

TOWN OF NEW WINDSOR

PLANNING BOARD

September 26, 2012

MEMBERS PRESENT: JERRY ARGENIO, CHAIRMAN
DANIEL GALLAGHER
HENRY FERGUSON
HOWARD BROWN
DAVID SHERMAN

ALSO PRESENT: DOMINIC CORDISCO, ESQ.
PLANNING BOARD CHAIRMAN

MARK EDSALL, P.E.
PLANNING BOARD ENGINEER

JAMES PETRO
PLANNING & ZONING BOARD COORDINATOR &
PROPERTY MANAGER

JENNIFER GALLAGHER
BUILDING INSPECTOR

NICOLE PELESHUCK
PLANNING BOARD SECRETARY

ABSENT: HENRY VAN LEEUWEN

MEETING AGENDA:

1. Mt. Airy MHP
2. New York Granite

REGULAR MEETING

MR. ARGENIO: I want to call the September 26 regular meeting of the Town of New Windsor Planning Board to order. Please stand for the Pledge of Allegiance.

(Whereupon, the Pledge of Allegiance was recited.)

APPROVAL OF MINUTES

MR. ARGENIO: Welcome everybody. First thing tonight

Nicole sent out minutes from March 28, April 11, April 25, June 13 and August 8. They were sent out on September 19. If nobody takes any exception to them, I'll accept a motion that we adopt them as written.

MR. GALLAGHER: Make a motion.

MR. FERGUSON: Second it.

MR. ARGENIO: Motion made and seconded that we adopt those minutes as written. Roll call.

ROLL CALL

MR. FERGUSON	AYE
MR. BROWN	AYE
MR. SHERMAN	AYE
MR. GALLAGHER	AYE
MR. ARGENIO	AYE

MR. ARGENIO: We're going to try to get them out a little more timely in the future. We spoke about that and that's a good thing.

ANNUAL MOBILE HOME PARK REVIEW:

MT. AIRY - RT. 207 & MOORES HILL ROAD

MR. ARGENIO: First item on tonight's agenda is mobile home park review, Mt. Airy Route 207 Moores Hill Road Mobile Home Park. Somebody here to represent this? Your name, sir?

MR. PALTRIDGE: Rich Paltridge.

MR. ARGENIO: How many do you have there?

MR. PALTRIDGE: Three units, down to three.

MR. ARGENIO: How we doing? Somebody from your office been out to check that out?

MRS. GALLAGHER: Yes, everything is sufficient.

MR. ARGENIO: Mr. Paltridge, do you have a check this evening made out to the benefit of the Town of New Windsor in the amount of \$250?

MR. PALTRIDGE: Yes, sir.

MR. ARGENIO: Seeing as everything seems to be in order, I'll accept a motion we offer one year extension.

MR. BROWN: So moved.

MR. FERGUSON: Second it.

MR. ARGENIO: Roll call.

ROLL CALL

MR. FERGUSON	AYE
MR. BROWN	AYE
MR. SHERMAN	AYE
MR. GALLAGHER	AYE
MR. ARGENIO	AYE

MR. ARGENIO: Thank you, Mr. Paltridge, for keeping a neat and tidy place there.

MR. PALTRIDGE: Thank you.

MR. ARGENIO: We normally don't have a meeting if

there's less than one application but we're having the meeting tonight, it's certainly no special treatment and there's notices that have to go out for that so it's certainly difficult to take back, so that's why we're having the meeting tonight for the benefit of the members of the audience.

PUBLIC HEARINGS:

NEW YORK GRANITE (12-11)

MR. ARGENIO: That said, New York Granite. If the folks are here, please come on up and show us where you're at, what you have, what you have done, where you're going. Do you have a plan?

MR. GETZ: Yes.

MR. ARGENIO: Would you set it up on the easel there please? While you're doing that, Mark has a comment here. The applicant has submitted a revised plan addressing all of my comments from the prior meeting appearance. Some comments regarding the expanded plan submittal and he does have some other comments here that we'll discuss. Sir?

