

PB# 86-18

Washington Green

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WASHINGTON GREEN

86-18

86-18

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General Receipt

10011

TOWN OF NEW WINDSOR555 Union Avenue
New Windsor, N. Y. 12550

October 11, 1988

Received of Bizza Realty, Bld (Washington) Green \$ 4,258.00Four Thousand Two Hundred Fifty - eight and ⁰⁰/₁₀₀ DOLLARSFor Planning Board Fees: \$ 2,200.00 - Engineering Fees: \$ 2,058.00

DISTRIBUTION

FUND	CODE	AMOUNT
<u>Check # 1345</u>		<u>4258.00</u>

By Pauline D. TownsendTown Clerk

Title

Williamson Law Book Co., Rochester, N. Y. 14609

Oxford[®]

ESSELTE

MADE IN U.S.A.

NO. 753 1/3



To: John McDonald - Town of New Windsor
From: Joseph Sweeney - Exeter Building Corp.
Date: June 9, 1993
Re: Washington Green - Fire Lanes/Hydrant Locations

Mr. McDonald,

This letter follows your recent site inspection on May 27, 1993 at Washington Green Condominiums with regard to fire hydrant locations and fire lane construction.

It is my understanding that all hydrant locations were found to be satisfactory. The hydrant located at the southern portion of the site, near the water valve chamber, was to be turned 180 degrees to face the existing fire lane.

All fire lanes were reviewed and accepted as constructed. Your recommendations for the fire lane connecting at Forge Hill Road were noted and construction has begun to reflect those recommendations.

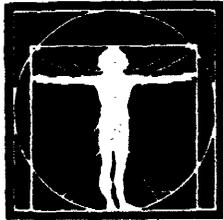
Finally, I have enclosed a detail of the gate to be installed at Forge Hill Road for your records. Should there be no objection to this I would like to proceed with ordering and installation as soon as possible.

Should you have any questions regarding this matter, feel free to contact me at 561-6540. Thank you for your cooperation.

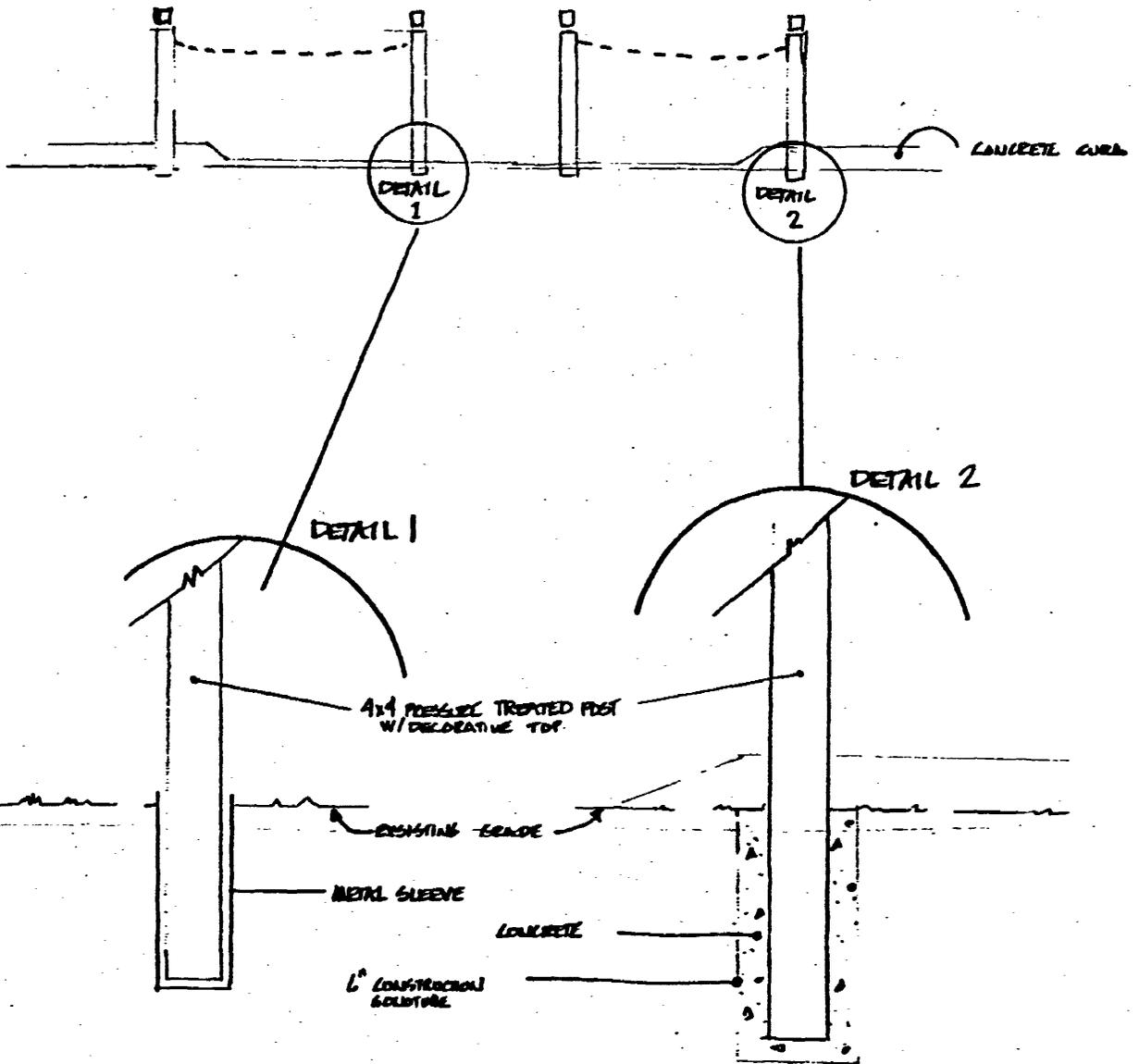
Sincerely,

Joseph Sweeney

cc: Bobby Rogers, Fire Inspector
James Petro, Planning Board Chairman ✓
Mike Babcock, Building Inspector
Mark Edsall, Planning Board Engineer



EXETER
BUILDING
CORP





1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

October 5, 1993

Town of New Windsor Town Board
555 Union Avenue
New Windsor, NY 12553

ATTENTION: GEORGE GREEN, SUPERVISOR

SUBJECT: WASHINGTON GREEN - PERFORMANCE BOND

Dear Supervisor Green and Town Board:

We are in receipt of a letter dated 28 September, 1993 requesting the release of the presently held performance bond in the amount of \$5,000.00 for the public improvements and \$3,000.00 for surface restoration. In line with our review of this request, the undersigned of our office performed a field review of the completed improvements on 5 October, 1993. The following is, therefore, a summary of our findings and recommendations:

In our letter dated 6 July, 1993, we outlined elements of work requiring attention on the part of Washington Green, including location of water valves, completion of the water valve pit, correction of handicap ramps, drainage problems and submittal of as-built drawings. Based on our field observations of 5 October, 1993 and other field observations performed by Mark Edsall of our office on behalf of the Planning Board, we find that the public improvements have been completed in substantial compliance with the plans and specifications. Further, we understand that the as-built drawings have been delivered to the Building Department in acceptable form.

On the basis of the above, it would be our recommendation that the performance bond for public improvements in the amount of \$5,000.00 and the site restoration bond in the amount of \$3,000.00 be released.

If you should have any additional questions in this matter,
please contact our office.

Very truly yours,

Richard D. McGoey, P.E.
Richard D. McGoey, P.E.,
Engineer for the Town

RDM:mlm

cc: ~~James R. Petro, Jr. P.E. Chairman~~
Joseph Sweeney, Construction Manager - Exeter Bldg. Corp.



**McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

- Main Office**
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- Branch Office**
400 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

29 June 1993

Washington Green Condominiums
c/o Exeter Building Corp.
1001 Washington Green
New Windsor, New York 12553

ATTENTION: JOSEPH SWEENEY

SUBJECT: INTERIM LIST OF DEFICIENCIES/NON-COMPLETED ITEMS

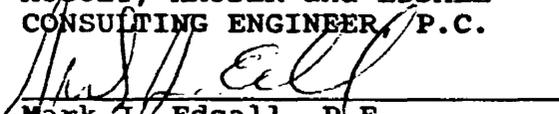
Dear Joe:

Pursuant to our field visit on 10 June 1993, at which time we had a brief discussion with you regarding the completion of the improvements for the Washington Green project, our office and the Town Building Inspector have completed an interim list of deficiencies and non-completed items for the project. This listing is provided herewith, and is not intended as a final or all-inclusive list. Rather, same is provided in an effort to assist you in identifying those items which require correction and/or completion in your efforts to prepare for a final review of the project by the Town.

We are hopeful that the attached list will assist you in these efforts. If you have any questions concerning the attached, please do not hesitate to contact the undersigned or Building Inspector Mike Babcock.

Very truly yours,

McGOEY, HAUSER and EDSALL
CONSULTING ENGINEER, P.C.


Mark J. Edsall, P.E.
Planning Board Engineer

MJEmk

cc: Michael Babcock, Town Building Inspector
~~James Petro~~, Planning Board Chairman

A:SWEENEY.mk



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
11 June 1993

- Main Office**
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
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- Branch Office**
400 Broad Street
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(717) 296-2765

MEMORANDUM FOR RECORD

**SUBJECT: REVIEW COMMENTS FOR FIELD REVIEW OF WASHINGTON GREEN
INTERIM LISTING**

1. On Washington Drive near the Route 32 intersection, the concrete sidewalk terminates in from Route 32 and has an unacceptable handicapped access configuration. The sidewalk should be extended to the corner of the intersection, or turned onto Route 32, with a proper handicapped access provided.
2. Inasmuch as Washington Drive has had an Offer of Dedication provided for same, an as-built record drawing of the roadway should be provided to verify the as-built location of the roadway and sidewalk relative to the Offer of Dedication. It is advisable that some monuments be established at this time to delineate the limits of the offered right-of-way.
3. The handicapped ramps on both sides of the first entrance drive must be revised, such that the bottom of the ramp/curb is near flush with the pavement level.
4. All restoration of behind sidewalk areas along Washington Drive should be completed.
5. The elevation and orientation of the end of the sidewalk near the second entrance is unacceptable. This area should be reconstructed to provide an acceptable handicapped access configuration/grade (also see next comment).
6. The pavement of the second project entrance off Washington Drive should be removed and reconstructed to provide a clean sawcut edge prior to placement of the finish course. Elevation of the finish course should be coordinated with the handicapped sidewalk drop referenced above.
7. Excess stone stockpiled in the cul-de-sac area of Washington Drive should be removed.
8. Waste concrete material deposited along the north side of Washington Drive, near the second project entrance should be removed and properly disposed of.

11 June 1993

MEMORANDUM FOR RECORD

-2-

9. The stormwater discharge on the north side of Washington Drive, which has apparently been redirected from that direction and design shown on the approved plan should be provided with an outlet section and stone rip-rap, such that same does not result in a maintenance problem.
10. Drainage Manhole No. 1, near the drainage pond has apparently been replaced with an unknown type box structure. This should be a manhole with a removable cover, for maintenance purposes.
11. All manhole covers which are for the drainage system should read "stormwater" not "sewer". Only sanitary sewer manholes should have "sewer" on the casting cover.
12. Stormwater Catch Basins No. 1 and No. 2 have had the inlets covered (located behind Building P).
13. General Comment - For all handicapped curb/sidewalk drops in areas where finish paving course is to be placed, special attention should be given to result in a smooth transition between the drop section and the finish pavement.
14. General Comment - It appears that handicapped access provisions have been ignored with respect to several of the mailbox gazebos. This should be resolved prior to placement of the finish pavement course. As well, any obstructions or trip hazards within access walks to mail of other gazebos should be eliminated.
15. During the general review of the drainage system, it was noted that several basins have debris or other materials in same. It is recommended that the project developer make a final effort to clean all the basins or other obstructions prior to the completion of work.
16. Proofroll fire lanes and receive memorandum of acceptance from Fire Inspector.
17. Complete off-site sidewalks on Forge Hill Road
18. Complete grade adjustment to water line valve pit including replacement of concrete section. Make interconnection operational.
19. Provide complete as-builts for improvements.
20. Complete finish pavement, pavement repairs and all necessary re-striping.
21. Complete curb repairs and replacements.

MJEmk

A:6-11-3E.mk

*Make Copies for
Board*

**CERTIFIED MAIL -
RETURN RECEIPT REQUESTED**

PHILIP J. KAHN, ESQUIRE
1126 Washington Green
New Windsor, N.Y. 12553
(Work) (201) 599-7880

September 4, 1992

James Petro, Chairman
New Windsor Planning Board
555 Union Avenue
New Windsor, N.Y. 12553

Mark Edsall, Planning Board Eng.
Town of New Windsor
McGoey, Hauser & Edsall
45 Quassaick Avenue
New Windsor, N.Y. 12553

Richard McGoey, Town Engineer
Town of New Windsor
555 Union Avenue
New Windsor, N.Y. 12553

Re: Washington Green Site Plan Requirements

Gentlemen:

I am a resident of Washington Green and am writing this letter in my individual capacity.

Recently, the developer of Washington Green, Exeter Building Corp., caused the installation of a sidewalk along the south side of Washington Drive from Route 32 to the edge of the first interior entrance drive into the condominium complex. This appears to have been constructed in conformance with what I understand to be a part of the so-called "site plan" requirements for the development of the community. Unfortunately, it does not additionally appear that the remainder of the site plan requirements will be met with respect to the installation of all sidewalks in conformance with the site plan approved by the Town of New Windsor Planning Board. (I emphasize the word appear as I do not have first hand knowledge of this matter, however, I do not see any evidence of further sidewalk construction and, therefore, I have become concerned. If total compliance with the sidewalk requirements is intended to be attained and they are actually constructed, then all the better, however, I did not want too much time to pass without this matter being addressed.)

Recently, I visited Town Hall and reviewed the revised "GENERAL LAYOUT OF GRADING, UTILITY & SOIL EROSION PLAN FOR WASHINGTON GREEN CONDOMINIUMS" prepared by William Youngblood Associates,

*9/8/92 @ (9/14/92
Spoke to Mark + asked him to answer this letter)*

James Petro, Chairman, New Windsor Planning Board
Richard McGoey, Town Engineer
September 4, 1992
Page -2-

dated October 10, 1986 and stamped (and executed) "SITE PLAN APPROVAL GRANTED BY TOWN OF NEW WINDSOR PLANNING BOARD ON JUL. - 1 1991 BY RONALD LANDER SECRETARY" (hereinafter referred to as the "Approved Site Plan"). The Approved Site Plan clearly indicates that in addition to the aforesaid sidewalk recently constructed, sidewalks will be constructed (i) the entire length of Washington Drive on the south side all the way to the second interior entrance drive near the culdesac (there is even an existing handicap curb cut at this location evidencing at the very least an acknowledgment by Exeter Building Corp. of the requirement to put in the sidewalk), (ii) adjacent to that portion of the Washington Drive sidewalk described in (i) and continuing in a southerly direction along the first interior entrance drive (in the area by the interior road in front of the side of Building B), (iii) along the area in front of the rock wall which runs in a northerly-southerly direction by the pool area, and (iv) near the fire lane entrance area on Forge Hill Road (specifically, regarding this item (iv), the Approved Site Plan is marked with the legend "CONCRETE SIDEWALK TO MEET EXISTING SIDEWALK AT SCHOOL"). It should be emphatically noted that in connection with the installation of the sidewalk along Forge Hill Road, very specific and painstaking care, together with the most diligent supervision, should be utilized so as to preserve as many of the existing trees and as much of the existing other landscaping adjacent to the sidewalk area.

I am respectfully requesting that each of you employ your good offices to ensure that Exeter Building Corp. fulfill all of its obligations strictly in accordance with and as required by the Approved Site Plan, including, but not limited to, the sidewalks. I believe it is imperative that compliance be mandated at this time while weather still permits and before construction (and then sales) are completed at which time Exeter Building Corp. will not be as available and possibly may not be as inclined to so comply. It is my interpretation of the Approved Site Plan that these sidewalks were required to be installed as an integral part of the development of Washington Green for the benefit and safety of the residents of and visitors to the community. I share in that opinion, however, due to the present absence of the sidewalks, I often see people walking in the main roadways. These people include youngsters, senior citizens and people pushing baby strollers. Until the sidewalks are installed, everyone is potentially being subjected to needless danger from automobile traffic. The failure to install the sidewalks also raises the issue of the resulting potential liabilities which could be sought against entities by an injured party seeking redress.

To my knowledge, Exeter Building Corp. has been a very responsible and responsive developer regarding Washington Green. I am therefore confident that when these matters are addressed by you, their response will again be a positive one

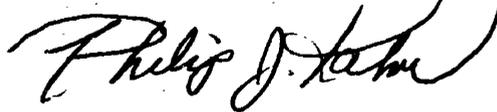
James Petro, Chairman, New Windsor Planning Board
Richard McGoey, Town Engineer
September 4, 1992
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toward full compliance with the Approved Site Plan. As I mentioned earlier in this letter, it is even quite possible that my concern is misplaced as Exeter Building Corp. may indeed presently intend to expeditiously complete the installation of the sidewalks in the very near future before winter sets in, notwithstanding the fact that there is no current visible evidence to that effect.

I welcome your prompt review of the Approved Site Plan as well as your enforcement of not only the foregoing, but any other matters pertaining to the Approved Site Plan which warrant appropriate action on your respective parts. Your assistance will result in making Washington Green and, therefore, the Town of New Windsor, a safer community as was intended by the Planning Board when it confirmed the Approved Site Plan.

Thank you in advance for your time and consideration and anticipated prompt reply.

Very truly yours,

A handwritten signature in cursive script, reading "Philip J. Kahn". The signature is written in dark ink and is positioned above the printed name.

Philip J. Kahn

PJK/ib/2208P

MR. MC CARVILLE AYE
MR. SCHIEFER AYE
MR. LANDER AYE
MR. REYNS AYE
MR. JONES AYE
MR. SCHEIBLE AYE

Mr. O'Brien: I am under the impression we have approval from you?

Mr. Babcock: You have approval subject to the fire prevention bureau you won't get a building permit until they are happy and the plan is signed. I will deliver it they will review it, they meet I am not sure of the date of this month that they will meet because of the holidays, but as soon as they have no problem with the plan I will submit to Mr. Jones for signing once he signs it you can have your building permit.

Mr. O'Brien: Thank you.

WASHINGTON GREEN - WATER SYSTEM

12/9/87

Mr. Greg Shaw came before the Board representing this proposal.

Mr. Shaw: We have come before you tonight to get a recommendation, the recommendation on the water system. Mark can give you some insight. As you know this is a condominium project, the road system is going to be both public and private, the public road will start at Route 32 down along in this fashion and terminate in this area. The balance of the roadways are going to be privately owned by the condo association. We have a little bit of a clarification that has to take place by New Windsor with respect to the water system. As this is going to be a Town road, the water main will be offered for dedication to the Town of New Windsor. The remaining lines we would like to offer also for dedication to the Town of New Windsor and we'd like to provide easements for New Windsor to maintain the lines and with that comes a little bit of a problem. Historically if these lines are going to be on private property New Windsor has felt that maybe they should be privately owned with that comes a meter pit and with that comes a substantial loss for the meter it operating during fire flow. We have marginal pressure in the area, it is adequate but not excessive. If water systems can operate without a pump station through the installation of a 16 inch main on the main drain and 12 inch mains throughout. The reason we have gone to the increase to provide fire flow to minimize the loss so we don't need a booster pump station. If the lines are going to be privately owned in New Windsor they require an individual meter pit for the building then we will have to install the pump station at a substantial cost. The best pump I have discussed this with Mark Edsall and we have discussed this in detail and correct if I am wrong he is of the opinion that this main line will be given to the Town, these private lines are these lines on private property will be offered for dedication to the Town of New Windsor or they will be maintained by the condominium association and they will not be private, they will just be in an easement. We met both Mark and I with Tad Seaman and we discussed this matter in detail with him also and Tad is of the opinion also that the Town could accept the lines and easement and maintain them and not get involved with the pump station. We went one final step which was to the Town Board because there is a formal extension of the water district and they wanted

some input from the Planning Board with respect to their thoughts on whether or not the lines should be taken over by the Town knowing that the only thing the Town has to do is come in, dig a hole, fix the leak, throw the material into the hole and walk. No surface restoration, plantings, grass, sod, nothing, the job is just to fix the leak and the condominium association will be responsible for everything. What we have also planned and not indicated on the drawing is to install an additional line. If we can eliminate the pump station the line will continue from our site over to Forge Hill Road. What you have at the intersection of 32 and Old Forge Hill is an old pump station which kicks the pressure up Old Forge Hill where there is a booster pump for domestic water, but no fire flow. If a pumper was to pull up and suck a substantial amount of water to fight a fire out of the hydrant the water is going to be coming through the pump station and overtax the pump. With the interconnection it would bypass the pump station and water would be withdrawn through the site into the Vails Gate Heights area with an increased pressure and flow and without impacting the pump station. So my client is willing to install an extra 6 hundred feet of watermain to assist Vails Gate Heights to eliminate the pumping station. I have gone around the horn the essence is, Mark can interject is that we'd like the Town of New Windsor to accept our water mains on private property. They would be responsible for fixing the leak only. We would be responsible for all surface restoration including pavement, shrubs, grass, anything else that may get in their way and with that we can eliminate a substantial pumping station and we will be able to service the project with adequate pressure and flow and it will be approved by the Orange County Department of Health. So what the Town Board is looking for is an opinion from the Planning Board on water mains installed on private property with the terms of the main as we discussed. Am I correct Mark?

Mr. Edsall: To clarify for the Board. We went through the procedure with Tad because the question has come up a number of times about easements through private developments, properties, water mains going through private properties I wanted to get it clarified we thought we had finished the discussion and for some reason the Town Board didn't seem to agree with Tad's recommendation. They felt they wanted a recommendation from the Planning Board. If they continued to agree with the concept. They just wanted something formal. Secondly just to give you a little history this thing is substantially larger than normal development lines. Sixteen inches is very large normally you'd see a 12 inch at the very most. They have made quite an effort to make sure the volume is there. We have never made it to Vails Gate because we haven't made up a way of doing it. I came up with a scheme and Greg cleaned it up of putting in a pressure reduction valve that would stay closed all the time until the fire truck went to Vails Gate Heights and pulled a substantial amount of flow, if a truck can do 1300 gallons and the pump station can do 1300 that is the only truck operating. This arrangement would allow the valve to drop open and you'd have any amount of water you can pull through the development. So there is a definite benefit.

Mr. Mc Carville: And through the other area as well?

Mr. Edsall: Over to Vails Gate Heights this interconnection would benefit this development in no way would it only benefit Vails Gate Heights. That is why we tried to come up with a way of benefitting the Town.

Mr. Roncs: What is the Town Board's concern?

Mr. Edsall: The Town Board would like to have the Planning Board's

recommendation as to do they agree with the water mains in the private development?

Mr. Scheible: We are trying to get away from any dead end stubs and here we just loop it into here and continue the line.

Mr. Shaw: This would be an emergency line which will be opened automatically in case of a fire.

Mr. Edsall: It would open automatically.

Mr. Shaw: During normal flows it will be shut during the course of a day it would only open in case of somebody opened up a hydrant.

Mr. Scheible: Is that a mechanical valve?

Mr. Shaw: Yes.

Mr. Edsall: Similar to pressure reduction from zone to another.

Mr. Shaw: Same thing in your house if you have 50 pounds on one side of the valve and 45 on the other if that is what the valve is set, once the 45 drops to 30 the valve opens up and pressurizes is the same as you have in your house this would be normally shut should someone withdraw a hydrant and withdraw flow this valve opens up into Vails Gate Heights.

Mr. Mc Carville: Each would have individual meters throughout the complex so each person would make their own water?

Mr. Shaw: Yes. I can understand the Town's concern about maintenance, they are not in the paving business and landscaping business, we are taking that off their back, they just have to fix the leak and walk. We are willing to put it into perspectus.

Mr. Reys: I think you fellows as engineers have the mechanics worked out. I am interested in the law itself. As the Town is working in on private property, how are you going to have this, what kind of an agreement are you going to have in order for this to work out?

Mr. Shaw: What the Town is going to require before they take the dedication of the water main is just because we offered them to the Town they don't have to accept them they have to be happy and satisfied that they are installed properly and with that there is other documents such as there is going to have to be an easement description. It can be done different ways you can compute out the metes and bounds as you would for a subdivision of every point of the water main or give a blanket easement stating whatever, the water main is ten feet on each side the Town of New Windsor has permission to go on the land with equipment and maintain the line.

Mr. Reys: You are going to have homeowners association here?

Mr. Shaw: Yes, condominium association.

Mr. Reys: Aren't they going to be involved in this? Suppose we have a water break there and you are digging up two or three lawns or whatever and pavement

of course there is going to be Town road anyway.

Mr. Shaw: Not here.

Mr. Reynolds: What do we get into on the repaving and so on.

Mr. Shaw: The condominium will pay to pave it.

Mr. Roness: What is the rationale for having those people maintain the line?

Mr. Shaw: To make it more palatable to the Town of New Windsor. It is critical that we don't get involved on a pumping station it is a substantial waste of time and money and New Windsor has--and this is just cleaner for the Town. We have taken care in the placement of the lines. We have kept it out of the pavement with the exception of the Town roadway and the rest have been pulled off away from the building away from shrubs. We have tried to minimize that from the very beginning.

Mr. Reynolds: I think it is ok, I am not questioning that my reason for questioning this is because all I have heard from the Town Board and even ours on the Planning Board is to not get involved in maintaining any facilities on somebody else's property even to the pumping station. Maybe the engineer can straighten me out.

Mr. Edsall: That is the reason why they came back to the Town Board they wanted to see a benefit so they'd have a legitimate reason to say why they are taking this.

Mr. Reynolds: Are we fully covered ten years down the road, are we fully covered with a break?

Mr. Shaw: What is the worst that can happen in any case there is a break and New Windsor comes in with the backhoe, digs a hole, puts a clamp or whatever it takes to fix the leak, they put back the fill into the hole and they go. They aren't responsible for the lawn and the paving and the shrubs or any of that. They are there solely to fix the leak.

Mr. Reynolds: And you say this is going to be in an agreement?

Mr. Shaw: Included in the prospectus approved by the attorney general's office. We will put it on the plans, we will be happy to provide it.

Mr. Edsall: This whole situation has been reviewed by Tad Seaman. He is very comfortable with it and he hopes that we continue it and he has in mind how he wants the agreement worded. He is doing the agreement for the sewer piping we are setting up between Stewart Airport and the treatment plant so he has in mind how he wants it handled. At this point it is more of a planning aspect so everybody can agree whether it is the Town Board making a decision he feels comfortable with the legal arrangement. And I am sure he won't sign the dedication until it is written the way he wants it.

Mr. Reynolds: As I say I am not--as long as we cover the bases.

Mr. Scheible: I'd like to take a poll here to see how the rest of the Board members feel.

Mr. Mc Carville: I think it is a very feasible plan that benefits the Vails Gate area.

Mr. Schiefer: That is the benefit the Town gets.

Mr. Lander: I go along with it.

M. Reynolds: Yes.

Mr. Jones: Yes.

Mr. Scheible: I do also I can see more benefits than derogatory points here.

Mr. Schiefer: I make a motion that we make a recommendation to the Town Board that the Town adopt these water lines in this development with the appropriate easements.

Mr. Mc Carville: I will second it.

MR. MC CARVILLE	AYE
MR. SCHIEFER	AYE
MR. LANDER	AYE
MR. REYNS	AYE
MR. JONES	AYE
MR. SCHEIBLE	AYE

Mr. Shaw: Because this isn't a subdivision we are not getting subdivision approval we are only getting the water main and sewer extension approval and we need the Town of New Windsor to sign the application.

Mr. Scheible: Thank you.

BUHL

Mr. Elias Grevas came before the Board.

Mr. Grevas: Basically this is just, we had written a letter back on the 11th of November with reference to the minor subdivision plan lot line change on the major subdivision and that plan contained a note. The was a Beattie Road, we had the large subdivision and along the frontage we had a minor subdivision, it was approved by the Board and we submitted the data to the, or Gred Shaw did to the County Health Department. They did their own site inspection and so forth and there has been some interest in the lots. What we are asking is for relief from the note that appears over here which says lots 1,2 and 31 from that provision. We want relief from the note that this requires approval because all of the soils data has been put in. They have already taken the on-site tests which is why we put it in the major subdivision anyway. When we submit to the County Health Department, if you have a minor major situation they still want to see the minor lots so we put them into the major subdivision so we wouldn't have to go back to the owner and get testing after the County Health approves it so I put that note on there and all that testing has been done. The only thing we don't have at this point is a final approval on all the lots but all of the testing is done and the sanitary systems are designed and the building permit is

11/18/87

Mr. Mike Waskew came before the Board.

Mr. Waskew: I have a request for the Board which is that you permit me to start clearing trees on the Town road and phase 1 access roads. As you probably know it is a big shale access road we really want to be building there this spring I believe we are about ready to submit everything to the agencies. I should be a matter of time.

Mr. Van Leeuwen: I have no problem. Personally I'd like to see that.

Mr. Scheible: Mike had called me up and wanted to know if this is permissible and I said no I wanted to get everybody's input that is why you don't see him on the agenda.

Mr. Van Leeuwen: I make a motion to give permission to clear the roadway of brush in the phase 1 area with regard to Washington Green.

Mr. Schiefer: I will second that.

MR. MC CARVILLE	AYE
MR. SCHIEFER	AYE
MR. VAN LEEUWEN	AYE
MR. JONES	AYE
MR. LANDER	AYE
MR. SCHEIBLE	AYE

Mr. Waskew: We had talked about the end of the site on Forge Hill Road we talked about a ball field and at one time we had shown a 60 unit senior citizen residence area reserved. I'd like direction from the Board we prefer to head in the direction of senior citizens or adult residences maybe 55 and over. We are not looking for federal funding, we'd build privately and limit it to the senior citizen residents.

Mr. Scheible: I'd like a ball field.

Mr. Van Leeuwen: You go ahead and try putting senior citizens and Vails Gate Heights is going to be up in arms. We are very lucky that this has been quite so far.

Mr. Babcock: Would they be able to comply with zoning?

Mr. Waskew: You are allowed additional units.

Mr. Edsall: You are way under because of the area that is under developed.

Mr. Waskew: I don't want an answer I just want you to think about it.

Mr. Mc Carville: I feel it is an appropriate location for senior citizen housing if it is done properly and from a distance it is convenient to shopping. He has proposed to put in the sidewalks that is required and needed for safe passage and I think there is a desperate need for senior citizen housing in Orange County, affordable and I think there is a big difference when you use federal funds and you don't use federal funds as to how the public perceives it and I'd be perfectly willing to see it go to a public hearing and give the public an opportunity. The location is certainly appropriate as far as parks are

concerned, possibly it is a good location for a park but there is an excellent little league program in the Town of New Windsor and every child in this Town that wants to play baseball can get to that little league field with a neighbor or somebody else.

Mr. Waskew: Thank you for that opinion I agree, at this extent it is short walk to shopping. It just seems to be the ideal location.

Mr. Scheible: It is something for us to think about. Thank you.

Mr. Waskew: Thank you for your time.

SLOOP HILL PROJECT

I am Al Vesany, LGM Developing Compay. We have several people from our company here, Phil Crotty who represents us locally. We thought we'd come before the Board this evening to bring you up to date on why we have been absent from the Tow and not been building the project we are supposed to be building. As you all know we have had some people who dont want to see the project built. Lots of people think it would become a state park. We are presently in litigation with the DEC which we hope to see come to a head within the next ten days. The judge will rule on that as you know we have had lawsuits prior to that from other out-of-town groups who the courts have said have no standing and have dismissed. We hope this is the latest encounter and we can get on with the business of something I'd like my associate Mark Silverwood to tell the Board what we intend to do and give the Board an idea of what the project looks like.

Mr. Silverwood: I thought I'd give you a quick rundown. We met informally one time there was a letter to the Town Board we have seen Joe a couple times in some action but not a lot of the other pople here. So I just will give you a quick rundown as to what happened and a little discussion about what we are doing now. December '86 we acquired the property. January '87 the DEC contacted us with regard to the purchasing of the property because there was a new bond issue plotted in November of '86 which a lot had \$50,000,000 to acquire and improve the park lands throughout the entire state. Everybody else wanted some and it appears that there is too much desire in other places for them to acquire this property. Then in January of '87 John Doyl the Heritage Task Force for Hudson River Valley started a campaign posting things on telephone poles to get people alerted to the fact that the state wanted to try and buy the property. February 13th we submitted our plans to Mike Babcock for a building permit for examination. On Friday March 27th, we found our plans ready to be picked up and we were served a restraining order by Scenic Hudson to Judge John Ritter, then the judge. On Monday morning we went into court and Judge Ritter through the restraining order out saying they really had no grounds for it. Too much time had gone by the approvals went on. We obtained a permit that today the 30th of March they came back to court with a different action in front of them this time it was given to Judge Owen. The judge took 71 days to rule on this case. That brought us into June 3rd, he rules that the Scenic Hudson had no standing, they had no issue, they did not have the right to sue us or take action because none of the party members of Scenie Hudson or anybody from the Town was involved in the action. June 10th, the Nature Conservancy, the national organization made an offer to purchase the property from us. However at the time it was two million dollars less than our cost that we had in the project. June 22nd we started our meeting with ConRail to get into the



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15 October 1993

MEMORANDUM FOR RECORD

**SUBJECT: WASHINGTON GREEN CONDOMINIUM PROJECT
FIELD REVIEW 13 OCTOBER 1993
MHE JOB NO. 87-55/T88-2**

On the afternoon of 13 October 1993, pursuant to a telephone call from Joe Sweeney of Exeter Building, I performed a follow-up review of the subject project, with specific attention to the required sidewalks in the area of NYS Route 32. As part of my visit, I observed that the sidewalk had been extended down Washington Drive and around the radius of the intersection with the State highway. The landscaping improvements had been relocated to allow proper clearance of this sidewalk. Other than completion of the restoration of the landscape area and finish grading for the grass area adjacent to the sidewalk, the work appears to be complete.

Based on the above, it is my understanding that all key site improvements and all required off-site improvements have been completed by the developer. As such, it is my intent, on the evening of 13 October 1993 at the regular Planning Board meeting, to advise the Planning Board of the above and make the recommendation that the Board recommend to the Building Inspector that all Certificates of Occupancy can be released.

Respectfully submitted,



Mark J. Edsall, P.E.
Planning Board Engineer

MJEmk

cc: James Petro, Planning Board Chairman

A:10-15-E.mk

WASHINGTON GREEN

MR. EDSALL: This is somewhat glad news. Washington Green on June 11, 1993 I sent them a letter two pages long of all the different items that needed to be addressed. Following that, Joe Sweeney sent me a letter on August 10, '93 with a list with proposed bond amounts that is the one I talked to the board and said it was a little over \$30,000, that is when Mr. Freid decided I'll just do the work. They've patched all the areas, they've restriped all the areas, they've cut out curbs, and put in new sidewalks and curbs so that they have access to the gazebos. They basically have everything finished with the exception of a couple items and I want to go over with you tonight cause one is a problem. I'll leave the worse till the last. Fire lane accessing Forge Hill Road there's a problem Bob Rogers, Mike and I and John Mc Donald have been talking. I explained to Joe Sweeney how to fix it. He agreed, he is going to do it within a week. They had a dog leg in it to try to avoid some trees and it made it impossible for the fire trucks to get in. I don't think Joe realized how long they were. Could have never gotten in the fire lane which means that it is worthless. The second item was submission of the as-built drawings, he is going to have that within a week. He's going to proof roll the fire lanes and he's planning on doing that tomorrow or the next day so that should be out of the way. If he runs into soft spots, he is going to dig them out. And last but not least, and this is the only item left is the sidewalk only at 32 they finished all the sidewalks out on Forge Hill, they put a new sidewalk diagonally through the property to run along Forge Hill.

MR. PETRO: I was there when they poured it, they did a good job.

MR. EDSALL: That is all done. The only thing left is the sidewalk connection from the end of the Washington Green Drive to 32 and the reason they can't do that is that they'd have to rip out all the landscaping and their project entrance sign and they would like to have some input. I thought the only thing I can think of is that there's no place for them to hook into right now

anyway, there's no sidewalks on 32 and second problem he would need to have a slight easement from John Miller, if he was going behind it and he wouldn't get it from John Miller, the way John is thinking at this particular moment. Would the board find it acceptable to create a bond amount for that last stretch of sidewalk so that when the 32 sidewalks go in that money is sitting there with the Town and whoever is building the 32 sidewalks will have that available and they are going to sign a release saying with whenever the 32 sidewalks come in, there's money to build our piece but they don't want to tear up landscaping so they can extend the sidewalk 30 feet to go nowhere. They are not saying they'll give the money to whoever wants to do it.

MR. BABCOCK: Apparently they didn't know the sidewalk had to go there.

MR. LANDER: Sidewalk has to start someplace.

MR. EDSALL: They are getting their people out to 32 within 30 feet of it, what they are saying is that--

MR. LANDER: Because of the landscaping that they put there instead of the sidewalk, you know what I am saying?

MR. SCHIEFER: Which made it look good and helped them sell.

MR. EDSALL: The only other way is to do something with landscaping ties or timbers and create 4 foot flat area to create some kind of a place for the sidewalks to come in or go behind it and I don't think they can go behind it because they'd be on John Miller's property. That is the only thing left, they've done all the paving, they've done everything and I'd like to get this closed out because for two reasons. They don't want it hanging over their head and they want the C.O.s because they are done, they've spent a lot of money.

MR. LANDER: They made a lot of money and I'm sure that you know that was on the plan for the sidewalk to go there. They had no intention of putting the sidewalk

down the road to begin with because they said who goes down there, no the kids that get on the school bus walk down there and before the sidewalk was there the parents drove them down in the cars because they didn't want them walking on the road, no matter how heavily or not heavily it's traveled.

MR. PETRO: What's the amount of money per foot for a sidewalk?

MR. LANDER: \$1,000.

MR. EDSALL: It's 4, it's 45 a yard so it is not a lot. The other way to look at it to go back out there and try to figure out a way of squeezing in a sidewalk in front and it's going to be tough.

MR. LANDER: Only because they put the landscaping in the wrong spot.

MR. EDSALL: There's not much room to start off with the landscaping shouldn't be there at all, if it was going to be a Town road, it would have to come out but there's no indication that the Town is going to take the road ever.

MR. LANDER: I was told they'd never take it because the inspections weren't done, number one, you know they never called for inspection.

MR. PETRO: Is it really 30 feet?

MR. EDSALL: I don't even know if it is 30 feet, I'm taking worse case if you have to go diagonal, probably less than that I can the set up a number if you want it in, we're going to have to figure out a way.

MR. PETRO: I don't have an opinion either way.

MR. SCHIEFER: I'm glad the rest of them are in, I'm glad everything else is in. I'd like to see the sidewalks but I know that piece of landscaping you're talking about and it looks very attractive, that is what you see when you drive by right there.

MR. EDSALL: There's a good chance when 32 goes in as far as sidewalks if the state puts them in, they may obliterate the landscaping.

MR. PETRO: How much of a bond?

MR. EDSALL: What they are going to do, this is how much it would cost us to put it in we're not saying we're not willing to spend the money we'll put it up in the Town as a bond, we'll sign a letter saying this money will not be released back to us, it will be released to whoever puts the sidewalk in, be it the homeowners or State DOT or Town of New Windsor, whoever they are, just putting the money up for the Town to hold to give away.

MR. SCHIEFER: It's probably the best solution.

MR. EDSALL: Because they just aren't prepared to ruin that entry feature.

MR. LANDER: Of course he wasn't prepared to put the sidewalk in the back, he didn't want to do that.

MR. EDSALL: No but they are not arguing money because they've done everything else we have asked.

MR. PETRO: What's your opinion Mike?

MR. BABCOCK: Basically they knew the sidewalk had to go there. If they put sidewalks down 32 and they don't meet, I think there's going to be pretty big embarrassment for the board that a sidewalk doesn't meet. I don't know how you do that. I don't know what Mark is saying, we hold the money and pay somebody else to do it.

MR. PETRO: How wide is the entranceway?

MR. EDSALL: I think it's the full 30. The only other thing it's coming in at 90 degrees it's not as if we can shift it.

MR. LANDER: Landscaping is in the wrong spot, what can I tell you?

MR. EDSALL: Only thing I can see either cut into it and that means where they have the sign, they are going to have to create some kind of decorative wall and put the sidewalk up against it or go behind.

MR. LANDER: I'd like to take a look at it. I go passed there, I notice that the kids' mothers had to bring the kids out to the road.

MR. BABCOCK: Once it's over it gets forgotten about and then--

MR. EDSALL: And again they are not looking nor are they pushing for this and maybe even at this point because they are again I'm not trying to push for them but they have been cooperative, you're holding 9 C.O.s for one 30 foot or 15 foot stretch of sidewalk. I would think that sounds rather excessive. Mike is agreeing to hold 9 C.O.s, may want to drop that down to one.

MR. LANDER: Gentlemen, what I think Mark has a good point about cuttings the number of C.O.s down but you got to remember they wouldn't have put that bond up unless we held those C.O.s, you know what I am saying? I don't think they would have had the sidewalk go down to 32, Vails Gate Heights Drive would have never got done but we all put our heads together and said let's not give them anything until they are done.

MR. EDSALL: If you vote to suggest to Mike that it is appropriate they go back to one and everything take a look at it and between all of us, we can figure it out.

MR. SCHIEFER: Right now, the most logical thing is the bond in my eyes.

MR. EDSALL: If there's a way to build it I agree with Ron and Mike if we can build it now, let's get it now but I really I think if we can't fit it in now.

MR. LANDER: When we'll have to take the bond.

MR. EDSALL: It might destroy the entrance.

MR. BABCOCK: Would the bond take into consideration the removal of landscaping?

MR. PETRO: It will be sufficient enough. I suggest number one that we reduce the number of C.O.s being held from nine down to one, being there's only one improvement left. Number 2, I would suggest that we consider the bond idea but in the meantime, between now and the next meeting, that the members of the New Windsor Planning Board take site visit, all on our own. We can all go passed there and take a look at the site at the structure that is there, the sidewalks and at the next meeting decide whether we want to go with the route of the bond or to try and enforce force the site plan at this time.

MR. LANDER: Good idea.

MR. SCHIEFER: I make a motion we adjourn the meeting.

MR. LANDER: Second it.

ROLL CALL

MR. SCHIEFER	AYE
MR. LANDER	AYE
MR. PETRO	AYE

Respectfully Submitted By:

Frances Roth
 Frances Roth 10/11/93
 Stenographer

9/93

WASHINGTON GREEN

MR. PETRO: Mark, you want to touch on the sidewalks?

MR. EDSALL: I talked to Joe Sweeney trying to get things resolved on Washington Green. They've worked with Dick McGoey on the items remaining for the public improvement bond and they've got a bond reduction for what they have. I'll tell you that I met with a representative of the South Gate Village complex, I don't think the right representative because it was an on-site representative, I don't believe represented the owner, I asked her to contact the owner. I never received a response. She told me in her opinion as the person who operates the facility she would be against it. She'd rather see it on the other side by Washington Green where the Planning Board originally asked for it. I understand from somebody that Skip Fayo has an opinion on it but they want an answer they'd like to know which way they have to go.

MR. LANDER: They have two other alternatives, seeing as they won't get the first alternative, let them chose either one.

MR. BABCOCK: I happened to be in the area with Mr. Fayo to look at Stewart's Ice Cream and when we went around the corner, he said how is this project going? I said good and I explained to him what the sidewalk situation was and his words to me was no way are they putting the sidewalks on the opposite side of the road, no way am I going to accept that. There's no way that the kids are going to cross the road, walk up the road and cross back over.

