

November 12, 2008

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TOWN OF NEW WINDSOR

PLANNING BOARD

NOVEMBER 12, 2008

MEMBERS PRESENT: JERRY ARGENIO, CHAIRMAN
HOWARD BROWN
HENRY SCHEIBLE

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 VAN LEEUWEN
DANIEL GALLAGHER

REGULAR_MEETING

MR. ARGENIO: I'd like to call to order the November 12, 2008 meeting of New Windsor Planning Board. Please stand for the Pledge of Allegiance.

(Whereupon, the Pledge of Allegiance was recited.)

MR. ARGENIO: I want to just remind everybody who's here as of right now we have a three member board, we do have a quorum, we can make a lawful and valid vote on these applications but the vote needs to be unanimous for it to pass, just so everybody knows unanimous amongst the members that are here. So if you want to stay or go it's up to you, it's typically not a problem but it's certainly up to the applicants. One thing, Franny, I want to clear up in the minutes for October 29 on page 23, I'm reported in those minutes as saying I'm going to pretend to be a fireman and then I went on with my statement. What I said that evening was I'm not going to pretend to be a fireman indicating that I'm not going to make decisions on behalf of the firemen's board or the firemen's inspectors, whatever their group is called specifically. So if you can make those corrections in the minutes, I would appreciate that and I want to get moving.

APPROVAL_OF_MINUTES_DATED_OCTOBER_15,_2008_&_OCTOBER_

29,_2008

MR. ARGENIO: Relative to the minutes dated October 15 and October 29, 2008, I will accept a motion that we accept them as written unless somebody has a correction they'd like to make.

MR. SCHEIBLE: So moved.

MR. BROWN: Second it.

MR. ARGENIO: Motion has been made and seconded that we accept the minutes from October 15 and October 29, 2008 as written.

ANNUAL_MOBILE_HOME_PARK_REVIEW:

HILL_&_DALE_MOBILE_HOME_PARK

MR. ARGENIO: First item on tonight's agenda is the annual mobile home park review of the Hill & Dale Mobile Home Park. Is somebody here to represent that? Myra, can you shed any light on that? No? Mike, has somebody been out to take a look?

MR. BABCOCK: Yes.

MR. ARGENIO: We need the applicant so Mike if they walk in, would you give me a wave?

REGULAR_ITEMS:

_____ _____
LAPIDUS_(07-20)
_____ _____

MR. ARGENIO: First regular item is Lapidus on Lakes Road.

Mr. Charles Brown appeared before the board for this proposal.

MR. ARGENIO: This application proposes subdivision of the 1.9 plus or minus acre parcel into two single residential lots. The plan was previously reviewed at the 25 July, 2007 and 12 March, 2008 planning board meetings. I see Mr. Brown here to represent this. Mr. Brown, can you tell us the corrections you made on this plan to bring us to this point and let us know where we're at now?

MR. C. BROWN: Since the last meeting we have actually had another surveyor survey the property and he stamped the plans now so that was the biggest item. Although based upon Mark's comments we took out, we had a septic tank and a pump chamber with a standard pump, we took that out and put in a regular grinder pump and one tank system to get the sewage up into Lake Street and that's pretty much it.

MR. ARGENIO: What are those vents that you have indicated there?

MR. C. BROWN: Those are existing, they're going to be taken out, both existing residences and the proposed residence will both have new tanks with the new grinder pumps, those are existing.

MR. ARGENIO: Where do they go?

MR. C. BROWN: They're on the forced main line for the existing house and that system needs to be removed and

replaced and that's in the plans.

MR. ARGENIO: You're abandoning both of those vents?

MR. C. BROWN: That's correct. You don't typically have vents on a pressure line.

MR. ARGENIO: So that sewer is going uphill?

MR. C. BROWN: Correct.

MR. ARGENIO: Let's see.

MR. C. BROWN: The main is in Lake Road.

MR. ARGENIO: Both these sewers are coming up to a common manhole?

MR. C. BROWN: Right.

MR. ARGENIO: Who owns the manhole?

MR. C. BROWN: The manhole's not installed, it will be installed as part of the project it will be.

MR. ARGENIO: Mark, on this sewer that's being pumped uphill to the manhole, if both properties are going to the manhole either one property or another needs to have some type of easement to get to the manhole?

MR. C. BROWN: We do have a common driveway easement that's shown there so I just modify that easement.

MR. ARGENIO: We need to clarify ownership of that manhole as well.

MR. EDSALL: Well, if you would kindly flip to page 2 of my comments, I indicate under the second bullet of number 6 that they need to have individual force mains directly to the town sewer.

MR. ARGENIO: Let me read this to you, Charlie, you have the comments, the plan depicts a private pump station for each of the residences discharging via separate forced mains to a new common manhole with the gravity line to the town's existing sewer. The gravity line and the manhole would presumably be privately owned.

MR. C. BROWN: That's true.

MR. ARGENIO: New York State DEC regulations do not permit shared sewer facilities, individual forced main connections to the town sewer should be depicted. You got that?

MR. C. BROWN: Yes. No manholes, it will be pumped right to the sewer line.

MR. EDSALL: I believe the detail that Mr. Agido is asking for is a saddle connection and then you just put the force main into the sewer main itself and with the routing separate you can stay on your own property.

MR. ARGENIO: You follow this, Howard?

MR. BROWN: Yes.

MR. ARGENIO: We're saying the sewer mains have the sewer disposal force main for the houses have to go to that sewer main up here individually two hookups. How do we know this that pipe is okay to do that or is that the owner's problem? That could be problematic.

MR. BABCOCK: No, this isn't that old.

MR. SCHEIBLE: Can't be that old.

MR. BABCOCK: Beaver Dam Sewer District 23, it's not that old.

MR. ARGENIO: All right, Mark's bullet number 3 has some notes on the pump station detail requires the following corrections, you see that there, Charlie?

MR. C. BROWN: Yes.

MR. ARGENIO: Okay, you got the vents on here too, we talked about the vents.

MR. C. BROWN: I don't have a problem correcting any of these especially with the changes we just made.

MR. ARGENIO: I don't think you have a choice especially the sewer mains.

MR. C. BROWN: This is all tied in together.

MR. ARGENIO: This is going to come up in the next application so I'm going to read it for this one just to kind of lay ground work for you. Please revise drafting line symbols and legend to clearly distinguish between contour lines, floodway lines, silt fence, et cetera, lines are poor on this and next run they're even worse line quality and weight, I'll show you what I mean now. Applicant should submit to the, should submit the descriptions and offers of dedication to the town attorney with the copy to the engineer for the planning board for necessary review. I want to read this as well, municipal highway sight distance for both driveways should be corrected and improved, that was on 11/12 of '08 and essentially is the same as his comment on 8/2/07, as of right now, this board does not recognize an approval from the Highway Department.

