

TOWN OF NEW WINDSOR

PLANNING BOARD

April 10, 2013

MEMBERS PRESENT: JERRY ARGENIO, CHAIRMAN
HARRY FERGUSON
HENRY VAN
DANIEL GALLAGHER
DAVID SHERMAN

ALSO PRESENT: DOMINIC CORDISCO, ESQ.
PLANNING BOARD ATTORNEY
A/P TAYLOR PALMER

MARK EDSALL, P.E.
PLANNING BOARD ENGINEER

JENNIFER GALLAGHER
BUILDING INSPECTOR

NICOLE PELESHUCK
PLANNING BOARD SECRETARY

ABSENT: HOWARD BROWN

MEETING AGENDA:

1. Cintron MHP
2. Ridge Rise S.P.
3. Hudson Valley SPCA Sub.
4. Hudson Valley SPCA S.P.
5. TZSS Realty S.P.
6. Rose Daidone L.L.

REGULAR MEETING:

MR. ARGENIO: I'd like to call to order the April 10, 2013 meeting of the New Windsor Planning Board. Please stand for the Pledge of Allegiance.

(Whereupon, the Pledge of Allegiance was recited.)

MR. ARGENIO: Welcome everybody. Is Howard coming tonight, do we know?

MRS. PELESHUCK: I have no idea.

MR. ARGENIO: If he doesn't come in the next couple minutes we'll bring Dave up. Dave Sherman had eye surgery this morning so he'll be wearing sunglasses, that's no disrespect to anybody but if anybody finds it odd that he has sunglasses on that's why he has sunglasses on.

APPROVAL OF MINUTES DATED 2/27/13

MR. ARGENIO: First order of business approval of the minutes dated February 27, 2013, sent out via e-mail March 28, I'll accept a motion we approve them as written.

MR. VAN LEEUWEN: So moved.

MR. GALLAGHER: Second it.

MR. ARGENIO: Roll call.

ROLL CALL

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

ANNUAL MOBILE HOME PARK REVIEW:

CINTRON MOBILE HOME PARK

MR. ARGENIO: Somebody here from Cintron Mobile Home Park? Not yet. Okay, we'll address them quickly when they come in.

REGULAR ITEMS:

RIDGE RISE SITE PLAN (04-27)

MR. ARGENIO: The first regular item is Ridge Rise site plan, 148 unit townhouse development. I see Mr. Slutsky here, do you have an engineer with you? You're going to represent this yourself?

MR. SLUTSKY: I'm waiting for him, as of now he's not here.

MR. ARGENIO: Wow. Okay, Mark, Al's not here yet, Al Zeponni, so we're going to move right on. I see Mr. Pfau is here, good for you, right, Joe? Tomer, you'll have to wait a few minutes. Okay?

HUDSON VALLEY SPCA SUBDIVISION (12-9)

MR. ARGENIO: We're on to the second regular item, it's the Hudson Valley SPCA subdivision. The first item is the subdivision, we'll do a review quickly then we're going to review the site plan, that's probably where most of the meat is. Jennifer or Nicole, did somebody speak to the mobile home park folks?

MRS. PELESHUCK: I called and left a message.

MR. ARGENIO: You didn't speak to them, you left them a message?

MRS. PELESHUCK: Left them a message.

MR. ARGENIO: Joe, if they come in, I'm going to put them in. That said, what do you say?

MR. PFAU: As far as the subdivision, there was a few comments from Mark, mostly clean-up items referencing the zoning board variance that we received. And for the most part separating it from as its own sheet because previously it was part of the site plan set so now it's its own separate application, it's on a separate sheet and basically just shows the proposed three lot subdivision.

MR. ARGENIO: We're maintaining the same curb cut if memory serves me?

MR. PFAU: No, no we're lining it up with across the street.

MR. ARGENIO: That property line is going to go down the middle of the road?

MR. PFAU: That's correct. We have a blanket easement that shows on the site plan and on the subdivision, it's general note seven says lots shown are to be benefited by a blanket reciprocal easement for utilities, storm water, parking.

MR. ARGENIO: Dominic would have to review that.

MR. CORDISCO: Yes, correct, that's correct.

MR. ARGENIO: I know Mark's comments here that it's highlighted that all of his previous comments have been addressed, that's certainly a good thing. Going to need cross-easements, the applicant has added note seven which indicates a blanket reciprocal easement will be created for utilities, storm water, parking and access. The applicants should prepare a draft for the proposed easement and reviewed by the attorney for the planning board. Members, is there anything anybody wants to talk about on this subdivision component? Seems to me the site plan is where the meat is. Anybody? Mark, is there anything we need to talk about with this particular?

MR. EDSALL: My comment says it all. Joe is very responsive and I appreciate it.

MR. ARGENIO: That's good to hear. That said, why don't we move on to the site plan because that's where the meat is? That said, Dave Sherman, why don't you come up and take Howard's spot, it appears he's not going to be with us this evening, if you would. And thank you for coming in, Dave.

HUDSON VALLEY SPCA SITE PLAN (12-10)

MR. ARGENIO: This application, this is the Hudson Valley SPCA. This application proposes three integral site plans on a single site plan. The plans include retail and the SPCA use. Plans were previously reviewed at the 25 April 2012, 14 November 2012 and 9 January 2013 planning board meetings. For the benefit of the members of the audience, I didn't read the header for the subdivision plan but the same review dates would apply for the subdivision plan. So that said, we're now on the site plan. Mr. Pfau, tell us where we are with this.

MR. PFAU: At our last meeting, we did receive a--

MR. ARGENIO: Before I forget, don't forget to address lighting cause that was a point of discussion at the last meeting.

MR. PFAU: Okay, yes. There was a number of comments that Mark had given us on the site plan, a lot of them were clean-up detail type things. As far as layout, the major components was there were some comments about the dumpster locations and the orientation of the dumpsters. And what we have done is we have modified those slightly, we have dumpsters for all the building locations now. I don't know if you can see here but in the corner of the building--

MR. ARGENIO: How does it work for building one?

MR. PFAU: He'd come through come right in here and it's a front load and if it happened to be a rear load he would come in this way. He can actually come in on either direction.

MR. ARGENIO: I'm worried about this movement here.

MR. PFAU: I can swing it more this way and have him just come this direction.

MR. ARGENIO: Where is my pointer, Nicole? I don't want to get hung up on this but Joe, possibly, and I don't want to get hung up on this, this is kind of minutia, maybe it should be designed so a truck coming in this direction could pull straight in, in other

words, look at me, Joe, take the dumpster enclosure, rotate it this way 40 degrees. So if you're driving move it to the right a little bit, if you're driving up the page you'll drive right into it almost and back up and come around. So I guess, let me see what you've got there, I don't want to get hung up on this cause this is kind of minutia. See that? Precisely, exactly.

MR. PFAU: He's just going to come in and go right here for this one.

MR. ARGENIO: Something like that, just make sure that the orientation works, okay?

MR. PFAU: Alright.

MR. ARGENIO: Danny, you agree with that? You typically comment on that

MR. GALLAGHER: Yeah, I do see how some of them are twisted a little bit so you can go from two different angles.

MR. ARGENIO: That's the softball, go ahead, Joe.

MR. PFAU: And as I said, many of the comments were details, a lot of comments on the utilities as far as additional services, fire services, two services in each building. But for the most part mostly clean-up work as far as the layout, you'll see it's not a whole lot different. We did respond to the lighting comments, we do have lights now I believe on the front. I think originally we just had them wall mounted now we have both wall mounted and pole lights on the street side of the parking lot.

MR. ARGENIO: Let's just, Henry VanLeeuwen, for your benefit, I don't think you were at the meeting but I will just share with you for a moment.

MR. VAN LEEUWEN: I think I was in Florida.

MR. ARGENIO: On the lighting plan they had wall packs shining out towards the road. We thought that that was a mistake, they should have the lights along this line shining at the building. They were there before so Joe has corrected that situation. Obviously, Mark, you'll check it for adequacy of the lighting?

MR. EDSALL: From the information submitted, it looks fine.

MR. ARGENIO: Yeah, those wall packs were and I see the wall packs in the rear and the sides they seem appropriate.

MR PFAU: Yes.

MR. ARGENIO: Go ahead, Joe.

MR. PFAU: We--

MR. ARGENIO: Dave or Harry, if you have anything on that, jump in.

MR. PFAU: I think one of the questions as far as the tie-in to the sewer whether or not we're going to be utilizing the existing service we're going to be tying directly into the manhole, we're not going to be cutting into the 30 inch line at all so that will be a clean connection.

MR. ARGENIO: Drop manhole or some such thing, is that, that's a trunk main, isn't it Mark there?

MR. EDSALL: That main line is actually the sewer district 20 line which for that portion carries a couple districts.

MR. ARGENIO: Thirty-six inch, 30?

MR. EDSALL: Thirty inch.

MR. ARGENIO: Sixty inch manhole I would imagine a big one?

MR. EDSALL: Yes.

MR. ARGENIO: Is there any discussion to be had, Mark, about capacity?

MR. EDSALL: For the sewer?

MR. ARGENIO: Yes.

MR. EDSALL: Well--

MR. ARGENIO: Certainly an issue.

MR. EDSALL: There's, hydraulically there's not an issue. The issue is whether or not there's any additional requirements.

MR. ARGENIO: Town wide I'm referring to.

MR. EDSALL: We'll have to check that with the infrastructure committee.

MR. ARGENIO: Do you have any insight into that, Joe?

MR. PFAU: I can, no, I can look.

MR. ARGENIO: That would seem to me to be of some importance. Joe, what about water?