MR. EDSALL: It's pretty clear where the opinions are headed. I think we have to let them know. At that point in time, I contacted Joe Sweeney and advised him what the Highway Superintendent said and told him that if he needs to talk to him, he should get into contact to talk to him because there's no sense in him discussing it if the Highway Superintendent is not going to allow it, I'm pretty shocked that we're even talking about it.

July 21, 1993

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MR. PETRO: You're saying that the sidewalks are going to have to go where they belong.

MR. BABCOCK: Yes.

MR. PETRO: And construction will very to be done and that is basically the bottom line.

MR. BABCOCK: Yes.

MR. VAN LEEUWEN: That is the way it's got to be. They agreed to it in the beginning.

MR. EDSALL: You're telling them that they have to put the sidewalks where they were originally approved.

MR. LANDER: Or go through the woods.

MR. EDSALL: Go through the school.

MR. LANDER: They have to go to the school and get permission to do that.

MR. EDSALL: So unless we see documentation that they've reached an agreement with the school, they should proceed based on the are original approval.

MR. PETRO: The width.

MR. EDSALL: Sidewalk must be 4 foot wide, that is not including the curbs, 6 inches from the curb. They'd have to offset it. There's typical ways of offsetting around utility that they have to maintain 4 foot width.

MR. PETRO: I guess that is it.

MR. EDSALL: I'm sure Mike will notify Skip.

MR. PETRO: Motion to adjourn?

MR. VAN LEEUWEN: So moved.

MR. SCHIEFER: Second it.

ROLL CALL

8/93

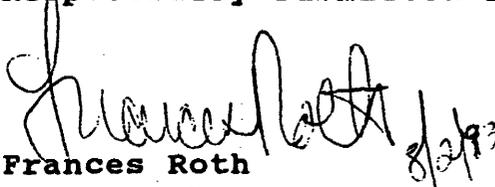
PENGAD CO., BAYONNE, NJ 07002 • LASER BOND-A

July 21, 1993

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MR. SCHIEFER	AYE
MR. DUBALDI	AYE
MR. VAN LEEUWEN	AYE
MR. LANDER	AYE
MR. PETRO	AYE

Respectfully Submitted By:


Frances Roth
Stenographer

6/93

PENGAD CO., BAYONNE, NJ 07002 • LASER BOND-A

VAILS GATE HEIGHTS DRIVE

MR. PETRO: Couple other items, Washington Green, the sidewalks up on the Vails Gate Heights Drive, I notice they haven't been done, I know they are bonded.

MR. EDSALL: I don't believe that bond has been posted yet, they are not receiving any additional C.O.s, they are in a catch 22 right now.

MR. LANDER: Then it will be wintertime.

MR. EDSALL: I do have to tell you that it doesn't appear that they are taking no action, they have gone through a lot of the improvements to the water, the valve chamber for the interconnection to Vails Gate Heights, they have constructed the fire lane and provided some curbing out on the Vails Gate Heights area and also obtained all the quotations and provided the bond estimate and the latest call I received from Joe Sweeney was that his boss decided he wanted to get all the work done rather than post the bond so he's accepting the holding of the C.O.s cause he intends to just do all the work.

MR. VAN LEEUWEN: How many C.O.s are still on hold?

MR. BABCOCK: There was 12 units in the building and if I remember right, I think we said two.

MR. PETRO: 8 at the minimum, you'll have 8 C.O.s.

MR. BABCOCK: Myself and Mark were going there this afternoon, if we had time but we ran out of the time. They did put the entrance in off Vails Gate Drive and they blacktopped that section of the entrance and we wanted to make sure that that was what we had asked for.

MR. DUBALDI: What happens if they complete all the work, wintertime comes, can't put the sidewalks in, they did everything else.

MR. EDSALL: They'll have to bond them, same as everybody else.

6/93
PENGAD CO., BAYONNE, NJ 07002 - LASER BOND-A

September 8, 1993

21

MR. PETRO: Cash bond?

MR. EDSALL: Yes.

MR. VAN LEEUWEN: Amount of the bond has been stated but he wants to do the work which is--

MR. BABCOCK: Which is better for us.

MR. DUBALDI: How much is the cash bond for a sidewalk?

MR. BABCOCK: It's all been figured.

MR. EDSALL: \$45.00 a square yard, someplace in that range.

MR. BABCOCK: That number has been indicated though.

6/83

PERGAD CO., BAYONNE, NJ 07002 - LASER BOND-A

June 23, 1993

77

WASHINGTON GREEN

MR. PETRO: Washington Green off-site sidewalks. Did you hear back from the owners?

MR. EDSALL: I did not.

MR. PETRO: Right now we're nowhere.

MR. EDSALL: Your memo states that I visited Vails Gate Heights apartment complex and I did ask them to respond. They have not responded. The woman who works there who manages it told me it was her opinion it was a bad idea to have the sidewalks on their side of the road.

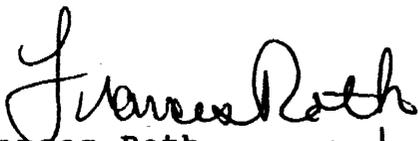
MR. VAN LEEUWEN: Motion to adjourn.

MR. SCHIEFER: Second it.

ROLL CALL

MR. LANDER	AYE
MR. SCHIEFER	AYE
MR. PETRO	AYE
MR. VAN LEEUWEN	AYE
MR. DUBALDI	AYE

Respectfully Submitted By:


Frances Roth
Stenographer 7/8/93

INTERSTATE PROPERTY MANAGEMENT Inc.

**2 Carpenter Place
Monroe, New York 10950
Tel: 914-782-2230
Fax: 914-783-4090**

May 17, 1993

Town of New Windsor
555 Union Avenue
New Windsor, NY 12553

Re: Washington Green Condominium

Dear Representative,

I am sending this letter to all individuals included in the distribution below as a record of concern.

Interstate Property Management Inc. is the managing agent for the subject. In a meeting with the Board of Managers of Washington Green Phase I & II, concern was expressed regarding the concrete work at the community. This concern has developed as the curbing and sidewalks seem to be breaking apart.

As you may see upon visiting the community and inspecting the curbing, many of the curbs are simply cracking and breaking apart. Defective curbing as a result of poor construction not corrected today could result in extensive charges to the community at a later date.

The Board of Managers at Washington Green Condominium request your assistance by inspecting the curbing and other cement work at the site and assist us in any way possible.

Additionally, we have been informed that the sidewalks discussed at the November 1992 Planning Board meeting are to be installed in the very near future (construction may begin this week). The Board of Managers is very concerned that when these sidewalks are installed, they may not be completed properly, or that the concrete used may be a similar mix used in the curbing which is breaking apart.

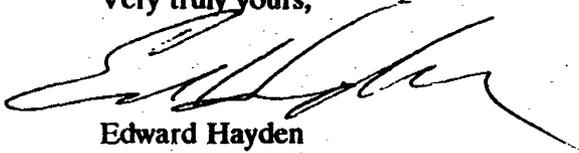
When the sidewalks are installed, the landscaping should be restored to its original condition with no electrical lines cut. This was not the case when the front entrance sidewalk was installed. At the front road, the sidewalk was installed with landscaping and lighting being removed. This landscaping and lighting added to the beauty of the community, and now it is not there. It has also been some time since the original installation of the sidewalk.

The Board of Managers requests your assistance in any way possible. Perhaps the Planning Board Members could tour the site and review the work in progress. Perhaps the Building Inspector may be able to monitor the work and insure that it is being completed to all specifications approved by the town, and possible the Town Engineer could review the curbing damage and monitor the sidewalk installation.

In regards to the areas currently falling apart and cracking, any assistance you could provide to see that these areas are repaired/rebuilt will be greatly appreciated by the community.

Thank you for your assistance. If the Board of Managers or Interstate staff may assist you and the Town in any way, please contact my office. Should you wish to meet with the board and Interstate staff, we are available at your convenience.

Very truly yours,



Edward Hayden
General Manager

Distribution:

Town of New Windsor - Supervisor's Office
Town of New Windsor - Building Inspector's Office
Town of New Windsor - Engineer's Office
Town of New Windsor - Attorney's Office
Robert Becht, Esq. (file)
Washington Green Condo I President
Washington Green Condo II President

May 26, 1993

49

WASHINGTON GREEN SITE PLAN - RT. 32

Mr. Joseph Sweeney appeared before the board for this proposal.

MR. PETRO: The reason you are here is there was some work that was to be done on the project, I'm sure you're going to touch upon that. There was some C.O.s that needed to be issued for remaining building and we're going to try and coordinate both of them so we can get done with everything.

MR. SWEENEY: Obviously last time, last meeting I wasn't able to attend, there were some items that were of concern being the fire lanes, the valve chamber, other various items that weren't addressed at the last meeting. I've compiled a listing of the items that were in question, a majority of those items are complete. The ones that aren't or whatever is left to be done in our opinion is minimal compared to the amount of C.O.s that we need to get. My goal is to try and retrieve as many C.O.s as possible granted I know you want to hold a certain amount for site work still outstanding, mention was made to releasing two and then as work progressed, we would release more as we needed.

MR. PETRO: Let me clarify that we did mention releasing two to help you along and also some work now that is obviously being done there was really not any mention of doling out anymore C.O.s until the work was either completed or bonded and that was the desire of the New Windsor Planning Board.

MR. SWEENEY: As you can see on the list, the fire lanes all of which are complete to date. My sidewalks are complete to date, all that is left on my sidewalks is just to do some backfilling and some electrical work which was requested by the homeowners last fall. My valve chamber is installed, the only thing that is outstanding I'm waiting on some covers for the top and Mark Edsall came out the other day and requested some changes on the riser section. As-builts are complete, the only other as-builts I have to do is complete my services to each building and submit them to the Town. My landscaping to date is done other than sod. Site

grading the majority of the site is finished graded the only outstanding part is the portion of the property which is southern most down by the Forge Hill Road which has been graded. It's just a matter of York raking it and hydroseeding it at the right time. Curb repairs, commencing as of next week, I wanted to finish up the sidewalk work which I felt was more important to do than curb repair, I have included some sections that need repairing. Any outstanding catch basin repairs are in progress. The only large outstanding item is the asphalt and I really want to hold off on that until all my major construction is completed that will be ideally the last thing I'd like to do.

MR. PETRO: Let me throw this out and members of the board correct me if they don't agree with me, I would suggest this seems like we have gone quite a distance here in the last couple weeks. I know you want the two C.O.s. I think that at this time, we'd like to instruct Mike to release those and during the next two weeks for Mike and Mark and myself or any other board members to go out and do a site visit, I'm sure within the, if you want to be on the next meeting or we'll go to the next meeting, whatever you prefer, but only the 2 C.O.s at this time. Mark, would you have any problem or Mike with that?

MR. BABCOCK: No.

MR. PETRO: I know the water lines done, they've come a long way. I know there's been a lot of work.

MR. EDSALL: I think the only immediate input we need from the board so that they can proceed is on Joe's first page relative to the sidewalks on Forge Hill Road I did have the opportunity to go out to the site with Joe and inspect some work that was ongoing and he pointed out some concern with attempting to install the sidewalks on the other side of Forge Hill Road and it's quite a difficult area to work with. The board may look at it so you may want to want to go look from where the emergency access is down to where the sidewalk terminates, look at both sides of the road and one side is quite a bit easier.

MR. PETRO: Are you making a recommendation to that effect?

MR. EDSALL: We have to recognize that there's an existing complex over there, we may have to.

MR. SWEENEY: That is something that I didn't touch on, I would like to request a site inspection.

MR. EDSALL: Between now and the next meeting everybody should at their own available time just go through and look at it and we can talk about it more.

MR. BABCOCK: We'll set up a site visit date and time for those members who can make it, fine, if they can't go together, go on their own.

MR. PETRO: We'll do a site visit.

MR. SWEENEY: I'll only be granted 2 C.O.s after this meeting, is that correct?

MR. PETRO: The reason I'm suggesting that it would give us time we're going to do a site visit now anyway and I'd like to have a more complete report unless you feel they are far enough along, I don't want to keep doling out C.O.s. I want to get to a point where they are going to bond or it's going to be completed.

MR. DUBALDI: Let's give two out and go down and take a look at it.

MR. PETRO: I'll put you on for the next two weeks.

MR. SWEENEY: We can do it that way. I'd like to try and push for more C.O.s, granted that that is our livelihood, that is the biggest part of our business.

MR. BABCOCK: How many units are finished right now?

MR. SWEENEY: They are really all ready to go.

MR. PETRO: All meaning 12?

MR. SWEENEY: 12 units, I have 2 that I have hardship

cases, two people are ready to move in. I have 5 others that are going into binder phases and my problem is to try and go for just two here and two there. It's still a two to three day turnaround time to get a C.O. between my first site inspection then I get a reinspection because if there's something wrong in the unit, he's got to come back and inspect that then there's paperwork.

MR. DUBALDI: Would you be willing to bond everything that is not done?

MR. SWEENEY: Actually probably no but the value of those units is I mean 2 units alone is 200 to \$240,000 right there. That is real money to Exeter Building and my goal is to try and get as many C.O.s, granted you want to hold onto C.O.s, I can't disagree with you there but for the amount of site work that is completed to this date as to what's outstanding.

MR. PETRO: How many of what we have been discussing for the last 2 meetings actually is completed, do you have an idea?

MR. EDSALL: I think we have to spend a little time Mike and I and Joe out in the field and try to quantify.

MR. PETRO: That is what I think we need to do.

MR. DUBALDI: Give them the two.

MR. PETRO: You'll be here in two weeks during binder stage, I think the two weeks won't been a problem.

MR. SWEENEY: No, that is fine. I can't ask for more than that.

MR. SCHIEFER: You just did.

MR. SWEENEY: I've got to try. I can't sit here and not attempt it.

MR. EDSALL: Some of the information you show here as complete you've got to get some back up on, you

indicate that all the fire lanes are complete but we need something from Bob Rogers saying that he or John McDonald have been out there and they've accepted them.

MR. SWEENEY: I've done that with Bob, Bobby Rogers through telephone conversations and visits with him.

MR. EDSALL: You can touch base and have him shoot off a memo.

MR. SWEENEY: I make sure especially with the fire lanes that the last fire lane that I completed as far as the gravel overlay I touched base with Bobby Rogers to make sure that base is acceptable to him. I also asked him if he wanted me to follow with a letter. He said no, that is fine, so it is just a matter of him communicating with you.

MR. EDSALL: As far as the as-builts, you may want to try and get in some copies of those for the record.

MR. PETRO: We're getting letters from the homeowners association if we have a letter stating that the fire lanes are completed or meet Bobby Rogers New Windsor Fire Department Code, then I can show that that is concrete evidence for us to say we're told that and it looks good and we were over there, I'd rather have a letter.

MR. SWEENEY: That is fine.

MR. EDSALL: One last item just looking at the latest letters and notes there appears to be quite a bit of curb repair that is going to be performed now obviously we are interested in having a quality project as much as any of residents or as Joe is, will we also received letter from the property managers for the project and they seem to be requesting that the Town Planning Board building inspector and/or the engineer take a front line effort in inspecting curb construction and having the damage of the curbs repaired. I don't believe that we really can go that far. I don't want to, I want to see if the board has any input. We look for general site completion as far as the damaged curbs and repair of curbs or anything that is part of the management of

the project, that is private property. I don't believe that number one the Town hasn't funded such a thorough inspection unless Town Board wants to spend that kind of money.

COUNCILMAN SPIGNARDO: I doubt it.

MR. EDSALL: So I think we have to communicate back to the owners that we'll do everything we can but we can't put full time inspectors to watch curb construction.

MR. PETRO: I think the New Windsor Planning Board and building inspector and Planning Board attorney are doing their jobs.

MR. SCHIEFER: That letter requested more than that.

MR. EDSALL: We look for basically substantial completion of the site, we don't look to see if they installed the curb to proper depth, if it is the right concrete, we're not construction managers, we look for compliance with the site plan.

MR. LANDER: And safety.

MR. EDSALL: So I don't think we can go as far as what's requested just for the record.

MR. BABCOCK: Can we send a letter back to them so that they are understanding of that?

MR. PETRO: I don't see why not. We'll have Mark do it.

MR. DUBALDI: Letter touches on some things that are removed and not there.

MR. EDSALL: I can shoot off a letter explaining that is beyond the limit of what we can really do. Again, I wanted the board's concurrence on that.

MR. SWEENEY: Thank you.

WASHINGTON GREEN - DISCUSSION

MR. EDSALL: Very quickly, Washington Green as you recall had finished all the improvements with the exception of the issue of the sidewalk out to Route 32 and the board at that point had recommended that all the C.O.s be released with the exception of one. Since that time, I had a chance to look at it more closely. I know I got a call from Jim Petro expressing his opinion on whether or not the sidewalk could be constructed. I passed on my opinion and Jim's to Mr. Sweeney who at that point believed that maybe it wasn't such a bad idea to build the sidewalk so they did go ahead they finished the sidewalk out to Route 32. They've moved the stone wall of their entrance facade back. They got some real last minute just clean up to do but it looks like they've done everything.

MR. LANDER: And people are walking on it already, they use it.

MR. EDSALL: My suggestion is that they've done everything we've asked and I would think there is no reason why we can't recommend to Mike that they let the last C.O. go because they've done everything, every little crack in the curbs we don't get into that kind of detail, key site improvements have been done. They've striped it, they've landscaped, they've fixed up the area out towards Vails Gate Heights, we tested the water interconnection two Fridays ago, I think was the day we tested the water interconnection. It worked.

MR. LANDER: How about the fire lane at Vails Gate Heights Drive?

MR. EDSALL: Reconstructed the curbing there and widened it up. Bob Rogers was happy with what we came up with.

MR. LANDER: Bob Rogers had a concern about not being stable enough.

MR. EDSALL: Yes, what we did was we had them proof roll the fire lanes with a loaded truck, found two or

three soft spots, dug them out, put Item 4 in so I'm not aware of any problems.

MR. PETRO: I have a letter from Dick McGoey to the Town Board stating in his eyes, that we should release the bond and he was certainly and that was dated October 5, 1993 to release the bond, Supervisor, Mr. Green.

MR. VAN LEEUWEN: Well, we can recommend to the Town Board.

MR. EDSALL: That has already been done. I'm talking about the C.O. as far as I'm concerned this board should be reasonably comfortable that everything has been taken care of at this point. It's up to the homeowners to take care of the project as far as I'm concerned.

MR. PETRO: When I went down to the entrance, I wanted to, they have stone, I didn't want them to think we were being hardnosed. They only had one tier of stone like about a foot and a half high that was in the way, the way they made it sound at the last meeting they had this mammoth thing there and that was not the case.

MR. LANDER: They just didn't want to do it.

MR. PETRO: That is why.

MR. VAN LEEUWEN: They figured they can get away with something.

MR. SCHIEFER: It's moved. I saw it this afternoon.

MR. PETRO: The board does agree we should release the last C.O. Mike, you have a clear go ahead so tell them we appreciate their being cooperative with the New Windsor Planning Board. Is there a motion to adjourn?

MR. SCHIEFER: So moved.

MR. VAN LEEUWEN: Second it.

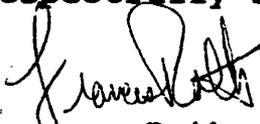
ROLL CALL

October 13, 1993

36

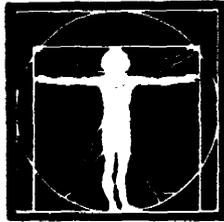
MR. VAN LEEUWEN	AYE
MR. SCHIEFER	AYE
MR. LANDER	AYE
MR. PETRO	AYE
MR. DUBALDI	AYE

Respectfully Submitted By:


Frances Roth
Stenographer
10/25/93

9/93

PENGAD CO., BAYONNE, NJ 07002 • LASER BOND-A



EXETER
BUILDING
C O R P

FIRELANES:

AREA 1: BUILDINGS A, C, & E (NORTH EAST SECTION OF SITE)

TOPSOIL REMOVED AND ITEM 4 BASE COMPACTED

3/4" STONE "TOPPING" GRADED AND COMPACTED. (APPROX. 2")

THE USE OF 3/4" STONE WAS DISCUSSED WITH BOBBY ROGERS PRIOR TO PLACING.

AREA 2: BUILDINGS F G H & I (EAST SECTION OF SITE)

DETAIL REVIEWED AND APPROVED BY BOBBY ROGERS

AREA 3: BUILDING Y TO FORGE HILL ROAD. (SOUTH EAST SECTION OF SITE)

18' WIDE BASE OF 4" R.O.B ITEM. GRADED AND COMPACTED.

SIDEWALKS:

WASHINGTON DRIVE . RT 32 TO 2ND SITE ENTRANCE

BUILDING A ROAD . WASHINGTON DRIVE TO BLD B. PARKING LOT

FORGE HILL ROAD . SITE INSPECTION REQUESTED.

WATERMAIN / VALVE CHAMBER:

INTERNAL VALVES INSTALLED

6" WET TAP ON FORGE HILL ROAD

WATERTIGHT FRAMES AND COVERS ORDERED

NEW RISER SECTION ORDERED . AS REQUESTED BY P.B. ENGINEER.

ASBUILTS:

WATERMAIN ASBUILTS COMPLETE

SEWER MAIN ASBUILTS COMPLETE

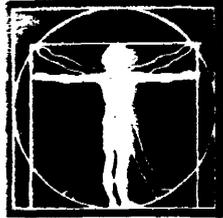
BUILDING SERVICE ASBUILTS IN PROGRESS.

BUILDING LANDSCAPING:

BUILDING Y . FOUNDATION PLANTS INSTALLED & MULCHED

BUILDING R . FOUNDATION PLANTS INSTALLED & MULCHED

SOIL INSTALLATION SCHEDULED FOR 5-27-93 & 5-28-93



EXETER
BUILDING
C O R P

SITE GRADING.

SOUTHERN MOST PORTION OF SITE GRADED
FINE GRADING AND SEEDING TO BE SCHEDULED.

CURB REPAIRS.

OUTSTANDING CURB REPAIRS AND REPLACEMENTS SCHEDULED FOR
WEEK OF 5-31-93 - CURB REPAIRS TO START FOLLOWING SIDEWALK
INSTALLATIONS.

AREAS TO INCLUDE:

- 4 FT. SECTION AT POOL ENTRANCE
- 4 FT. SECTION AT GAZEBO ENTRANCE BY BUILDING K
- 4 FT. SECTION AT BUILDING "D" ENTRANCE
- 10 FT SECTION AT BUILDING "E" ENTRANCES
- 6 FT SECTION AT BUILDING "V"
- 20 FT SECTION AT BUILDING Y & W GAZEBO (FIRELANE ACCESS)

CATCH BASIN REPAIRS.
IN PROGRESS.

ASPHALT.

1" ASPHALT TOP COAT TO BE INSTALLED FOLLOWING AND COMPLETION OF
ALL CONSTRUCTION.

RESULTS OF P.B. MEETING

DATE: May 26, 1993

PROJECT NAME: Washington Street PROJECT NUMBER 86-18 Original #

LEAD AGENCY: _____ * NEGATIVE DEC: _____
M) ___ S) ___ VOTE: A _____ N _____ * M) ___ S) ___ VOTE: A _____ N _____

CARRIED: YES _____ NO _____ * CARRIED: YES: _____ NO _____

PUBLIC HEARING: M) ___ S) ___ VOTE: A _____ N _____

WAIVED: YES _____ NO _____

SEND TO OR. CO. PLANNING: M) ___ S) ___ VOTE: A _____ N _____ YES _____ NO _____

SEND TO DEPT. OF TRANSPORT: M) ___ S) ___ VOTE: A _____ N _____ YES _____ NO _____

DISAPP: REFER TO Z.B.A.: M) ___ S) ___ VOTE: A _____ N _____ YES _____ NO _____

RETURN TO WORK SHOP: YES _____ NO _____

APPROVAL:

M) ___ S) ___ VOTE: A _____ N _____ APPROVED: _____

M) ___ S) ___ VOTE: A _____ N _____ APPR. CONDITIONALLY: _____

NEED NEW PLANS: YES _____ NO _____

DISCUSSION/APPROVAL CONDITIONS: _____

Release 2 C.O.'s

Board, Mike & Mark to do a site visit before next meeting
set time - Wednesday 6/2/93 @ 6:30

Next Agenda

- * Get memo from Bob R. for fire lanes
- Mark to send letter to Int. Prop Management



**McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
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(914) 562-8640
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400 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

3 June 1993

MEMORANDUM FOR RECORD

**SUBJECT: WASHINGTON GREEN CONDOMINIUM PROJECT
FIELD MEETING - COMPLETION STATUS
2 JUNE 1993
MHE JOB NO. 87-55/T88-2**

On the evening of 2 June 1993 a special Planning Board meeting was held in the field to review the status of the site completion and the completion list as prepared by the representatives of the Washington Green Development. Present at this meeting were the following:

**Bill Freid, Project Developer/Owner
Joe Sweeney, Developer's Construction Foreman
Jim Petro, Planning Board Chairman
Carl Schiefer, Planning Board Member
Ron Lander, Planning Board Member
Carmine DiBaldi, Planning Board Member
Michael Babcock, Town Building Inspector
Mark J. Edsall, P.E., Planning Board Engineer**

A field walk was held to review the fire lanes, interconnection to Vails Gate Heights Drive (fire lane), required sidewalk along Vails Gate Heights Drive, interior site improvements, water valve chamber, finish paving within project, etc., all as indicated on the project list prepared by Joe Sweeney. After much discussion it was indicated by the two developer's representatives that all site work would be completed before any more Certificates of Occupancy were requested, with the exception of two (2) items. Specifically, these will be the project paving and the sidewalk on Vails Gate Heights Drive. Mr. Freid indicated that he would be providing a cash bond to the Town, based on price quotations from his contractors (with these amounts to be verified for acceptability).

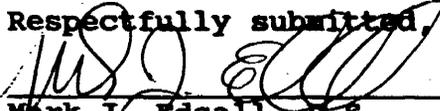
3 June 1993

MEMORANDUM FOR RECORD

-2-

With regard to the sidewalks on Vails Gate Heights Drive, a significant elevation drop exists on the Washington Green side of Vails Gate Heights Drive; therefore, two additional alternatives were identified for the sidewalk. First, the option was discussed regarding the installation of the sidewalks on the opposite side of the roadway. Mark Edsall is to contact the Managing Group and Homeowners Association for this complex, seeking their opinion regarding the development of sidewalks along their project. The second alternative involves the development of a sidewalk through the school property, from Washington Green, to connection to the sidewalk along Vails Gate Heights Drive, near the school. If both of these alternatives prove unacceptable, the alternative for the installation, as previously located, must be pursued. This installation will likely require a considerable amount of fill, as well as the possible need for a short safety railing due to the steep slope outside the sidewalk area. With any of the alternatives selected, the sidewalk width must be 4 foot.

Respectfully submitted,


Mark J. Edsall, P.E.
Planning Board Engineer

MJEmk

cc: James Petro, Planning Board Chairman

A:6-3-4E.mk

MEMORANDUM

TO: FRED FAYO, JR., HIGHWAY SUPERINTENDENT
MICHAEL BABCOCK, BUILDING INSPECTOR
~~ROBERT RODGERS, FIRE INSPECTOR~~
MARK EDSALL, P.E., P.B. ENGINEER

FROM: RICHARD D. MC GOEY, P.E.,
ENGINEER FOR THE TOWN

SUBJECT: WASHINGTON GREEN PERFORMANCE BOND REDUCTION

DATE: JUNE 10, 1993

Gentlemen:

Attached, please find a preliminary list of items of work required to complete the main entrance roadway into Washington Green, off of Rt. 32. In addition, we performed a brief walk-over of the privately owned areas and prepared a list of obvious items of work requiring corrective action.

Washington Green is presently seeking a reduction in the \$50,000.00 bond being held to complete the public improvements. If you know of any additional public improvements in addition to the above items of work that require attention on the part of Washington Green, please notify our office.

Washington Green also has indicated they are discussing with the Planning Board posting a bond for the uncompleted improvements on the private-sector of the project site. Joe Sweeney asked if the sidewalk and curb to be constructed along Old Forge Hill Road, which would obviously be a public improvement, could be included in the bond for the private development work.

Please notify our office as to your feeling in regard to the above.

Very truly yours,

Richard D. McGoey, P.E.
Richard D. McGoey, P.E.,
Engineer for the Town

RDM:mlm

WASHINGTON GREEN PERFORMANCE BOND REDUCTION
COMMENTS OF 8 JUNE, 1993

1. Discuss signage with Skip Fay. Presently, no signage at intersection with Rt. 32.
2. Check to be sure leveling course of block exists under first curb box, northerly of first intersection.
3. Regrading required behind the newly installed sidewalk, including topsoil and seed.
4. Raise hydrant valve near cul-de-sac.
5. Locate valve at end of line near cul-de-sac. Valve box not visible.
6. Verify that cul-de-sac drains properly and pavement to be repaired.
7. Install sidewalk and curb along Old Forge Hill Road to school district sidewalk.

PRIVATE DEVELOPMENT WORK:

1. Top course pavement not applied.
2. Verify location of distribution valves for water system.
3. Roadway base broken up alligatored in front of Building 1079-1090.
4. Valve box to be adjusted to grade in front of buildings 1079-1084.
5. Locate hydrant valve to hydrant near valve chamber at Forge Hill Road.
6. Verify with Fire Inspector's acceptability of fire lane.
7. Verify valve pit work with Bud.
8. Site restoration required on Forge Hill Road side of site.
9. Locate hydrant valve to hydrant across from recycle center between building E & F.
10. Disturbed area behind sidewalk at the rear or side of Building B to be corrected.

WASHINGTON GREEN

MR. PETRO: Request from Mr. Freid on Washington Green to speak on behalf of some problems he had at the Washington Green site. I believe there's two representatives here tonight for that.

MRS. BIBO: Mr. Freid couldn't be here tonight so he asked that Janice Murphy and myself come and hopefully just let you know what the schedule is with the site work that has to be done and if you have the schedule then maybe we would be able to get the C. of O.s that we need for closings that should be happening by late May, early June. There's a letter here dated April 7 that implies that we may not be given C.O.s unless we have all of the site work done. And that pertains to lighting and fire lane, and sidewalks, asphalt.

MR. VAN LEEUWEN: Right.

MS. BIBO: I guess it wasn't clear until the April 7 letter that we wouldn't be given C.O.s until the work is done and we have already committed probably four or five of those homes to people to move into.

MR. VAN LEEUWEN: How many buildings does he have left?

MS. BIBO: We're on the last building.

MR. PETRO: Could you state your name and address?

MS. BIBO: Vicki Bibo.

MR. PETRO: You are representing Exeder.

MS. BIBO: And Janice Murphy.

MR. BABCOCK: What the board had discussed the water line and the connection, interconnection to Vails Gate Heights Drive, fire lanes, blacktopping and it was my understanding that the last building would be the entire building, would be held for C.O.s until these improvements were completed or a schedule that we had stating when they'd be completed. And it was our

understanding that the last time we discussed this we have not received schedules so therefore we're going to make sure that this building didn't get C.O.s until these improvements were completed.

MR. VAN LEEUWEN: What our procedure is that we do that if there's outstanding work that has to be done that we do not issue C.O.s on that last building until everything has been completed now what has been completed, none of those items have been completed.

MS. BIBO: Some of them have been started but none of them have been completed.

MR. PETRO: Did we ask for a list of completion dates and how it was going to be completed? Did we give them this option?

MS. MURPHY: We reviewed the minutes and it wasn't clear whether you discussed a bond issue and C.O.s but it wasn't clear in the minutes, definite decision.

MR. PETRO: Is the project bonded?

MR. BABCOCK: No.

MR. PETRO: Did we discuss them putting up a bond to receive C.O.s?

MR. BABCOCK: There was several discussions and one of them was a bond. There was also a discussion that we should not be bonding safety items, fire lanes should not be bonded. We want to make sure fire lanes are built. There was several discussions not only one and the last discussion that I when Mr. Freid himself was here they talked about giving us that schedule.

MR. PETRO: You did a schedule?

MS. BIBO: Sort of, yeah, I have a schedule of 6, it's just handwritten.

MR. PETRO: Why don't you touch on that briefly, the fire lanes in effect.

MS. BIBO: The fire lane is already in progress and I think by next week that will be done. They said the compactor is scheduled for tomorrow.

MS. MURPHY: That has been started already, everything has been late because of the weather, I mean it could have been.

MR. BABCOCK: It's not the idea, Mr. Chairman, it's not that I am trying to hold the project up, it's until these items are done, we do not have a bond. The only way we ensure these items are done is to hold up the C.O.s.

MS. MURPHY: Could you just hold 6 C.O.s only because we have some people that are giving up their apartments, we didn't know when we took binders in September, October that we were going to be held up.

MR. PETRO: But you're doing progress on some of the items, tell us what's done.

MS. BIBO: Well, there's nothing complete but fire lane are in progress, sidewalks, the work is starting on the 17th which is this coming Monday. The lighting for the entry road I think the work is going to be started June 1st. And as far as the asphalt, Mr. Freid asked me to explain that that would be put down when all the construction is complete that is the final thing to be worked on.

MS. MURPHY: That is the road the construction vehicles go through. We still have backhoes going back and forth on that road.

MR. VAN LEEUWEN: You have to understand the position this Town is in. We have been stuck by so many builders that said oh, I have my last C.O., plain English have a nice day folks, I'm gone and then who picks it up, the homeowner's.

MS. MURPHY: But there's 12 units, can't you just hold 6?

MR. VAN LEEUWEN: I'm only one member of this board.

MS. BIBO: There are two people that have to be out of their apartments by May 31 so if we don't have the C.O. they have nowhere to go. Everyone's stuck between a rock and a hard place. Mr. Freid can't conduct business, these people have a personal problem on their hands, there's a couple more that are planning.

MR. VAN LEEUWEN: Why weren't the projects started two weeks ago?

MS. BIBO: Well, not until we received this letter in mid April did we know that the C.O.s were going to be held for sure I think everything according to the minutes of the meeting, everything was up in the air, the bond issue was a possibility.

MR. VAN LEEUWEN: Bill's been working in a lot of towns and this Town is not different than any other towns. Everyone has gotten hung and I'm not saying Bill Freid will hang us, he hasn't hung us so far but a lot of these guys are first class artists. They come in and promise you the moon and when they got theirs, they say well, town, you can clean up the road, you can do this and do that.

MS. BIBO: Maybe you can take into consideration the job he's already done, our reputation speaks for itself.

MR. SCHIEFER: How many C.O.s do you have left?

MR. BABCOCK: 12.

MR. SCHIEFER: I have no problem, I tend to agree, I think they are one of the better volunteers we have had and let's hold up the other ten if you can live with those 2 and then the other ten be held up until everything is done. That is my opinion.

MS. MURPHY: Can we go on the agenda for like a month from now, can we come back and just keep reporting the progress?

MR. VAN LEEUWEN: Sure you can.

MR. SCHIEFER: But you say you need those two but I have no objection authorizing Mike to give those 2 but bear in mind before the other ten come along, we want to see progress.

MR. KRIEGER: I would suggest that if you are going to do it that way and let the C.O.s out 2 at a time that you set forth at this point a schedule so that all of the development of these things were tracked at gradual layouts so when they come back again you don't have to reinvent the wheel. You can say where are you on the schedule of events here and just let that correspond with our letting out a couple more C.O.s, see the schedule now and track it.

MR. DUBALDI: I think it's a bad precedent to set by doing this personally, I don't think it's a good idea.

MR. PETRO: They do have one valid point and that point was on April 7 they received a letter, it was not clear to the builder who has--

MR. DUBALDI: I remember last year I think we clearly stated we were not going to grant C.O.s on the last building.

MR. BABCOCK: The letter on April 7 the purpose of that letter was that we did have a discussion at a Planning Board meeting before that and at that meeting, we discussed about what we were going to do whether there was going to be bonding and I'm not sure exactly what was discussed. Since we have not heard from Mr. Freid, we decided at the meeting when he wasn't here we should prepare a letter and send off to him to remind him of the first meeting and this is the procedure we're going to go by so this is not the first time he's been acknowledged that he has to do these things.

MR. VAN LEEUWEN: He was a little insulted he got that letter.

MS. MURPHY: It wasn't clear when we went through the minutes in the meeting of November, it was discussed whether they were going to hold C.O.s or put up a bond.

It wasn't finalized.

MR. VAN LEEUWEN: Bill knew something was happening, why didn't he check it and see what was happening?

MR. BABCOCK: We were going to do something and it was supposed to be a schedule to yours.

MR. EDSALL: Just a comment, quite a long time ago we had many discussions regarding the outstanding items that had to be completed. And I'm just a little confused as to there's connections that are supposed to be made, these water connections have been known about for probably four years. We just completed construction of a water district in this Town within the last four or five weeks, I can't fathom why that line couldn't go into Vails Gate Heights, that has nothing to do with the weather and it's a very expensive item. We have to get a list of these items and start cataloging the costs because I've got quite a dollar value of improvements that are left and if you start chiseling away to the last 4 units the improvements maybe worth more than the cost of those. I don't know that I think it's very inappropriate to be negotiating unit counts when the law clearly states it said it the day he get the initial approval that you have to bond improvements if they are not completed when the C.O.s are being requested. They still have the option of getting all the C.O.s if the non-safety related items are bonded. I'm not agreeing that is the best way to do it but we have 6 water improvements that have to be done, we're dealing with Plum Point, we're dealing with Continental Manor and this is the problem we get into.

MR. VAN LEEUWEN: Washington Green is a fantastic project and they have been very cooperative but you've got a lot of work that still has got to be done and there's been a lot of opportunity to get it done, there's been a lot of adequate weather to have it done and it still hasn't been finished.

MS. MURPHY: We still have one bond outstanding.

MR. BABCOCK: If there's a bond, it's for the public

improvements because Washington Drive was going to be at one time a Town road so that bond would not cover any of the private improvements nor would we have the right to take it for that.

MR. VAN LEEUWEN: I think what we should do why don't you see how many projects you can get done, come to the meeting, give us a progress report, call Mike, ask him to get one of the Planning Board members to go through and take a look and I'll be glad to go and at that point, we'll see what we can do.

MS. BIBO: What about the 2 C.O.s we need for the end of the month?

MR. VAN LEEUWEN: There's time yet, we have another meeting. If at that time if you guys have done enough work and get enough going, maybe we'll issue those C.O.s. You prove to us you're going to do it, we'll prove to you you're going to get the C.O.s.

MS. MURPHY: Can you give us the idea what you want done?

MR. BABCOCK: We want it all complete or bonded basically.

MS. BIBO: But to get the 2 C.O.s you want it all complete.

MR. VAN LEEUWEN: Didn't say that, see what kind of progress you can make between now and then.

MR. EDSALL: Let's get back to just some common sense, there's some fire lanes that are effectively behind some of the first buildings that are built that still aren't straightened out and that has been going on for four years.

MR. PETRO: I agree with you and I agree with Carmen, two here and two here is going to be ridiculous. I think that only in the light that they have been such a well-groomed builder in the area, you have emergency situation with two units, you can have the ten held left and there will be no other deals after that until

we get it all straightened out. I think ten is as good as 12.

MR. VAN LEEUWEN: Why don't we see what they can get done between now and the next meeting.

MR. SCHIEFER: But at the next meeting.

MR. PETRO: If there's progress, the 2 won't be a problem.

MR. VAN LEEUWEN: We're talking the major things not little patch job like the water line that is supposed to go over to Vails Gate Heights that I want to see started.

MR. PETRO: Also prepare a list and a time schedule.

MR. SPIGNARDO: I want to see it completed.

MR. PETRO: When all these items are going to be addressed and completed, to present it at the next meeting.

MS. BIBO: A list, a time schedule on those items that are still outstanding.

MR. PETRO: And when they'll be completed, not just addressed but completed because I think you've got very clear picture tonight and I think Mr. Freid read the minutes and read the clear picture, we'll probably bend because of their cooperation on the 2 units but the ten units are going to be in limbo for a long time because we have no recourse on some of these major items plus they are a health and public safety matter.

MR. VAN LEEUWEN: Unless he wants to come up with a big fat bond, cash bond only no problem.

MR. PETRO: Everyone in agreement with that? We'll see you at the meeting of the 26th.

MR. VAN LEEUWEN: The reason why we let them put the fire lanes in we could have made them put roads in there. He asked us to waive the roads and we did and

May 12, 1993

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know he doesn't want to compete the fire lanes.

MS. BIBO: It's not that he doesn't want to, he does just doesn't have them done at this time and he needed the 2 C.O.s.

MR. PETRO: Mark has a good point the water extension could have been done two and half years ago. Thank you.

MR. VAN LEEUWEN: I make a motion we adjourn.

MR. SCHIEFER: I'll second it.

ROLL CALL

MR. VAN LEEUWEN	AYE
MR. SCHIEFER	AYE
MR. PETRO	AYE
MR. DUBALDI	AYE

Respectfully Submitted By:

Frances Roth
Frances Roth
Stenographer 5/25/93

RESULTS OF P.B. MEETING

DATE: 3/24/93

PROJECT NAME: _____

PROJECT NUMBER _____

LEAD AGENCY: _____

NEGATIVE DEC: _____

PUBLIC HEARING: _____

DISCUSSION:

All C.O.'s for Wash Guen's
last building to be held until work
Completed

SEND TO ORANGE CO. PLANNING: _____

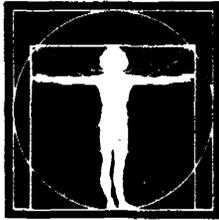
DISAPPROVED AND REFERRED TO Z.B.A.: YES _____ NO _____

RETURN TO WORK SHOP: YES _____ NO _____

APPROVED _____ APPROVED CONDITIONALLY _____

NEED NEW PLANS: YES _____ NO _____

REASON FOR NEW PLANS OR CONDITIONS OF APPROVAL: _____



EXETER
BUILDING
C O R P

April 12, 1993

Mr. James Petro
Chairman Planning Board
Town of New Windsor
555 Union Avenue
New Windsor, N. Y. 12553

Dear Mr. Petro:

I have just received a letter directed by you from your attorney regarding certain improvements at Washington Green that are unfinished.

I am at a loss to understand a communication like this written to me when there was still about 1½ feet of mud about all construction sites in the county.

Our record as a responsible builder is 100%. We have always finished what we are supposed to finish completely. Our intention is to complete the project 100%, correctly, as construction and weather conditions permit. Our record has always shown that.

I do not enjoy you people waving a bonding stick at me in order for me to do what we are going to do anyway, at a construction schedule that we have to set according to job conditions. Please stop these threatening actions.

Any bonding requirements for this project were placed when this site plan was approved years ago. I don't want to get into a legal hassle with you about new arbitrary bonding requirements or holding back of CO's arbitrarily contrary to law, at this stage.

We are good, honest, responsible builders, our record proves that. Everything will be finished in due time correctly.

Sincerely,

Wilbur Fried

Wilbur Fried

WF:ct

cc: Mark Edsall, Andrew S. Krieger, George Green

Attachment

10 EAST 78TH ST. - SUITE 2C - NEW YORK, NY 10021
212-744-5570 FAX: 212-744-5675

ANDREW S. KRIEGER
ATTORNEY AT LAW
210 QUASSAUCK AVENUE
SQUIRE SHOPPING CENTER, SUITE 3
NEW WINDSOR, NEW YORK 12553
(514) 565-2333

April 7, 1993

Washington Green Condominiums
1001 Washington Green
New Windsor, New York 12553

Attn: David Freid

Re: Improvements

Dear Mr. Freid:

At the request of the New Windsor Planning Board, I am writing this letter to you concerning the contents of your appearance before the Board on November 11, 1992.

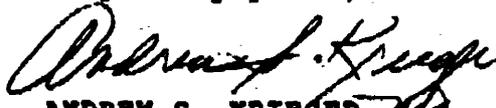
At that time the need for the completion of a number of improvements were discussed. These improvements include but are not limited to the installation of sidewalks, lights and fire lanes.