MR. GETZ: David Getz.

MR. ARGENIO: Who are you with?

MR. GETZ: Lehman Getz Engineering, we're the project engineers.

MR. PIASECKI: Future owner.

MR. ARGENIO: You're the granite man?

MR. PIASECKI: Yes.

MR. ARGENIO: What was your name, sir?

MR. GETZ: David Getz.

MR. ARGENIO: Mr. Getz, can you please give us a tour here, let us know what you want to do, please?

MR. GETZ: Sure. As you probably know, the property is owned by the Town of New Windsor and the applicant would like to purchase the property for the purpose of moving his existing granite facilities from Monroe into this facility. It allows him to expand and to improve certain operations.

MR. ARGENIO: Excuse me, what do I call you, sir?

MR. PIASECKI: Wes.

MR. ARGENIO: Wes, you're in Monroe now?

MR. PIASECKI: Yes.

MR. ARGENIO: Go ahead, Mr. Getz.

MR. GETZ: In terms of changes to the site, those are minimal. There would be no need to be regrading, providing new utilities per se but changes are proposed to the existing building, especially in the back and along the side towards the west where part of the existing building would be removed, the part that's more of a temporary structure so--

MR. ARGENIO: Is that the office trailer area?

MR. GETZ: Yes.

MR. ARGENIO: What's the shaded business right in here, what's going on here?

MR. GETZ: The shaded areas are the proposed additions, proposed new construction. Some of those areas replace existing construction such as that spot you just highlighted.

MR. ARGENIO: So what we have is an existing building with no shading and that would essentially be I think this here?

MR. GETZ: That's right.

MR. ARGENIO: And you're doing an addition and this is the addition?

MR. GETZ: Correct.

MR. ARGENIO: What do you do there, Wes, you cut granite?

MR. PIASECKI: I cut the granite and make the edges, exactly.

MR. ARGENIO: Go ahead Mr. Getz.

MR. GETZ: The length of the utilization of the site no change would be made to the entrance location off of Route 300. We will be proposing to add a sign, some landscaping and one pole light to improve the entrance along the side of the property. We're proposing a

dumpster.

MR. ARGENIO: If I may, what's going on here, is this a painted island with pavement around it? Is it curbed? What is it here and this too?

MR. GETZ: Those are both proposed landscaped islands.

MR. ARGENIO: So it would be a raised planting bed?

MR. GETZ: Yes, it's existing pavement that would be removed.

MR. ARGENIO: You'd cut into that?

MR. GETZ: Right. Otherwise, the new dumpster's proposed on the side here, a new eight foot high chain link fence with privacy slats is proposed to separate the paved area that would be used for parking and for truck access from the yard, outdoor storage area and work area for the operations. We appeared at our last appearance we had a similar plan. What we have submitted this time was in response to the engineer's comments and provided some additional details but didn't change any major aspects of the plan.

MR. ARGENIO: All this is your property as well or the town's property to be transferred to you?

MR. GETZ: Yes.

MR. ARGENIO: Not that it's incredibly germane but what's the status of that transfer right now?

MR. PIASECKI: Nothing.

MR. ARGENIO: You bought it?

MR. PIASECKI: Yes, we're going to be, we have not bought it yet.

MR. GETZ: You haven't closed yet?

MR. PETRO: It's in contract.

MR. ARGENIO: What are you doing up here?

MR. GETZ: Nothing at this time, but we have discussed with Mr. Edsall that the zoning does allow more uses. It's possible that they may come back in the future for

something on that part of the site but at this time no changes are proposed there.

MR. ARGENIO: Property to have and to hold. Fuel tanks are going, I see three of them, are they above or below ground? I see two here and I see one over here.

MR. GETZ: They're aboveground.

MR. ARGENIO: What's this here?

MR. GETZ: Existing septic tank.

MR. ARGENIO: So I don't understand, what are you doing, you're putting a building on top of a septic tank? Do you have any insight, Mark?

MR. EDSALL: No, I'm not quite sure if that's an abandoned septic tank or whether or not they're using that for some type of water quality tank from washdown water. But I'm sure that as part of the construction process it will have to be removed.