MR. PFAU: We're tying in right now. What happens is if you take a look at the utility plan, the water actually comes from both directions comes down here and drops down, I forget what the name of that is so what we're doing--

MR. ARGENIO: Into that cul-de-sac across the street?

MR. PFAU: No, no, no, passed that, it's the other, if you take a look at the location map, it's the other side of this, it's the street that comes behind the existing project across the street from us.

MR. VAN LEEUWEN: Westport?

MR. ARGENIO: What's that road called?

MRS. GALLAGHER: Westage is the Heart Center.

MR. EDSALL: It's the cul-de-sac, Browns Road.

MRS. GALLAGHER: It could be, yeah.

MR. ARGENIO: It's not critical but--Brown's Drive, thank you.

MR. PFAU: The water main comes down from this direction down Brown's Drive, so if you take a look at the utility plan what we're doing is we're tying into that from the state highway. Prior to it going down Brown's Drive, we have a six inch line coming through the site which services the whole site, we have hydrants located approved by the locations, approved by the fire department, and then we have our individual

services coming off of each of the buildings.

MR. ARGENIO: I see it, okay, good.

MR. EDSALL: Joe, is the crossing on 208 proposed as six inch?

MR. PFAU: It's proposed as six inch, yes.

MR. EDSALL: Can you bump up just the crossing to an eight because the point being is the difference in materials to get across the road we're better off having an eight cause there may be a day when the town wants to take dedication of the crossing in case there's a parallel line needed.

MR. PFAU: Okay.

MR. ARGENIO: Mark, we're tapping into a 12, would that be a 12 going across there?

MR. EDSALL: It could be cost wise that might be a major increase we can talk to them about it, I just know that--

MR. ARGENIO: From an engineering perspective, you're okay with the eight? We're, I imagine the board's probably okay with it.

MR. EDSALL: The reason I'm saying an eight is eight is the minimum municipal size that the County Health Department would accept so at least getting an eight means that it could be used for municipal purposes down the road.

MR. ARGENIO: Okay. And six I assume somebody did some kind of calculation or some such thing six is enough to provide adequate fire flows with the pressures that have been achieved in the area?

MR. PFAU: Yes, but Mark had a question about whether or not this goes to the health department or not, is that something I should verify?

MR. EDSALL: Yeah, I mean, I hate to say it but over the years the health kept has given different answers to the same question if there's multiple lots involved even though it's private, sometimes they want an application on the private side for water main extension, so you could check with them. If they tell

you you don't need it obviously I'm not going to want you to do it if they don't ask so doublecheck.

MR. PFAU: Okay.

MR. ARGENIO: Okay.

MR. EDSALL: We'll treat the crossing as a private line cause at this point we're not looking to take it so you don't need to have a municipal application.

MR. ARGENIO: So this has gone to DOT. Mark or Dominic, just a quick note and for the benefit of the other members, one of the copies from county was that there's also a comprehensive maintenance agreement associated with that.

MR. CORDISCO: That's correct and that's, Mark and I had discussed that as well as not only does it have to be reciprocal easements allowing access amongst the parcels or property owners but also has to have a requirement and the ability for them to maintain those common facilities which are going, which they're going to be servicing and improving all the parcels.

MR. ARGENIO: We're already out in front of that absent the county's comments.

MR. CORDISCO: Yes, yes.

MR. ARGENIO: For the benefit of the members, the county also comments, Joe, that the dumpster locations are awkward and they needed to be shifted ever so slightly so we're up on that as well.

MR. VAN LEEUWEN: Joe, which one of your people did this?

MR. PFAU: Did what, the plan?

MR. VAN LEEUWEN: Yeah.

MR. PFAU: It was Travis and--

MR. VAN LEEUWEN: Tell Travis to straighten up, would you?

MR. PFAU: I thought you were going to talk about the comment where they want buildings down the street.

MR. ARGENIO: I was not going to mention that but you brought it up, I might as well address it. I don't think it's important but we had discussed and if my memory serves me I think Jimmy Petro may have been the one that suggested it was the possibility of moving the buildings back as far as we could, as far as the applicant could to allow for development of Route 207 at a later date. Who knows what's in the future and I think everybody here agreed that that was a good idea. So we gave them that direction and the county sent a note back saying move the buildings closer to 207, I don't know which ones, right, I'd like to think that home rule would work better cause we're certainly the residents of this town and, you know, I'd like to think we move with common sense and we move carefully. But I thought the idea made sense to me. Danny, do you have any comment on that?

MR. GALLAGHER: No, I agree with it.

MR. ARGENIO: Any comment?

MR. VAN LEEUWEN: I do, are they going to keep these stores, are they going to sell these individual lots with the buildings on them?

MR. PFAU: The plan to sell these two, Hank, and the third one they're going to retain along with the kennel.

MR. SHERMAN: What DOT's reasoning for moving it closer?

MR. ARGENIO: Wasn't DOT, it was the county. Let me just see, I'll find it here, there's a, says all of the parking associated with it, they don't say, county represents that the proposed parking be more centrally located and available for the entire development, they don't say. What they do comment on and I think we might want to have a look at is internal pedestrian facilities to allow safe connections from the proposed parking to the proposed buildings. I bet your answer would be we don't anticipate a lot of interaction between the buildings if I asked?

MR. PFAU: That's correct, especially to the, from the back to the front, the front buildings have sidewalks.

MR. ARGENIO: Would it be reasonable for us to request of you that possibly you guys hear me on this, see if

you agree, this sidewalk as you go in this direction to put sidewalk and sidewalk in those two little islands, just make a drop curb and crosswalk shown there and the same thing here, is that reasonable?

MR. PFAU: Absolutely.

MR. ARGENIO: I don't think that's a big deal, Joe.

MR. PFAU: Not at all.

MR. ARGENIO: Paint a crosswalk. Make sense, Mark?

MR. EDSALL: Absolutely.

MR. ARGENIO: I think that's a reasonable comment by the county. I'm not going to read this whole letter out loud to you guys, you can, certainly Nicole would you please scan this, get it to the members? There are a few pages here so you guys should have the benefit of having a look at it. I'm not going to read this whole thing, I'm not going to read it out loud into the minutes but you guys should have the benefit of the letter.

MR. VAN LEEUWEN: Joe, what are they going to do with the cemetery part, are they going to put it in the memorial plot there?

MR. PFAU: Yes.

MR. VAN LEEUWEN: Dig up all the bones and just--

MR. PFAU: I don't know if they're going to move any of it, they're going to call this thing a, just a memorial, some of the remains want to be put over here, they want to do that, otherwise, it's going to be for anything in the future.

MR. ARGENIO: Joe, Henry, we did address this at a previous meeting and I don't know if you did, Joe, if it was you or Travis, but I think the answer we got was that no, I'll tell you who addressed it, it was what's your owner's name?

MR. PFAU: Tom DiCarado.

MR. ARGENIO: Tom addressed it, what he said they're in the process of contacting the owners of the pets and tell them look, we're going to construct over top of or

move this thing, if you want to come in an exhume the remains of your pets, you need to do it, otherwise, we're going to go forward and he also I think and I'm going from memory, Henry, for your benefit I think they're going to put little memorial in, a little plaque or something but they're going to I think he did say I'm going from memory, don't crucify me if I'm not exactly correct, I think he did say they were in the process of contacting--

MR. PFAU: I think those letters did go out, they got legal direction on how to handle that.

MR. ARGENIO: Guys, have a look, I mean, we need to look at this. It's, Joe has addressed a lot of the things that we talked about and Mark also has a comment here that previous comments have been addressed. Where I'd like to go with this if you guys agree with me is to schedule the public hearing because certainly seems to me that the things that needed to be done that we had asked them to do they have done. While we're still dancing with the dumpsters, I think the guidance at this point is a lot clearer than it's been. Nicole, what about fire on this application?

MRS. PELESHUCK: They did approve it.

MR. ARGENIO: How wide are your driveways?

MR. PFAU: What they made us do is go 30 foot in front and 25 in the rear.

MR. ARGENIO: You have made that, you have done that?

MR. PFAU: Yeah.

MR. ARGENIO: And we're at DOT at this point?

MR. PFAU: Yeah, we made a submission but we're probably going to be making another submission because we have more detail.

MR. EDSALL: Yeah, we'll refer it over formally again now that we have this additional information from you.

MR. PFAU: Because I don't believe the earlier one had the water main on it.

MR. EDSALL: It did not.

MR. ARGENIO: I believe you're correct and you need to check on DOH.

MR. PFAU: Yes, I'll take care of that.

MR. ARGENIO: So I don't hear anybody chiming in to my right, Dave or Harry? The thought, my thought was that I think that, I think that we're to the point where we and again, I don't want to assume too much, maybe you guys want to wait but it seems to me--

MR. VAN LEEUWEN: Make a motion we schedule a public hearing.

MR. ARGENIO: -- we should have a public hearing and I think the plans are in good shape to do that.

MR. GALLAGHER: Second it.

MR. ARGENIO: Motion made and seconded that we schedule the public hearing for Hudson Valley SPCA site plan. What about the subdivision, how does it work Mark or Dominic, how does it work legally? Do we have a public hearing on that?

MR. CORDISCO: You can waive the public hearing but since you're having the public hearing anyway that you might--

MR. ARGENIO: Combine.

MR. CORDISCO: Yes.

MR. ARGENIO: The most efficient use of time.

MR. EDSALL: A lot of times I suggest you keep them separate but this one is blended so it makes sense to keep it altogether.

MR. CORDISCO: As far as efficiency, it could be one notice saying that it's a combined hearing so there's no need to do double mailings or double publications.

MR. ARGENIO: Do you agree?

MR. PFAU: Yes.