The Planning Board realizes that it may not have been clear at the time that no C.O.'s will be issued for the occupancy of the remaining buildings until all of the improvements specifically referred to at that time have been completed or, if completion is rendered impossible due to weather conditions have been fully bonded. The bonding option is not available with respect to the firelanes which must be completed prior to the issuance of any CO. The Town of New Windsor will not accept bonds for any work which could have been completed prior to the issuance of the CO and will only permit bonds for that work which could not physically have been completed due to weather conditions.

If you have any questions, please feel free to contact either me or Mark Edsall, P. E. the Planning Board Engineer or James Petro, the Planning Board Chairman.

Thank you.

Very truly yours,


ANDREW S. KRIEGER

ASK:mmt

cc: James Petro, Chairman, Planning Board
Mark Edsall, P. E.

RIDER, WEINER, FRANKEL & CALHELHA, P.C.

ATTORNEYS & COUNSELLORS AT LAW

M.J. RIDER (1906-1968)
ELLIOTT M. WEINER (1915-1990)

DAVID L. RIDER
CHARLES E. FRANKEL
MOACYR R. CALHELHA
MICHAEL J. MATSLER
DONNA M. BADURA
MAUREEN CRUSH
MARK C. TAYLOR
RODERICK E. DE RAMON
AMELIA T. DAMIANI**

*ALSO ADM IN FL
**ALSO ADM IN NJ & PA

427 LITTLE BRITAIN ROAD
POST OFFICE BOX 2280
NEWBURGH, NEW YORK 12550
TEL. (914) 562-9100

FAX 914-562-9126

CRAIG F. SIMON
MARIA F. MELCHIORI*
OF COUNSEL
KATHERINE M. LANGANKE
RICHARD A. CHASE
LEGAL ASSISTANTS

December 2, 1992

Mr. James Petro, Chairman
Planning Board of the Town of
New Windsor
555 Union Avenue
New Windsor, NY 12553

Re: Washington Green Condominiums
Our file No. 1317.1

Dear Mr. Petro:

We are writing as a follow up to our appearance before the Planning Board on the evening of November 11, 1992 with respect to the above noted project. It is our understanding from that meeting that based upon the comments from the two Condominium Boards, and the applicant, the Planning Board would be receptive to an application to revise the site plan to remove one of the four unfinished sidewalks, located adjacent to the pool.

In response to the Planning Board's request, we wish to confirm on behalf of our client that such amendment is acceptable. We understand that the Condominium Boards will also be writing to the Planning Board to advise of their assent. As was further discussed, the developer would further undertake to amend the offering plan to incorporate the revised site plan, and would agree that such amendment (which is reviewed by the attorney general's office) would be a condition to be satisfied in order for such revision to take effect.

We further wish to confirm that prior to the issuance of the final certificate of occupancy, the developer would be required to post security to assure the completion of any remaining unfinished site improvements. Such an obligation is acceptable to the developer.

Mr. James Petro, Chairman
December 2, 1992
Page Two

If you have any questions in this regard, please do not
hesitate to contact us.

Very truly yours,



Charles E. Frankel

CEF/

cc: Mr. Mark Edsal

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12550

TO Frances Beth 389 Moores Hill Rd DR.
New Windsor NY 12553

DATE		CLAIMED	ALLOWED
7/23/92	Planning Board	75 00	
	Misc - 2 9.00		
	Silver Stream - 1 4.50		
	Mt Arg - 1 4.50		
	Mayer - 9 40.50		
	Washington Green - 12 54.00		
	Quasnick Fire - 3 13.50	176 00	
		<u>201 00</u>	

RESULTS OF P.B. MEETING

DATE: November 11, 1992 (Discussion Item)

PROJECT NAME: Washington Green

PROJECT NUMBER Discussion

LEAD AGENCY: _____

NEGATIVE DEC: _____

PUBLIC HEARING: _____

DISCUSSION:

Want the remainder of the sidewalk on entrance road
Need letter from their attorney re: attorney General
All sidewalks to be concrete
All lights to be back that are moved for sidewalk

SEND TO ORANGE CO. PLANNING: _____

DISAPPROVED AND REFERRED TO Z.B.A.: YES _____ NO _____

RETURN TO WORK SHOP: YES _____ NO _____

APPROVED _____ APPROVED CONDITIONALLY _____

NEED NEW PLANS: YES _____ NO _____

REASON FOR NEW PLANS OR CONDITIONS OF APPROVAL: _____

WASHINGTON GREEN CONDOMINIUM I BOARD OF MANAGERS AND
WASHINGTON GREEN CONDOMINIUM II BOARD OF MANAGERS
c/o Anna Paliotta
1103 Washington Green
New Windsor, N.Y. 12553

VIA CERTIFIED MAIL -
RETURN RECEIPT REQUESTED

November 13, 1992

James Petro, Chairman
New Windsor Planning Board
555 Union Avenue
New Windsor, N.Y. 12553

RE: GENERAL LAYOUT OF GRADING, UTILITY & SOIL EROSION PLAN FOR
WASHINGTON GREEN CONDOMINIUMS Prepared By William Youngblood
Associates Dated October 10, 1986 And Stamped (And Executed)
"SITE PLAN APPROVAL GRANTED BY TOWN OF NEW WINDSOR PLANNING
BOARD ON OCT. 4, 1991 BY RONALD LANDER SECRETARY" (the
"Approved Site Plan").

LOCATION: WASHINGTON GREEN CONDOMINIUMS

Dear Mr. Petro:

In response to your request at the New Windsor Planning Board meeting on November 11, 1992, this will serve to confirm in writing our request to delete in its entirety from the Approved Site Plan only that concrete sidewalk shown on the Approved Site Plan as being located adjacent to the stone wall by the pool area and continuing along the lawn area by the sideyard of Building D.

Thank you for your time and consideration.

Very truly yours,

WASHINGTON GREEN CONDOMINIUM I
BOARD OF MANAGERS

By: *Anna Paliotta*
Anna Paliotta, President

WASHINGTON GREEN CONDOMINIUM II
BOARD OF MANAGERS

By: *Mike Meszaros*
Mike Meszaros, President

/2253P

cc: Mark Edsall, Planning Board Engineer - Certified Mail - RRR

EXETER BUILDING CORPORATION
WASHINGTON GREEN CONDOMINIUMS

<u>ITEM DESCRIPTION</u>	<u>SCHEDULED VALUE</u>	<u>ANTICIPATED COMPLETION</u>
ASPHALT TOPCOAT	\$21,300.	SPRING, 1993
FIRELANE	1,260.	DEC., 1992
MISC. CURBING	750.	SPRING, 1993
BUILDING LANDSCAPE	5,000.	SPRING, 1993 *
RECYCLING CENTER	3,000.	NOV. 30, 1992
PARKING LOT STRIPING	800.	SPRING, 1993
FINISH GRADE (REMAINDER OF SITE)	1,000.	DEC., 1992
SIDEWALKS		UNDER DISCUSSION
VALVE CHAMBER	7,000.	DEC., 1992 **

Condo Bd 1
Condo Bd 2

<u>CERTIFICATE OF OCCUPANCY</u>	<u>AMOUNT</u>	<u>ANTICIPATED COMPLETION</u>
BUILDING "Y"	4	NOV. 30, 1992
BUILDING "R"	12	FEB., 1993

MISCELLANEOUS ITEMS

ASBUILT DRAWINGS 95% COMPLETE
 PARKING LOT SPACES 470 EXISTING
 FIRELANE DETAIL APPROVED BY FIRE INSPECTOR

* BUILDING "Y" NOT INCLUDED -
 COMPLETION SCHEDULE IS NOV. 23, 1992

** COVERED BY EXISTING TOWN BOND

JOE Swamy



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

- Main Office
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- Branch Office
400 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

1-3

**PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE**

TOWN/VILLAGE OF NEW WINDSOR P/B # _____

WORK SESSION DATE: 20 Oct 92 APPLICANT RESUB. REQUIRED: N/A

REAPPEARANCE AT W/S REQUESTED: N/A

PROJECT NAME: Wash Green

PROJECT STATUS: NEW _____ OLD _____

REPRESENTATIVE PRESENT: Joe Sweeney

MUNIC REPS PRESENT:

BLDG INSP.	<u>X</u>
FIRE INSP.	<u>X</u>
ENGINEER	<u>X</u>
PLANNER	_____
P/B CHMN.	_____
OTHER (Specify)	_____

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

fax
561-1302

- ① 1001 Wash Green - Joe Sweeney
advise of mtg of 11th Nov.
(items not done) (compl. schedule) (delete requests)
- ② water interconnection - mtl. ordered

Distr. spaces
Ples spaces
Fire Lanes



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

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Branch Office
 400 Broad Street
 Milford, Pennsylvania 18337
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PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

TOWN/VILLAGE OF New Windsor P/B # _____

WORK SESSION DATE: 4 AUG '92 APPLICANT RESUB. REQUIRED: _____

REAPPEARANCE AT W/S REQUESTED: Yes

PROJECT NAME: Wash Green

PROJECT STATUS: NEW _____ OLD _____

REPRESENTATIVE PRESENT: Joe Sweeney

MUNIC REPS PRESENT: BLDG INSP. @mtg
 FIRE INSP. Bob
 ENGINEER X
 PLANNER _____
 P/B CHMN. _____
 OTHER (Specify) _____

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- ① Preferred Course have A/B plans submitted, acknowledge field revisions, w/nothing major, no code problems created, reviewed by P/B after ~~Jeff~~ Joe, Bob R, Mike B then P/B accepts A/B w/o need for S/P Am App
- ② Bob R to follow-up on fire lane



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

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 Millford, Pennsylvania 18337
 (717) 296-2765

**PLANNING BOARD WORK SESSION
 RECORD OF APPEARANCE**

TOWN/VILLAGE OF New Windsor P/B # -

WORK SESSION DATE: 1 Sept '92

APPLICANT RESUBMISSION
 REQUIRED: No

REAPPEARANCE AT W/S REQUESTED: No

PROJECT NAME: Wash Screen *they probably will want to see us anyway*

PROJECT STATUS: NEW OLD

REPRESENTATIVE PRESENT: Joe Sweeney

- MUNIC REPS PRESENT:
- BLDG INSP. X
 - FIRE INSP. br
 - ENGINEER X
 - PLANNER
 - P/B CHMN.
 - OTHER (Specify)

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- DISC A/B Plan
- submitted mtl's for piping/valve chambers
- show wc sizes
- show # ply spaces vs previously proposed
- suggest coord S/W @ 32 w/ Miller



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

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MARK J. EDSALL, P.E.

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PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

1-3

TOWN/VILLAGE OF New Windsor P/B # _____

WORK SESSION DATE: 3 Nov 92 APPLICANT RESUB. REQUIRED: later

REAPPEARANCE AT W/S REQUESTED: No

PROJECT NAME: Wash Green

PROJECT STATUS: NEW X OLD _____

REPRESENTATIVE PRESENT: Joe S.

MUNIC REPS PRESENT:

BLDG INSP.	<u>NAC</u>
FIRE INSP.	<u>X</u>
ENGINEER	<u>X</u>
PLANNER	_____
P/B CHMN.	_____
OTHER (Specify)	_____

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- + gen'l disc -
- + suggest sleeves & pre-made flags
- + work schedule & to schedule
- +

* Myra have talk to me
Jim & me to
re this meeting.

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

TO Frances Roth 359 Morris Hill Rd DR.
New Windsor, NY 12550

DATE		CLAIMED	ALLOWED
4/4/82	Planning Board Meeting		75 00
	Misc - 2		9 00
	Windsor Heights - 1		4 50
	AHFS - 3		13 50
	Fox River - 17		76 50
	Dantas - 14		63 00
	Park, Fly + Drive - 21		94 50
	Bernhardt - 2		9 00
	Windsor Counseling - 4		18 00
	N.W. Business Park - 4		18 00
	Hogain - 6		27 00
	Ross - 1 / Windsor Fire House - 2		4.50 / 9.00
	Washington Green - 1 / Hilltop - 6 / Foxwood - 2		4.50 / 27.00 / 9.00
\$ 462.00			

WASHINGTON GREEN

MR. EDSALL: The Chairman of the Planning Board, supervisor, myself, everyone seems in Town Hall has been receiving certified letters from this Phillip J, Kahn, attorney, living at Washington Green but representing no particular group, just as an owner who's writing the board certified letters. I received one dated September 4, another one September 17, I responded to Mr. Kahn on September 26 or rather 22 advising him that I am going to be looking into it.

MR. PETRO: I talked to him personally on the phone also.

MR. EDSALL: My suggestion is that the board not unilaterally decide to eliminate any portions of the approved site plan because of the concerns we had at Plum Point and my dealings with the Attorney General's office, very clear to me from dealing with them that once the site plan is approved, it's part of a prospectus so we can't and we don't have the right after the prospectus is drawn and owners there start deleting things. My suggestion is that you ask the applicant, Washington Green, the homeowner's association, to come in and invite Mr. Kahn to come in and we discuss the pros and cons of deleting certain aspects unless everyone agrees they have to build it the way it's approved and how the prospectus came out.

MR. LANDER: If they are going to change any of them, shouldn't they have gone back to the Attorney General?

MR. EDSALL: If everyone agrees, there should be an amendment to the filing so the Attorney General knows these things are being deleted. We can send out a letter and we'll set up a time.)



**McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

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New Windsor, New York 12553
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Milford, Pennsylvania 18337
(717) 296-2765

20 October 1992

Exeter Building Corporation
1001 Washington Green
New Windsor, New York 12553

ATTENTION: DAVID FRIED, VICE PRESIDENT

**SUBJECT: PROJECT SIDEWALKS AND COMPLETION OF SITE IMPROVEMENTS
WASHINGTON GREEN CONDOMINIUMS**

Dear Mr. Fried:

As you are aware, the Town of New Windsor Planning Board has discussed the completion of the site improvements for the Washington Green Condominium Complex and, as well, has discussed the issue of the construction of interior sidewalks for the project, all as delineated on the various site plans approved for the project. As well, the Planning Board has been contacted, and has received several letters, with regard to the aforementioned issues.

At the regular Planning Board meeting of 14 October 1992, I discussed these issues with the Planning Board and it was determined that the appropriate course of action was to schedule this matter for discussion at a regular meeting, with the Board requesting attendance by your company and representatives of the individual Homeowner's Associations of the project. As such, this letter is being provided to request your attendance (as well as the attendance of those representatives listed as copies of this letter) at the regular Planning Board meeting to be held on 11 November 1992, such that the details of these issues can be further discussed. The meeting will be

20 October 1992

held at Town Hall, starting at 7:30 p.m. An agenda for this meeting has not yet been established; therefore, at this time I am unaware of the position this matter will have on the agenda for that meeting. I suggest you contact the Planning Board Secretary, Myra Mason at 563-4615, to verify the item's schedule for that meeting.

If you have any questions concerning this matter, please do not hesitate to contact the undersigned.

Very truly yours,

McGOEY, HAUSER and EDSALL
CONSULTING ENGINEER, P.C.



Mark J. Edsall, P.E.
Planning Board Engineer

MJEmk

cc: James Petro, Planning Board Chairman
Andrew Krieger, Esq., Planning Board Attorney
Joseph Sweeny, Exeter Building Corp.
President, Board of Managers (Phase I)
President, Board of Managers (Phase II)
Interstate Property Management, Project Managers

A:FRIED.mk

July 22, 1992

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DISCUSSION

WASHINGTON GREEN

MR. PETRO: Washington Green was requested to be here by the New Windsor Planning Board

Mr. William Freid, Mr. David Freid and Mr. Joseph Sweeny came before the Board representing this proposal.

MR. WILLIAM FRIED: First of all, I hope you remember that we stand here as winners of the 1991 Orange County Real Estate Board Award for the best condominiums in Orange County for 1991.

MR. DAVID FREID: 1992.

MR. PETRO: That is truly a credit to our Town Engineer and the New Windsor Planning Board and the building inspector, I'm sorry. It does merit that decision. Mike, I'm going to let you start this because you're the one that went over with Mark some of the details and the reasons they are here.

MR. BABCOCK: We don't have that information with us tonight?

MR. EDSALL: I don't know if the memo submitted to the Town is on file there. I don't have a copy with me here tonight. The board had asked awhile ago for us to make our regular review of a project as it nears completion. The purpose again is to find out how far off you are from finishing all the site improvements before the last C.O. was issued. As you know, not everyone is as honest as you might be and projects tend to have all the C.O.'s issued and the work is not done. Your project predated the procedure of having site estimates submitted so the board asked us to visit the site and review the status. When we reviewed the status obviously credit is due for the nice job that is done but there's some elements that are missing and we need to start establishing what's missing and as well if you have changed anything or modified anything that

July 22, 1992

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hasn't been formally approved, we have got to document that now. One major issue which just us a misunderstanding among everyone is how the fire lanes need to be completed. And dimensionally I think there was some question, I believe that there might be a misunderstanding. What I understand is being the construction detail for the fire lanes isn't what's out there to my understanding so you can take it from that. I think it became a point of how much time can we spend creating as-builts and I don't think that is our function. I think we need to start having the as-builts submitted and we need to start discussing any discrepancies and discussing what's left to be done.

MR. PETRO: Was there any detail ever drawn or submitted to the Town to show a fire lane in the specifications that were required of those fire lanes?

MR. BABCOCK: There's several and they changed and they came back and they changed.

MR. PETRO: I think the ones in question are the ones with gravel.

MR. WILLIAM FREID: Could you tell us what seems to be at variance with what's your understanding? Is this the last one? This is the one here that is the last revision.

MR. BABCOCK: March 21, 1991.

MR. WILLIAM FREID: Tell us what you want and we'll do it, what do you see that we're not doing?

MR. VAN LEEUWEN: What happened they just laid some gravel down.

MR. SWEENEY: Our he detail on the fire lane was we had an option of as you can see five different to go. The blown up detail was one being grasscrete, grasscrete turned out last time I was here and I discussed it was finally a little too much maintenance I felt was going to be more of problem than a help. So we went talked to Bobby Rogers, Mike, Mark and the Planning Board and

July 22, 1992

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we came up with a detail that was like I said one of the following, we had grasscrete pavers, brick pavers, a sealed asphalt, or what we have in is a four inch concrete which is down the center showing a center fire lane with a ten foot band of a red stone. I have a four inch run-a-bank base underneath that, that is compacted and what we agreed upon was with Bobby is we can go with a ten foot surface if we had, if we beefed up the under shoulders out to 18 feet that would allow the outriggers for any fire equipment that comes in there would still be stabilized. The center of the fire lane is a path more for pedestrian traffic more than anything else.

MR. EDSALL: It's my misunderstanding detail shows ten foot width and there's various finishes but I don't think the ten foot width changes.

MR. VAN LEEUWEN: We're not too worried about the finish just want to make sure that it is stable.

MR. BABCOCK: Right now you have the path where you are working it's approximately three foot wide, the concrete itself is about three foot wide then there's red gravel on either side of that.

MR. PETRO: There's a base under the red gravel is what you're saying?

MR. SWEENY: Underneath that there's a four inch run-a-bank base which is--

MR. BABCOCK: This concrete itself would be ten foot width according to that.

MR. SWEENY: Yeah, that is the misunderstanding we're allowed.

MR. EDSALL: Part of the misunderstanding if you can functionally it doesn't matter what's there if in the middle of the winter they can't find it, fire trucks don't have homing devices to find out where its under the surface where the problem is. It's created as being that width so it can be plowed and if it can be

July 22, 1992

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plowed, they can obviously use it. If it is not plowed, it's unusable for a good portion of the year and if you cover it with grass and go in there with a plow, you're going to tear up all the grass and then what's going to happen because you caused so much damage you're going to decide not to plow it. My understanding not that it's going to narrow in width, it's going to be ten foot wide, if Bobby has agreed to something different, we should amend the plan.

MR. BABCOCK: We can sit down and talk about that. What we can do tonight is come up with what we want these gentlemen to do or what we want to do, there's some fire lanes that aren't there around the first original first building. It's not there. There's some curb work we were in the last Wednesday the Planning Board and myself road through. We noticed that you have been replacing some of the curbs that we were going to tell you that were in bad shape.

MR. SWEENEY: So we're one step ahead.

MR. PETRO: One other important thing if we're done with the fire lanes.

MR. BABCOCK: We should give them some points.

MR. PETRO: Catch basins.

MR. SCHIEFER: The one that sticks out.

MR. SWEENEY: The other thing that ended up happening if I may, I went to the place to order my casing, supplier they shutdown for the month of July then it's still four weeks to six weeks out from the July 30 date.

MR. WILLIAM FREID: What are we doing with that?

MR. SWEENEY: It's going to be a grate, flat grate right in the road.

MR. WILLIAM FREID: And we're going to take whatever Mike wants us to do we'll take care of.

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MR. EDSALL: The easiest way to approach it is to identify the major concerns and get us an as-built so we can put a record plan on file. One of the major items I received a call on was from the Water Department for the crossconnection to Vails Gate Heights, at this point that is the valve chamber in the back. Piping ends up in the back.

MR. SWEENEY: The valve chamber is in place, the wet tap on Forge Hill is complete. The only thing we're waiting on is fittings and valves to complete the chamber itself.

MR. EDSALL: The Town did have some problems in Vails Gate Heights.

MR. WILLIAM FREID: When were you planning to do that?

MR. SWEENEY: As soon as my approvals come back from Shaw Engineering, yeah I know we've had discussions with the water Department, Steve Didio has no problem. I know McGoey, Hauser & Edsall has some input, it's just a matter of coordinating a single valve.

MR. EDSALL: I don't think there's a problem we want to start to identify what's left and when it's going to be finished.

MR. BABCOCK: One other thing brought up Wednesday night that was the sidewalk that went up through.

MR. PETRO: Out to Route 32.

MR. WILLIAM FREID: We have these sidewalks shown. I don't know how this, how we got to the sidewalk going from this road to nowhere out to Route 32. Now, were you in on this thing, how did this come about? What's the purpose of this walk?

MR. VAN LEEUWEN: Let me explain something to you. The Town Board is the one that wants the sidewalk. We're under direct orders from the Town Board to put the sidewalks in.

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MR. SCHIEFER: This far back?

MR. WILLIAM FREID: Shall I say something to you? Listen to me. From real, live practical point of view, from here to here is absolutely makes no sense at all cause it's empty, nobody, the only thing you have here is vehicular traffic and nobody ever uses this at all to walk or anything of course nobody walks around here. But if anybody comes in, they'd be coming in somewhere around here. This is basically it's useless, I mean if you want us to put it, of course we'll put it in but from real life, it makes no sense. From here to here there's a possibility that possibly somebody might walk to Route 32 although this is going to be a shopping center over here.

MR. EDSALL: Just to help Fran out the portion that you are saying makes sense is from 32 into the first main entrance to the project between the first and the second main entrance, the second one being near that end cul-de-sac you're saying doesn't make any sense.

MR. VAN LEEUWEN: This sidewalk here that is a sidewalk right?

MR. WILLIAM FREID: Where is the plan you have?

MR. SWEENY: That is the same thing, it's the same one.

MR. VAN LEEUWEN: If these people can walk over here, then he's right.

MR. SCHIEFER: Personally I don't see this as being necessary.

MR. VAN LEEUWEN: Bring it to this point and you have these sidewalks to here and these people can walk through here and come down.

MR. SCHIEFER: I tend to agree, I'd like to see a sidewalk up to here but back here, I don't think it's necessary and nobody is back there.

MR. WILLIAM FREID: I would also say--

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MR. VAN LEEUWEN: You have them from here so you don't need anything from here on out.

MR. WILLIAM FREID: I tell you the truth, listen to me, I'm not trying to get away with anything. This might possibly, somebody might possibly use this. I don't think anybody would ever use this you know possibly other guy the from here to here is not in and from here to here isn't in.

MR. WILLIAM FREID: Now this maybe that is questionable if anybody would use it, you give a wrong impression to this place the we want the place not to look like Brooklyn, now this gives an impression possibly of Brooklyn, this for sure, this is, I mean, the place looks--

MR. VAN LEEUWEN: What about these, are these in?

MR. SWEENY: Those are in.

MR. DAVID FREID: This is the sidewalks.

MR. WILLIAM FREID: I would say that.

MR. VAN LEEUWEN: This sidewalk and this one that is not in?

MR. WILLIAM FREID: Correct. I would say that this is useless, this is marginal, this is useless too. This is marginal, this is, I could see you know somebody ever wants to walk out maybe.

MR. PETRO: May I speak gentlemen? The marginal one and the other one going out to 32 we'd like to see put in. This one here now once you take it out of here, it's part of the specifications for a Town road. If you take them out, you cannot dedicate the road until it's put back in because it's part of a specifications for a Town road so you have to write that into the minutes.

MR. EDSALL: I'm not quite sure where the standing for

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dedication if and when it ever was intended to be dedicated, we'd have to have it put in.

MR. VAN LEEUWEN: The only time we wanted it dedicated is for a through road which is not going to happen but if we can have something from them stating that they'll turn it over to the Town, the association will turn it over when the Town wants it at some future date.

MR. EDSALL: I believe they have an offer of dedication in there.

MR. DAVID FREID: You have an irrevocable offer of dedication.

MR. PETRO: It should be added to that at some time that it is dedicated, that sidewalk will be put in. Other than that, don't put it in. Now do the first piece and do that other piece coming up and omit that one.

MR. WILLIAM FREID: What do we have? We have a lot of landscaping and signage and rock walls and beautiful stuff, let's think about it, we have the entrance sign and lights here and what happens if we put a New York City sidewalk in here so it looks like Broadway. What's going to happen over here?

MR. SWEENY: I think it's going to be tight to existing, I have existing trees, an existing hedgeline right along this way here.

MR. WILLIAM FREID: I would recommend not putting this in because we have a beautiful bunch of landscaping if you go there you'll see it, you'll see rock walls, you'll see signage and lighting and landscaping. I would respectfully suggest. We'll put this in if you want to go by there and look at it again and let us know we really think you ought to.

MR. DUBALDI: How are the people going to get from over here to over here?

MR. WILLIAM FREID: I don't know who is going to use

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it? Nobody walks into there, nobody walks in there.

MR. SWEENY: If I may, 90 percent of the traffic that utilizes this road is vehicular.

MR. WILLIAM FREID: 98 percent, who do you see walking there.

MR. DUBALDI: There will be though, that is, there will be that is the whole thing.

MR. SCHIEFER: This would make sense, this side.

MR. VAN LEEUWEN: We made him put a sidewalk.

MR. SCHIEFER: There's sidewalks coming up here and this would make sense, this is a shopping center.

MR. PETRO: Why don't you put that section in. After it's in, we'll go down, take a look at it.

MR. WILLIAM FREID: We'll put it in if you want it in again tell us.

MR. SCHIEFER: I've seen that and this is very pretty.

MR. WILLIAM FREID: Yes, it is. The first shot with all the landscaping.

MR. BABCOCK: These gentlemen seem to be well versed in what's done and what's not done on the project. What I would suggest we ask them that to prepare a list of stuff that is not completed and prepare that list when they intend on completing it, maybe some dates.

MR. EDSALL: Secondly go through and start getting together for the use of all the departments as-builts just so it's good record for your homeowner's association and it's a good record for the Town.

MR. SWEENY: As-builts and water service, sewer service, mains, cleanouts.

MR. EDSALL: If you moved it around because of

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problems, move them on the plans. If you moved parking, we went out where you might have had 15 spaces shown and 15 more, you may have ten and 30.

MR. SWEENEY: Yes.

MR. EDSALL: Because we have to make sure in the long run that you still maintain the correct parking count.

MR. PETRO: On your list, make sure you put how you are going to address putting the sidewalk if the road should ever be dedicated.

MR. WILLIAM FREID: Whatever they want, we'll put it in.

MR. EDSALL: After you get the plans together schedule a workshop meeting that is the best time Bob Rogers will be there. We can straighten out the issue of the fire lanes.

MR. SWEENEY: So the main issues are fire lane, sidewalks, as-builts.

MR. PETRO: Catch basins.

MR. BABCOCK: You're taking care of the curbing, there's some catch basins that are sticking out, we assume you're going to push them back. There's some paving that is not done and a hundred percent complete, if you will on a list of what you intend on doing and when you intend on doing it.

MR. SWEENEY: I'll get that list together then we'll go to the workshop and then we'll come before the board.

MR. BABCOCK: Come back to the board and tell them and if it's acceptable, that is fine.

MR. EDSALL: How many more units do you have to apply for building permits.

MR. SWEENEY: 12?.

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MR. DAVID FREID: We had a building permit for that which lapsed unfortunately.

MR. EDSALL: How many C.O.'s remain?

MR. DAVID FREID: 12 plus Y and W.

MR. SWEENEY: Twelve. As a matter of fact--

MR. BABCOCK: If you guys remember it was four-plexes, the plan stayed the same except for the four-plexes so what you're saying is that you have received every building permit.

MR. DAVID FREID: We don't have building permit or we had.

MR. WILLIAM FREID: And it lapsed unfortunately.

MR. EDSALL: Reason I was asking I think we should have some indication of when you're proposing to build out the project compared to when you're going to finish that is the concern.

MR. WILLIAM FREID: Bottom line we're on our last two foundations, this foundation and this foundation that is the last.

MR. BABCOCK: What we've experienced in the past is that once the buildings are completed and the units are sold and we hold up a C.O, it's not only affecting you, we don't want to hold up your a C.O. because you didn't repair a curb and that person that is got their money on the line for the C.O. we're holding them up, that becomes a problem. We want you to complete your project along with completing your homes. That is what we want and the only way we can insure that is to make sure you don't get too far ahead on the homes before the rest of the services are done.

MR. WILLIAM FREID: Whatever we have to do, that is right, we'll do it.

MR. EDSALL: Things appear to be coming to a close, the

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buildings and the site work.

MR. WILLIAM FREID: You know us so far our record is clean so we intend to keep it that way.

MR. BABCOCK: It's not only you, we do this on each project.

MR. WILLIAM FREID: Oh, no, no.

MR. SWEENEY: I was just informed I don't, I'm anticipating filing for building permit on building R tomorrow because I want to commence construction on R as of next week, okay, without coming back to the Planning Board. Is this going to in any way hinder me from getting building permit?

MR. PETRO: I can answer you on behalf of the New Windsor Planning Board, I think that you have a good handle on what's going on, Mark and Mike are pretty well satisfied along with the other Planning Board members and I don't see any problem with issuing you a building permit.

MR. BABCOCK: Okay.

MR. EDSALL: They have been very responsive.

MR. SWEENEY: I just wanted to make sure.

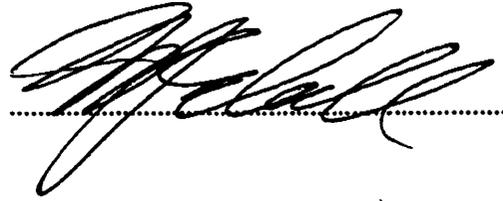
STATE OF NEW YORK,
TOWN OF NEW WINDSOR

} ss.

Mark J. Edsall, P. E., Principal

I hereby certify, that the items of this account are correct; that the disbursements and services charged therein have in fact been made and rendered, and that no part thereof has been paid or satisfied, that the amount herein mentioned is in full settlement for all services rendered and materials furnished.

Sign Here



No.

Town of New Windsor

Nature

Amount Claimed \$

Amount Allowed \$

Filed

I hereby certify that at a meeting of
said Town Board held at the office of the
Town Clerk on the day
of, 19.....

the within claim was audited and allowed
for the sum of

\$

.....
Clerk

CHRONOLOGICAL JOB STATUS REPORT

JOB: 87-56 NEW WINDSOR PLANNING BOARD
 TASK: 86- 17

CLIENT: NEWWIN - TOWN OF NEW WINDSOR

TASK-NO	REC	--DATE--	TRAN	EMPL	ACT	DESCRIPTION-----	RATE	HRS.	-----DOLLARS-----			
									TIME	EXP.	BILLED	BALANCE
86-17	497	09/22/86	TIME	RDM	MC	LEXINGTON GATE	40.00	1.00	40.00			
86-17	498	10/26/86	TIME	MJE	MC	LEXINGTON GATE	40.00	1.50	60.00			
86-17	496	11/02/86	TIME	MJE	MC	LEXINGTON GATE	40.00	1.00	40.00			
86-17	500	01/11/87	TIME	FMD	CL	LEXINGTON GATE	17.00	0.50	8.50			
86-17	499	01/18/87	TIME	MJE	MC	LEXINGTON GATE	40.00	0.50	20.00			
86-17	501	03/08/87	TIME	MJE	MC	LEXINGTON GATE	40.00	0.50	20.00			
86-17	1393	04/13/87	TIME	MJE	MC	LEXINGTON GATE	40.00	1.00	40.00			
86-17	2401	05/27/87	TIME	FMD	CL		17.00	0.50	8.50			
86-17	2889	06/08/87	TIME	MJE	MC	LEXINGTON GATE	40.00	0.50	20.00			
86-17	2900	06/08/87	TIME	MJE	MC		40.00	1.00	40.00			
86-17	2822	06/09/87	TIME	FMD	CL		17.00	0.50	8.50			
86-17	2893	06/09/87	TIME	MJE	MC	LEXINGTON GATE	40.00	0.50	20.00			
86-17	3105	06/18/87	TIME	MJE	MC	LEXINGTON GATE	40.00	0.50	20.00			
86-17	4744	08/14/87	TIME	MJE	MC	LEXINGTON GATE	40.00	1.00	40.00			
86-17	5231	08/25/87	TIME	MJE	MC	LEXINGTON GATE	40.00	0.50	20.00			
86-17	5238	08/26/87	TIME	MJE	MC	LEXINGTON GATE	40.00	0.50	20.00			
86-17	5417	09/03/87	TIME	MJE	MC	LEXINGTON GATE	40.00	1.50	60.00			
86-17	5486	09/09/87	TIME		MC	LEXINGTONGATE	40.00	2.00	80.00			
86-17	5492	09/11/87	TIME		MC	LEXINGTON GATE	40.00	1.00	40.00			
86-17	5940	09/14/87	TIME	MJE	MC	LEXINGTON GATES	40.00	1.00	40.00			
86-17	5842	09/15/87	TIME	MJE	MC	LEXINGTON GATES	40.00	1.00	40.00			
86-17	6184	10/01/87	TIME	MJE	MC	LEXINGTON GATE	40.00	0.50	20.00			
86-17	6657	10/12/87	TIME	MJE	MC	LEXINGTON GATE	40.00	0.50	20.00			
86-17	6785	10/26/87	TIME	MJE	MC	LEXINGTONGATE	40.00	0.50	20.00			
86-17	6786	10/28/87	TIME	MJE	MC	LEXINGTON GATE	40.00	0.50	20.00			
86-17	6802	10/28/87	TIME	MJE	MC	LEXINGTON GATE	40.00	0.50	20.00			
86-17	7187	11/10/87	TIME	MJE	MC	LEXINGTON GATE	40.00	0.50	20.00			
86-17	7229	11/17/87	TIME	MJE	MC	LEXINGTON GATE	40.00	1.00	40.00			
86-17	7579	12/01/87	TIME	MJE	MC	LEXINGTON GATE	40.00	0.50	20.00			
86-17	8087	12/09/87	TIME	MJE	MC	LEXINGTON GATE	40.00	0.50	20.00			
86-17	8732	01/05/88	TIME	MJE	MC	LEXINGTON GATE	40.00	1.00	40.00			
86-17	8739	01/07/88	TIME	MJE	MC	LEXINGTON GATE	40.00	1.00	40.00			
86-17	8739	01/08/88	TIME	MJE	MC	LEXINGTON GATE	40.00	0.50	20.00			
86-17	9009	01/14/88	TIME	MJE	MC	LEX GATE SITE PLAN	40.00	0.40	16.00			
86-17	9010	01/15/88	TIME	MJE	MC	LEX GATE SITE PLAN	40.00	0.30	12.00			
86-17	9303	01/18/88	TIME	DML	CL	WASHINGTON GREEN	0.00	1.50	0.00			
86-17	9108	01/20/88	TIME	MJE	MC	WASH GREEN	40.00	0.50	20.00			
86-17	10170	02/20/88	TIME	MJE	MC	LEXINGTON GATE	40.00	1.00	40.00			
86-17	10245	02/23/88	TIME	MJE	MC	WASHINGTON GREEN	40.00	1.50	60.00			
86-17	10246	02/24/88	TIME	MJE	MC	WASHINGTON GREEN	40.00	0.50	20.00			
86-17	11393	03/21/88	TIME	MJE	MC	WASHINGTON GREEN	40.00	0.40	16.00			
86-17	11530	03/22/88	TIME	CAO	CL	WASHINGTON GREEN	17.00	0.50	8.50			
86-17	11406	03/23/88	TIME	MJE	MC	WASHINGTON GREEN	40.00	0.30	12.00			
86-17	11413	03/23/88	TIME	MJE	MC	WASHINGTON GREEN	40.00	0.80	32.00			
86-17	11797	03/30/88	TIME	MJE	MC	WASHINGTON GREEN	40.00	0.30	12.00			
86-17	13481	05/05/88	TIME	RDM	SU	WASHINGTON GREEN	40.00	0.50	20.00			
86-17	13659	05/10/88	TIME	RDM	SU	WASHINGTON GREEN	40.00	1.50	60.00			
86-17	14357	05/16/88	TIME	MJE	MC	WASHINGTON GREEN	40.00	0.50	20.00			
86-17	14574	05/17/88	TIME	MJE	MC	WASHINGTON GREEN	40.00	0.20	8.00			

CHRONOLOGICAL JOB STATUS REPORT

JOB: 87-56 NEW WINDSOR PLANNING BOARD
 TASK: 86- 17

CLIENT: NEWWIN - TOWN OF NEW WINDSOR

TASK-NO	REC	--DATE--	TRAN	EMPL	ACT	DESCRIPTION-----	RATE	HRS.	TIME	-----DOLLARS-----				
										EXP.	BILLED	BALANCE		
86-17	14590	05/19/88	TIME	MJE	MC	WASHINGTON GREEN	40.00	1.00	40.00					
86-17	14670	05/19/88	TIME	RDM	MC	WASHINGTON GREEN	40.00	1.00	40.00					
86-17	14617	05/19/88	TIME	MJE	MC	WASHINGTON GREEN	40.00	0.50	20.00					
86-17	14341	05/20/88	TIME	RDM	MC	PERF BOND EST	40.00	0.50	20.00					
86-17	15176	05/23/88	TIME	EJ	CL	WASHINGTON GREEN	0.00	1.00	0.00					
86-17	14818	05/25/88	TIME	MJE	MC	WASHINGTON GREEN	40.00	0.30	12.00					
86-17	15198	05/25/88	TIME	EJ	CL	WASHINGTON GREEN	17.00	0.50	8.50					
86-17	15200	05/26/88	TIME	EJ	CL	LTR/WASHINGTON GREEN	17.00	0.50	8.50					
86-17	16107	06/07/88	TIME	RDM	MC	WASHINGTON GREEN	40.00	1.50	60.00					
86-17	16150	06/09/88	TIME	RDM	MC	WASH GRN/DISC SEW	40.00	0.50	20.00					
86-17	16047	06/14/88	TIME	RDM	MC	WASH GREEN/PERF BOND	40.00	1.00	40.00					
86-17	16212	06/14/88	TIME	MJE	CL	WASH GREEN PERF BOND	17.00	0.50	8.50					
86-17	15487	06/16/88	TIME	RDM	MC	WASH GREEN BOND RED	40.00	1.00	40.00					
86-17	16093	06/16/88	TIME	RDM	MC	WASHINGTON GREEN	40.00	1.00	40.00					
86-17	16471	06/23/88	TIME	MJE	MC	WASH GREEN	40.00	0.50	20.00					
86-17	16487	06/24/88	TIME	MJE	MC	WASH GREEN	40.00	0.40	16.00					
86-17	16787	06/27/88	TIME	MJE	MC	WASHINGTON GREEN	40.00	1.00	40.00					
86-17	17123	07/05/88	TIME	MJE	MC	WASH GREEN	40.00	0.50	20.00					
86-17	17106	07/07/88	TIME	MJE	MC	WASH GREEN	40.00	1.00	40.00					
86-17	17405	07/07/88	TIME	EJ	CL	WASHINGTON GREEN	17.00	1.00	17.00					
86-17	17408	07/08/88	TIME	EJ	CL	WASHINGTON GREEN	17.00	0.50	8.50					
86-17	17410	07/08/88	TIME	EJ	CL	CORR/WASH GREEN	17.00	0.50	8.50					
86-17	17575	07/11/88	TIME	MJE	MC	WASH GREEN	40.00	0.50	20.00					
86-17	20631	08/29/88	TIME	MJE	MC	WASH GREEN	40.00	0.50	20.00					
86-17	20641	08/31/88	TIME	MJE	MC	WASH GREEN	40.00	0.50	20.00					
									1929.50					
86-17	19288	08/17/88				BILL Wash Gr.Partial Bill					-1889.50			
													-1889.50	
86-17	20919	09/07/88	TIME	MJE	MC	LEX GATE	40.00	0.20	8.00					
86-17	21082	09/13/88	TIME	MJE	MC	WASH GREEN	40.00	1.00	40.00					
86-17	21826	09/13/88	TIME	MJE	CL	WASHINGTON GREEN	17.00	0.50	8.50					
86-17	21087	09/15/88	TIME	MJE	MC	WASH GREEN	40.00	0.50	20.00					
86-17	21088	09/16/88	TIME	MJE	MC	WASH GREEN	40.00	0.50	20.00					
86-17	22101	09/21/88	TIME	MJE	MC	WASH GREEN	40.00	0.50	20.00					
86-17	22380	09/28/88	TIME	MJE	MC	WASH GR	40.00	0.30	12.00					
									TASK TOTAL	2058.00	0.00	-1889.50	168.50	
									GRAND TOTAL	2058.00	0.00	-1889.50	168.50	

TOWN OF NEW WINDSOR

PLANNING BOARD

SEPTEMBER 28, 1988

10/12/88
9:45 a.m.
EAS

PRESENT: HENRY SCHEIBLE, CHAIRMAN
LAWRENCE JONES
RON LANDER (arriving late)
DAN MC CARVILLE
HENRY VAN LEEUWEN
CARL SCHIEFER
JOHN PAGANO

ALSO PRESENT: MARK EDSALL, P.E., PLANNING BOARD ENGINEER
MICHAEL BABCOCK, BUILDING INSPECTOR
JOSEPH RONES, ESQ., PLANNING BOARD ATTORNEY

WASHINGTON GREEN SITE PLAN - ROUTE 32 - (86-18)

Mr. Mike Waskew came before the board representing this proposal.

Mr. Waskew: Washington Green has been before you a few times over the past couple years. Just briefly, what we want to do is build two hundred and ten condominium units of two and three bedroom units on Route 32. We are proposing a Town road to be called Washington Drive which temporarily is terminating at a cul-de-sac. We expect that at some point there will be an access point determined across the site of the right of way of the Consolidated Railroad Company and at that point the road will be continued on across that piece of property where we will reserve development so that the road can cross an easement across the railroad is permitted and tie into the road system within Continental Manor and out into 300. The remainder of the roads in the property are private roads although they are being built to Town road specs with the exception of the parking area. There are, as I said, 210 units in 18 buildings. However, we are probably willing to number them one through nineteen skipping thirteen. We have done our best over the past couple of years before the Planning Board in modifying the plan, trying to keep as much as possible to the top and saving trees that has caused a lot of moving of the roads. We have gotten approval conditional on getting the other agency approvals principally, the DOT, Orange County Board of Health and New York State DOT, all of which we now have. To that end I am coming before you and asking you for final approval for the site plan.

Mr. Van Leeuwen: This land down in here what is the future plan?

