalks will be needed in quarter or third acre parcels where houses are closer together but I would I believe the Town Board has suggested that they don't need it, that it may not be needed in this area, Station Road, which it connects to has no sidewalks and this is basically a subdivision there's a circle in and of itself. This subdivision has nothing to do with Station Road, it's not connected to Station Road so either Mr. Kartiganer was mentioned something just incorrectly or whatever it is but I just wanted to point out that in the minutes that the Shadow Fax subdivision is not related to Station Road so that's just a correction.

MR. ARGENIO: I don't know if you reported it wrong or Kartiganer misspoke.

MR. BABCOCK: He had a subdivision on Station Road also.

MR. ARGENIO: Not a big deal but Neil picked that up and it's good and we'll go forward from there. First on the agenda is the approval of the minutes dated 13 September, 2006 and 27 September, 2006, unless anybody takes exception I'll accept a motion that we accept those minutes as written.

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MR. SCHLESINGER: So moved.

MR. BROWN: Second it.

MR. ARGENIO: Motion has been made and seconded that the Town of New Windsor Planning Board accept the minutes of September 13 and September 27 as written. If there's no further discussion from the board members, roll call.

ROLL CALL

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| MR. SCHEIBLE | AYE |
| MR. BROWN | AYE |
| MR. MINUTA | AYE |
| MR. SCHLESINGER | AYE |
| MR. ARGENIO | AYE |

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ANNUAL_MOBILE_HOME_PARK_REVIEW:

WINDSOR_HEIGHTS_MOBILE_HOME_PARK

MR. ARGENIO: Annual mobile home park review for Windsor Heights Mobile Home Park. Somebody here representing this?

Mr. Joel Sasser appeared before the board for this review.

MR. ARGENIO: Michael, relative to Windsor Heights Mobile Home Park, has somebody from your office been there to take a look around?

MR. BABCOCK: Yes, they have and everything's fine.

MR. ARGENIO: That's great. Sir, do you have a check with you?

MR. SASSER: I do.

MR. ARGENIO: As such, unless anybody takes exception I will accept a motion we grant them one year extension.

MR. MINUTA: So moved.

MR. SCHLESINGER: Second it.

MR. ARGENIO: Motion has been made and seconded that the Town of New Windsor Planning Board grant Windsor Heights Mobile Home Park one year extension. No further discussion, roll call.

ROLL CALL

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| MR. SCHEIBLE | AYE |
| MR. BROWN | AYE |
| MR. MINUTA | AYE |
| MR. SCHLESINGER | AYE |

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MR. ARGENIO

AYE

PUBLIC HEARINGS:

SANDCASTLE HOMES SITE PLAN ((05-24))

Mr. Anthony Coppola appeared before the board for this proposal.

MR. ARGENIO: This application proposes development of the three commercial lots of the Sandcastle subdivision. The plan was previously reviewed at the 27 July, 2005 planning board meeting. The application is before the board for a public hearing at this meeting. Representing this application is Mr. Coppola and folks what we're going to do we're going to review it as a board first and then we'll give everybody the opportunity to comment either for or against and then we'll close the public hearing and we'll review it again as a board. Mr. Coppola, what do you have for us this evening?

MR. COPPOLA: Thank you, Mr. Chairman. Just briefly what I'd like to do before I start going through the particulars of this site plan and this proposal is go back in time three to four years cause it's been a while and kind of remind everybody of what we originally had here. Approximately four years ago, through this planning board we had been involved with a proposal and an approval through this planning board for one large office building at this site. That office building was approximately 25, 26,000 square foot, it sat kind of if anybody knows the site it sat in the area where the grade transitions up the hill so it sat right kind of in that portion where it goes up the hill about 20 feet and that was reviewed and approved by this planning board like I said four years ago. It was also reviewed by DOT and I'm going to come back to that as far as our, what we're proposing now. So in the interim time, the owner, Sandcastle Homes, Mr. Cardaropoli tried to market that and didn't feel one large building was something that they wanted to

do, being a very large endeavor and trying to lease that so basically the idea came back to this board probably I would say about 18 months ago of dividing this site into three lots, it's three plus acre site so we're dividing it now into three separate building lots, three separate, proposal here is for three separate one story office buildings approximately just under 5,000 square foot each. So what was originally approved as part of that approval previously and then what we had to do basically to get this to this point as far as the storm water retention goes what happens here on this site is there's an outlet, there's a large outlet that goes underneath River Road and into a large structure and I assume that goes down to the river, that was previously, there was a previous storm water retention system with the older site plan that had to be completely revised because there new storm water regulations between now and four years ago. So there's a series of retention ponds on the upper lot and on the lower lot looking at that entire lot kind of as a whole. So that was addressed and that was reviewed and approved and sent through Mark and I think Orange County Health Department.

MR. ARGENIO: Do we have that here?

MR. COPPOLA: I have an older copy, I don't know if it's part of this submission, it's their, Taconic Engineering drawings, so it would probably be at the end of this set.

MR. ARGENIO: Go ahead, I interrupted.

MR. COPPOLA: You have to look hard at that but it shows all the grading and drainage, there's two retention ponds up above and one retention pond below. So all that's been figured out and that's all, it's not subsurface, it's all exposed. Briefly let me show what I'm proposing here lot number 1 is total of 59,000 square feet, that building is just under 4,000 square

feet that's going to have access off old Route 9W that will have a total of 24 parking spaces and we have shown a drive-thru there that might be a bank or a retail use like that. The two lots below they're basically just under 5,000 square feet each building, there's a center 30 foot, I'm sorry, 20, 25 foot wide shared access driveway and that leads to two separate parking lots, one fronting each building, one building, both buildings having 34 spaces each. So all the buildings of course meet the setbacks, those are shown on the drawings and we meet everything in terms of all the bulk area requirements for lot area, setbacks, developmental coverage, parking, all those types of things. Now specifically regarding the DOT access here that was kind of the last piece of the puzzle that we had to put together, this had been approved like I said four years ago as part of the larger building, actually, that building like I said was 24, 25,000 square feet whereas now we have basically 14 or 15,000 square feet but being as DOT has changed, the resident engineer has changed and we went basically through a reapproval process with them and the comment that I have here in their letter they have seen these plans their letter dated the end of August but they have asked basically to do this as a right in, right out access so that and that also would include and I can show anybody who's interested there's a triangular median that they want introduced in here so it would really prevent anybody from doing, they really don't want anybody coming in off Route 9W and then making a left-hand turn in here so anybody coming in I think would have to go around the block and then come back around that way you cannot come into this and make a left turn into here because this--

MR. SCHLESINGER: You mean River Road?

MR. COPPOLA: Well, yeah, but coming off 9W which I'm not really showing here that's up a little bit which I think is right up here.

MR. MINUTA: Give me a quick orientation as to where 9W is now?

MR. COPPOLA: This curves around to the north so your sight distance here there's a mound here so the sight distance as you would go north on River Road is limited.

MR. MINUTA: Just my orientation just going down river Road we're going to end up at basically where all the terminals are?

MR. COPPOLA: You're going to pass all them, well, if you're traveling south, I'm sorry, if you're traveling north you're going to pass this site and then get to all the terminals.

MR. MINUTA: 9W here actually ties into 9W on this side?

MR. COPPOLA: That's correct, come back over here and this is the other site that they developed recently 306 9W.

MR. MINUTA: Thought it was, just wasn't sure.

MR. COPPOLA: You're talking about DOT letter.

MS. MASON: I don't think I have it.

MR. COPPOLA: I think I have a copy, I do.

MR. ARGENIO: Anthony, you have heard back from the DOT, correct?

MR. COPPOLA: Yeah, this letter.

MR. ARGENIO: We don't have a copy.