MR. ARGENIO: I'm sorry, Mark?

MR. EDSALL: Just before we forget one other issue

checking with the Orange County Department of Health doublecheck with DEC because again you've got three lots that are being served by a line and we don't want to have you run afoul of their guidance.

MR. ARGENIO: Okay, motion to schedule the public hearing has been made by Mr. VanLeeuwen and it's been seconded by Mr. Gallagher. I'll have a roll call.

ROLL CALL

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

MR. ARGENIO: Joe, what else did you want to talk about relative to your project?

MR. PFAU: Well, I just wanted to, I know that there was issues about the turn lane extension going towards Union Avenue.

MR. ARGENIO: Under the bridge.

MR. PFAU: As I understand, there's a design for that, I have actually sketched out something myself, you guys want to pass it around, of what I believe everybody's looking for and I spoke to my clients briefly and we're going to go through it and it will be helpful if we have the design to see, kind of get a handle on what the cost is and I have been told we'll be putting in our fair share whatever that means, I'll report back on that as best I can do.

MR. ARGENIO: I think as I've told you at one of our previous discussions we're certainly open to discussion but certainly Mr. Pfau you can see the logic and you would agree that this has a benefit to your client.

MR. PFAU: I agree.

MR. EDSALL: Joe, I'll get you the preliminary design plans prepared by John Collins Engineers, this is an improvement project that is almost like a public private partnership because we've had several meetings with DOT already, Senator Larkin has been very helpful having DOT sit with us to work toward a solution. The

town worked with another applicant who has provided the preliminary design and in fact, the town is moving forward in acquiring the strip of land that would make the widening possible. And I'm working with Verizon at this time, their realty property group out of Boston so this is not a new issue, this has been probably in the works for what, Jerry, two, three years?

MR. ARGENIO: I think you're light by almost double.

MR. EDSALL: Yeah, I mean--

MR. ARGENIO: Four or five.

MR. EDSALL: It's been an idea but the reality is that it's moving forward and there's been a lot of hard work to get where we are so I'll share those plans with you.

MR. ARGENIO: I don't want to speak for everybody, I'm going to say the concept we're not advocating overlaying a giant section of 207, we're not advocating that, we're advocating just make some space.

MR. PFAU: I agree.

MR. VAN LEEUWEN: Just in case.

MR. PFAU: I've been stuck there.

MR. ARGENIO: If that little bit of widening and it's only a single property owner in that little stretch of widening. We're not looking for you guys to pick up the tab for the overlay, it would be patently unfair, just talking about if you can help us get a little bit of space that would be a big deal. Thank you.

CINTRON MOBILE HOME PARK - CONTINUED

MR. ARGENIO: Cintron Mobile Home Park. Good evening, what's your name, sir?

MR. NUNZIATO: Frank Nunziato, 97 Cedar Avenue, New Windsor.

MR. ARGENIO: How many units do you have?

MR. NUNZIATO: Twenty-eight.

MR. ARGENIO: Jenn, has somebody from your office been out there?

MRS. GALLAGHER: Yes, we have, no problems at all.

MR. ARGENIO: It's in good shape. What's your name?

MR. NUNZIATO: Frank Nunziato.

MR. ARGENIO: Do you have a check made out to the benefit of the Town of New Windsor in the amount of \$250?

MR. NUNZIATO: Yes.

MR. ARGENIO: Are you prepared to part with it?

MR. NUNZIATO: Yes.

MR. ARGENIO: I'll accept a motion that we offer Mr. Nunziato a one year extension.

MR. VAN LEEUWEN: So moved.

MR. FERGUSON: Second it.

ROLL CALL

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

MR. ARGENIO: Thank you, Mr. Nunziato, appreciate it. Thank you. We have disposed of Cintron Mobile Home Park, we got a typo in the agenda, he was a few minutes late so we certainly can't hold that against him.
RIDGE RISE SITE PLAN (04-27)

MR. ARGENIO: Let's back up, Mr. Slutsky, is your engineer here? We're back to the first item, Ridge Rise multi-family site plan located on Route 32. The application proposes the development of the 30 plus acre parcel into multi-family development with 148 units which is a modest increase from the original 133 units. The plans were previously reviewed at the 13 October 2004, 12 October 2006, 26 March 2008, 18 November 2009, 11 August 2010, 9 March, 2011, 8 August 2012 and the 13 March 2013 planning board meetings. So here we are, I see Mr. Zeponni, I see Mr. Slutsky in the audience. So we have plans on this? Okay, Mr. Zeponni.

MR. ZEPONNI: How are you this evening?

MR. ARGENIO: Very good. What, oh God, this is on multiple sheets?

MR. ZEPONNI: Yeah, I think the easiest thing to do is the overall development map.

MR. ARGENIO: Why don't you come a little bit closer cause we're all getting older, turn that bad boy a little bit so Danny can see it.

MR. GALLAGHER: I'm good.

MR. ARGENIO: So we have one, two, three, four sheets or three sheets?

MR. ZEPONNI: In the set there was--

MR. EDSALL: Thirty.

MR. ARGENIO: Look at that mess there, what's that at station three plus 50, what's going on there?

MR. ZEPONNI: I don't have a full set of plans.

MR. ARGENIO: Right here, what's all that business here?

MR. ZEPONNI: There are wetlands on one side of the

entry road and then we have to capture what's coming down the road and put it through a filter so some things are passing under the road, some things are getting captured, filtered and then discharged.

MR. ARGENIO: Looks like you have three 36's going underneath the road.

MR. ZEPONNI: We have grading issues in terms of the slope of the road so to allow the appropriate amount of water to pass without having--

MR. ARGENIO: I don't want to get hung up, I just happened to, let me give you this thought, Al and Mr. Slutsky, there was a project in the Town of New Windsor from a developer from many, many, many years ago and I'm going to try to be 30 seconds or less, some of you might know him, Bill Rosenberg, and he founded Shop Rite Supermarkets, his second market was in Vails Gate, New York. He goes back to the day of the flood when him and Henry used to be buddies years and years ago. In any event, long story short, Mr. Rosenberg's property and this predates you, Jennifer, had triple 36 inch culverts draining the wetlands that come from the other side of Route 300 under the railroad tracks behind Forge Hill through Rosenberg's property and then it goes on passed RAL, passed the senior complex that Mr. Mandelbaum owns. In any event, the triple 36's are a constant problem. Mike Babcock, Jenn, your predecessor, would make a phone call typically once, sometimes twice a year to the Rosenberg office out in Florida and say you have to go clean your culverts because all the brush and roots and weeds have blocked up the culverts and it backed up the wetlands and covered up that road in the back. What's that road?

MR. EDSALL: It's the road to Vails Gate Heights.

MR. ARGENIO: So triple 36's are not a great idea, you should think about some kind of maybe, I don't know, something else, a box culvert.

MR. ZEPONNI: Were they much longer?

MR. ARGENIO: No, they're a driveway crossing, there was a back entrance that came into Shop Rite, if you remember, Henry, you guys remember and three 36 inch culverts and Mark, what were they, 30, 35, 40 feet?

MR. EDSALL: What happens when branches, parts of trees

gets in there it's a maintenance nightmare and if you have a heavy rain--

MR. VAN LEEUWEN: Still is.

MR. EDSALL: We had a very similar situation in the Town of Cornwall by Continental Road during one of the hurricanes it literally was obstructed and picked the pipes up and took the road with it so--

MR. ZEPONNI: Did they resolve the problem?

MR. EDSALL: We put a box culvert in.

MR. ZEPONNI: We can substitute a box.

MR. ARGENIO: Take a look because the three pipes because you have quantity is not a good idea, better to get a bigger opening with the appropriate values, et cetera, let's not, tell us where we're at.

MR. ZEPONNI: Last time we were here we came with a concept plan where we took the left-hand side of the drawing and converted it to smaller apartments from the townhouses that were there. In doing that, we actually increased the green area before we had driveways to each one of the units now we have typical apartment type parking. They are actually much smaller so decrease in the impervious area. Everything is exactly the same as it was with regard to the road alignment, all the utilities are exactly the same, really just from the curb back to the units, that concept was acceptable. So in this submission all we did is flesh it out, we took care of the, all the grading, added the sidewalk, we engineered it so that it becomes a workable set of plans for that concept so the concept is identical, everything in the street is identical, nothing there has really changed and this was a flesh out of that concept.

MR. ARGENIO: Henry, just for your benefit--

MR. VAN LEEUWEN: I'm trying to figure out where it is.

MR. ARGENIO: What's lands of Borden to the left?

MR. ZEPONNI: This is Washington Green, the access road so through the townhouse development.

MR. ARGENIO: Temple Hill Road Motel is probably right

here.

MR. ZEPONNI: This is Corporate Drive.

MR. ARGENIO: Is that U-Haul?

MR. ZEPONNI: The left one, I believe.

MR. ARGENIO: There's the motel, hotel, Zafar is back there. Just so you know, Henry, the way the unit count went up, we asked this question at the last meeting and how this count magically went up and Mr. Slutsky tells us that the smaller units are more marketable and since they're smaller we can fit more units by code, certainly a reasonable response to the question.

MR. ZEPONNI: Those apartments are single bedroom, not many, I think it's eight as you can see the footprint itself got much smaller, much smaller units.

MR. ARGENIO: Tomer, are you going to give us a little architectural picture of what these units look like?

MR. SLUTSKY: Yes.

MR. ARGENIO: That would be helpful if you can do that. You're going to put a hat on these things? Is the eave going to overhang a little bit?

MR. ZEPONNI: Yes, yeah, at one point.

MR. SLUTSKY: We submitted it before.