MR. C. BROWN: We did meet him out there, I will have to get him out there again but we're knocking down the hill that's blocking the sight distance over here that's on the grading plan on sheet 2, we explained that and he said it was acceptable.

MR. ARGENIO: So has Anthony seen these plans?

MS. MASON: He has.

MR. C. BROWN: Driveway location is the same as--

MR. ARGENIO: They're pulled right together.

MR. C. BROWN: He said you can't move the driveway, it's got to go where the existing driveway is and to increase the sight distance we're cutting down the nob right in here.

MR. SCHEIBLE: What's there right now.

MR. C. BROWN: It's a rock outcrop with a couple trees on it, that's what these are.

MR. ARGENIO: Can you explain something to me? Looking at that how would I know that?

MR. C. BROWN: Well, these are the proposed contours.

MR. EDSALL: Mr. Chairman, I look at it, I can't tell from looking at that that there's grading going on, this is probably why Anthony is confused as well.

MR. C. BROWN: These are the proposed contours just knocking down the hill which is 6 feet, this 6 feet right here.

MR. ARGENIO: Here's what I'm saying, Charlie, this line here this is existing or proposed contour that should be a heavy line just so you can read it and if you can increase the size of this font as well, basic stuff.

MR. C. BROWN: I can also increase the scale of the drawing.

MR. ARGENIO: That would be fine too, I don't want to see big giant drawings. Howard got a paper cut, he's going to sue the engineer.

MR. C. BROWN: Not the sheet size.

MR. EDSALL: I know Mr. Fayo's concerned and looking at the plans even if I struggle and follow the proposed contours there's grading not occurring other than at the driveways.

MR. ARGENIO: What?

MR. EDSALL: Not occurring other than at the driveways, he's concerned about the hill itself.

MR. C. BROWN: We're showing that knocked down, that's these contours here.

MR. ARGENIO: You're saying Mark the hill going toward Lakes Road and turning the corner onto Lakes Road is that what you're saying?

MR. EDSALL: Looking at this the hill that Mr. Fayo was pointed to this afternoon when he expressed his concern shows no proposed contours.

MR. C. BROWN: Which hill was he concerned with?

MR. EDSALL: Down this way.

MR. C. BROWN: Yeah, that's these right here, we're knocking that down but we'll leave those up connecting these to this, this is the same contour that's a 6 foot cut right there.

MR. EDSALL: All right.

MR. C. BROWN: I understand it should be shown clearer,

I can blow that area up.

MR. EDSALL: I don't think a blowout is what you need, you need to have the symbols legible.

MR. C. BROWN: Okay.

MR. EDSALL: The existing contours on this plan are darker than the proposed which is backwards from the normal convention.

MR. ARGENIO: Mark, from where we're sitting the three of us up here it's a very simple operation, whatever Mr. Brown needs to do on behalf of his client to make it so this is the safe and usable driveway, both of these, and Anthony's going to accept that that's what he has to do. I'm not going to, you need to review that with Anthony and discuss it with him and Mr. Brown you need to do the same. I'm not going to get twisted up about it, it is what it is.

MR. EDSALL: It's not as if there's any obstructions to them grading, just showing it on the plan.

MR. ARGENIO: I agree with that because you're putting both driveways in essentially the same location.

MR. EDSALL: There's no hindrance to do what they need to do.

MR. ARGENIO: I have approval from fire on 7/24/2007. This project, Howard, Henry's pointing out to me that the lots are substandard and they did go to the Zoning Board and I assume you did get your variances?

MR. C. BROWN: Yes, variances granted October of '07, just one of the lots was substandard, lot number 1.

MR. ARGENIO: If anybody sees fit to move I'll accept a motion we declare ourselves lead agency.

MR. SCHEIBLE: So moved.

MR. BROWN: Second it.

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

ROLL CALL

MR. BROWN AYE

MR. SCHEIBLE AYE

MR. ARGENIO AYE

MR. ARGENIO: To my contemporaries, Howard and Henry, how do you guys feel about a public hearing for this project? It's discretionary based on what the three of us decide here tonight.

MR. SCHEIBLE: Well, there's got to be plenty of neighbors in the neighborhood, right, this is just not, this is not a separate area.

MR. C. BROWN: No, there's, right, there's neighbors all around except for the lakeside.

MR. SCHEIBLE: I think the neighbors should have input on this project.

MR. BROWN: I agree.

MR. ARGENIO: My opinion you guys are going exactly in the right direction, I think it's prudent and appropriate and I think that that's what it's designed for and if everything is pulled together correctly I don't think it's going to be a killer on time.

MR. C. BROWN: Can we set that tonight?

MR. ARGENIO: Is there any reason we can't do that tonight, Mark?

MR. EDSALL: As long as the plan is corrected in time.

MR. ARGENIO: Yeah, this is something that's sticky for me, I think you probably know that I want to make sure that when we do have the public hearing I do want to make sure we have most correct version of the plan that we can possibly have.

MR. CORDISCO: If I may, I think you could authorize the public hearing subject to the plans being revised to Mark's comments.

MR. ARGENIO: I'll accept that motion.

MR. BROWN: So moved.

MR. SCHEIBLE: Second it.

MR. ARGENIO: Motion has been made and seconded that the Town of New Windsor Planning Board schedule a public hearing for the Lapidus subdivision on Lake Road. Roll call.

ROLL CALL

MR. BROWN AYE

MR. SCHEIBLE AYE

MR. ARGENIO AYE

MR. ARGENIO: Is there anything else here, Mark, number 3 we don't need to do anything there?

MR. EDSALL: No, that's all you can do for tonight.

MR. ARGENIO: Thank you, Mr. Brown.

CLARINO_PROPERTIES_(06-15)

MR. ARGENIO: Next is Clarino represented by Coppola. This is, this has been around and around. Am I right, Danny? The application proposes the conversion of a residence to an office building with the construction of an addition and site improvements. The application was previously reviewed at the 10 May, 2006, 13 September, 2006, 24 January, 2007 planning board meetings. This property's in the PI zone zoning district of the town as well as a historic corridor, two key words, historic corridor. This use is by right for the A1 zone, the bulk information is correct, the site appears to comply with minimum requirements with the exception of the lot width which is pre-existing non-conforming.

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

MR. ARGENIO: Would you tell us what you've done and where we're headed?