MR. ARGENIO: So what's your sewer service now?

MR. GETZ: It's a connection to the municipal services for both water and sewer.

MR. ARGENIO: Mark has some comments about the sign, some miscellaneous details about the, you know what, why don't we do this. Where is the notice, Nicole? We're here for a public hearing tonight. On the 14th day of September, Nicole compared 10 envelopes containing notice of public hearing for this application that she received the addresses from Mr. Wiley, the Assessor, they were sent out and tonight is the evening for that public hearing. I'd like to open the public hearing, get any feedback from the public and then we'll close it and the board will discuss this application a little further. Would anybody like to speak for or against or just comment on this application? Please raise your hand, come forward, sir. What's your name for the benefit of the stenographer?

MR. CHOE: Victor Choe, C-H-O-E from Days Inn.

MR. ARGENIO: Yes, Mr. Choe?

MR. CHOE: I'm just wondering, my concern is are you

making loud noise when you're cutting the granite? How bad is it going to be?

MR. PIASECKI: It's a CNC machine, when the building's closed, you will not hear it, the showroom is next to the CNC machine so it cannot be noisy.

MR. ARGENIO: So the cutting of the granite is done indoors?

MR. PIASECKI: Indoors in the CNC machine.

MR. PETRO: Let me explain, I probably know that.

MR. ARGENIO: I don't know.

MR. PETRO: A CNC computer is numerical control, you're going to sit at a computer, you have diagram, put into the computer what I want built. Over here in the other room it sends it to a mechanical, you don't do it on a lathe.

MR. ARGENIO: How do you know that?

MR. PETRO: We're building a school through Orange County Community College, Mount St. Mary's College with IDA funds and I actually attended it, I did actually see some of the things that they build and there's almost no noise whatsoever, it's not like the old days with machines.

MR. PIASECKI: It's not like we go outside and cut a big rack.

MR. ARGENIO: Is it a water cut?

MR. PIASECKI: Yes.

MR. CHOE: So we don't have to worry about too much dust?

MR. PIASECKI: No dust, this is not like a big, it's a slab inch and a quarter which you put it on the table machine and the water machine do it so it's, next to the building is going to be a showroom and offices so it cannot be noisy.

MR. CHOE: Thank you, okay, that was my concern, okay, thank you.

MR. ARGENIO: Anybody else have any questions or comments? I'll accept a motion to close the public hearing.

MR. GALLAGHER: So moved.

MR. BROWN: Second it.

MR. ARGENIO: Motion made and seconded we close the public hearing on the Granite Man, New York Granite Corporation site plan special use permit.

ROLL CALL

MR. FERGUSON	AYE
MR. BROWN	AYE
MR. SHERMAN	AYE
MR. GALLAGHER	AYE
MR. ARGENIO	AYE

MR. PETRO: Jerry, can I start off with a question?

MR. ARGENIO: Yeah.

MR. PETRO: On the plan over here where it says, maybe Mark can help, catch basin to be removed, how are you going to be treating the rest of the water around the building? You're going to remove that catch basin which is now obviously catching water in the back of the building, I don't see it being replaced anywhere.

MR. GETZ: We show, there's a line outside the rear of the building along the front labeled RL here, that's underground piping for the roof leader, water to be picked up and taken to the existing storage system and beyond the roof the areas will continue to drain in a similar pattern to where they do now.

MR. PETRO: Just basically sheet flow out?

MR. GETZ: Correct.

MR. PETRO: You don't need any drain back there?

MR. GETZ: No, I mean the architectural haven't shown us how the roof leaders will be situated but no, we can sheet flow in all directions from the building. We're not adding imperviousness so shouldn't be any impacts that way.

MR. PETRO: Thank you.

MR. ARGENIO: Yeah, that's certainly not the greatest answer but it is your property, it's not a giant area. It seems to me the water flow will be to the south kind of in line with the building, you know, you may have an issue with water flowing into that truck entrance that you have indicated there in the event of a big rainstorm. So the roof leaders are going underground?

