

TOWN OF NEW WINDSOR

PLANNING BOARD

December 9, 2015

MEMBERS PRESENT: JERRY ARGENIO, CHAIRMAN
HENRY VAN LEEUWEN
HOWARD BROWN
HARRY FERGUSON
DANIEL GALLAGHER

ALTERNATE: DAVID SHERMAN

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

VERONICA MC MILLAN, ESQ.
PLANNING BOARD ATTORNEY

JENNIFER GALLAGHER
BUILDING INSPECTOR

STEPHANIE RODRIGUEZ
PLANNING BOARD SECRETARY

MEETING AGENDA:

1. Hill & Dale MHP
2. Silver Stream MPH
3. Quality Carton
4. Quality Carton
5. MCB Partnership
6. New Windsor Fire Department
7. Crestmoore at New Windsor
8. Rakowiecki
9. Access site plan
10. Panorama Drive sub.

REGULAR MEETING:

MR. ARGENIO: I'd like to call the regular meeting of the Town of New Windsor Planning Board for December 9 to order. Everybody please rise for the Pledge of

Allegiance.

(Whereupon, the Pledge of Allegiance was recited.)

MR. ARGENIO: Okay welcome everybody. So the first order of business is for everybody to wish Danny Gallagher happy 40 birthday. How's that? We'll revisit it again at the end of the meeting, we'll probably sing at that point.

APPROVAL OF MINUTES DATED 10/14 & 10/28/15

MR. ARGENIO: First order of business is approval of the minutes dated 10/14/2015 and 10/28/2015

MR. VAN LEEUWEN: So moved.

MR. BROWN: Second it.

MR. ARGENIO: Motion made and seconded we accept them as written. Roll call.

ROLL CALL

MR. FERGUSON	AYE
MR. BROWN	AYE
MR. GALLAGHER	AYE
MR. VAN LEEUWEN	AYE
MR. ARGENIO	AYE

MR. ARGENIO: The first meeting in January if everybody could come a couple minutes early we'll have our reorganization meeting and a discussion about the past year and we'll also at that meeting take a look at the schedule that Stephanie sent out, make sure you guys are okay with that. I think it's been well vetted, we'll vote to accept that so she can post it on the website. So with all that behind us we'll move right into the business for the evening.

ANNUAL MOBILE HOME PARK REVIEWS:

HILL & DALE PARK

MR. ARGENIO: First item tonight is the annual mobile home park reviews, Hill & Dale Park is the first one. Somebody here to represent that? What's your name, sir?

MR. HERSHEL: Joe Hershel, 25 North Emerald Drive, Rock Hill, New York.

MR. ARGENIO: Twenty-two units, Jen, has somebody from your office been over there to have a look?

MRS. GALLAGHER: Yes.

MR. ARGENIO: What say you?

MRS. GALLAGHER: There's no issues there.

MR. ARGENIO: Mr. Hershel, very nice, you keep a nice house. Anybody want to make a motion?

MR. VAN LEEUWEN: So moved.

MR. BROWN: Second it.

MR. ARGENIO: Motion made and seconded we offer one year extension for the permit to operate to Hill & Dale.

ROLL CALL

MR. FERGUSON	AYE
MR. BROWN	AYE
MR. GALLAGHER	AYE
MR. VAN LEEUWEN	AYE
MR. ARGENIO	AYE

MR. ARGENIO: Do you have a check for the benefit of the town for \$250?

MR. HERSHEL: Yes.

MR. ARGENIO: I'll sign this and you're good to go. Thank you.

MR. HERSHEL: Thank you.

SILVER STREAM MOBILE HOME PARK

MR. ARGENIO: Next is Silver Stream Mobile Home Park, somebody here to represent this? What's your name, sir?

MR. PUCCIO: Michael Puccio.

MR. ARGENIO: Michael Puccio, we spoke on the phone, yes, we did.

MR. PUCCIO: We have.

MR. ARGENIO: I did want to talk to you about something, write your phone number down for me. This is?

MRS. GALLAGHER: Silver Stream.

MR. ARGENIO: Which is?

MRS. GALLAGHER: Lester Clark's old mobile home park on Bivona Lane.

MR. ARGENIO: How many units do you have?

MR. PUCCIO: A hundred thirty-seven.

MR. ARGENIO: Jen, has somebody from your office been over there?

MRS. GALLAGHER: Yes.

MR. ARGENIO: What say you about this park?

MRS. GALLAGHER: Mike's doing a great job at the park, we have no issues at all.

MR. ARGENIO: You're the new owner, couple years ago?

MR. PUCCIO: Eight or nine years ago, goes quick.

MR. ARGENIO: Anybody want to make that motion for one year extension?

MR. VAN LEEUWEN: So moved.

MR. GALLAGHER: Second it.

MR. ARGENIO: Motion made and seconded by Mr. Gallagher

that we offer one year extension for the permit to operate for the Silver Stream Mobile Home park off of Route 207 near the airport. Roll call.

ROLL CALL

MR. FERGUSON	AYE
MR. BROWN	AYE
MR. GALLAGHER	AYE
MR. VAN LEEUWEN	AYE
MR. ARGENIO	AYE

MR. ARGENIO: Do you have a check in the amount of \$760 for the benefit of the Town of New Windsor?

MR. PUCCIO: I do.

MR. ARGENIO: We don't have to race to the bank, do we?

MR. PUCCIO: I would.

MR. ARGENIO: Thank you. Michael, I had something I wanted to run by you at some point I'll call you.

MR. PUCCIO: Everyone have a nice holiday and happy birthday.

MR. GALLAGHER: Thanks.

PUBLIC HEARINGS:

QUALITY CARTON (15-15)

MR. ARGENIO: Public hearings, the first item is a public hearing for Quality Carton, somebody here to represent this. What's your name, sir?

MR. RUGNETTA: Nick Rugnetta from Pietrzak & Pfau.

MR. BARATTA: Dan Baratta.

MR. YANNONE: Ray Yannone.

MR. ARGENIO: For those of you who are unfamiliar with the public hearing process, these folks are going to make a presentation to the board and share with us where they're at with some of the comments we had from the last meeting and we'll ask questions or not. Then we'll open it up to the public, if you have a question or want to make a comment, raise your hand and be recognized. You have to give the stenographer your name and come up and say what you need to say and then we'll close the public hearing. So that said, one of you folks tell us what we're doing here, where we're at. I know there was some discussion about the access in the back, better defining it, bunch of things we discussed so please share with us.

MR. RUGNETTA: Okay, so this is the Quality Carton site plan. It's basically proposed storage warehouse building expansion and it's located in the Planned Industrial Zoning district and it's kind of on the corner here of Steele Road and Route 207, otherwise known as Little Britain Road, Lake Washington is across the street here. Basically, it's a building expansion just for storage and warehouse space so no new employees will be hired, as far as parking's considered there's total existing 158 spaces and that excludes what we're eliminating by proposing the expansion in the rear of the building. Also it's to be serviced by existing sewer and water facilities and we're proposing a storm water pond to treat the roof runoff in the rear of the building as well.

MR. YANNONE: I did meet with the fire inspector, he did not want the access from Steele Road.

MR. ARGENIO: They did not want the access from Steele Road, not even a crash gate?

