

TOWN OF NEW WINDSOR

PLANNING BOARD

October 24, 2012

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

ALSO PRESENT: DOMINIC CORDISCO, ESQ.  
PLANNING BOARD ATTORNEY

MARK EDSALL, P.E.  
PLANNING BOARD ENGINEER

JENNIFER GALLAGHER  
BUILDING INSPECTOR

NICOLE PELESHUCK  
PLANNING BOARD SECRETARY

MEETING AGENDA:

1. Temple Hill Apartments S.P.
2. Henry Subdivision

**REGULAR MEETING:**

MR. ARGENIO: I'd like to call to order the October 24, 2012 regular meeting of the Town of New Windsor Planning Board. Would everybody please rise for the Pledge of Allegiance?

(Whereupon, the Pledge of Allegiance was recited.)

MR. ARGENIO: Welcome everybody, we have a full board, we don't have a quite a full house but we have a few people here so we'll get right down to it. We don't have any minutes to approve tonight so we're going to get started.

## PUBLIC HEARINGS:

## TEMPLE HILL APARTMENTS SITE PLAN (11-14)

MR. ARGENIO: First item on tonight's agenda is Temple Hill Apartments site plan. This application proposes a 272 unit multi-family residential development, 186 totally affordable senior citizen housing units plus 84 work force housing units, including two caretaker apartments on 19 1/2 acres. Would the applicant and/or the applicant's representatives please come up? Please turn the easel towards the planning board and please give us an update. We have a couple questions, couple things I would like to hit, maybe some of the other members have something as well. For those of you who are not familiar with the procedures, what we'll do is we'll review as a board for a few minutes to get an update and some of the concerns that the board has had, see how the applicant has addressed them and then at a point in time we'll open it up to the public, receive public commentary and we'll talk about that in a few moments. But for right now, board members, this is the plan as it is right now. I see Mr. Pfau is here to represent this. Joe, can you please tell us on some of the changes and/or improvements that you've made to the plans that we have discussed at prior meetings?

MR. PFAU: Okay, the last meeting we discussed heavily about the traffic improvements on Temple Hill Road and just to let you know, I'm sorry, it's on the back of this plan, we put together the improvements along Temple Hill Road which includes a left turn and right turn in off Temple Hill Road in both directions with the striping as shown here which Mr. Grealy, our traffic consultant, is here who can speak to this a little bit better than I. That's pretty much the main change from the meeting we had a few weeks ago.

MR. ARGENIO: If I'm seeing that correctly, that's a center turn lane which will take the people making the turn out of the active lane of traffic in their own cue to make the turn?

MR. PFAU: That's correct. From the last time that we met, that's really the major change that has been done. We have submitted for technical comments which we did receive those copies from Mr. Edsall's office.

MR. ARGENIO: What about DOT, have you sent them?

MR. PFAU: We believe we sent the initial plan to DOT, this improvement plan is about ready to go to DOT with all the details on it.

MR. ARGENIO: Go ahead.

MR. PFAU: As far as changes from the meeting that we had just a few weeks ago that plan was submitted really was pretty much the same plan, we did update the density calculations and whatnot based on the new local law that was put into place by the town board with the work force housing and the senior citizen housing. Otherwise, the plan for the most part has stayed the same.

MR. ARGENIO: Joe, leave that there, if you would tell me about this here, right here, what's this here?

MR. PFAU: That's an access, an additional access that Purple Heart had requested to put in because they have some issues with in and out onto Temple Hill Road right now, with the idea that there's going to be a traffic light coming in in the future, they were figuring that may potentially be their exit, you know, once that traffic light goes in. So we have designed and offered to put that in at this time.

MR. ARGENIO: You can turn it now. Do you guys have anything on that? Danny, alright?

MR. GALLAGHER: Yeah, I'm fine.

MR. ARGENIO: Go ahead, Joe.

MR. PFAU: Otherwise, the layout has stayed the same. We're still proposing to come up Temple Hill Road to the end of the property line up for a future potential connection to the Patriot Bluff project which has been approved. Our storm water has been approved by Mr. McGoey's office, as far as the SWPPP we have--

MR. ARGENIO: There was one detail they needed to clean up, do you remember what that was?

MR. EDSALL: Just one note that needed to be added to the SWPPP and the plans.

MR. ARGENIO: So that's done?

MR. EDSALL: Very minor, no, that note has not been

added but it's very minor.

MR. ARGENIO: Go ahead, Joe.

MR. PFAU: Otherwise, I mean, our sewer is proposed to come out Phase I in through an existing manhole in Shepro Lane which will house our project until we have the extension to Patriot Bluff at which time we're going to be eliminating the connection into Shepro and we have a new connection that comes out to Temple Hill Road. So that's how the sewer is going. We have a direct connection for the water out to Temple Hill Road which would be bringing it right to the property line stubbing for another future connection along with the roadway so that will be in the future looped.

MR. ARGENIO: Mark, how does that sewer work, is that Moodna Majestic?

MR. EDSALL: Yes, it is, the service would be into Majestic but the connections obviously are to improvements that overlap with the RPA project as Joe indicated.

MR. ARGENIO: Mark indicated in his notes, let me just, actually, you know what, let's hear from the public cause some of the things, do you guys want to hit on anything? You guys want to address, Henry?

MR. VAN LEEUWEN: How did we make out with the digging and all that stuff for artifacts?

MR. PFAU: That was all sent in to the state and we're waiting for the report, the sign-off from the state. Everything's been submitted. Our archeologist said they did not find anything out there so we have completed all the studies.

MR. ARGENIO: Just for your benefit, you weren't at the last meeting, they brought the report from Tracker Archeological and I actually took the report home and read it and I think 272 sift samples, 274?

MR. PFAU: A lot of them.

MR. ARGENIO: So 274 spots where they physically dug with a shovel and shifted the soil for artifacts and they didn't find anything, zero, here it is right here, here's the report.

MR. VAN LEEUWEN: Okay.

MR. ARGENIO: I can quiz you on it after the meeting if you want.

MR. VAN LEEUWEN: I'm out of school many years.

MR. ARGENIO: So I'd like to go to the public with this, unless anybody has anything they want to hit specifically? Danny? Harry? Anyone have anything? Where's my notes? I have a couple things I do want to go over but they may be questions that the public may want to inquire about. So rather than being redundant, we'll try to wrap it all up in one shot. On the 9th day of October, 2012, Nicole went to our assessor, Mr. Wiley, and she compared 198 addressed envelopes containing notice of public hearing for this evening and they were sent out as notification of this public hearing for tonight. If anybody wants to speak or comment for or against, please raise your hands and be recognized. What we're going to do is I'm going to try because there's quite a few people here to limit the comments to a couple of three minutes and certainly if time warrants if you have another question we can go around again. And one thing I would ask also is I want to try not to harp on a single issue. Our concern as a board planning board is if there's something we don't know about the site or something we need to be taking into consideration that's unique to this site and we don't know about it we'd like to know about it so we can take it into consideration so this development is in keeping with our master plan for the Town of New Windsor. So that said, if anybody has comment or question? Sir, please come up. Ma'am, I'm sorry, it's Mrs. Please come up, give your name for the benefit of the stenographer.

MS. TULY: Jeanette Tuly. My address is 276 Temple Hill Road, Continental Manor. I did look at the plan and I have two questions. I know that the Shepro Road that private road you're going in there, my unit's 32, condos face that road, okay, and the first question is in the wintertime, we can see all the cars going in, even U-turns, you know, if the lamp posts that are going to be in there they're not going to be bringing spot lots, they're going to be the average 10 foot lights?

