



Town of New Windsor

OFFICE OF THE PLANNING BOARD
WEDNESDAY -- SEPTEMBER 12, 2007 - 7:30 PM

TENTATIVE AGENDA

CALL TO ORDER

ROLL CALL

ANNUAL MOBILE HOME PARK REVIEW:

- a. DA REALTY-WALSH AVE. (FORMERLY THOMPSONS)
- b. WALTER'S MOBILE HOME PARK

ZBA REFERRAL:

1. **MALONEY, PETER (07-23) SHO GEE COURT (BRENNAN)** Proposed 2-lot residential subdivision.
2. **RLF MANAGEMENT, INC. (07-25) 10 LOUISE DRIVE (MINUTA)** Home Professional Office.
3. **NEW WINDSOR SENIOR HOUSING (07-01) RT. 32 (PIETRZAK & PFAU)** Proposed development of 96 Totally Affordable Senior Housing units.

PUBLIC HEARINGS:

4. **DR. LOUIS CAPP (07-06) BLOOMING GROVE TPK. (COPPOLA)** Proposed new 3,750 s.f. building for office use.
5. **APPLE RIDGE (06-24) SHAW ROAD (PIETRZAK & PFAU)** Proposed 49-lot residential subdivision

REGULAR ITEMS:

6. **BLUE RHINO/ FERRELL GAS SPECIAL PERMIT AND SITE PLAN (07-24) RUSCITTI ROAD (RAAB)** Proposed propane gas distribution.

DISCUSSION:

7. **OSTNER – 12 QUASSAICK AVE. BUILDING RECONSTRUCTION**
8. **REFERRALS FROM TOWN BOARD – SENIOR HOUSING PROJECTS**

ADJOURNMENT

(NEXT MEETING – SEPTEMBER 26, 2007)

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TOWN OF NEW WINDSOR

PLANNING BOARD

SEPTEMBER 12, 2007

MEMBERS PRESENT: JERRY ARGENIO, CHAIRMAN
HENRY VAN LEEUWEN
DANIEL GALLAGHER

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

MICHAEL BABCOCK
BUILDING INSPECTOR

MYRA MASON
PLANNING BOARD SECRETARY

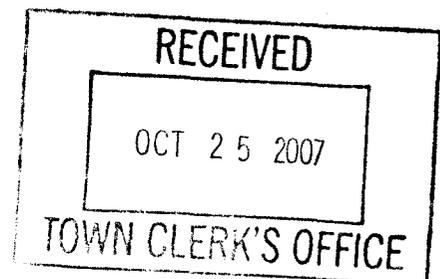
DOMINIC CORDISCO, ESQ.
PLANNING BOARD ATTORNEY

ABSENT: NEIL SCHLESINGER
HENRY SCHEIBLE
HOWARD BROWN

REGULAR MEETING:

MR. ARGENIO: I'd like to call to order the September 12, 2007 meeting of the New Windsor Planning Board. Please stand for the Pledge of Allegiance.

(Whereupon, the Pledge of Allegiance was recited.)



ANNUAL_MOBILE_HOME_PARK_REVIEW:

DA_REALTY

MR. ARGENIO: Somebody here to represent this? Would you please give your name?

MR. GLYNN: Arthur Glynn.

MR. ARGENIO: Somebody from your office been to visit this park?

MR. BABCOCK: Yes, we have, everything is fine.

MR. ARGENIO: Do you have a check made out to the Town of New Windsor for \$100?

MR. GLYNN: Yes.

MR. ARGENIO: I'll accept a motion.

MR. VAN LEEUWEN: So moved.

MR. GALLAGHER: Second it.

MR. ARGENIO: Motion has been made and seconded that the Town of New Windsor Planning Board offer one year extension for the DA Realty, Walsh Avenue trailer park. Roll call.

ROLL CALL

MR. GALLAGHER	AYE
MR. VAN LEEUWEN	AYE
MR. ARGENIO	AYE

MR. GLYNN: I'd just like to let the board know right now I've hired an outside engineer to come in, we're redesigning the trailer park, reducing the number of trailers, just trying to make it a little safer

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situation for the ease of fire access and getting in there and cleaning up the establishment so hopefully in the next month they'll be there.

MR. EDSALL: He has been at a workshop to discuss it and one of the issues was sewer, he's been working with Mike Babcock, myself and John Agido to let's say correct some of the things that shouldn't be the way they are. So he's been helpful.

MR. ARGENIO: We have a short board tonight, tonight sundown begins the Jewish New Year which I'm sure everybody is aware of, Mr. Schlesinger and Mr. Brown are not here and Mr. Scheible, he's on his way to Florida. So anybody who's going for final approval they need a unanimous vote, the three of us can carry a motion but it needs to be unanimous so I don't know if that means anything to anybody but I felt the need to say that.

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WALTERS_MOBILE_HOME_PARK

MR. ARGENIO: Second on the agendas Walters Mobile Home Park, somebody here to represent this? They were advised they were going to be on the agenda, if they were going to celebrate the holiday, they should have told us but if they don't come we'll put them on the next agenda.

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ZBA_REFERRAL:

MALONEY, _PETER_(07-23)

MR. ARGENIO: ZBA referrals we have three of them this evening. First one is Maloney minor subdivision. Is anyone here to represent this? Please come up, tell us what you'd like to do here.

MR. BRENNAN: Ladies and gentlemen, my name is Kevin Brennan, the attorney for Mr. Maloney. They are seeking to create a 2 lot subdivision on a single, from a single lot and we have met some months passed with Mr. Edsall and he has delivered to me this evening a statement of his review comments and has raised some issues that need to be addressed by the applicant before we return to this board.

MR. ARGENIO: I don't see any heavy lifting on this application. Are both lots conforming after the subdivision, Mark?

MR. EDSALL: Well, it's the lot area that needs some relief, they do need to go to the ZBA.

MR. ARGENIO: Mark has a note here the applicant should verify compliance of street frontage values for each proposed lot. Do you have that comment?

MR. BRENNAN: I do.

MR. EDSALL: We'll want to make sure if they need a variance for that as well that we include that in the referral so we'll wait to hear back from the surveyor.

MR. BRENNAN: Thank you, yes.

MR. VAN LEEUWEN: In other words, you need a referral to the ZBA?

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MR. BRENNAN: Yes.

MR. ARGENIO: Then he will be back to see us again.

MR. VAN LEEUWEN: So moved.

MR. GALLAGHER: Second it.

MR. ARGENIO: Motion has been made and seconded that the Town of New Windsor Planning Board declare the Maloney minor subdivision incomplete at this time, thus referring them to the zoning board. If there's no further discussion, roll call.

ROLL CALL

MR. GALLAGHER	AYE
MR. VAN LEEUWEN	AYE
MR. ARGENIO	AYE

MR. ARGENIO: Again, you have been referred to the zoning board, contact Myra and she'll get that squared away, get you on the agenda.

