

PUBLIC HEARING – PROPOSED REZONING OF PARCEL (S)  
37-1-6,7.1,7.21,7.22,8,9,10,11,12,13.1,14 (PORTION OF), 44.2  
(PORTION OF), 45.2,60  
WED., NOVEMBER 4, 1998; 7:30 P.M.  
NEW WINDSOR TOWN HALL  
NEW WINDSOR, NEW YORK

BOARD MEMBERS PRESENT: Supervisor Meyers, Councilman Finnegan,  
Councilwoman Mullarkey, Councilwoman  
Townsend, Councilman Green

OTHER OFFICIALS PRESENT: Town Attorney Crotty, Comptroller Reis,  
Highway Superintendent Pullar

Supervisor Meyers called to order a Public Hearing regarding Rezoning of Certain  
Parcels along Route 9W from R-4 to NC.

The Town Clerk presented proof of publication regarding same, as required by law.

Supervisor Meyers: The second Public Hearing that we need to hold has to do with the  
rezoning of other parcels on the Route 9W area, which also goes from R3 (which is two  
family residential) to Neighborhood Commercial. I think I will open the Public Hearing  
by asking Tad Seaman who is representing the petitioners to just make a very brief  
overview of what you are going to do. I have a feeling that everybody here is very  
familiar with it but just so we know where we are going.

Tad Seaman: Thank you, Mr. Supervisor. What we are proposing is to bring the zoning  
in line with the actual use of the property. I am talking basically around the Sloop Hill  
area. Currently the property is owned by just five people, Seely's, Nannini and Callahan,  
Farkas, Furman and Buckner Oil; they all have commercial enterprises. There are three  
mobile homes there and multi family house and a single family house. However, all of  
them are owned by one or more of the people that I just mentioned. As we all know, it is  
appropriate to keep the zoning in line with the development of the particular areas. This  
area is turning commercial and the appropriated the residential designation right now is  
probably inappropriate, whereas a change over to an NC zone.

Supervisor Meyers: Okay, thank you Mr. Seaman. I will ask any members of the public  
if they want to comment on this zoning change. I think John you would like to speak on  
this.

John: Basically, we just can't see anymore commercial property developing in our area.  
We have kids that are being hit by cars.

Supervisor Meyers: Where is that?

John: In the Route 9W and Forge Hill area.

Supervisor Meyers: When was someone hit by a car? There has been some fatal  
accidents there.

Resident: My son was hit about three months ago.

Supervisor Meyers: On Route 9W?

Resident: On Forge Hill Road.

Supervisor Meyers: Where the police involved?

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Resident: No.

Supervisor Meyers: I don't know anything about it. How bad was he hurt?

Resident: He was hit, knocked off and the car kept on going.

Supervisor Meyers: It's a very dangerous intersection on Forge Hill and Route 9W.

Resident: We don't need anymore traffic there.

Supervisor Meyers: We won't be screaming out anymore, sir your name, Vignetti. Vignetti do you live on Canterbury?

Vignetti: Yes sir.

Supervisor Meyers: Would you like to add something to this?

Vignetti: We don't need anymore traffic, the area is busy enough and enough accidents as there is.

Supervisor Meyers: Anyone else in the audience want to comment on the zoning change? Okay, let me just read something into the record, we just got a letter tonight late 5:15 P.M. actually it was faxed to us by Scenic Hudson. It's addressed to the Town Board of the Town of New Windsor, Re: Rezoning.

"We are in receipt of the notice of the public hearing scheduled for this evening relating to the considered adoption of an amendment to Chapter 48, Article II, section 48-5 (zoning map), to rezone certain properties from R-4 to NC. Unfortunately, we are unable to attend this evening's meeting, thus this letter. We are the owners of one of the parcels in question, namely: Section 37, Block 1, Lot 14. It is our understanding that a portion of this parcel is proposed for a zoning change to Neighborhood Commercial. Scenic Hudson acquired this property to protect and preserve its scenic, historic and ecological resources, including Moodna Creek, Moodna Marsh and the Nicoll Homestead, and we do not believe, therefore, that it should be included in the current proposed rezoning, and ask that it be removed. We are similarly concerned that the rezoning of the neighboring parcels will adversely affect the scenic, historic and ecological resources of the property. It is also significant that all the properties slated for rezoning lie at the Southern gateway to the Town of New Windsor. If anything, we believe that efforts should be focused on creating and maintaining an appropriate gateway to the historic Town of New Windsor, and avoid the all too common visual clutter of billboards and other inconsistent uses. Thank you for this opportunity to comment. Sincerely, Warren P. Reiss, Land Stewardship Manager."

I'll ask the Board if anybody wants to comment on this before I close? I will make a couple of comments and address myself to this John and Mr. Vignetti. We are well aware of the problems on 9W; we have had many number of meetings with the State DOT regarding that area. We had them in as recently as; I think it was October 25<sup>th</sup> we have tried to get that speed limit reduced. They are in a midst of a major design project on Route 9W from the NYMA property north into the city of Newburgh. Another developer who is kicking around, which the property is much closer to yours then this property, I'm talking about property on the corner of 9W and Forge Hill Road. The Town of Cornwall is looking to build a school there and there is two parcels; 150 acre parcel in the Town of Cornwall and it's adjoined by 50 acre parcel in the Town of New Windsor. The same developer has bought both parcels, he has been very vague about what he wants to do there, had some pressure from the Orange County Partnership and

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some other people who gave him a letter supporting what we wants to do there and it wasn't clear to me exactly what he wants to do there so I wouldn't give him the letter. I do know the school is very anxious to build a school and that looks to me the number one selection and this would be right in your back yard. The developer has talked about a business park; he also talked about residential and maybe rental homes. He seems to be like whatever there is that I want he is going to do, but he seems to change from day to day so I'm a little leary about the project, but something is in the wind through and you need to know that. I think that is very important and that's going to create more traffic and more children walking in that area. With that being said, this Board has reviewed this request and we have sent it to our Planning Board and we gotten back recommendation from them that we need to make this zoning change because of the type of activity that we have there. What we are trying to do is not do any spot zoning but make it a commercial area. I think Mr. Farkas, your project that you are looking to do had to do with storage sheds.