MR. PFAU: Period lights, yeah, but we're not coming in off Shepro, Shepro's right here, we're not proposing

any access off Shepro.

MS. TULY: I thought I understood that.

MR. PFAU: No, this is Shepro Lane, our access is coming off Temple Hill Road, we're staying well above Shepro.

MS. TULY: You're not going in Shepro?

MR. PFAU: No.

MRS. TULY: Then I got a misunderstanding.

MR. ARGENIO: Sewer tie-in will be on Shepro but the traffic will not be on Shepro Lane.

MS. TULY: My other important question is looking at the plan there in the back there's a road that's eventually going to go to Patriot Bluff, okay, when that road is in there, no one from that road will have access to the back of Continental Manor?

MR. PFAU: Not from our project site and I don't believe from Continental.

MR. ARGENIO: No, that's not in play as we speak here today.

MS. TULY: I didn't hear you back there, you're coming, when you're coming west into the complex, there's not going to be a traffic light there, is there?

MR. PFAU: Well, I mean, Mr. Grealy might be able to speak to that a little bit better.

MR. ARGENIO: Okay, you know what, here's what we're going to do on this, Phil, please take a moment and just kind of share with the audience, the members are aware of this, we have read the reports, kind of share with the audience a little bit on what the procedure is, the protocol that you have to go through to get a traffic light where this intersection stands relative to that protocol and maybe just give us 50 cents for the benefit of the audience, 50 cents worth of background about the Patriot Ridge connection.

MS. TULY: We couldn't hear back there.

MR. ARGENIO: I think it will help answer your

questions.

MS. TULY: Thank you very much.

MR. GREALY: Phillip Grealy, John Collins Engineers. We're professional traffic engineers. We prepared a traffic study for this project and also to look at the connector road to Patriot Bluff. As you're aware, as described by Mr. Pfau, the project entrance onto Route 300 onto Temple Hill Road, this is the Purple Heart, the access will be off of Temple Hill Road, a left turn lane for people turning left into the development will be constructed as well as a right turn lane northbound. So if you're at Continental Manor and you're heading up towards Town Hall, when you reach this intersection there would be a right turn for people going into the project. And if you're coming back home towards Continental Manor, you would bypass anyone stopping to make a left turn into the project. There would be a dedicated full left turn lane, you know, with proper pavers, et cetera. That is the first improvement that DOT looks for at an intersection, they want to make sure that thru-traffic is safely accommodated, people turning in and out of a development. So based on the current DOT standards that's what's shown on the plan now, separate left turn lane, separate right turn lane. To get a traffic signal, you have to reach a certain level of traffic for several hours of the day. This project alone in terms of traffic generation on a one hour basis will generate somewhere in the area of 140 trips. In order to require a traffic signal, you need a significant volume above that on an hourly basis. What happens is typically you'll come back and you'll do a monitoring after development is done and DOT will say okay, either you meet the criteria or you don't meet the criteria. In this particular case, we also have the Patriot Bluff development which Epiphany Drive connects off Route 32 so on a more global basis and you're probably not going to be able to see but, okay, so on Route 300, here's Continental Manor, here's our project site and this is Route 32 Windsor Highway, this is the Epiphany Drive. There's a proposal to extend that road and connect to this project. So what that would do is create some additional traffic movement, it would allow some bypassing of some intersections, it would alleviate, for example, some volume at the Five Corners mit would alleviate some traffic at Route 300 and Union Avenue so more local trips would be able to use that. Based on the traffic projections at that point when that connection is made, there will be

enough volume to warrant a signal to go in at the intersection at Temple Hill Road. So right now, the intersection is being designed with the proper turn lanes and then with all the ground equipment, so when a signal is needed, it could go in. So I think, you know, the simple answer to your question is sometime in the future there will probably be a light there, it has to meet a certain level of traffic. We have done some ideas of the projections of the diverted traffic. There was a separate traffic study done for Patriot Bluff when that was approved, their study also called for a signal where Epiphany Drive intersects with Route 32 at Windsor Highway south of Union Avenue. So it's likely that there would be a signal at some point in time at that intersection. There will be a connecting road, it will help distribute traffic in the area and at some point in time once those levels or volumes are reached, it's likely a signal will be at the entrance to this project.

MR. ARGENIO: Thank you, Mr. Grealy. Yeah, just in the briefest sense, the planning, the best thinking over the past 10, 12, 15 years and Mr. Grealy has been involved with a lot of this cause he's worked for quite a few different applicants was to try to get as best we can traffic away from Five Corners and Vails Gate because those intersections operate at a level of service F, the state categorizes intersections level of service A through F, A being the best, F being the worst, the slowest traffic movements, lot of frustration with motorists with level of F. With level F and a lot of those movements at Vails Gate operate at a level F, so the thinking is to try to do something globally long term to get traffic away from there and this is the next step in that thinking process. But that said, I don't want to do all the talking. Who else wants to speak? Sir, right in the front here? Your name for the stenographer, please?

MR. O'CONNELL: My name is Mike O'Connell, 2 Shepro Lane. My main concern was with the sewer, the manhole cover on Shepro Lane. Originally, that was approved to be put in, it was really for another house down at the end of the road. Now the gentleman tells me they're going to hook up to that but just temporarily, right? I mean, that's what they said they were going to go up Sheddin's driveway, I was just curious if something starts backing up in our houses, is the town going to pay for that? Because I have an easement that tells me that they would otherwise before all this came about.

MR. ARGENIO: Mark, can you address that please for Mr. O'Connell?

MR. EDSALL: Maintenance of the town's sewer collection system is done by town forces through CAMO Pollution Control. Whenever there's a blockage they have the equipment and the manpower to free up those blockages and restore correct operation. On a case-by-case basis, if there's a problem anyplace in the town that's an issue, the town board deals with the homeowner as far as if there's any problems or damages. But clearly if there are any operational problems, people call in, if you ran into something, you call in the same as anybody else and the town immediately dispatches people to take care of it.

MR. ARGENIO: Let me give you a more succinct answer. I would suspect and I'm going to put you on the spot Mark, that somebody with the letters P.E. after their name, Professional Engineer, has looked at this and determined that that manhole is adequate to accept the increased sewer volume. Is that an accurate statement, Mark?

MR. EDSALL: Yes. Dick McGoey has been working with Greg Shaw who is the engineer for the Patriot Bluff project and been working with Joe on this project, there's a number of global improvements that are being made to the sewer collection system. The capacity is obviously long term after the temporary connection is eliminated and the permanent connection is put in is going to be significantly adequate, I was speaking for more to the issue of damages which is really a town board issue.

MR. ARGENIO: Mr. Pfau, when you say temporary, what do you mean exactly?

MR. PFAU: Exactly meaning when we hook up to the Patriot Bluff which will be a significant amount of additional flow--

MR. ARGENIO: When?

MR. PFAU: When that project gets built.

MR. ARGENIO: So in the interim does the manhole that you're proposing to tie into does that have capacity to receive 100 percent of the effluent your project is

going to generate?

MR. PFAU: Absolutely.

MR. ARGENIO: That's fine, yes, asked and answered, anybody else? Ma'am with the white sweater on, please, please come up, I can't see all the way back there, I'm getting old.

MS. KIRKUP: My name is Jo Kirkup, K-I-R-K-U-P. I live at 355 Temple Hill Road, which is diagonally across from the Cantonment. And the idea of a traffic light there for those of us that have our homes there is kind of a nightmare. That means traffic is just going to be parked right in front of our homes. So, I mean, I don't know what can be done about that but the turn lane sounds fine, the traffic light sounds horrible.