RLF_MANAGEMENT,_INC._(07-25)

MR. ARGENIO: We'll get to see these again, the planning board will get to review the referrals again. Moving kind of quick because we don't have a full board. I'd like to have the other members have the benefit of seeing these which they will the second time they come in front of the planning board. This is RLF Management home professional office. This application proposes the subdivision of the 3.1 plus acre parcel into two single family residential lots. The plan was reviewed on a concept basis only.

MR. MINUTA: Mr. Chairman, Joseph Minuta representing RLF Management. What we have here is a home business, it's been a home business since 1988. There was a complaint filed with the Town of New Windsor by a Brian Gilliano (phonetic) who's an estranged relative of the applicant.

MR. ARGENIO: That's not a need to know, Joe.

MR. MINUTA: I just want you to know why we're here. So there have been no issues as far as the residents, there have been no complaints from the neighbors. The person complaining doesn't live within this area or vicinity. We're looking for a ZBA referral.

MR. ARGENIO: Mike, the complaint was made so your office is compelled to respond?

MR. BABCOCK: That's correct.

MR. ARGENIO: Okay.

MR. MINUTA: So we're here to officialize (sic.) this home occupation.

MR. ARGENIO: Joe, it's my understanding that the reason actually this is to Joe and Mike, the reason the

variance is needed is because the business employs more than five people?

MR. EDSALL: More than one.

MR. ARGENIO: I'm sorry, employs five people which is more than one.

MR. BABCOCK: That's correct.

MR. ARGENIO: Is that the only reason, Mike?

MR. BABCOCK: That's correct.

MR. ARGENIO: Oh my goodness.

MR. VAN LEEUWEN: That's ridiculous. So moved.

MR. ARGENIO: I'll accept a motion that we recommend that this application is incomplete at this time.

MR. VAN LEEUWEN: So moved.

MR. GALLAGHER: Second it.

MR. ARGENIO: Motion's been made and seconded that the Town of New Windsor Planning Board declare the RLF Management plan incomplete at this time. No further discussion from the members, roll call.

ROLL CALL

MR. GALLAGHER AYE

MR. VAN LEEUWEN AYE

MR. ARGENIO AYE

MR. ARGENIO: Thank you for coming in.

NEW_WINDSOR_SENIOR_HOUSING_(07-01)

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

MR. ARGENIO: This application proposes development of 96 one bedroom senior housing units on 4.1 acre parcel. Application was previously reviewed at the 24 January, 2007 planning board meeting and if I'm not mistaken Mark that was for referral for our recommendation to the Town Board at that time, is that right?

MR. EDSALL: Yes, that was a recommendation back relative to the special use permit. This is now being considered as part of a site plan application and they need Zoning Board of Appeals assistance to move forward.

MR. ARGENIO: Mr. Pfau?

MR. PFAU: Yes, two variances that we're going to be requesting are a density units per acre 18 is the maximum and we're proposing 28 units per acre and we're also seeking relief in our parking requirements.

MR. ARGENIO: Density and parking?

MR. PFAU: That's correct.

MR. BABCOCK: There's possibly a couple other ones also.

MR. ARGENIO: Go ahead, Mike.

MR. BABCOCK: Did you get a copy of this?

MR. PFAU: No, I did not.

MR. EDSALL: The one I want to make sure that Joe checks is relative to the spacing between buildings,

there is under 300-18-H 7) (4) which has provisions for building spacing. I want to make sure if they go to the zoning board they get everything they need. And just suggesting to the applicant that in addition to making the computation corrections that are in my comment so we make sure you get the correct variances you also have to take another walk through 300-18 and 300-18A, make sure there's nothing else you need because I'd hate to see you have to make two trips.

MR. ARGENIO: Let me try to be a little more direct. In your counts, the counts are supposed to be based on net values?

MR. PFAU: Yes, that's correct.

MR. ARGENIO: Are you aware of that?

MR. PFAU: Yes, I am.

MR. ARGENIO: You need to base them on net values and Mark I would trust that who does the referral do you do it or Dominic?

MR. EDSALL: I will do it and if I get confused I get Mike's help.

MR. ARGENIO: Would you check that and make sure that whatever variances they need it's the three as far as I can see, is that correct?

MR. EDSALL: It is.

MR. ARGENIO: That we cover this thing in one fell swoop for the benefit obviously of the applicant and us, I mean, it needs to be done correctly the first time.

MR. EDSALL: Yes but they do the math, I do the referral, the best of my review I think their math

needs correction on both the net area calculation which affects the densities and they have to look at the parking and they have to make sure they count the caretaker apartment as a unit. That's the way the law reads, that's so far all I found. I also want you to check the spacing of buildings, make sure I haven't been able to find any other variances that are needed as long as Joe can confirm that I'm not missing anything I think we have a complete package.

MR. ARGENIO: They can check that then.

MR. EDSALL: Yes, I checked the plan already, that's the best I can figure at this point.

MR. ARGENIO: And again as I mentioned earlier at this point in time there's really not a need for us to get into a detailed review. Joe, I'm sure you're aware of disapproval from fire, I hope you're working on that.

MR. PFAU: Yes.

MR. ARGENIO: It would be good to get that resolved so the review by the planning board is done concurrently with the review by the zoning board. So if you can get your plans cleaned up, get the appropriate variances listed on the front of the plan, get them to Mark, get them submitted, he'll schedule you more for a workshop. You can do that?

MR. EDSALL: Yes.

MR. ARGENIO: Schedule you for a workshop and the process will continue.

MR. VAN LEEUWEN: I'd like to make a motion to send this to the ZBA with a positive note that this is very important to the people of, the senior citizens of New Windsor that need and they deserve a break.

MR. ARGENIO: I'm in agreement with that. If you remember we did have a discussion on the record about this project prior to making our recommendation to the Town Board and the spin at that time was positive. I don't see any reason that that should of changed.

MR. CORDISCO: You already issued a written recommendation in favor of this senior housing project at this location, the easiest thing would be to include a written copy of that to the ZBA.

MR. ARGENIO: Works for me.

MR. EDSALL: I'll make a note to add that to the referral.

MR. ARGENIO: This is certainly a good location for this type of, a good use for this location.

MR. CORDISCO: That also if I may will explain where they are in the process so the ZBA understands that.

MR. ARGENIO: I have a motion that we declare this application incomplete at this time.

MR. GALLAGHER: Second it.

MR. ARGENIO: Motion has been made and seconded that the Town of New Windsor Planning Board declare this application incomplete at this time which refers you Mr. Pfau to the zoning board. I hope you'll be successful there in getting the variances you need because the seniors in this town do need a place to live. I'll have a roll call.