MR. ARGENIO: My predecessor used to say every house needs to have a hat and it needs to hang over a little bit.

MR. ZEPONNI: This is not exactly what will be built but the look is there, brick with your hat and broken forward and backward broken in elevation.

MR. ARGENIO: Can you give that elevation to Nicole? Keep that in your office, guys stop by and take a look at it, if that's okay, Al, is that okay with you, Mr. Slutsky?

MR. SLUTSKY: Absolutely.

MR. ARGENIO: That will be helpful. I keep interrupting you, please finish, I'm sorry, it's a

large project and there's a lot to it.

MR. ZEPONNI: That's essentially it. The other change that you see here is that on the initial concept when these were all high end, very large townhouses the initial concept for the clubhouse was about 8,000 square feet. And I would say about five meetings ago we talked about this and agreed I think generally that that was too large, particularly now that the units have gotten smaller and the price point has gotten less what we have done here is reduced to about 3,500, in this particular case which is consistent at least in our experience of sizing that goes along with this number of units.

MR. ARGENIO: Do we have guidance on that, Mark?

MR. EDSALL: Not in the multi-family regulations.

MR. ZEPONNI: We have the ability if it needs to be bumped up we can go back to the 8,000, nothing else has changed but this did allow us to shrink it down. There were a lot of walls and filling here to maximize the 8,000, now that we have eased that up some of the walls have come out and we have more green area. But the point being that if the board thinks at some point it should be 4,000 square feet we have the ability to go back up there.

MR. ARGENIO: So on the right side what do we have there?

MR. ZEPONNI: All townhouses.

MR. ARGENIO: Left side?

MR. ZEPONNI: Market rate apartments. Also interesting these will be done with individual services, such that in the future if the market changes again they can be converted to condo, to full ownership which is a nice exit if you want to get out of the apartment type setting.

MR. ARGENIO: Mark, do we have any code issues when he's talking about the market rate thing?

MR. EDSALL: Yeah, the code just recognizes multi-family, not necessarily the type of ownership.

MR. ARGENIO: How about, Mr. Zeponni, tell me about

wetlands, I see a little wetland mitigation on the first sheet, I see another one on the second sheet, where are we at with permits and whose wetlands are they?

MR. ZEPONNI: The lighter yellow is generally the lighter yellow lighter green is the wetlands, we balanced what we have taken and what we have given, I believe we satisfied all the criteria for the restraints on the wetlands throughout the project.

MR. ARGENIO: Who governs that?

MR. ZEPONNI: They were federal, were they not? It's going back so long we talked about this two or three years ago.

MR. EDSALL: They are definitely not state, I think they were federal.

MR. ARGENIO: You feel you've done your due diligence with that?

MR. ZEPONNI: Absolutely.

MR. ARGENIO: Do you need permits?

MR. ZEPONNI: I don't believe we do beyond the application when we're done, just submitting but to be honest, I have to go back and look.

MR. EDSALL: Let's close that out if you can so we don't have to ask again.

MR. ZEPONNI: We may have done it, what's this about five or six years? So I have to admit I don't go back and review the entire file but I will make a note that that's closed out.

MR. ARGENIO: It was 2004, that's six years. What are you doing with the billboard down on 32, is that your property?

MR. ZEPONNI: It is and Mr. Slutsky I know talked about that about two years ago and that's his business, I have no idea.

MR. ARGENIO: Where you at?

MR. SLUTSKY: You asked me to speak with the person,

the sign is on my property and when I met the person that's renting the sign there was some legal issues, I mean that, I mean, how long he can last as far as having the lease on the sign. We left it the way it is, I mean because we start threatening, I mean, that he is by law he has the right to use it but there was no conclusion.

MR. ARGENIO: How many years does he have the right to use it?

MR. SLUTSKY: He got some crazy deal with the person that owned the land before so it's kind of unclear.

MR. ARGENIO: Can you get some clarity on that and I don't want to mince words, I'll be very direct with you, I can ask these guys I think it's kind of an eyesore quite frankly but it's your property and I'm not, you know.

MR. SLUTSKY: What we were thinking to do I tend to agree with you is to use it for advertising and then after that to demolish it.

MR. GALLAGHER: Where is the entrance to the driveway going in?

MR. SLUTSKY: About here.

MR. ARGENIO: I would think that makes sense to use it for marketing and such.

MR. SLUTSKY: That's I think the way I left it with him, I gave him an option.

MR. ARGENIO: Can you let us know in the future, not going to get hung up on it, but do you guys disagree with the direction?

MR. GALLAGHER: I'm just curious if it's going to be a sight issue, will it be a sight issue?

MR. ARGENIO: Let us know and we'll go right down that road.

MR. CORDISCO: If there's something that legally entitles him to a period of years to use it then if that's in writing we'd appreciate a copy of that.

MR. ARGENIO: It's all good.

MR. VAN LEEUWEN: That's a good idea.

MR. ARGENIO: Can we talk for a little bit, Mr. Slutsky? I know we spoke a little bit last time, can we just talk a little bit, Mr. Zeponni, about Corporate Drive? I know we talked about it a little bit, Mark has a note here somewhere I read.

MR. EDSALL: Under sheet three.

MR. ARGENIO: The note was something along the lines of check the sewer but it was flooded or was flooding at the time or it floods so I want to talk about two things, enlighten the board just a bit, A, what about that sewer, what about sewer capacity for this project and B, what are you going to do to Corporate Drive?

MR. ZEPONNI: Corporate Drive, my client's already agreed that everything will be inspected and brought up to municipal standards, once they're brought up to municipal standards I believe the town is going to take it over, the utilities.

MR. ARGENIO: Is that true, the utilities?

MR. EDSALL: That's, I know that's a discussion between Tomer and the Supervisor, I don't know if that's definite yet but it's an ongoing discussion.

MR. ARGENIO: Certainly not the roadway.

MR. SLUTSKY: The road, no. Utilities, yes.

MR. ZEPONNI: The roadway is proposed to have complete upgraded curbs, repaved and sidewalks.

MR. ARGENIO: Do we have details on that?

MR. EDSALL: No, that's one of the things I want to mark out with Al, try to nail down how we're going to upgrade at least define, obviously, we're not looking for him to tear out what's stable and in good condition, I think we need to define how we're going to upgrade it and refine it so we should work on the detail.

MR. ZEPONNI: That will be coordinated talking to the state now with another consultant, Al Simoff.

MR. ARGENIO: What about the sewer?

MR. SLUTSKY: Sewer was purchased many years ago.

MR. ARGENIO: So you have points?

MR. SLUTSKY: Yes.

MR. ARGENIO: Check that.

MR. EDSALL: Now that the quantity of units has been nailed down I'll doublecheck the contract.

MR. ARGENIO: How do you check that? Where is that listed?

MR. EDSALL: There's a master list that I keep with the town attorney's office on all the allocation agreements so I'll check that.

MR. ARGENIO: What about the condition of that sewer there, Al, we need to do a little bit more.

MR. ZEPONNI: We know that there's a storm sewer there that's filled with debris.

MR. ARGENIO: Aren't we talking about sanitary sewer?

MR. ZEPONNI: My understanding was that the storm sewer that was backing up like that if there's a sanitary also I'm not recalling the--

MR. ARGENIO: Where is the note?

MR. EDSALL: Maybe I misunderstood it.

MR. ZEPONNI: In either event, everything is going to be cleaned and rebuilt, if necessary, and brought up to standards that's acceptable to the municipality.

MR. EDSALL: It would be existing manhole, sanitary manhole with the invert flooded system to be flushed if necessary, the invert, so I think we need to know whether or not the sewer has a problem so that if in fact the lower section it's in the far left side of sheet nine if that lower section of the sewer main needs to be replaced we might as well identify it now so let's find out.

MR. ZEPONNI: I was thinking a lot of the construction

would happen as part of the construction as opposed to prior.

MR. EDSALL: Problem is we bond improvements so we need to know as part of approval what needs to be done.

MR. ARGENIO: The scope of work.

MR. EDSALL: Right, so can't be a field issue.

MR. ARGENIO: Could be substantial, it might not be a big deal at all.

MR. EDSALL: No, if that section of the sewer line needs to be flushed and have a camera run to see its condition that's what I'd suggest probably a year ago so we might as well get that done now that the spring's here, that way, you'll know what you're dealing with or not dealing with, maybe it's fine just has an obstruction.

MR. ARGENIO: Do you have the Route 32 plans with you tonight?

MR. ZEPONNI: The full set?

MR. ARGENIO: Highway widening project.

MR. ZEPONNI: No, that's being handled by Al Simoff's office.

MR. ARGENIO: He seemed like a pretty competent fellow.

MR. ZEPONNI: He's been around a long time, second generation strictly doing traffic, his father ran the company before.

MR. ARGENIO: Do you know the status of Mr. Simoff?

MR. SLUTSKY: I believe it was left for the town to speak with the DOT as far as what's your preference which entrance to widen to make the turn. We were suggesting because of the amount of the usage to make it here but, I mean, we're indifferent as far as which location and you said that you would follow up with DOT.

MR. ZEPONNI: Specifically creating a third lane for left-hand turn in.

MR. ARGENIO: Yeah, we should check and maybe you remember, Mark, I don't specifically remember but I thought that the consultant, not Mr. Simoff, but the fellow, Phil Grealy that the town retained I thought he had said the turning lane for both entrances but I could be wrong, I don't remember specifically.

MR. EDSALL: That was his recommendation.

MR. SLUTSKY: I thought it would be left with DOT.

MR. EDSALL: I'll have Phil contact DOT and see if they concur with his recommendation.