MR. YANNONE: No, but it's available there if it's needed and we did increase the area around the pond so you have access to the building, it's about 20 feet.

MR. RUGNETTA: It's 15 feet.

MR. ARGENIO: I think that's a good move, Ray.

MR. YANNONE: So you can actually drive on that so we have enough room to get around it.

MR. ARGENIO: Mark, on the pond it says type F5 bioretention storm water facility, what does F5 refer to, is that the size or the lining, what's that refer to, do you know?

MR. EDSALL: I think it's the design type but I'll defer to the applicant's engineer, they have more information.

MR. RUGNETTA: It's the type of storm water facility, there's a detention pond, organic filter, this is just a bioretention pond so it has a media under it. And if you see on the site plan sheet a portion of the pond I believe on this side it's cut off here that will have that filter media underneath and it will have an underdrain that's directed to the drainage outlet structures.

MR. ARGENIO: You're doing the right thing moving it away from the building. So tell me about the interface or not as it were with Steele Road, is there going to be pavement in that area between Steele Road and the parking lot or what's that surface going to be?

MR. YANNONE: There's a gravel area, you probably can better point it out than I can, Dan, on the side that you can actually drive across but it's not meant to be a driveway.

MR. ARGENIO: I see you're going to put trees there.

MR. YANNONE: The trees are further along, I think your access point is further down relatively flat there then it slopes up very quickly.

MR. EDSALL: Ray, you said there's a gravel drive going to Steele Road?

MR. YANNONE: Just a gravel area, not drive that's existing, the trucks turn around, they do U-turns.

MR. EDSALL: Cause that's not reflected on the plan so you should--

MR. YANNONE: It says existing gravel area doesn't actually tie into Steele Road but you can drive to it, it's right there.

MR. ARGENIO: I drove over there, Mark, to have a look and it's an open area, I don't think it's, I don't think the intent--

MR. BARATTA: Trucks come in and out of this area.

MR. ARGENIO: Your trucks do?

MR. BARATTA: They don't, they don't go into Steele Road, they turn around in that span.

MR. ARGENIO: They're turning around on your property, didn't look to me like you're using Steele Road.

MR. BARATTA: Not at all.

MR. ARGENIO: In this application you're going to continue not using Steele Road?

MR. BARATTA: Not at all.

MR. EDSALL: The gravel's not going out to Steele Road, I saw the gravel area, kind of a half circle that's a turnaround.

MR. YANNONE: In an emergency situation you can drive right across it if you had to but if more screening needs to go there I don't think anybody objects, just a matter of preference.

MR. ARGENIO: I think that area, I don't know if you guys have been up there, I did drive over there after we had our last meeting, it's a nice wooded area, there's woods and stuff so it's really kind of nice and rural looking and I just, I can see where the existing trees I think are going to kind of hide your building, I don't want to use the term hide, maybe screen would be a better word, is that fair?

MR. BARATTA: I think that's fair.

MR. ARGENIO: Anybody has anything else we'll hit it otherwise I'd like to go to the public. Harry and Howard, do you have anything you want to go to?

MR. GALLAGHER: No.

MR. VAN LEEUWEN: No.

MR. BROWN: No.

MR. ARGENIO: On the 17th day of November, Stephanie went to the building assessor's office and compared 17 addressed envelopes containing the notice of public hearing with the information that she was given by the tax assessor, the letters were sent out to the appropriate residents in the vicinity announcing the public hearing this evening. That said, the public hearing is open, is there anybody who would like to comment on this application? Please come forward, sir. What's your name and address?

MR. RODRIGUEZ: Richard Rodriguez, 36 Steele Road.

MR. ARGENIO: What's on your mind, Mr. Rodriguez?

MR. RODRIGUEZ: First of all, their statement in reference to whether or not the gravel road comes onto Steele Road it does, there's just a cable that the help put across so the trucks don't come through. But that's accessible to Steele Road. As far as the tree line like he put it hiding part of the building it doesn't, I mean, I live right across the street from the exhaust of the building. I'm constantly getting the noise from this building, employees are ridiculous with loud stereos playing, alarms going off, the trucks making all their noises from 4:00 in the morning straight through till midnight. There's no blocking of the sound in any way. And as far as the wooded area, there is a very poor exhaust system on there because every winter when there's snow back there all the snow around their building is brown from the exhaust. Now I work for the County of Westchester licensed with the DEC and Waste Water Treatment and Hazmat and so on and this is not that, they're reaching the parts per million for dust particles, they're not reaching that limit yet but there is dust, extensive amount of dust that comes from the exhaust of this facility. I have complained numerous times to the board about this about the situation and they put a dumpster underneath on the

ground 20 feet from the exhaust which doesn't catch anything and it just leaves the area a big brown circle, they don't clean it up, it's always filthy. And I want know if they're going to do anything about it, if they're going to expand the building just going to put more stuff towards Steele Road.

MR. ARGENIO: I'm going to give you a short comment and I want you to continue when you're done. They're going to elaborate on what they're going to do. At the last meeting, they mentioned that I'll call it a filtration system, I don't know what it's called, exhaust, they mentioned that specifically so they'll address that in a few moments. But what other concerns do you have?

MR. RODRIGUEZ: Well, since the building's been in operation, I can't even open my windows, there's a layer of dust on all my windows, all my screens, I haven't been able to open my windows since they've been in operation.

MR. ARGENIO: That's the dust?

MR. RODRIGUEZ: Dust, that's basically the dust. And secondly, the noise, I used to be able to go out on my deck and have a nice barbecue, I can barely hear my guests when they're running the operation. They put some muffler on the system but it only quiets it where I have my windows closed and I'm indoors I don't hear it as loud as I used to.

MR. ARGENIO: Is it from a factory, I'll call it that, is it noise from the factory or is it music?

MR. RODRIGUEZ: Well, there's a combination of things, when they operate the aerator system that they have you hear like a turbine noise of the aeration system that they have to aerate the cardboard, whatever it is that they do with that system you hear that but then when that system is not running their employees have had, I don't know, barbecues out in the back, whatever it is they're doing on the weekends late at night, early in the morning, car alarms going off constantly, burning rubber, loud stereo of music, I shouldn't be able to hear the music inside my house when I'm hearing it. The trucks, you know, I'm hearing them blowing their air horns at 4:30 in the morning to get somebody to come over and move another vehicle for them to get around. Get walkie-talkies instead of using their air horns at 4:30 in the morning. These are the things

that they, I've gone over to the facility couple times, I've sat down and talked with them, they said they were working on insulating the exhaust system, said they're going to try and put a muffler. I gave them plenty of time. Now that they're planning on expanding they're coming closer and closer to Steele Road, that's just going to attract more of the noise closer and closer to my home, most of my neighbors are saying the same thing.

MR. ARGENIO: Henry, did you want to say something?

MR. VAN LEEUWEN: How long have you been there?

MR. RODRIGUEZ: Almost 20 years now. When the original company was Macbeth Industries and they had a water issue that they dumped illegally into the system, that's why they pretty much almost shut down because of it.

MR. ARGENIO: What other thoughts that you want to share with us, Mr. Rodriguez?