ROLL CALL

MR. GALLAGHER	AYE
MR. VAN LEEUWEN	AYE
MR. ARGENIO	AYE

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MR. ARGENIO: You'll contact Myra, you know the routine I guess, right?

MR. PFAU: Thank you very much.

PUBLIC_HEARINGS:

DR._LOUIS_CAPPA_(07-06)

MR. ARGENIO: Public hearing, Dr. Louis Cappa site plan. This application proposes merging of two adjoining lots followed by an addition to the existing office. The plan was previously reviewed at the 14 March, 2007 and 8 August, 2007 planning board meetings. The application is before the board for a public hearing at this meeting.

Mr. Mario Salpepi appeared before the board for this proposal.

MR. ARGENIO: I'd like you to tell us what you're doing here then we'll open it up to the public for their comment and then we'll turn it back over to the board. This is a pretty straightforward application as I recall. Please go ahead.

MR. SALPEPI: We're representing Mr. and Mrs. Cappa who currently own a one story medical office at 1,182 square feet, they have purchased the adjoining lot which is currently undeveloped and overgrown. We're proposing an addition to their existing building. The addition is 3,757 square feet, it is also one story, they will be expanding their medical practice and providing some leased office space. They currently have a small parking lot which is contiguous with the Planned Parenthood parking lot, I assume everyone knows the location on 94. We will be expanding the parking as required for the addition and the existing office. It will be 33 spaces as required by the town and it will also be permanently separated from the Planned Parenthood parking lot which is currently contiguous with it. We're proposing new sewer service to the entire building continuing with some improvements which were recently done by the residential project to the rear, water service stays the same and all of the storm

water from this lot will go into a drainage ditch which currently exists along the undeveloped parcel.

MR. ARGENIO: That will cross 94?

MR. SALPEPI: It will cross 94, yes.

MR. ARGENIO: Okay, I want to open this up, I want to get some comments then I want to go back to a couple comments that I have. On the 29th day of August, 2007, four envelopes were sent out by Myra containing the public hearing notice for this Cappa site plan on New York State Route 94. Is there anybody in the audience that would like to speak for against or just comment on this application? Please raise your hand and be recognized and you will be certainly given the opportunity to speak.

MR. VAN LEEUWEN: Seeing that nobody stands up, I'd like to close this public hearing.

MR. GALLAGHER: Second it.

MR. ARGENIO: Motion has been made and seconded that the Town of New Windsor Planning Board close the public hearing on the Cappa site plan. Roll call.

ROLL CALL

MR. GALLAGHER AYE

MR. VAN LEEUWEN AYE

MR. ARGENIO AYE

MR. ARGENIO: It's always good to have the public hearing especially if it doesn't slow you down because you never know what can come up. You did receive the necessary variances from the zoning board, yes?

MR. SALPEPI: Yes.

MR. ARGENIO: Briefly, what were they?

MR. SALPEPI: There were, we matched existing setbacks of the existing building, 13, 9, as you go down the rear we also had lot size area variance, the lot size is quarter of an acre short of what would be required and then development coverage in this zone is only 20 percent allowable and we have 55.

MR. ARGENIO: Certainly is fitting in that neighborhood, that little strip there. We did hear from Orange County on this, it was local determination, they can make some decisions. Mike, is there, Mark, is there anything else going on with this? This is pretty simple.

MR. EDSALL: No, it had some issues, we worked them all out, everything is addressed on the plans. I'm suggesting in here that if you're prepared you could consider authorizing preparation of the negative dec by the attorney and for execution by the chairman and if you--

MR. VAN LEEUWEN: So moved.

MR. GALLAGHER: Second it.

MR. ARGENIO: I'll accept a motion we declare negative dec on the Cappa site plan. Motion has been made and seconded that the Town of New Windsor Planning Board declare a negative dec under the SEQRA process for the Cappa site plan Route 94. If there's no further discussion, roll call.

ROLL CALL

MR. GALLAGHER	AYE
MR. VAN LEEUWEN	AYE
MR. ARGENIO	AYE

MR. ARGENIO: The lots have not been combined, I see here.

MR. EDSALL: That's one of the conditions that I have and my suggestion for the approval is that the lots be combined which is normally after you vote. The sign is just an issue that I want to make sure that the final plans that are stamped and signed are in conformance with the code. I have a question on that I need you to doublecheck.

MR. BABCOCK: Yes.

MR. ARGENIO: The size of the sign.

MR. EDSALL: The maintenance bond, the board indicated that they wanted as part of the, for the landscaping key improvements per the code bond estimate which you always have required payment of fees, as you can see, there's all procedural conditions.

MR. ARGENIO: I see that.

MR. EDSALL: They have been very cooperative and I think the plan is in good shape.

MR. ARGENIO: Danny, do you have anything else?

MR. GALLAGHER: No, looks pretty good.

MR. VAN LEEUWEN: I have no problems.

MR. ARGENIO: That being the case, I'll accept a motion for final approval for Cappa site plan subject to the items that Mark just read into the minutes.

MR. VAN LEEUWEN: So moved.

MR. GALLAGHER: Second it.

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MR. ARGENIO: Motion has been made and seconded that the Town of New Windsor Planning Board offer final approval to the Cappa site plan subject to the items that Mark just read into the minutes for tonight's meeting. I'll have a roll call.

ROLL CALL

MR. GALLAGHER	AYE
MR. VAN LEEUWEN	AYE
MR. ARGENIO	AYE

APPLE RIDGE_ (06-24)

MR. ARGENIO: Apple Ridge, Shaw Road represented by Mr. Pfau. Apple Ridge major subdivision, resubdivision of the lands of Minard. This application proposes subdivision of total 197 acres into 45 single family residential lots. The plan was reviewed at the 28 June, 2006, 25 October, 2006 and 28 March, 2007 planning board meetings. The application is before the board for a public meeting at this time. Mr. Pfau, we're going to do the same thing with you that we did on the previous application, give us a brief rundown of the project and then we're going to open up to the public for their comments. I'm just curious though with the market what it is, what are you doing?

MR. PFAU: Well, it'll be back. My name is Joe Pfau, I'm with Steve Esposito, the design engineers and architects for the project. I'm going to do a quick description of this project that you see here right here. It's a parcel of land on Shaw Road on the southwest side of Shaw Road, it's approximately 197 acres, it's currently an apple orchard, for those of you surrounding the property are probably familiar with it, our proposal is a 49 lot subdivision of which 45 of those 49 lots will be newly proposed lots. Four lots have been previously approved but are also considered in this project. The project is in the R-1 zoning district, it's a total of 197 acres, we do have 49 lots, the minimum lot size in this zone is 80,000 square feet, just under two acres, our lots range from that 80,000 square feet to 18 plus acres with an average density of roughly 4 acres per unit. Every lot--

MR. ARGENIO: So you don't have any problem with the 80,000 square foot ordinance?