MR. EDSALL: I had a copy, Myra's listed as carbon copy, maybe it didn't come through.

MR. COPPOLA: Yeah, she is, I can see it.

MR. ARGENIO: The changes that they had requested have they been incorporated into this plan?

MR. COPPOLA: No because we had given the plans to you so these changes have to be made as part of our last subdivision but I will just show you it's, can you see what they're showing, it's a triangular median in the center and they want me to change this radius on the upper lot to 25 feet.

MR. ARGENIO: I don't want to review that part, I want to review what you submitted at this meeting cause that's what we do.

MR. COPPOLA: So that's the input from the DOT, they really wanted to take a second look at this, they're concerned about the sight distance as you would a car coming south on River Road probably getting onto 9W they don't want people making left-hand turns in or out so this access is right in, right out and then you'd have the access to the upper lot here. These two lots these don't connect, there's too much of a grade difference.

MR. ARGENIO: Has DOT, have they expressed a concern about the DOT access?

MR. COPPOLA: Yeah, we had spoken to you about that and basically if people are coming north here I think that's gonna just require you to come around the block is really what it is going to require if you can picture that.

MR. MINUTA: How do we get there?

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MR. ARGENIO: That was my next question, how do we do that?

MR. COPPOLA: You're coming north on Route 9W.

MR. ARGENIO: Tell me about around the block.

MR. COPPOLA: You can't make a right-hand turn into here if you're coming to either of these two buildings this building doesn't matter.

MR. ARGENIO: So what would you do?

MR. COPPOLA: You'd come around and go in that way.

MR. MINUTA: So that roadway coming down on the bottom left would come back through there?

MR. COPPOLA: I'm sorry, you have to make a right into there.

MR. ARGENIO: You have to preemptively make a left U-turn on old 9W, correct?

MR. COPPOLA: Let me just orient myself, I'm coming and I think this intersection is here so you'd have to, you can't make a left-hand turn into here.

MR. ARGENIO: Before you get to the plaza you have to make a left.

MR. COPPOLA: Left here and--

MR. ARGENIO: And then a right and come around.

MR. COPPOLA: That's correct.

MR. MINUTA: We're looking at Plum Point being to the left.

MR. COPPOLA: Plum Point is down here, I, again, I'm not showing it but I'm pretty sure the access is right here, it's before old Route 9W would be to your left so you would have to make the left, come down old Route 9W, right-hand turn in.

MR. SCHLESINGER: You can make a right, you can make a right turn?

MR. COPPOLA: Right, yeah.

MR. SCHLESINGER: The guy says oops, I made a right turn, my mistake right now, what does he do?

MR. COPPOLA: Yeah, he's got to turn around because he cannot come back down here and go this way.

MR. ARGENIO: What do you think about this, this is the first you've seen this?

MR. EDSALL: Yeah, I wasn't aware of how the DOT was going to handle it until I got a copy of the letter from Anthony and one of my comments which is on the last page of my review sheet is just that point of a left restriction, I wasn't aware that they asked for a triangular median, I looked at it as being just the, configured as a full movement curb cut with signs.

MR. ARGENIO: Slip lane in and slip lane out.

MR. EDSALL: That restricts it but what it does it means you've got these gymnastics how to get around the neighborhood to get in.

MR. ARGENIO: I don't want to get hung up, it's an issue Joe Minuta everybody is probing you, it's something that we're going to have to talk about a little bit but there are a lot of things we have to talk about and what I want to do is I'd like to just touch on some of the high points first, allow me to hit

some of the high points and then if any of the members have high points certainly we'll hit them but guys keep in mind after we open it up to the public we'll be able to discuss it again. The document, Mark, question for you, I'll read your comment and again Mark previously requested a note that requires the site plan approval are applicable to each site individually and together relative, any improvements that cross the individual lines a note has been added and you want to change the note, Mark, is that your verbiage in these notes or is that Cordisco's.

MR. EDSALL: It's a starting point that I wrote and I appreciate any input from the board members, Dom, it doesn't have to be resolved tonight but I came up with something as a starting point.

MR. ARGENIO: Again, as previously noted some lettering on the light plan the one thing I want to probe a little bit there real quick again I'm trying to stick to the high points, the board should discuss whether a more creative effort should be made on the landscaping. Would you hold that landscaping plan up so everybody can take a quick look at that? I personally agree with Mark's comment, does anybody else have any input on that?

MR. MINUTA: Look into it further.

MR. COPPOLA: We could develop it a little further, that's fine, that's a fair comment.

MR. ARGENIO: Also, this is something that Joe Minuta picks up on a lot is you have to make sure unless you're told differently that the unfinished masonry block is not acceptable your enclosures should be in kind with the building whatever your finishes are.

MR. COPPOLA: For the--

MR. ARGENIO: Be it block or--

MR. COPPOLA: For the refuse, sure, you just want it finished.

MR. ARGENIO: Okay, I'd like to open up to the public unless anybody else has something that they feel needs to be probed right now. Okay, on the 12th day of October, 2006, 12 addressed envelopes went out containing the notice of public hearing for the Sandcastle Homes site plan. At this point in time, if there's any member of the public that would like to comment on this application, these drawings either for or against, please raise your hand and be recognized by the chair and you'll be heard. Please state your name and your address.

MR. WILLIAMS: Kirk Williams, 394 Riley Road. Can I get a better description of where this is?

MR. ARGENIO: Do you know where Richard Osner lives? If you go down, do you know where St. Joseph's church is coming from 94, come down Union Avenue towards St. Joseph's Church, cross 9W on that spur road that bends off to the south, the property's right on the left side there.

MR. WILLIAMS: Triangle there?

MR. EDSALL: Yes, where there's been excavation years ago, kind of an excavation.

MR. WILLIAMS: A lot of fill has been put in.

MR. EDSALL: I think it was cut in fill cut, looks like they borrowed material.

MR. SCHLESINGER: They took out and put back, it's been changed so many times over the years.

MR. WILLIAMS: Thank you.

MR. ARGENIO: Anybody else? Yes, sir?

MR. BRAUN: Leo Braun (phonetic), New Windsor.

MR. ARGENIO: What's your address?

MR. BRAUN: Burrows Lane.

MR. ARGENIO: Okay.

MR. BRAUN: I do work up and down Union Avenue on Route 32 and every time I go through Patriot Ridge onto Patriot Ridge I have to cross heading going northbound on 32 just before I come to the traffic light for Union Avenue I could not see a left-hand turn to go into the shopping center there. If you go up to Union Avenue heading west you do have an entrance and then if you want to go for the exit you can only make a left-hand turn, many a time I've seen people make the improper left-hand turn up Union Avenue westbound including two school buses. I'd like to know how this is going to be resolved, okay, with his situation and I know this is too far back now to have the Patriot Ridge revised for a new entrance and new exit.

MR. ARGENIO: We're not going to get into Patriot Ridge tonight but we'll certainly, Anthony, your opportunity is now to address his concerns cause he expressed the same concerns the board expressed.

MR. COPPOLA: I'm not a hundred percent sure I'm following you, it's the problem of making a left onto Union Avenue from Route 9W heading north?

MR. BRAUN: If you make, from Union Avenue heading westbound it's County 69.

MR. COPPOLA: Heading west on Union?

MR. BRAUN: Correct.

MR. COPPOLA: Away from 9W?

MR. BRAUN: Away from 9W all the way down to the highway.

MR. COPPOLA: Down the hill.

MR. BRAUN: To the traffic light you have the new Hess there, keep going up the hill westbound you can make a left through the entrance.

MR. COPPOLA: I'm quite a distance from there.

MR. ARGENIO: Anthony, let me interrupt. I think what he's trying to do is make a parallel between a problem at Patriot Ridge and a problem that you may have here, that's the parallel he's trying to make.