MR. GETZ: Yes.

MR. ARGENIO: What's going on, I see a line, I see a dot, I don't see a comprehensive drainage package there. Where is the water going? How would I know where the water's going based on this plan?

MR. GETZ: The dot that you mentioned is at the corner of the building and the RP pipe is labeled to go passed the well that's shown there and tied into the existing drainage pipe.

MR. ARGENIO: That's a little hokey I think but whatever.

MR. PETRO: Not to belabor this point because Mark gave me a fairly good answer, it's where the water's going. Now if you look at the site, it's a pan like this, the only low area in the site would be off to the south, I would imagine.

MR. ARGENIO: Yeah, you see the 502 contour?

MR. PETRO: So when you remove that catch basin, I would suggest taking the catch basin and putting it in the back of the property somewhere in the lower side. Where is that catch basin going?

MR. ARGENIO: Jim, if you look at that plan right there that's a 504 contour right there, okay, and then if you look over here up on the easel, there's a 502 contour so that water is kind of running in this direction.

MR. PETRO: Going to the south, that's what I said.

MR. ARGENIO: Yeah, to the south.

MR. PETRO: Just a suggestion, that's all.

MR. ARGENIO: No, it's not a bad suggestion.

MR. PETRO: Where is it going now?

MR. ARGENIO: It's going to go here, right here, this water is going to go into this pipe and down into the DOT system.

MR. GETZ: The lowest point in this corner here.

MR. ARGENIO: Ultimately, everything ends up down in that drainage package along the DOT right-of-way.

MR. EDSALL: Mr. Chairman, just so the record is clear, this was one of the discussions we had at the workshop level and as they change the grade, as they disturb surfaces, as they affect the drainage number one, they start to head toward the direction of a SWPPP which is what they were attempting to avoid trying to minimize disturbance and number two, the town's property has functioned for years without flooding and it's their desire to continue to allow the drainage patterns to continue which as everyone's concluded the low spot's along the south side which is where the town installed a drainage system to pick it up and carry it out to the state. So the building, although it could be in the direction of flow south or north to south to that truck entrance what it comes down to is some creative paving which I'm sure you're familiar with to force the water to the west and have it run along that back parking area.

MR. PETRO: He's actually had water go uphill a couple times.

MR. EDSALL: He's good, he defies logic. The point being is that their attempt is to minimize the distance because since things have functioned reasonably well and they're trying to also avoid the environmental impacts of regrading the site.

MR. ARGENIO: Yeah, Mark, I'm on board with all that but there is, I think there's certainly merit to what Jimmy's comment was because that basin does, I'm sure it takes some water right now.

MR. PETRO: Mr. Chairman, you're absolutely right, it functions well because all the water on the site goes into that basin.

MR. ARGENIO: Now all the water is going to the south

end, maybe that, I don't know where that basin is piped to, you know, but I don't want to get hung up on it because I think it's going to be your issue more than a town issue because it's all got to end up in the DOT right-of-way. And I can assure you that if there's a problem with flooding out Moroney's after you have your building you're going to be back in here remedying the issue, so think about it a little bit.

MR. EDSALL: The architect would be well advised to understand that the area that was likely draining to the catch basin that's being removed is now roof area. So if they fail to have a proper collection system on the building and proper roof leaders running to the drainage system, the ground isn't going to flood the roof so it's going to flood, they'll probably have a backup of water on the roof.

MR. PETRO: So the architect's going to have to make sure they efficiently carry the water off the roof into the drainage system.

MR. ARGENIO: What do we have from county here? You're not changing the entrances at all?

MR. GETZ: Correct, it's really just one entrance.

MR. PETRO: Mr. Chairman, the applicant should be advised, Mr. Architect, he should be advised now you want to build on the other piece of property at sometime later the DOT may not and Jerry knows more than I do, give you a second access point on Union Avenue. So you may want to keep in mind you're only going to have that one access point to cross through your parking lot to get to that other side. So I don't know if it's designed properly or not. Mark, you follow what I'm saying?