MR. PFAU: Correct, and we have done computations for each lot showing the net buildable area to make sure

that we comply with that zoning regulations. All of these lots will be served by individual wells and septic systems. We have done the required soils testing, deep test pits and percolation pits on all of the lots. This will also once we do get through this preliminary review we will be going to Orange County Health Department for review of the water supply and sanitary facilities for a secondary review where at that time Orange County Health Department will require certain well testing to be performed as well as well monitoring to adjoining properties. They will also require witnessing of soils testing once again on these lots in the form of witnessing deep test pits and percolation tests. You can see from the layout we have a looped road coming off Shaw Road, the more southeasterly entrance this one here lines up with the existing entrance into the apple orchard that's there currently. And then we also have an entrance northwest approximately 600 feet up so that there will be dual entrances in with a looped road. There's a wetlands which goes through the center of the site actually drains this direction into an existing pond here.

MR. ARGENIO: Which direction, north or south?

MR. PFAU: It drains south, basically south, actually drains south through the center of the site, goes through the existing ponds and bends back actually flows north back towards Shaw Road, does a horse shoe. We have delineated that wetlands based on federal requirements, there was an issue with the town about the potential of a DEC wetlands, we have had the DEC representatives out to also look at the wetlands line so that the line is the same in either case. We do cross that wetland in two locations with the roadways.

MR. ARGENIO: What's your impact?

MR. PFAU: Right now, we're staying as far as the Army Corps of Engineers, we're staying under the threshold

of the 1/10 of an acre, 1/2 an acre, I'm sorry.

MR. ARGENIO: Half?

MR. PFAU: Yes. And as I said, we're crossing that wetlands in two locations. We also have three storm water treatment ponds on the site which will be attenuating the peak runoff off-site, the site actually drains in three basic directions and those ponds are designed to attenuate the peak runoff off-site which we have shown in our storm water pollution prevention plan and also treats the storm water. There are two lots in the rear of the property, two large lots, both of them 18 plus acres which will be sharing a common private drive. And that is pretty much a quick rundown of the project.

MR. ARGENIO: Let's open up to the public and get a little input here. On the 20th day of August, 28 addressed envelopes went out containing the notice of public hearing, announcing a public hearing for the Apple Ridge major subdivision. At this time, if there's anybody that would like to speak for or against, comments on the project, please raise your hand and be recognized, come forward, give us your name and address and you'll be afforded the opportunity to speak. Somebody here want to speak?

MR. FELDI: Yeah, my name is Martin Feldi and I represent the major group which owns property nearby.

MR. ARGENIO: Wait a second, slow down a little bit. What's your name?

MR. FELDI: Martin Feldi and I represent the neighboring group which owns the property in the vicinity of this and for the benefit of my map, I'd like to give you a smaller map so we can all see the same thing. As I see in this subdivision you show--

MR. ARGENIO: Mr. Pfau, turn that to us, please.

MR. FELDI: You show two dotted lines here and two dotted lines here, I assume that would be access for this property some day?

MR. PFAU: That's correct, potential future access.

MR. FELDI: Would that be now paved as you paved the other roads?

MR. PFAU: It's not proposed to be paved, proposed to be dedicated.

MR. FELDI: Will these people adjoining here be aware of the fact that some day other properties may hook into that whole system?

MR. PFAU: Well, they'd have to be made aware of prior to them purchasing the lots.

MR. FELDI: Does the map note it?

MR. PFAU: I'm sure there will be some type of description certainly on the filed map.

MR. FELDI: Let me just briefly put my little map up here for the benefit of the board to show what I own, this is the apple orchard, this is the Duskin (phonetic) farm which is now owned by Heritage Holding of Holtsneck and it's obvious or most likely that they are not going to do any farming here because my property is only accessible by a bridge.

MR. VAN LEEUWEN: I know the property very, very well, one is the Hokey (phonetic) farm and the other is the Duskin farm.

MR. FELDI: Duskin farm only had access by the bridge which is very nice that this is going to them someday

if they want to develop, have access to a road system. Are these roads to town specs that other roads could hook into it?

MR. ARGENIO: Those roads are going to be to town specs.

MR. VAN LEEUWEN: I would talk to the people that own it and see if--I'm sure they'll work it out.

MR. FELDI: I was hoping that the people, Heritage, because obviously they put a chain.

MR. ARGENIO: You're hoping that what?

MR. FELDI: That they'd be here so I can speak to them. One of the things that I'm really interested in we some day would like to do away with that bridge, I have been unsuccessful to get this bridge fixed, children can fall off and be dead into the railroad.

MR. VAN LEEUWEN: It's a dangerous situation and the railroad will not do anything, I already know.

MR. FELDI: What I am hoping some day as this road comes right here and here that they would be at this time be able to give me some direction that will we some day be able to hook into this road system too.

MR. ARGENIO: I can, I think I can answer that, I don't know if you're going to be thrilled with the answer but I can give you what I think is an accurate answer. We cannot compel that owner of that farm to put a road through his property. But what we do do as you can see Mr. Pfau did and I'm quite sure it was at the recommendation of our planning board engineer was there's those two spurs, we try to plan for the future so there's the ability to put a through-road system in at a later date, that's one of the goals that we try to achieve.

MR. FELDI: I realize that, I'm hoping that would happen when this subdivision comes in this could be 10 years passed my time, I'm 70 years old, I may never see it but my answer to this is I have been a developer in Rockland County, this is not a development property, I'm not a farmer there, it's there for 40 years, can continue to, I'm merely interested in hunting the property. And I do subdivisions in Rockland County and many times when the people here weren't aware and there was no paved road someone ever comes, they all come in in an uproar, we don't want this so that's why I came to this meeting to give some information because that bridge has to go some day. It's just, it's not just an eyesore, children can roll a rock on the train going by there, there's a computer train going through there so this is all I'm at this point interested in. One other question I'm interested in is there any drainage going through this because the Duskin farm feeds onto my property and there's some wetlands?

MR. PFAU: Yes, what we did in our drainage analysis is I skewed a portion of this property because we have a little bit of property that actually does drain just on the south end of our property that drains in the southerly direction but we studied the whole thing and what we're doing we're taking some of that area away with our road construction and bringing it the other direction so we're actually we have a net decrease going to the south towards your property.

MR. FELDI: Major part goes the other way.

MR. PFAU: Correct.

MR. ARGENIO: Towards Shaw.

MR. FELDI: That's pretty much all the questions I have. I'm hoping in the interest of good planning I can get my road. Thank you.

MR. ARGENIO: Thank you. Anybody else? Can I have your name and address?