MR. RODRIGUEZ: Just basically what are they doing to, you know, I mean, apparently they're not doing enough for us to be able to enjoy our area to live, you know, what are we getting out of the situation other than our property values dropping? I mean, every time somebody comes over to my house, we don't even want to use my house because of the loud noises and you can see the entire factory hiding behind a tree line from my property, I can see the whole building, I can see which guys are up on the roof working.

MR. ARGENIO: What else do you have?

MR. RODRIGUEZ: At the moment, that's it.

MR. ARGENIO: Okay, thank you. Anybody else like to comment? Seeing no hands.

MR. GALLAGHER: Motion we close the public hearing.

MR. VAN LEEUWEN: Second it.

MR. ARGENIO: Motion made and seconded that the Town of New Windsor Planning Board close the public hearing on Quality Carton. Roll call.

ROLL CALL

MR. FERGUSON AYE
MR. BROWN AYE
MR. GALLAGHER AYE
MR. VAN LEEUWEN AYE
MR. ARGENIO AYE

MR. ARGENIO: Okay, I want to say a couple things. I'm sorry, Henry, go ahead.

MR. VAN LEEUWEN: How tall are these trees when you're going to put them in?

MR. YANNONE: Six to seven feet was planned.

MR. ARGENIO: Not--

MR. VAN LEEUWEN: What kind of trees?

MR. YANNONE: They're proposing arbor vitae, I'd like to change it to spruce because they're going to fill in faster and they're going to be a little more substantial.

MR. ARGENIO: The deer will knock the heck out of the arbor vitae. I'm going to tell you you guys should drive up there, members take a look. When I drove up there, it was last time you guys were here right after the meeting and the leaves were coming off the trees, big trees alongside the road, that's what I saw but I don't know.

MR. YANNONE: I don't think the leaf trees are going to screen the building, I think the evergreens.

MR. ARGENIO: That's why you're proposing the spruce.

MR. YANNONE: It will take a few years for them to get to the height but we're going to be planting them much higher than the building, planting them along the road edge, not building side, at least they'll have a head start, they'll be higher and I think Dan can address the exhaust system.

MR. ARGENIO: Yeah, as I said, Mr. Rodriguez, he mentioned it at the last meeting from where I'm sitting up here doesn't mean anything, in one ear out the other, I don't understand their operation, the fact they mentioned it and you mentioned it probably a good

idea you brought it to our attention.

MR. BARATTA: I'd like to address a couple of your concerns if I may.

MR. ARGENIO: I want you to address the board.

MR. BARATTA: You had a couple issues that you had and the music with the employees, I wasn't aware of it, if that's an issue that you're having I'll address that tomorrow.

MR. ARGENIO: Just so we're clear on that and if you have that problem you should call the building inspector.

MR. RODRIGUEZ: I have called the police because it's happened four or five in the morning, cops go back, they shut everything off, say they're sorry.

MRS. GALLAGHER: I've dealt--he's been out to my office several times and I have told him that we're not there at 4:00 in the morning, to call the police, obviously, he's done that so, I mean, I can't do anything about 4:00 in the morning.

MR. BARATTA: I'll fix that tomorrow cause I would not want that going on if that was my home, if that's--I sincerely apology, I'll make sure that that does not happen.

MR. ARGENIO: You want to say something?

MR. YANNONE: There's a lot of activity at Precision Pipeline and they're working on the equipment outside so maybe it's worthwhile just to touch base with them.

MR. BARATTA: I will.

MR. ARGENIO: Let me say something else too, Mr. Rodriguez, for your benefit and you're not going to be happy to hear this but this is the facts of where we're at. And board members, I know you're going to get bored because you've heard me say this 100 times. Everywhere in this town we have zone lines, what's the Steele Road zone, Jen, R4?

MRS. GALLAGHER: Right, it's right there R4 and PI.

MR. ARGENIO: You've got PI zone running right down one

side of Steele Road and R4 on the other side. Everybody all around this town, Mr. Rodriguez, somebody's got to live on the zone line. We have another zone line up on, where we've had problems up in what road is that, Silver Stream Road, that goes up the hill underneath the Thruway.

MR. EDSALL: Yes.

MR. ARGENIO: If you go from your house, head towards the airport, go under the Thruway on 207 the next right is Silver Stream Road. When you go up that road, the left side of that road is an R4 zone, I think it's R4 then the AP zone is right in there as well so we have the airport zone and we have the residential zone and there's different things that are allowed there. So you have these people who have these houses and there's industry close by, nobody likes to be woken up, I understand, I get it, so we need to hear your commentary and we need to talk with the applicant about it and see if we can do our best to mitigate it. But at the end of the day, you do live next to a PI zone.

MR. RODRIGUEZ: Not disputed that, I've spoken with her and I understand that it's combined neighborhood that it's two zones combined and I understand that but there are limits.

MR. ARGENIO: Let us see what we can do to help you and I'm glad you came tonight and you're very respectful, thank you for your commentary. Go ahead.

MR. BARATTA: I will address with Precision Pipeline who also has a building on the property with them as well, I assure you that if it's my employees that will be eliminated if they're doing that.

MR. ARGENIO: What's the genesis of the music?

MR. BARATTA: It's not from the building so if it's coming from their cars early in the morning, again, I'm not there at 4:00 in the morning, I can't say that it is or it isn't happening but I'll make sure that it's done.

MR. ARGENIO: Things happen, it can happen once, they can happen a couple times but when it's a continuous thing it's a problem and you need to be a good neighbor.

MR. BARATTA: I agree. I'm embarrassed that that would even be an issue, I apologize if that's going on.

MR. VAN LEEUWEN: I've known your father for many years, just send your father up, he'll straighten it out.

MR. ARGENIO: What about the burning rubber, what is that?

MR. RODRIGUEZ: It's all in addition with the music.

MR. ARGENIO: Smell in the air?

MR. RODRIGUEZ: No, you can hear the tires burning.

MR. ARGENIO: Somebody's doing donuts in the parking lot?

MR. RODRIGUEZ: It's got to be the youth revving up the engines.

MR. BARATTA: Early in the morning, late at night?

MR. RODRIGUEZ: All different times, 11:00 at night, sometimes early morning, it's the kids, I understand they may be fooling around in the back burning rubber, setting their alarms off when they do it.

MR. BARATTA: We close, we're a one shift operation so we're closing at 6:00 the latest and that's very rare so that hour of the night, listen, I'm not going to say a truck couldn't come in that late to drop a trailer, our employees aren't there that late.

MR. ARGENIO: I interrupted you a few moments ago when you were talking about the filter, please continue with that discussion, I'd like to understand that.

MR. BARATTA: Right now, it's a scrap silo that's on there and it's an aged out one in this process, we're going to replace that, we're going to put a new scrap system, it will be quieter, it will be obviously better filter system so that's in the area that we'll be addressing.

MR. ARGENIO: How old is the system that's on the building now?

MR. BARATTA: I'm not sure but it's a good, what would

you say, do you know?

MR. BARATTA SENIOR: Probably 20 years.

MR. BARATTA: I don't know.

MR. ARGENIO: So the new one you're going to put on is going to be brand new and I would assume state of the art?

MR. BARATTA: Or very late model, it will eliminate some of the issues that you're having.

MR. ARGENIO: The fact that he brought it up we're going obviously focused on that.