MR. BRAUN: That's the reason I want to have this resolved in this situation where he's telling us you can't make the left off 9W.

MR. COPPOLA: Well, let me just say I can't address Patriot Ridge but--

MR. ARGENIO: I got deja vu.

MR. COPPOLA: We're locked into what the state almost mandates us to do. This was previously approved without a right in, right out access for a building that was almost twice as large as the square footage here that was approved about four years ago and I have that letter in my file. Why they decided now to change that I can only surmise those are the folks in the DOT office in Poughkeepsie.

MR. ARGENIO: Let me say this, sir, the problem that

you're enunciating is the same problem the board has with this, so I think we're all going in the same direction and it certainly is going to be addressed.

MR. BRAUN: Cause I don't want to have the Patriot Ridge situation on this situation.

MR. ARGENIO: The people on this board I think agree with you and I think that we started to probe it a little bit and it's something we're going to get into a little bit more on this application and as you heard earlier we just recently heard from DOT and the plans have just recently been, the DOT requirements have recently been incorporated into these plans and Mark's going to have to review this and we're going to take a look at this and for the record I agree with you, I agree with you and we're going to figure this out somehow, Mark, one way or another. As I've said a hundred times, we can't tell you whether you can or cannot build there but we certainly can tell you how. Okay, anybody else?

MR. SCHLESINGER: Make a motion to close the public hearing for the Sandcastle Homes site plan.

MR. MINUTA: Second it.

MR. ARGENIO: Motion has been made and seconded that the Town of New Windsor Planning Board close the public hearing for the Sandcastle Homes site plan.

ROLL CALL

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| MR. SCHEIBLE | AYE |
| MR. BROWN | AYE |
| MR. MINUTA | AYE |
| MR. SCHLESINGER | AYE |
| MR. ARGENIO | AYE |

MR. ARGENIO: I'm going to open it back up here,

Anthony, one question I have is Mark has a comment, I want to read it, given the steep slopes behind building number 3 between sites 1 and 2 and 3 and other areas some landscaping should be considered and special surface treatment should be included in the erosion plan. Have you given that any thought?

MR. COPPOLA: No, I think I know what he means though and the grading is shown on the engineer's drawing there as far as the location of those retention ponds but we, you know, there's a way to treat those slopes.

MR. ARGENIO: What way?

MR. COPPOLA: What way, there's, I mean, there's landscaping mats that you can put down, I believe that would be one solution. There would be types of plantings that we could use to hold those slopes in place, I have to look at the slopes to see like the percent of the grade there to see what they were, I don't remember that, I mean, all I can tell you is what I do remember there's a 20 foot vertical difference between here and up to the top here so--

MR. ARGENIO: I like the idea of trying to work with plantings, I've seen the mats, I've installed them, there's certainly a lot of things out there, everybody claiming that their product is better than the next one so I'm personally partial to that.

MR. COPPOLA: Let us work on that, that's fine, I'm sure we can come up with something.

MR. ARGENIO: Just for everybody's information, we did send this out to Orange County and the response came back, Myra has a copy of it and they have graciously told us that it is up for local determination. I will paraphrase, project will have no major impact on state or county facilities nor have a significant impact on intermunicipal uses. It is consistent with the county

comprehensive plan and it's up to us. I'm going to go to my board members, the other members, if anybody, do you have any thoughts here? There's certainly quite a list of comments.

MR. SCHEIBLE: There is a lot of comments from this but it's a very noticeable spot in town, there's a lot of traffic that goes by it and we want to say welcome to New Windsor and leave something nice to see as they enter, that's almost an entranceway to New Windsor that area and when we're talking about the steep slope, right, personally, I'm going to go down and I'm going to take a look at it myself. What kind of a slope is in there, like a terraced 20 feet? That's quite a drop in there from what they're saying.

MR. COPPOLA: It is, if you go down and stand down at the bottom you'll see it.

MR. SCHEIBLE: Rather than just one slope if it can be terraced stone, you know, like I said, it's an entranceway to New Windsor, this is welcome to New Windsor, let's let the rest of the world know that we mean something nice to the town. I think there's been a problem with some of the other buildings being built around that neighborhood and I'd just like to see in that area, bring things back to the way they should be.

MR. ARGENIO: The public hearing is closed but sure, you are?

MR. CARDAROPOLI: I'm Nick from SandCastle Homes, the owner and I just want to mention I agree with you, I think we can do a lot better by developing it, make it look a lot nicer and especially we can do a lot but part of it means getting the buildings in, actually getting the foundations in which also become retainage, really grading up, we can really carve it out, make something nice out of it.

MR. ARGENIO: Your professional needs to give us a plan of what he has to do. Now certainly that doesn't mean that has to be to the, you have to install it to each leaf on each bush, but I think you should doll that thing up and show us something that's a real good suggestion.

MR. CARDAROPOLI: I think maybe a combination of the natural with some terracing maybe with some kind of walls I think it needs a little bit of that. The other thing too you don't realize how large that piece is until you get on it, we've all passed it a thousand times but it's a good chunk of land.

MR. ARGENIO: I'd like to see it developed, it's been sitting there foul for as long as I can remember.

MR. CARDAROPOLI: Me too.

MR. BROWN: Just have one question. You have a picture of what these buildings are going to look like?

MR. COPPOLA: If you can, funny you should mention that, two things, we don't normally bring drawings for architectural review, we haven't done that with this planning board in the past, that doesn't mean that you don't require it or whatever but we haven't done that. We did it on another project because we were within 300 feet of a historical site so another project that I'm involved with we did it. But what I can say to that effect is two things, number one, I believe that what Nick is going to do is similar to what you've done on the 9W property that he's developed and that's a separate parcel, you told me the address before.

MR. CARDAROPOLI: 3068-3062 Route 9W.

MR. COPPOLA: Which is a two story building, if you've seen that building I believe it's natural to think we're going to carry that type of vocabulary in here.

Having said that, if that's something that the board wants to see that's something that we can do.

MR. ARGENIO: We do not have an architectural review board in the Town of New Windsor but it certainly would be looked upon favorably, if I could have some type of colored elevation and I'm not telling you it has to be to the tenth power, but it would be good if you could bring us something just to give us a flavor of what you're going to do. I have Myra whispering that your other building is beautiful or Mr. Cardaropoli's building is beautiful. So I have every reason to believe but I think Howard Brown stole Joe Minuta's question so go ahead, Joe.

MR. MINUTA: If it's in keeping with the other buildings, I would agree I think the vocabulary that's been done there is nice. You have faux stone?

MR. COPPOLA: Cultured stone, yeah.

MR. MINUTA: No issues there with regard to those plans, you know, clearly we have huge grade slopes shown in this setting, it would be more beneficial than showing it as a grade plan, that way we get an understanding are we looking at the basement or the roof from a grade point standpoint. I think that from a planner's standpoint it looks great on paper. The only issue that I really do take issue with is the road access on River Road. I have lived here all my life, you drive up behind a tractor trailer coming northbound from River Road and you're doing five miles an hour up the road opposite way they're coming down a lot faster, this is a very, very bad access point in my opinion and if there's another way to access this site perhaps off old Route 9W that's a good spot to be able to que traffic, I realize there's a grade difficulty and challenge there but that would clearly be a much better location because even the location of Route 9W and River Road where it exists now is a difficult location

to get out of even though you have a clear shot for some portion of it, it's a strange intersection where cars seem to come on you very quickly.

MR. COPPOLA: Well, just to address that, I mean, we've looked at--

MR. ARGENIO: You know what, let me just interrupt for one second to that end, I have something to say about the traffic too so maybe we'll come around and you can address the whole thing at once, go ahead, Joe.