MR. ARGENIO: I think we would probably be okay with that too, Danny or you guys, Henry, I mean we'll defer to DOT.

MR. GALLAGHER: Yeah, I agree.

MR. VAN LEEUWEN: Gotta go to DOT anyway.

MR. ARGENIO: So what about this business, Mark, how do we--

MR. EDSALL: It's easy since Phil is the traffic consultant for these reviews I'll have him reach out to DOT Traffic and Safety and see if they have any feedback.

MR. ARGENIO: Mark, what do we do here? We need a set of DOT plans, we gotta know what the heck we're doing.

MR. EDSALL: It's important when you have the public hearing.

MR. ARGENIO: That's going to be a very important component.

MR. EDSALL: That the public when they come in know what scope is proposed out on 32 so I'll ask Phil to expedite that response. I'll call him in the morning.

MR. ARGENIO: Just so I can understand and Mr. Slutsky can understand you're going to call him in the morning and you're going to say to him Phil, where are we at with Ridge Rise? Does he have to contact DOT, Mr. Grealy?

MR. EDSALL: I think it's appropriate that since he

speaks the DOT language and he's a traffic consultant for the project that we ask him to do it.

MR. ARGENIO: What's he going to ask them?

MR. EDSALL: He will give them indication of the capacity of the project, describe it, they may want a sketch.

MR. ARGENIO: He's going to attempt to ascertain whether there should be a turning lane on one or both entrances?

MR. EDSALL: Correct.

MR. ARGENIO: Once he gets that information then what does he do?

MR. EDSALL: He's going to get it back to, a response from DOT back to this board and to the applicant. I would suspect that DOT will ask for a copy of both Mr. Simoff's traffic study and Phil's review memos so I'm sure they won't respond by verbally over the phone but at least we can start the communication properly.

MR. ARGENIO: Yeah, I think we should be doing that, absolutely, we should be doing that and I don't mean to be too dreadfully specific but I think and this is one of the questions that I will ask you at some point in time, I don't know that I want to ask it now but at some point in time the question is going to be I can't imagine not having a public hearing on this. Do you guys agree with me, Harry, David?

MR. SHERMAN: Absolutely.

MR. VAN LEEUWEN: We have already put a motion.

MR. ARGENIO: Assuming we're going to have a public hearing but what I would ask you Mr. Slutsky before we go down that road you made quite a few changes, the project's been around and around a bit which is okay, market changes, things happen, I get it, I get all of that, financing tightens up, financing loosens up but what I would be asking you at some point in time we're going to schedule this public hearing. Are you ready, are you going to make anymore sweeping changes?

MR. SLUTSKY: We're okay with the way it is.

MR. ARGENIO: Not asking it now but I will ask that at some point in time. But we certainly need that DOT, design before we have that public hearing.

MR. SLUTSKY: If my recollection is correct, I believe Mr. Simoff mentioned some names from the DOT, people there on the DOT and some of the board members knew about this, particular people that was, there was a woman.

MR. ARGENIO: Siby?

MR. SLUTSKY: The decision was not to go to her, to go to somebody else.

MR. VAN LEEUWEN: You're correct, you're correct, that's exactly how I remember too and she's good at what she does but this isn't really not what she does, this is handled in Poughkeepsie.

MR. ARGENIO: We're trying to give you the benefit of Mark's and our collective experience with the DOT so you can keep your project moving cause it seems as though you're getting ready to get ready here.

MR. SLUTSKY: Yes.

MR. ARGENIO: Is there any zoning issues here, Mark, any variances?

MR. EDSALL: Not that I'm aware of. I think they're in good shape, as a matter of fact, the plans have made substantial progress, I think that between now and when the public hearing is ultimately held I'd probably want to possibly sit down with Al, just go over a couple of the open items so we can once and for all get anything that can be resolved because when the, hopefully but then the DOT and Mr. Simoff and Phil Grealy are all on the same page and you can have the public hearing.

MR. ARGENIO: Make sure we're on the same page.

MR. EDSALL: This went to county all the way back in 2010, returned local determination.

MR. ARGENIO: What we're going to need to do is Nicole keep a set of these cause I want to come into Town Hall, take my time and go through them, the things that I saw tonight I just saw because I opened up to the page and I see the stuff going across. And Mark had

commented on it too certainly. When are you going to build the clubhouse? What's the timing of that?

MR. SLUTSKY: Good question, I believe--

MR. ARGENIO: I don't need to tie you down on that, not tonight but we're going to want that memorialized and it seems to me typically in the past we're looking for that thing to be built not later than when you're 50 percent into the project and when I say 50 percent in collectively not just the units on the right.

MR. VAN LEEUWEN: He's going to need it to sell the units anyway.

MR. EDSALL: The standard that the planning board has normally applied is that when, by the time that the 50 percent mark is reached for C. of O.s on units.

MR. ARGENIO: You're asking for a C.O. for the clubhouse.

MR. EDSALL: That the clubhouse has to have the C.O. and be fully usable and that seems to be reasonable to all developers that 50 percent is a reasonable point.

MR. ARGENIO: Mark, can we, and Danny, do you have any guidance on the clubhouse size? You used to live in a condo thing with a clubhouse.

MR. GALLAGHER: We lived at Washington Green.

MR. ARGENIO: Too small, too big?

MR. GALLAGHER: That was probably on the smaller side, we didn't utilize it but it was utilized, there was weekend parties, people that rented it out.

MR. EDSALL: Mr. Chairman, what may help you in making a decision is if possibly the applicant by the time they come in for the public hearing have an idea on the amenities that are in the clubhouse, what size room, how many people can meet, what facilities would be there? Just he's going to need it for his marketing anyway, you'll get an idea if 25 percent of the residents can meet there at a time for a meeting or if half whatever or 10 percent, at least you'll have some kind of threshold.

MR. VAN LEEUWEN: I think it's small.

MR. GALLAGHER: Four thousand number seems to be what we've asked for.

MR. VAN LEEUWEN: Personally, I'd like to see it 4,500 square feet cause the amount of units, how many units, 100 and some?

MR. ARGENIO: What was the townhouse count?

MR. SLUTSKY: Fifty-four but we tend to use this, I mean, they use, it would be by the owners and it will be by fee by the renters so 54 owners are using the clubhouse.

MR. VAN LEEUWEN: Not everybody is going to use the clubhouse?

MR. SLUTSKY: Not everybody.

MR. ARGENIO: The other people can use it for a fee, yes?

MR. SLUTSKY: Yes.

MR. ARGENIO: But it's only for the people on the right.

MR. VAN LEEUWEN: That's something different, see now you tell me cause I'm thinking 3,500 square feet.

MR. ARGENIO: A hundred eighty units.

MR. VAN LEEUWEN: That's a little ridiculous, okay.

MR. EDSALL: There's 148 units and of that 54 are townhouses so it's only--

MR. VAN LEEUWEN: That's different ballgame.

MR. EDSALL: -- roughly a third.

MR. VAN LEEUWEN: Leave it alone.

MR. ARGENIO: I know we've had condo complexes before but the discussions were years ago during the building boom when Jimmy was the chairman and I don't remember the, I don't remember so Mark, can you get some guidance on that or I don't know, something?

MR. EDSALL: Yeah, and I still suggest that they have some type of even if it's a narrative or a plan that shows their intent that clarifies it a lot, if only a third of the units will be able to use it, I suspect the most utilized item will be the pool in the summer by everybody when it's hot as all heck they want to pay to go swim.

MR. ARGENIO: So the people in the market rates have to pay to use the pool? Do they get a membership to the HOA to use the clubhouse and the pool?

MR. SLUTSKY: Probably going to have like a season ticket.

MR. ARGENIO: Okay, I never heard of that before but I guess it works, right?

MR. EDSALL: It makes sense.

MR. ARGENIO: What else do we need to talk about tonight with you folks?

MR. SLUTSKY: You're the boss.

MR. ARGENIO: No, no, I think I'm covering everything. I don't hear anybody else chiming in, I think I'm hitting the things everybody is thinking about. Danny, again, we don't need to get crazy about it tonight but we should look at the dumpster enclosures where they are.

MR. EDSALL: I did review as the board usually asks the distribution of the dumpster recycling enclosures, they are very reasonably spaced and it's not as if one area has overutilization, it's pretty balanced.

MR. ARGENIO: Anything from fire?

MRS. PELESHUCK: He met with fire a couple times.

MR. ZEPONNI: They were happy with everything they had.

MR. ARGENIO: That's a lie, come on, they're never happy with everything.

MR. ZEPONNI: By the time they were done. My recollection they wanted a hydrant relocated.

MR. ARGENIO: Who maintains the boulevard entrance?

MR. ZEPONNI: The homeowners' association.

MR. CORDISCO: Mr. Chairman, regarding the homeowners' association like other projects the board typically requires the town attorney to review and approve the homeowners' association documents to make sure that the proper maintenance is being taken care of with common items. So I would anticipate that that would be a condition here, we like to see those documents before they get sent to the Attorney General's office so we have an opportunity to review them before a lengthy Attorney General's review happens so that would be one issue. The second related issue Mr. Zeponni mentioned earlier the possibility of the rental units being converted to condo units, that would trigger that same review, of course we don't know that that's going to happen so we can't review something that's not in existence now. But what I would suggest is that a note be added to the plan that if the ownership of the rental units is converted to condo in the future that the condominium offering plan be submitted for review and approval as well.

MR. ARGENIO: I caught the first 90 percent of that.

MR. CORDISCO: The second part was just related to the potential future conversion to condo we would want to review those documents as well because all of a sudden you have a single loaner rental unit, a rental component that's being converted to multiple dwellings.

