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November 3, 2008

COPY

Hon. Supervisor and Town Board
Town of New Windsor
555 Union Avenue
New Windsor, New York 12553

HAND DELIVERY

Re: Legacy Woods
Senior Housing Special Permit Application
Our File No. 4035-002

Dear Supervisor Green and Board Members:

This office represents Knox Village, Inc., which currently has an application pending before the Town of New Windsor Town Board for special permit approval and before the Town Planning Board for site plan approval of a senior citizen housing development. The project site is located on the east side of NYS Route 32 and is identified as Town of New Windsor Tax Map No. 70-1-49.2.

- On September 12, 2007, we submitted an application package for a senior citizen housing special use permit to the Town Board and Planning Board (copy annexed as Exhibit "A").
- Based on comments received from Mark Edsall, P.E., a supplemental package was submitted to both Boards on September 25, 2007 (copy annexed as Exhibit "B").
- Thereafter, the Planning Board submitted a report, dated October 24, 2007, to the Town Board determining that the site is appropriate for the location of senior housing and recommending that the Town Board grant the special use permit (copy annexed as Exhibit "C").
- On November 7, 2007, the Town Board adopted a resolution confirming receipt of the report from the Planning Board and stating that the Town Board would defer further action on the application until the Planning Board, as lead agency, completes coordinated SEQR review and the application is referred to the Orange County Department of Planning (copy annexed as Exhibit "D").
- The Orange County Department of Planning issued a report dated June 27, 2008, recommending a Local Determination on this application (copy annexed as Exhibit "E").

- Thereafter, on August 13, 2008, the Town Planning Board held a public hearing to receive comments from the public on this application. After the public hearing, the plans were modified to reflect the comments from the Board, its consultants and the public (a copy of the full site plan set is annexed as Exhibit "G").
- On October 29, 2008, the Town Planning Board adopted a SEQR negative declaration finding that the application will not cause any potential significant adverse environmental impacts (copy annexed as Exhibit "F").

The Town Board, in its zoning law, has determined that there is a need for housing projects located and designed to meet the special needs of older people and that such housing contributes to the dignity, independence and meaningful activity of older people in retirement years. This application meets those objectives and the requirements set forth in the Town of New Windsor Zoning Code for senior citizen housing. This application complies with the standards set forth in §300-18D of the Town of New Windsor Zoning Code with respect to site selection and such standards are addressed in the Town Planning Board Negative Declaration. Those standards are as follows:

(1) This site is located in an area suitable for residential purposes. It adjoins the existing Knox Village project and on the south side the site adjoins a parcel of land to be developed as a residential project known as Chestnut Woods. The site also adjoins a single family detached residential development along Haight Drive. The site is free of objectionable conditions as there are no nearby industrial uses that would generate odors, noise, dust, or air pollution. A Hannaford's Supermarket adjoins the property on the north west side.

There are minor wetlands on the site which have been identified. The areas which slope on the northerly end will not to be disturbed. The proposed site plan accommodates the physical constraints which consist of an underground sanitary sewer line that crosses the property toward the northern end, and a water main that is located within the bounds of the Central Hudson property. All of those physical constraints have been considered and accommodated in the design of the site plan. With respect to traffic, the property fronts on NYS Rt. 32, a major state highway, and will also have an emergency access to Haight Drive.

(2) The site is located adjacent to and thus within reasonable proximity of a public highway and there is access to goods and services. The property fronts on NYS Rt. 32, which is a route for public bus transportation. A central location has been identified on the plan for community bus or van pick-up connected with community services in which residents participate.

(3) Access to the site will be from NYS Rt. 32, an existing public highway. The NYSDOT has required construction of a left turn lane at the site. There will be no significant adverse traffic impact. There will be a gated emergency access to Haight Drive. The plans incorporate internal sidewalks on one side throughout the proposed project roads, and the sidewalks connect to a proposed sidewalk along the east side of Route 32. Interior roads are designed and will be constructed so as to have appropriate roadway width, alignment and sight distances.

(4) The project site is located at the so-called "five corners" area of the Town. This is a major location for retail, goods and services which include shopping centers, supermarkets, drug stores,

florists, gas stations, restaurants, video rentals, financial institutions, fire station and medical offices. The property is served by the St. Lukes Cornwall Hospital system, which has a campus in Cornwall approximately three miles from the project site. There are places of worship for numerous denominations within a five-mile radius and various Town of New Windsor owned recreational facilities.

The project will contain a club house that will be centrally located near the entrance to the community and other recreational amenities, including tennis court, swimming pool, naturalistic walking trail, community rooms in each building and passive recreation facilities, including gazebo and benches.

(5) Municipal water and sewer service will be provided by the Town of New Windsor. The portion of the property always located in the Town of New Windsor is within the water district and sewer district. The applicant has submitted applications for the extension of the Town sewer and water districts to include the portion of the property annexed from the Town of Cornwall. Electric, cable and telephone services will all be provided by companies that already serve the area.

(6) There will be a sidewalk network to allow pedestrian traffic to move from building to building, to the central clubhouse and other recreation facilities on site, and connecting to a proposed sidewalk along the east side of Route 32. The vehicular traffic pattern provides circulation around the various building clusters. There is parking in the lower level of three of the buildings and additional surface parking to serve all buildings. There is sufficient access to at least three sides of each building so as to facilitate access for emergency vehicles. There is a central clubhouse, a tennis court, swimming pool, walking trails, and gazebo, and each of the buildings will have one area designated for a community space to serve that building.

The Town Board requirements for taking action have been met. The application complies with all standards. Based on the above, we respectfully request that the Town Board grant a special use permit to the proposed senior citizen housing project.

Very truly yours,



Michele L. Babcock

Enclosures

cc: Clients (w/enclosures)
Paul Pelusio, P.E.
Michael Blythe, Esq. (w/enclosures)
Town Planning Board ✓