MR. MINUTA: That's basically it, I think the layout and grouping these buildings as you have definitely makes it more palatable for the developer and owner to really market these buildings. I do agree with Mr. Scheible's comments that we have got an entryway or exitway from New Windsor to Newburgh and that should be somewhat of a calling card.

MR. SCHLESINGER: No, I don't have anything to say, I somewhat agree, I mean, I guess what the DOT is requiring is somewhat in stone and just from a business point of view, I think what Joe just said that I think it would make the project that much more marketable if you had better access.

MR. ARGENIO: Mark, can I hear from you on this access thing?

MR. EDSALL: I'm concerned and that's why I brought it up, I think they are trying to address a problem and the manner in which they are providing a solution may not function because I don't believe that the restrictions that they're proposing are going to stop people from attempting to make the maneuver which is actually going to be less safe than if they made it a full movement intersection.

MR. ARGENIO: Okay, Nick, I'm going to tell you this,

you gotta look at that.

MR. CARDAROPOLI: Originally, Mark remembers they fought it on the larger building we had three entrances and they only wanted two and we kind of stayed on them and we stayed the course and then they agreed to the three so sometimes they come out with this stuff and then we kind of say hey, listen, we have to lobby it a little bit.

MR. ARGENIO: This is not good and Anthony let me finish this you can take back to the Sibby or whoever you have to go to and the Town of New Windsor does not want this, this is unsafe and we don't have a problem with the development, Nick, I think you're getting that flavor here tonight but this access doesn't work for us and that's the way that is.

MR. EDSALL: And the internal traffic thing on building 1 which is the building up on the top of the plateau is it really your intent to have a clockwise movement? Is the drive-thru lane going to have two of those tubes on the island?

MR. COPPOLA: No, the second lane is a pass through.

MR. EDSALL: First lane is going to be just it won't have a window cause it's passenger side.

MR. ARGENIO: Interesting point.

MR. COPPOLA: I think we gotta change that.

MR. ARGENIO: Do you have a digital watch or regular watch?

MR. EDSALL: I was assuming you didn't want to have it conflict with your parking lot.

MR. COPPOLA: That could work, I've seen the one in

HSBC has that setup.

MR. EDSALL: There are a lot of banks that have just the tube, they don't use the window.

MR. COPPOLA: But the intent there irregardless of which way the second lane is a drive-thru so I have to take a look.

MR. ARGENIO: Planning board circulated lead agency coordination letter based on the responses, I suggest the board formally assume a position of lead agency. I'll accept that motion.

MR. MINUTA: So moved.

MR. SCHLESINGER: Second it.

MR. ARGENIO: Motion has been made and seconded that the Town of New Windsor declare itself lead agency for the Sandcastle Homes subdivision site. If there's no further discuss, roll call.

ROLL CALL

| | |
|-----------------|-----|
| MR. SCHEIBLE | AYE |
| MR. BROWN | AYE |
| MR. MINUTA | AYE |
| MR. SCHLESINGER | AYE |
| MR. ARGENIO | AYE |

MR. ARGENIO: Anthony, we're not going to, I don't want to take this any further, there's a lot of comments, you have to a lot of work to do.

MR. COPPOLA: I just have two questions and that I understand the most important thing is the DOT thing, I mean, what I'm going to do this is beyond Sibby, it goes to Poughkeepsie.

MR. ARGENIO: I believe that.

MR. COPPOLA: So I think the guy's name is Ursess (phonetic), we'll contact him directly, I will feel him out, I'm certainly going to tell him I feel basically the same way this planning board feels and we'll certainly give him the feeling of the planning board tonight.

MR. ARGENIO: And it's, there's no gray area.

MR. COPPOLA: Okay, I understand that. We'll see where that goes. And the other question I have is just kind of a procedural thing here, Mark, we have two things we're, we have subdivision and site plan and I guess I'm assuming that everything is running concurrent on both to the end here?

MR. EDSALL: Yes, when you get to the point that you're in the red zone as it may be and you're approaching the goal line, the key is to make sure you ask to have both applications on the agenda so they can act on subdivision application, create the lots and then work on the site plan approvals.

MR. SCHLESINGER: One approval or three approvals?

MR. COPPOLA: We're doing both tonight, I assume we're doing a public hearing?

MR. BABCOCK: One subdivision and three site plans but it's all one site plan.

MR. COPPOLA: Myra said we moved the subdivision.

MR. ARGENIO: Mark, could you stay with us on this?

MR. EDSALL: I'm just going, we just checked the record to make sure on the subdivision cause I did bring both files, the public hearing was waived on the subdivision

application since all the issues that were of any substantial nature so Dom just asked me where we stood on that.

MR. CORDISCO: I know he wants to move forward and process them concurrently.

MR. COPPOLA: At the end of the day we're going to get concurrent approvals?

MR. EDSALL: Yeah.

MR. ARGENIO: Neil's asking a procedural question.

MR. SCHLESINGER: Three approvals on the site plan or one?

MR. EDSALL: No, I think early on if you look at the second set of comments I asked the board that this is in my opinion was a very unique case where although it's three site plans I thought you should treat it as one application but effectively you're granting three site plan approvals, that's what part of my note is, the note was going to reflect that all three plans are subject to this one approval, it was because they were so interrelated it didn't make sense to have three applications.

MR. CORDISCO: Additionally--

MR. BABCOCK: Mr. Chairman, if this access isn't going to be suitable onto River Road or any access on River Road I could see the lot lines changing so--

MR. COPPOLA: There's no, we've looked at this internal access and that really doesn't work, we looked at that, that's not gonna work, it's too much of a grade change and it's unworkable because so that's not gonna work.

MR. MINUTA: Is it possible to bring out onto Route 9W

those two lots as an access or to Union Avenue, Union as an access rather than River Road? I know you have slope issues.

MR. COPPOLA: You're just in a pit there, you're literally in a pit down here so to get up and out--

MR. MINUTA: A lot of earth moving but it may be accomplished.

MR. SCHLESINGER: Let me just throw one other thing Mike just brought up, you maybe have lot line changes, right, why don't you have one big lot, why do you need to have lot lines?

MR. EDSALL: That doesn't change the access.

MR. SCHLESINGER: It doesn't change the access but it could change the whole layout of the whole flow.

MR. EDSALL: Problem is is that they have effectively two accesses to the site, one at the low level, one at the high level, they still need access to the low level.

MR. MINUTA: I think if I may, Neil, what Neil's trying to say why don't we keep it as one lot, then we don't have to worry about lot lane changes, you can reconfigure the lot however you need to.

MR. SCHLESINGER: Exactly.

MR. COPPOLA: The issue is not lot lines dealing with the geometry of the site.

MR. CORDISCO: Although you're processing these concurrently, my recommendation would be to process and pay most attention to the site plan and then once the and in fact you would approve the site plan first and it would be site plan for one lot and then you could

subdivide it thereafter and the subdivision of course will have to have cross-easements and roadway maintenance and all those things but then once you've got the approved site plan you also are going to know where the lot lines are going to go.

MR. BABCOCK: I think Hank had a good idea going to look at this if anybody on their own is going through this area because to get a road up onto old 9W from this is very difficult.

MR. EDSALL: One more thing on access. I think we're, Nick may have to look outside the box for the amount of money it takes to grade the site up, provide the access, then the two levels, the two tiers it maybe that you've got to go back to DOT and say if your problem is we have stopped vehicles coming north on River Road turning left maybe they just widen it and put a turning lane there, it may be cheaper to put a turning lane so the traffic goes through.

MR. ARGENIO: I appreciate you thinking out of the box but that's, I'm not going to tell you how to design it.

MR. EDSALL: I think they're concerned about somebody stopping there with the volume of traffic, maybe they need a turning lane.