MR. ARGENIO: Mark, as a general rule, the Supervisor sometimes gets jerked up about the boulevard entrances. Traditionally, that's related to, correct me if I misspeak, traditionally that's related to areas where roads are going to be dedicated to the town and then the maintenance of said boulevard strip falls upon town resources, is that right?

MR. EDSALL: That's exactly right. One comment which you didn't go into but I will refer to here they're aware of one of my comments was to verify that it's a brick and masonry large project, sign appears to be in the middle of that boulevard and I'm not quite sure, I want to have you look again at the width of it which it doesn't say anyplace on the drawings but the width of the sign is relative to the width of the center island as we don't want to end up with something that becomes a hazard sitting right in the middle of the boulevard

entrance. So I asked Al to look at that in my comments, this is private entrance so it's not the same town issue with the highway superintendent, it's more a functional issue.

MR. ARGENIO: Mr. Slutsky, I appreciate your commentary. One question Mr. Zeponni, what happened to the sidewalks in front of these buildings here?

MR. ZEPONNI: There were never sidewalks on both sides of every street.

MR. ARGENIO: Except for the proposed street right here.

MR. ZEPONNI: No.

MR. ARGENIO: That shows sidewalks on both sides, my friend, does it not?

MR. ZEPONNI: There are but I can tell you that wasn't the intent, we were looking to do some circulation and right here there's no sidewalk on this side but it's coming down that side.

MR. ARGENIO: Sidewalks on both sides over here, what about over here?

MR. ZEPONNI: Yeah, that's apartments, this is for the townhouses, if you want, we can add them.

MR. ARGENIO: If somebody comes out of their building that's the only place where we have residential units where people walk out of their unit and they don't get the benefit of climbing onto a sidewalk. So I think the sidewalk should be here, my friend, unless this is going to be the low income area.

MR. ZEPONNI: No, they can walk across the street, do a loop, come here.

MR. ARGENIO: If they're walking down to the clubhouse they'll walk down their new sidewalk.

MR. ZEPONNI: I'm not opposed to it.

MR. VAN LEEUWEN: You've got a few sidewalks.

MR. ARGENIO: Al, in your detail, does the curb, no, does the sidewalk run through the driveways or does it

discontinue?

MR. ZEPONNI: I believe it runs through the driveways, I'll take a look but--

MR. ARGENIO: Is that good, Mark?

MR. EDSALL: For driveways it's not as much of a problem as with turning lanes into parking lots or those type things. I really don't have any strong feelings that driveways should have broken curb lines.

MR. ARGENIO: I don't either, just seems like an expensive way to approach it.

MR. EDSALL: The--

MR. ARGENIO: To pave the driveway down to the curb would be cheaper.

MR. EDSALL: The problem generally in maintenance a lot of times where the sidewalk crosses the driveways you tend to have the sidewalk broken up with plowing or anything else.

MR. ARGENIO: And as I said on the construction end that's a more expensive build because the per square foot for concrete is more money than per square foot for blacktop.

MR. EDSALL: So it's a preference item, I think you're absolutely right.

MR. ARGENIO: Do you guys care?

MR. ZEPONNI: Just trying to think going back was there a discussion going back to the very beginning where there was a question about the cars in the driveways not pulling all the way forward and therefore if we left the sidewalks crossing there'd be a marker? I have a vague recollection of this.

MR. EDSALL: No, what we talked about was that we wanted to have at least 20, 22 feet, I think you show 23 from the, what would be the back of the sidewalk to the building so that you wouldn't have obstruction of the walking path.

MR. ZEPONNI: Right, and just wondering whether the sidewalks became part of that.

MR. EDSALL: We've had people do it both ways.

MR. ARGENIO: I'm really okay with what you guys are showing but we should collectively think about it. I'm okay with it but just seems like an expensive way to do it. What else do we have to talk about here? The main thing is the DOT, we should give these folks whatever help, get Phil to get cracking.

MR. EDSALL: Number one, if he was there tonight, I'd call him.

MR. ARGENIO: Anything else we can do for you?

MR. ZEPONNI: That's it. I think you've done it. Let us know what you need, make everybody happy.

MR. ARGENIO: I think you're ready to have your public hearing but the traffic thing is going to be a discussion so we need to get that tied down.

MR. EDSALL: Mr. Chairman, just to be clear, are you looking for them to come back before the public hearing is scheduled or is the board going to approve the subject to all this information getting wrapped up?

MR. ARGENIO: Well, I certainly think we need the darn plans.

MR. EDSALL: We need it for the public hearing. Question is do you want them to come back to one more meeting to look at it before the public hearing?

MR. ARGENIO: Can I change the subject before I answer that?

MR. EDSALL: Do whatever you want, you're the chairman.

MR. VAN LEEUWEN: You can do whatever you want.

MR. ARGENIO: What did you do about lighting on these roads?

MR. ZEPONNI: Streetlights are ornamental for the most part. We tried to keep it quiet at every intersection. There's lighting around each of the parking areas, there's lighting but if there are long stretches other than the boulevard entrance they tend to be lightly lit, not every 50 feet.

MR. ARGENIO: Every what then?

MR. ZEPONNI: Probably doesn't go beyond 200.

MR. EDSALL: I looked at that, Mr. Chairman, one of the requests I made Al has followed through is that the dead-end sections I wanted to make sure there would be a light, person coming in that wasn't familiar with the area wouldn't drive over the curb so they've added lighting. The only weakness I saw there's nothing shown for the rebuild of Corporate Drive so we may want to just put something on that.

MR. ARGENIO: I'm looking at that now and I see Mr. Zeponni's pretty accurately represented it coming in, initially there's quite a bit of lights and yes, Mr. Zeponni it certainly looks like there's a need for a little bit of additional lighting, I'm looking at two right now and I see one light in each.

MR. ZEPONNI: Again, that's your call, we can go up.

MR. ARGENIO: I think Mark's suggestion--

MR. EDSALL: There was none before, what I asked for is at least one at the terminus so there would be lighting to identify the end of the road so I'm good with what they have.

MR. ARGENIO: So what do the members think? I think what Mark is asking we certainly want the DOT plan here for the public hearing and I think what Mark is asking is are we okay with authorizing the public hearing subject to the creation of that plan and Mark's review of that plan or do we want the applicant to come back again so at the next meeting he will have the DOT plan in hand and we'll authorize the public hearing at that time? I don't see why we can't do it now, quite frankly, I certainly would like Mark to vet the plans before that evening.

MR. VAN LEEUWEN: Then we have to have another meeting to approve whatever they're going to put on the road.

MR. ARGENIO: Meaning what, Henry, say it again?

MR. VAN LEEUWEN: Meaning when they get, cause we can't do anything until he has an agreement with DOT what he's got to do with the road.

MR. ARGENIO: Right, but here's what I'm suggesting is that we authorize the public hearing but we'll not schedule the public hearing until he has that plan done with the DOT, that could be a month, it could be two months, it could be four months. That's what I was suggesting. If you guys are okay with it, if you're not okay with it because it's not like Mr. Zeponni came in tonight and we gave him a list of 25 things that he has to change on this plan, there's four things or six things or three things, I mean, wasn't like it was giant laundry list. So that's what I'm suggesting is that we authorize the scheduling of the public hearing but that scheduling of the public hearing is subject to the DOT plans being complete and Mark already having had a look at them and verifying that they're in compliance with our traffic consultant's recommendation. That's what I'm suggesting, if you guys are okay?

MR. GALLAGHER: I agree.

MR. ARGENIO: Mark, I think everybody is on the same page but I want to be clear with you, those plans need to come from Mr. Simoff, they need to come to you from DOT as soon as, after they've done their stuff and you have a look at them and make sure on a local level they work.

MR. EDSALL: We'll both look at them.

MR. ARGENIO: Motion to that effect?

MR. VAN LEEUWEN: So moved.

MR. FERGUSON: Second it.

MR. ARGENIO: Motion made and seconded that we schedule Mr. Slutsky's public hearing subject to his crafting the DOT plans in conformance with what the DOT wants and Mr. Grealy's recommendations and those plans being available that evening for that meeting. Yes, Dominic?

MR. CORDISCO: I would add as long as we're going to have that time period the other comments on the plans that have been discussed tonight should also be made.

MR. ARGENIO: Absolutely, so relative to public hearing I'll have a subject-to to what I just said. Roll call.

ROLL CALL

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

MR. ARGENIO: And obviously Mr. Zeponni, get a copy of the minutes please from Nicole and go through the front end discussions that we had about the culverts just to refresh yourself and you have Mark's comments?

MR. ZEPONNI: I didn't read them yet but there's a copy here.

MR. ARGENIO: He has some stuff here, there's some things in the comments that I didn't hit cause I really don't think I need to take everybody's time up here making sure the drains, the roof drains have a place to see daylight, we don't need to get into that at this level. But certainly something you should be paying attention to because it will become a problem at some point in the time.

MR. ZEPONNI: One quick question on Corporate Drive, I believe right now there's typical pole utility lights that services several places of business, is the intent for us to put ornamental lights all the way down?

MR. EDSALL: No, I don't think I'm looking for ornamental, identify where the lights are and if there's a weakness where one has to be added we'll deal with it.

MR. ARGENIO: That's a commercial road, Mr. Zeponni, I don't think it would be reasonable to burden Mr. Slutsky with that. We're grateful that you're going to improve the road and we're grateful that you're going to clean up the utility, underground utilities on that road. So I think that's a pretty good package.

MR. ZEPONNI: As a collateral matter, couple of the businesses have uncontrolled entrances, is that something that the town is going to try and coordinate?

MR. EDSALL: Between you and I, we're going to probably

do some field walking.