Mr. Farkas: Yes.

Supervisor Meyers: That is still. I think that's where it came up and Nannini and Callahan and other people popped up and there seemed to be no objection and then I asked Mr. Seaman if there was any objection from any of the adjacent property owners and there wasn't. So, we understand your concern about this project but it's not a zoning change that was looked at lightly but in depth. The more I looked at this the more I kept looking across the street, because that is a much bigger project and much more on what goes on there. The State is talking about overpasses so people could walk over, they are talking about putting a light on the bottom of the hill. Personally, I think is very dangerous because it would be hard to stop in the winter time with busses and tractor trailers and people coming in. I think we are in for quite a battle with them on this. The Cornwall School District and the Town of Cornwall seemed pretty intent on doing this but we hold one major card here and the card that we happen to hold is that area next to you is zoned residential and it's not zoned commercial. We are in pretty good shape there except if they put the school in. If they put the school in we don't have much to say, taking the land off the tax rolls and that's the end of that. That seems to be up in the air and that seems to be to me a serious issue and with that being said, I will close the Public Hearing.

Hearing no others wishing to speak, Supervisor Meyers entertained a motion to close the Public Hearing regarding the Proposed Rezoning of Parcel(s) 37-1-6,7.1,7.21,7.22,8,9,10,11,12,13.1,14 (Portion of), 44.2 (Portion of), 45.2,60.

Motion by Councilwoman Townsend, seconded by Councilman Green that the Town Board of the Town of New Windsor close the Public Hearing regarding the PROPOSED REZONING OF PARCEL (S) 37-1-6,7.1,7.21,7.22,8,9,10,11,12,13.1,14 (portion of), 44.2 (Portion of), 45.2,60 at 7:43 P.M.

Roll Call: All Ayes

Motion Carried: 5-0

Resolution Declaring Negative Declaration and Statement of Impact on Environment Change of Zoning – NYS Route 9W – 37-1-6,7.1,7.21,7.22,8,9,10,11,12,13,13.1 portion of 14, portion of 44.2, and 60.

Motion by Councilman Finnegan, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor adopt the following Resolution:

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WHEREAS, public hearing having been held on the 4<sup>th</sup> day of November, 1998 and the Town Board desires to cause a modification to be made to Section 48-5 of Chapter 48 of the Zoning Local Law (Zoning Map) from R-3 (Two Family Residential) to NC (Neighborhood Commercial) designation on parcels of land indicated as tax map Section 37, Block 1, Lots 6,7.1,7.21,7.22,8,9,10,11,12,13,13.1, portion of 14, portion of 44.2,45.2 and 60, located on NYS Route 9W and Sloop Hill Road, in the Town of New Windsor; and

WHEREAS, the Town Board has heretofore reviewed the Full Environmental Assessment Form submitted by the Engineers for the Town, McGoey, Hauser and Edsall Consulting Engineers, PC for this project; and

WHEREAS, the Town Board of the Town of New Windsor declares itself to be the lead agency for determination of impact on the environment; and

IT IS HEREBY RESOLVED as follows:

(1) That the Town Board of the Town of New Windsor declares itself to be the Lead agency for determination of impact on the environment with regard to the Rezoning of Section 37, Block 1, Lots 6,7.1,7.21,7.22,8,9,10,11,12,13,13.1, portion of 14, portion of 44.2,45.2 and 60; and

(2) The Town Board hereby determines that the amendments to Chapter 48 of the Zoning Local Law, Section 48-5 (Zoning Map) from R-3 (Two-Family Residential) to NC (Neighborhood Commercial) designation on parcels of land indicated as tax map Section 37, Block 1, Lots 6,7.1,7.21,7.22,8,9,10,11,12,13,13.1, portion of 14, portion of 44.2,45.2 and 60, located on NYS Route 9W and Sloop Hill Road, in the Town of New Windsor, will have no significant impact on the environment.

Roll Call: All Ayes

Motion Carried: 5-0

Motion by Councilman Green, seconded by Councilwoman Townsend that the Town Board of the Town of New Windsor adopt a Local Law amending Chapter 48-Zoning Local Law of the Town of New Windsor rezoning Parcel (s) 37-1-6,7.1,7.21,7.22,8,9,10,11,12,13.1,14 (portion of), 44.2 (portion of), 45.2,60 from R-3 (two family residential) to NC (Neighborhood Commercial) as per the copy attached to the Minutes, Marked No. 1. Also, that the Town Clerk be authorized to advertise same and submitted the necessary documents to the Secretary of State as required by law.

Roll Call: All Ayes

Motion Carried: 5-0

Receive and File-Correspondence-Proposed Zoning Amendment Orange County Planning Dept. – Zoning Change From R-3 to NC

Hearing no objection, the Town Board of the Town of New Windsor receive and file correspondence dated October 21, 1998 from Orange County Department of Planning in accordance with GML 229 L, M or Report regarding the proposed zoning amendments on Route 9W from R-3 to NC.

Respectfully submitted,



DOROTHY H. HANSEN  
 TOWN CLERK