MS. STEUP: Yes, my name is Leslie Steup my husband and I own property on Fitzma Lane, 10 Fitzma Lane. I have concerns and I believe my neighbors do as well. Many of the houses on Fitzma Lane are supplied by wells. I have concerns about runoff polluting our wells. The primary condition of the soil there is clay.

MR. ARGENIO: And it's crummy, the west end of the town is largely clay everywhere you go.

MS. STEUP: Clay as you know is more of a conductor of fluids than it as filter and what assurance can we be given that our wells are not going to get polluted by this?

MR. ARGENIO: Ma'am, I don't think we can give you any assurance, the same as when your home was put up probably other homes in the area somewhere and when they put your house up I'm sure they were unable to give them any assurances of the same. I live off Station Road out in the west end like you and when they did the 2 lot subdivision next door the same as they couldn't give me any assurance but I didn't have any problems. There's certainly codes and engineering requirements that have to be met and maybe fortunately for you in this application this is so large it's going to have to go to the Orange County Department of Health. What we have done on some of the smaller applications in the west end of the town is rather than take the engineer's word for it that the percs work that the data works we actually we had problems in the west end of the town, we have Mr. Edsall's office go out and witness, physically witness those tests so we know as a town that they are designed to the standards that are in place today in 2007. So I don't know if that allays your concern or not but I can tell you that

the Department of Health review is fairly stringent and it's stringent, very stringent. As far as the wells go, there are certainly codes on wells as well, I mean, it's 100 foot I think on a level run away from sanitary disposals, 200 foot on the downhill or some such thing.

MR. VAN LEEUWEN: A hundred foot on the level.

MR. ARGENIO: Two hundred foot on the downhill and Mark's office gets involved in those type of details so there certainly are standards that they'll have to meet and these standards have been developed over the years because they work. So I cannot give you any concrete assurance but to say that it will be built according to the code and the standards out there and those standards are there for a reason and they have been developed over the years.

MS. STEUP: My second concern is that the wetlands mentioned here, I realize that your concern is with the wetlands in your proposed site, however, the pond, Shaw pond drains off onto all of our properties, there's a stream running behind our homes on our properties and that also is wetland. Has that be taken into consideration? Because there's an affect if things are done on this piece of property here it's going to affect ours as well.

MR. ARGENIO: Let me say this to you to answer that question as well if you listen to Mr. Pfau's presentation that he made he mentioned drainage ponds on the site and Mark if I misspeak interrupt me, please. The law requires today in 2007 that Mr. Pfau's client cannot go in and pave a big giant slab of asphalt and have all this water sheet off into everybody's property. The law requires that the post-development discharge of water from this site can be no greater than the pre-development discharge of water from this site. Is that correct, Mark? I believe that to be correct.

MR. EDSALL: And it's not only an issue of quantity but these ponds are water quality treatment ponds.

MR. ARGENIO: There's sand filters in these ponds that filter the runoff so the runoff is of the same quality that it was before they did the development. So I don't know if that answers your question but provisions are being made, have been made and we don't take Mr. Pfau's word for it, while I'm sure he's a fine engineer and a fine gentleman, we have Mr. Edsall's staff review this information to make sure that his people concur with the findings of Mr. Pfau. So I hope, I think, hope that answers your question.

MS. STEUP: I think so, yes. We have noticed for example the soccer fields when they were put in on the other side of Shaw Road made a huge impact on the wetlands there. I don't know what kind of studies, what kind of SEQRA was done on that.

MR. ARGENIO: My son played on those fields, he's not old but he's 13 now and they have been there for quite some time so I don't know what the regulations were back then, I really can't speak for them, it would be silly for me to so--

MS. STEUP: Thank you.

MR. ARGENIO: Thank you very much, ma'am. Anybody else?

MS. DOLAN: Hi, my name is Donna Dolan, my father has the farm that Martin spoke of.

MR. ARGENIO: Which farm?

MS. STEUP: The Dolan farm. I was just wondering if the old Shaw farm was tore down, the house and the buildings?

MR. PFAU: This farm is still standing.

MR. MESSLER: My name is Chris Messler, I'm the owner of 81 Shaw Road, my house is completely surrounded by the apple orchard. I own the old Shaw farmhouse.

MS. DOLAN: So the home and all the buildings are still going to remain?

MR. PFAU: That's correct, it's an out parcel to the application.

MR. VAN LEEUWEN: That's been there many, many years, I remember subdividing that 25 years ago.

MS. DOLAN: Is there parkland associated with this?

MR. PFAU: No.

MS. DOLAN: No open space at all?

MR. PFAU: Right.

MR. ARGENIO: I'm pleased that the lots are the size that they are, I'm very pleased. Five years ago, ma'am, this would have been one acre lots or less.

MS. DOLAN: I was just curious if they allocated a certain amount of property for parkland.

MR. ARGENIO: No.

MR. MESSLER: My name is Chris Messler, 81 Shaw Road. The original Shaw farmhouse like the other gentleman said the one concern that I did have was the access roads that he had in here for the future development of the property behind. My biggest concern is probably up on the main road due to a lot of the wetlands which drain basically a lot of this is flat and pitches back

towards my property so a lot of drainage comes from culverts flow down and come across, I own, there's a 3,000 square foot farmhouse, 2,000 square foot another caretaker cottage.

MR. ARGENIO: We should make sure we talk about the drainage leaving the site at the same rate as it was prior to but location is important too, we should make sure that the drainage is such that this gentleman doesn't get flooded out. He's right in the middle of the whole thing.

MR. MESSLER: I have spoken to Mr. Walker about it, he's very kind, I'll be honest with you, what I've seen I'm a building inspector in the City of New York, from what I've seen in the layout of the design I'm pretty impressed with the thought and process and the owner of the property now Mr. Meyer I'm very friendly with. So the other thing these homes are going to be of that size I assume they're probably going to have 200 amp service more than likely which I think in the town they are required direct burial 200 amp service, I know Central Hudson does, I'm Central Hudson.

MR. PFAU: Everything is going to be buried.

MR. MESSLER: That's going to affect my house because I'm above ground utilities and my accessory buildings so am I going to have to pay for my service to be direct burial or--

MR. VAN LEEUWEN: Yours can stay the way it is.

MR. MESSLER: That was one concern. The drainage and the paving of the road he shows this blue diamond right here, my property does not cut out like that, I know it has a bizzillion different points and the original subdivision map that was of 1977 when I bought the property in '95.

MR. ARGENIO: Would you check out that, Mr. Pfau, make sure that we have good lot lines?

MR. MESSLER: I know under this access road I come in through here and there's cul-de-sac between the building where I can come back out now the town forced me to close out instead, the town for me to close out instead of two curb cuts have one. I just come around and come in like that.

MR. ARGENIO: I can't specifically answer your question but we should look at that.

MR. EDSALL: I will meet with the highway superintendent, we'll take care of that.