MR. SALPEPPI: Okay, our last meeting before this board was actually January 24 of '07 that was the public hearing. Coming out of the public hearing, we had one concerned neighbor which is labeled as Florio on the plan they're near the Kirkups, we had, SHPO required us to go to a Phase I Cultural Resources Study also known as an archeological study that has cost us most of our delay up to this point. We conducted an archeological study and it was found by SHPO to have no impact on the surrounding historic neighborhood.

MR. ARGENIO: Mark, do you have, can you verify that, do you have any information?

MR. EDSALL: Yes, I have a copy of that also Parks Recreation and Historic Preservation letter as well.

MR. ARGENIO: You agree with the findings?

MR. EDSALL: I will agree that that was their opinion.

MR. ARGENIO: Okay, that's all I'm asking you. Go ahead.

MR. SALPEPPI: Regarding the Kirkups, the neighbor next door, Mr. Coppola met them three months after the public hearing that was in April of '07, we have attempted to address their concerns, one of which was privacy and safety, we have installed or we have shown to be installed a 6 foot high cedar fence starting passed the front of their house and down our side lot line giving them that privacy and security. One of their other concerns was all of the existing trees along the property line between our property and theirs we have now shown all of the trees to remain undisturbed, we have kept construction as clear from those trees as we can and we'll hopefully keep them in good health. The site lighting has been turned inward so they're not getting any glare from our site lights. I believe those were the three items. We sent them this set of plans a couple of weeks ago for their review and any further comment.

MR. ARGENIO: Palisades?

MR. SALPEPPI: No, the neighbors, the fencing, the trees and the lighting should have been the three main items.

MR. ARGENIO: Let me hit this first while you're looking for that, Myra. I have a note here from the Palisades Interstate Park Commission, I'm going to read just a couple of brief sentences from it for the benefit of the members. While in most instances our concerns have been adequately addressed, we still feel that there is insufficient effort being proposed toward providing ample vegetation screening from the adjacent

parklands. Unfortunately, we do not believe that three proposed deciduous trees spaced very far apart and one shrub along the upper side of the site shall provide the necessary screening desired. Well, I'm just going to give you guys my comment on that and I'd like to hear from Mark and you can decide amongst the three of us what direction we're going to go. In my mind, I don't think that it is prudent to shield for lack of a better term the entire front of the project with trees and bushes, they're going to be alongside the highway, there could be overhead power lines that could cause other issues and on top of which the addition is in the back of the building. That doesn't mean that we can't come up with something in the front that maybe is lower ground cover or some such thing as that in the front area to try to find some kind of middle ground to bring it closer to compliance with this, Mr. Karl Roecker's letter from the Palisades Interstate Park Commission. Mark, do you have any thoughts on that or Howard or Henry want to chime in at any point in time?

MR. SCHEIBLE: You just mentioned existing trees to remain, that's fine, yeah, both of them are almost in the front entrance here, two of them but I'm just curious existing tree, what kind of a tree is it? Is it a large tree or is it a poison sumac?

MR. SALPEPPI: We didn't label it, I understand.

MR. SCHEIBLE: Just because there's a big deference between a poison sumac and a maple tree.

MR. ARGENIO: Let me share this thought with you, Henry, and this is from way back and I'm going from memory, there was a big issue with the neighbor originally, I don't know if you were at the meeting or not.

MR. SCHEIBLE: I was.

MR. ARGENIO: They talked about taking the trees down on the south side and it caused quite a ruckus in the area, we directed them to leave these trees up, that those are left in at our direction.

MR. SCHEIBLE: No, I agree with what you just said, Mr. Chairman, the front entranceway there, little bit of low type shrubbery because you can't block and there's I think there's telephone lines and electric lines going, am I right or wrong, going down that side of the highway?

MR. SALPEPPI: Yes, overhead wires.

MR. ARGENIO: Howard, what are your thoughts on this?

MR. BROWN: Well, you don't want to hide the building.

MR. ARGENIO: No, I don't think you want to do that.

MR. BROWN: So I think the shrubbery should be--

MR. SALPEPPI: I'd like to add one comment to that, if you look at the grading plan the roadway along the front of the property varies from 358 to 360 in elevation, our parking lot is all the way down at 354 and then the front entrance is down at 352 so you're up here and the, in a car just looking down into the parking lot anyway.

MR. ARGENIO: That's a good point.

MR. SALPEPPI: So, I mean--

MR. ARGENIO: Mark, what are your thoughts?

MR. EDSALL: I think you're on target and I think it's important that the record note that the building in the front which is the one they're most concerned about providing screening to is an existing building and the

applicant has proposed soft natural tone development and you could have those colors as a condition of the site plan, the schedule on the plan so that the building would be appealing to try to screen, it would be difficult for this type of use and again it's an existing building, what they're proposing is actually an addition in the back with elevations that go down to 344 in the parking lot, which is 10 foot lower than the front parking lot. So it would, I think it's important to realize that this is not a new impact, the building's already there, you might be able to convert one of the deciduous trees to a pine that has a little more mass to break up the building maybe one or two of them that would probably be a change.

MR. SCHEIBLE: We're working with a small piece of property here, actually we're not, I don't want to make this look like winter wonderland in there, Christmas trees.

MR. ARGENIO: I think what Mark's proposing, Henry, is to have, not use the type of tree he's talking about, maybe use pines, add a couple of them, I don't think we need to get into that, you can handle that, Mark, are you okay with that?

MR. SALPEPPI: Yeah, we'll come up with something.

MR. ARGENIO: Next item October 27, 2008 I'm not going to read this entire letter, I'm going to read a couple of parts of it from David and Josephine Kirkup. Who are they?

MR. EDSALL: They're the neighbors on this plan identified as Florio to the south.

MR. ARGENIO: Did the house get sold?

MR. EDSALL: Must of, it's taken a while for the plan to move forward.

MR. SALPEPPI: I'm not sure but it's been identified as Florio since the beginning, I'm not quite sure when the survey was done either.

MR. ARGENIO: They talk about the fence in this meeting and center of this paragraph in capital letters not capitals but underlined please refer to the highlighted portions of the attached. As you may recall, this wraparound fence was deemed necessary, the wraparound fence was deemed necessary, not just as a means of screening but more importantly as some sort of barrier to keep those who are going in and out of the office complex from having free access to the back of our home and property and children throughout the day and night. This office complex is just steps away from our home, it's imperative that the wraparound fence be put in place to help safeguard our property. Not only does the proposed fence not wrap around the property but it does not begin close enough to the road, the surrounding residential neighbors have all expressed their concerns at the January, 2007 public hearing. It goes on and on about Anthony Coppola and blah, blah, blah. Now, I'm going to tell you how my memory stands with this and I'm going to ask you guys what you remember. What I remember was directing the applicant to put a fence, a nice decorative fence along the south side of the property and the back of the property. That's the discussion that I recall at the planning board level. As such, I had Myra pull the minutes from that meeting, I'm going to read those minutes. Mr. Argenio, this is me speaking, something along those lines might be appropriate and what might also be appropriate is if you come up with some type of fence of some sort, some privacy/slash security fence on the south side of the parking lot, maybe we can carry it just a bit further and wrap around the back of the parking lots because I understand this other lady's concern and I have the same concern about children being safe, blah, blah, blah. I don't remember the

fence wrapping the entire property, I remember them being concerned about the south side having a fence along the south side and the rear of the property. You guys remember anything different than that because I think the record is clear?