MR. EDSALL: We discussed that at the workshop and one of the concepts that they have talked about is using a current entrance as a main entrance and creating an access easement north to south before that to the other portion of the lot behind that first row of parking. So that would be something they'd have to come back in as part of their site plan.

MR. ARGENIO: You follow what he's saying? He's a hundred percent right.

MR. GETZ: Yes.

MR. EDSALL: We talked about that at the workshop and to be honest with you with no concept plan to consider for the north side I told them best they not show easements to themselves.

MR. CORDISCO: Right, it's not as if it's a separate lot now, it would have to be a separate lot in the future.

MR. PETRO: Little pre-planning now could save a lot of headache.

MR. EDSALL: We did talk about that at the workshop.

MR. ARGENIO: I'm reading from the county letter, our office recommends the board work with the applicant to determine the use of the existing gravel parking lot. He doesn't know what he's going to do with it and that's certainly a reasonable statement to make that you don't know what you're going to do. Intermunicipal issues is the feedback we're getting addressed by the Department of Planning. You're going to, Jen, that's going to be your issue.

MR. GETZ: The architect is developing the plans, I don't know the answer yet.

MR. ARGENIO: Well, you have to comply with the law, whatever the law is you have to comply with the law and Jennifer will see to that. I have a note here for the benefit of the members and you, Jen, somebody contacted Jeremy Valentine of Lehman and Getz, he advised that the building almost certainly will be a sprinklered building, highway is approved and that's the way that is. Where is the dumpster on this plan?

MR. GETZ: It's shown on the north side of the existing parking area.

MR. ARGENIO: We mean dumpster for office refuse or dumpster for granite or granite goes someplace else?

MR. PIASECKI: That's usually when it's an empty dumpster when I fill it up with the left over pieces and they take it away.

MR. GETZ: But that containment would be back behind your fence, correct?

MR. PIASECKI: Yes.

MR. ARGENIO: In the work area. I'll take all that granite, not to worry. I mean that, crush it up.

MR. PIASECKI: I have to pay them to take it.

MR. ARGENIO: We'll crush it up, keep it all in New Windsor, it's a good thing. What's this here?

MR. GALLAGHER: It's a regular box trailer, 48 foot box trailer back there.

MR. GETZ: I'm not sure, to be honest, I haven't walked up to that part of the site.

MR. ARGENIO: Wes, do you know?

MR. PIASECKI: I'm not seeing anything over there.

MR. ARGENIO: Mr. Choe, do you have any idea, in the corner of the property there's a trailer, looks like it's over near your property? Do you know what that is, Mr. Choe?

MR. CHOE: I don't know what that is.

MR. ARGENIO: It's not causing anybody any heartache and I'm sure it's temporary.

MR. GETZ: Survey was done in July so it must have been there then.

MR. ARGENIO: I'm sorry, Mr. Choe, the county property is between you and the applicant.

MR. CHOE: Right.

MR. ARGENIO: We recommend that the chain link fencing be fully black vinyl coated to improve aesthetics. I agree with that. You guys okay with that?

MR. GETZ: Yes.

MR. EDSALL: I'm just suggesting that be for the front, maybe the portion of the side, the rear fence I don't know that that makes a darn bit of difference.

MR. ARGENIO: Was your issue with the landscaping up front? I think that's a good idea.

MR. EDSALL: No, just the landscaping that's in the right-of-way, what I'm attempting to do here is to make no modifications.

MR. ARGENIO: To the DOT entrance that will trip a DOT issue.

MR. EDSALL: Clearly they're going to have to make an application to curb the entrance which is a normal application but I think if you start putting landscaping it's only one item, just put it somewhere else.

MR. GETZ: Yeah, we'll do that.

MR. EDSALL: It will save you a lot of headache.

MR. GALLAGHER: While we're down there, that proposed light pole on the other side of the island, it's going to be within?

MR. GETZ: Yes.