MR. ZEPONNI: Okay.

MR. EDSALL: We did try to address some of those, we've had two or three site plans come in on that road and we have tightened them up on their site plans so I'll get you copies of the site plans and we may have to go out and visit with the owners and try to make it better for them and better for the public.

MR. ZEPONNI: Okay.

MR. VAN LEEUWEN: Make it better for all concerned.

MR. EDSALL: Absolutely.

MR. ARGENIO: Fair enough?

MR. SLUTSKY: Yes.

MR. ARGENIO: We'll see you again, thank you.

TZSS REALTY SITE PLAN 11-11)

MR. ARGENIO: Next is TZSS Realty used car site plan. Somebody here for this? The application proposes conversion of the formal Mobil gas station to a used car sales and prep establishment. The plan was reviewed at the 13 July 2011 and see 2 October 2011 planning board meetings. This is next to Moroney's, guys, you come out, make a right, it's the Mobil Station, am I correct?

MR. DRABICK: That's correct.

MR. ARGENIO: What's your name, sir?

MR. DRABICK: Steve Drabick.

MR. VAN LEEUWEN: We looked at this, I thought we gave it approval.

MR. ARGENIO: I think there was some zoning issues.

MR. DRABICK: Just going to begin to say that this plan is a modification of a plan that you did review in 2011 I believe.

MR. VAN LEEUWEN: Somebody else that was.

MR. DRABICK: It was a different applicant at that time. The difference between that plan and this plan basic modifications are the previous plan, the existing building that was on site, the garage area was just going to use it to prep used car sales at that time. On this particular plan we're looking to take that garage area and use it as a repair shop.

MR. ARGENIO: Outside, for outside people in addition to?

MR. DRABICK: Right, outside as well as cars on site. The other modification is that the number of displayed areas for used cars have been reduced on this site to 14 and we have added a staging area to keep those cars that are coming in for repair or have been repaired waiting to get picked up.

MR. ARGENIO: How tall is the fence?

MR. DRABICK: We're proposing what would be the maximum under the zoning.

MR. ARGENIO: What is it?

MRS. GALLAGHER: Six foot.

MR. ARGENIO: With slats, chain link?

MR. DRABICK: I'm not, if that's, I don't know if we have decided, it would be a solid type fence.

MR. ARGENIO: Possibly wood slats, that would be nice.

MR. DRABICK: Something that looks nice. The applicant is here, Jose Borea. We wanted to keep the staging area, we wanted to keep that nice.

MR. ARGENIO: I see you have proposed some landscaping.

MR. DRABICK: Landscaping and nice fence and then in addition we proposed a small addition to the existing macadam parking lot just to make the turning coming out of the three spaces there easier to do.

MR. ARGENIO: Are you a mechanic?

MR. BOREA: Yes.

MR. DRABICK: Mr. Borea currently has a similar operation or same operation that is going to move here in the Town of Newburgh.

MR. ARGENIO: Where is it?

MR. BOREA: Used to be the Crowley building next to the Thruway, 163 Brookside Farm.

MR. ARGENIO: Down the road from Pepsi?

MR. BOREA: Yes, that is correct.

MR. ARGENIO: How do you sell used cars there? You don't have any pedestrian traffic.

MR. BOREA: That's one of the reasons back there I have really no exposure.

MR. ARGENIO: You think? What's the traffic count there, two a week?

MR. VAN LEEUWEN: Couple trucks coming down there,

that's it.

MR. ARGENIO: We looked at this before just a couple of things, what are you going to do, you're going to close the entrance, the one entrance off, it's already closed off?

MR. DRABICK: It's already closed.

MR. ARGENIO: What are you going to do to make sure people don't accidentally get guided out into the road? I mean, is there something better that we can do there, I mean, what's there now, chain and bollards?

MR. DRABICK: Currently what's there now concrete filled bollards with yellow chain across it.

MR. ARGENIO: What's the spacing, each end or every three feet?

MR. DRABICK: About every four or five feet apart across the whole opening.

MR. ARGENIO: So it's effectively blocked?

MR. DRABICK: Right, and we're proposing the display cars to be there so that area pretty much is going to be blocked off with the cars.

MR. ARGENIO: Any chance that we're going to see cars displayed all the way down the grass area, all the way to the traffic light?

MR. BOREA: No.

MR. ARGENIO: You're sure?

MR. BOREA: No, with the wooden fence that area will be, it will be closed to the public, there's no view to that area, it would be only from the, I believe first pole.

MR. ARGENIO: Here's what I'm talking about, over here you have cars displayed here, we want to make sure that this display doesn't get extended down here.

MR. BOREA: No, because right here this area it will have like, you know, trees and landscaping right there.

MR. VAN LEEUWEN: But I don't see too many trees there.

MR. GALLAGHER: There's a couple there.

MR. VAN LEEUWEN: Well, he should put something across there.

MR. ARGENIO: Certainly if it does become an issue I'm sure the young lady over there--

MR. DRABICK: We have also included as part of the approved site plan a note which specifically reflects the number of display cars so we're saying that we're not going to put anymore than what we can adequately put here which is the 14.

MR. ARGENIO: So they have the note here?

MR. DRABICK: Note number eight.

MR. ARGENIO: So it's 11, 12, 13, 14, no, it's not even, yeah, it's 14 cars.

MR. DRABICK: Yeah.

MR. VAN LEEUWEN: I'd like to see it occupied, they cleaned it up and the blacktop looks good.

MR. ARGENIO: Did you buy that?

MR. BOREA: I'm renting.

MR. VAN LEEUWEN: Who owns it?

MR. BOREA: Jerry Spanos, he owns Mario's Restaurant on Long Island.

MR. ARGENIO: Out of town. Can we talk about one thing, Mr. Drabick, Mr. Borea, Steve should we be talking about, we both know this area and all the board members know this area pretty well, is your client adverse to, Mr. Borea, are you adverse to, that road can be treacherous we all know that road can be treacherous.

MR. VAN LEEUWEN: A lot of accidents have happened there when it was a gas station. Now, no.

MR. ARGENIO: We can talk about this because you have eliminated one entrance which certainly is a help, you have eliminated the entrance closest to the light which

is a good thing. Would you install, would you consider the installation of any signage that when people leave it says right turn only?

MR. DRABICK: I have given that some thought and I don't know how Jose feels.

PW-R bore: Yeah, that will be no problem.

MR. DRABICK: He doesn't have any issue, I actually thought about that issue and the fact that, you know, people coming out trying to make that left turn across three lanes of traffic.

MR. SHERMAN: That's impossible a left.

MR. ARGENIO: Orange County said that as well.

MRS. PELESHUCK: This was from the other.

MR. ARGENIO: This doesn't need to go back to county, it's the same plan.

MR. EDSALL: The only change is the additional storage area.

MR. ARGENIO: We don't need to send this back, do we?

MR. CORDISCO: No.

MR. ARGENIO: Would you consider that?

MR. DRABICK: I think that's a good idea.

MR. ARGENIO: We know not everybody is going to listen to it.

MR. VAN LEEUWEN: It's a safety issue cause I've been involved with a couple state troopers that got in an accident, two of them.

MR. SHERMAN: I agree that's an impossible left out of there.

MR. VAN LEEUWEN: That was the trouble with the gas station, you couldn't make a left-hand turn.

MR. EDSALL: That was before they added the lanes.

MR. ARGENIO: Danny, any thoughts?

MR. GALLAGHER: I almost wish there was one of the little islands in the entrance-exit where it only makes you turn right, you'd only be able to take a right in and right out.

MR. CORDISCO: Like at Hess.

MR. ARGENIO: Mr. Borea is agreeing to the right turn. From your perspective, I don't want to tell you how to run your business, if I'm you, I'm thinking if I can get them in there, I'm happy cause now I can sell a car and do what I have to do. When they leave, let them work it out, what they gotta do. I think we should try that, Jenn, if it becomes an issue with people doing crazy U-turns or stuff like that, we can revisit but I think that's a good idea.

MR. DRABICK: That's no right turn in, just the exiting of the site, I mean right turn only, no left turn.

MR. EDSALL: Ultimately, the sign will have to be approved by DOT because they many times require that the sign be placed on the opposite side of the road and at the curb cut.

MR. ARGENIO: Are they going to let us do this?

MR. EDSALL: If this board feels it's a safety issue and they override you, God help them if there's a problem. I very much doubt that they'll disagree but ultimately, it's their jurisdiction cause the sign's going to be in their right-of-way so we'll communicate with them that the planning board is seeking their concurrence and your approval of the project.

MR. ARGENIO: Okay, what else, Mark, what else do we need to do here?

MR. EDSALL: Well, let me just you've seen it and one of the changes that has occurred besides their desire to open up the repair garage to the general public is that the--

MR. ARGENIO: Is he allowed in the zone?

MR. EDSALL: Let me finish, the zoning change it wasn't allowed before, now it's allowed. So the fact that the zoning changed now to HC they are in fact now seeking two special permits, one for the used car sales and one

for the repair garage. With the prior zoning, the repair garage wasn't permitted so--

MR. ARGENIO: But it is permitted now and it's allowed under special use permit?

MR. EDSALL: Yes.

MR. ARGENIO: What do we need to get?

MR. EDSALL: From a zoning standpoint, they had bulk issues, they were sent to the ZBA, successful in obtaining bulk variances and luckily, the bulk values that they get relief from and the numbers they are down to match in the new zoning so that both special permit uses comply with the relief that they have already received from the ZBA. So I spoke with Dominic and it's our belief that there's no need for them to go back to the Zoning Board for any reason.

MR. ARGENIO: Is that you're doing, Mr. Drabick?