MR. SCHEIBLE: No, I don't remember. You don't want it to looking like Fort Apache here.

MR. ARGENIO: I agree but I believe this needs to come up through here and I believe this needs to come around the back and that's it, that's all we talked about, that's what the minutes say. And then I go on to say Mr. Coppola or I say to at the end of the statement Anthony, have we hit anything and Anthony goes on to say no, as far as what you said so far we're okay with that so far. That's it.

MR. SALPEPPI: Not sure how the process went since then but we'll put the fence in.

MR. ARGENIO: Wherever we go or don't go the fence has to be on the south side and the rear the back and the left side of the building if you're standing at 300.

MR. BABCOCK: How far out front Mr. Chairman?

MR. ARGENIO: We should probably come somewhere where it makes sense, as I recall, one of the concerns were cars and stuff pulling in so if we can get within three or four or five feet within the right-of-way.

MR. EDSALL: I just remember the south south but wrapping it around will give it some stability as well.

MR. SALPEPPI: Okay.

MR. ARGENIO: Okay, Mark and Dominic?

MR. EDSALL: Yes, sir.

MR. ARGENIO: Henry and Howard?

MR. SCHEIBLE: I think you put it exactly right just to construct another fence on this side that's Fort Apache, that's what it's going to look like, we don't need that.

MR. ARGENIO: So, Mr. Clarino and his consultants have done a fine job here in my estimation they have been very accommodating with the neighbor who was very vocal in a respective fashion, as I remember, and she didn't want the trees cut down, she didn't want the headlights shining into her home and she wanted to make sure that her property was safe and I think we have accomplished all of that. I do have one hurdle here though but I want to share this with you guys and I want to hear I think I know where I want to go but I want to hear from you guys and Henry and Howard. On 3/3 of 2008 from the town historian, March, March of 2008 now mind you this went to SHPO, the Palisades Interstate Park, it went to everybody, everybody took a piece of this one, I have reviewed New York State's SHPO response and I agree with their findings. Being familiar with the town's encampment site of 176 acres, I would anticipate period artifacts being found and would have expected a more robust investigation being performed. The test shovel holes are insufficient as discovery 18th century layer is much deeper. At no time was I ever contacted or asked to provide any information by the archaeologist or by the archaeological firm. Mark and Dominic, I don't know how to respond. Mr. Clarino and his consultants have done everything we have asked, we forwarded this to everybody that it's supposed to be forwarded to, I don't know how to respond.

MR. EDSALL: I mean, they have done what is a normal Phase I Cultural Review, I don't know that--

MR. ARGENIO: Jerry's Self-Storage is across the

street, it's next to the same parklands and it went through the same review procedure to SHPO and Palisades and the town historian and we didn't get any of that there.

MR. CORDISCO: And the standards for doing a Phase I Cultural Archeological Study are standards so it's not as if the wheel has to be re-invented each time so if they've done a Phase 1 study as I understand they have they have met those standards and the report is what the report is.

MR. ARGENIO: And we certainly know about standards being out there and people twisting them and perverting them into things that they're not.

MR. CORDISCO: As the case may be.

MR. ARGENIO: Not that I don't mean to imply that that's happening here but I have seen that with other planning boards and I have seen people attempt not people up here but people in front of us attempt to do that. Do you guys have a take on this?

MR. SCHEIBLE: We're taking a piece of property that's been there, it's been developed for I don't know how many years that house has been there, we're adding a little tiny addition on to the back of it, we're not making a big alteration. So far as I think make my long story short is that we're improving the piece of property, make it more visual to blend in with the historic area. Changing the colors of the, if I'm correct, changing the colors of the building?

MR. SALPEPPI: Improving the whole building.

MR. SCHEIBLE: Right, so I really have no problem.

MR. BROWN: I'm convinced Mr. Clarino has been more than cooperative as far as putting the property into

the right perspective as far as historical.

MR. ARGENIO: I think so too. Go ahead, Mark.

MR. EDSALL: Just two things that are not in my comments but I think would be helpful in decreasing the impacts would be is to have Mario include the materials that were presented to you as far as finishes that would be low key finishes, just add a schedule, a general schedule on the plan if it isn't which we have seen elevations and renderings and secondly--

MR. ARGENIO: On that thought, Mark, the aesthetics I just want to hit something on that now I'm looking at that, what's that, vinyl siding? Danny, do you know, do you know what it's going to be?

MR. SALPEPPI: Plank siding.

MR. EDSALL: So that I think would be important and we have done that in the past where we have included it just so it's a controlling factor which improves the visual aspect. The second issue would be is that we should ask that they on the lighting plan have that the lights will be on photocells and timers so that not only do they save money but they decrease the light pollution at night.

MR. ARGENIO: Do you agree with that, Dan?

MR. EDSALL: So they'll stay on for an appropriate time.

MR. ARGENIO: For the record, I'm talking to the owner in the back of the room, Dan Clarino who owns the property. So you agree with the photocells?

MR. EDSALL: And timer.

MR. CLARINO: Absolutely.

MR. ARGENIO: With the timer, yes, photocell with a timer, that doesn't make sense.

MR. EDSALL: You run both and that way when you have--

MR. BABCOCK: Photocell they stay dusk till dawn, if you don't put a timer on to shut it off--

MR. EDSALL: That way when you have seasonal changes it still works.

MR. ARGENIO: I want to take that to the next level and I don't think this is problematic to you guys, it shouldn't be, we did have with Jerry Sabini at Jerry's Self-Storage when you decide what you're going to put on the outside of the building when you apply for the building permit bring a sample of that product to Mike's office, please, would you do that? Sabini did that and he did exactly what he said he was going to do and I think the building as good as the building of that size could look I think it looks pretty good as good as a building of that nature and size can look, I think the colors or you're laughing at me?

MR. EDSALL: I was going to comment that I didn't wear the appropriate shirt color tonight.

MR. ARGENIO: That's right, match your shirt color that was like a combination of mauve and plum.