MR. ARGENIO: I appreciate the suggestions, it's a good suggestion but you guys, I can tell you what you have here is not gonna work. Mark, the same as the discussion we had about that subdivision with the pond last week, what was your response? I'm not going to tell you how to do it, you know what you have to do.

MR. SCHEIBLE: I would be remiss if I didn't bring this up, quote unquote a walkway system amongst these buildings, quote unquote sidewalk, all right, I mean, I bring it up.

MR. ARGENIO: Again, Henry, I have--

MR. SCHEIBLE: This piece I know this piece of property, all right, on a piece of paper it looks very large on a piece of paper but when you're there and you see it and you're standing there it is not an extremely large piece of property from what we're going to be putting down here and you can have a dentist office here, doctor's office here, lawyer's office here, and they're all interconnected sometimes maybe somebody's got to walk from one to the other.

MR. ARGENIO: Let me respond to that, don't think I'm anti-sidewalk cause of that last meeting a few weeks ago, I think that's a capital idea, this is a little community and Hank, it may not work from the top of the site to the bottom just because of geometry but I think that's a good idea, I think it's a good idea. Okay?

MR. MINUTA: May I throw one more item out there? It is a large site, I know you discussed that the previous building was it considered to do lower level and upper level access there?

MR. COPPOLA: Yes, the thing about the large building while it may have not been economically feasible it fit the hole which was the problem and we had a large lower level of 16 or 18 feet where you could use as warehouse and then two stories from the upper level side.

MR. CARDAROPOLI: But we still had access from River Road, it was just a normal two-way access because there was a parking garage underneath and three stories, a middle story which was kind of like right at the grade split and two above that.

MR. ARGENIO: You felt there was a marketing and sales issue with that?

MR. CARDAROPOLI: It was a big building, the parking it

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was, you know, the parking garage was getting tricky three levels above it was a big building.

MR. COPPOLA: That's the thing this really frustrates me that was approved right, wrong or indifferent, I don't know how the DOT approved it.

MR. ARGENIO: It must have gone through their office when somebody was absent that week, unfortunately, that is the luck of the draw, another thing I can't help you with.

MR. COPPOLA: And I understand.

MR. ARGENIO: Okay, let's move on, thank you.

REGULAR_ITEMS:

APPLE_RIDGE_SUBDIVISION_(06-24)

MR. CORDISCO: This application refers or relates to property owned by Robert Miner and I just want the board to be aware that my new firm, at my old firm Stephen Tarshis represented Robert Miner and I believe he had a previous subdivision application, I had a minor role, I didn't appear before the board on that and it had nothing to do with this application but I want you to be aware of it, a former client of my former firm.

MR. ARGENIO: I don't see it is an issue.

MR. CORDISCO: I just want to have full disclosure.

Mr. Joseph Pfau appeared before the board for this proposal.

MR. ARGENIO: Application proposes subdivision of total 197 acres into 49 Single family residential lots. The plan was previously reviewed at the 28 June, 2006 planning board meeting.

MR. PFAU: Joseph Pfau representing the application. The discussion submission that we made is the first submission of preliminary plans, plans consist of complete road, storm water designs, including profiles and grading plans, erosion control plans, sanitary facility designs, well designs and this is really our first appearance in front of this board with this particular plan set. We have for the most part the layout hasn't changed at all from the sketch plan that was submitted and discussed with this board some minor modifications based on--

MR. ARGENIO: When was the sketch plan?

MR. PFAU: I believe we were here in June.

MR. ARGENIO: What's your smallest lot size?

MR. PFAU: Right down at 80,000 square foot.

MR. ARGENIO: Go ahead.

MR. PFAU: As I was saying, as far as the changes in the sketch plan they were minor in nature, mostly having to do with the soils testing. We completed the soils testing on site but for the most part the road configuration, the lot configuration has stayed completely the same. We have three wet ponds on site to treat the storm water management, one shows up on lot 31, the other one at end of the cul-de-sac which straddles lot 16 and 17 and the third one is on the one of the large two lots, lots 42 and we're here this evening to I suppose solicit any comments from this board and see how we can move the process.

MR. ARGENIO: Let me ask you this. When was the, this is the second subdivision of this property?

MR. PFAU: Yes, currently there's a subdivision application, if you look at the easterly side of the project up on Shaw Road there's four lots indicated as E1, 2, 3 and 4 and that's off of a, that proposal is off a private road, we're keeping those lots intact, the same geometry, using the same access point and just continuing that road and looping it around.

MR. ARGENIO: That's currently a private road?

MR. PFAU: I don't believe it's approved, it's approved, the map was filed, there are those four lots do exist, it was approved as a private road, we're going to convert it to a public road.

MR. ARGENIO: Leads me to my next question. Your

original subdivision map of those lots E1 through 4 and then the balance was the large lot?

MR. WALKER: Correct.

MR. ARGENIO: Is that map filed in Goshen with description?

MR. WALKER: Yes, it is.

MR. PFAU: I actually have a copy, I don't know if this is the latest one but I have a copy of that map and what it shows it's actually three tax parcels, there was this tax parcel here, this is actually an out parcel, this parcel and then the remaining lands so the original application did not include the majority of this property.

MR. SCHLESINGER: You have to get the approval of the homeowners on the private road, it's a private road agreement, you just can't take it and turn it into a public road, am I right?

MR. ARGENIO: Depends on how the--

MR. WALKER: Lots are not sold.

MR. PFAU: None of the lots are sold.

MR. SCHLESINGER: Is that developed already?

MR. WALKER: No, it's not developed.

MR. ARGENIO: That was going to be one of my next questions, this is a resubdivision of the lands of Leonard, based on the timeframe involved, the prior lots will be subject to review of the Department of Health. You're aware of that right cause of your timeframe?

MR. WALKER: Actually, we're redesigning those septic systems so we'll go back to the County with regard to that.

MR. PFAU: We have retested those lots.

MR. ARGENIO: Who did the perc tests out there?

MR. PFAU: On our lots?

MR. ARGENIO: Yeah.

MR. PFAU: Our firm did, Pietrzak and Pfau.

MR. ARGENIO: Mark, we have to make sure that at some point in time you guys get the opportunity to get out there and check those perc tests, no?

MR. EDSALL: No, this is going to the County.

MR. ARGENIO: Okay, I just--I think it's very busy, you want my opinion, I think it's very busy. There's a lot of lots there, that's what I think and in the west end of the town there's perc issues, there's issues, I mean what are your percs, I'm curious?

MR. PFAU: Well, they range, they range, you have the soils there, we don't have the soil sheets but they range from very good percolation tests to percs in the 40s and I will admit we had to do some moving for a number of them but we have done our deep pits out there and we're certainly prepared to go to the County to have them witnessed.

MR. ARGENIO: Henry, did you have your hand up? I'm sorry.

MR. SCHEIBLE: No, I didn't but while you're--

MR. PFAU: As far as the plan being busy--

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MR. WALKER: Mike Walker, 14 Catherine Court, Chester, New York.

MR. ARGENIO: Note must be added to the typical detail as filed, any materials placed in the roadway should be DOT sub-base material as accepted by the highway. Mark, does that include cuts and fills?

MR. EDSALL: Just fills.

MR. ARGENIO: If you cut a material, if you have surplus on a site, you cut it from the site, can you put it in the roadway if it does not meet the specs of Type 3?

MR. EDSALL: If it does not meet Type 3 and it's not alternately accepted by the highway superintendent and the engineer, no, you can't use it.

MR. ARGENIO: I want to read a comment into the minutes from our town highway super. Roads are fine, no sight distance for existing property exiting property, no sight distance for exiting property, this needs to be done to ensure correct location of roads, catch basins need to be within 300 feet of each other and obviously it's disapproved until these things get cleaned up.