MR. BARATTA: We brought it up last time as well.

MR. ARGENIO: You did.

MR. BARATTA: It's an area--

MR. YANNONE: That tower is not going to exist, it's going to be smaller, more compact and the building addition is going to interfere with that so it has to move, has to move.

MR. ARGENIO: Where is it moving to, Ray?

MR. YANNONE: The new system I haven't seen the design for, do you have a location yet?

MR. BARATTA: I don't specifically, the engineers will come in as we put the new one in.

MR. YANNONE: It won't be projecting out of the roof 20 feet, it's huge, you know.

MR. BARATTA: No.

MR. VAN LEEUWEN: Are you going to do the building?

MR. YANNONE: Yes. And the other thing Dan didn't mention, correct me if I'm wrong, this is a consolidation, they have a second location that possibility that if this wasn't able to happen probably the lease would be up and this facility would move because they lost the other facility for storage so this is not going to increase manufacturing at all.

MR. BARATTA: No.

MR. YANNONE: Strictly going to be additional storage space so it shouldn't add to any existing problem.

MR. BARATTA: No, we're not putting any manufacturing in that.

MR. ARGENIO: Instead of making, again, this is an over-simplified analogy, if you were making 200,000 boxes a year, you're not going to make 600,000, it's essentially storage?

MR. BARATTA: Exactly.

MR. VAN LEEUWEN: Says storage warehouse.

MR. ARGENIO: Okay, so you guys need to be good neighbors, I think that it's probably a step forward and I can't imagine the situation--

MR. BARATTA: Can I ask another question cause I want--you were saying that you're having like when you barbecue is this on the weekends you're having a problem?

MR. RODRIGUEZ: You guys are running more than one shift, you guys don't shut down until 11:00 at night, that aerator's running until 11:30 at night, it starts up at four or five in the morning.

MR. BARATTA: We may have some trucks come in, we don't operate past 6:00.

MR. RODRIGUEZ: If the aerator belongs to Quality Carton and is starting up at 5:00 in the morning you're running a double shift.

MR. ARGENIO: Let's, Mark, question to Mr. Rugnetta, I'm not going to read through Mark's comments but there's comments here that we had asked to be addressed and looks like not one of them got addressed.

MR. RUGNETTA: Is that a new comment letter?

MR. ARGENIO: It's a new comment letter but the comments are the same, it was the propane rack, it was the guiderail.

MR. RUGNETTA: The propane rack we have on here and it

says see note nine, propane tanks and rack to be relocated to an area approved by the fire inspect for--

MR. ARGENIO: How does that address the issue? Where are you going to put them? Is the fire department going to tell you, you gotta tell them and they say yes or no.

MR. YANNONE: I might of overlooked that with the fire inspector but I'll do that.

MR. ARGENIO: They're not designing it for you.

MR. RUGNETTA: I understand, I'm not designing the rack, they're just going to--

MR. ARGENIO: You're going to locate it, it's not theirs to tell you.

MR. RUGNETTA: We can put it on the plan, we'll put a different, we'll show where it's going to be relocated.

MR. ARGENIO: Show it, man, simple stuff, man. What about the gas main?

MR. YANNONE: I think it's running along this side of the road, correct, so it's very, you know, quite a ways from where we're doing construction.

MR. RUGNETTA: All the proposed grading I put a 10 foot limit from the gas line so it won't come within 10 feet of that gas line.

MR. EDSALL: If I might, Mr. Chairman, both on the site plan and the let's call it lot revision plan you don't show the easement, apparently, there's a recorded easement to the benefit of Central Hudson.

MR. RUGNETTA: We just got that letter too.

MR. EDSALL: You need to show the easement because ultimately any work within the easement needs their approval so--

MR. ARGENIO: Do we know how big they are?

MR. EDSALL: No, that's the point, when you say you're 10 foot away that's fine, if the easement is 15 foot to the side from the gas main then we've got a problem.

MR. RUGNETTA: I think we just got that letter this week.

MR. ARGENIO: You're saying the building shouldn't be in the easement?

MR. EDSALL: Well, according to Central Hudson, any work within the easement needs their approval and they're not going to permit structures. So the bottom line is both plans should reflect not only that it's a transmission main but that it has an easement associated with it.

MR. ARGENIO: This is a letter from Central Hudson and in all fairness to the applicant, the letter's fairly contemporary, not brand new, but fairly contemporary, Central Hudson wishes by way of this letter to notify the applicant that Central Hudson's gas transmission main should not be disturbed in any fashion, including but not limited to, excavation work within the gas transmission easement, grading changes, structures or crossing of the main equipment, so you got to get those guys buttoned up I think, right?

MR. RUGNETTA: Yeah, we'll put it on the plans.

MR. EDSALL: There's other issues maybe I can bring to their attention?

MR. ARGENIO: Go ahead.

MR. EDSALL: Parking, just so everybody's aware, the parking calculation they show looks fine but the board should note that the parking is actually shared over the two lots. So when there's the access reservation created that would serve the lots perhaps you can coordinate with the attorney as to how best to reflect this shared parking that spans the two lots, either as notes on the plan or as part of the agreement. That needs to be addressed. Secondly, you've got everything covered but you have no handicapped, so identify where you're going to have your handicapped access to the building, where you're going to have your handicapped parking and provide a detail that will help this gentleman when he has them restripe, they'll have a detail for the handicapped signage and striping that meets today's code cause it has changed several times. So that's important to get on there as well.

MR. ARGENIO: Mark, I missed the last couple sentences.

MR. EDSALL: On handicapped parking they should show it and detail it so they'll have the benefit of the current code when they restripe for signs and striping.

MR. ARGENIO: Nick, where does the water go from the emergency overflow spillway when the pond overflows, where does that water go?

MR. RUGNETTA: Well, that's worst case scenario and that, you know, we can put it on the other side.

MR. ARGENIO: I'm not saying where it should or shouldn't be, just wondering where it goes.

MR. RUGNETTA: You can see there's an existing swale that kind of got diverted and it's actually just supposed to go along Steele Road there, there's a little bit of debris that caused that diversion but that's generally the direction it would go, would just flow and hit that swale and continue to run down along the road.

MR. ARGENIO: Mark, let me ask you a question. We're coming downstream or Mark or Nick with 15 inch pipe, what are we tying into on the other end, Mark, on the west end? Do we have capacity on the west end we're not tying in, did you check, Nick, we're not tying into a 12 inch?

MR. RUGNETTA: No, 15 inch.

MR. ARGENIO: That's the natural course now in the direction?

MR. RUGNETTA: Yeah, everything, like I said, 24 inch swale here, there's a good swale running along Steele Road that hits this inlet and there's also a paved swale along Steele Road and that culvert runs under that paved swale and hits the next inlet structure.

MR. ARGENIO: I don't want to be flooding anybody out here.

MR. VAN LEEUWEN: Is there any way that we can, I hate to make more problems for you guys and I've known your dad a long time and I know what he's up against, is there any way we can tighten up the spruce trees, if you put the spruce trees in, the spruce trees to keep the noise back?

MR. RUGNETTA: Like stagger the trees?

MR. VAN LEEUWEN: That will help, could need more trees but that will help a lot more than just the trees being in a straight line. You follow me?