MR. EDSALL: Interesting approach.

MR. ARGENIO: Okay, Dominic, are we moving forward in a lawful fashion?

MR. CORDISCO: Yes and we have prepared draft resolutions, given the discussion tonight and the fact that there are some changes to the conditions the board it would be in a position to move forward and grant

approval. I would just make the revisions to those resolutions and we'll have them executed and the negative dec and have those signed.

MR. ARGENIO: County Planning local determination.

MR. CORDISCO: You've had your public hearing obviously on this project, you're lead agency under SEQRA, the next step would be to authorize me to prepare and for adoption of a negative declaration.

MR. ARGENIO: If somebody sees fit, I'll accept a motion.

MR. SCHEIBLE: So moved.

MR. BROWN: Second it.

MR. ARGENIO: Motion has been made and seconded that the Town of New Windsor Planning Board declare a negative dec under the Clarino properties office building. I'll have a roll call.

ROLL CALL

MR. BROWN	AYE
MR. SCHEIBLE	AYE
MR. ARGENIO	AYE

MR. ARGENIO: Am I missing anything here, Mark?

MR. EDSALL: No, I would make it subject to the corrections and my comments and the specific items discussed tonight for the additional landscaping, the materials schedule on the plans and the note regarding the lighting timer.

MR. ARGENIO: This is a little disturbing to me, I want to make it very clear in the future that Myra if something like this comes up I want a letter because I

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MR. ARGENIO

AYE

DR._SINGH_(08-18)

MR. ARGENIO: Next on tonight's agenda is Dr. Singh, New York State Route 9W.

Mr. Charles Brown appeared before the board for this proposal.

MR. ARGENIO: The application proposes construction of a two story 16,000 square foot medical office building on a 10 plus acre site. The plan was reviewed on a concept basis only. I see Mr. Brown here to represent this.

MR. C. BROWN: Yes, first time before the planning board on this, as I said, it's a 10 plus acre site.

MR. ARGENIO: For the benefit of the members, I believe that if you were to come out of Destinta Theater, go down Union towards 9W, get to the light with the church on your right, make a left on 9W north, I think this project's right there on the right.

MR. C. BROWN: Just after the doctor's office building there's a vacant piece on the right borders over to Silver Springs Road, I call it a moonscape because the terrain is--

MR. ARGENIO: Mountainous.

MR. C. BROWN: To say the least. It's a little premature to be before the planning board but my client Dr. Singh has an option to get some fill material, there's a considerable amount of grade that needs to be done and I understand that the town doesn't have a separate clearing and grading permit and we'd need some kind of authorization from the planning board to do site preparation. So again we're going to continue with the workshops and working with Mark on the technical issues but we did submit--

MR. ARGENIO: How much fill do you need to fill?

MR. C. BROWN: The net input about 29,000 yards.

MR. ARGENIO: Where are you going to get it?

MR. C. BROWN: He's getting it from the Broadway area.

MR. ARGENIO: I know exactly where he's getting it.

MR. SCHEIBLE: Where?

MR. C. BROWN: Broadway.

MR. ARGENIO: Just north of Broadway.

MR. C. BROWN: It's within five miles of the site and material's available pretty much.

MR. ARGENIO: So are you here for, what are you here for?

MR. C. BROWN: We'd like to get, I talked with Mark, again, the town doesn't have a separate clearing and grading permit or we would have applied for that, what we'd like to do at this point is start bringing in some material and do some clearing and site work within the limits of the project so I guess I'm looking for a direction from the planning board.

MR. SCHEIBLE: Isn't that piece of property correct me if I'm wrong isn't it sort of like come down like a--

MR. C. BROWN: Right, there's a stream.

MR. SCHEIBLE: That's my question, is there a stream running through?

MR. ARGENIO: This is next to Mr. Osner's property, is

that right?

MR. BABCOCK: That's the property.

MR. SCHEIBLE: This is?

MR. BABCOCK: Was.

MR. ARGENIO: Mr. Osner sold it, okay, I know the parcel.

MR. C. BROWN: There's a proposed building which is on sheet 2 shows the grading for the ponds, here's the stream we were talking about that comes down and goes down and I guess this is where the catch basins are.

MR. ARGENIO: This is, Mark, this is tricky, Mark, Dominic, maybe the attorney should speak first.

MR. EDSALL: Are you asking as far as the--

MR. ARGENIO: Well, I'm asking because relative to a--

MR. EDSALL: Relative to authorization to grade?

MR. ARGENIO: Yeah.

MR. EDSALL: Well, although there isn't a separate approval the storm water regulations wouldn't allow you to do any disturbance of this degree without a SWPPP being submitted and the building department approving it.

MR. ARGENIO: I wasn't even going there, we absolutely have to have that. Where I was going I thought that the law read that if you have an application in front of the planning board for a piece of property to do something with it you're not supposed to be working on it while that application is being reviewed.

MR. EDSALL: Unless the board authorizes it.

MR. CORDISCO: That's correct. And that's not only in the Town Code but it's also in SEQRA as well.

MR. ARGENIO: It's in SEQRA as well so it's not just the Town of New Windsor.

MR. C. BROWN: I have prepared a storm water management report and we do have a SWPPP prepared for that also and I did put that before other elements I would normally do in the process of site plan purely to get to the point where we could get some authorization from the planning board.

MR. ARGENIO: Where is that SWPPP plan?

MR. C. BROWN: We submitted a storm water management plan with this set of plans, it was submitted.

MR. ARGENIO: Has John Z. looked at that?

MR. EDSALL: It's not even close to a SWPPP so again the threshold they would have to be at to get the SWPPP approved goes far beyond where we're at now.

MR. C. BROWN: I have done all the calculations for the, that are part of that but I haven't provided a boiler plate which I do have but again I'm not asking for anything other than direction, how we can go about taking care of my client's needs so that he could take advantage of this opportunity to get the materials and stuff on the site, what I would need to do so the planning board would be amenable to do that.

MR. ARGENIO: Yeah, I have to tell you I don't know that taking the fill, I don't know that it is, the SWPPP is an issue when you're talking about the quantity of material that you're talking about, you definitely you have to have the ponds, I mean, the

ponds have to show up, the check dams have to show up, the silt fence, Mark, am I, correct me if I misspeak.

MR. EDSALL: You're absolutely correct.

MR. ARGENIO: The calculation for I think it's 3,000 cubic feet per acre, is that right?

MR. EDSALL: I believe that's the number.

MR. ARGENIO: You have to do those calculations, Charlie, and present them to John Z. in Mark's office.

MR. C. BROWN: He had all the drainage calculations, that's all been performed.