MR. ARGENIO: Again, Mrs. Kirkup, for every person that has the opinion that you have I can probably line up at least one person that feels the other way. That's why the bit of that type of thing involves us compelling the client to engage the services of Mr. Grealy who actually has a Ph.D., am I right, Phil, in traffic movements?

MR. GREALY: Right.

MR. ARGENIO: And it's driven by numbers so--

MR. GREALY: Just remember that that signal is not going in on day one. It will only go in if the volumes demand it, okay, the safety improvement in terms of the projections of this project and what else is going on in the area, it's probably going to be a while before the signal is warranted. The key thing is to have the turn lanes to safely allow people to keep traffic moving along the highway. One thing about a traffic signal that goes in there that's important from your concern this would be a fully actuated signal and really the stop time on Temple Hill Road would be kept to a minimum since it's a T intersection, okay, it would really just be time to allow people to get out. So from a percentage wise you're looking at probably in the order of 15 percent of the total time that's needed. So rather than have people waiting there to get out, it will go right back to green for the main roadway.

MR. ARGENIO: As soon as the traffic clears.

MR. GREALY: As soon as the traffic clears coming out and it will stay green, only when there's a call coming out of the side road.

MS. KIRKUP: So it wouldn't turn red?

MR. GREALY: Unless somebody's trying to come out of the access road. So that's important in terms of your concern.

MS. KIRKUP: Can I just, when you say you're not sure of the time it's going to be a while, does that mean a year, two years?

MR. GREALY: You're probably looking at a couple year period after the development's fully occupied after the road connection is in so--

MR. ARGENIO: If it happens. And there's a lot of other things that drive it as well.

MR. GREALY: Absolutely.

MR. MANDEL: Victor Mandel with my partner, 18 Shepro Road. I just wanted to point out while we're also concerned about the sewer and if I may say a comment is there any cutoff date on how long that temporary connection is going to be there and if that other project does not come to fruition, is there any backup plan for that?

MR. ARGENIO: I don't know that we have a cutoff date, quite frankly, if it's working and operational, I don't know how much of an issue it is. Mark?

MR. EDSALL: No, I'm going to make a note to go over this with Dick McGoey because he had done quite a bit of work with Greg Shaw on the improvements in that section of the system. I'm going to sit down with Dick upon his return, he's out of town right now.

MR. ARGENIO: Because the gentleman is right, if the development in the back doesn't happen and the hookup never happens and it needs to happen.

MR. EDSALL: Well, the RPA improvements in this area were proposed quite a while ago before this project even had an application before the board. So then when

this application came about the improvements were modified, the sequence was adjusted. But clearly there's a good possibility this application could be constructed before RPA, all depends on the market and who builds first. So we need to look at all the options and that's the beauty of the public hearing is you get these issues brought forth.

MR. ARGENIO: That would be a good discussion for you to have with Dick.

MR. EDSALL: It is.

MR. MANDEL: My next concern was about the storm drains and as that's a much higher elevation and we're right at the end of Shepro and we're concerned about the detention ponds and all that.

MR. ARGENIO: Have you looked at the plans closely? Anything on there that specifically has you concerned?

MR. MANDEL: It's a big project and we're little people over there on the bottom. And I am concerned if I may point out we have actually contacted the owner, I forgot his name and we spoke to him and I would like to just point out that that should really be looked at.

MR. ARGENIO: Can we have a look at that?

MR. EDSALL: Yes, the storm water has been looked at as part of the storm water prevention pollution plan and everything is in order.

MR. ARGENIO: What we're specifically talking about is to make sure, to make doubly sure the impact to the folks who live down on Shepro is mitigated.

MR. EDSALL: Maybe Joe can speak to the design.

MR. PFAU: We have a pond on the upside of Shepro and we have taken the discharge, we have fully retained it but we have taken the discharge and brought it around the back and put it in a wetlands which is behind your property now, we're not overloading that, the lands we're, putting in the same amount of water flow rate as what's go there now. But instead of it going over land onto Shepro Lane we're actually collecting it, storing it and bringing it around and into this wetlands.

MR. ARGENIO: You're not discharging onto Shepro at

all?

MR. PFAU: Correct, we're decreasing the flow.

MR. MANDEL: How will that be brought around my property, going to be an open or closed?

MR. PFAU: It will be a dry pond which means it will be, it will only have water during the storm event and then it releases slowly through an outlet structure, otherwise, it will be dry all the time, won't be standing water in it except for during the event itself.

MR. VAN LEEUWEN: It's a holding pond.

MR. MANDEL: I guess if it overflows it's going to go around my property.

MR. PFAU: No, it overflows, we have a hundred year, we have an outlet structure right over here in this corner, it has a hundred year overflow, has an emergency overflow as well. So we have two emergency overflows in case something gets clogged and the flow still goes around this direction.

MR. MANDEL: My question was is that an open, that overflow around my property is that open?

MR. PFAU: No, no, it will be a pipe, there will also be an overflow, an emergency overflow which will still go into the pipe but this will be piped completely around your property.

MR. MANDEL: Okay, thank you.

MR. ARGENIO: Thank you. Anybody else? The gentleman up front in the orange coat, your name, sir?

MR. HOLMAN: Joseph Holman, 321 Temple Hill Road. Just a couple things, you answered my question about the runoff because I was worried about the existing properties getting more water and losing their property value. Are all 13 acres going to be developed?

MR. PFAU: Nineteen and a half acres.

MR. ARGENIO: Question is, Joe, are all 19 1/2 acres going to be developed?

MR. PFAU: I suppose, yes, I mean, we're certainly not going to be touching the wetland area but yeah, we're showing the full 19 1/2 acres so yes, I would say we're developing the whole 19 1/2.

MR. HOLMAN: They're separate?

MR. PFAU: We have the work force housing special needs housing, this is 42, 38 senior citizen housing which is on the bottom range from 44 units to 49 units.

MR. HOLMAN: Any one of those going to be for veterans only?

MR. MANDELBAUM: It's also geared for disabled veterans.

MR. HOLMAN: All of them in one specific building?

MR. PFAU: Work force special needs and you get preference, you have to be a 55 years old.

MR. HOLMAN: The main house was built in 1790, is that going to be kept intact cause it's kind of historical and of interest?

MR. MANDELBAUM: I think the house is in disrepair.

MR. ARGENIO: It's falling down somewhere in here.

MR. MANDELBAUM: I don't think anybody's in it now.

MR. HOLMAN: No, there's nobody.

MR. MANDELBAUM: I think it's been empty for quite a while.

MR. HOLMAN: Okay, that's all I have to say. Thank you.

MR. ARGENIO: Thank you very much. The gentleman here in the brown coat?

MR. COYLE: Joe Coyle, 276 Temple Hill Road number 1520, which is Continental Manor also. My question is on the development of the highway there the turning lanes, who is going to pay for that and who is going to be constructing it and when would that be completed?

MR. ARGENIO: The developer will pay for it, will not

fall on the, it will not become a burden for the taxpayers of the Town of New Windsor. And he will hire whatever licensed contractor he wants to hire to do the improvements.

MR. COYLE: When will that be completed?

MR. ARGENIO: Mark, have we discussed timing thresholds?

MR. EDSALL: We have not. Generally, there's a percentage of buildout that the planning board requires those type of improvements to be complete. Many times it's like 50 percent buildout, something to that sort but it will be part of the final approval.