MR. MESSLER: Just wanted my concerns put on record. But the one conversation I had with Mr. Walker he was very fair with me so, all right, I appreciate it, thank you.

MR. EDSALL: What I will do is I will speak with the highway superintendent and we might get ahold of you to work out the details so that it's on the plan for the looped drive.

MR. MESSLER: The problem I have with the notification I don't have a, I have a post office box due to the, my house is so far off the main road the kids were lighting it on fire and they were dispatched.

MR. EDSALL: We'll actually make an attempt to build into the plans an underground feed to a riser pole so then you can do what you want at that point for electrical, easier if we solve it now.

MR. ARGENIO: Anybody else have anything? Yes, ma'am, can I have your name and address?

MS. MIOLA: My name is Mary Ann Miola (phonetic) and

I'm at 16 Fitzma Lane and so I think this must be it, no, here it is, okay, I'm concerned about the wetlands and so he explained how they drained down into these ponds, eventually drained into this pond, came out and then drained out again onto Shaw Road. I'm worried about the pond here that's right next to our property, is it going to be a holding pond or is it going to be a nice, bright, lovely pond it is now?

MR. PFAU: It is not considered a holding pond, there will be no storm water discharged to that pond from the subdivision loads at all. It will be a clean water culvert collecting the wetlands crossing this roadway and through the pond. We also modeled that pond through our drainage analysis to show that we have actually during the storm events which we have studied which is 1, 2, 10, 25 and 100 year storm we have actually shown a small decrease in that elevation of that pond spillway, not a big decrease but we did show a small decrease to that.

MS. MIOLA: Now the spillway is somewhere right over here?

MR. PFAU: Yes, right over here.

MS. MIOLA: Well, that spillway was built, we never new anything about it, we never even realized it was there, all of a sudden we saw that it was coming down, you know, into the, and I have wondered now these lots that are going to be facing Fitzma Lane over here our properties are over here, where are you going to locate their septic cause is it going to run into this water here?

MR. ARGENIO: No, ma'am, as I said to the Mrs. Steup, the owner has a building envelope, he has a location that he can put that septic field in and he can shift it left, he can shift it right, he can shift it up, he can shift it down based on where the well is.

MS. MIOLA: Well, I understand what you're trying to say but this comes down a little and we go down a little so this is a valley in here, that was my concern.

MR. ARGENIO: Regardless of what they do, it's certainly not coming into your lawn.

MS. MIOLA: Oh, no?

MR. ARGENIO: It will be in that common channel in the back of all the lots.

MS. MIOLA: Right but that might affect our water supply and that's what I was worried about.

MR. ARGENIO: Anything is possible as I said to Mrs. Steup but it's highly, highly unlikely.

MR. PFAU: And the septic systems are located on the top part of the pitch not where it's steep.

MS. MIOLA: Where are they going to be?

MR. PFAU: In the front of the houses so they're going--

MS. MIOLA: So they're going to be mostly here and have all this property behind them?

MR. PFAU: Yes because we can't locate septic because of the steepness of the slopes.

MS. MIOLA: Did you get all the DEC stuff straightened out with the pond thing and the stream that goes elsewhere?

MR. PFAU: Well, we have done our storm water design and in compliance with the DEC standards, SPDES

compliance and it's been reviewed by Mr. Edsall's office and been modified actually had a few go-arounds in reviewing that.

MS. MIOLA: Did the DEC come and look at it since there's such a lot of wetlands?

MR. ARGENIO: I happen to be in the construction business and I'll tell you it's highly likely that they would visit this at some point in time, highly likely.

MR. EDSALL: They'll also review the SWPPP because of the wetland permit.

MS. MIOLA: Thank you, just want to be sure.

MR. ARGENIO: Anybody else? Can I have your name?

MR. STEUP: Yes, my name is Michael Steup, I also live at 10 Fitzma Lane and I have a couple questions. Number one, Shaw pond is viewed by all of us who own property around it and is any provision going to be made so we can still enjoy Shaw pond?

MR. ARGENIO: You want to continue to swim in it?

MR. STEUP: Not necessarily swim. Also all the wildlife that do use it from time to time.

MR. ARGENIO: Mr. Pfau?

MR. PFAU: Not that I'm aware of, it's going to be on a single lot, proposal is, it's going to be on--

MR. BABCOCK: It's on private property.

MR. ARGENIO: I think what Mr. Pfau is trying to do, Mr. Steup, is trying to not interrupt your, change Shaw pond, as Mr. Babcock said, it certainly is on private property, not obligated to create a walking path or

anything.

MR. STEUP: Okay, also the impact on the traffic going in and out Shaw, right, obviously with all the people coming in with vehicles it's going to cause more traffic. Is anything going to be done to alleviate that situation?

MR. ARGENIO: Well, I have over here our highway superintendent will review this plan and I have here that it's disapproved right now, so the final disposition of what you just asked me I can't elaborate on right now because I don't know. But Mr. Fayo certainly will review it with great scrutiny because it is quite a few lots.

MR. STEUP: Thank you, sir.

MR. ARGENIO: Anyone else? Motion that we close the public hearing on Apple Ridge major subdivision. If there's no further discussion, roll call.

ROLL CALL

MR. GALLAGHER	AYE
MR. VAN LEEUWEN	AYE
MR. ARGENIO	AYE

MS. LESTER: My name is Kay Lester and I live on Fitzma Lane number 12 and that's my property that runs all the way back down there. Now I'm just wondering and the wall goes exactly like that but I'm just wondering when they start their digging and that because I know what it's all about, my husband is a contractor and that so and I do not want my wall disturbed because my markers are there for my survey. And I got it disturbed once and then 10 years later had to have it done over again which was 10 times the cost.

MR. ARGENIO: You have to pay for the new survey.

MS. MIOLA: That's right and I've been there 37 years.

MR. ARGENIO: What can we do to see that her wall doesn't get disturbed? It would be unlawful for him to disturb a pin or a marker but I don't know how much we can do to--

MR. BABCOCK: It appears to me that there is no construction even near this wall.

MR. ARGENIO: Mrs. Lester, that looks like it's in the drainage channel your wall, so that's a very good point.

MS. LESTER: But it won't disturb all that fieldstone? That's all I'm worried about.

MR. BABCOCK: How far away is the septic?

MR. ARGENIO: Probably 150 feet.

MR. PFAU: It's 250 feet.

MS. LESTER: At my age I don't want to be upset and I'm disturbed that they're going to be to putting that many houses there and with the septic if it isn't good where they it, I put the regular tank in and \$7,000 it cost me to have a great big concrete one done.

MR. ARGENIO: Motion's been made and seconded that the Town of New Windsor Planning Board close the public hearing on the Apple Ridge subdivision.