MR. ARGENIO: Just for the SWPPP, I don't care about these drainage calculations, that's a different package.

MR. C. BROWN: Per the SWPPP we have the basins there.

MR. ARGENIO: So then I'm going to ask you this question if that's the case then what you're asking to do now is to build this, you want to build these water quality basins, build these outlets you're going to do them?

MR. C. BROWN: They'd have to be done now before the grading absolutely I understand that.

MR. ARGENIO: I just want to make sure, Charlie, that you understand what we're asking for.

MR. C. BROWN: I do, it's what's needed is a full blown SWPPP outlining construction procedures.

MR. ARGENIO: Go over to your thing, don't get nervous.

MR. C. BROWN: If that's what we need to get my client

approval from the board to begin the grading I understand the procedure is part of that.

MR. ARGENIO: Sheet 2 print quality unacceptable, unable to completely follow existing contours, improve print quality. I told you that had a sequel to it that comment I made before. So Mark it's been my experience before that when we're talking about a substantial grading endeavor like Mr. Brown is talking about typically and I'm going from past history here what we have looked for from applicants is to at that level disregard what their intents are as far as the building or any other thing goes, typically, I think what we have asked for is focus on your management of the site for you to have the ability to lawfully perform the filling activities that you want to perform and I'm going from memory. Is that about correct?

MR. EDSALL: You're correct and usually they're in a caveat that we tell them keep in mind the pad you create may limit what you can build based on the site plan review if dimensionally whatever's shown doesn't work.

MR. C. BROWN: Understood.

MR. ARGENIO: I would think that would be implied already.

MR. CORDISCO: If I may add obviously storm water is a concern that the board has had not only on other projects but also as a result of the 2008 permit changes that came down from DEC, you know, which now put the burden on the towns to review the storm water plans prior to the notice of intent being sent to the DEC so I think that it warrants a close look.

MR. ARGENIO: Okay, you guys on this cause of the business I'm in I see this more and more.

MR. SCHEIBLE: You see it more than I'm ever going to see it but I just hate to go in there and start in and in other words, correct me if I'm wrong, you want to start clearing the area off, number one, clear it and fill it, right, and create a pad and the stream goes where?

MR. ARGENIO: Look at the map over there.

MR. SCHEIBLE: My concern is the stream.

MR. ARGENIO: They've got to protect that.

MR. SCHEIBLE: This is a pretty good sized stream.

MR. ARGENIO: The other one flows intermittent.

MR. SCHEIBLE: Yeah, only during rainy time.

MR. C. BROWN: These are the ponds that are shown.

MR. ARGENIO: What they're asking for is not, it's a little out of the ordinary but it's not incredibly out of the ordinary but Charlie we don't care what you're building at this point when you proceed forward with this you need to understand that whatever you're going to do is at your own risk, it's all at your own risk. If you get to the top of this thing and you have 30,000 square feet to build on and the code calls for 50, don't come here looking for a variance, don't look for a referral to the Zoning Board cause you made your own problem.

MR. C. BROWN: I understand.

MR. ARGENIO: Am I right or wrong Mark?

MR. EDSALL: Yes, you're absolutely correct. And one of the other things that we look for just so Charlie's aware with a SWPPP you're concerned about amount of

land disturbance and erosion and runoff when you put in the amount of fill. And one of the things that obviously I can't follow on the plan cause it has no proposed elevations and no existing elevation numbers so I can do differential but I can't tell what numbers we're dealing with but when we get a complete plan we're concerned about the fact that the volume of fill elevation-wise that it's installed in a structural and stable manner otherwise when this gentleman even thinks about issuing a building permit if it's sitting on 10, 18 foot of fill you may not get a permit. We've had that already once on a residence that was filled improperly. So there are more issues than just hey, let us fill, storm water issues, there's a fill stabilization issue for structural placement of the material and we're heading into the winter so I don't know how you're going to do all this.

MR. ARGENIO: Dominic, you didn't respond which tells me you may disagree with what I said.

MR. CORDISCO: No, I think forewarned is forearmed.

MR. ARGENIO: I had this, Dr. Singh, I've experienced this before where we filled on site because of the business I'm in and what we had to retain a testing laboratory to test as we went up and the town witnessed the test and they came out and they were there sometimes 20 hours a week, sometimes 40, sometimes 10 hours a week, whatever it was. So I think what we're saying is this is fine, no, not the plan is fine, I think what we're saying is the direction that you're going is the correct direction but you're going there at your own risk and whatever approvals you do or do not get, any fill you do put in will be at your own risk.

MR. C. BROWN: Understood.

MR. ARGENIO: And there are going to be caveats

associated with it as Mark has alluded to and Dominic alluded to, there's going to be things the town is going to ask you to do to ensure that we don't have something here that's a safety hazard.

MR. C. BROWN: That's why I'm here tonight to find that out so we would come back before the planning board to establish all that on submission of the SWPPP and sign-off to him.

MR. ARGENIO: I think you should get the plans cleaned up and when I say the plans, I don't need to see the building footprint, storm water management, Mark, jump in, storm water management, the SWPPP plan proper with the calculations on it, all the information so John Z. can figure out what's what, and the building footprint a box might be fine, actually, we want to see a box, actually, we want to see a box plus 10 foot all the way around because that's going to be a structural area, your primary area of concern for Mike's calculations and Mark's. Guys?

MR. EDSALL: Well, you're going to have the parking lot which has to have H-20 loading on it so that's going to be a concern.

MR. C. BROWN: There's a parking lot and I went five foot all the way around.

MR. EDSALL: We're looking at the SWPPP, some type of plan as to how you're going to place the fill, monitor the compaction and last but not least you're going to be accessing the site off a state highway, you need to get those details and approvals, we'll refer over.

MR. C. BROWN: We did meet with the state out there, we got the application in to them for the permit but I have a call to discuss temporary access here but there's no problem with sight distance, you know, the road there.

MR. ARGENIO: Yes, I agree with that. Mark, let me ask you a question, as far as and you've brought up the point working in the winter months if that road gets tracked an inch thick with mud in the northbound lane whose problem is that? Is that the state's?

MR. C. BROWN: That would be the applicant's problem.

MR. EDSALL: It's their problem as part of the permit but I'm just wondering--

MR. ARGENIO: They'd be in violation of the SWPPP.

MR. EDSALL: I also have to look at the guidelines with John as to what's going to be permitted in the winter months cause stabilization is very difficult in winter months, not to mention how do you perform compaction in freezing conditions, so it's not the right time of year to be doing it in plain terms.

MR. SCHEIBLE: Is it your intention to start this as soon as possible?