MR. COYLE: My question is would it be better to complete before they begin construction or just before that?

MR. ARGENIO: Well, certainly this can be approached in a litany of ways and we have approved it in many different fashions on many different projects. From a developer's perspective, you know, he's going to, the developer's going to sink a lot of money into the project before he sees any revenue. Typically on these type of developments, condominiums are, RPA on the corner of Union Avenue and 32 typically we'll sit down with the developer and we'll establish what's a reasonable threshold and timeframe for them to make those improvements. Obviously, we wouldn't want to have as the town we wouldn't want to have 75 percent of this project occupied and have no turn lanes on Temple Hill Road, that would be a problem. Conversely, to expect somebody in this climate to do 100 percent of the improvements before they do anything else that's also a little unreasonable. So what we'll rely on is our attorney and our engineer and our experience with this type of project in the past and we'll arrive at some sort of arrangement for when those Temple Hill Road improvements will have to be complete. I can't answer your question cause I don't have an answer but it will probably be 50 percent, something along those lines would seem to be reasonable.

MR. COYLE: My hope is that the construction going on would not cause the traffic problem you're trying to eliminate.

MR. ARGENIO: Agreed. Thank you.

MR. COYLE: Thank you.

MR. ARGENIO: In the green there towards the back, the gentleman, yes, you're about to stand up, come on up.

MR. CAMPO: Can I can ask my question from here?

MR. ARGENIO: If we can hear you. What's your name?

MR. CAMPO: Joseph Campo, president of Continental Manor I and excuse me for being naive reading the papers or hearing the conversations but I'm not sure exactly, I'd just like to know more about the physical part of the project. My understanding is it's not a condo, it's a rental project?

MR. PFAU: That's correct.

MR. CAMPO: It's my understanding it's a private project.

MR. PFAU: That's correct.

MR. MANDELBAUM: We actually have pictures of the buildings.

MR. PFAU: Renderings. This is a rendering.

MR. CAMPO: How high is the average unit going to be?

MR. PFAU: Three story building.

MR. CAMPO: Average apartment will rent for what?

MR. MANDELBAUM: What's your question, the rental?

MR. PFAU: The price?

MR. MANDELBAUM: I can tell you the renter for the senior housing depends on income, the highest rental that will be 760.

MR. CAMPO: How much about?

MR. MANDELBAUM: Seven hundred sixty.

MR. CAMPO: Two bedroom?

MR. MANDELBAUM: No, senior housing is one bedroom,

there's no two bedroom. In the work force special needs housing we have variation from 665 to 1,225 and it depends on income levels.

MR. CAMPO: Is the whole project really dependent on income levels, senior citizen then you have work--

MR. MANDELBAUM: Yes, the whole project is dictated based on income level dictated by HUD, the Division of the Housing of the State of New York. If you're familiar with the model we did behind RAL Plumbing, it's an identical building, identical senior housing behind RAL Plumbing. So if you want to know what it's going to look like, it's an identical building.

MR. CAMPO: And is it off the road or is it, how far back from the road would it be, 20 feet, 30 feet?

MR. PFAU: No, off Temple Hill Road I would say a couple, Temple Hill Road with the closest building and then the next building is probably close to 1,000 foot back.

MR. CAMPO: How many total buildings?

MR. PFAU: Four senior citizen and two work force housing buildings.

MR. ARGENIO: Thank you, Mr. Campo.

MR. CAMPO: Thank you.

MR. ARGENIO: Anybody else have any questions? The gentleman all the way in the back in the corner, the pilot. How do I know he's a pilot? Look at him, he has to be a pilot. Your name, sir?

MR. MONACO: Michael Monaco, Continental Manor 2003. Couple questions I wanted to bring up, basically I'm a member of the ambulance corps, we've had a number of accidents on Temple Hill Road. It's a congested road, it's a 55 mile per hour road. My concern is senior citizens coming out onto Temple Hill Road before there's a traffic light there. I didn't hear anything about widening of Temple Hill Road. All I've heard is just--

MR. ARGENIO: They are widening it.

MR. MONACO: The whole length?

MR. GREALY: The widening on Temple Hill Road is just at the access but it's a full turn lane just maybe you can, so this is the access, this is the Purple Heart so coming southbound traffic would be shifted over to the projected full left turn lane, this is all based on DOT design for 55 miles an hour, actually the taper lane's here, thru-lane and then taper back to the existing, there would also be a right turn lane northbound into the project.

MR. MONACO: Okay, but my concern about that isn't just that area because the entire length of Temple Hill Road actually if you, anybody who's driven there 5:00 in the afternoon on a rush hour knows flat out that that road is jam-packed just the way it is. You're talking about adding another 270 some odd units in there, that's going to add to the traffic even if you do put a cut thru-road going towards 32. Second thing I wanted to bring up was there are no three story buildings as far as I know anywhere along Temple Hill Road. Now you're going to talk about adding much larger buildings other than what's already there.

MR. VAN LEEUWEN: Jerry's Storage is four or five stories high.

MR. MONACO: Talking about residential buildings.

MR. ARGENIO: It's not particularly relevant and I'll tell you why, Mr. Monaco, not to minimize your statement. The code is the code. This is the planning board. We don't make the building code, we just don't do it. The town board makes the code. And if there's, if the Town Code allows for a five story building and this developer or this applicant, this owner feels that that's what they want to do with their property, as long as they do it and they conform to the law that five story building is something that that board has to review and to not review it would be against the law. We would subject the town to a lawsuit, et cetera.

MR. MONACO: I'm just curious because I haven't seen any residential buildings that are three stories, just curious as to why and why we're going to three story buildings here. Also you're talking about almost 300 units on 19 acres, Continental Manor first and second phase combined is 306 units but it's sitting on 40 acres, I'm sure the builder who built that would have preferred to have more units in there.

MR. ARGENIO: You're probably right.

MR. MONACO: I believe it will add to congestion and add to more traffic on Temple Hill Road which already is overloaded. Also senior citizens on a 55 mile an hour road, I've been to a fatal accident on Temple Hill as a member of the ambulance corps, I have gone to a fatal and a large number of accidents where people have been hurt, I feel that if this project does go through I think we might start seeing more, you're able to see more accidents. Just my concern. And also I, from, I gather from the talk the board has pretty much already set their mind on approving this?

MR. ARGENIO: I don't think any conclusion is foregone at any point.

MR. MONACO: From everybody talking it sounds like it.

MR. ARGENIO: We're gathering information here tonight.

MR. MONACO: Those are my concerns.

MR. ARGENIO: Thank you. The young lady in the back, all the way in the back with the white hair?

MS. COYNE: Patricia Coyne, Continental Manor, unit 2104. I'm also going to talk about the traffic burden. As a working mom, I time myself to get out on the road at 8:01, 8:06, 8:10 because if I don't and I'm caught by a school bus it's anywhere from 55 to 77 and plus cars and that's if I'm the first car there. Usually there are more than that behind me. On several occasions while being in that space waiting for a safe left turn I've had people behind me come up in front of me.

MR. ARGENIO: Coming out of the Continental Manor?

MS. COYNE: Yes, that's school and work, so that's frightening, it makes me want to move because I don't feel safe driving out of there. I don't know what you base your traffic surveys on, is it just the morning hours? Is it off hours when usually you don't have a problem making a left-hand turn at the end of the day, traffic comes all the way down to the front?

MR. ARGENIO: What are the concerns that you have, Mrs. Coyne, that you want to bring to our attention?