Mr. Waskew: Well, we had a couple of discussions. We left it alone. At several meetings we went through a few different plans there was a large recreational area here, most of this land will always be left green. The piece of property immediately along Forge Hill there was a discussion of an athletic field and we had discussed for an adult senior citizen's residence. That is in fact what we'd like to do in the future develop it in the future as senior

* citizens units. We are entitled to an it will be all done by private funds, no federally funded project. At the moment, it is being left alone.

Mr. Van Leeuwen: There is something planned?

Mr. Waskew: We'd like to consider senior citizens. We'd be prepared to come before the Board for a proposal within the next couple months. I think it is an appropriate spot for seniors because we'd finish the roads, and put in sidewalks they can walk easily to shopping. I thin it is a good location for senior citizens. It is quiet and peaceful.

Mr. Jones: What about the lot up at the top. What about that lot in there. that is wet.

Mr. Waskew: It is wet actually it is just here that it is wet.

Mr. Jones: You'd get drowned in there in the summertime.

Mr. Waskew: There is a drainage system to dry that area out at the moment. We don't want to take out any of the foliage or trees. I'd like to raise that area, you are right by the way, we expect to put in french drains.

Mr. Mc Carville: There is no building plan where that wet is?

Mr. Waskew: No, and up here where you are pointing to originally just landscaped and greens, only building that you see are planning in this area. The only area where we'd ever ask for additional building is just beyond the stone wall right on Forge Hill Road as senior citizens residences. For the record, no other buiding will ever be proposed in this area and we expect to leve this as natural area always with the exception of reserving the 50 foot drive for the Town road should it ever happen.

Mr. Van Leeuwen: That is going to happen.

Mr. Waskew: I hope so.

Mr. Jones: Seems like everything is all right. I make a motion to give Washington Green Site Plan final approval.

Mr. Mc Carville: I will second that motion.

ROLL CALL:	MR. SCHIEFER	AYE
	MR. PAGANO	AYE
	MR. VAN LEEUWEN	AYE
	MR. JONES	AYE
	MR. MC CARVILLE	AYE
	MR. SCHEIBLE	AYE

Mr. Waskew: Thank you very much. We hope to build a project we will all be proud of.

Mr. Jones: Are all the fees paid?

Mr. Scheible: No.

JAMES G. SWEENEY
ATTORNEY AT LAW
107 STAGE ROAD
MONROE, N. Y. 10950

TELEPHONE 783-2600
AREA CODE 914

April 3, 1986

Tad J. Seaman, Esq.
McGuirk, Levinson, Zeccola, Seaman,
Reineke & Ornstein, P.C.
542 Union Avenue
New Windsor, New York 12550

Dear Tad:

Enclosed please find a self-explanatory request of the New Windsor Town Clerk's office for a good bit of documentation relating to the recent rezoning (Local Law # 1 of 1986).

As I advised you, I represent Bill Fried with regard to the subject parcel on Rte. 32.

I have reviewed the Town Clerk's file in some detail and I find some weaknesses which, should litigation ensue, could prove fatal to the enactment of the entire rezoning plan. The attention given to SEQRA is shoddy at best. The rezoning insofar as the subject parcel is concerned is a "type 1" action in that it involves the rezoning of a previously designated residential piece in excess of 25 acres to a commercial function. See 6 NYCRR 617.2 (b) (2) (i). I am sure you are aware that "type 1" actions have a very low threshold in terms of a required EIS. The Town Clerk's file reveals a short form and perfunctory EAF only, which does not address the criteria set forth in 6 NYCRR 617.11, which is absolutely essential for "type 1" actions.

There is at least one Appellate Division case that states in circumstances such as this that a full blown environmental impact statement (EIS) "is required". See

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Badura v Guelli, 94 A.D. 2d 972, 464 N.Y.S. 2d 98 (1983).
A review of the more recent cases of Williamsville
Southeast Amherst v Sharpe, 110 A.D. 2d 1074, 488 N.Y.S. 2d
931 (1985), and Kirk-Astor Drive v Town Board of Pittsford,
106 A.D. 2d 868, 483 N.Y.S. 2d 526 (1984) demonstrate that
a good deal more work is necessary on the environmental
approach to this type of rezoning than was given by the
Town Engineer. I am afraid that this is a fatal defect in
the entire rezoning process.

Additionally, the type of notices that were given
that led up to the public hearing of January 29, 1986 are
very limited and superficial. I am not sure that they
would withstand the scrutiny of a court under a "due
process" review.

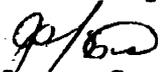
All in all, neither Mr. Fried nor myself are
attempting to upset the entire rezoning plan for the Town.
I am simply, as I told you, asking the Town to reconsider
its' action with regard to this particular of land which is
far better suited to the type of multiple residential
project that Bill Fried desires to site on the property.

I am led to believe that some members of the Town
Board agree that the rezoning of this particular parcel to
P-0 was somewhat hasty, and should be reconsidered in light
of the Fried proposal.

I would ask you to pursue this latter alternative
rather than affording me no recourse except a frontal
attack on the entire zoning law which, I am sure, the Town
Board does not wish.

I await your thought.

Sincerely,


James G. Sweeney

JGS/ms

State Environmental Quality Review
FULL ENVIRONMENTAL ASSESSMENT FORM

Purpose: The full EAF is designed to help applicants and agencies determine, in an orderly manner, whether a project or action may be significant. The question of whether an action may be significant is not always easy to answer. Frequently, there are aspects of a project that are subjective or unmeasurable. It is also understood that those who determine significance may have little or no formal knowledge of the environment or may be technically expert in environmental analysis. In addition, many who have knowledge in one particular area may not be aware of the broader concerns affecting the question of significance.

The full EAF is intended to provide a method whereby applicants and agencies can be assured that the determination process has been orderly, comprehensive in nature, yet flexible to allow introduction of information to fit a project or action.

Full EAF Components: The full EAF is comprised of three parts:

- Part 1:** Provides objective data and information about a given project and its site. By identifying basic project data, it assists a reviewer in the analysis that takes place in Parts 2 and 3.
- Part 2:** Focuses on identifying the range of possible impacts that may occur from a project or action. It provides guidance as to whether an impact is likely to be considered small to moderate or whether it is a potentially-large impact. The form also identifies whether an impact can be mitigated or reduced.
- Part 3:** If any impact in Part 2 is identified as potentially-large, then Part 3 is used to evaluate whether or not the impact is actually important.

DETERMINATION OF SIGNIFICANCE – Type 1 and Unlisted Actions

Identify the Portions of EAF completed for this project: Part 1 Part 2 Part 3

Upon review of the information recorded on this EAF (Parts 1 and 2 and 3 if appropriate), and any other supporting information, and considering both the magnitude and importance of each impact, it is reasonably determined by the lead agency that:

- A. The project will not result in any large and important impact(s) and, therefore, is one which will not have a significant impact on the environment, therefore a **negative declaration will be prepared.**
- B. Although the project could have a significant effect on the environment, there will not be a significant effect for this Unlisted Action because the mitigation measures described in PART 3 have been required, therefore a **CONDITIONED negative declaration will be prepared.***
- C. The project may result in one or more large and important impacts that may have a significant impact on the environment, therefore a **positive declaration will be prepared.**

* A Conditioned Negative Declaration is only valid for Unlisted Actions

LEXINGTON GATE AT NEW WINDSOR

Name of Action

PLANNING BOARD TOWN OF NEW WINDSOR

Name of Lead Agency

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (If different from responsible officer)

Date

PART 1—PROJECT INFORMATION

Prepared by Project Sponsor

NOTICE: This document is designed to assist in determining whether the action proposed may have a significant effect on the environment. Please complete the entire form, Parts A through E. Answers to these questions will be considered as part of the application for approval and may be subject to further verification and public review. Provide any additional information you believe will be needed to complete Parts 2 and 3.

It is expected that completion of the full EAF will be dependent on information currently available and will not involve new studies, research or investigation. If information requiring such additional work is unavailable, so indicate and specify each instance.

NAME OF ACTION Lexington Gate at New Windsor			
LOCATION OF ACTION (Include Street Address, Municipality and County) West side of N.Y.S. Route 32, north of Forge Hill Rd., - Town of New Windsor - Orange Co.			
NAME OF APPLICANT/SPONSOR Lizda Realty, Ltd.		BUSINESS TELEPHONE (212) 884-4062	
ADDRESS 4601 Delafield Avenue			
CITY/PO Bronx		STATE N.Y.	ZIP CODE 10471
NAME OF OWNER (if different)		BUSINESS TELEPHONE ()	
ADDRESS			
CITY/PO		STATE	ZIP CODE
DESCRIPTION OF ACTION Construction of a Town Road and private roads with parking lots and eighteen (18) condominium buildings to house 210 families. Improvement of State Highway to accommodate left turns into a new Town road. Construction of sewers, storm drains and water mains to accommodate these residential units.			

Please Complete Each Question—Indicate N.A. if not applicable

A. Site Description

Physical setting of overall project, both developed and undeveloped areas.

1. Present land use: Urban Industrial Commercial Residential (suburban) Rural (non-farm)
 Forest Agriculture Other Vacant

2. Total acreage of project area: 33.7207 acres.

APPROXIMATE ACREAGE	PRESENTLY	AFTER COMPLETION
Meadow or Brushland (Non-agricultural)(open field)	<u>15.0</u> acres	<u>0</u> acres
Forested (light woods)	<u>5.0</u> acres	<u>0</u> acres
Agricultural (Includes orchards, cropland, pasture, etc.)	<u>0</u> acres	<u>0</u> acres
Wetland (Freshwater or tidal as per Articles 24, 25 of ECL)	<u>0</u> acres	<u>0</u> acres
Water Surface Area	<u>13.7</u> acres	<u>13.7</u> acres
Unvegetated (Rock, earth or fill)	<u>0</u> acres	<u>0</u> acres
Roads, buildings and other paved surfaces	<u>0</u> acres	<u>10</u> acres
Other (Indicate type) <u>lawn - landscaping</u>	<u>0</u> acres	<u>10</u> acres

3. What is predominant soil type(s) on project site? sandy loam
- a. Soil drainage: Well drained 70 % of site Moderately well drained 0 % of site
 Poorly drained 30 % of site
- b. If any agricultural land is involved, how many acres of soil are classified within soil group 1 through 4 of the NYS Land Classification System? _____ acres. (See 1 NYCRR 370). NA
4. Are there bedrock outcroppings on project site? Yes No
- a. What is depth to bedrock? 20 (in feet)

Approximate percentage of proposed project site with slopes: 0-10% 36 % 10-15% 7 %
 15% or greater 17 %

6. Is project substantially contiguous to, or contain a building, site, or district, listed on the State or the National Registers of Historic Places? Yes No
7. Is project substantially contiguous to a site listed on the Register of National Natural Landmarks? Yes No
8. What is the depth of the water table? _____ (in feet) 0 in marsh, 20' average elsewhere
9. Is site located over a primary, principal, or sole source aquifer? Yes No
10. Do hunting, fishing or shell fishing opportunities presently exist in the project area? Yes No
11. Does project site contain any species of plant or animal life that is identified as threatened or endangered?
 Yes No According to _____
Identify each species _____
12. Are there any unique or unusual land forms on the project site? (i.e., cliffs, dunes, other geological formations)
 Yes No Describe _____
13. Is the project site presently used by the community or neighborhood as an open space or recreation area?
 Yes No If yes, explain _____
14. Does the present site include scenic views known to be important to the community?
 Yes No
15. Streams within or contiguous to project area: Local drainage way (un-named)
a. Name of Stream and name of River to which it is tributary Hudson River
16. Lakes, ponds, wetland areas within or contiguous to project area: None - small marsh on land
a. Name _____ b. Size (In acres) _____
17. Is the site served by existing public utilities? Yes No
a) If Yes, does sufficient capacity exist to allow connection? Yes No
b) If Yes, will improvements be necessary to allow connection? Yes No (not to off-site systems)
18. Is the site located in an agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? Yes No
19. Is the site located in or substantially contiguous to a Critical Environmental Area designated pursuant to Article 8 of the ECL, and 6 NYCRR 617? Yes No
20. Has the site ever been used for the disposal of solid or hazardous wastes? Yes No

B. Project Description

1. Physical dimensions and scale of project (fill in dimensions as appropriate)
- a. Total contiguous acreage owned or controlled by project sponsor 33.7207 acres.
- b. Project acreage to be developed: 33.7207 acres initially; 33.7207 acres ultimately.
- c. Project acreage to remain undeveloped 0 acres.
- d. Length of project, in miles: NA (If appropriate)
- e. If the project is an expansion, indicate percent of expansion proposed NA %;
- f. Number of off-street parking spaces existing 0; proposed 441.
- g. Maximum vehicular trips generated per hour _____ (upon completion of project)? - see traffic study
- h. If residential: Number and type of housing units:
- | | One Family | Two Family | Multiple Family | Condominium |
|------------|------------|------------|-----------------|-------------|
| Initially | <u>-</u> | <u>-</u> | <u>-</u> | <u>210</u> |
| Ultimately | <u>-</u> | <u>-</u> | <u>-</u> | <u>210</u> |
- i. Dimensions (in feet) of largest proposed structure 35 height; 40 width; 103 length.
- j. Linear feet of frontage along a public thoroughfare project will occupy is? 1400 ft. - on new Town road

2. How much natural material (i.e., rock, earth, etc.) will be removed from the site? 0 tons/cubic yards
3. Will disturbed areas be reclaimed? Yes No N/A.
 - a. If yes, for what intended purpose is the site being reclaimed? _____
 - b. Will topsoil be stockpiled for reclamation? Yes No
 - c. Will upper subsoil be stockpiled for reclamation? Yes No
4. How many acres of vegetation (trees, shrubs, ground covers) will be removed from site? 10 acres.
5. Will any mature forest (over 100 years old) or other locally-important vegetation be removed by this project? Yes No some 100 year old trees may be removed
6. If single phase project: Anticipated period of construction 18 months, (including demolition).
7. If multi-phased:
 - a. Total number of phases anticipated _____ (number).
 - b. Anticipated date of commencement phase 1 _____ month _____ year, (including demolition).
 - c. Approximate completion date of final phase _____ month _____ year.
 - d. Is phase 1 functionally dependent on subsequent phases? Yes No
8. Will blasting occur during construction? Yes No
9. Number of jobs generated: during construction 100; after project is complete 4 - condo. mainte
ence
10. Number of jobs eliminated by this project 0.
11. Will project require relocation of any projects or facilities? Yes No If yes, explain _____
12. Is surface liquid waste disposal involved? Yes No
 - a. If yes, indicate type of waste (sewage, industrial, etc.) and amount _____
 - b. Name of water body into which effluent will be discharged _____
13. Is subsurface liquid waste disposal involved? Yes No Type _____
14. Will surface area of an existing water body increase or decrease by proposal? Yes No
Explain marsh and swamp
15. Is project or any portion of project located in a 100 year flood plain? Yes No
16. Will the project generate solid waste? Yes No
 - a. If yes, what is the amount per month 20 tons
 - b. If yes, will an existing solid waste facility be used? Yes No
 - c. If yes, give name Orange County Landfill; location Middletown
 - d. Will any wastes not go into a sewage disposal system or into a sanitary landfill? Yes No
 - e. If Yes, explain _____
17. Will the project involve the disposal of solid waste? Yes No
 - a. If yes, what is the anticipated rate of disposal? _____ tons/month.
 - b. If yes, what is the anticipated site life? _____ years.
18. Will project use herbicides or pesticides? Yes No
19. Will project routinely produce odors (more than one hour per day)? Yes No
20. Will project produce operating noise exceeding the local ambient noise levels? Yes No
21. Will project result in an increase in energy use? Yes No
If yes, indicate type(s) Gas and Electricity
22. If water supply is from wells, indicate pumping capacity NA gallons/minute.
23. Total anticipated water usage per day 31,500 gallons/day.
24. Does project involve Local, State or Federal funding? Yes No
If Yes, explain _____

Approvals Required:

Type

Submittal Date

City, Town, Village Board	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
City, Town, Village Planning Board	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Site Plan	
City, Town Zoning Board	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
City, County Health Department	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Water District	
Other Local Agencies	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Other Regional Agencies	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	DEC - Sewer Lines	
State Agencies	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	DOT Entrance	
Federal Agencies	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

C. Zoning and Planning Information

- Does proposed action involve a planning or zoning decision? Yes No
If Yes, indicate decision required:
 zoning amendment zoning variance special use permit subdivision site plan
 new/revision of master plan resource management plan other _____
- What is the zoning classification(s) of the site? R-5
- What is the maximum potential development of the site if developed as permitted by the present zoning?
210 Condominium Units
- What is the proposed zoning of the site? NA
- What is the maximum potential development of the site if developed as permitted by the proposed zoning?
NA
- Is the proposed action consistent with the recommended uses in adopted local land use plans? Yes No
- What are the predominant land use(s) and zoning classifications within a 1/4 mile radius of proposed action?
1 & 2 story single family dwl., 1 story school, 1 story industrial and retail sales
- Is the proposed action compatible with adjoining/surrounding land uses within a 1/4 mile? Yes No
- If the proposed action is the subdivision of land, how many lots are proposed? NA
a. What is the minimum lot size proposed? NA
- Will proposed action require any authorization(s) for the formation of sewer or water districts? Yes No
- Will the proposed action create a demand for any community provided services (recreation, education, police, fire protection)? Yes No
a. If yes, is existing capacity sufficient to handle projected demand? Yes No
- Will the proposed action result in the generation of traffic significantly above present levels? Yes No
a. If yes, is the existing road network adequate to handle the additional traffic? Yes** No
** See traffic study prepared by Howard Lampert, P.E.

D. Informational Details

Attach any additional information as may be needed to clarify your project. If there are or may be any adverse impacts associated with your proposal, please discuss such impacts and the measures which you propose to mitigate or avoid them.

E. Verification

I certify that the information provided above is true to the best of my knowledge.

Prepared by Applicant/Spencer Name William Youngblood Date August 26, 1987
 Signature [Signature] Title L.S., P.E.

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment.

Part PROJECT IMPACTS AND THEIR MAGNITUDE

Responsibility of Lead Agency

General Information (Read Carefully)

- In completing the form the reviewer should be guided by the question: Have my responses and determinations been reasonable? The reviewer is not expected to be an expert environmental analyst.
- Identifying that an impact will be potentially large (column 2) does not mean that it is also necessarily significant. Any large impact must be evaluated in PART 3 to determine significance. Identifying an impact in column 2 simply asks that it be looked at further.
- The Examples provided are to assist the reviewer by showing types of impacts and wherever possible the threshold of magnitude that would trigger a response in column 2. The examples are generally applicable throughout the State and for most situations. But, for any specific project or site other examples and/or lower thresholds may be appropriate for a Potential Large Impact response, thus requiring evaluation in Part 3.
- The impacts of each project, on each site, in each locality, will vary. Therefore, the examples are illustrative and have been offered as guidance. They do not constitute an exhaustive list of impacts and thresholds to answer each question.
- The number of examples per question does not indicate the importance of each question.
- In identifying impacts, consider long term, short term and cumulative effects.

Instructions (Read carefully)

- a. Answer each of the 19 questions in PART 2. Answer Yes if there will be any impact.
- b. Maybe answers should be considered as Yes answers.
- c. If answering Yes to a question then check the appropriate box (column 1 or 2) to indicate the potential size of the impact. If impact threshold equals or exceeds any example provided, check column 2. If impact will occur but threshold is lower than example, check column 1.
- d. If reviewer has doubt about size of the impact then consider the impact as potentially large and proceed to PART 3.
- e. If a potentially large impact checked in column 2 can be mitigated by change(s) in the project to a small to moderate impact, also check the Yes box in column 3. A No response indicates that such a reduction is not possible. This must be explained in Part 3.

IMPACT ON LAND

1. Will the proposed action result in a physical change to the project site?
 NO YES

Examples that would apply to column 2

- Any construction on slopes of 15% or greater, (15 foot rise per 100 foot of length), or where the general slopes in the project area exceed 10%.
- Construction on land where the depth to the water table is less than 3 feet.
- Construction of paved parking area for 1,000 or more vehicles.
- Construction on land where bedrock is exposed or generally within 3 feet of existing ground surface.
- Construction that will continue for more than 1 year or involve more than one phase or stage.
- Excavation for mining purposes that would remove more than 1,000 tons of natural material (i.e., rock or soil) per year.
- Construction or expansion of a sanitary landfill.
- Construction in a designated floodway.
- Other impacts _____

2. Will there be an effect to any unique or unusual land forms found on the site? (i.e., cliffs, dunes, geological formations, etc.) NO YES

• Specific land forms: _____

1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated By Project Change
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

- Construction activity would excavate or compact the soil profile of agricultural land.
- The proposed action would irreversibly convert more than 10 acres of agricultural land or, if located in an Agricultural District, more than 2.5 acres of agricultural land.
- The proposed action would disrupt or prevent installation of agricultural land management systems (e.g., subsurface drain lines, outlet ditches, strip cropping); or create a need for such measures (e.g. cause a farm field to drain poorly due to increased runoff)
- Other impacts: _____

IMPACT ON AESTHETIC RESOURCES

11. Will proposed action affect aesthetic resources? NO YES
(If necessary, use the Visual EAF Addendum in Section 617.21, Appendix B.)

Examples that would apply to column 2

- Proposed land uses, or project components obviously different from or in sharp contrast to current surrounding land use patterns, whether man-made or natural.
- Proposed land uses, or project components visible to users of aesthetic resources which will eliminate or significantly reduce their enjoyment of the aesthetic qualities of that resource.
- Project components that will result in the elimination or significant screening of scenic views known to be important to the area.
- Other impacts: _____

IMPACT ON HISTORIC AND ARCHAEOLOGICAL RESOURCES

12. Will Proposed Action impact any site or structure of historic, pre-historic or paleontological importance? NO YES

Examples that would apply to column 2

- Proposed Action occurring wholly or partially within or substantially contiguous to any facility or site listed on the State or National Register of historic places.
- Any impact to an archaeological site or fossil bed located within the project site.
- Proposed Action will occur in an area designated as sensitive for archaeological sites on the NYS Site Inventory.
- Other impacts: _____

IMPACT ON OPEN SPACE AND RECREATION

13. Will Proposed Action affect the quantity or quality of existing or future open spaces or recreational opportunities?

Examples that would apply to column 2 NO YES

- The permanent foreclosure of a future recreational opportunity.
- A major reduction of an open space important to the community.
- Other impacts: _____

1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated By Project Change	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
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<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No

IMPACT ON TRANSPORTATION

4. Will there be an effect to existing transportation systems?

NO YES

Examples that would apply to column 2

- Alteration of present patterns of movement of people and/or goods.
- Proposed Action will result in major traffic problems.
- Other impacts: _____

IMPACT ON ENERGY

15. Will proposed action affect the community's sources of fuel or energy supply?

NO YES

Examples that would apply to column 2

- Proposed Action will cause a greater than 5% increase in the use of any form of energy in the municipality.
- Proposed Action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two family residences or to serve a major commercial or industrial use.
- Other impacts: _____

NOISE AND ODOR IMPACTS

16. Will there be objectionable odors, noise, or vibration as a result of the Proposed Action?

NO YES

Examples that would apply to column 2

- Blasting within 1,500 feet of a hospital, school or other sensitive facility.
- Odors will occur routinely (more than one hour per day).
- Proposed Action will produce operating noise exceeding the local ambient noise levels for noise outside of structures.
- Proposed Action will remove natural barriers that would act as a noise screen.
- Other impacts: _____

IMPACT ON PUBLIC HEALTH

17. Will Proposed Action affect public health and safety?

NO YES

Examples that would apply to column 2

- Proposed Action may cause a risk of explosion or release of hazardous substances (i.e. oil, pesticides, chemicals, radiation, etc.) in the event of accident or upset conditions, or there may be a chronic low level discharge or emission.
- Proposed Action may result in the burial of "hazardous wastes" in any form (i.e. toxic, poisonous, highly reactive, radioactive, irritating, infectious, etc.)
- Storage facilities for one million or more gallons of liquified natural gas or other flammable liquids.
- Proposed action may result in the excavation or other disturbance within 2,000 feet of a site used for the disposal of solid or hazardous waste.
- Other impacts: _____

1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated By Project Change	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
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<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No

IMPACT ON GROWTH AND CHARACTER OF COMMUNITY OR NEIGHBORHOOD

18. Will proposed action affect the character of the existing community? NO YES

Examples that would apply to column 2

- The permanent population of the city, town or village in which the project is located is likely to grow by more than 5%.
- The municipal budget for capital expenditures or operating services will increase by more than 5% per year as a result of this project.
- Proposed action will conflict with officially adopted plans or goals.
- Proposed action will cause a change in the density of land use.
- Proposed Action will replace or eliminate existing facilities, structures or areas of historic importance to the community.
- Development will create a demand for additional community services (e.g. schools, police and fire, etc.)
- Proposed Action will set an important precedent for future projects.
- Proposed Action will create or eliminate employment.
- Other impacts: _____

1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated By Project Change	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No

19. Is there, or is there likely to be, public controversy related to potential adverse environmental impacts? NO YES
 Unknown as this time as no Public Hearing has been held



Louis Heimbach
County Executive

PLANNING BOARD Rec. 5/21/87

**Department of Planning
& Development**

124 Main Street
Goshen, New York 10924
(914) 294-5151

Peter Garrison, Commissioner
Richard S. DeTurk, Deputy Commissioner

May 20, 1987

Mr. Henry Scheible, Chairman
Town of New Windsor Planning Board
555 Union Avenue
New Windsor, New York 12550

Re: Crossroad from NYS Route 32 to NYS Route 300

Dear Mr. Scheible:

As requested by Mr. Mark Edsel, P. E., consulting engineer for the Town of New Windsor, we have reviewed the proposal for creating a crossroad from NYS Route 32 to NYS Route 300 in the vicinity of Forge Hill Road. The intent of creating a new road is to alleviate some of the traffic congestion evident at the NYS Route 32/300/94 intersection. The alternatives that were considered are as follows:

1. extending Forge Hill Road through to Route 300,
2. encouraging the construction of a new Town road around the north-west periphery of the [REDACTED] project, crossing the railroad tracks wherever the easement to do so exists, or
3. leaving the situation as is.

The first option was not determined to be desirable because the use of Forge Hill Road would generate large volumes of traffic past the elementary school and adjacent residential area where many children play. Also, in implementing this option, Forge Hill Road would need to be improved and widened, thereby encroaching on front yards along this road and further compromising the character of the neighborhood.

The best alternative, in our opinion, is to create a new road through Lexington Gate, completely independent and in no way connecting with Forge Hill Road.

Mr. Henry Scheible, Chairman

- 2 -

May 20, 1987

In so doing, traffic will be decreased at the 32/300/94 intersection and, if properly designed, this new road will have a minimal impact on the condominiums planned in the Lexington Gate project.

In the event that this alternative is deemed to be impractical, we suggest that the idea of creating a crossroad in this area, although well intended, be abandoned. The overall costs of extending Old Forge Road and increasing traffic past the school and residential area will not exceed the benefits achieved for doing so.

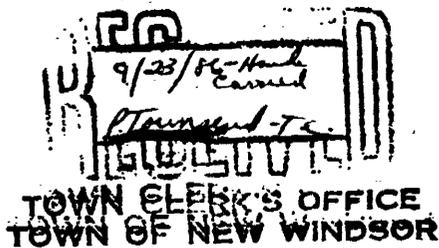
If there are any questions, please don't hesitate to call.

Sincerely,

Fred H. Budde

Fred H. Budde
Planner

FHB:cmd



JAMES G. SWEENEY
ATTORNEY AT LAW
107 STAGE ROAD
MONROE, N. Y. 10950

cc: Sup
Attorney
P/B. m. l.

TELEPHONE 783-2600
AREA CODE 914

September 23, 1986

Mrs. Pauline G. Townsend
Town Clerk & Registrar
Town of New Windsor
555 Union Avenue
New Windsor, New York 12550

Re: # 367/86 -Lizda Realty, Ltd.

Dear Mrs. Townsend:

I enclose herewith a Petition of Lizda Realty, Ltd. for a zoning reclassification of parcel 35-1-59.22.

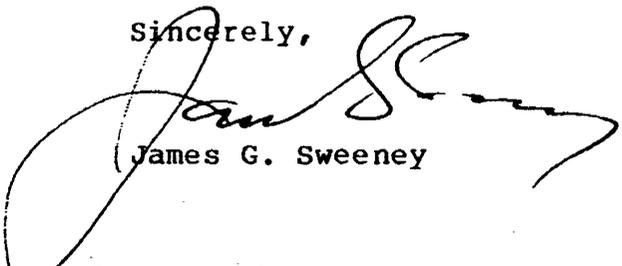
This matter has been the subject of considerable dialogue between the Planning Board and the Town Board, both at the instance of myself, Town Attorney Seaman and various members of each Board. There is at hand a recommendation from the Planning Board favoring this proposal.

Also enclosed find this office's special account check #1072, in the amount of \$875.00 to cover the cost of this proceeding as set forth in Section 19-3 (6) (b) of the Town of New Windsor Zoning Law.

This Petition formally supplements my correspondence of September 3, 1986 to both the Town Board and Planning Board members.

Would you advise of the date and time this matter is scheduled for discussion at the next Town Board meeting.

Sincerely,


James G. Sweeney

JGS/ms
encls.

cc: Town of New Windsor Town Board Members
Tad Seaman, Esq. Town Attorney
Mr. Henry J. Reys, Planning Board Chairperson
Mr. Wilbur Fried, Lizda Realty, Ltd.

TOWN OF NEW WINDSOR
TOWN BOARD

-----X

In the matter of the Petition of

LIZDA REALTY, LTD.

PETITION FOR ZONING
RECLASSIFICATION

for a reclassification of certain
lands in the Vails Gate area of the
Town.

-----X

TO THE TOWN BOARD OF THE TOWN OF NEW WINDSOR.

Lizda Realty, Ltd., through its' attorney, James G. Sweeney, 107 Stage Road, Monroe, New York 10950, for its' Petition herein does state as follows:

1. The petitioner is the contract vendee of a 33.7 acre tract of land located northwesterly of N.Y.S. Rte. 32 in the area of Forge Hill Road immediately north of the Vails Gate school shown on the Town of New Windsor tax map as parcel 35-1-59.22.

2. That prior to the adoption of Local Law # 1 of 1986 by the Town Board on March 5, 1986 (a comprehensive rezoning of the Town of New Windsor) the Planning Board of the Town of New Windsor had before it for consideration and potential approval a multi-family condominium project known as "Lexington Gate at New Windsor" presented by the petitioner.

3. That on information and belief the petitioner believes that the Town Board of the Town of New Windsor did not know of the submission and consideration of the aforementioned multiple family condominium project at the time it adopted Local Law # 1 of 1986.

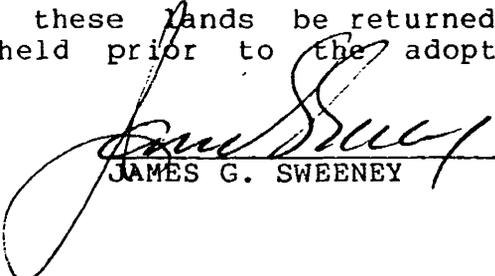
4. That by virtue of Local Law # 1 of 1986, the lands in question were reclassified to P. O., a professional office classification which forecloses the use of the lands for multiple dwelling projects of the type submitted by the petitioner.

5. That, on information and belief, had the Town Board known of the submission of the aforementioned plan and its' consideration by the Planning Board, it would not have rezoned the subject lands to a P. O. classification.

6. That the petitioner has, informally, requested of the Town Board and the Planning Board that these lands be reclassified from their current designation of P. O. to their former classification of R.5.

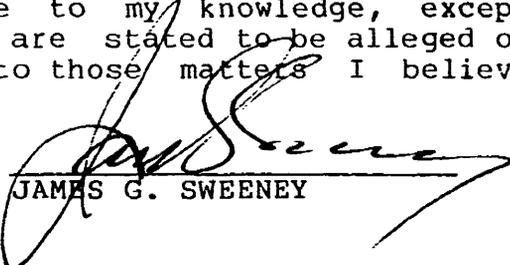
7. That the Planning Board has formerly recommended to the Town Board that such a reclassification be placed into law by way of an amendment to the Zoning Law.

WHEREFORE, the petitioner hereby requests of the Town Board of the Town of New Windsor that said Local Law # 1 of 1986 be amended to delete therefrom the reclassification of the aforementioned lands from R.5 to P. O. and that thereby these lands be returned to the classification which they held prior to the adoption of Local Law # 1 of 1986.

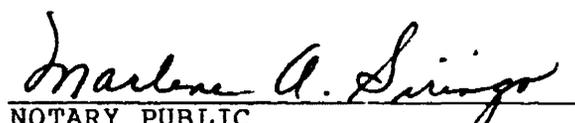

JAMES G. SWEENEY

STATE OF NEW YORK
COUNTY OF ORANGE ss.:

JAMES G. SWEENEY being duly sworn says: I am the attorney in the action herein; I have read the annexed Petition For Zoning Reclassification, know the contents thereof and the same are true to my knowledge, except those matters therein which are stated to be alleged on information and belief, and as to those matters I believe them to be true.


JAMES G. SWEENEY

Sworn to this ^{23rd} day of September, 1986


NOTARY PUBLIC
STATE OF NEW YORK

JAMES G. SWEENEY
ATTORNEY AT LAW
107 STAGE ROAD
MONROE, N. Y. 10950

TELEPHONE 783-2600
AREA CODE 914

July 18, 1986

Tad J. Seaman, Esq.
McGuirk, Levinson Zeccola, Seaman,
Reineke & Ornstein, P. C.
542 Union Avenue
New Windsor, New York 12550

Re: Our File No. 367/86

Dear Tad:

After all is said and done, it appears that this issue is now squarely in the hands of the Supervisor, yourself, and the Town Board for purposes of rezoning.

I am told that the Planning Board is awaiting the Town Board's action so that they can move ahead with the plan that has been already presented to them, and at least conceptually approved.

Since April, 1986, I have been trying to get the Town Board to rezone this property which really should never have been part of the original zoning package to begin with and have done everything that you and the Supervisor and the Planning Board have requested in this regard.

What more can I do. As I told you previously, I do not wish to be forced into a litigation corner, which will expose, with great success I think, the inadequacies of the preparation in the overall rezoning (See my letter of April 3, 1986) but unless the Town Board does something in the way of living up to the promises that have been given to me, I have no recourse.

I await your anxious action to get this matter moving before the Town Board which I have received constant assurances it would. Apparently, I am not being taken very seriously and that is very discouraging. I am very intent on having this property rezoned to the classification that it should have been left in to begin with.

I trust in your cooperation in this effort and that I will hear from you in this regard forthwith.

Sincerely,

JAMES G. SWEENEY

JGS:mtm

bcc: Wilbur Fried
file ✓

TO: TOWN SUPERVISOR PETRO
COUNCILWOMAN DONACHIE
COUNCILMAN HEFT
COUNCILMAN ROSSINI
COUNCILWOMAN FIEDELHOLTZ

FROM: ATTORNEY FOR THE TOWN SEAMAN

SUBJECT: LEXINGTON GATE - WILBUR FRIED SUBDIVISION

DATE: July 10, 1986

On July 8, 1986 I received a call from James Sweeney, Esq., attorney for Wilbur Fried, the developer that is proposing a condominium project on Old Forge Hill Road, behind Vails Gate Elementary School. Mr. Sweeney was inquiring as to the status of the zoning change transferring this property from professional office to R-5.

I could not give Mr. Sweeney any information since there are a few items that still must be clarified. When Mr. Sweeney was in the Town Hall for his last conference, he stated Mr. Fried will put the road out to the boundary line to his property but will not construct a road through to Route 300. I have also been advised that the Planning Board does not approve of the location of the road as it crosses the project. My recollection of the Town Board's involvement with the road was merely indicating where they wanted the road to terminate as it joined Old Forge Hill Road.

It seems as though there is a lack of communication and the problem should be resolved internally in order to allow for the orderly development of the Town.

Please advise me of the Town Board's position regarding rezoning of the subject area.

J. Tad Seaman

JTS/PD

cc: Town Planning Board

JAMES G. SWEENEY
ATTORNEY AT LAW
107 STAGE ROAD
MONROE, N. Y. 10950

TELEPHONE 783-2600
AREA CODE 914

June 20, 1986

Hon. John A. Petro
Supervisor
Town of New Windsor
555 Union Avenue
New Windsor, New York 12550

Chairperson Henry J. Reynolds
Planning Board
Town of New Windsor
555 Union Avenue
New Windsor, New York 12550

Re: Lexington Gate - New Windsor

Gentlemen:

In accordance with discussions previously had with yourselves and Town Attorney, Seaman, regarding the "Lexington Gate" proposal in the Vails Gate Heights area of the Town, be advised that the developer of this project, Lizda Realty, Ltd. (Wilbur Fried) is agreeable to incorporating the following modifications to its' proposal as per your suggestions:

1. A continuation of the interior arterial past the planned construction area to the property line in the vicinity of Vails Gate Heights Road.

2. A redesign of that arterial through the northerly quadrant of the property in a winding fashion so as to make a more direct continuation of Vails Gate Heights Road through the property to Route 32 but in a design that will not encourage excessive speed through the property.

3. The construction of two little league type baseball diamonds in the vicinity of the outlet of the

Messrs. Petro and Reynolds
page 2
6/20/86

interior arterial in the southwest corner of the property, which can also be used for football or soccer purposes in off season times. (This parcel would be dedicated to the Town and become part of its' recreational system).

These design changes are shown on a modified presubmission concept plan which is in the process of being distributed to you for purposes of your review.

It is my hope hereby to obtain a commitment from the Town Board to return this tract of land to a multiple residence capability that it previously held before the comprehensive rezoning earlier this year and to do so as quickly as possible so that this project, which now is conceptually before the Planning Board, can move through the approval processes as quickly as possible.

Sincerely,


James G. Sweeney

JGS/ms

cc: Town of New Windsor Councilpersons
Town of New Windsor Planning Board Members
Town of New Windsor Planning Board Clerk,
Shirley Hassdenteufel
Town of New Windsor Attorney, Tad Seaman
Mr. Wilbur Fried (Lizda Realty, Ltd.)

LIZDA REALTY LTD.

4601 DELAFIELD AVENUE
BRONX, N. Y. 10471

(212) 884-4062

Copy 153
Planning Board
received
4/30/86
th.

April 29 , 1986

Mr. John Petro, Supervisor
Town of New Windsor
New Windsor Town Hall
555 Union Avenue
New Windsor, New York 12550

Dear Mr. Petro:

After consulting with my attorney, James G. Sweeney, relative to the "Windsor Heights" parcel on Route 32, recently rezoned to P-0 from its former classification of R.5, I am advised that the Town would consider rezoning this parcel back to the R.5 classification if it received some type of indication from me, as the developer of this parcel, that it would be developed for multiple residential purposes in a condominium concept and that the plan would incorporate a through street from Route 32 to Route 59 .

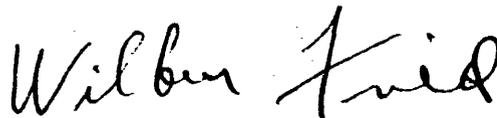
You have my assurance that any plan I might put before the Town Planning Board would call for a development in the condominium fashion and incorporate such a through street.

As Mr. Sweeney has indicated to Town Attorney Seaman, I am more than willing to sit with the Town Board to show the basic elements of the plan that I have had in mind for some time, even before the March, 1986 rezoning.

I am hopeful that this assurance will enable the Town Board to set the wheels in motion for returning this parcel of land to a R-5 designation.

If you need further information or assistance, please do not hesitate to contact me through the office of Mr. Sweeney, located at 107 Stage Road, Monroe, New York 10950, telephone number (914) 783-2600.

Very truly yours,



Wilbur Fried



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

45 QUASSAICK AVE. (ROUTE 9W)
NEW WINDSOR, NEW YORK 12550

TELEPHONE (914) 562-8640
PORT JERVIS (914) 856-5600

RICHARD D. MCGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

Licensed in New York,
New Jersey and Pennsylvania

TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: Washington Green (formerly Lexington Gate)
PROJECT LOCATION: Route 32
PROJECT NUMBER: 86-18
DATE: 28 September 1988

1. The Applicant is before the Board for Final Approval on the 210 unit condominium project off of Route 32. The Plan has been reviewed at numerous Planning Board Meetings from 24 September 1986 through the most recent appearance at the 14 September 1988 Planning Board Meeting.

2. The Applicants have received all necessary approvals from the New York State Department of Transportation, Orange County Department of Health, New York State Department of Environmental Conservation, for the highway, water and sewer work.

3. As previously noted, the following items previously mentioned by the Planning Board have not been provided, to my knowledge:

- a. Sidewalk access to the centrally located swimming pool.
- b. Street lighting along the access road between the project and Forge Hill Road.

4. Prior to the stamp of Final Approval, I recommend the following:

- a. That a note be added to the private sewer plans stating that all work will be of the design/quality of construction equal to that work within the Town right-of-way and approved by the DEC.
- b. That all work on the project site be inspected by Representatives of the Design Engineer(s) and that a letter be submitted to the Town upon the completion of all phases of the work, indicating that work has been constructed in accordance with the approved plans and agency requirements.
- c. That the Applicant obtain the approval of the Town Attorney for all bonds submitted.

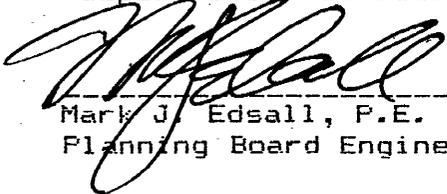
TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: Washington Green (Formerly Lexington Gate)
PROJECT LOCATION: Route 32
PROJECT NUMBER: 86-17
DATE: 28 September 1988

-2-

- d. That the Applicant pay all fees due to the Planning Board for the site plan approval, as well as all Town Inspection fees for bonded work.

Respectfully submitted,



Mark J. Edsall, P.E.
Planning Board Engineer

MJEnje

greenn

Exeter Building Corp.

345 Windsor Highway New Windsor, N.Y. 12550

914-561-1113

August 18, 1988

Mr. Henry Schieble
Planning Board Chairman
Town of New Windsor
New Windsor, NY 12550

Dear Mr. Schieble:

On August 18, 1988 we received verbal confirmation from Mr. Schliefer of the Orange County Board of Health that the water main extension for Washington Green has been approved. The official documentation regarding this was signed on August 17, 1988 (please refer to the attached copies).

This approval is the remaining outside agency approval needed for Final Plan Approval by the Town. (DEC and DOT approvals have been obtained).

The Exeter Building Corporation can now satisfy all the requirements needed for Final Plan Approval as per Town Code. Therefore, we respectfully request to come before the Planning Board on September 14, 1988 for the purpose of getting Final Site Plan Approval.

Thank you for your attention in this matter.

Sincerely,



Michael Waskew
Vice President

MW/lf
Attachment

cc: Mr. Mark Edsall
Mr. Michael Babcock
Mr. Wilbur Fried
Mr. Raymond Arsenault
File

ORANGE COUNTY DEPARTMENT OF HEALTH
DIVISION OF ENVIRONMENTAL HEALTH

HEAVY PLANS JOB Washington Green (Formerly Lexington Gate At New Windsor)

Windsor

We hereby approved pursuant to Part 5 of the New York State Sanitary Code,
subject to the provisions of the certificate of approval issued this date.