MR. ARGENIO: Mr. Getz and Wes, I'm going to request that this dumpster area here have a masonry enclosure around it, can you accommodate us with that, that would be very helpful if you can do that?

MR. PIASECKI: Yes.

MR. GETZ: He's proposing to leave a stucco type finish on the building so we can do something similar.

MR. ARGENIO: That would be helpful. And if you do that possibly a couple of bollards in front of it to avoid any garbage trucks and such hitting it, six inch bollards, that way the stucco doesn't get all banged up and before you know it the place looks like a run down mess. I feel like I'm the only one talking. You guys have anything to my right? Dave, do you have any additional thoughts? Dave Sherman?

MR. SHERMAN: No.

MR. ARGENIO: Stay out of the right-of-way, I think that's a good thing, that will keep you out of DOT.

MR. GALLAGHER: What size trucks do you have for delivery, 48 foot flatbed trucks that are delivering

the granite?

MR. PIASECKI: Yes, but usually I just have the containers 20 feet long.

MR. GALLAGHER: All daytime delivery?

MR. PIASECKI: Yes.

MR. ARGENIO: Why are you showing this here, just FYI, that's existing, I assume?

MR. GETZ: Yes, just to point out that the building will be certified existing water.

MR. ARGENIO: What's up with this?

MR. GETZ: That's related to the DEC work, I believe.

MR. ARGENIO: Oh, okay.

MR. GETZ: We're just leaving all that in place.

MR. ARGENIO: Got it. Jimmy, that's the remediation issue from a few years back, yes?

MR. EDSALL: Yes.

MR. PETRO: Yes.

MR. ARGENIO: Do you know what's in there?

MR. PETRO: Just a huge fan sucking out the fumes from the ground, it goes up in vents, pretty high up, what, 25 feet?

MR. EDSALL: Yeah, that has to stay until it's approved for removal by DEC.

MR. ARGENIO: What else do we need to talk about here?

MR. EDSALL: Mr. Chairman, maybe one thing we can just get on the record relative to a need for referral to the DOT, although I appreciate the planning department's concern, I think relative to this applicant's use, the intensity of their deliveries and traffic is truly going to be less than the volume of truck traffic and vehicle traffic that the town operations generate on a continuous basis. I'm not trying to say that your business won't be successful,

we hope you have a very successful business, but the number of trucks that come in and out of there, the number of town vehicles that come in for re-fueling and such--

MR. ARGENIO: I think what's important to that too, Mark, is that a lot of the stuff that's coming in and out of there is backhoes and excavators and slow moving equipment on Route 300. Now we're talking about passenger vehicles and, you know, delivery trucks.

MR. EDSALL: And scheduled deliveries.

MR. ARGENIO: Certainly better than backhoes and diggers and things of that nature.

MR. EDSALL: Exactly, just wanted to have the record be clear that we have discussed it and in fact when you compare the uses this in fact is a preferable use for that curb cut for impacts on the transportation system than likely what the town is imposing. When they come back in potentially for use of the northern portion of the property, we can revisit it but they're significantly decreasing the demand on the system.

MR. ARGENIO: Do the members agree? Dave, you good with that?

MR. SHERMAN: Yes.

MR. ARGENIO: I agree with it too, it makes sense. Well, let me, the first meeting that I've missed as chairman was the meeting that this came in the first time and Danny ran the meeting, so from a procedural point of view, Dominic, what are we missing here?

MR. CORDISCO: Well, you have closed the public hearing, you have not taken any action so far regarding SEQRA, as I can recall but that's fine because we're operating in this instance as an uncoordinated review. So the next step would be declaring yourself as lead agency for an uncoordinated review.

MR. ARGENIO: I'll accept a motion to that effect.

MR. GALLAGHER: So moved.

MR. BROWN: Second it.

MR. ARGENIO: Motion made and seconded that the Town of

New Windsor declare itself lead agency for New York Granite Corporation application. Roll call.

ROLL CALL

MR. FERGUSON AYE
MR. BROWN AYE
MR. SHERMAN AYE
MR. GALLAGHER AYE
MR. ARGENIO AYE

MR. ARGENIO: Go ahead.