MR. C. BROWN: The filling, yes, we had plenty of time before he needs to initiate the building but again--

MR. ARGENIO: He's got opportunity.

MR. C. BROWN: To get fill at a nominal cost and this site definitely needs fill.

MR. ARGENIO: I would be trying to do the exact same thing if it was me. You have your direction.

MR. C. BROWN: Yes, I do, thank you very much.

PATRIOT_BLUFF_SITE_PLAN_&_SUBDIVISION_(01-64_&_01-66)

MR. ARGENIO: Patriot Bluff site plan and subdivision. I see our old friend Mr. Shaw in the audience. I don't have anything because Mr. Shaw's here tonight to discuss to I believe which document, Greg, the DSEIS?

MR. SHAW: DSEIS.

MR. ARGENIO: Complete at this point in time.

MR. SHAW: Complete for public review and to set the public hearing up for next month for both the review of that document and preliminary subdivision approval.

MR. CORDISCO: A public hearing on the preliminary subdivision.

MR. SHAW: Yes. What did I say?

MR. CORDISCO: You said preliminary subdivision approval.

MR. SHAW: I'm sorry, no approval, public hearing.

MR. EDSALL: You're real sorry, ends up being a triple header because you've got a site plan public hearing, a preliminary subdivision public hearing and a public hearing on the supplemental SEIS or DSEIS.

MR. ARGENIO: I asked Myra to that end of what Mr. Shaw's asking for tonight, I asked Myra to send out a note to all the members just to remind them that that 14 inch tall stack of papers you guys picked up about six or eight weeks ago you read it and/or at least perused it and had any questions, if you had any questions you called Mark or me or Dominic to ask those questions because tonight we're going to vote on whether it's complete enough or not for public review.

MR. CORDISCO: If I may, Mr. Chairman, that's exactly the point at the stage that you're at is whether or not the document is complete enough for public review, not that it is final, not that there might not be additional analysis that's required after there's public review, it's just that the, all the bases are at least covered enough so you can begin the public process.

MR. ARGENIO: I've read the bulk of the document, I've spoke to Mark and Dominic about it and it appears to me that we're at that point at this point, Howard, what are your thoughts?

MR. BROWN: Well, we're not approving, we're just saying if all the documents are in order.

MR. ARGENIO: You're saying it's complete enough so it can be posted for public review, that's all we're saying.

MR. BROWN: Yes.

MR. ARGENIO: You agree?

MR. BROWN: Yes.

MR. CORDISCO: What that triggers is a public hearing, the document itself gets sent to all the other interested and involved agencies, it also gets posted online, a public hearing notice gets published and the public hearing notice will have a link to where it's available online so anyone who's interested can go and read the entire document and it sets us up for a public hearing for next month's meeting.

MR. BROWN: I agree.

MR. SCHEIBLE: I see no problem as long as our legal and engineers and chairman see properly that we should

proceed on it I agree with it a hundred percent.

MR. CORDISCO: The only thing I would add is last week they did circulate some last minute changes to the document so any approval resolution in terms of a completeness determination tonight should be conditioned on these changes being included in the final version that's sent around.

MR. EDSALL: And it's important to note that these are not items that they added last minute, they're pursuant to our review of the document and a meeting that we had as the town and the Planning Board's representatives with the applicant and their representatives and we asked that certain areas where we felt more information would be beneficial or more clarification would be beneficial that's what this errata or text addition submittal is, it's information responsive to our comments.

MR. CORDISCO: It's important to get this kind of information out in the draft supplemental because that's the version, that's the document that's going to be available for public review, you could have included it in the next document which is the final supplemental but there's no real public review on this document so you're inviting public comment which at this point is more important.

MR. ARGENIO: Just curious in three sentences or four sentences what are the highlights that you have there?

MR. CORDISCO: Well, the largest section was a discussion of the net benefits.

MR. ARGENIO: Distinction between lot ownership and--

MR. CORDISCO: Correct, between fee simple and condominium ownership which the preferred is for fee simple lots.

MR. ARGENIO: Okay, good, what do we need to do in a form of a motion?

MR. CORDISCO: Just a motion to determine that the Draft Supplemental Environmental Impact Statement is complete authorizing the circulation of that document and also authorizing the public hearing for the next meeting.

MR. ARGENIO: Anybody wants to make that motion to that effect?

MR. SCHEIBLE: Yes, a motion.

MR. BROWN: Second it.

MR. ARGENIO: I'll have a roll call.

ROLL CALL

MR. BROWN AYE

MR. SCHEIBLE AYE

MR. ARGENIO AYE

MR. CORDISCO: Just one clarification that public hearing will be as Mark said before not only on the draft supplemental but also on the preliminary plat and on the site plan.

MR. ARGENIO: What's the date of next month's meeting?

MR. BROWN: December 10th.

MR. ARGENIO: All right, good.

MR. CORDISCO: And we'll work with the applicant's representatives to make sure that the notice is proper and that it gets sent out.

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MR. SIMONE: You guys will prepare the notice and we'll distribute it?

MR. ARGENIO: And you'll get a bill.

DISCUSSION

CHALEFF,_GEORGE_-_PROPOSED_PRIVATE_WINDMILL

MR. ARGENIO: Discussion item George Chaleff.

Mr. George Chaleff appeared before the board for this proposal.

MR. CHALEFF: Good evening.

MR. ARGENIO: Would you please back away a little bit over near the easel just so everybody can hear what you're saying?

MR. CHALEFF: I'm looking for approval.

MR. ARGENIO: Well, tell us what you want to do.

MR. CHALEFF: I'm looking for approval from the town to put up a Sky Stream wind turbine, okay, it's a downwind design which means that the wind comes from behind and basically it needs 10 miles an hour wind to produce electric so it's going to make free electric in the right conditions which is the 10 miles minimum, minimum 10 miles and the maximum is 26 miles an hour. It's a fully UL certified device, it's made in Arizona by Southwest Wind Power. The rotor diameter is roughly 12 feet, the blades and typically it gets attached to a monopole roughly between 45 feet and 80 feet in height and gets bolted down to a reinforced foundation and foundation work depends on the height of the mast and obviously the soil substrate but it's a wind turbine with a 12 foot rotor.

MR. ARGENIO: What do you do with the extra electricity?

MR. CHALEFF: This is how it works with alternative energy today be it from solar or wind it's a federal

law that most utility companies have to sign an agreement for interconnect agreement, it's called net metering, so, in other words, this unit gets attached to the grid, it doesn't need batteries or anything, the batteries are an option if you had like a remote cabin or something like that where there wasn't any electric possible and you had to make your own this unit gets attached directly to the grid and--

MR. ARGENIO: And if you give your voltage to them they monitor it and you get a discount of what you buy from them?