MR. RUGNETTA: Yup.

MR. ARGENIO: If you stagger them it will give you a picture of depth.

MR. EDSALL: So you're going to have a staggered double row?

MR. RUGNETTA: Yeah.

MR. ARGENIO: Mark, any reason we shouldn't be taking lead agency on this?

MR. EDSALL: No, you're good for lead agency.

MR. VAN LEEUWEN: Do you see what I'm trying to say?

MR. RUGNETTA: Yeah, they'll be planted right behind the guardrail.

MR. VAN LEEUWEN: That would be great, I think that would help his problems quite a bit.

MR. ARGENIO: If anybody sees fit, I'll accept a motion that we declare ourselves lead agency, that is the Town of New Windsor Planning Board.

MR. VAN LEEUWEN: So moved.

MR. FERGUSON: Second it.

MR. ARGENIO: Motion made and seconded that the Town of New Windsor Planning Board declare itself lead agency.

MS. MC MILLAN: The motion for lead agency, can I clarify is on, there's two, technically two pending applications here so just want to clarify for the record.

MR. ARGENIO: I was going to do them separately.

MS. MC MILLAN: That's fine, just wasn't sure.

MR. ARGENIO: I was going to do them separately unless there's a reason I should be doing them together?

MS. MC MILLAN: No, I'd prefer you did them separately.

MR. ARGENIO: This is for the site plan lead agency, motion made and seconded. Roll call.

ROLL CALL

MR. FERGUSON	AYE
MR. BROWN	AYE
MR. GALLAGHER	AYE
MR. VAN LEEUWEN	AYE
MR. ARGENIO	AYE

MR. ARGENIO: This went to county, we have not heard from county yet, I don't imagine, I can't imagine what inter-municipal--

MR. VAN LEEUWEN: They just had Thanksgiving, they're not in a hurry now.

MR. ARGENIO: We still have to wait for their response. What about the Town of Newburgh, Mark, have we heard anything from them?

MR. EDSALL: We have not, it's been referred to Town of Newburgh and it's been referred as a courtesy to the City of Newburgh.

MR. VAN LEEUWEN: Haven't heard from either one?

MR. EDSALL: Not yet, it's not been out a tremendous amount of time, Town of Newburgh's required under General Municipal Law, the City of Newburgh is a courtesy because of its proximity to Washington Lake.

MR. ARGENIO: Okay, the next application is the site plan, not the site plan but the lot line change which is typically less lifting, so members, what else do you guys have on this?

MR. VAN LEEUWEN: I'm satisfied.

MR. ARGENIO: I think Mr. Baratta we need to be good neighbors, I don't want to beat that to death but we need to be good neighbors. We're not going to go over the wire, we haven't heard from county, that's an issue, you know the routine, I'm sorry, you understand

the process, I'm sorry, I'm very happy to see you move the pond away from the building, I think that was very wise. I think that you're going to be happy you did that.

MR. EDSALL: They also changed the elevation of the pond so it was not as deep.

MR. ARGENIO: They lowered the bottom or raised the berms?

MR. EDSALL: Raised the whole pond.

MR. ARGENIO: What did you have?

MR. YANNONE: We still have 10,000 yards.

MR. ARGENIO: Pick it up higher.

MR. YANNONE: We can't, believe me, we went as high as we could, we got 10,000 out and 1,000 of that PH balanced soil coming in.

MR. RUGNETTA: We went from a four to six foot wall.

MR. ARGENIO: Ten is certainly better than 50.

MR. YANNONE: It would have been even worse but it also is minimizing this slope too, otherwise, it would have been just like this.

MR. ARGENIO: Slopes look manageable, they're steep but it's manageable.

MR. YANNONE: Pretty steep now as you come off the road so--

MR. VAN LEEUWEN: Ray, how high is that bank between the pond and the building the new addition?

MR. YANNONE: It's going to be raised between five and six feet so it will also make the building appear lower, it's a tall building so at least you're going to have five feet of the building or six feet of the building planted from the road so it won't appear to be such a tall structure.

MR. VAN LEEUWEN: You got plenty of dirt against the building then?

MR. YANNONE: Yeah.

MR. VAN LEEUWEN: You going the tar that?

MR. YANNONE: Absolutely.

MR. VAN LEEUWEN: Well, some guys will try not to do that.

MR. ARGENIO: Mark or Veronica, what else do we need to be considering?

MR. EDSALL: You're on the lot line change application

MR. ARGENIO: No, I'm on the site plan, I want to move to the lot line.

MR. EDSALL: No, that's it.

MR. ARGENIO: Okay, you guys have any other questions? Let's move on to the lot line change.

QUALITY CARTON LOT LINE CHANGE (15-16)

MR. ARGENIO: Quality Carton. Plan proposes merger of tax lots 19 and 34.1 and revision to the lot line with lot 36. Proposal was previously reviewed at 28 October 2015 planning board meeting. The application is here tonight for a public hearing. Okay, this is a lot line change, as such, there's not a lot of physical features for the board to review. So unless any of the board members object, I'm going to go right over to the public hearing. On the 17th day of November, Stephanie compared 17 addressed envelopes that she received from our tax assessor containing the notice of public hearing for this application. She sent those notices out in accordance with state and local law. At this point in time, anybody want to speak for or against the subdivision plan for this parcel, please raise your hand? Okay.

MR. VAN LEEUWEN: Make a motion to close.

MR. GALLAGHER: Second it.

MR. ARGENIO: Motion made and seconded we close the public hearing on the lot line plan.

ROLL CALL

MR. FERGUSON	AYE
MR. BROWN	AYE
MR. GALLAGHER	AYE
MR. VAN LEEUWEN	AYE
MR. ARGENIO	AYE

MR. ARGENIO: Off the record.

(Discussion was held off the record. Whereupon, following which, these further proceedings transpired.)

MR. ARGENIO: Okay, public hearing has been closed seeing as we didn't see any show of hands. Mark, is there anything we need to get focused particularly on here with the exception of the gases?

MR. EDSALL: No, there's basically we've just got to record the appropriate information on the lot line change plan that will in some respects overlap with the

site plan but again, this plan actually gets recorded in the county so we'll make sure that's done correctly.

MR. ARGENIO: Motion for lead agency.

MR. VAN LEEUWEN: So moved.

MR. FERGUSON: Second it.

MR. ARGENIO: Motion made and seconded that the Town of New Windsor Planning Board declare ourselves lead agency.

ROLL CALL

MR. FERGUSON	AYE
MR. BROWN	AYE
MR. GALLAGHER	AYE
MR. VAN LEEUWEN	AYE
MR. ARGENIO	AYE

MR. ARGENIO: County has this, I can't imagine what they're going to come up with. What else procedurally do we need to do?

MR. EDSALL: That's all you can do tonight.

MR. ARGENIO: Raymond, is there anything else we can do for you this evening, Mr. Baratta?

MR. BARATTA: No.

MR. YANNONE: No.

MR. ARGENIO: I'm sure your client is going to be looking for approval real quick and I'm sure Ray's going to want to get some kind of building closed in before it gets too crummy out so help us help you, please.

MR. RUGNETTA: Yes.

MR. ARGENIO: Okay, guys, thank you.

MR. YANNONE: Thank you.