MR. PFAU: We have taken sight distance measurements and they'll be on other next submission.

MR. EDSALL: Joe, I think Anthony's a pretty practical kind of guy, not only like to see the numbers but what he wanted you to do is stake out the center line locations, you know, that way he can physically go out and look at it.

MR. PFAU: They have been staked, one of them is the existing drive.

MR. EDSALL: Just flag it and that way he will know for

sure.

MR. SCHLESINGER: The piece of property that's presently existing I guess surrounded by lots 42, 43?

MR. PFAU: Yes.

MR. SCHLESINGER: Access no problem?

MR. PFAU: Yes, matter of fact, we're giving him this little triangle right here.

MR. SCHLESINGER: Right on a corner.

MR. PFAU: We're giving him this little piece so he will have full road frontage to a public road now where before his only access was through an easement off a private road.

MR. SCHLESINGER: So--

MR. ARGENIO: Mark, what else, do you have anything else on this? I'm not going to go through your comments, they are voluminous.

MR. EDSALL: No and they are not intended to do anything other than to share my observations right a front so they can work to--

MR. ARGENIO: And the fact that this is very early in the process, I would assume--

MR. EDSALL: One of the technical issues that Dominic and I were trying to resolve over here at the side table is the fact that the first four lots although in my comments I'm asking for the applicant to show tax map numbers not E numbers cause if it's been approved and filed it's got a tax map number is that number, the other problem is the fact that the lots as configured on this plan don't match the approved subdivision plan,

it would appear that all the metes and bounds are different. So I would question why number one, do you really intend to change them or if you don't intend to change them this plat should be modified to match what this board already approved. The sanitary design will be retroactively reviewable by the health department so I'm not as concerned about that but if you're not going to fix the lot lines to match, Dominic, why don't you--

MR. CORDISCO: Yeah, I think there's already a plat on file supposedly at the county clerk's office, they are going to have to amend that plat to place a note on it.

MR. ARGENIO: I'd like to know why they don't match.

MR. PFAU: Me too, that's what I'm checking right now.

MR. BABCOCK: So the intention is to match them?

MR. PFAU: Yeah, that's definitely the intention.

MR. ARGENIO: I understand.

MR. EDSALL: The other issue it's a basic issue just so it's on the table storm water basins, water quality basins in the Town of New Windsor have to be on dedicated parcels to the drainage district, they are not by easement. So all the piping that leads to them could be theoretically in an easement but the actual water quality basin and an access road to the basin have to be on a parcel dedicated to the drainage district so you need to start splitting them out as well.

MR. PFAU: Access road has to have its own frontage on the public road?

MR. EDSALL: Yes, so even if it's a 20 foot wide strip going back to the pond but it's all got to be a dedication that the district has now, if it just so

happens that you have a drainage pipe running through a lot to get there we'll look at easements in that case.

MR. PFAU: Okay, just if we can just discuss a minute cause there's one area that kind of addresses that as well as the lots, if you take a look at proposed lots 42 and 43 we're proposing a common drive for those two lots as well as access to the pond.

MR. EDSALL: Well, in New Windsor there's no such thing as a common drive. Once you have more than one person using it it's a private road which means you have to meet the private road standards for that and the town will not share a driveway for access to storm water basin with a private entity.

MR. PFAU: We'll just have to move that.

MR. EDSALL: As far as two lots you can have a private road and share the access.

MR. ARGENIO: Was the private road for the E lots, is that a separate parcel? Just the road itself or is it the front of much E lot on the portion in front of there? I'm sure there's an agreement.

MR. PFAU: Well, we didn't do this map but and I'm not, it shows 50 foot right-of-way.

MR. ARGENIO: The private road stands alone then or I'm curious?

MR. PFAU: Yes, it does, it's tax lot 43.1 or at least it was before this map was filed because that actually gave the access back to that first piece right here that was not landlocked but--

MR. EDSALL: We're looking at the approved map, my recollection was that the private road was part of the balance parcel.

MR. ARGENIO: Neil's just asking me about this. In my mind when it's all said and done if they, when they get approval all that is going to be dedicated as a public road so at this point I don't think I'm real twisted up about it.

MR. EDSALL: You haven't even started construction so it doesn't mean anything.

MR. WALKER: We're not planning to.

MR. SCHEIBLE: Would you look at the location plan, I know this word has come up over the last few meetings rural New Windsor is sort of disappearing and you know where I'm going when you just look at that location plan shows the density that's happening out in that area you now slowly address that in a 40 year plan, well, that 40 year plan is shortening up that this will lose its rural complexion.

MR. ARGENIO: I think you're right, Henry.

MR. SCHEIBLE: Just look at that.

MR. ARGENIO: It's a big piece.

MR. SCHEIBLE: And all these other little pieces won't be too long.

MR. SCHLESINGER: Are you going anywhere with this?

MR. SCHEIBLE: Well, he knows.

MR. ARGENIO: They have a lot to do there, I think Joe the back of the subdivision is pretty busy, that's my comment.

MR. PFAU: And you mentioned that last time I mean for the most part as far as the layout goes, the lot sizes

are a function of the more moderate topo as well as the better soils, that's why you'll see some areas have lots right down to the minimum, some lots are huge and that's pretty much why it's laid out the way it's laid out, I mean, the soils up in this area along that cul-de-sac are very good.

MR. MINUTA: Are you showing any test locations?

MR. PFAU: They'll be on the next set of plans.

MR. ARGENIO: Okay, does anybody else have anything else with this thing here? What are you looking for from us, looking for some direction? I think you have some.

MR. PFAU: I appreciate it, thank you.

MR. ARGENIO: Apple Ridge, Mark, under item 4, we can take lead agency, the letter went out in July?

MR. EDSALL: Yes.

MR. ARGENIO: That's all we can do.

MR. EDSALL: We have a full EAF that was circulated.

MR. ARGENIO: If anybody agrees with me, I'll accept a motion that the Town of New Windsor declare itself lead agency under the SEQRA process.

MR. MINUTA: So moved.

MR. SCHLESINGER: Second it.

MR. ARGENIO: Motion has been made and seconded that the Town of New Windsor Planning Board declare itself lead agency under the SEQRA process. If there's no further discussion, roll call.

ROLL CALL

MR. SCHEIBLE AYE
MR. BROWN AYE
MR. MINUTA AYE
MR. SCHLESINGER AYE
MR. ARGENIO AYE

MR. ARGENIO: Mark, before we dispose of this, I want to talk about number 6 a little bit whether we have to go to Orange County or not.

MR. EDSALL: Orange County Department of Planning?

MR. ARGENIO: Yeah, is there anything here that trips this?

MR. EDSALL: I think it's one of the issues that I'm always concerned about when I don't have the trigger of being within 500 foot of jurisdictional line or county road or state road is the issue with the agricultural districts and I don't have that information so I think the applicant should fully investigate that so that that doesn't become a technical flaw.

MR. ARGENIO: I think it's in your interest to investigate that because certainly--

MR. EDSALL: Dominic's more familiar with the agricultural clause than I am.

MR. CORDISCO: If it's within the district, it needs to be referred.

MR. PFAU: Will the board refer that to County Planning if that's the case?

MR. EDSALL: If it is, yes, we'll do the referral form.

MR. ARGENIO: Yes and Mark is right, it behooves you if

it is to follow through and I will read from your planning board application. Myra just pointing out to me question 9 is is the property within an agricultural district containing a farm operation within 500 feet off a farm operation in an agricultural district and you answered yes. So unless they lied.

MR. EDSALL: From a conservative standpoint we can just refer it.

MR. ARGENIO: Absolutely, I think it should go.

MR. EDSALL: We'll send it.