ASSISTANT COMMISSIONER

August 17 1988

M. J. Sullivan

TECHNICAL SPECIFICATIONS
WATER DISTRIBUTION SYSTEM

WASHINGTON GREEN
(Formerly Lexington Gate At New Windsor)

N.Y. Route 32

Town of New Windsor

February 1, 1988
Revised: July 11, 1988



SHAW ENGINEERING
744 Broadway
Newburgh, N.Y. 12550

NEW YORK STATE DEPARTMENT OF HEALTH

APPROVAL OF PLANS FOR PUBLIC WATER SUPPLY IMPROVEMENT

APPROVAL OF PLANS

FOR PUBLIC WATER SUPPLY IMPROVEMENT

02'000

132'000

XX

33' Description:

This approval is issued under the provisions of 10 NYCRR, Part 5:

1. Applicant: 32' Applicant's Distribution	2. Location of Works (C, V, T): City	3. County: City	4. Water District 32' Specific Area Served
1. New Distribution	2. New Hydrant	Orange	Washington Green Condos.
5. Type of Project: 33' Type of Project	3. Transmission	4. Pumping Units	5. Fluoridation
6. Distribution	7. Distribution	8. Storage	9. Other

REMARKS:

Description:

By initiating improvement of the approved supply, the applicant accepts and agrees to abide by and conform with the following:

12' Name of Treatment Works
13' Name of Treatment Plant
14' Name of Water
15' Estimate Cost

- 1 24-hour approved amendments thereto
- 2 THAT a permanent sign shall be attached to the hydrant near Old Forge Hill Road
- 3 (Station 53 + 27 on plans) stating "For flushing purposes only"
- 4 Chlorination
- 5 Chlorine
- 6 Fluorination
- 7 Other
- 8 Collection
- 9 Filtration

16' Type of Treatment

TREATMENT

14' Site No:	12' Description:
15' Group Name	Class
15' Surface Name	Class
13' Estimate Development Cost	

Date August 17, 1968

ISSUED FOR THE STATE COMMISSIONER OF HEALTH

10' Federal Aid Available	11' Date	12' Designated Representative
13' Estimated Total Cost	14' Population Served	15' District Basin
16' Industrial	17' Municipal	18' Residential
19' Commercial	20' Public-Utility	21' Public-Other
22' Other	23' Other	24' Other

H.J. Schleifer, P.E., Assistant Commissioner
O.C. Health Dept.
124 State St.
Cobden, NY 10924

CELEKING
Rev. 107 (Rev. 2/69)

Distribution: White - Applicant, Yellow - File (LHO or DHO), Pink - Central Office (BED), Blue - Other

6. Type of Ownership:

<input type="checkbox"/> Municipal	<input type="checkbox"/> Commercial	<input type="checkbox"/> 68 Private - Other	<input type="checkbox"/> 14 Authority (bur)	<input type="checkbox"/> 30 Interstate
<input type="checkbox"/> Industrial	<input type="checkbox"/> 9 Water Works Corp.	<input type="checkbox"/> Private - Institutional	<input type="checkbox"/> 19 Federal	<input type="checkbox"/> 40 International
		<input type="checkbox"/> 26 Board of Education	<input type="checkbox"/> 20 State	<input type="checkbox"/> 18 Indian Reservation

7. Estimated Total Cost: \$125,000

8. Population Served: 630

9. Drainage Basin: Hudson River

10. Federal Aid Involved? 1 Yes 2 No

ISSUED FOR THE STATE COMMISSIONER OF HEALTH

SOURCE

12. Surface Name _____ Class _____

Ground Name _____ Class _____

13. Est. Source Development Cost

14. Safe yield: GPD

15. Description:

TREATMENT

16. Type of Treatment

<input type="checkbox"/> 1 Aeration	<input type="checkbox"/> 5 Clarifiers	<input type="checkbox"/> 9 Fluoridation
<input type="checkbox"/> 2 Microstrainers	<input type="checkbox"/> 6 Filtration	<input type="checkbox"/> 10 Softening
<input type="checkbox"/> 3 Mixing	<input type="checkbox"/> 7 Iron Removal	<input type="checkbox"/> 11 Corrosion Control
<input type="checkbox"/> 4 Sedimentation	<input type="checkbox"/> 8 Chlorination	<input type="checkbox"/> 12 Other

17. Name of Treatment Works

18. Max. Treatment Capacity

19. Grade of Plant

20. Est. Cost

Operator Req.

Description:

BEWYK2:

1 Transmission

1 Chlorination

2 Other Treatment

2 Other

22. Type of Project

23. Type of Storage

24. Est. Distribution Cost

1. 1 Cross Connection

2. 2 Transmission

Elevated

Underground

25. Anticipated Distribution

26. Designed for flow

System Demand: Ave. GPD Max. GPD

4. \$125,000

1 Yes 2 No

27. Description:

63,000 126,000

FOR PUBLIC WATER SUPPLY INVOLVEMENT

APPROVAL OF BUREAU

Installation of 4,139 L.F. of 12", 43 L.F. of 8", and 16 L.F. of 6" D.I. watermain including a 12" wet tap, and 13 hydrants to service 210, new two bedroom condo. units.

NEW YORK STATE DEPARTMENT OF HEALTH



COUNTY OF ORANGE

LOUIS HEIMBACH, County Executive

Department of Health

124 MAIN STREET
COSHEN, NEW YORK 10924 TEL: 914-294-7961

86-18

file

Walter O. Latzko
President, Board of Health

August 17, 1988

T. New Windsor
555 Union Ave.
New Windsor, NY 12550

Re:
Approval of plans &
specifications for:
W.M. Ext. to serve
Washington Green Condos.
T. New Windsor

Gentlemen:

We have this day approved the plans and specifications submitted by Shaw Engineering, for the above mentioned project.

Application for this project was duly made by you and received in this office on February 25, 1988.

We are enclosing a Certificate of Approval. A copy of the approved plans and specifications is being retained in our files and the remaining sets are being returned to your engineer.

Very truly yours,

M. J. Schleifer

M.J. Schleifer, P.E.
Assistant Commissioner

MJS/aje

cc: Engineer
P.C. Planning Dept.
File

enc.

GENERAL

6. Type of Ownership: <input checked="" type="checkbox"/> Municipal <input type="checkbox"/> Commercial <input type="checkbox"/> 68 Private - Other <input type="checkbox"/> 1 Authority <input type="checkbox"/> 30 Interstate <input type="checkbox"/> Industrial <input type="checkbox"/> 9 Water Works Corp. <input type="checkbox"/> Private - Institutional <input type="checkbox"/> 19 Federal <input type="checkbox"/> 40 International <input type="checkbox"/> 26 Board of Education <input type="checkbox"/> 20 State <input type="checkbox"/> 18 Indian Reservation					
7. Estimated Total Cost \$125,000	8. Population Served 630+	9. Drainage Basin Hudson River			
10. Federal Aid Involved? <input type="checkbox"/> 1 Yes <input type="checkbox"/> 2 No	11. WSA Project? <input type="checkbox"/> 1 Yes <input type="checkbox"/> 2 No				

SOURCE N/A

12. <input type="checkbox"/> Surface Name _____ Class _____ <input type="checkbox"/> Ground Name _____ Class _____	13. Est. Source Development Cost
14. Safe yield: GPD	15. Description:

TREATMENT N/A

16. Type of Treatment <input type="checkbox"/> 1 Aeration <input type="checkbox"/> 5 Clarifiers <input type="checkbox"/> 9 Fluoridation <input type="checkbox"/> 2 Microstrainers <input type="checkbox"/> 6 Filtration <input type="checkbox"/> 10 Softening <input type="checkbox"/> 3 Mixing <input type="checkbox"/> 7 Iron Removal <input type="checkbox"/> 11 Corrosion Control <input type="checkbox"/> 4 Sedimentation <input type="checkbox"/> 8 Chlorination <input type="checkbox"/> 12 Other			
17. Name of Treatment Works	18. Max. Treatment Capacity GPD	19. Grade of Plant Operator Req.	20. Est. Cost
Description:			

DISTRIBUTION

22. Type of Project <input type="checkbox"/> 1 Cross Connection <input checked="" type="checkbox"/> 3 Transmission <input type="checkbox"/> 2 Interconnection <input type="checkbox"/> 4 Fire Pump Cl.	23. Type of Storage Elevated _____ N/A _____ Gals. Underground _____ Gals.	24. Est. Distribution Cost \$125,000
25. Anticipated Distribution System Demand: Avg. _____ 63,000 _____ GPD Max. _____ 126,000 _____ GPD		26. Designed for fire flow? <input checked="" type="checkbox"/> 1 Yes <input type="checkbox"/> 2 No
27. Description: Installation of +4,139 L.F. of 12", 43 L.F. of 8", and 16 L.F. of 6" D.I. watermain including a 12" wet tap, and 13 hydrants to service 210, new two bedroom condo. units.		



TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK

1763

8 July 1988

Shaw Engineering
477 Broadway
Newburgh, NY 12550

ATTENTION: GREGORY SHAW, P.E.

SUBJECT: WASHINGTON GREEN (AKA LEXINGTON GATE) PROJECT (T86-17);
TOWN OF NEW WINDSOR, NEW YORK

86-18

Dear Greg:

Pursuant to your request, I have made a review of the Planning Board records for the subject project to determine the status of the SEQRA process. I have determined that the Planning Board of the Town of New Windsor, the Lead Agency, made a determination at the 9 September 1987 Planning Board Meeting and declared a Conditioned Negative Declaration for the environmental significance of the project. Enclosed herewith, please find a copy of the pertinent portion of the minutes regarding this action.

Should you have any questions concerning the above, please do not hesitate to contact the undersigned.

Very truly yours,

TOWN OF NEW WINDSOR,

Mark J. Edsall, P.E.
Planning Board Engineer

MJEemj

Encl.as

cc: Planning Board File, T86-17

green

TOWN OF NEW WINDSOR PLANNING BOARD
TOWN HALL, UNION AVENUE, NEW WINDSOR, NEW YORK

SEPTEMBER 9, 1987

BOARD MEMBERS PRESENT: HENRY SCHEIBLE, CHAIRMAN
DANIEL MC CARVILLE
HENRY REYNS
LAWRENCE JONES
RON LANDER
CARL SCHIEFER
HENRY VAN LEEUWEN

OTHERS PRESENT: MARK EDSALL, PLANNING BOARD ENGINEER
JOSEPH RONES, PLANNING BOARD ATTORNEY (ARRIVING LATE)
LESLIE DOTSON, PLANNING BOARD CONSULTANT

Mr. Scheible called the regular meeting to order. He asked if there were any additions or corrections to the August 12, 1987 minutes. Being that there were none a motion was made to accept the minutes as distributed by Mr. Reyns, seconded by Mr. Jones and approved by the Board.

ROLL CALL	MR. REYNS	AYE
	MR. JONES	AYE
	MR. MC CARVILLE	AYE
	MR. VAN LEEUWEN	ABSTAIN
	MR. LANDER	AYE
	MR. SCHIEFER	ABSTAIN
	MR. SCHEIBLE	AYE

Mr. Scheible then asked if there were any additions or corrections to the minutes of the August 26, 1987 meeting. Being that there were none, a motion was made to accept the minutes as distributed by Mr. Reyns, seconded by Mr. Jones and approved by the Board.

ROLL CALL	MR. REYNS	AYE
	MR. JONES	AYE
	MR. MC CARVILLE	AYE
	MR. VAN LEEUWEN	ABSTAIN
	MR. LANDER	ABSTAIN
	MR. SCHIEFER	AYE
	MR. SCHEIBLE	AYE

LEXINGTON GATE (86-17)

Mr. Mike Waskew came before the Board representing this proposal.

Mr. Waskew: I'd like to go over some of the things at the last meeting we

old oak tree which I am not going to be interested in moving. The Town
is such that I can't even do anything like that as long as I am before
the Planning Board if there is a way I can get some kind of approval from the
town to begin work on phase 1 if only the pre-engineering work whether that
involved conditional final approval or consensus of the Board I am requesting
that kind of action as well.

Mr. Van Leeuwen: I don't see any problem. As long as it is only staking not
going to start putting bulldozers.

Mr. Waskew: No we won't start bulldozing we still have to go to the public
hearing and the County.

Mr. Jones: ~~You are just going to be staking out.~~

Mr. Waskew: And deciding and therefore we will not exactly where things are.

Mr. Reynolds: I think that ought to be spelled out.

Mr. Waskew: We can call it a consensus of the Board. The only way that applies
is that the Board is in agreement with the plan and is just a matter of working
it out.

Mr. Schiefer: Permission to lay out the roads.

Mr. Scheible: Would you have any problems with the conditional negative
declaration.

Mr. Reynolds: I think that we should go take the engineer's recommendations on
the .

Mr. Edsall: Included in the motion since at this point you have only take lead
agency you should make a decision it is an unlisted action and then proceed with
the conditional negative declaration.

Mr. Van Leeuwen: I so move.

Mr. Mc Carville: I make a motion that we declare this a conditional negative
declaration and that the conditions will be mitigated, the traffic situation and
the drainage situation and the drainage situation with regard to Washington
Green and we further state that it is an unlisted action.

Mr. Schiefer: I will second that.

ROLL CALL	MR. JONES	AYE
	MR. REYNS	AYE
	MR. VAN LEEUWEN	AYE
	MR. SCHIEFER	AYE
	MR. LANDER	AYE
	MR. SCHEIBLE	AYE
	MR. MC CARVILLE	AYE

Mr. Schiefer: I make a motion that we allow him to proceed with the staking of
the road in this project.



McGOEY and HAUSER
CONSULTING ENGINEERS P.C.

45 QUASSAICK AVE (ROUTE 9W)
NEW WINDSOR NEW YORK 12550

TELEPHONE (914) 562-8640
PORT JERVIS (914) 856-5600

86-18

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
Associate

Licensed in New York,
New Jersey and Pennsylvania

35-1-103

7 July 1988

Executor Building Corp.
345 Windsor Highway
New Windsor, NY 12550

ATTENTION: MR. MICHAEL WASKEW

SUBJECT: WASHINGTON GREEN PROJECT (T86-17)
TOWN OF NEW WINDSOR, NEW YORK

Dear Mr. Waskew:

I am in receipt of your letter dated 7 July 1988 with regard to the current operations on the subject project. Specifically, the item of discussion concerns excavation on-site and the use of a portable rock crusher.

In your letter, you request permission to operate the crusher and remove material to a location off-site. I have discussed these matters with Chairman Scheible of the Town of New Windsor Planning Board and wish to advise you of the following:

1. It should be noted that any decision of the Planning Board to authorize construction work prior to Final Approval must be made by the Board at a formal meeting.
2. Based on comment 1 (above), no formal directive can be given to your company to either authorize continuation of the work or restrict such operation, until the matter is discussed at a formal meeting. Therefore, if you decide to continue any such operations, you do so at your own risk.
3. You should be cautioned to perform work on-site to those areas of scope which have been previously approved by the Planning Board.

Please be advised that this matter has been scheduled for discussion at the Regular Planning Board Meeting on 13 July 1988. Your attendance would be beneficial. At that time, the matters referenced in your 7 July 1988 letter will be taken under consideration of the members of the Board.

Building Corp.

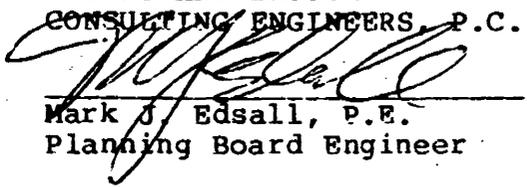
-2-

7 July 1988

If you should have any questions concerning the above, please do not hesitate to contact the undersigned or Chairman Scheible.

Very truly yours,

McGOEY AND HAUSER
CONSULTING ENGINEERS, P.C.



Mark J. Edsall, P.E.
Planning Board Engineer

MJEnje

cc: Henry Scheible, Planning Board Chairman
Michael Babcock, Building Inspector
Planning Board File T86-17

executor

86-18

Exeter Building Corp.

345 Windsor Highway New Windsor, N.Y. 12550

914-561-1113

July 7, 1988

Mr. Mark J. Edsall, P.E.
Planning Board Engineer
Town of New Windsor Planning Board
555 Union Avenue
New Windsor, New York 12550

Dear Mr. Edsall,

On March 23, 1988 the Planning Board granted permission to Exeter Building Corp. to excavate roadways and parking areas at the Washington Green Condominium site on Route 32 in the Town of New Windsor. As part of this process blasting and rock excavation is required. A portable rock crusher has been brought onto the site by the excavating contractor (EZE Equipment Company, Inc. for the primary purpose of converting the excavated rock into usable bedding gravel and "Item 4" type road base.

On July 1, 1988 it was brought to my attention that there was some question as to the "permissability" of this crushing operation. The contractor was formally directed to cease operation of the crusher by Exeter Building Corp. (letter attached). The contractor is of course, very displeased by this directive as the rental costs of the crusher are substantial.

I have directed the construction supervisory personnel to permit operation of this crusher only upon prior written permission from the Town of New Windsor. Exeter Building Corp. does not believe there is anything wrong per say with the operation. In fact, we believe it to be a creative and efficient use of existing material, so long as the excavation is confined to the areas permitted by the Planning Board on March 23, 1988.

Therefore, Exeter Building Corp. formally requests permission for the Excavator to operate this crusher, so long as the excavation is confined to the boundaries of the roadways and parking areas. Additionally, the excavator has requested permission to remove a maximum of 6000 yards of excess spoil (not needed on site), to another site in the Town of Cornwall. Exeter has no objection to this, however, if the Town of New Windsor has any problem with the removal of this material, Exeter will not permit same to be removed.

Thank you very much for your cooperation in this matter.
I await your reply.

Sincerely,

Mike Waskew 

Mike Waskew
Vice President
Exeter Building Corp.

cc: Mr. Wilbur Fried
Mr. Henry Scheible, Chairman Planning Board
Mr. Larry Palone, EZE Equipment Company, Inc.
Mr. Joseph Sweeny
Mr. Ray Arsenault
File

Exeter Building Corp.

345 Windsor Highway New Windsor, N.Y. 12550

914-561-1113

July 1, 1988

EZE Equipment Company, Inc.
11 Industrial Drive
Florida, New York

Attn: Larry Palone, President

Re: Washington Green
Stop Work Directive

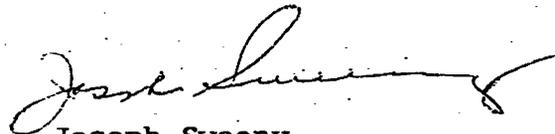
Larry,

Notice is hereby given to EZE Equipment Company, Inc. for directive to shut down the stone crushing operation at Washington Green, Route 32, New Windsor, New York and hauling of such material off site.

This directive is given by order of Exeter Building Corp.

This directive will remain in effect until:

1. All applicable State, Town agencies condone this operation.
2. Mr. M.M. Waskew, Vice President of Exeter Building Corp. reviews this issue and gives approval to proceed.



Joseph Sweeny
Construction Manager

TOWN OF NEW WINDSOR PLANNING BOARD
TRACKING SHEET

PROJECT NAME: Washington Green - (Formerly Lexington Gate)
PROJECT NO. : 86-18

TYPE OF PROJECT: Subdivision _____ Site Plan _____
Lot Line Change _____ Other (Describe) 204 Units of Residential housing

<u>TOWN DEPARTMENT REVIEWS:</u>	Date App'd	Date Not App'd	Not Required
Planning Board Engineer	_____	_____	_____
Highway	_____	_____	_____
Bus. Fire Prev.	<u>4-19-88</u>	<u>9-22-87</u>	_____
Sewer	_____	<u>9-30-87</u>	_____
Water	<u>10/87</u>	_____	_____
Flood	_____	_____	_____

OUTSIDE DEPT./AGENCY REVIEWS:

DOT	<u>9/8/87</u>	_____	_____
DEC	_____	_____	_____
O/C PLANNING	<u>9/28/87</u>	_____	_____
O/C HEALTH	_____	_____	_____
NYSDOH	_____	_____	_____
OTHER (SPECIFY)	_____	_____	_____
<u>I.P.W. No Comment</u>	<u>11/30/87</u>	_____	_____
SEOR: Lead Agency Action Determination	_____	_____	_____
EAF Short	Long <input checked="" type="checkbox"/>	Submitted	Accepted
Proxy: Filed	_____	Representative	_____

PUBLIC HEARING: Held (DATE) _____ Waived* _____
Other _____
(* Minor Subdivision and Site Plans only.)

TIME SEQUENCING:
(SUBDIVISIONS)

Sketch Plan Date _____ + 30 days = Action Date _____
Preliminary P/H Date _____ + 45 days = Action Date _____
Preliminary App'l Date _____ + 6 months = Final Resub. Date _____
Final Plan Date _____ + 45 days = Final App'l Date _____

TIME SEQUENCING:
(SITE PLANS)

Presubmission Conf. Date _____ + 6 months = Submittal Date _____
First Meeting Date _____ + 90 days = Final App'l Date _____

Exeter Building Corp.

345 Windsor Highway New Windsor, N.Y. 12550

914-561-1113

June 14, 1988

Town of New Windsor
Planning Board
555 Union Avenue
New Windsor, N.Y. 12550

Attn: Mr. Henry Schieble

Re: WASHINGTON GREEN
Town Road
Sanitary Sewer

Dear Mr. Schieble,

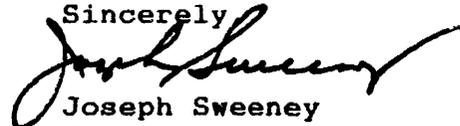
Exeter Building Corp. hereby requests Planning Board approval to begin installation of the Town Road portion of the WASHINGTON GREEN sanitary sewer. Attached is the D.E.C. approval for the aforementioned work as well as the first review comments from O.C.H.D., indicating no anticipated location change in the water main extension.

As long as there are no objections we would like to begin work as soon as possible.

Exeter Building Corp. is aware that installation of the Town Road portion of the sanitary sewer is at our own risk due to the outstanding "final" approval from O.C.H.D.

Thank you in advance for your cooperation regarding this matter. Should you have any questions feel free to contact the writer at the above number.

Sincerely



Joseph Sweeney
Construction Manager

cc: Mr. Fried
File

COMMENTS BASED ON TECHNICAL REVIEW

Project: W.M. Ext. to serve Washington Green Condos., T. New Windsor
Date of Submission: February 25, 1988
Date of Review: May 27, 1988

1. The following comments refer to the application:
 - a. The correct length of 12" pipe to be installed is approximately 4,139'. Revise description of project.
 - b. 16" ductile iron watermain should be 6". Please correct.
2. The following comments refer to the engineer's report:

- a. The report states that the New Windsor Filtration Plant is reaching its rated capacity. The recent operation reports indicate that the plant's capacity is occasionally exceeded during summer months. The engineer must provide data to verify that sufficient water will be available without further exceeding the plant's capacity.

The engineer should note that New Windsor has not to our knowledge decided to pursue the expansion of the treatment plant. They are looking for an increase in the filter rate.

- b. Is the projected occupancy of 525 people the maximum anticipated number of residents? The domestic flow should be calculated on the basis of at least 300 gpd per two bedroom unit. The use of 2.5 capita or 250 gallons per unit appears to be too low and the engineer should consider outside water usage, such as lawn and landscape watering or swimming pool use if one is intended. Also, it is assumed that each individual unit will not be metered.
- c. It must be clearly stated that the fire wall is of solid masonry construction penetrating the walls and roof, in the "needed fire flow" calculations. Also, to our knowledge, the exposure factors do not apply to residential construction. The engineer should check with ISO in this regard.
- d. What is the proposed ground surface elevation near the hydrant at station 29+77 on line W1? This elevation should be used in the calculation of the residual pressure for location #4.
- e. What pressures are available at the hydrant at station 33+27 on line W1 under all conditions and at normal working conditions? Since it appears that a minimum of 20 psi is not available under all conditions this hydrant should be used for flushing purposes only and labelled as such.
- f. The engineer must determine pressures at ground level. The highest ground level appears to be 292 not 287 for example.

3. The Plans - General:

- a. The location of all sewer laterals to buildings must be shown on the plans at the required minimum horizontal separation of 10' from the water services. All crossings must be shown on profiles and/or inverts must be shown to verify the required 18" minimum vertical separation.
- b. The valve on the service connection to building 1 is less than 10' from a catch basin. Please revise.
- c. The valve on the service connection to building 18 is less than 10' from a sanitary sewer crossing. Please revise.
- d. Profile - Line W1:
 1. Why is the invert of the water line higher at station 4+48 than at station 4+55?
 2. The 12" water line and 15" storm sewer crossing at approximately station 27+12 is not shown at the correct location on the profile. Please revise and indicate the correct station number and location on the profile.
- e. The maximum recommended spacing between hydrants is 600'. An additional hydrant should be provided near station 8+20 line W1. This would also better serve the nearby buildings.
- f. A note should be provided on the plans stating that water meters will be installed at each building if that is the intent.
- g. The thrust block at the plug near station 15+80 on line W1 should be included in the thrust block schedule on sheet W4.

4. The following comments refer to the technical specifications:

- a. Section 1.04.2: Reference is made to the drawings for concrete encasement details, but none are shown. Please revise.
- b. Portions of the watermains will be installed in fill. Where does the engineer specify how these sections of watermain will be installed?

5. A rodent screen should be noted on the plans for the outfall drain from the valve chamber.

Comments Based on Technical Review (continued)

-3-

Project: W.M. Ext. to serve Washington Green Condos., T. New Windsor

Date of Review: May 27, 1988

The foregoing comments are based on a review of the application, engineer's report, plans and other engineering data submitted. We have attempted to make this review as complete as possible; however, it must be appreciated that any new submission depending upon the nature of any revisions may require further review and comments.

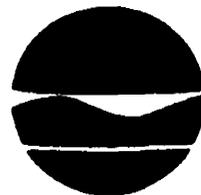
cc: File/Applicant

KJM/ELS/aje

Dated: May 31, 1988

PLANNING BOARD
6-20-88

New York State Department of Environmental Conservation
202 Mamaroneck Avenue, White Plains, New York 10601



Thomas C. Jorling
Commissioner

May 12, 1988

Mr. Mel Hanover
William Youngblood Associates
244 Route 59
P.O. Box 790
Monsey, New York 10952

Re: Approval of Plans and Specifications for
Sanitary Sewer Extension to Serve
Washington Green (Washington Drive Town Road)
Town of New Windsor; Orange County

Dear Mr. Hanover:

This is to advise you that the plans and specifications for the above referenced project are being approved by this Department. This project consists of 1,250 lineal feet of eight inch PVC sewer main and seven manholes.

By initiating the construction of the said project covered by the approval of the plans and specifications, the applicant accepts and agrees to abide by and conform with the following:

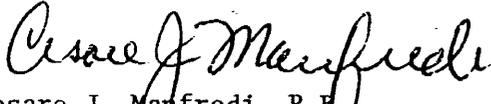
- (1) This approval is issued pursuant to SPDES Permit No. NY-0022446.
- (2) That this approval letter shall be maintained on file by the applicant.
- (3) That the approval is revocable or subject to modification or change pursuant to Article 17 of the Environmental Conservation Law.
- (4) That any and all construction undertaken by the terms of the approval of plans shall be completely and wholly at the risk of the applicant.
- (5) That the facilities shall be fully constructed and completed in compliance with plans as approved on May 12, 1988.
- (6) That this office is to be notified when construction commences.

Mr. Hanover
Page 2
May 12, 1988

- (7) That the engineer will forward the results of the leakage tests of the completed work to this Department.
- (8) That the professional engineer supervising such construction shall certify to this Department in writing and to the applicant that the constructed facilities have been under his supervision and that the works have been fully completed in accordance with the engineering report and the plans.
- (9) That the leakage outward or the infiltration inward of the constructed sewer line shall not exceed 200 gallons per inch of pipe diameter per mile per day for any section of the sewer system between manholes and including manholes.
- (10) That the approval will expire five (5) years after the date of this letter.

Enclosed please find one copy of the approved plans and the engineering report. Also, one copy of the approved plans is being sent to the Orange County Health Department.

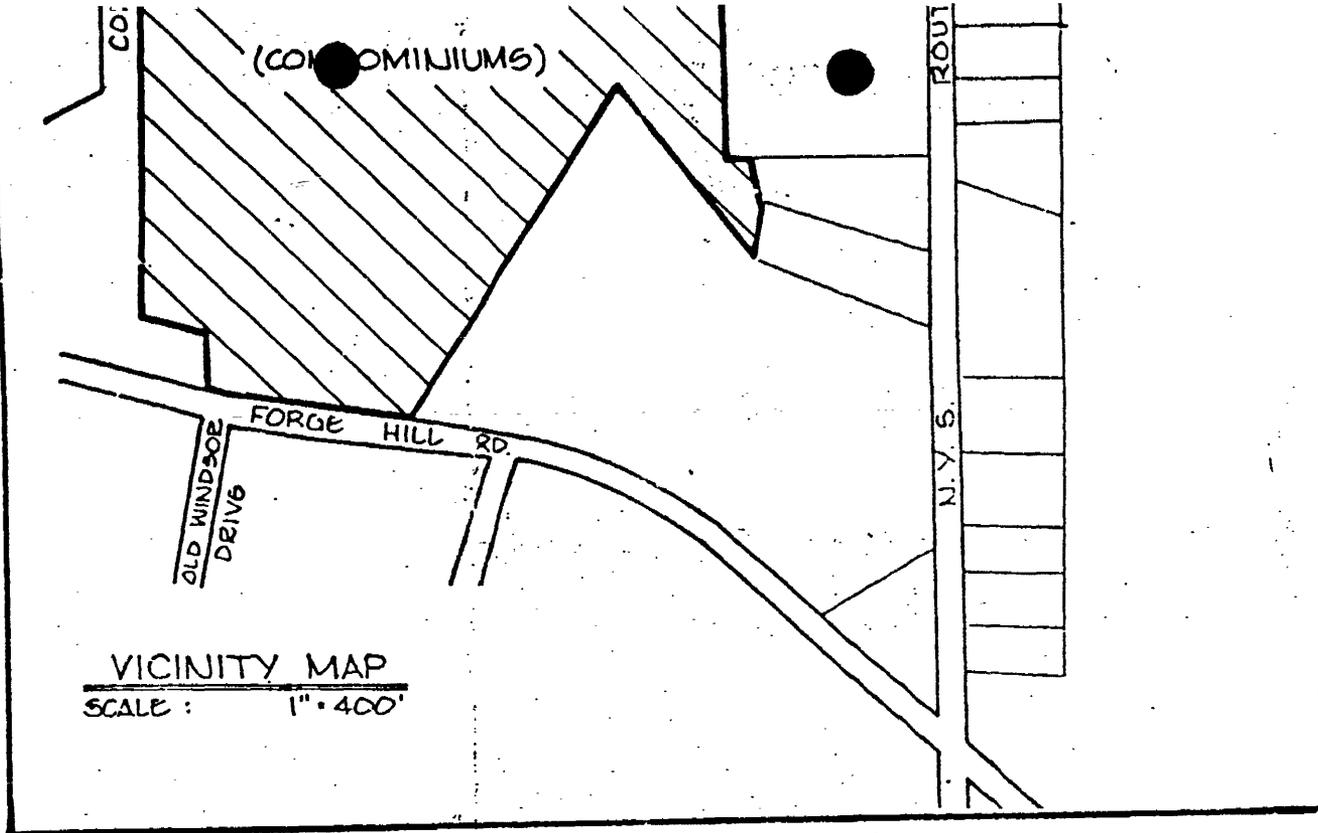
Very truly yours,



Cesare J. Manfredi, P.E.
Principal Sanitary Engineer

CJM:LM:bz
Enclosure

cc: Orange County Health Department w/plans
Supervisor and Town Board, Town of New Windsor



New York State Department of Environmental Conservation

These plans for WASHINGTON GREEN SEWER
EXTENSION, TOWN ROAD OF WASHINGTON DRIVE,
TOWN OF NEW WINDSOR, ORANGE COUNTY
 are hereby approved subject to the provisions of the Environmental
 Conservation Law and the construction approval issued this day.

COMMISSIONER OF ENVIRONMENTAL CONSERVATION

Case J. Manfredi
 Designated Representative

Date MAY 16, 1988

UNAUTHORIZED ALTERATION OR ADDITION
 TO THIS PLAN IS A VIOLATION OF SECTION
 7209 (2) OF THE NEW YORK STATE
 EDUCATION LAW. COPIES OF THIS PLAN
 NOT HAVING THE SEAL OF THE SURVEYOR
 OR ENGINEER SHALL NOT BE VALID.

WILLIAM H. YOUNGBLOOD

STATE OF NEW YORK
 WILLIAM YOUNGBLOOD
 LICENSED PROFESSIONAL ENGINEER
 L.N. 40178

NO. 40178 ©

Exeter Building Corp.

345 Windsor Highway New Windsor, N.Y. 12550

914-561-1113

April 22, 1988

N.Y. State D.E.C.
202 Mamaroneck Ave.
Room 304
White Plains, NY 10601

Attn: Mr. Leonard Meyerson

Re: *Washington Green*
New Windsor, NY

Dear Mr. Myerson,

Wm. Youngblood, Assoc., our Engineers for the referenced project, have advised me that review of the sanitary sewer system for "Washington Drive" has been delayed and is currently scheduled for the first week of May. We were expecting to be reviewed beginning April 14, 1988.

While I understand that your workload is substantial and delays are sometimes unavoidable, I must tell you that we are under substantial time pressure ourselves. Any consideration you could give, which would allow our project to not fall any further behind would be greatly appreciated.

Mr. Mel Hanover of Wm. Youngblood, Assoc. has told me he is available to assist in any way. Please do not hesitate to call him at (914) 357-8188 if you need any additional information. I am, of course, also available should you need me. I am most easily reached at (914) 561-1113.

Thank you in advance for your cooperation.

Sincerely,



Michael Waskew
Vice President

cc: New Windsor Planning Board
Wm. Youngblood, Assoc.



**McGOEY and HAUSER
CONSULTING ENGINEERS P.C.**

45 QUASSAICK AVE. (ROUTE 9W)
NEW WINDSOR, NEW YORK 12550

TELEPHONE (914) 562-8640
PORT JERVIS (914) 856-5600

**RICHARD D. MCGOEY, P.E.
WILLIAM J. HAUSER, P.E.**

MARK J. EDSALL, P.E.
Associate

Licensed in New York,
New Jersey and Pennsylvania

23 May 1988

Exeter Building Corporation
345 Windsor Highway
New Windsor, N.Y. 12550

ATTENTION: JOSEPH SWEENEY

SUBJECT: WASHINGTON GREEN PROJECT;
NEW WINDSOR PROJECT NO. 86-17

Dear Mr. Sweeney:

Pursuant to your recent request, I have made a review of the record minutes for the Town of New Windsor Planning Board Meeting of 23 March 1988 to determine what authorizations were given for work at the subject project, prior to receipt of Final Approval from the Town Planning Board.

Enclosed herewith, please find partial copies of the minutes of the aforementioned meeting, which clearly indicate that permission was given only to proceed with cutting in the roads of the project. It was specifically noted that no sewer and no water installations could be made.

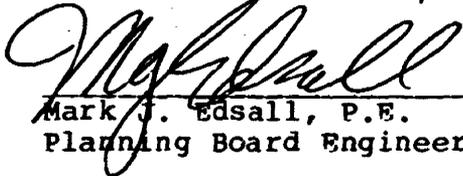
Therefore, based on the above, you are hereby advised that the installation of any water or sewer utilities (public or private) is not permitted, based on the previous determination of the Town Planning Board.

23 MAY 1988

If you should have any questions concerning the above, please do not hesitate to contact the undersigned or the Chairman of the Planning Board.

Very truly yours,

McGOEY and HAUSER
CONSULTING ENGINEERS, P.C.



Mark J. Edsall, P.E.
Planning Board Engineer

MJE.emj

Encl.as

cc: Henry Scheible, Chairman Planning Board
Michael Babcock, Building Inspector

greenpjt.emj

TOWN OF NEW WINDSOR PLANNING BOARD
TOWN HALL, UNION AVENUE, NEW WINDSOR, NEW YORK

MARCH 23, 1988

BOARD MEMBERS PRESENT:

JOHN PAGANO HENRY SCHEIBLE
RON LANDER
CARL SCHIEFER
DANIEL MC CARVILLE

OTHERS PRESENT:

JOSEPH RONES, PLANNING BOARD ATTORNEY
MARK EDSALL, PLANNING BOARD ENGINEER
MICHAEL BABCOCK, BUILDING INSPECTOR

Mr. Scheible called the meeting to order. He asked if there was any corrections or additions to the February 24, 1988 Minutes, being that there were none, a Motion was made to approve the Minutes by Mr. McCarville, Seconded by Mr. Schiefer and approved by the Board.

PARADISE TRAILER PARK ANNUAL REVIEW:

Mr. Kenneth Mannix came before the Board representing this proposal.

Mr. Mannix: I am representing Mannix Associates which owns Paradise Park which was purchased about a year and a half ago. We purchased it from Lester Clarke.

Mr. Scheible: In the past year have you made any additions.

Mr. Mannix: A new home was put in with the Town's approval. I have the permit here and to my knowledge it was the only one.

Mr. McCarville: Is that a replacement for a home?

Mr. Mannix: Yes, it was a little bit smaller than the one that was in there. It was on a site five.

Mr. Scheible: You don't have a map, so you don't know that.

Mr. Mannix: That, to my knowledge, is the only one. There was one moved off that wings Warehouse presently owned through a verbal agreement. We agreed to move the home back so the site has been vacated.

Mr. Scheible: That is number 16?

Mr. Mannix: That is number 16.

Mr. Scheible: Number 9 isn't shown on the map.

Mr. Mannix: A year and half ago when we bought the park, number 9 was on it and since then the Town has inspected it.

Mr. Scheible: Do you see any problems Mike?

Mr. Babcock: No.

Mr. Scheible: That is only two days, could you agree to halt your operation until that time?

Mr. Waskew: Yes. We will do that.

Mr. Babcock: I think we ought to get something from DOT.

Mr. Scheible: A permit from the DOT and you are covered insurance wise.

Mr. Waskew: Yes.

Mr. Babcock: Or a letter saying that they have no problem with the situation that is there.

Mr. Waskew: I will do that regardless of whether a highway access permit is needed. Then could we proceed again as I requested which is to move the dirt and cut the roads, basically. This means I think it will take us into April to do that and by then we will have a good idea of what is happening with the approvals.

Mr. McCarville: You are not talking utilities or sewer pipes?

Mr. Waskew: No, I had come in to get permission to put in the sewer structures but I will withdraw that request. X

Mr. McCarville: If the appropriate bond is in possession I have no problem with the site roadwork going on.

Mr. Scheible: Mike, you can give me a call when you have the bond so we will get together on that.

Mr. Ronas: You are going to put it into a form of a Motion?

Mr. Lander: It is my recollection that the trees were suppose to -- the brushes was to be cut, no bulldozers were suppose to cut the roads until I went over the minutes and maybe you are right and maybe we are wrong but until I do that I would like to wait and see. I am going to have to go over the minutes as far as the water and sewer. That, I don't think should be done. If you are right then we gave you permission to do it.

Mr. Scheible: You can reconvene your operation when you have your bond and permit from the DOT.

Mr. Schiefer: Once the bond is in place and the DOT permit is there let him go ahead with the cutting the roads, nothing else. No sewer, no water, go ahead doing what he is doing now. X

Mr. Lander: Right.

Mr. Waskew: Yes.

Mr. Schiefer: I make a motion that the Planning Board of the Town of New Windsor, once Mr. Waskew has a restoration bond in effect with regard to Washington Green Subdivision, we have agreed upon the restora-

tion bond and to get DOT approval then he can proceed with cutting in the roads period. Nothing on sewer, nothing on water. X

Mr. Waskew: What do you mean by DOT approval, either highway access permit or a letter from the DOT that they have no problem having us temporarily using it.

Mr. Babcock: They will give you a temporary work permit. You are going to have to post a bond with them or whatever it might take to get them to do that.

Mr. Waskew: Fine.

Mr. Babcock: If they want to give you a letter so I am aware that they have no problem with the operation, you are doing there that is fine. However, you might want to work it out with them. It has to be in writing.

Mr. McCarville: I will second that motion.

ROLL CALL:

Mr. LANDER:	AYE
MR. MC CARVILLE:	AYE
MR. SCHIEFER	AYE
MR. SCHEIBLE:	AYE

PALOZZO MINOR SUBDIVISION:

Mr. John Dragan came before the Board representing this proposal.

Mr. Dragan: I was here last month with this application and I was referred to the zoning board of appeals because there seems to be some concern about the required yard. Particularly, the side yard. I don't know exactly what happened, but the zoning board of appeals discussed it and decided that they really had no jurisdiction or problem with it. It has been bucked back to this board. We seek final approval at this time. I think I have addressed all the comments Mr. Edsall had and would ask that you vote and approve this tonight. I don't know the status of the fees on this. I am sure that there is some additional fees. It would have to be subject to those.

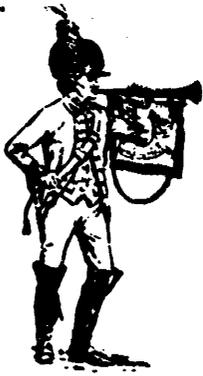
Mr. Roness: Was the apartment over the garage there last time?

Mr. Babcock: Yes.

Mr. Scheible: The only problem we discussed was why was that whole left down here. Why didn't those lines go all the way back?

Mr. McCarville: I specifically requested that those lines be connected back.

Mr. Dragan: You had asked for that, Mr. Palozzo felt that the rear of these two residential lots didn't need that land. That it was excessive. He does have a purpose of lot #3 and that purpose would like to obtain



TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK

April 21, 1988

1763

EXETER BUILDING CORP.
345 Windsor Highway
New Windsor, N. Y. 12550

Attn: Mr. Ray Arsenault

RE: SITE WORK PERFORMANCE BOND
WASHINGTON GREEN CONDOMINIUM

Dear Mr. Arsenault:

Pursuant to our conversation of April 14, 1988, your corporation is required to deliver a performance bond for certain items of site work as more fully set forth in this letter.

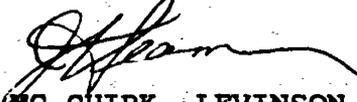
The bond shall be for \$21,000 and shall be applicable to 10 acres of land and \$1,000 for silt and erosion control. The purpose of the bond is to ensure that the grounds of the Washington Green Condominium project on Route 32 in New Windsor will be restored to a level seeded condition in the event the project is abandoned.

Abandonment shall be defined as lack of reasonable construction activity except for seasonal weather conditions, delays caused by appearances before the Town Planning Board, Zoning Board of Appeals or any state or county agency for approvals in the normal approval process. The abandonment shall occur if this delay shall continue for a period of six (6) months or more.

The bond shall be released as the affected area is restored to a level seeded condition or final landscape conditions are attained. The Building Inspector for the Town of New Windsor shall determine the satisfactory condition of the landscaping.

Upon delivery to the town of a bond containing these conditions, you will be allowed to proceed with preliminary road construction and site work while awaiting final state and county approvals. Nothing in this letter is intended to supersede directions of the Planning Board or the Building Inspector for specific activity on the site.

Very truly yours,



MC GUIRK, LEVINSON, ZECCOLA,
SEAMAN, REINEKE & ORNSTEIN P.C.
By: J. Tad Seaman

JTS/PAB

cc: Building Inspector Babcock
Town Planning Board

LIZDA REALTY LTD.

P.O. Box 487
Route 17M
Harriman, N.Y. 10926

(914) 783-4300

Exeter Building Corp.
345 Windsor Highway
New Windsor, NY 12550
(914) 561-1113

March 7, 1988

Town of New Windsor
Planning Board
555 Union Avenue
New Windsor, NY 12550

Attn: Mr. Henry Schieble

RE: Washington Green
New Windsor, NY
Private Road Sewers

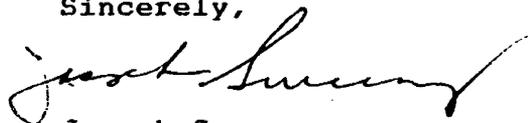
Dear Mr. Schieble:

Enclosed is a copy of the letter forwarded to McGOEY and HAUSER ENGINEERING CONSULTANTS P.C. requesting approval of the private road portion of the sanitary sewer at Washington Green. We anticipate a hasty approval. Therefore, I would like to request an agenda slot at the next Planning Board meeting (March 23, 1988) to obtain the Planning Board's approval to proceed with this portion of the work.