REGULAR ITEMS:

MCB PARTNERSHIP, LLC LOT INE CHANGE (15-14)

MR. ARGENIO: Tectonic Engineering. The application proposes conveyance of approximately .644 acres from tax lot 4.3 to lot 12.11. Plan was reviewed on a concept basis only. I see you're here to represent this application Miss Babcock?

MS. BABCOCK: Yes, I am.

MR. ARGENIO: I'm very familiar with this, I don't know that the other members are so tell us, Michele, tell the members.

MS. BABCOCK: This is an application for a lot line change for a property that's located on the west side of Temple Hill Road to the south of the ProBuild site. The board's familiar with this application and for this site because you reviewed the ProBuild site and as you did review that it was determined that the current lot line actually goes through two of the metal storage units that are on the property.

MR. ARGENIO: This is all spinning from Tractor Supply.

MS. BABCOCK: It's actually coming off of the MCB property that's back in this rear portion, they own this rear lot and it comes through like this.

MR. VAN LEEUWEN: So they're going to buy the piece of property their building's on?

MS. BABCOCK: Basically, what's going to happen the lot line is going to bump out approximately 30 feet in order to be able to meet the side yard setback requirement so it's .679 acre increase to the SY Realty Corporation.

MR. ARGENIO: Who's SY?

MS. BABCOCK: They're the current owners of the property that the ProBuild site is on.

MR. VAN LEEUWEN: Who are they WCB?

MRS. GALLAGHER: MCB.

MR. ARGENIO: MCB, Tractor Supply guys, she was talking

about SY Realty is the property owner of the ProBuild property where the ProBuild building is. I think that's what you're saying.

MS. BABCOCK: I don't know if this would help, I stopped and took a picture, you can see ProBuild here, I'm sorry, there's the metal storage unit and there's the access road and so you're basically bumping out the property line 30 feet in this direction. The last time the board looked at this the fence actually runs out along here and so the property line is basically going to mirror where that fence is located.

MR. VAN LEEUWEN: So we're straightening something out, that's what we're doing?

MR. ARGENIO: Yeah, I think, Mark, do you want to speak just for the benefit, you and I have spoken several times?

MR. EDSALL: For the record, this issue of the encroachment was identified as part of the Tractor Supply site plan and the MCB subdivision where they, or the lot line change where they created the access road and the rear parcel and the parcel for Tractor Supply, we asked that they work this out with their neighbor. They were kind enough to sit down and work this out so this is basically an application submitted at the request of the applicant to straighten out a conflict.

MR. VAN LEEUWEN: The problem's being rectified.

MR. EDSALL: The problem's being corrected, the neighbors worked it out. From a procedural standpoint if you go through the steps you can dispose of it.

MR. ARGENIO: Good.

MR. VAN LEEUWEN: Yes.

MR. ARGENIO: Dan, have any questions?

MR. GALLAGHER: I do not.

MR. BROWN: No.

MR. FERGUSON: No.

MR. ARGENIO: You know where it is?

MR. BROWN: Yes.

MR. ARGENIO: Okay, we did a hat trick, Mark.

MR. EDSALL: Yeah, you keyed into that. For the record, we were short on days to get a response so we can take care of it because we had to get a corrected plan and it got over to them late.

MR. ARGENIO: We received the response from county today.

MR. EDSALL: Yeah, very much appreciate the fact that Meghan Tenormin from Orange County Planning was kind enough to get this to us so we can address it tonight so--

MR. ARGENIO: So that said, there's no reason we can't take lead agency, is that right, Mark?

MR. EDSALL: Yeah, I would waive the public hearing.

MR. ARGENIO: Let's take lead agency, accept a motion.

MR. GALLAGHER: So moved.

MR. VAN LEEUWEN: Second it.

MR. ARGENIO: Motion made and seconded we declare ourselves lead agency, that the Town of New Windsor Planning Board declare lead agency.

ROLL CALL

MR. FERGUSON	AYE
MR. BROWN	AYE
MR. GALLAGHER	AYE
MR. VAN LEEUWEN	AYE
MR. ARGENIO	AYE

MR. ARGENIO: So we're lead agency. I'll accept a motion for negative dec under the SEQRA process.

MR. VAN LEEUWEN: So moved.

MR. FERGUSON: Second it.

MR. ARGENIO: Negative declaration has been, motion has been made and seconded for the SEQRA process. Roll

call.

ROLL CALL

MR. FERGUSON AYE
MR. BROWN AYE
MR. GALLAGHER AYE
MR. VAN LEEUWEN AYE
MR. ARGENIO AYE

MR. ARGENIO: Does anybody see fit to waive the public hearing?

MR. VAN LEEUWEN: So moved.

MR. GALLAGHER: Second it.

MR. ARGENIO: Motion made and seconded we waive the public hearing for MCB Partnership, SY Realty lot line change.

ROLL CALL

MR. FERGUSON AYE
MR. BROWN AYE
MR. GALLAGHER AYE
MR. VAN LEEUWEN AYE
MR. ARGENIO AYE

MR. ARGENIO: Again, Mark, missing anything?

MR. EDSALL: Our only request to Michele, it's on the comments, is that for the filing assistance with the town for records if they could add the planning board application number into the approval box which is that 15-14.

MS. BABCOCK: Not a problem.

MR. EDSALL: Other than that, we're in good shape.

MR. ARGENIO: For the record, the county has responded that there's no evidence that of any significant inter-municipal or county-wide impacts.

MR. VAN LEEUWEN: So moved for final.

MR. GALLAGHER: Second it.

MR. ARGENIO: Henry's made the motion for final approval for MCB Partnership lot line change.

ROLL CALL

MR. FERGUSON	AYE
MR. BROWN	AYE
MR. GALLAGHER	AYE
MR. VAN LEEUWEN	AYE
MR. ARGENIO	AYE

MR. ARGENIO: Thank you, Michele.

MS. BABCOCK: Thank you all very much. Happy holidays.

NEW WINDSOR FIRE DEPARTMENT SUBDIVISION (15-17)

MR. ARGENIO: New Windsor Fire Department. This is trouble.

MR. DRABICK: Good evening, my name is Steve Drabick.

MR. ARGENIO: Let me just read the leader for this please. This is known as, this application is known as the Walnut Street subdivision for the New Windsor Fire Department. The application proposes four lot minor subdivision of the 1.126 acre parcel on the north side of Walnut Street between Cedar Avenue and MacArthur Avenue. I think Mr. Babcock here and Mr. Drabick in front of us so Mr. Drabick?

MR. VAN LEEUWEN: You took all the dirt off the hill?

MR. BABCOCK: Yes, right.

MR. DRABICK: Yes, basically covered, just to give you a little history on this particular parcel, the fire company acquired it back in 1953 from New Windsor Land Company. And at that time, the parcel was a little under an acre in size, about 8/10 of an acre. In '93 they acquired a strip from the Star Family which ran from the parcel out to Cedar Lane. This added about another 3/10 of an acre for the parcel. In '95 they engaged in a lot line change with the New Windsor Little League, got rid of the strip in exchange for equal amount of area to be attached to the rear of the main portion of the parcel. Now the reason I bring that up they've had it since 1993 and the point I wanted to make here is that the fire company--

MR. ARGENIO: They've had it since '95 or '53?