MR. ARGENIO: Based on the size of it.

MR. SCHLESINGER: Is that parcel that's not part of the application a farm?

MR. PFAU: No, it's part of the application, part of the orchard is part of the application.

MR. WALKER: The out parcel that's not part of the farm, no, the out parcel is not part of the farm, it's not a farming operation on that.

MR. ARGENIO: Thank you.

RIDGE_RISE_SITE_PLAN_(04-27)

MR. ARGENIO: Ridge Rise site plan represented by Entec, proposed 125 townhouse units. Is there somebody here to represent this?

MR. CORDISCO: I have something to say about this application as well. I saw the gentleman out in the hall, he might have an interest in this application and I in my former life just in the previous one represented Mr. Slutsky who I saw standing in the hall, I had no connection with this application, just want to be sure you know, I mean, did a lot of work.

MR. ARGENIO: Duly noted. Ridge Rise multi-family site plan off New York State Route 32. The application proposes development of the 30 plus acre parcel into 125 unit multi-family development--Henry Scheible, you want to talk about coverage, look at that--with a clubhouse building. Plans were previously reviewed at the 13 October, 2004 planning board meeting. Somebody here to represent this?

MR. BORDEN: I'm Neil Borden, Borden Equities, Mahwah, New Jersey, I happen to be one of the partners in this development project. We have 30 acres of land surrounded by Route 32 over here and we have the railroad and the forest area over here. We have Washington Green over here and we have some industrial and various other things over here. So what we did was we designed a plan with about 23 usable acres due to the wetlands that you can see in the dark green we have approximately we have 126 units which would be about a 5.73 acre yield on the usable acreage and we have created a road network coming off Route 32 going to higher elevations and giving you some sight visibility and we have a, you know, some parking and a clubhouse over here. You can see in the blue some of the water areas and we have a pool over here. So we separated ourselves from the industrial area over here and on

this side we have Washington Green which is of course a beautiful condominium project of course ours will be an updated version of that more modern and we have this ancillary road coming in here in case of an emergency and we have a secondary road coming in off Route 32 where I have some of this industrial overly here.

MR. ARGENIO: Okay.

MR. SCHLESINGER: Just so I get it right, the access point off 32 that's surrounded by the white areas is that U-Haul your road, is that U-Haul on one side right there?

MR. BORDER: Yes, that is correct.

MR. SCHLESINGER: Who owns that road?

MR. ZEPPONE: It's shown as part of this property.

MR. ARGENIO: Who owns the road?

MR. ZEPPONE: Based on the survey, the applicant owns that road.

MR. SCHEIBLE: And the other entrance that's Lander's property, does that come in off Lander's property?

MR. BABCOCK: No, that's on their own.

MR. BORDER: This one over here this should be on our own.

MR. BABCOCK: That's just below Carpet Mill Outlet there's a wood area between that and the next building.

MR. ARGENIO: We did a calculation for another application about a week ago, we used density or coverages, do you know what the calculation is for this about?

MR. BABCOCK: No. Mark may.

MR. EDSALL: One per 7,000.

MR. ARGENIO: What do we have here?

MR. ZEPPONE: We're 8,000 and change.

MR. EDSALL: It's just over the permissible.

MR. ARGENIO: I'm going to read this comment, some sidewalks are shown on the plan, further refinement to provide pedestrian connections between buildings, recycling structures should occur on subsequent plans, the applicant's consultant should revise. There is a couple of things here, what do you have for, can you point for me, point to the recycling enclosures or refuse enclosure?

MR. ZEPPONE: Al Zeppone from Entec, just to get on the record. We have seven of them on this particular plan coming around the first one is midpoint of the first cul-de-sac, there's one at the end of the second, there's another at the midpoint and the leg coming off that and there's another point in the center portion here on the interior route, there's another at the northwesterly side at the end of that extension and then there's one on the southwest side at the end of that extension to go with the clubhouse.

MR. ARGENIO: How do you propose if a pedestrian is going to go to the refuse center there are sidewalks for him to walk upon or is he walking on paved area?

MR. ZEPPONE: No, no, there's sidewalks, if I can run through starting at the westerly side, this is all sidewalks along this west side of this road and north side, along the south side and along this roadway there's sidewalks along the north east side, there's

sidewalks along the west and north side, this entire group in the center has sidewalks internal and I'm going to go west and north, you know those sidewalks continue to proposed Road C continue all the way up to the north side of proposed Road E on the other side of the proposed Road E around the parking mailboxes there's another sidewalk across the road, Road F there's another, that's all connected to the extension of proposed Road C on the northwest side for the very end of the proposed Road C.

MR. ARGENIO: So you have covered it and they are represented on the plan here?

MR. ZEPPONE: Yes, they are, the plan I have should be what you have is dated 7/13/06.

MR. ARGENIO: Yes. Emergency access details regarding property authorization should be pursued with the HOA of the adjoining access, emergency accesses as shown on the drive relative to Washington Green, have you pursued any contact with the HOA over there?

MR. BORDER: I have spoken to them.

MR. ARGENIO: Again, what are you getting?

MR. BORDER: Well, I had two conversations with the management company that handles it and they are willing to cooperate according to what I understand.

MR. ZEPPONE: Same is true of this westerly extension, it's the intent to put a gate beyond where the last current user of that roadway is and have this as emergency so that was the intent.

MR. ARGENIO: So you're proposing a gate to the south and to the east, is that correct?

MR. ZEPPONE: A gate at this potential extension and a

gate at the end of this development, again, crash gates something for emergencies with the primary access being the main.

MR. ARGENIO: Why does that have to be a crash gate on the Washington Green side?

MR. EDSALL: It's not a town road. If they reached a permanent full time access arrangement with them, I'm sure they can come back.

MR. ARGENIO: That sure would be nice, I think at least--

MR. BORDER: If they were willing to allow us, it would be great to share the access, that would be terrific.

MR. SCHLESINGER: What's the reason for the crash gate on the entrance road to 32?

MR. ZEPPONE: I think that's what we were just talking about.

MR. SCHLESINGER: No, they were talking about the other one which would be a great flow but the other crash gate.

MR. ZEPPONE: This is more of an industrial commercial use, there's some truck traffic.

MR. ARGENIO: You don't want trucks wandering over there.

MR. EDSALL: That would be a bad mix.

MR. ARGENIO: I think that, yeah, that Neil is right, that would be a nice flow, I don't know how those--

MR. BORDER: If they would cooperate, it would be great but who knows, that's why we created this over here

with the elevations going to the clubhouse having this and having that would be perfect but if we can't then this would be terrific also having this as a secondary means.

MR. ARGENIO: The planning board issued lead agency coordination letter for this project in October of '04, due to the time delay and the change in the plans, it should probably be recirculated. That's Mark's recommendation and I agree with that. Dominic, do we need to vote on that?

MR. CORDISCO: No.

MR. ARGENIO: Unless anybody's got a problem, let's get that recirculated. You're also going to be referred to Orange County Planning which is the law and I think you should be referred there but and I agree with Mark's comment number 4 that we should wait for more detailed plans before you go to DOT. You know what I would like you to look into too, sir, if you could and this is kind of aesthetic, I think that if you could look into the possibility of down near 32 if you could increase the length of that boulevard entrance, do you see the island there, the median that you have there, if you can increase the length of that a bit, I think that would be attractive, take it further. I'd like to see that, I mean, this is early with this, you guys have a lot of hurdles to go through. Joe, you're looking at me like you have something there.

MR. MINUTA: Yeah, I initially saw this and I'm thinking to myself are we really going to access this property through an industrial area and the secondary being secondary means of egress, I can understand that's for emergency only, I concur with idea to extend the island forward, I think that's fine. But I do want you to take into consideration a couple things, we do have an industrial area here, we have paint suppliers, other things that happen here, you're going to get

items that the residents may find offensive once they're living there and highly suggest that you look into that.