Of course, Lizda Realty, Ltd. will not proceed with any work without the approval of plans by the office of McGOEY and HAUSER. All installations will be done at our own risk because of pending D.E.C. application approval for Town-road portion.

Thank you in advance for your cooperation in this matter.

Sincerely,



Joseph Sweeney
Construction Supervisor

JS/lf

cc: Wilber Fried
Mike Waskew
Lynn Vance, Planning Board Secretary
File



**McGOEY and HAUSER
CONSULTING ENGINEERS P.C.**

45 QUASSAICK AVE. (ROUTE 9W)
NEW WINDSOR, NEW YORK 12550

TELEPHONE (914) 562-8640
PORT JERVIS (914) 856-5600

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
Associate

Licensed in New York,
New Jersey and Pennsylvania

TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: Washington Green (a.k.a. Lexington Gate) Site Plan
PROJECT LOCATION: Route 32
NW #: 86-17
23 March 1988

1. The project involves a proposed 204 unit condominium project. The Board did grant "conditional approval" on 28 October 1987.
2. It is my understanding that this appearance before the Planning Board is made with the intent to acquire approval for the installation of the private sewer collection system, at their own risk. I am in receipt of a letter dated 7 March 1988 in this regard.
3. A review of the Planning Board minutes from 9 September 1987 indicates that the Planning Board did give authorization for stake out of the Town road and internal roads, as well as possibly some minor brush cutting. It was specifically stated by the Planning Board that no bulldozers for grading would be acceptable.

At this time I understand that the Applicant wants to proceed with actual construction within the site. The only potential problem with the same involves the fact that the water system to be provided for the condominium project is intended for dedication to the Town of New Windsor. This water system extension has been submitted to the Orange County Department of Health and no determination or comments have been received from that Department as of this date. A difficulty may arise if conflicts are discovered between the sewer and water facilities during the County review and the Applicant has already installed the private sewer collection system. In addition, the gravity system for the proposed Town road has been submitted to the New York State Department of Environmental Conservation. The private system will discharge to the Town system. As of this date, we have received no comments from the New York State DEC regarding the Town sewer line.

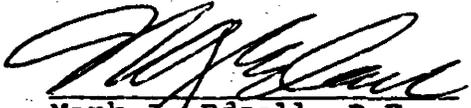
Washington Green

-2-

23 March 1988

4. In light of the above referenced State Agency approvals which have not been received, as well as the fact that the Town Planning Board has not granted final approval of the project, I find it difficult to recommend that the Planning Board authorize the Applicant to proceed with installation of the private sewer lines for the project.

Respectfully submitted,



Mark J. Edsall, P.E.
Planning Board Engineer

MJEcao
wash

TOWN OF NEW WINDSOR
BUREAU OF FIRE PREVENTION
SITE PLAN REVIEW FORM

PLANNING BOARD
REFERENCE NUMBER: 86-18

FIRE BUREAU
REFERENCE NUMBER: 88-19
Re: 87-97 Disapproval - over

SITE PLAN FOR: WASHINGTON GREEN

ADDRESS: ROUTE 32, NEW WINDSOR, NEW YORK 12550

The aforementioned site plan or map was reviewed by the BUREAU OF FIRE PREVENTION at a meeting held on 19 APRIL 1988.

The site plan or map was approved by the BUREAU OF FIRE PREVENTION.

The site plan or map was disapproved by the BUREAU OF FIRE PREVENTION for the following reason(s).

This approval is granted, provided one (1) additional fire hydrant is placed at the first intersection of the development in from Route 32.

SIGNED: [Signature]



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK

22 February 1988

New York State
Department of Environmental Conservation
202 Mamaroneck Avenue
White Plains, New York 10601

ATTENTION: JOSEPH MARCOGLIESE, P.E.

SUBJECT: WASHINGTON GREEN (a.k.a. LEXINGTON GATE) CONDOMINIUM PROJECT
TOWN OF NEW WINDSOR, NEW YORK

Dear Mr. Marcogliese:

Enclosed herewith for your review and necessary action, please find three (3) application packages for the subject project as submitted to the Town of New Windsor. Please note that this project was reviewed by the Town Planning Board and currently has obtained conditional approval such that submittals can be made to your Department and the Orange County Department of Health. It should be noted that in addition to the sanitary sewers which are proposed for dedication to the Town of New Windsor, there are private sanitary sewers located within the condominium project. As per your discussion with Mr. Mark J. Edsall, P.E., Planning Board Engineer, these portions of the collection system are not being submitted for your review.

Should you have any questions concerning the application as provided to the Town of New Windsor and forwarded to your Department, please address same to the office of William Youngblood Associates, as referenced in their transmittal letter. Should you have any questions concerning the Town's review and/or position regarding the project, please contact Mr. Edsall. Should your office prepare written comments regarding the application, it would be our preference that such comments be directed to the office of William Youngblood Associates with copy to the Town of New Windsor, to the attention of Mr. Edsall.

TOWN OF NEW WINDSOR
BUREAU OF FIRE PREVENTION
SITE PLAN REVIEW FORM

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SIGNED:

WATER MAINS NOT SHOWN ON SITE PLAN



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK

22 February 1988

New York State
Department of Environmental Conservation
202 Mamaroneck Avenue
White Plains, New York 10601

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New York State Department of
Environmental Conservation

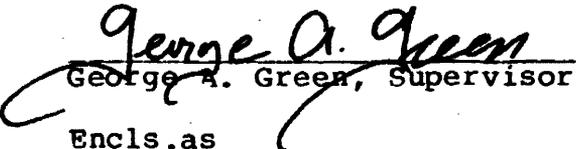
-2-

22 February 1988

Thank you for your assistance in this matter.

Very truly yours,

Town of New Windsor


George A. Green, Supervisor

Encls.as

cc: Henry Scheible, Chairman Planning Board
Mark J. Edsall, P.E., Planning Board Engineer

MJEcao
wash

NOTE: All applications must be accompanied by plans, specifications and completed Form BSP-65 (appropriate portions). The submission must conform to a previously approved engineering report describing the system in detail. The plans must be stamped with the designing engineer's seal and must be of sufficient clarity and eligibility to permit satisfactory microfilming. Only white prints will be accepted because of the difficulty of microfilming blue prints. There must be a blank area, at least 4" x 7", in the lower right corner of each sheet so that the approval stamp may be placed on the face of the plans.

Any deviation from the Department's standards for wastewater collection and treatment facilities must be explained in detail.

Approved plans are to be returned to: Applicant Engineer

If the application is signed by a person other than the applicant shown in Item 1, the application must be accompanied by a letter of authorization. Failure to comply with this provision may be grounds for the rejection of any submission.

I hereby affirm under penalty of perjury that information provided on this form is true to the best of my knowledge and belief. False statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

Signatures and Official Titles:

George A. Green
George A. Green, Supervisor

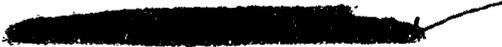
Mailing Address: 555 Union Avenue

New Windsor, New York 12550

Date of Application: 2/23/88

REMARKS:

INTER-OFFICE CORRESPONDENCE

TO: 

FROM: ATTORNEY FOR TOWN SEAMAN

SUBJECT: WASHINGTON GREEN SITE PLAN

DATE: December 2, 1987

The Town Board has referred the attached memo to the Planning Board for recommendations. The town does not want to establish a precedent of accepting lines within a private development and being responsible for the maintenance. In the event the installation of the lines will be of some present or future benefit to the Town of New Windsor, the Town Board would reconsider its position and consider accepting these lines under the special circumstances.

Please forward your comments to the Town Board at your earliest convenience.

J. Tad Seaman

JTS/PAB

Attachment

TO: TOWN SUPERVISOR PETRO
COUNCILMAN HEFT
COUNCILMAN ROSSINI
COUNCILWOMAN FIEDELHOLTZ
COUNCILMAN SPIGNARDO
SUPERVISOR-ELECT GREEN
COUNCILWOMAN-ELECT SIANO

FROM: ATTORNEY FOR THE TOWN SEAMAN

SUBJECT: WASHINGTON GREEN SITE PLAN

DATE: November 12, 1987

On November 10, 1987 I had a meeting with Mark Edsall, P. E. of McGoey and Hauser and Greg Shaw, P. E., one of the engineers for the developer of WASHINGTON GREEN, the subdivision proposed for Route 32 to the rear of the Ponderosa Steak House. The site plan calls for a town road that will enter the project from Route 32 and will proceed through the entire project. There will be private roads and private parking areas within the project. The issue to be discussed will be the dedication of the water lines to the Town of New Windsor in those portions of the project that are not publicly owned.

I have no objection to the dedication of the water lines providing that they were constructed in accordance with town standards and inspected by the town as they are constructed. A 20 ft. wide easement would be granted to the town for the maintenance of the water lines and the related equipment. In the event maintenance was to be performed, the obligation of the town would be to restore the ground surface to the approximate elevation that existed before excavation commenced and seed the disturbed area. The town's obligation would also be to replace any pavements or sidewalks that were disturbed during maintenance procedures. The town would not in any way be obligated to replace shrubbery, fences or any other personal property or jointly-held property that may have been placed within the easement area. This would be the obligation of the homeowners association to replace these objects at their expense.

The purpose of this memo is to review this concept with the Town Board and determine if the Town Board is willing to accept dedication of the lines within this project under those terms and conditions.

The conversation went on further to establish a policy that can be used by the Planning Board for establishing what restrictions the town would place upon any property owner with regard to the use of his property when a town easement ran through the property. Mr. Edsall and I discussed the impact on the town and on the property owner and agreed that any easement through the property would be subject to the condition that the town had the right to maintain the public utility that was within the easement area and replace the utility if necessary and the town's responsibility after maintenance would be to restore the land to

the approximate elevation that it was prior to commencement of the maintenance and to restore any pavement, sidewalks, curbs or drainage pipes substantially to the original condition. Any improvements that have been made by the owner of the property within the easement area will be done at the risk of the property owner and will not be replaced or repaired by the town in the event maintenance must occur. Any expenses for the repair or replacement of any other improvements installed in the easement area shall be the obligation of the owner. This appears to be a reasonable policy that the town may follow since it will restore the owner's essential facilities and will not expose the town to extraordinary expense during maintenance operations.

Mr. Edsall and I would both appreciate the town's consideration of the above policy and if acceptable, authorize the Planning Board to utilize this policy when granting approval to projects within the Town of New Windsor.

J. Tad Seaman

JTS/PAB

(TA DD#13-111287.WG)



COUNTY OF ORANGE
LOUIS HEIMBACH, COUNTY EXECUTIVE

86-18
Department of Public Works

ROUTE 17-M P.O. BOX 509
GOSHEN, NEW YORK 10924
TEL: Office 294-7951 - Garage 294-9115

LOUIS J. CASCINO, P.E.
Commissioner

November 30, 1987

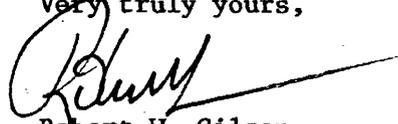
Mr. Henry Schieble, Chairman
Town of New Windsor Planning Board
555 Union Avenue
New Windsor, New York 12550

Re: [REDACTED]

Dear Mr. Schieble:

With reference to the above mentioned subdivision, we have reviewed the plans and inasmuch as it does not effect the County Road System, we have no comment. However, we will retain the maps for future reference.

Very truly yours,


Robert W. Gilson
Division of Engineering

RWG/ljl



McGOEY and HAUSER
CONSULTING ENGINEERS P.C.

45 QUASSAICK AVE. (ROUTE 9W)
NEW WINDSOR, NEW YORK 12550

TELEPHONE (914) 562-8640
PORT JERVIS (914) 856-5600

RICHARD D. MCGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
Associate

Licensed in New York,
New Jersey and Pennsylvania

TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

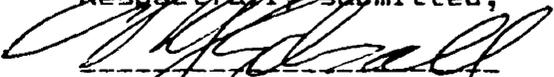
PROJECT NAME: Washington Green (formerly Lexington Gate)
PROJECT LOCATION: Route 32 (West Side)
NW#: 86-17
28 October 1987

1. The Applicant has submitted a Site Plan for a proposed 210 unit multiple-residence condominium project. The Plan was most recently reviewed at the 9 September 1987 Planning Board Meeting.
2. Following the numerous appearances before the Planning Board, the Plan has been revised based on the various Town Departments' comments, this Engineer's comments and the comments of the Planning Board. Currently, the Plans are very complete in content and it is recommended that the Board take such action to allow the Applicant to proceed with submittals to the New York State Department of Transportation, the New York State Department of Environmental Conservation and the Orange County Department of Health.

The Technical Review by this Engineer will continue with regard to the sewer, water, stormwater and other technical considerations of the project and any specific comments with regard to such items will be conveyed to the Applicant's Professionals such that same can be addressed as part of the Agency Applications. I request that the Board authorize the Applicant's Professionals to meet with this Engineer prior to submission to the Approval Agencies.

3. The Applicant should be reminded that separate submittals should be made for the portions of the work to remain as private ownership and those portions to be conveyed to Town Ownership. Application for the work to be conveyed to the Town of New Windsor should have the signature of the Supervisor on the Application.

Respectfully submitted,



Mark J. Edsall, P.E.
Planning Board Engineer

MJEnJE

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that the PLANNING BOARD of the TOWN OF NEW WINDSOR, County of Orange, State of New York will hold a PUBLIC HEARING at Town Hall 555 Union Avenue, New Windsor, New York, October 28, 1987 at 7:30 P.M. on the approval of the proposed Preliminary Plan Submission of BONDSTREET FARM LTD. located at at Moffat Road, Washingtonville, New York. Map of the Subdivision of Lands is on file and may be inspected at the Town Clerk's Office, Town Hall, 555 Union Avenue, New Windsor, N.Y. prior to the Public Hearing.

Dated: October 9, 1987

By Order Of
TOWN OF NEW WINDSOR PLANNING BOARD

Henry F. Scheible
Chairman

86-17

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
112 DICKSON STREET
NEWBURGH, NY 12550

Albert E. Dickson
Regional Director

Franklin E. White
Commissioner

October 11 1987

Planning Board Town of New Windsor
555 Union Ave
New Windsor NY 12550

RE: Washington Greene (Lexington Gate)
Route 32 Sh. 9083

Dear Mr. Chairman

We have reviewed this matter and please find our comments checked below:

- A Highway Work Permit will be required
- No objection
- Need additional information Traffic Study
- Drainage Study
- To be reviewed by Regional Office
- Does not affect N.Y. State Dept. of Transportation

ADDITIONAL COMMENTS: Permit log out to be req. required by this office.

Very truly yours,

Don Greene
Donald Greene
C.E. I Permits
Orange County

DG/dri

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that the PLANNING BOARD of the TOWN OF NEW WINDSOR, County of Orange, State of New York will hold a PUBLIC HEARING at Town Hall, 555 Union Avenue, New Windsor, New York on October 14, 1987 at 7:30 P.M. on the approval of the proposed Site Plan OF WASHINGTON GREEN, formerly known as LEXINGTON GATE, located at Route 32, New Windsor, New York (West Side) Map of the Site Plan is on file and may be inspected at the Town Clerk's office, Town Hall, 555 Union Avenue, New Windsor, New York prior to the Public Hearing.

Dated 9-21-87-----

**By Order Of
TOWN OF NEW WINDSOR PLANNING BOARD
Henry F. Scheible
Chairman**

AFFIDAVIT OF MAILING

STATE OF NEW YORK
COUNTY OF ORANGE
TOWN OF NEW WINDSOR

SS:

Jaime Lynn Suarez BEING DULY SWORN,

deposes and says, I am a resident of Goshen, New York

and that on the 21st day of

September 1987 I mailed the annexed Notice of Public Hearing to each of the parties hereinafter named by depositing in a United States Post Office or official depository at _____

Harriman, New York a true copy of said notice, each properly enclosed in a securely sealed, post-paid wrapper, marked "CERTIFIED MAIL, RETURN RECEIPT REQUESTED", directed respectively to each of the following parties at the address set opposite their names:

<u>NAME</u>	<u>ADDRESS</u>
1. Mr. Alfred Friedman,	295 Madison Ave. New York, N.Y. 10017
2. Consolidated Rail Corp.	6 Penn Center Plaza, Philadelphia, P.A. 1910
3. Jonathan Miller	147-39 175th St., Jamaica, New York 11434
4. Vails Gate Elemenatary School,	98 Grand St. Newburgh, New York 12550
5. Jesse Doanld Margaret Devo,	340 Windsor Highway, New Windsor N.Y. 12550
6. Ponderosa System, Inc.	Box 578, Dayton, Ohio 45401
7. Roadway Exp. Inc.,	1077 Gorge Blvd. Akron, Ohio, 44309
8. Henrique&Hawley,	Terrence G. Antonio, 310 Windsor Highway, New Windsor, NY
9. Lizda Realty, Ltd.	4601 Delafield Ave. Bronx, N.Y. 10471
10. John A. Petro,	Town of New Windsor, 555 Union Ave. New Windsor, NY 12550
11. Pauline G. Townsend,	Town of New Windsor, 555 Union Ave. New Windsor NY
12. Joseph P. Rones, Esq.	436 Route 9W, Newburgh, N.Y. 12550
13. Henry F. Scheible,	555 Union Avenue, New Windsor, N.Y. 12550
14. Mark J. Edsall,	45 Quassaick Ave., New Windsor, N.Y. 12550
15.	

Sworn before me this

Signed Jaime Lynn Suarez

21 day of SEPT 1987

[Signature]
Notary Public

J. BENNETT MARSHALL
Notary Public, State of New York
Orange County Clerk's # 1100000
Commission Expires March 22, 1989

9/31/89



TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK

10/21/87 - Returned to P/B
PA Planning Board
10/21/87 Engineer

SEP 16 1987

1763

NOTICE OF DETERMINATION OF NON-SIGNIFICANCE (Conditioned Negative Declaration)

Page 1 of 2

Project Name: Washington Green (formerly Lexington Gate)
New Windsor P/B Project #: 86-17
9 September 1987

Lead Agency:

Town of New Windsor Planning Board
Henry Scheible, Chairman
555 Union Avenue
New Windsor, New York 12550

Contact Person: Mark J. Edsall, P.E., Planning Board Engineer.
c/o McGoey and Hauser Consulting Engineers, P.C.
45 Quassaick Avenue
New Windsor, New York 12550
(914) 562-8640

SEQRA Status: Unlisted Action

Summary of Action: Project under review by Town Planning Board. Final Site Plan Approval anticipated, Fall 1987. Project is proposed as a two-phase development of 210 condominium units on a 33.7 +/- acre parcel. Site is located on property designated as Section 35, Block 1, Lot 59.22 of the Tax Maps of New Windsor.

Reasons Supporting Determination: Submittal Plans and information were prepared and modified in response to the comments of the Planning Board review. The review resulted in two (2) areas of paramount concern; drainage and effect on adjacent transportation facilities. The Applicant has proposed on-site stormwater retention to mitigate the effect of development of the property and related increased drainage intensity "downstream". The Applicant has prepared a traffic impact study which has been reviewed by the New York State Department of Transportation with regard to the adjacent New York State Route 32. As part of the project, improvements will be required on Route 32 to mitigate the impact of the development.

NOTICE OF DETERMINATION OF NON-SIGNIFICANCE
(Conditioned Negative Declaration)

Page 2 of 2

Project Name **932** Washington Green (formerly Lexington Gate)
New Windsor P/B Project #: 86-17
9 September 1987

Conditions of Declaration: By Resolution of the Town of New Windsor Planning Board on 9 September 1987, a conditioned Negative Declaration was made with regard to the project with the conditions being the adequate mitigation of the stormwater drainage impacts and the adequate mitigation of the traffic impact by construction of the improvements on New York State Route 32.

FOR FURTHER INFORMATION REGARDING THIS PROJECT, CONTACT THE CONTACT PERSON INDICATED HEREIN ABOVE.

COPIES OF THIS NOTICE ARE BEING SENT TO THE FOLLOWING:

Commissioner, Department of Environmental Conservation
50 Wolf Road, Albany New York 12233-0001

New York State Department of Environmental Conservation
21 South Putt Corners Road, New Paltz, New York 12561

Supervisor John Petro, Town of New Windsor Town Hall
555 Union Avenue, New Windsor, New York 12550

Lizda Realty, Ltd.,
4601 Delafield Avenue, Bronx, New York 10471

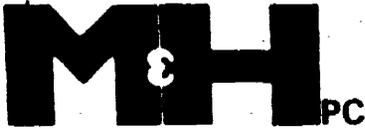
New York State Department of Transportation
4 Burnet Boulevard, Poughkeepsie, New York 12601
Attention: Jeff Wickeri

Orange County Department of Planning
124 Main Street, Goshen, New York 10924
Attention: Peter Garrison

Pauline Townsend, Town Clerk
Town of New Windsor, Town Hall, 555 Union Avenue
New Windsor, New York 12550

Joseph P. Rones, Esq., Planning Board Attorney
436 Route 9W
Newburgh, New York 12550

Henry F. Scheible, Planning Board Chairman
Town of New Windsor, Town Hall, 555 Union Avenue
New Windsor, New York 12550



McGOEY and HAUSER
CONSULTING ENGINEERS P.C.

45 QUASSAICK AVE. (ROUTE 9W)
NEW WINDSOR, NEW YORK 12550

TELEPHONE (914) 562-8640
PORT JERVIS (914) 856-5600

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.

MARK J. EDSALL, P.E.
Associate

Licensed in New York,
New Jersey and Pennsylvania

TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: ~~Lexington Gate Condominiums~~
PROJECT LOCATION: Route 32 (West side)
NW # 86-17
9 September 1987

1. The Applicant has submitted a Site Plan for a proposed condominium project with access off Route 32.
2. The Board should note that previous submittals of this project indicated a total of 204 units; the latest plan indicates a total of 210 units.
3. The intent, as understood, of the Applicant's appearance at this Board Meeting is to seek SEQRA action from the Planning Board. I have reviewed the Full Environmental Assessment Form (Long Form) as prepared by the Applicant's professional. It is my opinion that several items in the form require correction prior to the Planning Board taking action. Should these items be revised as acceptable to this Engineer, it would be my recommendation that the Board issue a Conditioned Negative Declaration (CND) with the conditions being the construction of necessary traffic improvements on Route 32 and construction of necessary stormwater retention improvements in the project's stormwater retention area. Pursuant to Section 617.6 of the SEQRA Regulations, this determination should be published in the Environmental News Bulletin. This publication could be coordinated with the Public Notice for the scheduled Public Hearing for the project.

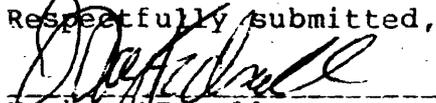
TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: Lexington Gate Condominiums
PROJECT LOCATION: Route 32 (West side)
NW # 86-17
9 September 1987

Page 2

4. Numerous comments were made with regard to the project as part of my 10 June 1987 meeting review. Pursuant to my conference held with the Applicant's representative on 3 September 1987, it should be noted that the great majority of these comments have been addressed in the corrected Plans. Prior to the scheduled Public Hearing, the Applicant should submit revised plans addressing all matters discussed at the 3 September 1987 conference such that the Public Comment can be received with regard to the latest version of the Plans.

Respectfully submitted,



Mark J. Edsall, P.E.
Planning Board Engineer

MJEnje



Louis Heimbeck
County Executive

**Department of Planning
& Development**

124 Main Street
Goshen, New York 10924
(914) 294-5151

Peter Garrison, Commissioner
Richard S. DeTurk, Deputy Commissioner

February 27, 1987

Mr. Henry Reynolds, Chairman
Town of New Windsor Planning Board
555 Union Avenue
New Windsor, N.Y., 12550

Re: Site Plan, Lexington Gate
N.Y.S. Route 32 and Forge Hill Rd.
Our File No. NWT 23-86M

Dear Mr. Reynolds:

We have reviewed, the plans submitted in accordance with Section 239, paragraphs L and M of the General Municipal Law.

Overall, the design of the site is adequate. It can be substantially improved, however, by further clustering buildings, relocating parking areas and reducing the amount of internal roads.

In studying the activities of residents in many condominium and apartment complexes around the County, we found that side and rear yards are seldom, if ever, utilized as open space. We also observed that parking lots and internal roads were the main focal points of many of these projects rather than open areas. The result is that residents, generally never recreated in outdoor areas. The few projects which focused around large, well vegetated open areas, in contrast, were more appealing to residents and utilized more frequently.

With this in mind, the design of the project could be substantially improved by further consolidating buildings and centering them around a large internal quad rather than spreading them throughout the non-wetland area. In spreading development, more internal road is needed and much of the usable open space is broken into smaller, less attractive areas. The parking areas could also be more efficiently located in the seldom utilized side yards between buildings. The result in our opinion, would be a more efficiently designed site with a large degree of usable open space.

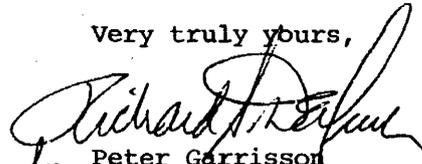
TOWN OF NEW WINDSOR
PLANNING BOARD
RECEIVED *yp*
DATE 3-2-87

2/27/87

We offer these recommendations to improve the quality of the project for future residents as well as the Town.

If there are any questions, please don't hesitate to call.

Very truly yours,


for Peter Garrison
Commissioner

Reviewed by,


Fred H. Budde
Planner

PG/af

86-18



COUNTY OF ORANGE / Department of Health

LOUIS HEIMBACH, County Executive

124 MAIN STREET
COSHEN, NEW YORK 10924 TEL: 914-294-7961

Walter O. Latzko
President, Board of Health

October 1, 1987

RE: Washington Green Condominium
Town of New Windsor

Planning Board
Town of New Windsor
555 Union Avenue
New Windsor, NY 12550

Gentlemen:

We have reviewed the material submitted. We do not issue site approvals. Plans for the water mains and swimming pool to serve this area must be submitted for our review and approval prior to their construction.

Very truly yours,

M. J. Schleifer, P.E.
Assistant Commissioner

MJS:dlb

cc: File



Louis Heimback
County Executive

Department of Planning
& Development

124 Main Street
Goshen, New York 10924
(914) 294-5151

Peter Garrison, Commissioner
Richard S. DeTurk, Deputy Commissioner

September 29, 1987

Mr. Henry Scheible, Chairman
Town of New Windsor Planning Board
555 Union Avenue
New Windsor, New York 12550

Re: Site Plan, Washington Green (Formerly Lexington Gate)
N.Y.S. Route 32 and Forge Hill Road
Our File No. NWT 23-86 M

Dear Mr. Scheible:

In our original review of the matter, we felt that the project could be more efficiently designed to meet the needs of future residents by repositioning buildings, parking spaces and creating larger open areas. Given that the revised plan is a virtual duplicate of the original, our previous comments regarding the project are still applicable. A copy of this letter is enclosed for your information. If there are any questions, please don't hesitate to call.

Sincerely,

Fred H. Budde
Planner

FHB:cmd

Enclosure

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
112 DICKSON STREET
NEWBURGH, NY 12550

Albert E. Dickson
Regional Director

Franklin E. White
Commissioner

September 8, 1987

Planning Board
Town of New Windsor
555 Union Avenue
New Windsor, NY 12550

RE: Lexington Gate
Rte. 32, S.H. 9033

Dear Chairman:

We have reviewed this matter and please find our comments checked below:

- A Highway Work Permit will be required
 No objection
 Need additional information Traffic Study
 Drainage Study
 To be reviewed by Regional Office
 Does not affect N.Y. State Dept. of Transportation

ADDITIONAL COMMENTS:

Very truly yours,


Donald Greene
C.E. I Permits
Orange County

DG/dn

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK



1763

BUREAU OF FIRE PREVENTION

SITE PLAN APPROVAL

Lexington Gate

The aforementioned site plan or map was reviewed by the Bureau of Fire Prevention at a meeting held on Sept. 22 1987.

 The site plan or map was approved by the Bureau of Fire Prevention.

The site plan or map was disapproved by the Bureau of Fire Prevention for the following reason(s).

The water main line does not loop back into Forge Hill Road in violation of Section 21-10, Paragraph D on page 2108 of the Code of the Town of New Windsor

Multiple horizontal lines for additional text or reasons for disapproval.

SIGNED: Stephen W. [Signature]
CHAIRMAN

BUILDING INSPECTOR, P.B. ENGINEER, FIRE INSPECTOR, D.O.T. O.C.H. O.C.P.
WATER, ~~SEWER~~ HIGHWAY REVIEW FORM: D. P. W.

The maps and plans for the Site Approval _____
Subdivision _____ as submitted by
William Youngblood for the building or subdivision of
Washington Green has been
reviewed by me and is approved _____,
disapproved _____.

If disapproved, please list reason.

Dec. has put a ban on the construction of any
sewer lines until notified

HIGHWAY SUPERINTENDENT

WATER SUPERINTENDENT

Luman D. Marten jr
SANITARY SUPERINTENDENT

Sept. 30, 1987
DATE

BUILDING INSPECTOR, P.B. ENGINEER, FIRE INSPECTOR, D.O.T. O.C.H. O.C.P.
SEWER, HIGHWAY REVIEW FORM: D. P. W.

The maps and plans for the Site Approval _____
Subdivision _____ as submitted by
Wm. Youngblood for the building or subdivision of
Washington Gate has been
reviewed by me and is approved _____,
disapproved _____.

If disapproved, please list reason.

Not enough data on water - where are taps
located - ?

HIGHWAY SUPERINTENDENT

Stan Dillie
WATER SUPERINTENDENT

SANITARY SUPERINTENDENT

DATE

WILLIAM YOUNGBLOOD ASSOCIATES
ENGINEERS - SURVEYORS - LAND PLANNERS
ENVIRONMENTAL DESIGNERS
244 ROUTE 59
P.O. BOX 790
MONSEY, NEW YORK 10952
(914) 357-8188

DESCRIPTION OF PHASE III
OF
LEXINGTON HILL CONDOMINIUM

All that certain lot, piece or parcel of land, situate, lying and being in the Village of Harriam, County of Orange, State of New York, more particularly bounded and described as follows:

BEGINNING at a point located the following (3) three courses and distances form a point being on the southerly line of N.Y.S. Route 17M and being on the division line between the town of Monroe and the village of Harriam; thence

- 1) South 45-12-00 West, 676.79 feet to a point; thence
- 2) South 44-56-00 East, 1,035.64 feet to a point; thence
- 3) South 44-13-35 East, 342.27 feet to the point or place of beginning; thence

1) Turning and running the following (7) seven course and distances through the lands N/F Lizda Realty Corp.; thence

- 1) North 45-46-25 East, 183.81 feet to a point; thence
- 2) South 54-01-15 East, 195.00 feet to a point; thence
- 3) South 70-01-15 East, 95.00 feet to a point; thence
- 4) North 71-28-45 East, 90.00 feet to a point; thence
- 5) North 29-28-45 East, 125.00 feet to a point; thence
- 6) North 18-31-15 West, 85.00 feet to a point; thence
- 7) North 48-31-15 West, 770.00 feet to a point on the easterly line of the lands N/F Tondo; thence

2) Turning and running the following (6) courses and distances along the lands N/F Tondo to a point;

- 1) North 43-37-08 East, 187.00 feet to a point; thence
- 2) South 29-53-28 East, 190.00 feet to a point; thence
- 3) South 41-28-45 West, 111.76 feet to a point; thence
- 4) South 48-31-15 East, 173.90 feet to a point; thence
- 5) North 41-28-20 East, 125.36 feet to a point; thence
- 6) South 40-21-02 East, 306.75 feet to a point on the westerly line of the lands N/F Post; thence

3) Turning and running South 36-25-30 West, 5.22 feet along the westerly line of the lands N/F Post to a point; thence

(Continued)

PLANNING BOARD

9/29/87

- 4) Turning and running South 53-34-30 East, 204.95 feet along the southerly line of the same to a point; thence
- 5) Turning and running South 58-55-59 West, 66.57 feet along the westerly line of the lands N/F Tondo to a point; thence
- 6) Turning and running South 27-40-30 East, 217.42 feet along the southerly line of the lands N/F Tondo to a point; thence
- 7) Turning and running South 44-44-50 West, 463.23 feet along the westerly line of the lands N/F Cady Realty Co., Inc. to a point on the division line between the village of Harriam and the town of Monroe; thence
- 8) Turning and running North 45-50-16 West, 237.60 feet along the division line between the village of Harriam and the town of Monroe to a point; thence
- 9) Turning and running North 44-13-35 West, 259.46 feet along the same to the point or place of beginning.

Containing 5.791 acres of land more or less.

*Planning Board
Town Hall
555 Union Ave.
New Windsor, N.Y. 12550*

86-18

BUILDING INSPECTOR, P.B. ENGINEER, FIRE INSPECTOR, D.O.T. O.C.H. O.C.P.
~~WATER~~, SEWER, HIGHWAY REVIEW FORM: D. P. W.

The maps and plans for the Site Approval _____
Subdivision _____ as submitted by
Wm. Youngblood Assoc. for the building or subdivision of
Lexington Gate at New Windsor has been
reviewed by me and is approved ✓
~~disapproved~~ _____.

~~If disapproved, please list reason.~~

Please notify water dept. for location of
2 water mains - which one to tap -
also about metering -

HIGHWAY SUPERINTENDENT
Gene D. D.

WATER SUPERINTENDENT

SANITARY SUPERINTENDENT

DATE

86-18

Planning Board
Town of New Windsor
555 Union Avenue
New Windsor, NY 12550

(This is a two-sided form)

Date Received 3/4/86
Meeting Date _____
Public Hearing _____
Action Date _____
Fees Paid 25.00

APPLICATION FOR SITE PLAN APPROVAL

1. Name of Project LEXINGTON HILL AT NEW WINDSOR
2. Name of Applicant LIZDA REALTY, LTD. Phone 212-884-4062
Address 4601 Delafield Avenue, Bronx, New York 10471
(Street Name & No.) (Post Office) (State) (Zip Code)
3. Owner of Record _____ Phone _____
Address _____
(Street Name & No.) (Post Office) (State) (Zip Code)
4. Name of Person _____
Preparing Plan William Youngblood, L.S., P.E. Phone 357-8108
Address Post Office Box 790 Monsey New York 10952
(Street Name & No.) (Post Office) (State) (Zip Code)
5. Attorney None Phone _____
Address _____
(Street Name & No.) (Post Office) (State) (Zip Code)
6. Location: On the north side of Forge Hill Road
(Street)
1350 feet westerly
(direction)
of NYS Highway Route 32
(Street)
7. Acreage of Parcel 33.71 acres
8. Zoning District RM
9. Tax Map Designation: Section _____ Block _____ Lot(s) _____
10. This Application is for the use and Construction of 204 units of residential housing.
11. Has the Zoning Board of Appeals granted any variance or special permit concerning this property? No If so, list case Number and Name _____
12. List all contiguous holdings in the same ownership
Section _____ Block _____ Lot(s) _____

FOR OFFICE USE ONLY:
Schedule _____ Column _____ Number _____

(Lizda Real - 783-4300)

Attached hereto is an affidavit of ownership indicating the dates the respective holdings of land were acquired, together with the liber and page of each conveyance into the present owner as recorded in the Orange County Clerk's Office. This affidavit shall indicate the legal owner of the property, the contract owner of the property and the date the contract of sale was executed.

IN THE EVENT OF CORPORATE OWNERSHIP: A list of all directors, officers and stockholders of each corporation owning more than five percent (5%) of any class of stock must be attached.

I HEREBY DEPOSE AND SAY THAT ALL THE ABOVE STATEMENTS AND INFORMATION, AND ALL STATEMENTS AND INFORMATION CONTAINED IN THE SUPPORTING DOCUMENTS AND DRAWINGS ATTACHED HERETO ARE TRUE.

Sworn before me this

3 day of March, 1986 X [Signature]
(Applicant's Signature)

[Signature]
Notary Public
Registered in Orange County
Commission Expires Mar. 30, 1987

Vice President LIZONA RENOVA, LTD.
Title

OWNER'S ENDORSEMENT

(Completion required ONLY if applicable)

COUNTY OF ORANGE
STATE OF NEW YORK

_____ being duly sworn, deposes and says
that he resides _____ in the
(Owner's Address)

county of _____ and State of _____

and that he is (the Owner in fee) of (_____ of the _____
(Official Title)

Corporation which is the Owner in fee) of the premises described in
the foregoing application and that he has authorized _____

_____ to make the foregoing application for
special use approval as described herein.

Sworn before me this

_____ day of _____, 198_____
(Owner's Signature)

Notary Public

INSTRUCTIONS:

LEXINGTON GATE AT NEW WINDSOR

(a) In order to answer the questions in this short EAF it is assumed that the preparer will use currently available information concerning the project and the likely impacts of the action. It is not expected that additional studies, research or other investigations will be undertaken.

(b) If any question has been answered Yes the project may be significant and a completed Environmental Assessment Form is necessary.

(c) If all questions have been answered No it is likely that this project is not significant.

(d) Environmental Assessment

- 1. Will project result in a large physical change to the project site or physically alter more than 10 acres of land? Yes No
- 2. Will there be a major change to any unique or unusual land form found on the site? Yes No
- 3. Will project alter or have a large effect on an existing body of water? Yes No
- 4. Will project have a potentially large impact on groundwater quality? Yes No
- 5. Will project significantly effect drainage flow on adjacent sites? Yes No
- 6. Will project affect any threatened or endangered plant or animal species? Yes No
- 7. Will project result in a major adverse effect on air quality? Yes No
- 8. Will project have a major effect on visual character of the community or scenic views or vistas known to be important to the community? . . . Yes No
- 9. Will project adversely impact any site or structure of historic, pre-historic, or paleontological importance or any site designated as a critical environmental area by a local agency? . . . Yes No
- 10. Will project have a major effect on existing or future recreational opportunities? . . . Yes No
- 11. Will project result in major traffic problems or cause a major effect to existing transportation systems? Yes No
- 12. Will project regularly cause objectionable odors, noises, glare, vibration, or electrical disturbance as a result of the project's operation? . Yes No
- 13. Will project have any impact on public health or safety? Yes No
- 14. Will project affect the existing community by directly causing a growth in permanent population of more than 5 percent over a one-year period or have a major negative effect on the character of the community or neighborhood? . Yes No
- 15. Is there public controversy concerning the project? Yes No

PREPARER'S SIGNATURE

[Handwritten Signature]

TITLE: L.S., P.E.

REPRESENTING:
9/1/78

Lizda Realty, Ltd.

DATE: 3-03-86



Louis Heimbach
County Executive

**Department of Planning
& Development**

124 Main Street
Goshen, New York 10924
(914) 294-5151

Peter Garrison, Commissioner
Richard S. DeTurk, Deputy Commissioner
Paul Costanzo, Director of Community Development

ORANGE COUNTY DEPARTMENT OF PLANNING & DEVELOPMENT

239 L, M or N Report

This proposed action is being reviewed as an aid in coordinating such action between and among governmental agencies by bringing pertinent inter-community and Countywide considerations to the attention of the municipal agency having jurisdiction.

D P & D Reference No. NOT 23-86M

County I.D. No. 1-1

Applicant LEXINGTON GATE
Proposed Action: SITE PLAN: 264 APARTMENT UNITS FORBE HILL RD + NYS 32
State, County, Inter-Municipal Basis for 239 Review FRONTAGE ACCESS NYS 32

County Effects: None

Related Reviews and Permits N.Y.S. DEPT. OF TRANSPORTATION

County Action: Approved Disapproved

Approved subject to the following modifications:

7/22/86
Date

Peter Garrison
Commissioner

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
112 DICKSON STREET
NEWBURGH, NY 12550

Albert E. Dickson
Regional Director

Franklin E. White
Commissioner

January 12, 1987

Planning Board
Town of New Windsor
555 Union Avenue
New Windsor, NY 12550

RE: Lexington Gate
Route 32, S.H. 9033

Dear Chairman:

We have reviewed this matter and please find our comments checked below:

- A Highway Work Permit will be required
- No objection
- Need additional information Traffic Study
- Drainage Study
- To be reviewed by Regional Office
- Does not affect N.Y. State Dept. of Transportation

ADDITIONAL COMMENTS: We are reviewing this project and may require the developer to make improvements to Route 32.

Very truly yours,

D. Greene
Donald Greene
C.E. I Permits
Orange County

DG/dri

FINKELSTEIN, KAPLAN, LEVINE, GITTELSOHN AND TETENBAUM

COUNSELLORS AT LAW

436 ROBINSON AVENUE AT J-84, NEWBURGH, NEW YORK 12550

(914) 562-0203

HOWARD S. FINKELSTEIN, P.C.
EDWARD D. KAPLAN, P.C.
JULES P. LEVINE, P.C. (N.Y. & FLA. BAR)
MICHAEL D. GITTELSOHN, P.C.
ELLIOT S. TETENBAUM, P.C.

ANDREW M. MAURIELLO, P.C.
COUNSEL EMERITUS

January 29, 1987

BENJAMIN J. FRIED, P.C.
DUNCAN W. CLARK
KAREN B. NEMIROFF
GEORGE M. LEVY
KENNETH L. OLIVER
RICHARD J. COFFEY
JOHN A. LINDHOLM JR.
ROBERT J. CAMERA (N.Y. & N.J. BAR)
STEPHEN BUCHALTER
GERARD J. MARINO
MICHAEL J. GRACE (N.Y. & N.J. BAR)
KENT BENZIGER
JOSEPH P. RONES
PAUL L. BROZDOWSKI
CHRISTOPHER D. MAURIELLO (N.Y. & FLA. BAR)
JOHN J. TACKACH
RONALD ROSENKRANZ

REFER TO OUR FILE # 21975

Mr. William Youngblood, P.E.
244 Route 59
P.O. Box 790
Monsey, New York 10952

RE: Lexington Gate Condo
New Windsor, New York

Dear Mr. Youngblood:

The New Windsor Planning Board has reviewed a copy of the letter dated January 21, 1987 from Mr. Sechrist of the New York State Department of Transportation.

The present site plan provides for access to the project via Route 32, and the D.O.T. will not authorize such access. In view of this rejection by the D.O.T., the Planning Board voted to disapprove the site plan at its January 28, 1987 meeting.

Nevertheless, the Planning Board stands ready to conference a new site plan to permit development of the property. If you are so advised, contact the chairman to place the matter on the agenda.

Very truly yours,

FINKELSTEIN, KAPLAN, LEVINE,
GITTELSOHN AND TETENBAUM

BY:
JOSEPH P. RONES

JPR:msm

CC: Henry Scheible, Chairman ✓



McGOEY and HAUSER
CONSULTING ENGINEERS P.C.

45 QUASSAICK AVE. (ROUTE 9W)
NEW WINDSOR, NEW YORK 12550

TELEPHONE (914) 562-8640
PORT JERVIS (914) 856-5600

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
Associate

Licensed in New York,
New Jersey and Pennsylvania

TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: ~~Lexington Gate~~
PROJECT LOCATION: Route 32 (West Side)
NW #: 86-17
10 June 1987.

- 1). The Applicant has submitted a Site Plan for a proposed 204 unit multiple-residence development.
- 2). The Plan should indicate if the development is for apartments, condominiums, townhouses, etc.
- 3). The Planning Board should determine if it desires to become Lead Agency for review of the project under the SEQRA Regulations. The Applicant should be instructed to submit a Long Form EAF for the project.
- 4). Comments regarding Sheet No. 1 are as follows:
 - a. The Plan should be submitted to the Bureau of Fire Prevention for review of the proposed stone fire lanes, internal roadway widths, and general review.
 - b. The Applicant should remove the reference for the future senior citizen housing shown near Forge Hill Road since this Plan is not being reviewed for same at this time.
 - c. The Applicant should verify that no D.E.C. Wetlands are on-site and, if not, the terminology "Wetlands" should be removed from the Plan.
 - d. The Applicant should revise the total sideyard, rear-yard and street frontage values in the bulk table (for provided) to indicate the appropriate footage. The building height and parking requirements should be corrected.
 - e. The Plan should clearly indicate the limits of the Town Road right-of-way, especially along the northerly

TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: Lexington Gate
PROJECT LOCATION: Route 32 (West Side)
NW #: 86-17
10 June 1987

Page 2

property line, which is irregular. Metes and Bounds should be shown for the proposed road dedication.