MR. DRABICK: '53, they've had it since '53, my point being that the fire company is not looking to get rid of this property any time soon nor are they looking to develop it right away. What their desire is to maximize the potential on this parcel for future revenue so that when and if they need it they can use it to help fund the cost for benefits and sponsorships that they do. So to that extent what we're proposing here is--

MR. ARGENIO: Jack, is that him pulling at our heart strings a little bit?

MR. BABCOCK: My turn's coming up.

MR. ARGENIO: Go ahead.

MR. DRABICK: So to that extent what we're proposing is a four lot subdivision, creating four non-conforming lots and it's non-conforming lots based on current zoning requirements. We're going to need variances for area lot area, road frontage, lot width, and side yard setbacks. But having said that, we feel also that this particular type of subdivision and the four lots as we have shown here fit very nicely into the existing neighborhood. And what I mean by, to narrow down which means by the existing neighborhood would be those residential lots on Walnut Street between MacArthur Avenue and Cedar Avenue. And it's supported by the fact that the four proposed lots that we have here are larger in area than all of those residential parcels and the lots are wider than 52 percent of the residential parcels.

MR. ARGENIO: When you say the residential parcels, are you referring to the parcels just to the east of this?

MR. DRABICK: No, I'm referring to the parcels to the east and then to the south on the other side of the street.

MR. BABCOCK: On Cedar Avenue.

MR. ARGENIO: That's your sample east and south?

MR. DRABICK: Right between MacArthur Avenue and Cedar Avenue.

MR. ARGENIO: I agree.

MR. VAN LEEUWEN: You've got to go to the zoning board.

MR. DRABICK: Exactly because they're non-conforming lots, we'd like to ask at this point for a referral to the zoning board.

MR. ARGENIO: Jack, what do you have, do you have anything additional to add?

MR. BABCOCK: Just that the lots that we're proposing as Steve said are figured in the lots they call that Woodlawn Park for those of you that don't know that's Woodlawn Park and the lots there are smaller than the

lots that we're proposing. And the reason why we're doing this now, the fire company, is the fact that we fund raise to do all these wonderful things that we do in the town, Community Day, Fire Prevention, things like that, so if some day these resources dry up we want to have a bank so where we can take a parcel and sell a lot off to help us do those things that we ordinarily do.

MR. ARGENIO: I'll tell you this, Mr. Babcock, you guys did an extraordinary job in my opinion on your building on Walsh Road, you guys did a beautiful job.

MR. BABCOCK: I was in charge of that as well and same way with the property on Walnut Street, want to be a good neighbor. At one time this was a possible site for a firehouse and the neighbors weren't too keen about it, we scratched it off our list, we maintain it, we mow it, we seeded it, we did whatever we had to do to be a good neighbor.

MR. ARGENIO: I agree.

MR. VAN LEEUWEN: They want you to take, they didn't want you to take that hill down.

MR. ARGENIO: I remember as a kid going to cub scout meetings at the American Legion and sliding down that hill in the mud and dirt, eight years old. Anybody have any question on this?

MR. VAN LEEUWEN: I don't.

MR. ARGENIO: Anything here?

MR. VAN LEEUWEN: I'll make a motion.

MR. ARGENIO: Anything else we need to know?

MR. EDSALL: Steve has made it clear on the record that the lots are not only consistent with what's in the neighborhood but in fact in many respects are larger. It's just unfortunate that the zoning requires them to make the trip to the zoning board. So you really, you can't do anything further, it's got to go to the Zoning Board.

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

MR. VAN LEEUWEN: So moved.

MR. FERGUSON: Second it.

MR. ARGENIO: Motion made and seconded that the Town of New Windsor Planning Board declare the Walnut Street subdivision application incomplete at this time, thus sending you to the zoning board with I would think a favorable recommendation. Members, is that fair for me to say?

MR. VAN LEEUWEN: Yes.

MR. ARGENIO: Everybody agrees with that.

ROLL CALL

MR. FERGUSON	AYE
MR. BROWN	AYE
MR. GALLAGHER	AYE
MR. VAN LEEUWEN	AYE
MR. ARGENIO	AYE

MRS. GALLAGHER: What are these signs that you have depicted on each lot?

MR. DRABICK: They're basically signs that say that it is fire company property so that it's not used for--

MR. BABCOCK: On the advice of our attorney we put signs about no trespassing, they're signs that the fire company put up about trespassing.

MR. ARGENIO: Knowing this was on the agenda tonight I went over there today and took a look at it, those signs exist as we speak right now, they're small, temporary signs.

MRS. GALLAGHER: I just never saw that on there, okay.

MR. ARGENIO: They're not invasive, they're very innocuous.

MRS. GALLAGHER: They'll be gone if a house goes there?

MR. DRABICK: Yes.

MR. BABCOCK: Move the signs up, we were going to put a fence across the front, fence it off, but the neighbors, we talked to a few of the neighbors and they

weren't too thrilled about a fence across there so we decided we'd do the signs.

MR. ARGENIO: The signs are very, very low impact, it's a little white sign with red letters on it.

MRS. GALLAGHER: Got it.

MR. ARGENIO: Thank you, Mr. Babcock, good luck to you.

MR. BABCOCK: Thank the board.

DISCUSSION

CRESTMORE AT NEW WINDSOR SITE PLAN (13-02)

MR. ARGENIO: Discussion, Crestmoore is the first one extension of approval, what are we extending, what's that?

MR. EDSALL: I think that was a letter to the board requesting an extension for site plan.

MRS. GALLAGHER: It's in your packet.

MR. ARGENIO: Crestmoore at New Windsor site plan, approval, where is this one, this is Duffer's?

MRS. GALLAGHER: Yes.

MR. ARGENIO: They're out working on--

MR. VAN LEEUWEN: Finding another buyer.

MR. ARGENIO: Yeah, possibly, the applicant is still working to address several conditions of approval is what Jacobowitz & Gubits says, I guess that's right, Michele?

MR. BABCOCK: That is correct.

MR. VAN LEEUWEN: So moved.

MR. ARGENIO: Mark, any issue?

MR. EDSALL: No.

MS. MC MILLAN: No.

MR. ARGENIO: Henry has made a motion that we give them how much of, how much of an extension two 90 day?

MS. MC MILLAN: On site plans it's been the board's practice to offer six month extension.

MR. ARGENIO: So 180 days. Motion that we offer a motion for six month extension.

MR. GALLAGHER: Second it.

ROLL CALL

MR. FERGUSON	AYE
MR. BROWN	AYE
MR. GALLAGHER	AYE
MR. VAN LEEUWEN	AYE
MR. ARGENIO	AYE

RAKOWIECKI (01-26)

MR. ARGENIO: Next is Rakowiecki Woodland Hills subdivision, preliminary approval extension, which one is this, Mark?

MR. EDSALL: I think it's more than phase two, isn't there a phase three?

MR. ARGENIO: Woodland Hills subdivision phase two preliminary approval extension.

MR. EDSALL: Alright, just so the record is clear, we don't want to leave any stones unturned now that they've clarified it's preliminary approval, it should be the overall subdivision preliminary approval. They've obtained final approval for phase one but they need to maintain the preliminary approval status for the overall subdivision.