MR. ARGENIO: What do you suggest, some landscaping or fencing?

MR. MINUTA: No, I'm talking about odors and things like that coming from the paint sprayers.

MR. ARGENIO: What would you like them to do?

MR. MINUTA: I don't know.

MR. SCHLESINGER: They only paint, it's not automotive, what you're saying is generic that it's an industrial area that he might want to have some gray area?

MR. MINUTA: There's going to be noise and odors.

MR. ARGENIO: I don't understand what you're asking.

MR. MINUTA: Just want to make the applicant aware of what happens in this area so that they can understand and try to mitigate any further circumstances that may prohibit some of your sales.

MR. ZEPPONE: I can tell you the comments that we found as part of that under earlier scenarios these homes on this side and the road here we moved them so we put the roads between us and them and heavy landscaping.

MR. SCHLESINGER: What Joe's pointing out is that you have a produce person, trucks coming in in the middle of the night, I'm sure we don't have to tell you.

MR. ZEPPONE: No, it's good to hear.

MR. SCHLESINGER: One thing I will call to the attention that we're going to ask for and that is the

timing of your clubhouse along with the progress that you're making on the other units, we don't want to have the same thing happening.

MR. ARGENIO: Mark, is the size of the clubhouse appropriate for the amount of units they're proposing?

MR. EDSALL: Well, I think not to be sarcastic but that really because there's no guideline in the code, it falls back on the board, do you believe the square footage is appropriate.

MR. ARGENIO: What's the guidelines in the new code?

MR. EDSALL: I will compare it to that and have an answer for you.

MR. ARGENIO: That's what I'm getting at.

MR. ZEPPONE: I can tell you in response to the Benedict Pond where you asked us to increase that we did increase this from what we had my recollection it's about 4,000 square feet, that's my recollection.

MR. MINUTA: Roughly the same amount of units as the last one.

MR. ARGENIO: They'll check it out. Henry, you got any thoughts or Howard? I have one other thing I think it's important that I think the folks at Washington Green did a pretty fair job over there. Mr. Freid's been developing in the area for many years, I've known him since I've been part of this industry, I think you guys as well should produce some kind of an elevation for us, a color elevation so we can see what you're doing up there, buildings should have hats on them as my predecessor used to say, a soffit, you know, hanging over the side of the building and cause I think some of the condo units around town look like hell and we're not an architectural review board but I certainly would

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like to see what you're going to do.

MR. BORDER: You're absolutely right.

MR. ARGENIO: Mark, anything else?

MR. EDSALL: No, again, we're just starting.

MR. ARGENIO: We're early so we'll have plenty of time to look at this. Thank you folks.

MR. BORDER: Thank you.

DISCUSSION

COVINGTON_ESTATES

MR. ARGENIO: Mark, I would like you to give us some thoughts on this discussion thing with Covington. There's been some meetings and some discussions and if you could, I am aware of most of it, if you could bring my contemporaries up to speed on that, I'd appreciate it.

MR. EDSALL: The Covington application is getting to the point where they're trying to finalize all the outstanding issues.

MR. ARGENIO: You guys familiar with that?

MR. EDSALL: Covington being--

MR. ARGENIO: The one you're worried about them putting 77 wells on that, if you're at the Cantonment going towards Five Corners, it comes up on your left, it was very early in this board when we got to go back in February I think we made them come in and give us some more elevations. Right? Go ahead, Mark.

MR. EDSALL: There was some concern about historical aspect because it's down the road from the Cantonment and the historical corridor so there was interest on the planning board to reserve by an offer of dedication that wouldn't really be accepted at this point but could be exercised down the road quite a number of years that a 50 foot strip through the site so that there would be the potential for a cross-connection into Vails Gate Heights.

MR. ARGENIO: That potential cross connection would cross the railroad tracks and come into the back of the apartments and come down the Vails Gate School.

MR. MINUTA: We want to do this why?

MR. EDSALL: Well, it was coming to the point where it had to come to closure as to exactly which direction and there were conflicting opinions and there was a meeting asked for and held with the Town Supervisor to get a flavor from the new Supervisor is this a project that he would endorse and look to spend town money on at sometime in the future to carry through. And one of the basic concerns is number one, physically, can you do it cause it's about a 12 or 14 foot elevation difference as you cross the railroad tracks and secondly, the old saying of be careful what you ask for, you may get it is it makes sense to introduce through traffic in front of a school, the Vails Gate School. So after a lot of discussion and another issue the Supervisor brought up is that they have been having problems where there's an offer made that down the road when the road falls into disrepair everyone comes to the Town Board and says well now we want you to take it and they beat up the Town Board to take the road. Now it's at a point where they really didn't want it. So the conclusion was that we got direction on is to come back to the planning board and say that they want to take a reverse, they want to deed restrict the 50 foot strip so there's no way they can ever develop it, can't build structures, they can't do anything with it, so it would stay free and clear and 30 years from now if the town cares to come in and take it by eminent domain so be it but the town doesn't want an offer of dedication for that strip.

MR. SCHEIBLE: That whole concept was brought before the board back, it's got to be 20 years ago back when I was on before if you remember Mike and Mark remember that whole thing and it was shot down at that time.

MR. EDSALL: If the Vails Gate School wasn't there.

MR. SCHEIBLE: Right, the whole thing was the Vails

Gate School.

MR. EDSALL: I tend to think you can look at it as, you can look at it as another main road connector that everything builds off of but to put that in front of a school scares me.

MR. ARGENIO: The only reason it's here to keep you guys keyed into it, it was a pretty hot application early on in this administration so their contention was no and I'm getting the flavor from you guys that you're saying no. Do we have to vote?

MR. EDSALL: No but you should all be, you have to be in concurrence so when they come back for site plan approval--

MR. ARGENIO: Are we in concurrence with the Town Board's decision?

MR. SCHEIBLE: Yes.

MR. BROWN: Yes.

MR. MINUTA: Yes.

MR. ARGENIO: Yes.

MR. SCHLESINGER: Yes.

VALLEY_FIELD_ESTATES

MR. ARGENIO: One final thing here, Mark, I think you're aware of I'll read this letter Valley Field Estates, we respectfully request 90 day extension of conditional approval of Valley Field Estates 14 lot major subdivision, 81 Bethlehem Road on May 4, 2006. Your attention is greatly appreciated. Chester Sawyer and Marjorie Sawyer. Mark, there's no--

MR. EDSALL: You can bulk 90 days because that brings them to the end point, they are working to get a drainage district.

MR. ARGENIO: Both 90 day?

MR. EDSALL: So they don't have to come back.

MR. ARGENIO: I will accept a motion.

MR. MINUTA: So moved.

MR. SCHLESINGER: Second it.

MR. ARGENIO: Motion has been made and seconded that the Town of New Windsor Planning Board grant the Sawyers two 90 day extensions for their conditional approval of Valley Field Estates on Bethlehem Road. No further discussion, roll call.

ROLL CALL

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| MR. SCHEIBLE | AYE |
| MR. BROWN | AYE |
| MR. MINUTA | AYE |
| MR. SCHLESINGER | AYE |
| MR. ARGENIO | AYE |

MR. ARGENIO: Motion to adjourn.

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MR. SCHLESINGER: So moved.

MR. MINUTA: Second it.

ROLL CALL

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| MR. SCHEIBLE | AYE |
| MR. BROWN | AYE |
| MR. MINUTA | AYE |
| MR. SCHLESINGER | AYE |
| MR. ARGENIO | AYE |

Respectfully Submitted by:

Frances Roth
Stenographer

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