MR. EDSALL: He must of had--

MR. ARGENIO: Was that an accident? If you put that together you're a pretty clever fella.

MR. EDSALL: He must of had a hook with the town board with the new zoning. I think they're good zoning wise. You'll have to issue two special permits. Other than that, they've already had County Planning waived, the public hearing already.

MR. ARGENIO: You're going to put a wood slotted fence around the parking area?

MR. BOREA: Yes.

MR. VAN LEEUWEN: Chain with wood slats or wood slats period?

MR. ARGENIO: Vertical slats so we can't see the cars from the road.

MR. EDSALL: Just so the record is clear, you waived the site plan public hearing but you acknowledged that this was previously a special permit use with the garage and operation so you're not requiring that they have a new special, a new public hearing on a new special permit.

MR. CORDISCO: Yeah, the special permit travels with the property, doesn't travel with the owner so--

MR. ARGENIO: Yes, I think we do, Mark, I mean--

MR. EDSALL: They had quite a bit of progress and then they I think for financial reasons were looking to modify the mix of uses. So you've taken care of SEQRA and the public hearing issue, you've taken care of County Planning, the new zoning falls right into what they want to do so they couldn't get much--

MR. ARGENIO: County Planning is saying they're making the comment about the no left turn as well so it's good to stay.

MR. EDSALL: The only items I see that could be conditions of approval would be the normal site plan improvement estimate and the normal fees and that the approval would be conditioned on the DOT being contacted to agree to the sign and if the DOT forbids it then I guess there's nothing they can do.

MR. ARGENIO: As you said, God forbid there should be an accident there, I wouldn't want to be them. Dave and Harry, anything else on this?

MR. FERGUSON: No.

MR. ARGENIO: Danny?

MR. GALLAGHER: No, looks good.

MR. VAN LEEUWEN: I'm good. You want to motion to approve?

MR. ARGENIO: Yes.

MR. VAN LEEUWEN: So moved.

MR. CORDISCO: The first would be a negative declaration.

MR. ARGENIO: Motion we declare negative dec for TZSS Realty.

MR. VAN LEEUWEN: So moved.

MR. GALLAGHER: Second it.

MR. ARGENIO: Motion made and seconded that the Town of New Windsor declare negative dec on the TZSS Realty application.

ROLL CALL

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

MR. ARGENIO: Anything else?

MR. CORDISCO: Other than the resolution subject to the--

MR. VAN LEEUWEN: Motion we approve.

MR. SHERMAN: Second it.

MR. ARGENIO: Motion made and seconded by Mr. Sherman. Roll call. My vote is yes subject to Mark, this approval is subject to Mark's prior comments relative to the DOT.

MR. EDSALL: Cost estimate and fees. Mr. Chairman, just so the record is clear, the stenographer pointed out this is issuance of the modified special permits for the two items that they are now proposing and site plan approval.

MR. ARGENIO: And site plan approval, that's correct, thank you.

ROLL CALL

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

ROSE DAIDONE LOT LINE (13-04)

MR. ARGENIO: Rose Daidone lot line change, consultant John McGloin. Application proposes lot line change to realign the property line such that the residential use will be on a separate lot from the farm commercial use. The plan was reviewed on a concept basis only. You're Mr. McGloin?

MR. MC GLOIN: Yes, I am.

MR. ARGENIO: I think unless I'm mistaken we are, if you come out of Mr. Schlesinger's restaurant and you make a right and go a short distance, I think this place is on the left where the swingsets are in the front yard. Give us an idea of what we're doing.

MR. MC GLOIN: Basically, the existing lot line that you see that's dashed on the plan it was created by deed a long time ago and it doesn't appear to be a record.

MR. ARGENIO: Which lot line?

MR. MC GLOIN: That's correct, there doesn't appear to be a record of it, it was researched by a title company, it was researched by myself and researched by people in the tax map department, no one can seem to find a deed of record for it. The dashed line represents that which is shown on the tax map. Mrs. Daidone was always under the impression that the house was on this small parcel.

MR. ARGENIO: It looks like it is.

MR. MC GLOIN: It's not and it's created a lot of issues as far as financing goes. She wants to have the house separate and away from the rest of the large parcel. By doing this we have actually increased all the setbacks and come closer to conformity.

MR. ARGENIO: Can you get to conformity?

MR. MC GLOIN: I don't think so. We're better than we were by a mile.

MR. ARGENIO: I agree you're better by a mile.

MR. MC GLOIN: We're actually increasing the lot area too so it has a lot of positives to it as well as

putting that entrance to that particular structure on this lot and separate from the other.

MR. ARGENIO: The dwelling structure will have its own lot and the greenhouse farm multiple use lot has its own entrance?

MR. MC GLOIN: That's correct and that's really the--

MR. VAN LEEUWEN: How far is the line from the garage?

MR. MC GLOIN: Ten feet, approximately.

MR. VAN LEEUWEN: And the other shed's going to be demolished?

MR. MC GLOIN: The shed that it's going through is to be removed.

MR. ARGENIO: Offsets appropriate?

MR. MC GLOIN: I believe they are.

MRS. GALLAGHER: Garage is now five feet.

MR. EDSALL: Five is the new code.

MR. ARGENIO: So it's okay?

MRS. GALLAGHER: Yes.

MR. ARGENIO: I don't want to tighten anything up, I don't want to go from 12 to six, that would be an issue. I haven't even read Mark's comments on this.

MR. GALLAGHER: Parking area with two different driveways, is that going to be an issue, the gravel parking area with two different driveways interlocking?

MR. ARGENIO: Well, I think what's happening is currently the driveway for the house is not on their property, subsequent to the subdivision it will be on their property. But if you're asking about the property line going through the middle of that parking lot, I don't think that's a big issue, is it, Mark?

MR. EDSALL: No, the first bullet under comment number two is that I believe they should create an easement over that portion of the residential lot for shared use. I always prefer that a residential lot on the

property for their own access so the residential lot will be giving the commercial lot ingress egress because clearly they're going to use it.

MR. GALLAGHER: What if one of them gets sold off?

MR. EDSALL: At least the residential lot will own their own driveway and they'll have an easement to the neighbors effectively.

MR. ARGENIO: Well, I don't understand, slow down guys, why do we need the easement? That property line kind of goes up through the middle of everything, let's say the McCoys live here and the Hatfields live here, stay on your own property.

MR. EDSALL: The property line could be reconfigured closer to the dwelling. The idea was to try to keep that lot as close to conforming so that if that driveway was eliminated they'd own the new front yard. See the existing dashed driveway.

MR. ARGENIO: I do.

MR. VAN LEEUWEN: They'd have to create an easement to go on this property unless this piece of property is sold then they've got to find out what they're going to have to do with that easement, either make their own ingress egress on their property or--

MR. GALLAGHER: It's not an issue now but maybe later on.

MR. EDSALL: Do you see the northerly driveway that basically leads into the greenhouses and the residents? That will now be on the residential lot. I suspect that the commercial use will still drive over it so why don't we create an easement.

MR. ARGENIO: I understand, I get it.

MR. EDSALL: If they discontinued use and eliminated the easement and now she has a decent front yard.

MR. ARGENIO: No other involved agency so we can take lead agency.

MR. VAN LEEUWEN: So moved.

MR. GALLAGHER: Second it.

MR. ARGENIO: Motion made and seconded that the Town of New Windsor, there being no other agencies involved in this, declare itself lead agency. Roll call.

ROLL CALL

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

MR. ARGENIO: Anybody see the need for a public hearing on this?

MR. VAN LEEUWEN: I don't, I'll make a motion to waive.

MR. FERGUSON: Second it.

MR. ARGENIO: Roll call to waive the public hearing.

ROLL CALL

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

MR. ARGENIO: I don't think we can, doesn't get any simpler, still have to hear from county because we're within 500 feet of a state highway.

MR. EDSALL: In the past when we've had a procedural referral and there's no issues anticipated.

MR. ARGENIO: You want to suggest subject to?

MR. EDSALL: No, what I have suggested in the past or the board has agreed to is that we tell the applicant's consultant once we hear back from the county as long as there's no issues raised you'll act on it.

MR. ARGENIO: We'll act on it without you having to be here.

MR. EDSALL: Save you the gas.

MR. ARGENIO: We don't want to gip you out of your fees but we'll save you the time. As long as there's no issues we'll vote on it and Mark will handle it on behalf of your client.

MR. EDSALL: Save you the trip.

MR. MC GLOIN: Appreciate it.

MR. ARGENIO: What are you going to ask?

MR. MC GLOIN: What type of easement, how wide do you want it, just shown on the plan, do you want it, how would you like it?

MR. EDSALL: I think you should go to the far side of the gravel drive, go up the side of the gravel drive and then angle I guess so that it leads towards the greenhouses. As far as wording goes, Dominic has made some good suggestions, why don't you maybe take a shot at a note.

MR. MC GLOIN: We can do it that way, just show it on there, it will run with the property, it's going to be a filed map.

MR. CORDISCO: It could be just a note.

MR. EDSALL: Take a shot at the note, take a shot at the layout, e-mail it to me, we'll work it out.

MR. MC GLOIN: Okay, sounds good to me.

MRS. PELESHUCK: Just a note?

MR. EDSALL: We're discussing that right now but whatever's needed by counsel we'll work it out.

MR. MC GLOIN: We'll take care of it, that's fine. Thank you very much. I will provide revised maps to Mark.

MR. ARGENIO: Professionals, anything else? Motion to adjourn?

MR. VAN LEEUWEN: So moved.

MR. GALLAGHER: Second it.

ROLL CALL

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

Respectfully Submitted By:

Frances Roth
Stenographer