MS. COYNE: Work force, does that mean families with school aged children who will have school buses stopping on the same side of the road? When the school bus stops at the top of the hill, the traffic sometimes doesn't open up in front of me, it continues to go down, I can't see what's oncoming. I may have to rely on the kindness of somebody else who's waving me on but you can't see that because you're kind of in a hollow. So it adds to the burden if there's going to be a school bus stop up at the top, it's going to further add to the burden to try to make a safe left-hand turn. Most people don't travel 55 coming down the hill, maybe 50 percent and that's still too high, it's 45 coming in, it's 55 coming down but they're not coming down at 55, it's 65 miles an hour coming down the road. And when you're standing there in your car trying to make a left-hand turn into, it's frightening. Come on down when we're there going home coming out, first you have to ask permission from Continental Manor to park your car so that you can let your child out and I don't do that, I don't let my son go on the school bus so I can get out on the road. If I waited for the bus to take my son, I'd be late for work. So it's a huge burden, it will add to it, they'll find it too when they move in that it's not going to be safe to turn left out onto that road so they'll be here like ourselves.

MR. ARGENIO: I want to come back to your comment but I want to hear if anybody else has anything additional? Thank you, ma'am. Yes, sir, the gentleman here on the aisle?

MR. TULY: Frank Tuly, Continental Manor. Just to sum up if I understood right because I heard one word here I wasn't crazy about as I understand it, Shepro Lane is not going to be any traffic on there, right?

MR. PFAU: Correct.

MR. TULY: So right now you've got one road coming out onto Temple Hill, I heard the word proposed going out onto Patriot Bluff.

MR. ARGENIO: That's correct, what's your question?

MR. TULY: My question is are they going to be built simultaneously?

MR. ARGENIO: No.

MR. TULY: You're going to have all the traffic coming onto Temple Hill Road?

MR. ARGENIO: That's correct.

MR. TULY: For how long?

MR. ARGENIO: I can't tell you. I don't own the property.

MR. TULY: That's a lot of traffic coming out. Are you taking this into consideration?

MR. ARGENIO: We're going to continue to talk about traffic a little bit here.

MR. TULY: Thank you.

MR. ARGENIO: We're going to get into some specifics but I want to give everybody a chance to speak who wants to speak. Who else? Young lady, you're the dog lady, aren't you? You're the dog lady, right?

MS. SHOOK: Right.

MR. CORREA: I'm going to help her speak.

MS. SHOOK: I kind of know what I want to ask but I'm not too sure.

MR. ARGENIO: What's your name?

MS. SHOOK: Joyce Shook, 314 Temple Hill Road. I'm worried about that turning lane, the northbound lane because my house is that house right there, 314.

MR. ARGENIO: This is Baby Your Baby?

MS. SCHUCK: Yes, when they say those cars come down at 65 miles an hour, boy are they right because I've seen cars go into the ditch and have to be pulled out. So it is dangerous even with us pulling out of the driveway. I'm concerned about my front yard with what they're going to take to make that northbound lane.

MR. ARGENIO: Sir, sir, your name?

MR. CORREA: Steve Correa.

MR. ARGENIO: Go ahead.

MR. CORREA: We want to know where the right lane is going to come in in front of our house.

MR. ARGENIO: Show them that, Phil, please or Joe.

MR. GREALY: First of all, all of the widening has to be within the right-of-way of the state highway and/or lands owned by the applicant, we're not going on any property.

MR. ARGENIO: That doesn't mean that your lawn is not right now on the state right-of-way.

MR. GREALY: So wherever your property line is relative to the state highway that will stay the same. We're not going on your property. It's all within the state right-of-way. In terms of the width of these lanes and the length of these lanes, that's governed by the New York State Department of Transportation. So what we're talking about in terms of northbound we're looking at a 12 foot lane so if you took the white edge line and you went out there today where the white edge line is not only would you have 12 feet but we're widening on either side of Temple Hill Road on Route 300. So I would say roughly to give you a feel about 15 feet off the white edge line, the fog line, if you measured out there that's where the new edge of the right turn lane would be. Now, in terms of what we're proposing here is to go to what we call a curbed lane, you know, so you'd have the lane and then you'd have curbing. The rest of the roadway on the other side would have a shoulder. But in order to cut down on the amount of widening there we would go lane and a curb just along the right turn lane. If the DOT insists on it, we may have to have instead of the curb an additional couple of feet of shoulder area beyond the right turn lane so I hope that gives you kind of a feel and you looked at where the white line is, measure back about 15 or so feet and that's roughly where it would be.

MR. CORREA: We're going to have all that stopped traffic in front of the house which takes us 10 minutes to pull out, either way, it doesn't matter if you're going to go up the hill or down the hill.

MR. GREALY: In terms of kind of getting back to the last question, the traffic on Temple Hill Road on Route

300 on an hourly basis in the morning you're talking about over a thousand vehicles an hour, that's total both directions. In the afternoon rush hour, it's over 1,300 vehicles an hour so you're talking about some heavy volumes, speeds, absolutely, you know, as you go back towards Vails Gate towards Five Corners the speed limit has changed, you're down to a 40 in this stretch because it's wide open, people are going as fast as they can go, it's a 55 speed limit in this stretch but people are doing the 85 percentile speed they saw from DOT is 57 or 58, that means that 15 percent of the people are going above that and 85 are at or slightly lower. In terms of the widening, that's done here, it's all based on those speeds. So any transition or turn lane that's all taken into account. In terms of getting out onto Temple Hill Road and, you know, from your perspective I'll address second, from Continental Manor's standpoint when the traffic light goes in here and again the DOT is the one that allows when the light will go in cause some people may say well, we want the light in now, we want it in later, it's not up to this board, it's not up to this--

MR. ARGENIO: We don't vote light no light, light no light.

MR. GREALY: This applicant is paying for the road widening and the signal but he can't say I'm going to put in a signal on day one because the state will not allow it. You have to reach a certain level of volume from Continental Manor's standpoint once the signal goes in in this location, it will create some gaps. Right now one of the problems you have is there is no gaps. Once I get down if I'm coming from the south once I get passed the signals at Vails Gate and passed Old Temple Hill Road it's wide open. Coming southbound once I get passed the signals up here on Union Avenue there's no other signal, so what happens is you get no break in the traffic flow. So a signal will actually help, you know, Continental Manor and some of the side roads.

MR. ARGENIO: Even if you're 300 feet away from the signal, you still get the gap in traffic because the red light has people stopped.

MR. CORREA: And there's no, you're saying that light may never come so we're based on your promises on our traffic situation so--

MR. GREALLY: Yeah, in terms of when you reach a certain level that light will go in. What I am saying that level is not on day one, it's a lot of it seems to be tied into the connection because that's when you get traffic from Patriot Bluff, you get some diversionary traffic, if you were traveling up to the pizzeria on the corner of Windsor Highway and Union Avenue, when this road connects in you can take this road connection instead of coming all the way up to Union Avenue. So there's diversions of trips that come into play and that will govern when the signal goes in and this town is good at keeping on top of things. Some towns say oh, yeah, a signal's going to go in, they're going to be on the case to make sure and usually a condition of approval is after a certain level of development occurs here. So let's say I'm wrong after 200 units are occupied they usually require a monitoring to see what the volumes are and it's kind of a check point and that's used to help push DOT so that when that signal is needed, it's not two years later than when it was really needed. The other thing that usually happens is we're doing a design of a road here to get a permit from DOT. In many cases, what the town will do is require an applicant to actually do the design of the signal because once it's designed that can save another period of time. So I think this board, the town and the applicant in this case wants to do the right thing here, we're somewhat tied based on DOT's controls but things are done to make sure that it happens when it's supposed to happen and it's not delayed unnecessarily if in fact it does meet the warrants for a signal.