ROLL CALL

MR. GALLAGHER	AYE
MR. VAN LEEUWEN	AYE
MR. ARGENIO	AYE

MR. ARGENIO: I'm trying not to belabor the detailed review tonight because we have such a short board. This application, Mark, will certainly be in front of us a few times subsequent to tonight. Mr. Pfau, there are quite a few procedural items that you need to get through that Mark has. What else procedurally can we do? Can we take it--

MR. EDSALL: One item.

MR. CORDISCO: Because there are some issues that need to be addressed and we closed the public hearing, it will be important for the applicant to provide us a letter indicating that they waive the 62 day requirement. In other words, once you close the public hearing, you're required to make a decision within 62 days but however the burden is on them because they have outstanding items and if they would provide that in writing to us that they did waive that which of course they can take back their waiver later on but that would be important and prudent now. Do you agree to that, Mr. Pfau?

MR. PFAU: Yes.

MR. ARGENIO: Dominic?

MR. CORDISCO: So we're looking for a letter from Mr. Pfau.

MR. ARGENIO: Waive their 62 day requirement. What else can we do procedurally?

MR. EDSALL: That's all we can do. I think before you can take SEQRA action we need to get a couple issues resolved. I think the next time they'll be back will be for SEQRA determination because they need need that before they can go to the health department so it's the chicken or the egg so we'll have to deal with that.

MR. PFAU: And preliminary approval.

MR. EDSALL: Yes.

(Whereupon, Mr. Van Leeuwen left the room)

MR. ARGENIO: We have a unique set of circumstances here tonight. Mr. Van Leeuwen just told me that he has to leave because he just got, Dominic, he just got a phone call from his wife and he has to leave which leaves us with a two member board which we cannot vote on anything.

MR. CORDISCO: You lost your quorum, Mr. Chairman and that's the end of the meeting.

MR. ARGENIO: That's what I'm looking at here.

MR. ARGENIO: Mr. Pfau, you're done.

REGULAR_ITEMS:

BLUE_RHINO/FERRELL_GAS_SPECIAL_PERMIT_AND_SITE_PLAN_

(07-24)

MR. ARGENIO: Who's here for Blue Rhino?

Mr. James Raab appeared before the board for this proposal.

MR. ARGENIO: Sir, we can't act on your plan tonight, I have to apologize to you.

MR. CORDISCO: I could suggest to Mr. Chairman the board cannot take any action on anything because you simply don't have enough votes, however, if you want to make a presentation given that they have come.

MR. ARGENIO: Okay.

MR. CORDISCO: At least it would be in the minutes.

MR. ARGENIO: Sir, I'm sorry for this, I've been here 10 years sitting up in this chair and Mr. Pfau you're done, thank you very much, I'm sorry about that. This is the first time this has ever happened so here's what I'm going to tell you, listen to me, Dominic, tell me if I'm okay with this. Blue Rhino is required to have a mandatory public hearing because it's a special use permit, therefore, that mandatory public hearing does not require us to vote on anything. Is that correct?

MR. CORDISCO: Correct.

MR. ARGENIO: So can we, Dominic, look at his plan or is that unlawful?

MR. CORDISCO: I think you can look at it, I think they can make a presentation. It would be in the minutes but the board cannot take any action.

MR. GALLAGHER: Has to go to a public hearing anyway.

MR. ARGENIO: We can set them up for a public hearing, we don't need to vote on that. Tell you what, only two of us here, take a minute and show us what you got.

MR. RAAB: Basically it's a 2.13 acre parcel formally occupied but New England Motor Freight, now been leased to Blue Rhino Propane. We have been before your engineer and also the fire inspector and they have basically laid out what we have done here.

MR. ARGENIO: Big question, this is the only question, what's the fire inspector have to say?

MR. RAAB: He's fine, fine, he cleared it.

MR. ARGENIO: That's your biggest hurdle.

MR. RAAB: We have met and exceeded every requirement of the National Fire Protection Agency and the New York State Building Code with the help of Mark and Mike.

MR. ARGENIO: Okay.

MR. RAAB: Basically, what we're going to do they're going to come in, its going to be a clockwise movement around the site, we're going to be storing approximately what the Blue Rhino had proposed was 12,000 at their peak season about 12,000 what they call the small barbecue cylinders 20 pounds, 17 pounds, whatever the fire inspector calls them, 20 pounders, they call them 17 pounds. At any rate, what we have shown here we have gone a step further and we've got 16, we've got room for 16,000 cylinders, okay, just in case they do better than they expect. And they really like the site, they think this is a great place for them to be. We're going to surround it with Jersey barriers to protect the truck movements from the

cylinders, fire extinguishers every 50 feet, no smoking signs every 50 feet completely around the site. And the last thing is that to make sure all the brush and grass is kept down so there's no chance of it ever catching fire.

MR. ARGENIO: Let me ask you a stupid question. Did you ever have a problem with somebody shooting a gun into a propane tank?

MR. MITCHELL: Nothing would happen because of the ratio, you can drop it out of the helicopter, nothing would happen. We have never had anybody shoot at it. We've had them hit in two places in 12 years in any of our installations, we never had an incident where propane fueled a fire and that's largely in the fact that now with the OPD valve, a hinge that goes in, if you get too much it comes out and it doesn't happen but no, never really had, I'm a retired police officer so we could do it but the ratio is so hard that for air that it just wouldn't go on fire.

MR. RAAB: I'm Jim Raab from Doce and this is Walter Mitchell from Blue Rhino.

MR. MITCHELL: Rising Sun Road in Bordentown, New Jersey, I'm the development manager for New York and New Jersey.

MR. BABCOCK: This project does not need a special permit so therefore it does not need a public hearing. If it was considered, we changed the, we had thought at the beginning that it needed a special permit because we had said it's a bulk transfer place but it's not.

MR. ARGENIO: It's retail.

MR. BABCOCK: That's correct.

MR. EDSALL: If there was a big tank that they were

filling the small tanks, the big tank would constitute the bulk storage. In as much as it's all small tanks it put it under a permitted by right classification as we learn more about what they're doing.

MR. BABCOCK: The board has a right to have a public hearing if they so choose.

MR. ARGENIO: I'm going to tell you we can't act tonight, we can't vote but Yonkers Contracting is next to you, the railroad tracks are on the other side, I'm on the other side, Tilcon is on the other side, we can't vote tonight but we can discuss it. Right?

MR. CORDISCO: One thing that I could do is prepare resolutions for the next meeting.

MR. ARGENIO: How do you feel about that commentary?

MR. GALLAGHER: No, yeah, everything is, I mean, are these individual small tanks being filled on site?

MR. MITCHELL: No, there will be no exchange of propane at that location.

MR. ARGENIO: No filling stations, no nothing? It's a retail instead of, it's an exchange station?

MR. MITCHELL: Just exchange.