- f. Details for the proposed Town Road, as to be installed by the Applicant, should be provided. In addition, the indicated thirty (30) foot pavement width is not sufficient.
 - g. A detail, as acceptable to the Fire Prevention Bureau, should be provided for the stone fire lanes.
 - h. Internal improvement details should be provided (i.e. pavements, sidewalks, curbs, etc.).
 - i. A typical parking space detail and aisle width detail should be provided.
 - j. The Applicant should submit, prior to final plan submittal, a bonding estimate for review for the proposed Town Road and improvements.
 - k. Street lighting for the Town Road and all internal roadways should be indicated on the Plan.
 - l. The location of the proposed tennis courts should be revised to comply with the 40 ft. minimum setback required under Paragraph 48-21A.
- 5). Comments regarding Sheet No. 2 are as follows:
- a. The Plan should be submitted to the Bureau of Fire Prevention for review of the Water Distribution System and hydrant locations.
 - b. The Plan should clearly identify the size of all water distribution piping to be provided.
 - c. Trench details for installation, thrust block details, hydrant details, and I.S.O. Fire Flow Calculations should be submitted for the water system.

TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: Lexington Gate
PROJECT LOCATION: Route 32 (West Side)
NW #: 86-17
10 June 1987

Page 3

- d. The water distribution piping, as submitted, does not include sufficient separation valves.
- e. Sizes for all sanitary sewer collection piping and details for installation should be provided on the Plan.
- f. Sizes for all stormwater collection piping should be indicated on the Plan and Details for installation of same should be provided on the Plan.
- g. The Applicant should submit a stormwater engineering report indicating the increased intensity of runoff caused by the development and verifying the sufficient storage capacity of the "retention area". The report should indicate whether any negative impacts will occur downstream of the development. The report should be prepared by a Professional Engineer. It should also be clarified as to what type of clearing, if any, will be performed in the retention area.
- h. It should be verified, as part of the New York State Department of Transportation submittal and application, that the drainage of the Town Road to the existing stormwater facilities on Route 32 is acceptable. Sufficient downstream capacity of the system should be verified.
- i. It should be made clear on the plan which sections of the water distribution system, sewer collection system and stormwater system are to be dedicated to the Town and which portions are to remain private ownership of the Lexington Gate development. The maintenance responsibility for the on-site systems should be clarified as being the applicant's.
- j. Submittals to the New York State Department of Environmental Conservation and the Orange County Department of Health should be made for the sewer main and water system extensions. Separate submittals should be made for the private systems and systems to be

TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: Lexington Gate
PROJECT LOCATION: Route 32 (West Side)
NW #: 86-17
10 June 1987

Page 4

dedicated to the Town of New Windsor (Both prepared by the Applicant).

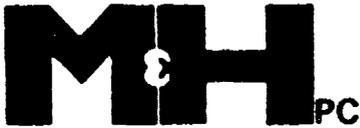
- k. Metering locations for the water system should be coordinated.
- 6). The following are comments regarding Sheet No. 3:
- a. The proposed street trees located along the southerly side of the new Town Road should be relocated off the Town right-of-way, onto the private property.
 - b. The internal roadway street trees may have to be relocated based on any road width change requirements.
- 7). A review of Sheets 4 and 5 of the Drawings will be made upon resubmittal of the revised plans.
- 8). It should be noted that the submittal plans, as reviewed, did not include Sheet No. 6 of 6 for the project.
- 9). Upon submittal and review by the Department of Transportation for the proposed access onto Route 32, resubmittal drawings should include all such modifications as necessary for approval by that agency. In addition, a review by the D.O.T. of the submitted Traffic Impact Study dated October 1986 is expected.

Respectfully submitted,



Mark J. Edsall, P.E.
Planning Board Engineer

MJEfmD



McGOEY and HAUSER
CONSULTING ENGINEERS P.C.

45 QUASSAICK AVE. (ROUTE 9W)
NEW WINDSOR, NEW YORK 12550

TELEPHONE (914) 562-8640
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22 May 1987

RICHARD D. MCGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
Associate

Licensed in New York,
New Jersey and Pennsylvania

New York State Department
of Transportation
4 Burnett Boulevard
Poughkeepsie, NY 12601

ATTENTION: M. J. MIGNOGNA, REGIONAL TRAFFIC ENGINEER

~~SUBJECT: LEXINGTON GATE PROJECT - TOWN OF NEW WINDSOR;~~
ORANGE COUNTY, NEW YORK

Dear Mr. Mignogna:

Pursuant to your letter dated 21 January 1987, the Planning Board of the Town of New Windsor has reviewed the proposed Lexington Gate project and the alternatives for access thereto. Field reviews have been made of the site and the various access alternatives evaluated. In addition, the Orange County Department of Planning has reviewed the project area and have made recommendations to the Planning Board.

Based on the various reviews of the project, the Town of New Windsor Planning Board requests that the New York State Department of Transportation re-evaluate the proposed access onto N.Y.S. Route 32 and, if possible, determine criteria for improvements to be constructed by the applicant such that access to the proposed development from Route 32 can be approved by your department.

Should you wish to schedule a meeting with the developer, representatives from the Planning Board and representatives of our office present, please do not hesitate to contact this writer.

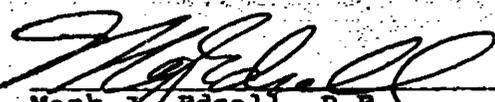
5/27/87

22 May 1987

Should you have any questions concerning the above, please do not
hesitate to contact us.

Very truly yours,

McGOEY and HAUSER
CONSULTING ENGINEERS, P.C.


Mark J. Edsall, P.E.
Planning Board Engineer

cc: Mr. William Youngblood, P.E.
R.A. Sechrist, DOT
Henry Scheible, Planning Board Chairman

MJEfmd

Mr. Grevas: That is not true. On Butterhill subdivision map there is a typical cross section on every one of these there is a typical cross section plus zoning table.

Mr. Babcock: My suggestion was that if all the cluster developments even if it has to be a slide rule like Lou said should have some type of standard so that when I determine it is in a cluster development I can have something to go with.

Mr. Reynolds: This is why we should have a meeting and have that taken care of even though we discussed this tonight as to direction we can give them direction and then discuss this at another time.

Mr. Babcock: Would the setbacks be the same as Windsor Square? No, because this zone is an R3 zone which calls for an acre what we are proposing is 20,000 square feet or half acre 21,000 so these are different than Windsor Square. Because we started out with something different.

Mr. Van Leeuwen: There is another think you can do to eliminate the problem, when you write out the deed write a certain set of deed restrictions that there are no outside sheds of any kind.

Mr. Grevas: We took care of that on Windsor Square I hope to satisfy everybody and that is what I intend to do on every cluster plan I work on.

Mr. Van Leeuwen: We have to make sure it is on the deeds.

Mr. Grevas: When it is put on file in the Orange County Clerk's office as a restriction on the lot it is picked up by the title people. Yes it should be in the deeds.

Mr. Babcock: The one problem with the deeds is that when somebody comes for a permit they don't show me the deed.

Mr. Jones: These lots are all going to conform, not like Butterhill you come in later and you want to change people want to build and you didn't have the lines in the proper place.

Mr. Grevas: No.

Mr. Reynolds: "That the Planning Board of the Town of New Windsor give their approval to the cluster concept so that the applicant may proceed with their next steps relating to Husted, Townsend and Purdy Subdivision." Seconded by Mr. Van Leeuwen.

ROLL CALL	MR. JONES	AYE
	MR. VAN LEEUWEN	AYE
	MR. MC CARVILLE	AYE
	MR. LANDER	AYE
	MR. SCHEIBLE	AYE
	MR. REYNS	AYE

LEXINGTON ZONING CASE PLAN (25-17)

5/27/87

Mr. Jim Sweeny: I am here on behalf of the developer and with me is Phill Youngblood in the back who is the engineer and Mike Waskew. I am here to secure help to get my client off the horns or a dilemma. You have seen this many times and you granted concept approval in September of last year it was engineered out through the fall of last year and in January of this year they came on an abrupt halt because of a piece of correspondence from Mr. Secress. He indicated to you that the traffic data and study that had been prepared by the developer were adequate and that the load on the intersection was not very significant and that the developer won't be required to improve the Old Forge Hill Road Route 32 intersection but there was a sentence that said but it is a 60 foot entrance with a design criteria is not acceptable. I had then been led to believe and I think it is accurate that the DOT would look favorably upon Route 32 entrance if this Board would indicate this type of intention to the Department and that is why I am at this point I'd like to employ your assistance in getting the Route 32 entrance approved at the regional office. I think at the beginning of this there were objections that the Old Forge Hill Road entrance up at the top was not acceptable I don't think it was acceptable to the Town Board and clearly the Route 32 entrance was the one that accommodated your thoughts, designs and intentions in the future to build through a road across the railroad and out the other way. But I need your help. I need your help to specifically tell the DOT that or else we are going to be at the standstill we found ourselves in January. A way to do it if I may suggest respectfully because I think the plan has been designed to a point where everybody is satisfied with the design concept approved with the indication to DOT that you like and desire the Route 32 entrance and we will take a subject type condition but I don't think it will be a major battle if you indicate you are in agreement with that approach that is what I am here for.

Mr. Reynolds: We indicated that a long time ago this Route 32 entrance I think the plan has been worked around long enough and I think we all understand what the problems are I think that if we are asked to direct our letter to the DOT stating our approval of this I am saying should we do that this would get us where?

Mr. Sweeny: It would get me to the next step hopefully get design approval from DOT and have completed processes with you.

Mr. Edsall: That letter was authorized by the Board at the previous meeting and I had sent it out dated the 22nd.

Mr. Sweeny: My communication from the DOT was they knew nothing.

Mr. Edsall: This is dated May 22nd.

Mr. Sweeny: Can you go to the next step and approve a plan subject to DOT approval?

Mr. Reynolds: Not subject to.

Mr. Jones: What you are showing is another road across the back.

Mr. Sweeny: We are showing an area reserved for the road. The design concept is that some day this road that we are going to end here should come across the railroad and out to Route 32 on.

Mr. Reynolds: I would think that since we have the letter then your next step you know.

Mr. Sweeney: If we fight that battle and I don't think it is a battle with that piece of correspondence then I want to get to the next step with you. I don't want to be here I want to let the people know what is the next step.

Mr. Reynolds: We have gone over the plans and the only thing is that we have an unwritten rule here we won't approve anything condition.

Mr. Waskew: The complete set of drawings has been before the Board for several months.

Mr. Reynolds: We have no question on it. I think what you might better do is go ahead with your next step and come back.

Mr. Sweeney: Can we ask you to authorize formal review by your engineer?

Mr. Reynolds: Yes. I'd be glad to.

Mr. Sweeney: Thank you.

Mr. Witfield: We are working on development as you know of the land in front and naturally we have an interest also and it might be good for both of these people and my client if the retail area in the front could tie into the entrance so it is a question I raise the question would that be permissible to tie in otherwise we have to go to DOT with more curb cuts we are ready to apply to DOT if we show tie in that might strengthen the position. I think it might be better to have one access to 32 rather than a series.

Mr. Reynolds: I think that letter is already in.

Mr. Witfield: When we started we were told there would be a road but later on in the planning process we said we'd have to abandon that because that was disapproved by DOT. We could add your weight showing a design tying into the entrance loop is that is permissible.

Mr. Sweeney: I don't want to discount a partner in a problem I can use all the help I can get but at the same time I am trying to move things along here for a while and I don't think the Board is ready to look at this particular concept.

Mr. Reynolds: I think we will leave it the way it is. You will be able to cut into it anyway. It is a Town road. You will be in touch with us.

Mr. Sweeney: Yes.

Mr. Edsall: If the letter that the chairman asked me to send and I did so I indicated that DOT feels that a meeting would be advantageous between the Board, myself and the applicant it will be that they get a hold of me. Is the Board in a position that they want to go to Poughkeepsie or do they want me to.

Mr. Reynolds: You go with the applicant but keep me in touch.

Mr. Edsall: Yes.



TEL 914-783-4300

LEXINGTON HILL

P.O. BOX 487
ROUTE 17M, HARRIMAN, N.Y. 10926

January 12, 1987

New Windsor Planning Board Chairman
Mr. Henry Reynolds
New Windsor Town Hall
555 Union Avenue
New Windsor, New York 12550

783-4300

Dear Mr. Reynolds,

By this letter Lizda Realty, Ltd. requests an extension of the final site plan approval process for the Lexington Gate project. We are requesting this extension because we have not received final Department of Transportation approval. This approval is expected within the next few days and therefore we request an agenda space for the Planning Board meeting of January 28th, 1987.

Sincerely,

Mike Waskew
Vice President
Lizda Realty, Ltd.

js/MW

cc: File



TEL 914-783-4300

LEXINGTON HILL

P.O. BOX 487
ROUTE 17M, HARRIMAN, N.Y. 10926

*Planning Board
received 12/26/86
SR*

December 22, 1986

Town of New Windsor
55 Union Avenue
New Windsor, New York 12550

Re: Lexington Gate

Attn: Shirley Hassdenteufel

Dear Shirley,

As you probably know , on December 17, 1986 the Town Board voted unanimously to return the zoning permitting multiple dwelling construction at the subject property.

I assume we are on the January 14th, 1987 planning board agenda. Enclosed please find 10 copies of the Lexington Gate plans for your examination and distribution.

If you have any questions or if there are any problems please call me at the above number. Happy Holidays and the best of the season to you.

Sincerely,

Mike Waskev
Vice President
Lizda Realty, Ltd.

CC. FILE
W. FILED



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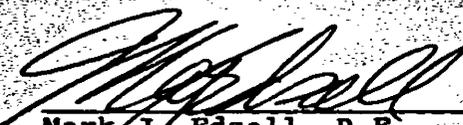
TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: Lexington/Gate
PROJECT LOCATION: Off Route 32 (Alt. Access to Forge Hill Road)
NW #: 86-??
12 November 1986

1). The Applicant was given review comments on 24 September 1986. Revised and more complete submittal drawings were to be submitted. As of the time for Engineering review of the project, no such drawings were received and therefore no comments are available.

2). A copy of a traffic impact study as prepared by Howard L. Lampert, P.E. has been received and is currently under review. A telephone conversation with a representative of the New York State Department of Transportation indicates that their review is not completed.

Respectfully submitted,


Mark J. Edsall, P.E.
Planning Board Engineer

MJEnjE

Habitat

Community

Stream Community

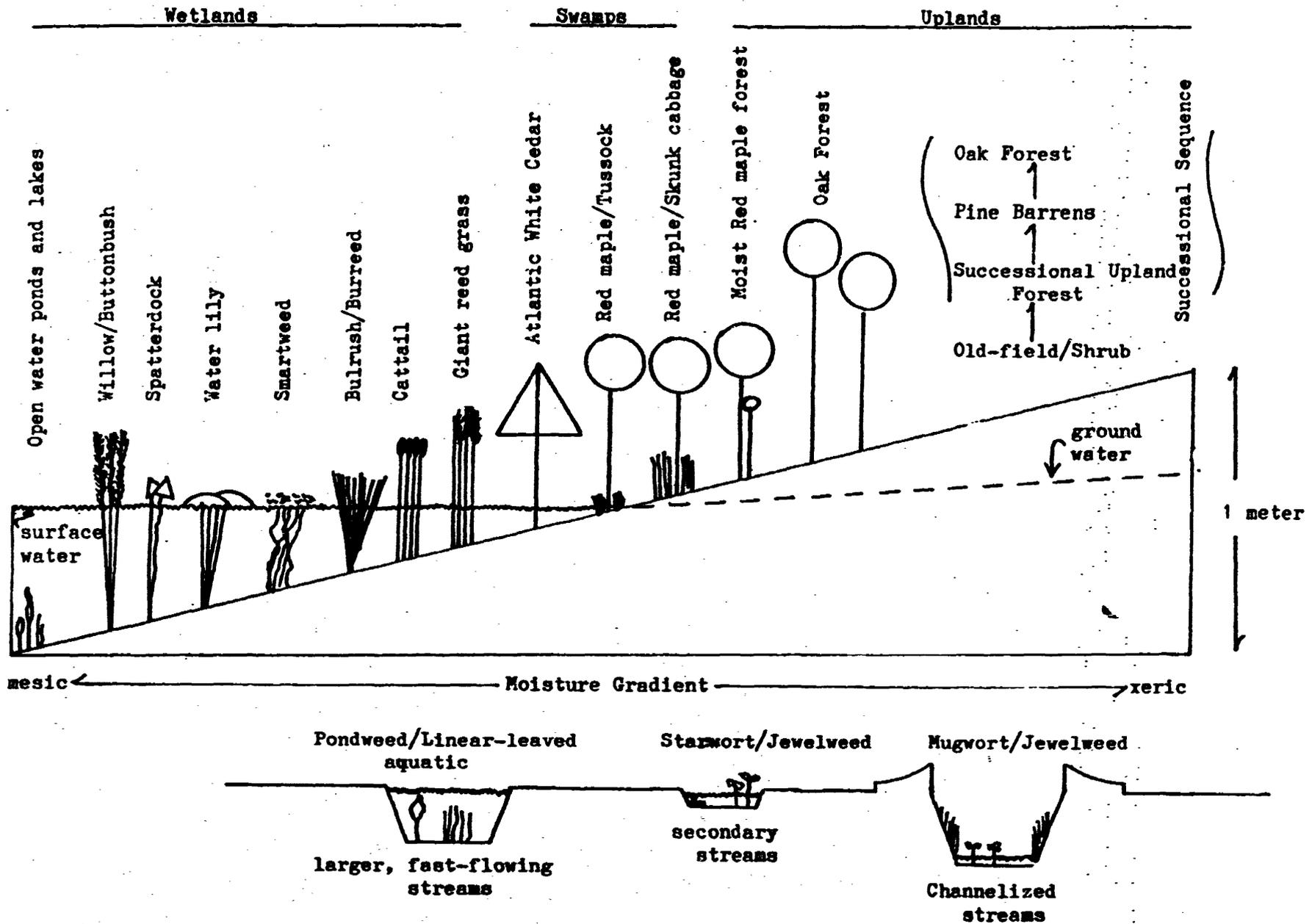
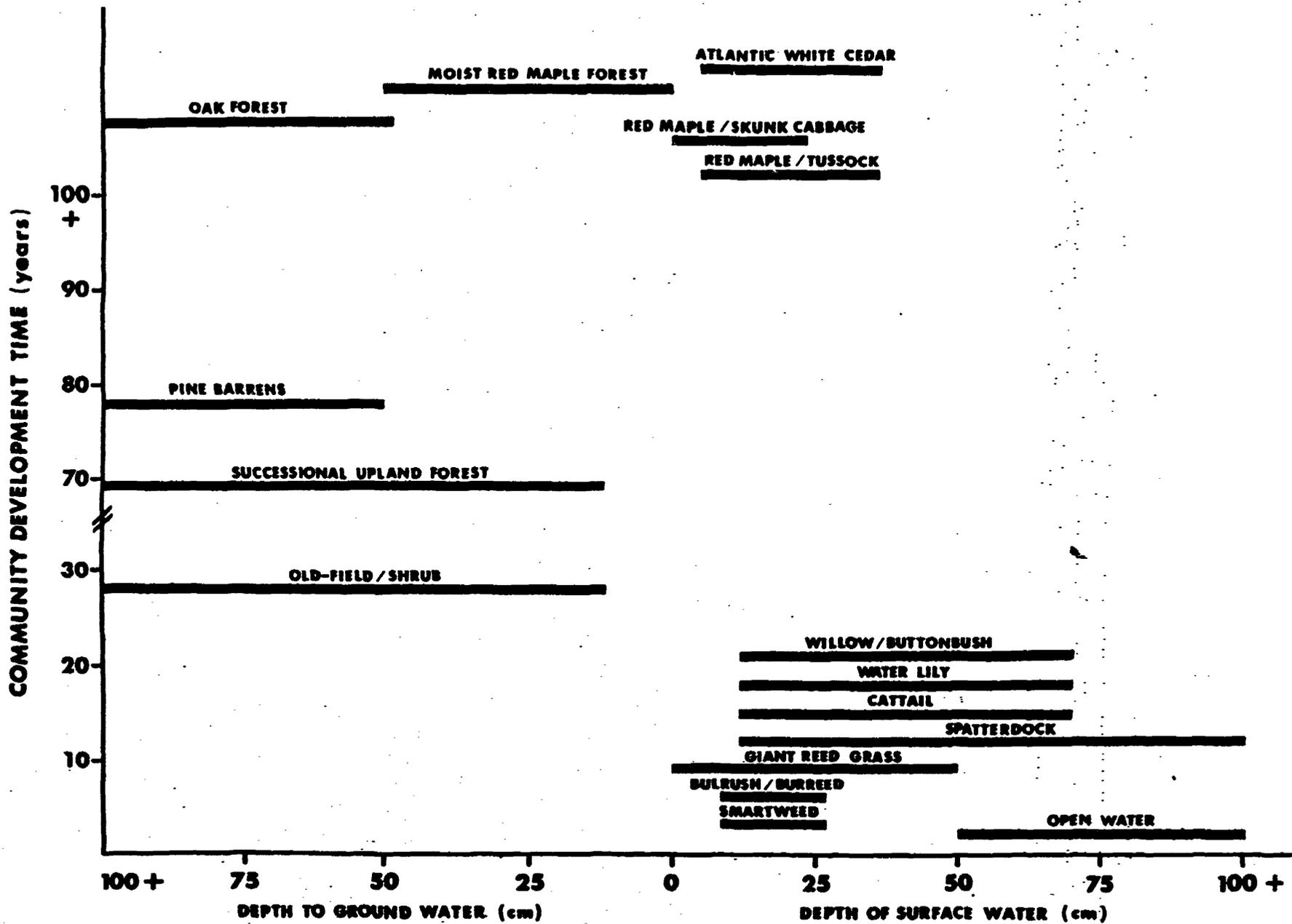


Figure 1. Communities in the study area depicted along a moisture/successional gradient.



COMMUNITY OCCURRENCE ALONG A MOISTURE GRADIENT

**Botanical Resources at Lexington Gate
New Windsor, Orange County, New York**

prepared by

**Jess Hanks, Ph.D.
220 N. Highland Avenue
Pearl River, NY 10965
914-735-3221
212-690-8242**

October 1986

On October 3 and 10, 1986 site visits were made to a parcel of property known as Lexington Gate, Town of New Windsor, Orange County, NY. The information presented below summarizes the following features of the site:

1. plant habitats present;
2. plant communities present;
3. plant species present;
4. specimen trees present; and
5. the impacts of using the wetland as a retention basin.

For the purposes of the field surveys, the site was divided into 6 arbitrary areas. These are shown on Figure 1 and will be used in the text to locate features under discussion.

Plant Habitats

The site contains upland habitat and wetland habitat. The site is upland where elevations are greater than 276 feet and wetland where they are 276 feet or less.* All of the site has been disturbed by agriculture, logging and fire in the historic past. All of the vegetation at the site is second growth in both upland and wetland areas.

Plant Communities

Upland plant communities that occur at the site include old field/shrub and successional deciduous forest. Old field/shrub vegetation occurs in upland areas that have been abandoned from agriculture for a period of 10 - 40 years. Old field sites occur in the northern (areas 1 and 2) and southern (area 5) parts of the site and are dominated by grasses and herbaceous weeds. Typical species in these fields include orchard grass (Dactylis glomerata), goldenrod (Solidago), wild carrot (Daucus carota), field garlic (Allium vineale), and dock (Rumex crispus). Poison ivy (Rhus radicans) is a common woody species

* A small area in the northwesterly portion of the site is below 276 feet but does not support wetland vegetation.

in these areas.

Areas that have been abandoned for a longer period of time support more woody plants and tree seedlings. Common species in this type of shrubby vegetation include raspberry (Rubus), wild rose (Rosa), japanese honeysuckle (Lonicera japonica), poison ivy, a variety of herbaceous weeds, and tree seedlings such as cherry (Prunus serotina), sassafras (Sassafras), and ash (Fraxinus americana). This community occurs in portions of areas 1,2,3,4 and 5.

Where plant succession has been occurring even longer (greater than 100 years) a forest is present that is dominated by red oak (Quercus rubra), white oak (Quercus alba), red maple (Acer rubrum), cherry, ash, cottonwood (Populus), tree-of-heaven (Ailanthus altissima), and occasionally sycamore (Platanus occidentalis).

The forest areas have trees that are usually less than 12 inches in diameter (measured at 4.5 feet above the ground). There are scattered trees, especially near stone walls, that are 18 - 24 inches in diameter. Forest areas occur in parts of areas 1,2,3,4, and 5; sometimes in very fragmented patterns.

Due to the patchwork pattern of abandonment, the upland areas are a mosaic of fields, shrubby areas, and young forest.

Wetland plant communities occur in area 6. Red maple swamp is present here. It is dominated by red maple and red elm (Ulmus rubra) trees that are 8 - 12 inches in diameter. Spicebush (Lindera benzoin) and dogwood (Cornus amomum) are the dominant shrubs in the swamp and skunk cabbage (Symplocarpus foetidus) and sensitive fern (Onoclea sensibilis) are the dominant herbs. Inside the swamp is an open area where a tree canopy is absent. Here there is marsh vegetation. The zones of the marsh are composed of purple loosestrife (Lythrum salicaria) around the outer portions, grasses and sedges (e.g. Glyceria and Carex) are

the dominants of the next zone, and the innermost portion of the marsh is found in a channel depression. This channel portion of the marsh is dominated by burreed (Sparganium), spikerush (Eleocharis) and rushes (Juncus). Figure 2 shows the approximate locations of the swamp and marsh.

Plant Species

Table 1 contains a list of the plant species observed at the site. Due to the limited season of sampling, it was not possible to identify some plant material. Also, other species, especially spring wildflowers, are likely to be present at the site. These were not observed because they are dormant and inconspicuous during the fall season.

No species were observed at the site that are considered rare or endangered by New York or U.S. Agencies. The site does support several species that are protected in New York State by Environmental Conservation Law 9-1503. This law prohibits disturbing the following species observed at the site, without the property owner's permission:

<u>Celastrus scandens</u>	bittersweet
<u>Dryopteris</u> sp.	shield fern
<u>Ilex verticillata</u>	winterberry
<u>Polystichum acrostichoides</u>	Christmas fern

Specimen Trees

The site does not support any specimen trees that due to their size (e.g. over 36 inches in diameter), growth form, or position in the landscape, should be protected during development.

Impacts and Mitigation Concerning Use of the Swamp and Marsh as a Retention Basin

The swamp and marsh that occur in area 6 are depicted in

TABLE 1

Plant species observed at Lexington Gate, New Windsor, Orange County, New York. Species indicative of, but not restricted to, wetland sites are marked by an asterisk (*).

- Acer negundo - box elder
- *Acer rubrum - red maple
- Acer saccharum - sugar maple
- Ailanthus altissima - tree of heaven
- Allium vineale - onion
- Ambrosia artemisiifolia - ragweed
- Ambrosia trifida - giant ragweed
- Aster divaricatus - woodland aster
- Aster novae-angliae - New England aster
- Berberis thunbergii - Japanese barberry
- Bidens frondosa - beggars tick
- *Carex sp. - sedges
- Carpinus caroliniana - ironwood
- Carva ovata - shagbark hickory
- Celastrus scandens - bittersweet
- Celtis occidentalis - hackberry
- Centaurea americana - knapweed
- *Cephalanthus occidentalis - buttonbush
- *Cornus amomum - old field dogwood
- *Cyperus sp. - voodoo sedge grass
- Daucus carota - carrot
- Dryopteris sp. - shield fern
- *Eleocharis sp. - spike rush
- *Equisetum sp. - scouring rush, horsetail
- Fraxinus americana - white ash
- *Fraxinus pennsylvanica - green ash

*Glyceria sp. - manna grass

*Ilex verticillata - winterberry

*Iris sp. - iris

*Juncus sp. - rush

Juniperus virginiana - red cedar

*Lemna minor - duckweed

*Lindera benzoin - spicebush

Lonicera japonica - Japanese honeysuckle

Lonicera sp. - shrub honeysuckle

*Lythrum salicaria - purple loosestrife

Mentha sp. - mint

*Nasturtium officinale - watercress

Oenothera sp. - evening primrose

*Onoclea sensibilis - sensitive fern

Panicum sp. - panic grass

Parthenocissus quinquefolia - Virginia creeper

*Phragmites australis - giant reed grass

*Pilea pumila - clearstem

Platanus occidentalis - sycamore

*Polygonum hydropiper - water smartweed

*Polygonum hydropiperoides - smartweed

Polystichum acrostichoides - Christmas fern

Populus deltoides - cottonwood

*Proserpinaca sp. - mermaid weed

Prunus serotina - fire cherry

Quercus alba - white oak

*Quercus bicolor - swamp white oak

Quercus rubra - red oak

Rhus sp. - buckthorn

Rhus glabra - smooth sumac

Rhus radicans - poison ivy

Rhus typhina - staghorn sumac

Rosa sp. - rose

Rubus sp. - raspberry

Rumex crispus - curly dock

*Salix sp. - willow

Sambucus canadensis - elderberry

Sassafras albidum - sassafras

*Scirpus sp. - bulrush sedge

Solanum nigrum - common nightshade

Solidago juncea - common goldenrod

Solidago sp. - goldenrod

*Sparganium sp. - burreed

*Synlocarpus foetidus - skunk cabbage

Tilia americana - basswood

*Ulmus rubra - red elm

Viburnum acerifolium - maple-leaved viburnum

*Viburnum dentatum - - dentate-leaved viburnum

Viburnum prunifolium - arrowwood

Vitis labrusca - fox grape

Xanthium pensylvanicum - cocklebur

Yucca sp. - ornamental yucca (escape)

Figure 2. The swamp encircles the marsh. A stream channel 3 - 4 feet wide drains the wetland from its north end. The stream channel is 2 - 4 feet deep and an artificial berm appears along the stream's banks in some areas. The stream channel does not support any wetland communities, only scattered individuals of wetland species.

The development plan calls for using the swamp and marsh area as a temporary retention basin for storm runoff. A small dam would be placed across the stream where it exits the wetland. This would allow stormwater to be placed in the wetland and released gradually. The impact of this process on the wetland should be minimal. The retained stormflow should raise the water level in the wetland by less than two feet. The residence time of this water in the wetland will be a matter of hours. The effect will be to make the area wetter for brief periods of time following storms. This should have little impact on the wetland since it now experiences fluctuating water levels following storms in its current state. Evidence for this is found in the types of plants that dominate the marshy areas of the wetland. In the central channel area the water level currently fluctuates approximately 1 - 2 feet. For example, duckweed (Lemna minor), a common floating aquatic plant, typical of shallow water was observed on the mudflat which existed in the channel during the two site visits. The water had been deep enough to allow duckweed to grow but the channel had since dried up sufficiently so that standing water was no longer present. Other plant species found in the marsh are also typical of what one would expect in fluctuating shallow water/ mudflat environments. Examples of these types of plants are Sparganium (burreed), spikerush (Eleocharis), and Cyperus (sedge grass). Under the development plan the water levels will fluctuate in a similar manner.

Therefore the impacts on the marsh should be negligible. The temporary rise in the water levels will not influence the swamp to any degree since in most cases it occurs at elevations 1 - 2 feet above the central marsh area. Overall, using the wetland as a retention basin, and the resultant temporary elevation of the water level should have no major impact on the wetland.

An area of possible concern would be any significant amount of sedimentation that might occur in the wetland due to its use as a retention basin. This potential impact can be mitigated by two features. First, a sediment trap basin can be placed behind the dam where the storm runoff would enter the wetland. This basin would hold any sediment that might enter the wetland in the stormflow water. A second measure can be implemented to curtail surface runoff sediments that could enter the wetland from its east and south sides. Here a stone wall could be built around the perimeter of the wetland to act as a barrier to any sedimentation from surrounding upland areas. These two measures, a sediment trap basin and the stone wall should eliminate any significant sedimentation impacts in the wetlands.

In summary, the use of the wetland as a retention basin should have little impact. Water levels will fluctuate only a small amount and for short periods of time. This is already the case in the wetland. Sedimentation can be controlled with a sediment trap and a perimeter wall.

JAMES G. SWEENEY
ATTORNEY AT LAW
107 STAGE ROAD
MONROE, N. Y. 10950

received 9/3/86
Planning Board
sk.

TELEPHONE 783-2600
AREA CODE 914

September 3, 1986

TOWN BOARD MEMBERS, TOWN OF NEW WINDSOR
PLANNING BOARD MEMBERS, TOWN OF NEW WINDSOR

Re: "Vails Gate Heights" - rezoning -
33.7 acre parcel (our # 367/86)

Gentlemen:

I contact you on behalf of my client, Lizda Realty, Ltd. (Wilbur Fried), the contract vendee of a 33.7 acre tract in the Vails Gate Heights section of the Town (behind the Vails Gate School) which has been the subject of much recent discussion before the Planning Board and the Town Board under the development name of "Lexington Gate".

As you are all aware, this particular piece of land was rezoned in the recent comprehensive rezoning to an P-0 designation from its' former classification of R.5.

Immediately after the rezoning (March 5, 1986), I was in contact with your Town Attorney, Mr. Seaman, expressing my concern about the legal foundations for this rezoning as it related to this particular piece of land. I enclose my letter of April 3, 1986 to Mr. Seaman in that regard.

Subsequent to that initial contact with Mr. Seaman, several discussions were had at the Planning Board level and with Supervisor Petro along with Attorney Seaman which lead to a constructive approach which would lead to a redesignation of this property back to its' R.5 classification without any legal challenges by Mr. Fried to the overall rezoning plan. These constructive suggestions were incorporated in my correspondence to the Supervisor and to Chairperson Reys, dated June 20, 1986, which was copied to all Town Board and Planning Board members. I enclose a further copy of that correspondence for your quick reference.

Despite what seemed to be a very constructive approach to this problem, nothing happened after my June

Town Board Members
Planning Board Members

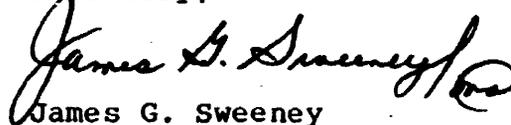
20th correspondence and once again I corresponded with Town Attorney Seaman on July 18, 1986, expressing my frustration. A copy of my July 18, 1986 letter to Mr. Seaman is annexed.

I am now advised that the Planning Board has formally requested the Town Board to redesignate the subject parcel to its' former R.5 classification. I am also advised that the Town Board is willing to entertain a formal request from Mr. Fried as the contract vendee of this parcel for such a redesignation. Such would be the culmination of the very constructive working plan set forth in my correspondence to the Supervisor and Chairperson Reyns on June 20, 1986.

Therefore, I would ask you to accept this correspondence as Lizda Realty Ltd.'s formal application for a rezoning of the subject parcel to change its' current classification of P-0 to its' former classification of R.5. In this regard, I would ask the Town Clerk to whom I have sent a copy of this correspondence to advise me of the proper application fees and when this request will appear on the agenda of the Town Board for discussion and hopeful positive action.

All of your cooperation in this regard is sincerely appreciated.

Sincerely,



James G. Sweeney

JGS/ms

cc: Town Clerk, Shirley Hassdenteufel/
Tad Seaman, Esq.
Mr. Wilbur Fried

HOWARD L. LAMPERT, P.E.
TRAFFIC ENGINEERING CONSULTANT
99 ISELIN DRIVE
NEW ROCHELLE , N.Y. 10804
914 - 632 - 3404

TRAFFIC IMPACT STUDY

LEXINGTON GATE

TOWN OF NEW WINDSOR, NEW YORK

JULY 1986

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SECTION A

INTRODUCTION

A-1 PROJECT DESCRIPTION AND LOCATION (FIGURE 1)

Lexington Gate is a planned condominium project on 33.7 acres of land in the Town of New Windsor. The site is located on land north of Forge Hill Road between Route 52 and the Conrail railroad tracks.

The proposed development consists of 204 dwelling units in 17 buildings of 12 dwelling units each. In addition, 60 additional dwelling units for senior citizens have been included for a total of 264 dwelling units.

A new access road, Lexington Gate Drive, will be built through the development and run from Route 32 to Forge Hill Road.

A-2 SCOPE OF STUDY

This study has been prepared to determine the impact of the Lexington Gate planned condominium development on the adjacent road network and to identify the need for roadway improvements to serve the additional generated traffic.

SECTION B
ROADWAY AND TRAFFIC DESCRIPTION

B-1 DESCRIPTION OF ROADWAY ACCESS (FIGURE 1)

The following are brief descriptions of roadways in the vicinity of the site.

1. Route 32

Route 32 is a north-south State Highway which runs from the City of Newburgh to Route 17 just north of the Village of Harriman. In the vicinity of the Site, it has one 12 foot lane plus an 8 foot shoulder in each direction.

2. Forge Hill Road

Forge Hill Road begins at a dead end just west of the Site and continues eastward across Route 32 and Route 94. It terminates at Route 9W just north of the Village of Cornwall. It is a town road from its dead end to Route 94 where it becomes County Road 74. In the vicinity of the Site it has a 30 foot roadway width.

3. Route 300

Route 300 is a north-south State Highway which runs from the community of Walkill in Ulster County past major exits of Route 84 and the New York State Thruway to its intersection with Routes 32 and 94 in Vails Gate. In the vicinity of the Site it has one 12 foot lane with a variable width shoulder in each direction.

B-2 TRAFFIC VOLUME COMPONENTS

Throughout this Report, distinction is made between External Highway Traffic, Site-Generated Traffic and Combined Traffic. These various components are described as follows:

1. External Highway Traffic

External Highway Traffic is defined as all traffic which will not have Lexington Gate as its origin or destination. This consists of normal commuter traffic and traffic destined to other developments in the area.

2. Site-Generated Traffic

Site-Generated Traffic is defined as traffic which will have Lexington Gate as its origin or destination.

3. Combined Traffic

Combined Traffic is the total of the External Highway Traffic and the Site-Generated Traffic.

SECTION C
TRAFFIC VOLUME PROJECTIONS

C-1 STUDY METHODOLOGY

Following is a description of the Methodology and tasks undertaken in preparation of this Study (see later Articles for more detailed information):

1. Existing Traffic

- a. Available information pertinent to existing traffic and roadway conditions was obtained and utilized in the preparation of this Study. Included was information regarding existing traffic volumes, growth rates, seasonal adjustment factors, turning movement counts, roadway characteristics and proposed highway improvements in the vicinity.
- b. Additional manual turning movement counts were conducted by representatives of Howard L. Lampert, P.E., at critical locations in the environs of the Site.

2. Site-Generated Traffic

- a. Peak Hour Trip Generation Rates were developed on the basis of nationally accepted publications.
- b. Site-Generated Trip Origins were estimated on the basis of existing traffic patterns and traffic patterns for similar facilities.

4. Combined Traffic

- a. The Site-Generated Traffic was combined with External Highway Traffic to estimate future Combined Traffic Volumes.

5. Analyses

- a. To simulate future traffic conditions, comparison was made of Combined Traffic Volumes to existing roadway capacities at Site Driveways and at Key Intersections in the vicinity of the Site. Where the comparison indicated undesirable traffic conditions, analyses were conducted to determine required roadway modifications.
- b. A review of the Traffic Signal Warrant criteria was made for intersections at all access points to the Site to determine if traffic signal installations will be required.

C-2 PEAK HOURS OF ANALYSIS

In order to determine the impact of the Lexington Gate development on the adjacent roadway network, it is essential to analyze two Peak Hours - the Peak A.M. and Peak P.M. Highway Hours. These two Peak Hours occur when the highway traffic consists of predominantly home-to-work or work-to-home oriented trips.

From previous studies by the New York State Department of Transportation, the peak hours on the adjacent roadway system have been identified as follows:

Peak A.M. Highway Hour - 7:00 - 8:00 A.M.

Peak P.M. Highway Hour - 4:30 - 5:30 P.M.

Therefore, these peak hours have been used in this study.

C-3 KEY INTERSECTIONS

The following intersections in the vicinity of Lexington Gate were analyzed:

1. Route 32 and Forge Hill Road
2. Route 32 and Lexington Gate Drive
3. Forge Hill Road and Lexington Gate Drive

C-4 EXTERNAL HIGHWAY TRAFFIC (FIGURES 2 and 3)

In April 1983, the New York State Department of Transportation conducted an extensive traffic study of the area. As part of

this study, full turning movement counts were taken from 7 to 9 A.M. and 4 to 6 P.M. at five intersections, including the intersection of Route 32 and Forge Hill Road. These traffic counts, which were also projected to 1985 by the New York State Department of Transportation, were used in this report. Additional field traffic counts were taken in the vicinity of the Site by representatives of Howard L. Lampert, P.E., on March 10 and 11, 1986. The composite of these traffic counts are shown in Figures 2 and 3.

C-5 HIGHWAY TRAFFIC GROWTH (FIGURES 4 and 5)

Based upon previous studies and analyses, the New York State Department of Transportation has estimated that External Traffic Volumes will grow at an annual rate of 2.5%. Therefore, this Growth Rate has been used in this report. This Growth Rate was applied to the 1985 External Highway Traffic in order to obtain External Highway Traffic Volumes for 1995, the Design Year for this study. These traffic volumes are shown in Figures 4 and 5.

C-6 SITE GENERATED TRAFFIC (TABLE 1)

The ability of any roadway to serve projected volumes is determined by comparing Peak Hour Volumes to intersection capacities. Thus, it is essential to combine the estimated Peak Hour Traffic Volumes generated by Lexington Gate with the External Highway Traffic.

The Peak Hour Trip Generation Rates shown in Table 1 are based on Trip-Generation Rates obtained from the Institute of Transportation Engineers (ITE) for condominium homes.

C-7 DISTRIBUTION OF SITE GENERATED TRAFFIC (FIGURES 6,7 and 8)

Approach distributions of traffic generated by the Site can be considered a function of several parameters, including the following:

1. Population Centers in the area
2. Commercial Centers in the area
3. Travel time considerations

4. Prevailing traffic conditions

Based upon evaluation of the roadway network serving the Site and existing traffic volumes, the Arrival-Departure Distribution of Site-Generated Traffic was determined as shown on Figure 6.

The Site-Generated Traffic Volumes listed in Table 1 were assigned to the appropriate critical movements in the area of the Site in accordance with the Arrival-Departure Distribution shown on Figure 6. The results are shown in Figures 7 and 8.

C-8 1995 COMBINED TRAFFIC VOLUMES (FIGURES 9 and 10)

The Site-Generated Volumes were added to the 1995 External Highway Traffic Volumes. This procedure yields the 1995 Combined Traffic Volumes shown in Figures 9 and 10.

SECTION D
TRAFFIC IMPACT AND RECOMMENDATIONS

D-1 GENERAL

The following pages contain brief descriptions of the analyses undertaken and the specific Recommendations for Improvements, where required, to maintain satisfactory Levels of Service upon completion of the Project.

D-2 DESCRIPTION OF ANALYSES

1. Capacity Analyses

Combined Traffic Volumes developed in Section C-9 were compared to intersection capacities to determine the future traffic operating conditions. The methodology and terminology used in these analyses is described in the 1965 Highway Capacity Manual published by Highway Research Board. In general, the terminology of Levels of Service is used to provide a qualitative evaluation based on certain quantitative calculations related to empirical values.

Thus a Level of Service "A" represents "optimum" conditions and Level "F" "failing" conditions. In between, a Level of Service "C" is generally considered the acceptable design standard for the rural and suburban areas, such as the area under study. A Level of Service "E" is the theoretical capacity of the roadway under study.