MR. ARGENIO: Did you have another question?

MR. CORREA: Just one more question about property values, if this lowers the property values you lower the taxes on the house?

MR. ARGENIO: I have absolutely no idea.

MR. CORREA: This has an impact on our property value.

MR. ARGENIO: I own a house in the Town of New Windsor same as a lot of people, I'm not a real estate developer, it's not what I do.

MS. SCHUCK: There's going to be no woods in the back of our house, there's no quiet zone anymore, that was our only quiet spot we had was our back yard and now that's going to be gone too and we're going to see

something that's three stories high.

MR. ARGENIO: Ma'am, I understand, believe me I do understand, but from a certain point you have to understand that at some level the planning board is an administrative body, there's a volumes of books that are this thick over in Jennifer's office and these are the rules that we have to work with. There are also the same set of rules that work for you when you want to do something on your property. You were here, you wanted to get a special use permit to have Baby My Baby Grooming over there cause you wanted to do dog grooming over at your house. Well, you're not supposed to be doing that, that's why you needed the special permit. We had the public hearing, nobody complained, the answer was as long as you're operating a clean place and there's not dog droppings everywhere that people are complaining about you're okay and you're good. Well, this person owns a piece of property, rather large piece of property, unfortunately, directly adjacent to you and he wants to develop it, he has the right to do that, he has to follow the law and we're here gathering information tonight and this is a good information exchange and we're going to direct him on some different things that we may suggest to help make it the best possible impact for the Town of New Windsor that we can. I hope you please understand that and keep that in mind.

MS. SCHUCK: Absolutely.

MR. ARGENIO: Don't ever think that necessarily that we're all here in favor of all developments all the time cause we're not but there's a law that we have to follow.

MS. SCHUCK: Okay.

MR. ARGENIO: Thank you very much. Anybody else? Two more hands. Mr. Bedetti, you go first, you have not spoken as of yet.

MR. BEDETTI: I just have two questions, one is this work force housing project outside the work force housing overlay zone?

MR. ARGENIO: Mr. Pfau or Mr. Mandelbaum, could you address Mr. Bedetti's question?

MR. PFAU: It's based on the work force housing and

totally affordable overlay zones, both zones.

MR. BEDETTI: Cause I looked at the current map that was just released recently and it didn't show that area.

MR. ARGENIO: You're saying it's not in the overlay zone?

MR. BEDETTI: Yes, that's what I'm saying based on the map that I saw.

MR. ARGENIO: Mr. Bedetti says this is not in the overlay zone.

MR. CORDISCO: We'll have to check that.

MR. ARGENIO: I'm almost positive it is.

MR. BEDETTI: And from a conceptual point of view, a senior housing project, tell me about the design and the layout of a work force housing and a senior housing in the same project.

MR. ARGENIO: Mr. Bedetti, we're not going to go fishing. If you have a question, I'd love for you to ask it and I'd love to have the applicant answer the question. But there's a lot of people here and I do want to talk about traffic cause it's important, there's some things I want to hear, I have questions for him, not that yours is not important but the common thread I'm hearing is traffic, traffic, traffic so if you have a question, please ask the question.

MR. BEDETTI: My question is what's in the design in the layout that protects the senior housing way of living from other like work force housing?

MR. MANDELBAUM: I can answer that.

MR. BEDETTI: Mr. Mandelbaum has laid out some very nice projects and I know he's given this some thought but I'm not aware of what it is and I haven't seen the layout.

MR. MANDELBAUM: I'll be happy to explain it to you, just to let you know, the road we're proposing here called Road A we're proposing to propose to give it offering to the town to create a town road so we'll actually separate the senior housing all by itself and

the work force housing by itself so it will be like two separate--

MR. BEDETTI: Opposite sides?

MR. MANDELBAUM: Completely opposite because this eventually I assume when it's connected to the other development it will become a town road, that's why you talk about the traffic and the road going through and so on, so this is actually going to be, create an offer of dedication, we're going to build it to the town road specs from day one so if and when the town decides to take it over, they don't have to do any upgrades so it's really two separate, it's going to be two separate parcels.

MR. BEDETTI: So simple answer was it's separated by a road.

MR. ARGENIO: Okay.

MR. BEDETTI: I was not aware of how it was laid out.

MR. ARGENIO: When you were asking the question it was broad enough where I don't know what, I just wasn't, I wasn't clear what you're getting at. I certainly understand now. Anybody else? You guys have already spoken, if you'd be brief, please, sir in the front, yes?

MR. O'CONNELL: Just the thing on traffic. I've been here 37 years, there was hardly any cars on Temple Hill Road but it wasn't dirt, I'm not that old, but at any rate as time went on, I can tell you a dozen accidents that happened there. So what happened was my wife and I, we had gone to Senator Schermerhorn to get the speed limit lowered down to 40.

MR. ARGENIO: I was thinking that same thing.

MR. O'CONNELL: Well, at any rate, we got there a little too late because DOT had just taken over and he said it was out of his control. So we called Goshen, I can't remember what happened, it was years ago but one of the accidents was the tractor trailer truck had jackknifed behind the school bus, used to get school bus on both sides of the road but my wife and I, she wrote letters and everything, we got where it can only be on our side of the, our side of the road which eliminated a lot of problems. But we never could find

out exactly why we couldn't have it 40 because it's 40 further down.

MR. ARGENIO: So what's your comment? You'd like to see the speed limit lowered on that road?

MR. O'CONNELL: Yes.

MR. ARGENIO: Mr. Campo?

MR. CAMPO: Yes, I just want to go frankly on record for you've heard all the horror stories about the traffic difficulties that we have but we have 300 units approximately in Continental Manor now, another 272 being proposed here, we already have a very, very dangerous situation, particularly making a left out of that complex any time of day but particularly during the busy rush hour times. And now to add 272 more units, multiply that by an average of two, there's approximately 500 or more cars going to be in that one mile area. I just want to go on record now while the plans are all sitting here it's very dangerous right now and we have asked about lighting and we're usually little pretty much ignored because you have to go see this guy and that guy, you haven't got enough traffic but it's dangerous and I use that one more to emphasize what we talk about probably once a month at any one of our board meetings the danger that we have with school buses, people coming in, coming out during normal working hours. Now we're going to add this which is fine, we understand that life goes on, you build and you build but to wait until the gentleman talked about, with the Ph.D. talked about when the buildings are up we'll see how it goes, that might be too late by the time the traffic is already going we already now have a very dangerous situation. So I just ask everybody sitting on this planning board to please be sensitive to that and as this project develops and as it nears its end that maybe you can consider getting those traffic lights in now, not wait until the first accident happens.

MR. ARGENIO: Thank you, Mr. Campo. Anybody else? Motion to close? Yes?

MR. MONACO: Just got one last thing to say, I used to live in Yonkers, I moved up here 15 years ago.

MR. ARGENIO: It's not about traffic, is it?

MR. MONACO: It has to do with quality of life, it has to do with the fact I lived in Yonkers and I watched it get overbuilt pretty built on every square inch of land if they can. When I have moved up to New Windsor, there were less than 14,000 people in the town. About 10 years ago, population was up over 27,000, God knows what it is now, you know, it's a quality of life issue, I believe that the more people we have here it's too crowded and everything.