MR. CORDISCO: If you're satisfied that the environmental impacts have been addressed by the applicant, the board would be in a position to adopt a negative declaration at this time.

MR. ARGENIO: That's fine. Before we go down that road, you have taken the fuel tanks out or the town has taken the fuel tanks out, Wes, are you going to have any fuel tanks there?

MR. PIASECKI: No.

MR. ARGENIO: You're not? Good.

MR. PETRO: Mr. Chairman, it should be noted also that the remediation tank that we discussed earlier the shed and that's already been reviewed through the DEC process already, doesn't affect this plan. I would suggest to the applicant and the town attorney's here, he can correct me if I'm wrong, I don't know how long they're going to keep that there but unless you make a stink about it or discuss it with them from time to time your grandkids will have it there and you're going to be running the electric to the fans. So I would from time to time maybe every four months or every six months contact the DEC and let them check it to see if the remediation is done, otherwise, you'll be there, you won't live long enough.

MR. ARGENIO: Yeah, Michael Blythe, when that was installed, are you aware at this time of any term that was associated with it?

MR. BLYTHE: No, it's just subject to the DEC for when they decide that they'll issue the DNFA. But just to correct one thing that Jimmy said, part of, and I can speak because I'm negotiating the deal with Mike

Bloomstein and the town is going to pay the remediation costs until the DEC until we get the DEC no further action letter. So it's in your best interest to get it moved out. But I want to make it clear that the cost for the remediation is going to be borne by the town until the DEC signs off on it.

MR. PETRO: Is there a separate meter?

MR. BLYTHE: Yeah, Jack is able to determine what the costs are separately, yes.

MR. ARGENIO: Not a planning board issue, I think Mr. Petro's going to give you a piece of friendly advice from many years of experience. That said, if anybody sees fit, I'll accept a motion for negative dec.

MR. GALLAGHER: So moved.

MR. FERGUSON: Second it.

MR. ARGENIO: Motion made and seconded that the Town of New Windsor Planning Board declare a negative dec under the SEQRA process for this application.

ROLL CALL

MR. FERGUSON	AYE
MR. BROWN	AYE
MR. SHERMAN	AYE
MR. GALLAGHER	AYE
MR. ARGENIO	AYE

MR. ARGENIO: Dominic?

MR. CORDISCO: The only next and remaining item is to consider a motion for site plan and special permit approval. If you want to grant special permit approval as Mark pointed out in his last item in his comments, the board should make the following findings in connection with that and that would be that all proposed structures, equipment and materials are readily accessible for fire and police protection and that all proposed use and layout are in harmony with the orderly development of the zoning district and will not have a detrimental affect on the adjacent properties.

MR. ARGENIO: So here's how we're going to handle that,

the second part of that statement, does the board agree that this application is in keeping with the neighborhood?

MR. BROWN: Yes.

MR. FERGUSON: Yes.

MR. SHERMAN: Yes.

MR. GALLAGHER: Yes.

MR. ARGENIO: Myself, yes. We'll need a bond estimate and I do want to caution you about that drainage thing that Mr. Petro brought up without showing information on the existing outfalls for the catch basin, if we do have a flooding issue on the south side of the site, Moroney's, whatever, we're going to want to see you take action to remedy whatever the problem is.

MR. GETZ: We'll make sure, we have some changes to make, I think they're all minor but we'll make sure that--

MR. ARGENIO: Based on what we see, we certainly can't say it won't work but can't say definitively that it will. Moroney's been there for many, many years and they're a good business in our community. So we certainly wouldn't want to be doing anything here that's going to cause them any angst or heartache.

MR. EDSALL: May not be in line with that suggestion, not a bad idea as part of their cleanup and development of the site to just take that drainage ditch or swale that runs around the southerly perimeter and just reshape it, make sure that it's fully clean and is carrying flow and intercepting drainage and taking it to that piping system. I mean, they're going to be working out there anyway but probably in your best interest.

MR. GETZ: You have a problem with that?