MR. ARGENIO: Instead of selling water bottles, you have propane.

MR. MITCHELL: The tanks come from Dover, Delaware, they're brought in by truck, unloaded there and shipped become to Delaware.

MR. ARGENIO: Empty?

MR. MITCHELL: The empty ones, yeah.

MR. RAAB: Half the site is full, half the site is empty.

MR. MITCHELL: My reason for being here was just to let you know if you had a question about propane.

MR. ARGENIO: I did have a question, I asked it.

MR. MITCHELL: I hope I gave you a satisfactory answer.

MR. ARGENIO: Dan, do you have a question about propane?

MR. GALLAGHER: No.

MR. ARGENIO: We're like two lone wolves here, we cannot act but I'm glad you did your presentation. I will have the other members stop by Town Hall, take a look at the plans. You have a plan?

MS. MASON: Yes.

MR. ARGENIO: And get ahold of Myra and we'll put you on the next agenda.

MR. CORDISCO: September 26.

MR. ARGENIO: Good, it's right there. Mark, is there anything else here with this?

MR. EDSALL: No.

MR. ARGENIO: We have to talk about the public hearing at the next meeting and I'll make the same speech that I just made about the local landowners.

MR. EDSALL: It's not within the distance where it has to go to County Planning so that's okay.

MR. ARGENIO: Fire has signed off, that's a big thing.

MR. EDSALL: Yes, this project as you're looking at it this plan looks similar but in many ways is very much different than what was originally submitted and the reason for that is that the fire inspector office had some true concerns and the applicant I told him the first thing is make them happy and they, and there is a tremendous amount of modification that's been made here. And the fact that they have written off on it gives me a very high level of comfort that it is a much better plan, so I think they're done.

MR. ARGENIO: Get ahold of Myra, call her tomorrow or the next day, get you set up, we'll get you squared away, take your plan back to Oklahoma.

MR. MITCHELL: Just so you know, I'd like to tell you we don't hear this all the time with government but the meeting that we sat down with Mark and the other fire marshal was productive as any meeting I've been in in five years because the input that everybody put in made this a safer location and you should know that that's a pleasure.

MR. BABCOCK: What about this meeting?

MR. MITCHELL: I don't know, there's not enough people to vote.

MR. BABCOCK: I think the work shop was better.

MR. EDSALL: We can't vote either so--

MR. BABCOCK: Wasn't the workshop your idea though.

MR. ARGENIO: There you go. Get them into the workshop, take a look at it, get them squared away before they come here.

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MR. RAAB: Thank you.

DISCUSSION

OSTNER_-_12_QUASSAICK_AVE._BUILDING_RECONSTRUCTION

MR. EDSALL: This was another workshop discussion and I think the good news is I don't believe it needs any action, it may just need a nod to Mike that his taking care of it is fine. The building that's down on, next to Gus's.

MR. ARGENIO: Used car place, Dan.

MR. EDSALL: They have two buildings, a garage and a small office building, the office building is in questionable structural shape, doesn't meet handicapped accessibility for bathrooms, I guess has energy code problems, it's a terrible building. They want to rebuild it. The problem they have is it's going to be slightly larger because of the handicapped and so on.

MR. ARGENIO: How much?

MR. EDSALL: A couple foot.

MR. BABCOCK: Yes, it's about 100 square feet larger, that's what I remember.

MR. ARGENIO: Towards the non-conforming property line.

MR. EDSALL: What we told them was is to prepare a plan to us showing they're making it no closer to the side line to the south and no closer to Route 9W so that if they do anything they make it closer to their own building and square it up to face with the other building. And at that point they're not increasing any non-conformities and rather go through the exercise of a site plan we're suggesting that you may want to just nod your head and say let the building department deal with the replacement of the building.

MR. ARGENIO: The record should reflect this does not require any formal motion or action, the building inspector and the planning board engineer have come in just to get a little bit of direction. Mark, your direction is to take care of it, take care of it, the building permit issue. Dan, I'm not off base here, am I?

MR. GALLAGHER: No, not at all.

MR. ARGENIO: Take care of it. I don't see anything. If he was encroaching into the south, into the non-conforming zone he'd have to prepare a site plan to go to zoning but he's not doing that so I don't think it's a big issue.

MR. BABCOCK: By replacing the building we're making him bring it up to code and to bring it up to code he's got to increase the bathroom sizes for handicapped accessibility.

GATEWAY_SITE_PLAN

MR. EDSALL: This is the Gateway site plan, they have not yet been stamped, but the board took action, this is the medical building, the one you just approved, application 06-30, I believe it is. The applicant after the approvals were granted obviously the plans have not yet been stamped but they are moving forward with their architectural, their architect is desirous of putting a 1,035 square foot mechanical basement underneath and they have documented that they can provide the equivalent amount of parking to cover that, even though it's not really a major issue because it's purely mechanical systems. I know you can't act tonight, I do believe it should be on the record. I'm going to suggest that Dom prepare a resolution indicating that it is a minor change to the plan and authorize the chairman to stamp the modified plans when they come in.

MR. ARGENIO: So they want to put the mechanical room in the basement?

MR. EDSALL: Rather than use valuable medical space.

MR. ARGENIO: Of which we can tax them on the Town of New Windsor, yes?

MR. EDSALL: You might even tax them on the basement. It's purely for mechanical and it's mechanical and storage, I'm sure they're going to have some, point is they're providing parking.

MR. ARGENIO: Providing parking for it. In any event, what do you need from us, Mark and Dominic, what can we do?

MR. CORDISCO: Can't do anything tonight but I can prepare for the 26th.

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MR. EDSALL: When the plan comes in even though it's changed, you can authorize signing it.

MR. ARGENIO: That step will be done then.

REFERRALS_FROM_TOWN_BOARD_-_SENIOR_HOUSING_PROJECTS

MR. EDSALL: The Knox plans are here. It's not many people to hand them out to. Just a reminder, the procedure for senior housing is that an application is made to the Town Board first for special permit, they refer it to the planning board for a recommendation, that's the stage we're at with Knox Village active senior housing. So no action needs to be taken, just merely take the plans home so you can take a look at them, there's some supplemental information they owe me.

MR. ARGENIO: Is this behind existing Knox Village or converting Knox Village?

MR. EDSALL: Perpendicular to Route 32 behind Knox Village so come in off Route 32 so it's a long narrow property.

MR. GALLAGHER: Closer to Cornwall.

SUPERVISOR. GREEN: Yes, it's the property we annexed from Cornwall.

MR. EDSALL: There are two more applications on the way but those projects had enough missing information that we've told them to get the submittal straightened out.

MR. ARGENIO: I don't want to see them.

MR. EDSALL: Until they're ready.

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MR. ARGENIO: Okay, we're done.

Respectfully Submitted by:

Frances Roth
Stenographer