MR. ARGENIO: Anybody else?

MR. FERGUSON: Motion to close the public hearing.

MR. BROWN: Second it.

MR. ARGENIO: Motion made and seconded we close the public hearing on this application.

ROLL CALL

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

MR. ARGENIO: Can I just add a couple things real fast for the benefit of everybody? Thank you all for being respectful and for the accurateness and the specificity of your questions, I appreciate it, I do appreciate it. Sometimes these public hearings can get a little crazy and nothing gets done that's productive. This traffic is an important thing, everybody should know this board knows and everybody in the audience should know that it was the town, it was this board that compelled this applicant to do this study, the traffic study, it was this board that compelled the applicant to do one study without the link through RPA and then another study with the link through RPA. It's all projections, nobody knows the numbers because the road doesn't exist. Mr. Grealy was engaged to do the study, he's done a lot of work in our town long before I sat on this board. So the study is thorough, I have a copy of it, I read it, it's probably four inches thick, it studies traffic movements every hour during the day throughout the entire day, it studies them every hour during the day on the weekends, it studies them on holidays, makes projections, does a lot of things. I think it's pretty thorough as do my fellow members

cause we voted to accept it a few months ago. You tell us there's a problem on Temple Hill Road. Is there anybody else here in this audience, this is not a question, this is rhetorical statement, who's going to be willing to spend and I'll make a number up, \$600,000 to improve Temple Hill Road right now? Cause I'm not willing to do it. I don't think you are. And I'm sure most of the people in the audience are not willing to do it. Is the applicant going to get a benefit by being able to develop his property? Absolutely he is. Mrs. Schuck's comments struck me very acutely when she said it's already dangerous. Mrs. Coyne, the lady in the back said it's already dangerous. Yeah, I drive there, my son's 16, he just got his license, he drives there too, he could be one of the hazards, he could be one of the mishaps there, who knows. When something's wrong, gotta do your best to fix it. And I'm glad to see that we have some type of solution here because probably what should of happened when Continental Manor was developed probably and I wasn't on this board I don't know when it was, I have no idea.

MR. VAN LEEUWEN: I was.

MR. ARGENIO: Probably, and this is not a knock on you Henry, there should have been turning lanes included in that project, somebody said 300 plus units, I can't imagine that many units no turn lanes left, right, left, right, it's all fine, probably should have been turn lanes.

MR. VAN LEEUWEN: Those days they didn't know about turning lanes.

MR. ARGENIO: I'm sure there's a reason but we have evolved and we're to this point, this board has done what we need to do to get this applicant to take a hard look at things and spend a lot of money engaging this professionals from Westchester to analyze this situation to not only mitigate his impact but improve what's going on on Temple Hill Road. So I want to, don't want to beat this to death, long before you folks were here tonight, we as a board have been talking and talking and talking and talking and talking about this, if you remember, Mr. Grealy, when the traffic report came out, I called you a couple three days later about I don't remember what the issue was, something, I didn't understand and you explained it to me and I understood it. And in any event, let's turn this thing all the way back around and I want to come back to the

board and I want to look at the plan because I have a few questions if you can imagine that. Mark, stay with me on this, please.

MR. EDSALL: Yup.

MR. ARGENIO: Dominic, you'll check on that overlay please for Mr. Bedetti, make sure we're in compliance. I'm under the impression it's there.

MR. CORDISCO: Certainly.

MR. ARGENIO: This is at county, young lady?

MRS. PELESHUCK: Yes.

MR. ARGENIO: Where are we at with fire?

MRS. PELESHUCK: Approved.

MR. ARGENIO: So we have to wait to hear from county. What about lead agency, Dominic?

MRS. PELESHUCK: We sent that out.

MR. ARGENIO: There's a bunch of comments, Joe Pfau, this is for you, Mark, you have a whole, this is not, this does not mean we're done with traffic, just means we're done with it now because there's a lot more with the project than just the traffic. You had a whole pile of comments that I asked you to send to Mr. Pfau, it seemed to me a lot of them were clean-up comments, not all of them, some of them are stuff we need to talk about but did you get them to him?

MR. EDSALL: I did and as you indicated, there's quite a number of comments, they're mostly clean-up comments, the storm water as indicated during the public hearing they have already addressed, I asked them to address that early on, they have. I would say of the comments I provided the one that has the greatest amount of remaining work for me to look at involves the site grading and that's just--the bottom line the site grading plan I had difficulty because of the line weight on the drafting, I've spoken with Pietrzak & Pfau's office, they're going to rework that sheet, that's the one that I have the most remaining review work to perform, the rest is candidly a lot of clean-up work and it's not much heavy lifting, as you like to call it.

MR. ARGENIO: I want to read something here and members listen to me, landscaping plan, the plan provides a mix of deciduous trees as well as along internal drives the deciduous trees seem to be lumped in single groups rather than mixed or other dispersed throughout the site. You know what I see on that plan, Joe? Pennies. Looks like there's pennies stuck to the plan. You see what I'm saying? Can you help me with that?

MR. PFAU: Absolutely.

MR. ARGENIO: You follow me, right?

MR. PFAU: Yes.

MR. ARGENIO: I'm not saying add 350 trees.

MR. VAN LEEUWEN: That's all you've got to complain about?

MR. ARGENIO: The walls, Mr. Pfau, please take heed to the comment on the walls with the testing and such.

MR. PFAU: Yes.

MR. ARGENIO: That's, did you guys have anything else, Howard Brown or Harry Ferguson? What about the dumpster? There's roofs on these enclosures, isn't there, Joe?

MR. MANDELBAUM: Yes, there is.

MR. ARGENIO: There's no detail.

MR. GALLAGHER: I was going to say only one dumpster shows a covered enclosure, the rest just say enclosed.

MR. MANDELBAUM: It's the same detail for all of them, they're all identical.

MR. ARGENIO: So the internal roads, not the town road, the internal roads are they curbed?

MR. MANDELBAUM: Yes.

MR. PFAU: Yes.

MR. ARGENIO: Excellent, I should of known better than to even ask. Mark, when do we have the discussion

about the timing of the improvements on Temple Hill Road? I think that's a really important issue.

MR. EDSALL: It is and they've got to go to the town board once this board concludes SEQRA, it's got to be referred over to the town board for the special permit and Dom can speak more on the procedure than I can but I would suggest that because this is such an important issue on the environmental review that the traffic issue including the timing of the improvements be resolved before SEQRA is closed.

MR. ARGENIO: Monaco, Coyne, Campo, Holman, Kirkup, Shook, it's all traffic, Frank Tuly, it's all traffic. Go ahead.

MR. EDSALL: We're just speaking of the timing of that decision. Obviously there's the option as I said resolving it before SEQRA's concluded or generically concluding it effectively in the SEQRA but there are several issues in my comments where I have suggested that the special permit issue by the town board include several provisions being addressed.

MR. ARGENIO: Does it matter if we conclude before or after SEQRA?

MR. EDSALL: One or two ways.

MR. CORDISCO: The only difference is that the implementation of how it actually works and the triggers for how it would require them to come back should be--

MR. ARGENIO: Let me interrupt you. What I was referring to is the construction of the turning lanes as Mr. Grealy has shown them, I'm not talking about the signal issue at a later date.