MR. PIASECKI: No.

MR. ARGENIO: Wes, it's this area right here, it's from the pipe which is like right here, just make sure that ditch is clear so when the water sheets off it goes into the ditch and ends up in the pipe clear and un-vegetated. Okay? We talked about some things that

are part of the record tonight that you're going to do, some pretty minor stuff that you're going to have to take care of. Mark's got some very, very minor comments on his plans about the handicapped striping detail and such and the handicapped sign, you'll need to take heed to those comments, remove the bush from the DOT right-of-way. I would encourage you, Mr. Gets, to get a copy of the minutes from Nicole just to review them to make sure you have covered everything because Jennifer will not issue you a C.O. Wes until you have addressed those issues that we have discussed here tonight. I don't see any of them as any heavy lifting, it's a lot of very minor, minor things, I shouldn't say a lot, it's a small handful of some minor things, maybe it's five or six items. Anything else?

MR. CORDISCO: Just a motion and a second and a vote.

MR. ARGENIO: So that said, if anybody sees fit, I'll accept a motion for final subject to the items we discussed here tonight, unless anybody wants to add anything to that?

MR. BROWN: So moved.

MR. FERGUSON: Second it.

MR. ARGENIO: Roll call.

ROLL CALL

MR. FERGUSON	AYE
MR. BROWN	AYE
MR. SHERMAN	AYE
MR. GALLAGHER	AYE
MR. ARGENIO	AYE

MR. ARGENIO: Wes, thank you for coming in and thank you for locating your business in our town. I wish you the best of luck and hope you have a good experience here in New Windsor.

MR. PIASECKI: We're going to be selling cabinets also.

MR. ARGENIO: Congratulations.

DISCUSSION - ZONING REGULATIONS

MR. ARGENIO: The last thing that I want to hit is last week, last week, last meeting I distributed, we distributed, Nicole distributed, somebody distributed the new zoning regulations. It's been vetted, it's been reviewed, Mr. Petro was very involved in crafting it, Dominic was very involved, Mark was, Michael Blythe, the Supervisor, I was certainly very involved in it, a lot of people put a lot of work into it. And there's a process in the public sector that we need to go through to get these new revised and updated zoning approved. One of the steps in the process is that the planning board collectively has to give its blessing. So I'd like to think that everybody at least had a look at it, if they have any questions now would be the time to ask them because the next thing I'm going to ask is that we as a board vote in the affirmative to adopt the new zoning. Michael is here, Jim is here, if anybody has any questions, now would be a good time to ask. Dave? Danny? Harry? Howard?

MR. BROWN: No questions.

MR. ARGENIO: That said, I'll accept a motion that the planning board vote in the affirmative or advise the town board that we vote in the affirmative to accept that document as written.

MR. GALLAGHER: So moved.

MR. BROWN: Second it.

MR. CORDISCO: Just before you vote, just to make it clear, there's a specific procedure for that recommendation in the existing zoning code and what I'd like to do is have the board authorize me to write a letter on behalf of the planning board to the town board letting them know about your recommendation.

MR. ARGENIO: That's the procedure?

MR. CORDISCO: Yes.

MR. ARGENIO: Then the motion is to authorize Dominic to write the letter. You guys okay with that?

MR. BROWN: Yes.

MR. ARGENIO: Roll call in the affirmative, if you guys

agree?

ROLL CALL

MR. FERGUSON	AYE
MR. BROWN	AYE
MR. SHERMAN	AYE
MR. GALLAGHER	AYE
MR. ARGENIO	AYE

MR. ARGENIO: You have the authority to write that letter to the town board.

MR. CORDISCO: Thank you.

MR. ARGENIO: Do you have anything else? Motion to adjourn?

MR. GALLAGHER: So moved.

MR. BROWN: Second it.

ROLL CALL

MR. FERGUSON	AYE
MR. BROWN	AYE
MR. SHERMAN	AYE
MR. GALLAGHER	AYE
MR. ARGENIO	AYE

Respectfully Submitted By:

Frances Roth
Stenographer