MR. CHALEFF: Basically, all the electric you make goes into the grid, if you're making more than you're producing you slow the meter down and if you're making an excess in peak periods you can also reverse the meter, so if you slow down or reverse your meter more one month you'll get a credit on the next month and the agreement with most utility companies the internet agreement it's on a one-to-one value, in other words, if they'll give you the same credit for the amount that it's costing you to buy from them so in other words, if you use, if you make 100 kilowatts per month that gets returned to them and you'll get 100 kilowatts of credit for the next month.

MR. ARGENIO: Not 75 or some such thing?

MR. CHALEFF: Right, if at the end of the year you end up making more, if you produce more than you use then you can get a check, actually a refund or a credit from them. But that would only occur at the end of the year and generally what this is going to do I'm looking for roughly a 20 to 30 percent savings on the electric, my electric bill and it's basically free electric that's produced without any pollution, without burning coal, without burning oil, without a nuclear reactor so--

MR. SCHEIBLE: On an average say if hypothetically

you're saying you can go from 10 to 20, 10 minimum, 26 maximum, right, so if you're 15 mile an hour steady which is like medium, how many kilowatts can you produce?

MR. CHALEFF: At 15 miles an hour on the graph that I gave you on the back it shows monthly energy.

MR. BABCOCK: 500 about.

MR. CHALEFF: We're at the minimum right now the average wind velocity for the Hudson Valley depending if you're by the river it would be higher, if you're up on some ridges we're in about 10 miles an hour, so as far as wind production it's not going to be super production, it's, you can consider it doable but the reality is it's on the lower end of the production roughly about 200 watts a month.

MR. SCHEIBLE: Just out of curiosity when you say wind maximum of 26, it will only, you mean that would only produce up to 26 miles per hour?

MR. CHALEFF: Exactly.

MR. SCHEIBLE: And anything thereafter it doesn't mean anything?

MR. CHALEFF: Well, this is what it has, the Sky Stream 3.7 is the first wind turbine that was made in collaboration with Southwest Wind Power and the Department of Energy National Renewable Energy Laboratories so this unit was made as part of a government project between the government and Southwest Wind Power and what they did was they made sure that it had a fully compliant UL inverter built right into the turbine itself so you don't need to turn the DC voltage at some point downstream into a C, this unit is producing a C voltage right at the turbine, the cord goes right down the mast via going through like a brush

control so the head spins 360 degrees, it's not fixed in one place so the current goes down the pole and conduit, an underground conduit you can have a DC shutoff at some point either close to the tower or on the house or meter depending on local utilities or local building codes and--

MR. ARGENIO: Do you have a job?

MR. CHALEFF: Right now, well, this will be my kind of job.

MR. ARGENIO: You've done a lot of research on this.

MR. CHALEFF: I was trying to get to the best part.

MR. ARGENIO: I'm certainly impressed with the research.

MR. CHALEFF: I wanted to get to the best part to answer Mr. Scheible's question about the output, the unit is producing between 1.9 and 2.6 kilowatts so at 10 miles an hour putting out 200 watts as the wind velocity picks up 26 miles an hour it's putting out 2.6 kilowatts an hour. So if you have the unit two things to remember is power and energy, power is kilowatts, 2.6 kilowatts, kilowatt hours is energy whenever you have the power over time you have energy. So back to answer your question, at the 26 miles an hour which is the full output roughly it's putting out the 2.6 kilowatts, it also has an internal stall regulation so in the event there's too much wind, it has a self-auto, self-restrictor, it's a stall regulation that they came out with to--

MR. ARGENIO: Mr. Chaleff, I don't want to go too far but I find it very interesting and fascinating. Did you ever see the video?

MR. CHALEFF: Of?

MR. ARGENIO: On America's Most Shocking Videos.

MR. CHALEFF: Where one from a wind farm that twists and blows up or whatever?

MR. ARGENIO: The brake failed on it and this thing's going 70, 75 or 80 miles an hour and the thing it exploded, it flew apart and the thing went two miles away.

MR. SCHEIBLE: That's why I was asking that, that's why I brought that up.

MR. CHALEFF: With your permission, I've got a short animation which we can hook up over here.

MR. ARGENIO: I will tell you what needs to happen here, I don't have a problem and he's got a website, Sky Stream Energy, we can go on the website and check it out, here's what we've got to do, let's see, the bottom line is we're a planning board and you need to come to see us and we're going to, Jimmy Petro said it a thousand times, can't tell you whether you can but we'll tell you how to do it. You've heard him say it 100 times. I'm sure I need to look into this a little bit, I'm not, I don't think unless somebody else unbeknownst to me, Howard or Henry has some knowledge that I don't know about about these things they're an expert and they can offer expert testimony on it, I don't think we're prepared to send you in any direction tonight other than we need to look into this.

MR. CHALEFF: Right, as I mentioned, I've got two short clips, if you just wanted to see them, my son can hook it up and--

MR. ARGENIO: How short are they?

MR. CHALEFF: One is animation overview, it shows how

it works.

MR. ARGENIO: How long?

MR. CHALEFF: Five minutes, if everybody's quiet because the audio is going to be limited, this way you can see what it looks like.

MR. ARGENIO: What's happening, Mr. Chaleff, is this, he can hook that up and I'm looking to talk, I talked to Mark about this a little bit and one of the things we came up with is that this may or may not be a pattern and in time you may or may not be, you may or may not be proved to be an innovator, you may be proved to be an innovator or not, you know, way back when when the cell towers--well, let's just watch this.

(Whereupon, a video was played.)

MR. ARGENIO: Thank you for coming in. Here's the story with this, Mr. Chaleff, it's not a, I think this is similar to the cell towers when they first came out nobody knew how to govern them, I want to have a talk with the boss and I'm going to talk to Mark and Dominic and Mike a little bit, we'll figure out how we can do something for you or not or hopefully yes and--

MR. CHALEFF: I believe it's the future between wind and solar you probably will be seeing a lot more as time goes on.

MR. ARGENIO: We shall see.

MR. CHALEFF: And you know it's free electric once you put it up there the cost of the fuel is fixed.

MR. ARGENIO: I'm with you. Thank you for coming in.

MR. CHALEFF: Thank you once again.

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MR. ARGENIO: Motion to adjourn?

MR. SCHEIBLE: So moved.

MR. BROWN: Second it.

ROLL CALL

MR. BROWN	AYE
MR. SCHEIBLE	AYE
MR. ARGENIO	AYE

Respectfully Submitted By:

Frances Roth
Stenographer