MR. CORDISCO: Yes, understood. And even the construction of the turning lanes is a question of when do they happen, does it happen on day one, does it happen as a certain buildout of the project? And part of the implementation that would typically be the subject of an agreement with the town board where there was also a mechanism to require them to come back, in other words, so that at a certain level the project has to come back before anymore building permits are issued to determine whether or not those improvements are necessary at that time. Because if you just say as a

condition of your approval that you have to put in a turning lane but then don't tie it down to a specific mechanism--

MR. ARGENIO: I understand. So we're not going to figure this out exactly tonight. But let me ask the applicant directly relative to the turning lane, the turning lane as you've shown it, Mr. Grealy, and I'm not looking to set a date, Mr. Mandelbaum, but I'm going to ask an open-ended question, when we consider the timing of the construction of the turning lane on Temple Hill Road, are you adverse to us requesting that that happen sort of sooner in the project rather than later?

MR. MANDELBAUM: I don't have a problem, I'll even make a better suggestions than that, this project is going to be done in phases and you'll have this building and this building Phase One, this building, this building, Phase Two I think for the benefit of traffic has been an issue, I'm also concerned just like this gentleman is concerned about the seniors, I think we should do it before C.O.s are issued for Phase One the turning lane should be completed so before we even put people in the building the turning lane is completed.

MR. ARGENIO: We have guidance on that. Did you folks hear that? Are you hearing that?

MR. CAMPO: No, not clearly, please.

MR. ARGENIO: Ever so briefly, the applicant, I asked the applicant if he would object to our requesting the construction of the improvements on Temple Hill Road sooner in the project rather than later in the project and the applicant has offered that before he accepts any C.O.s on Phase I he'll have those improvements on Temple Hill Road done.

MR. CAMPO: The lanes?

MR. ARGENIO: Yes.

MR. VAN LEEUWEN: Before anybody moves in.

MR. ARGENIO: That's right. So the concern that somebody just said about it's a problem now is being recognized and acknowledged by the applicant now and I'm going to tell you why, not that I'm discriminating against you, but in the past I've engaged the public

after the public hearing was closed and I get yelled at by the attorney because it's against the law, against public meeting law.

MR. CORDISCO: Maybe not yelled at.

MR. ARGENIO: But reprimanded.

MR. MANDELBAUM: We're talking to the Ph.D., very expensive.

MR. ARGENIO: I know he is.

MR. MANDELBAUM: I would like to have the signal design done for the board up front so that way you'll know what will be coming in the future, there's no surprises.

MR. ARGENIO: That would be great, excellent, thank you, Mr. Mandelbaum. Members of the planning board, we have seen this, we have talked about this, we have gone through this. Mark, I'm not going to go through all your technical comments because they are technical in nature and I believe that a lot of them are between you and Mr. Pfau. Harry and Howard Brown, do you have any additional thoughts? Howard, you always get ticklish on the multi-building developments because of your experience at RPA, any other input?

MR. BROWN: If he can, just as he did in the other projects, isolate the buildings away from the surrounding areas with landscaping that would make the project not stand out and would still be a good living area.

MR. ARGENIO: I don't know exactly what you're referring to.

MR. BROWN: Well, the landscaping.

MR. MANDELBAUM: Additional trees in front, I'd be happy to do so. I planted over 350 trees over there at the other site.

MR. ARGENIO: It's beautiful.

MR. MANDELBAUM: As you know, landscaping is a big issue, what he puts on the plan I guarantee you it's going to be double what he puts on the plan.

MR. ARGENIO: I said it looks like a bunch of pennies.

MR. MANDELBAUM: Those pennies get expensive, let me tell you at \$85 a tree they get very expensive.

MR. ARGENIO: Eighty-five bucks?

MR. MANDELBAUM: I don't buy anything smaller than six feet.

MR. ARGENIO: Mr. Mandelbaum's going to do what he needs to do, we made some progress. Mark has some notes. Mr. Gallagher, what say you?

MR. GALLAGHER: Nothing right now. I don't think, maybe just a quick one, in all the islands where I see all the pennies of the represented trees that also is grass within there, can you point out the green areas?

MR. VAN LEEUWEN: Color green is green area.

MR. GALLAGHER: So all the areas are solid grass within?

MR. MANDELBAUM: Yes.

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

MR. VAN LEEUWEN: No, I don't. Mr. Mandelbaum has always been very, very helpful to us and if something comes up, if there was a couple problems that I had later on and he talked to him about it and he says Hank, don't worry about it and I'll take care of it.

MR. ARGENIO: And he did a nice job on the other senior housing.

MR. VAN LEEUWEN: He took care of it, no argument.

MR. ARGENIO: Counselor one or counselor two, do you have any other additional comments?

MR. CORDISCO: No.

MR. ARGENIO: Okay, thank you for coming in. We talked about some things here, thank you Mr. Mandelbaum for offering on the traffic improvement thing, that's a big issue, that's a big deal, as you heard tonight.

REGULAR ITEMS:

HENRY SUBDIVISION (11-18)

MR. ARGENIO: Henry subdivision on Beattie Road. This application proposes subdivision of the 3.24 acre parcel into two single family residential lots. The plan was previously reviewed at the 11 January 2012, 28 March 2012 and 12 December 2012 planning board meetings. Mr. Grealy, nice to see you, thank you, Mr. Mandelbaum, Joe, nice to see you.

MR. WEEDEN: This is Mr. Henry and I'm Howard Weeden, I'm the surveyor. This is a two lot subdivision on Beattie Road, one lot is 460,000 square feet, the other one is 480. We went to the ZBA for the smaller lot, got approvals, we have been before the planning board, the town engineer wanted to have witnessed soil testing, Mr. Olly did all the soils testing.

MR. ARGENIO: Mark, how are we out there with percs?

MR. EDSALL: Everything worked out fine.

MR. ARGENIO: Fine, go ahead.

MR. WEEDEN: And we have shown everything on there. There was a couple comments from the last meeting that have been incorporated onto the plans and that's where we're at.

MR. ARGENIO: What were the comments?

MR. WEEDEN: One was to take the note for the highway superintendent which we did and to add the project number to the block.

MR. VAN LEEUWEN: County approve this?

MR. ARGENIO: Was it something I said? You're packing up and leaving. I'm kidding with you. Mark, what do we have? This seems pretty straightforward. I remember there was an issue with Mr. Fayo that's been resolved.

MR. EDSALL: It's very straightforward, they needed to go to the Zoning Board, they got their necessary variances, they have a couple corrections that remain to be made on the plan, as I've noted in comment two and under comment three I just gave you a status, public hearing you took care of, Orange County

Department of Planning came back local determination, town highway they resolved some issues, it was previously disapproved, now it's approved and SEQRA is the procedural open issue. Other than that, they're in good shape.

MR. ARGENIO: I'll accept a motion for negative dec.

MR. VAN LEEUWEN: So moved.

MR. GALLAGHER: Second it.

MR. ARGENIO: Motion made and seconded that the Town of New Windsor Planning Board declare negative dec on the Henry subdivision on Beattie Road. Roll call.

ROLL CALL

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

MR. ARGENIO: Any questions on this? There's nothing going on. Okay, I'll accept a motion we grant final approval subject to Mark's comments.

MR. VAN LEEUWEN: So moved.

MR. BROWN: Second it.

MR. ARGENIO: Motion made and seconded that we offer final approval to Henry subdivision on Beattie Road subject to Mark's comments one and two. Roll call.

ROLL CALL

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

MR. ARGENIO: Nothing else to come before the board, motion to adjourn?

MR. BROWN: So moved.

MR. FERGUSON: Second it.

ROLL CALL

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

Respectfully Submitted By:

Frances Roth  
Stenographer