MR. ARGENIO: So the record is clear that it's for the entire Rakowiecki subdivision except for phase one.

MR. EDSALL: Correct, I don't want to have them have phase three drop off.

MR. ARGENIO: So it's 180 days. Motion made and seconded we offer Rakowiecki the entire subdivision with the exception of phase one a 180 day extension.

MR. VAN LEEUWEN: So moved.

MR. GALLAGHER: Second it

ROLL CALL

MR. FERGUSON	AYE
MR. BROWN	AYE
MR. GALLAGHER	AYE
MR. VAN LEEUWEN	AYE
MR. ARGENIO	AYE

ACCESS SITE PLAN (PA2015-844)

MR. ARGENIO: Access site plan, Mark, we spoke on this.

MR. EDSALL: Yes, representatives of Access formerly Occupations were into the workshop for purposes of--

MR. ARGENIO: Tell these guys where it is.

MR. EDSALL: Route 32 to the north of Devitt's and to the south of what was the medical facility there at the old Devitt's retail across from Arkel Motors, that famous national historic site.

MR. VAN LEEUWEN: I'll straighten your butt out.

MR. EDSALL: What they ask for is they as part of their services they want to have some outdoor recreation area created within the fenced area, a fenced area within the fenced area. Their initial proposal was right up against the building which raised red flags with me. Jennifer was kind enough to get an assistant fire inspector in to go over with me at the workshop, they have agreed that they can move it back away from the building thereby maintaining fire department access around the loop of the building as it is now. And they're going to move, they want to move the recreational area into another fenced area toward the back. They deal with adults at this location but they need to have an outdoor area to have them recreate.

MR. ARGENIO: Essentially a pen for people?

MR. EDSALL: Yeah, they'll have picnic benches, they'll have swings, they're going to put up a little shed to store some equipment if the board has no problem with it. And again, it would be subject if you turn it over to Jennifer and her department they coordinate the final plan with the fire inspectors. It seems innocuous, it's a paved area now, they're going to put down some of that rubberized surface for safety, it's really temporary in nature, any time they can tear all this up it can be a parking lot.

MR. ARGENIO: Are they okay?

MRS. GALLAGHER: Sure.

MR. ARGENIO: Are they going to give a sketch? I don't want you fighting with these people.

MRS. GALLAGHER: Yes.

MR. ARGENIO: Danny, are you alright? I don't want you fighting with your wife. You've been authorized to take care of that.

PANORAMA DRIVE SUBDIVISION (15-07)

MR. ARGENIO: Panorama Drive subdivision, what's that, Mark?

MR. EDSALL: Panorama Drive subdivision is part of The Reserve, it involves those couple lots that were created on Panorama where they had an extremely oversized storm water detention lot and the board approved the creation of three additional residential lots. There's no problem with the plan, other than the fact that the 20 foot wide water main easement that runs from Panorama down to Bethlehem was inadvertently left off the filed map so to make the filed map correct.

MR. ARGENIO: Wasn't labeled or just--

MR. EDSALL: Wasn't there at all. It's in the location of what was a proposed road years ago that was eliminated by this board quite a number of years ago so they want to file a corrected map so the water main easement is properly shown. So it would just be a matter of authorizing a new plan to be signed, stamped and so that they can go to the county and file a correction map.

MR. ARGENIO: Just going to put the easement and label it?

MR. EDSALL: It's already on it.

MR. ARGENIO: Any questions?

MR. EDSALL: Doesn't need approval, just if you acknowledge it and authorize the signature of the correction map we should be okay.

MR. ARGENIO: It's been acknowledged and authorized. Danny, you good with that?

MR. GALLAGHER: Yes.

MR. VAN LEEUWEN: Yes.

MR. BROWN: Yes.

MR. FERGUSON: Yes.

MR. ARGENIO: We're not done yet. Do you have anything

else?

MR. EDSALL: I have something at the very end.

MR. ARGENIO: Go ahead.

MR. EDSALL: Just want to wish everybody a Merry Christmas and Happy Holidays because the year is almost over, it's been a great year, thank you all for the opportunity to work with you.

MR. ARGENIO: You're so welcome.

MS. MC MILLAN: Same here.

TRACTOR SUPPLY

MR. ARGENIO: I want to give the members, just so everybody is keyed in this last thing, mine's next to the last thing, I have a little bit of an issue and I just brought it up when we were outside in the vestibule coming in quite by happenstance Mark brought it up and it's been eating at me a little bit. If you've driven by Tractor Supply you'll notice there's these giants boulders in front of Tractor Supply, I have a problem with that. I'm sure they've discovered them during construction which is okay, it happens, you know, the glaciers could have left them there long, long ago. Quite frankly, I think they're quite unsightly, they may even be a safety hazard, I don't know, somebody turns off the road and they hit a 70 ton rock that would be a problem for them. But more importantly, I think they look like hell. So I mentioned it to Jennifer on the way in, I mentioned it to Mark on the way in, kind of tacitly agreed with me, mentioned it to Danny, saw him in the lobby. So what is the thought of the board if there is any thought process on it?

MR. GALLAGHER: It's not on the site plan.

MR. ARGENIO: It's not on the site plan.

MR. VAN LEEUWEN: I think we ought to ask Jen to ask Frankie to go over there, somebody else?

MR. ARGENIO: What I said I think they, it would be good if they can take them out of there but at the absolute very least they should be putting some landscaping or something around them, they have to do something, they look like hell.

MR. EDSALL: They don't have a C.O. as of yet.

MR. ARGENIO: It's Vails Gate, it's not like they're out in the woods or some back road.

MR. EDSALL: It looks inappropriate.

MR. ARGENIO: That's a good way to put it.

MR. EDSALL: They really should go because it would be kind of difficult to hide.

MR. ARGENIO: Harry or Howard, do you guys agree?

MR. FERGUSON: Definitely.

MR. BROWN: Yes.

MR. FERGUSON: They should go.

MR. VAN LEEUWEN: If they need a place to put them I've got a spot.

MR. ARGENIO: Danny, are you okay with that?

MR. GALLAGHER: Yeah.

MR. ARGENIO: Are you okay?

MR. VAN LEEUWEN: Yes.

MR. ARGENIO: Jen, can you reach out to them and tell them that it was brought up at the planning board meeting, we talked about it as I said, I'm going to, I'll leave it with you and Mark. I think it would be nice to see them not there, it's Vails Gate, it's one of the high visibility areas in the town, it's the busiest area in town, we've got these giant rocks, ridiculous.

MRS. GALLAGHER: I'll take care of it.

MR. ARGENIO: As I said, very least they have to be landscaping and but if you can get them out, that would be even better, don't mean to burden you but unfortunately you're the code enforcement officer.

MRS. GALLAGHER: They know me well.

MR. ARGENIO: Everybody remember to come early for the next meeting. Motion to adjourn?

MR. VAN LEEUWEN: So moved.

MR. BROWN: Second it.

ROLL CALL

MR. FERGUSON	AYE
MR. BROWN	AYE
MR. GALLAGHER	AYE
MR. VAN LEEUWEN	AYE

December 9, 2015

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MR. ARGENIO

AYE

Respectfully Submitted By:

Frances Roth
Stenographer