The definition of Levels of Service contained in the Highway Capacity Manual and factors upon which intersection capacity is dependent appear in Appendix "D-1", including a graphical representation of Levels of Service.

Using these criteria, Capacity Analyses were performed for the Key Intersections. Future traffic volumes were compared to existing Capacities and, where necessary, recommendations for improvements were made. New analyses were then prepared to reflect these improvements. Capacity Analyses covering the Key Intersections are appended hereto.

2. Traffic Signal Warrants

The Manual of Uniform Traffic Control Devices issued by the U.S. Department of Transportation defines criteria (called "Warrants") to be used in establishing the need for traffic signal installation. Factors which influence the selection of traffic control devices include traffic volumes, safety conditions, etc.

Comparisons of the projected Traffic Volumes to Signal Warrant Criteria were made and signal controls were recommended where the Warrants were met or exceeded. Definitions of the applicable Traffic Signal Warrants are contained in Appendix "D-2".

D-3 ANALYSES AND RECOMMENDATIONS

1. Route 32 and Forge Hill Road (Capacity Analysis CA-1)

A capacity analysis for the existing signalized intersection indicates that a Level of Service C or better will be provided during all hours of the day and, therefore, no modifications to this intersection are necessary.

2. Route 32 and Lexington Gate Drive

This proposed intersection would not have sufficient traffic volumes during even one hour of the day to meet the warrants for a traffic signal and, therefore, the installation of a traffic signal is not recommended.

3. Forge Hill Road and Lexington Gate Drive

This proposed intersection would not have sufficient traffic volumes during even one hour of the day to meet the warrants for a traffic signal and, therefore, the installation of a traffic signal is not recommended.

D-4 EFFECT OF EXTENDING FORGE HILL ROAD TO ROUTE 300

At the present time, traffic from Lexington Gate Drive heading north on Route 300 will have to proceed south through the South Gate

development to Temple Hill Road, turn west into Temple Hill Road, and then turn north into Route 300. Although the projected peak hour for this movement is only 12 vehicles, other vehicles already proceed in this manner from Forge Hill Road to Route 300. Therefore, it is recommended that Forge Hill Road be extended westerly across the Conrail tracks to Route 300. This extension would not only shorten the path for Lexington Gate and South Gate vehicles headed for Route 300, it would also allow vehicles from County Road 74 headed to Route 300 to bypass the congested intersection of Routes 32, 94, and 300.

SECTION E
SUMMARY AND CONCLUSION

E-1 SUMMARY

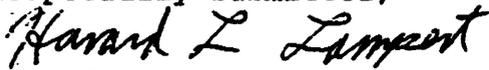
Based on the results of this Traffic Impact Study, it has been found that the Lexington Gate condominium development will have little traffic impact on the adjacent roads. The intersections of the proposed Lexington Gate Drive with either Route 32 and Forge Hill Road do not need any traffic control other than Stop signs. The signalized intersection of Route 32 and Forge Hill Road will be able to handle the additional traffic from the development at a satisfactory level of service without any improvements.

However, to provide direct access from the proposed development to Route 300, it is recommended that Forge Hill Road be continued across the Conrail tracks to Route 300. This will avoid the need for Lexington Gate vehicles to travel through the South Gate development to reach Route 300. It will also reduce some of the traffic congestion at the intersection of Route 32, 94 and 300 by allowing traffic from County Road 74 to continue on Forge Hill Road to reach Route 300 instead of having this traffic proceed through the existing congested five-way intersection.

E-2 CONCLUSIONS

It is considered professional opinion of Howard L. Lampert, P.E., that the construction of the Lexington Gate condominium development will allow safe and efficient traffic operations on the adjacent roadway network.

Respectfully submitted,


Howard L. Lampert, P.E.
New York P.E. # 048589

APPENDICES**PEAK HOUR TRIP GENERATION RATES****TABLE 1****SITE LOCATION MAP****FIGURE 1****TRAFFIC VOLUME DISTRIBUTION MAPS****FIGURES 2 THRU 10****CAPACITY ANALYSES****CA-1****LEVELS OF SERVICE****D-1****TRAFFIC SIGNAL WARRANTS****D-2**

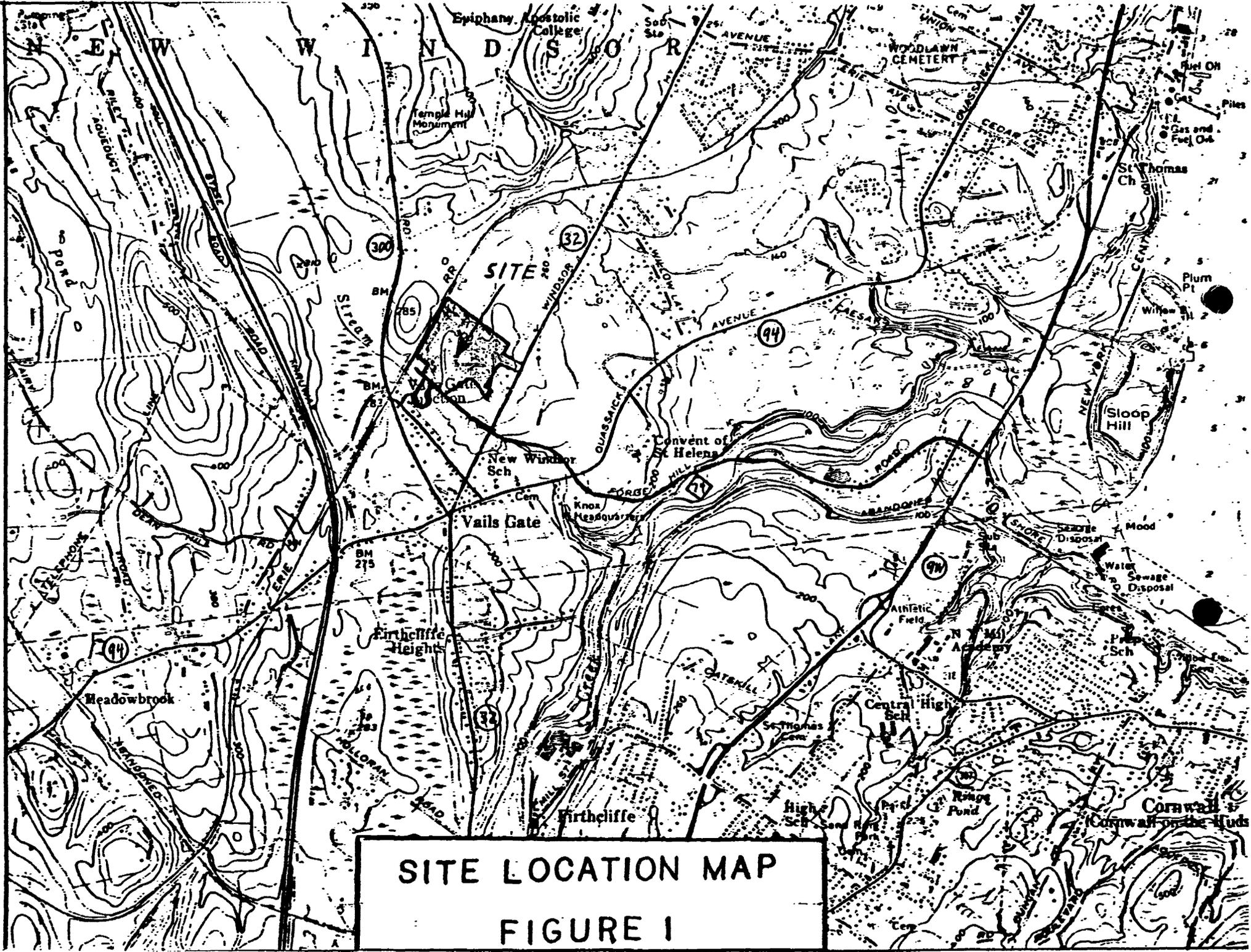
TABLE 1

TRIP GENERATION

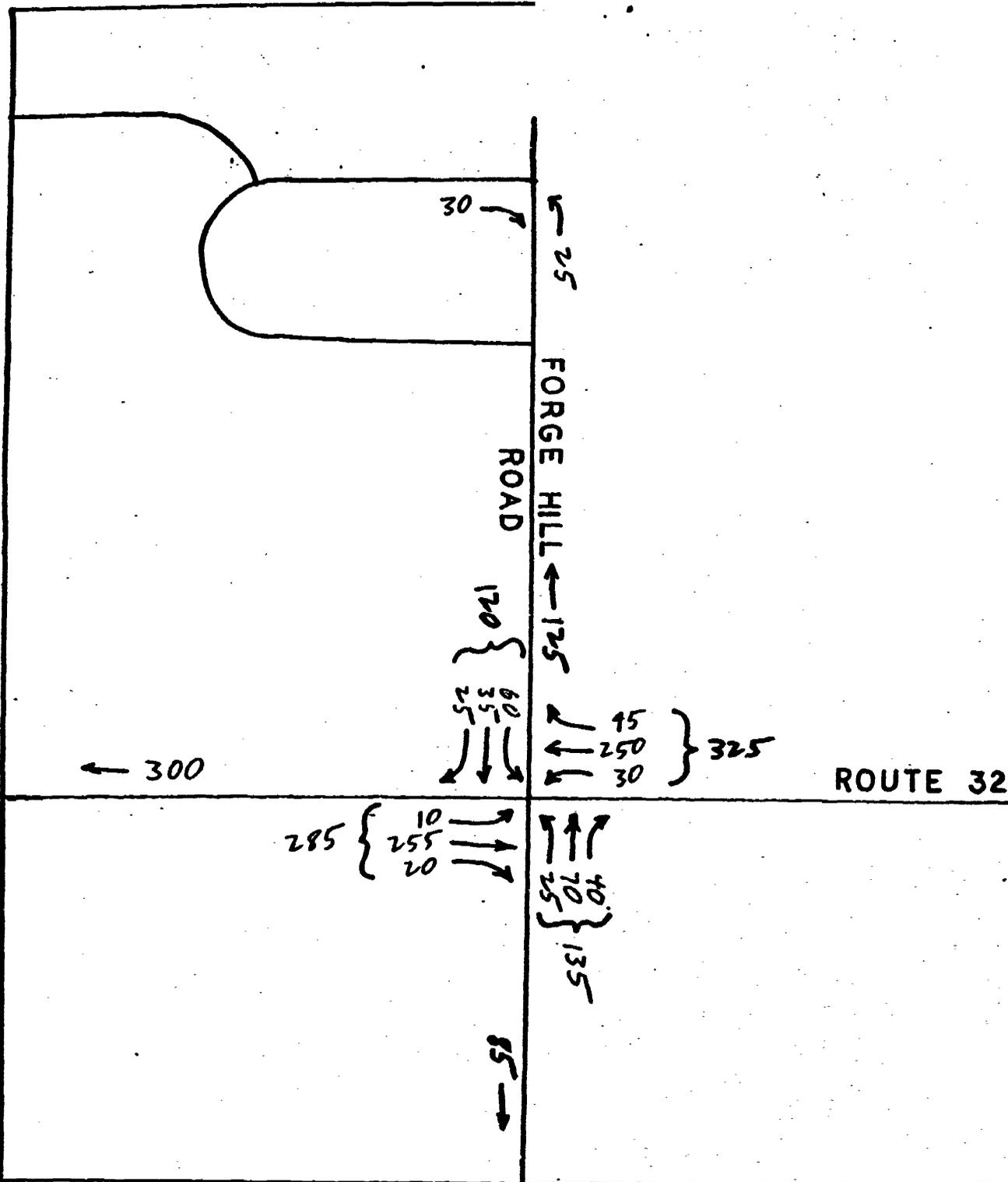
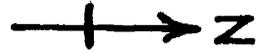
LEXINGTON GATE CONDOMINIUMS

	<u>AM Peak Hour</u>		<u>PM Peak Hour</u>	
	<u>In</u>	<u>Out</u>	<u>In</u>	<u>Out</u>
Trips per Dwelling Unit*	0.07	0.37	0.37	0.18
No. of Dwelling Units	<u>264</u>	<u>264</u>	<u>264</u>	<u>264</u>
Number of Trips	18	98	98	48

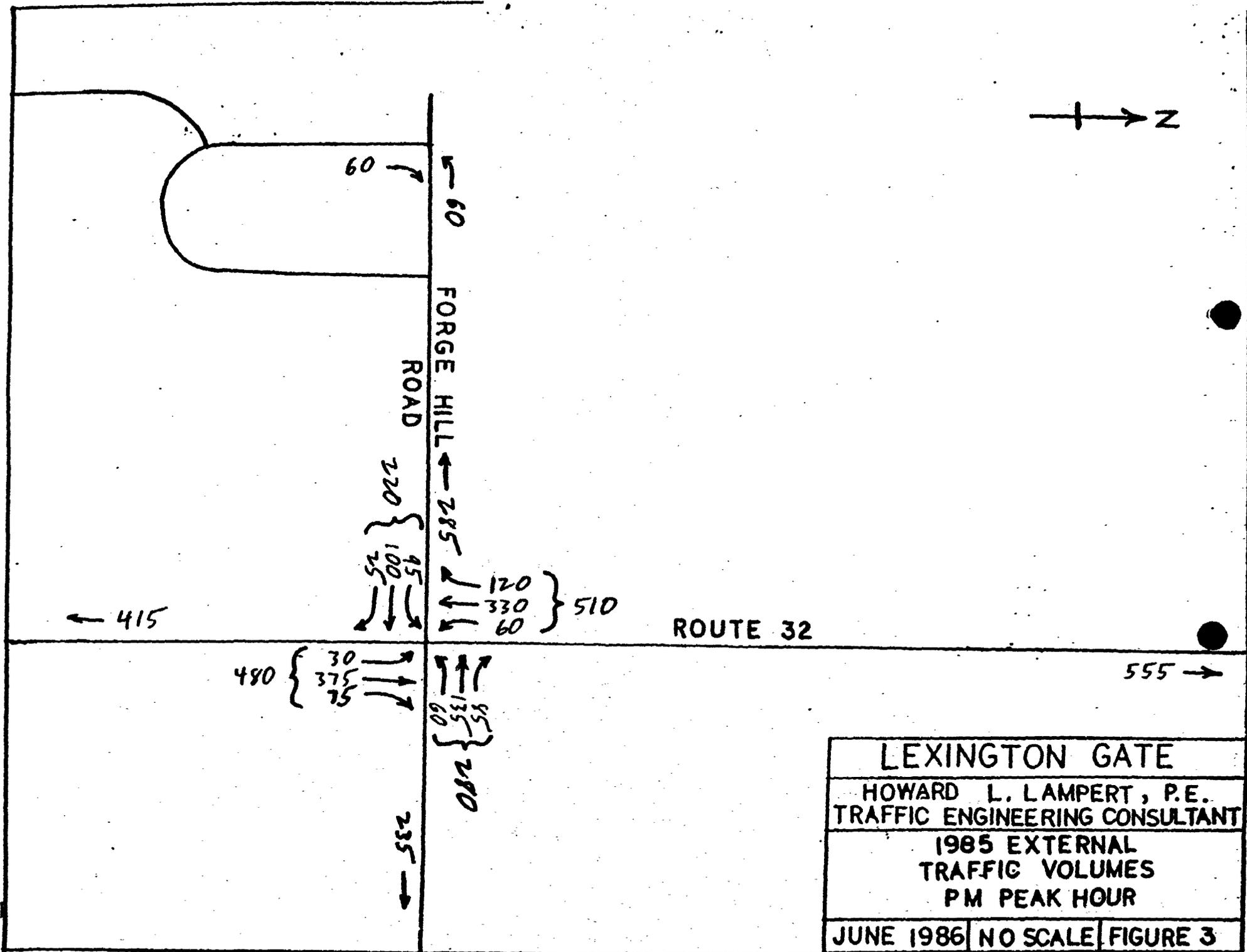
*Data from the publication entitled "Trip Generation", 3rd Edition, published by the Institute of Transportation Engineers.



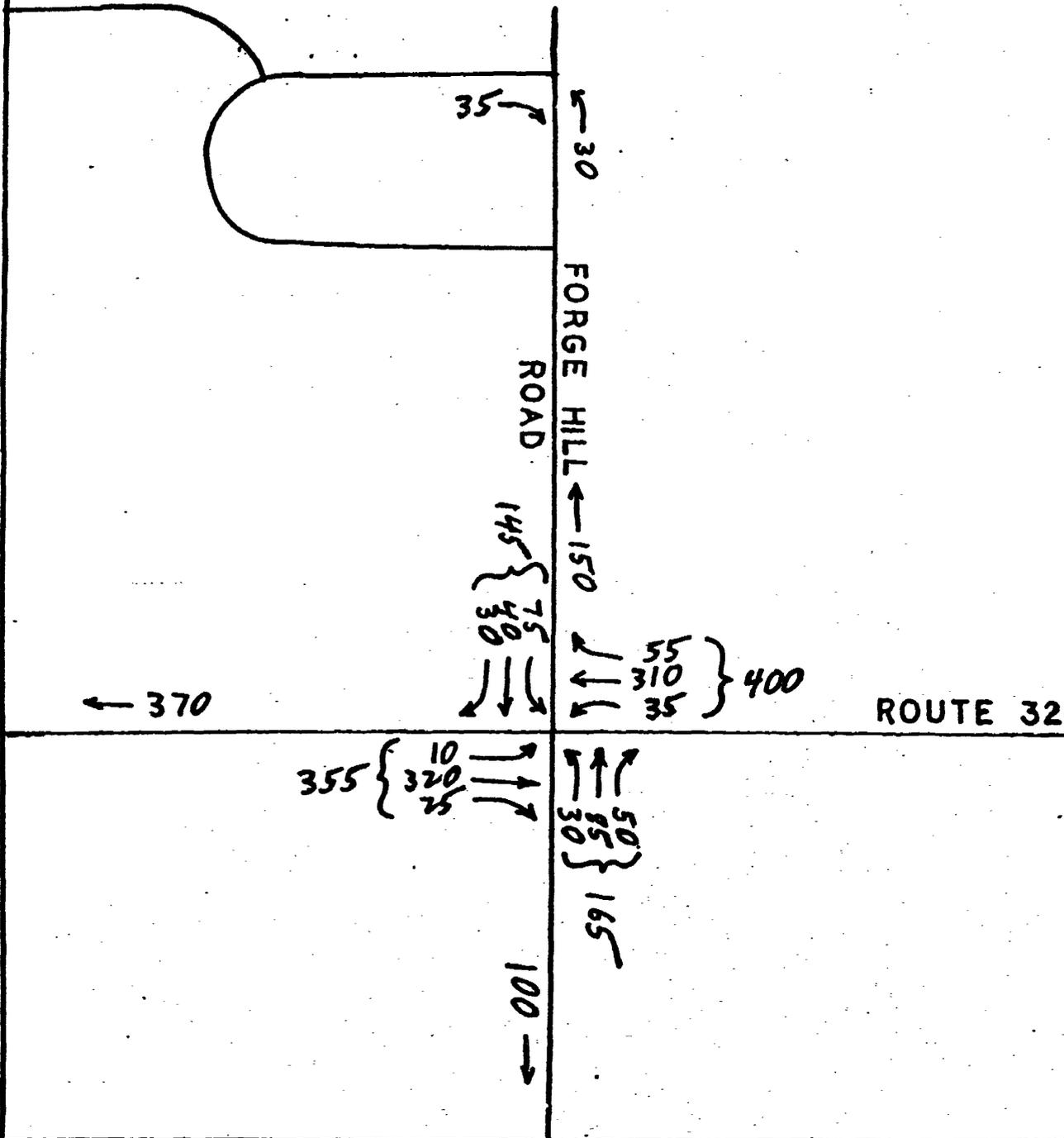
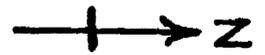
SITE LOCATION MAP
FIGURE I



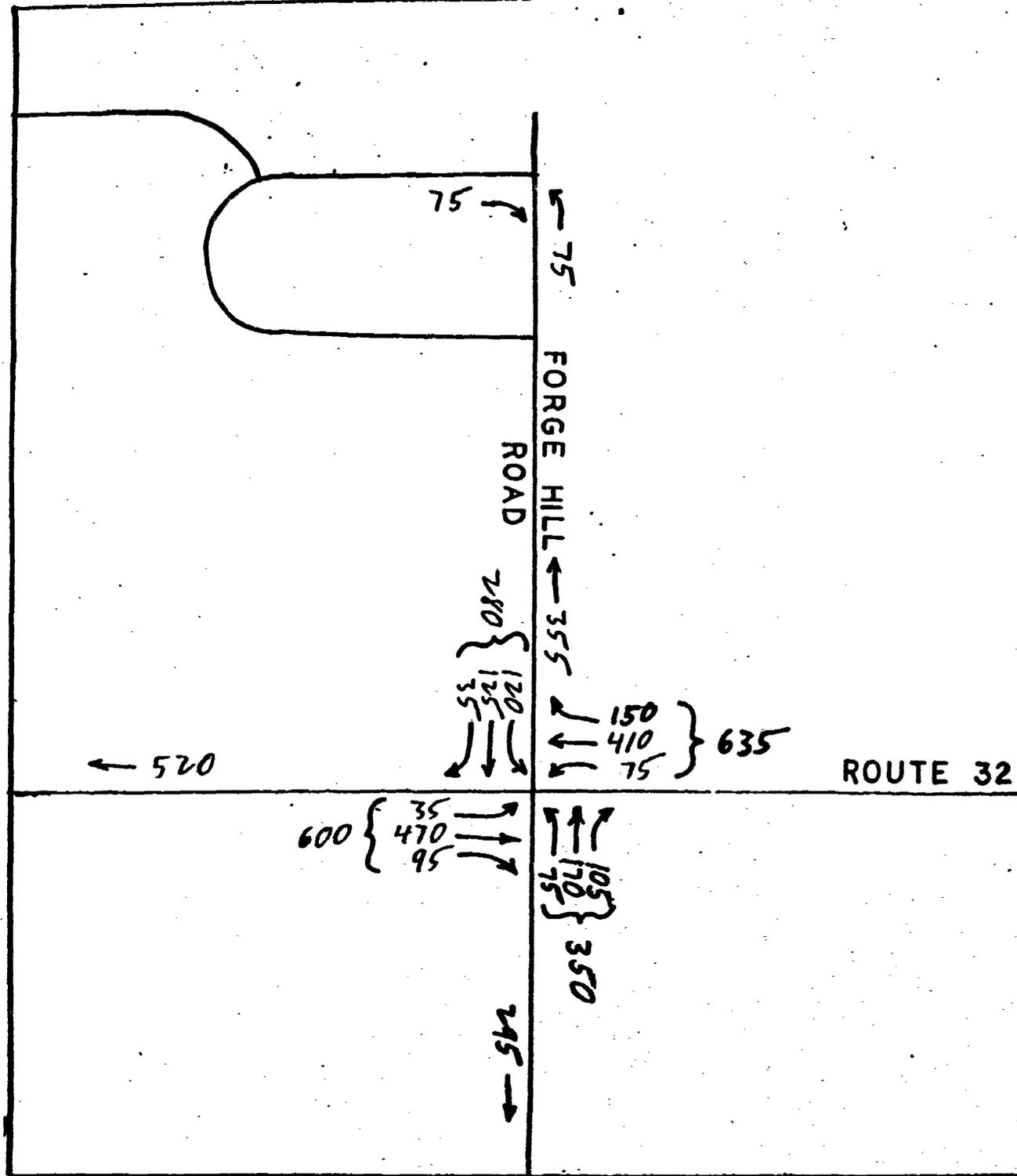
LEXINGTON GATE		
HOWARD L. LAMPERT, P.E.		
TRAFFIC ENGINEERING CONSULTANT		
1985 EXTERNAL		
TRAFFIC VOLUMES		
AM PEAK HOUR		
JUNE 1986	NO SCALE	FIGURE 2



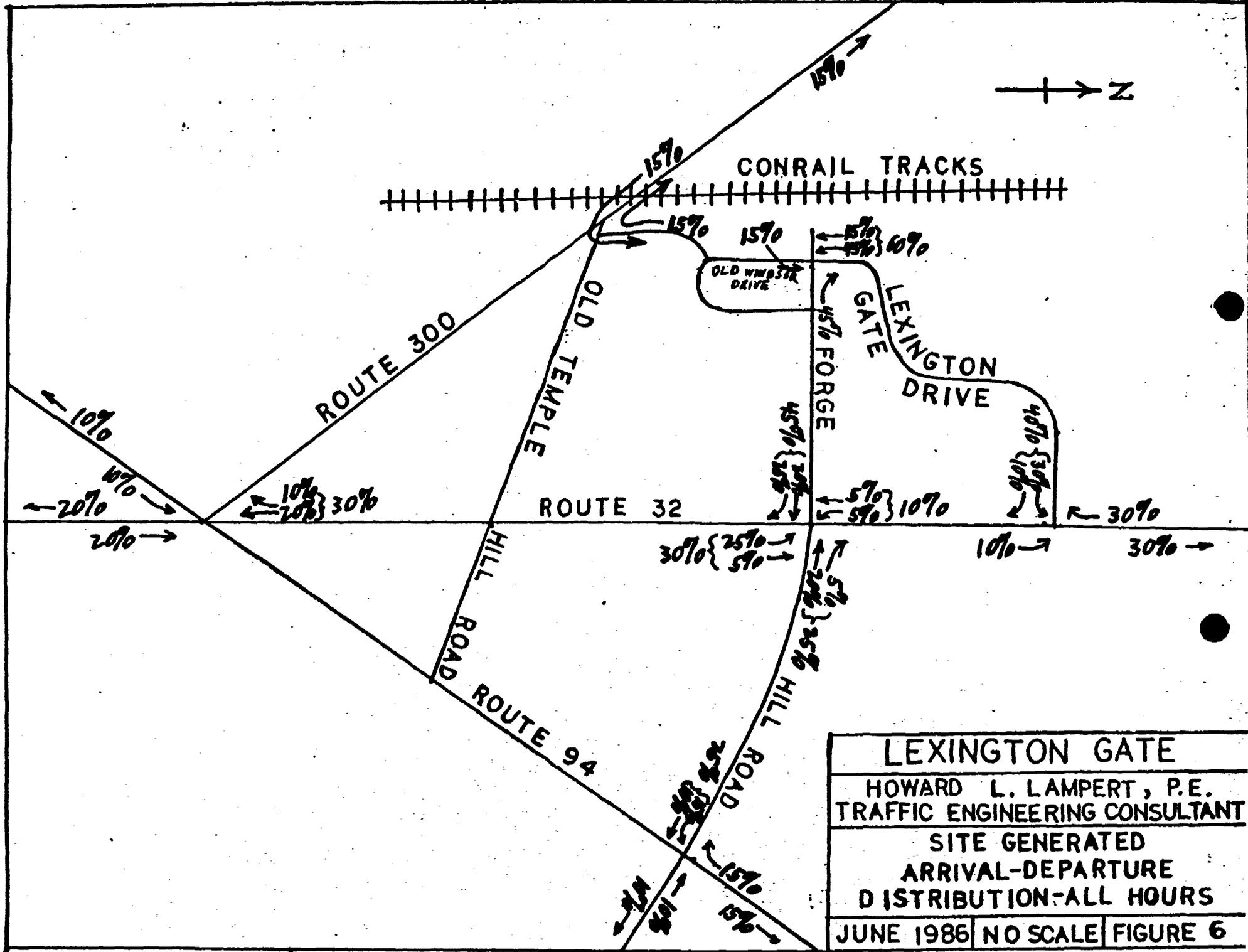
LEXINGTON GATE		
HOWARD L. LAMPERT, P.E. TRAFFIC ENGINEERING CONSULTANT		
1985 EXTERNAL TRAFFIC VOLUMES PM PEAK HOUR		
JUNE 1986	NO SCALE	FIGURE 3

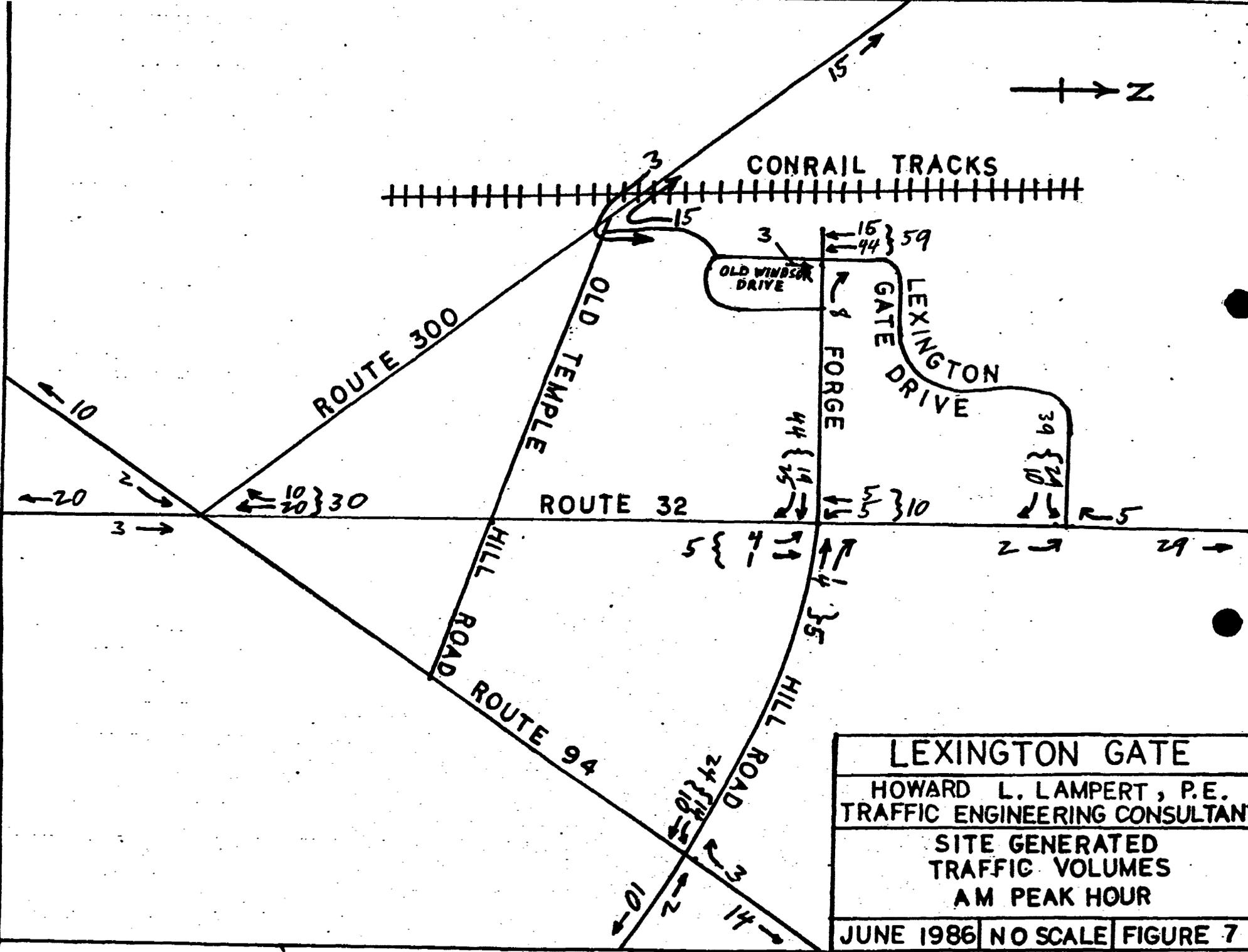


LEXINGTON GATE		
HOWARD L. LAMPERT, P.E. TRAFFIC ENGINEERING CONSULTANT		
1995 EXTERNAL TRAFFIC VOLUMES A.M. PEAK HOUR		
JUNE 1986	NO SCALE	FIGURE 4

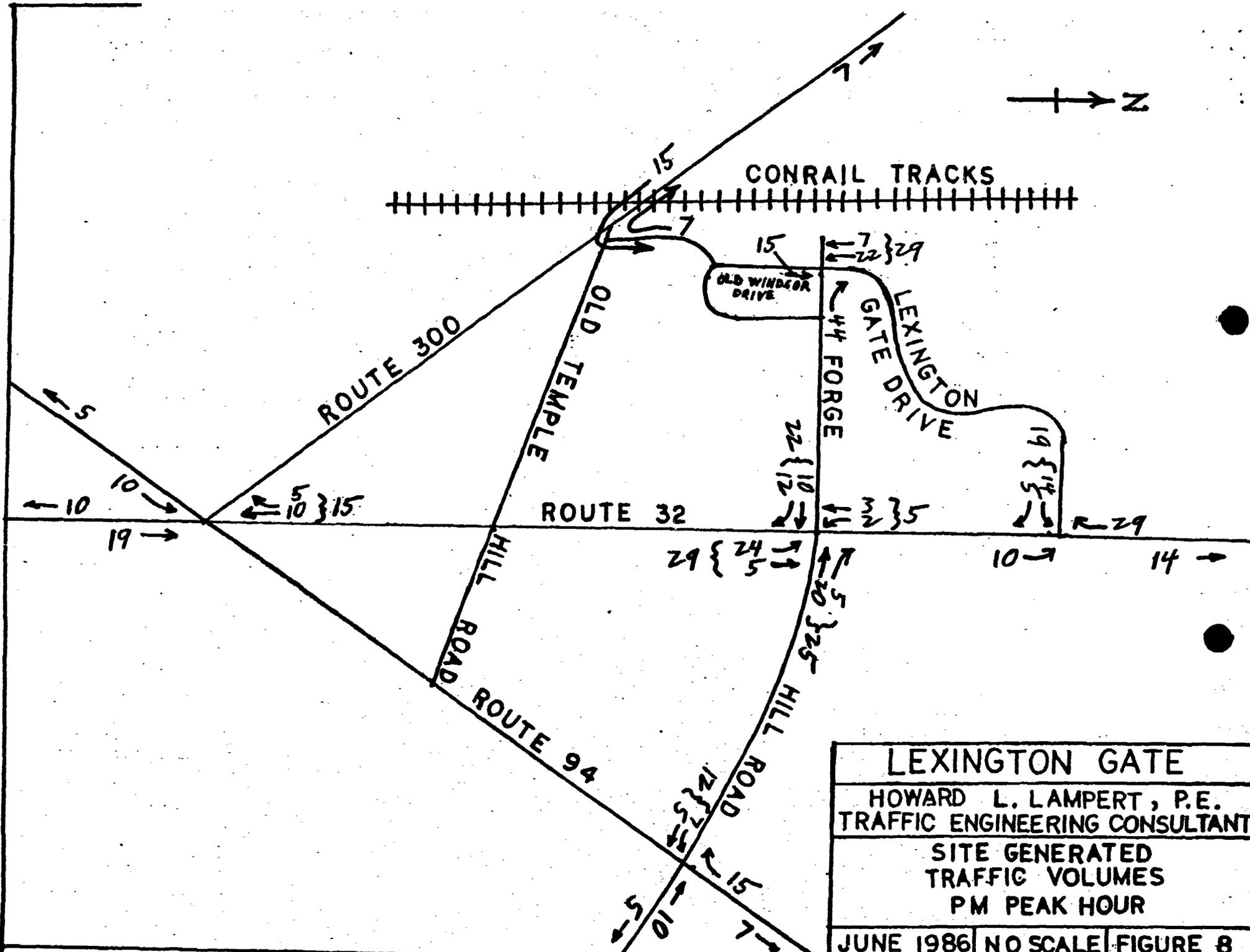


LEXINGTON GATE		
HOWARD L. LAMPERT, P.E. TRAFFIC ENGINEERING CONSULTANT		
1995 EXTERNAL TRAFFIC VOLUMES PM PEAK HOUR		
JUNE 1986	NO SCALE	FIGURE 5

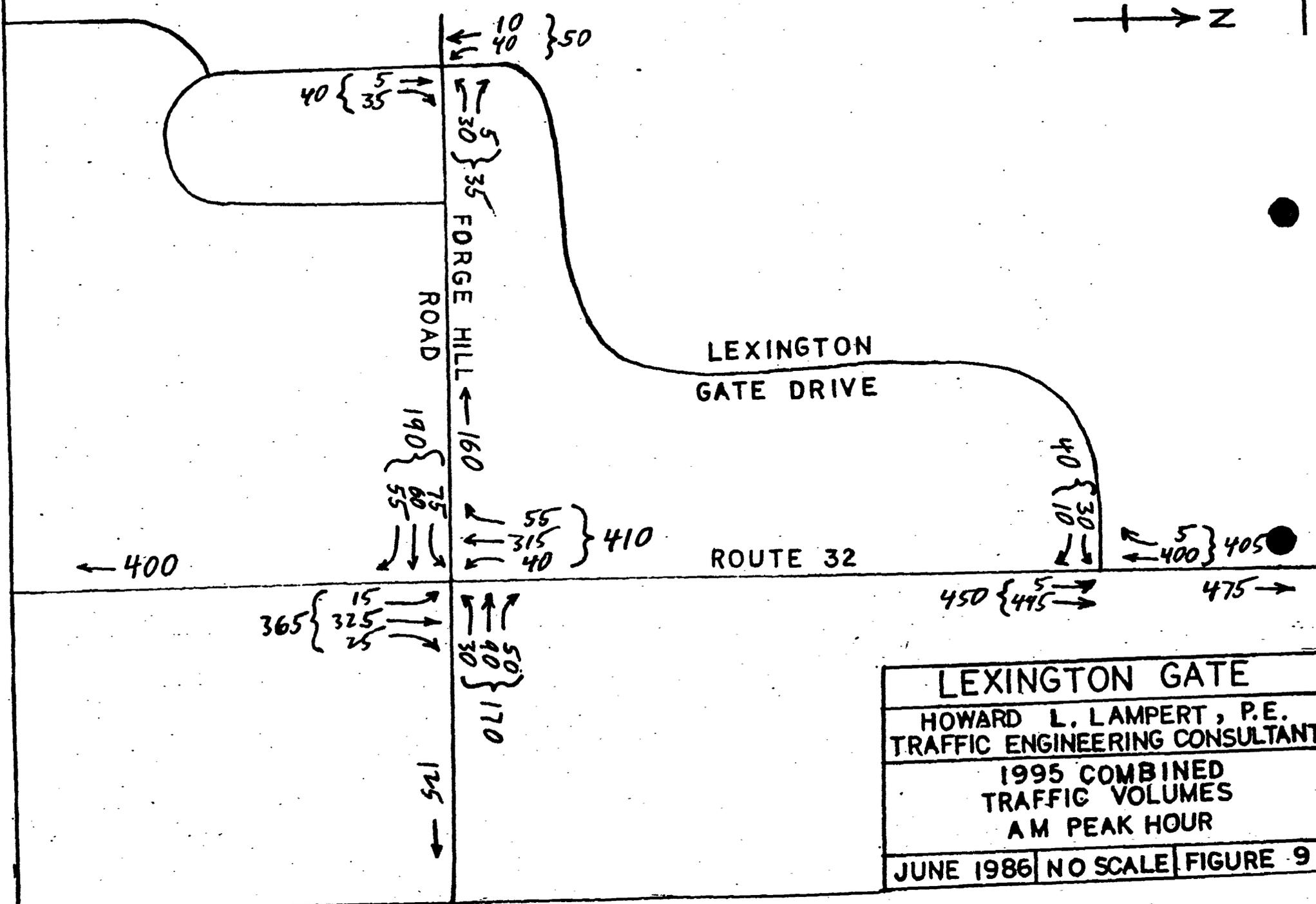
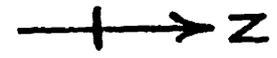




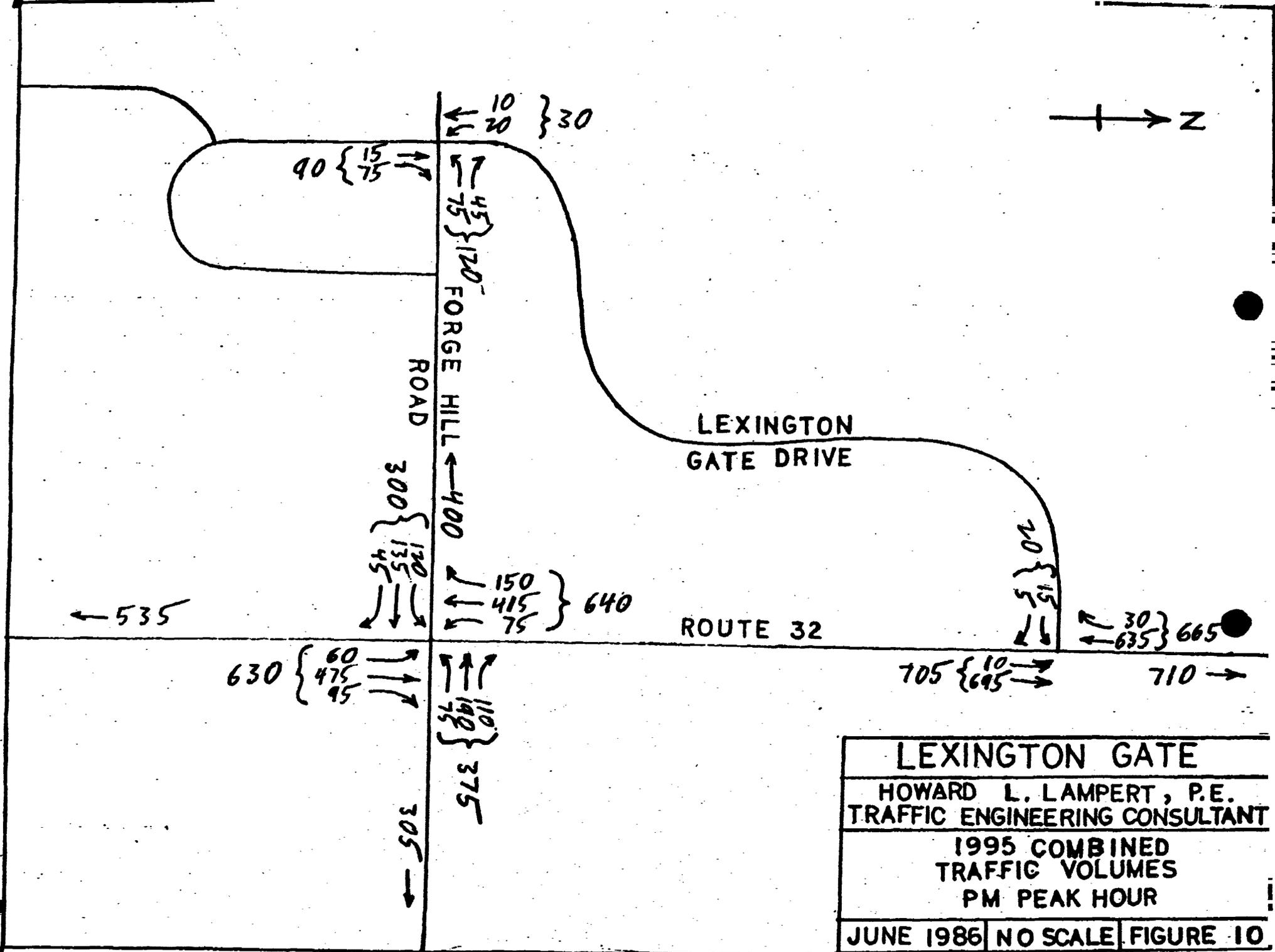
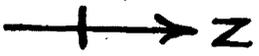
LEXINGTON GATE		
HOWARD L. LAMPERT, P.E. TRAFFIC ENGINEERING CONSULTANT		
SITE GENERATED TRAFFIC VOLUMES AM PEAK HOUR		
JUNE 1986	NO SCALE	FIGURE 7



LEXINGTON GATE		
HOWARD L. LAMPERT, P.E. TRAFFIC ENGINEERING CONSULTANT		
SITE GENERATED TRAFFIC VOLUMES PM PEAK HOUR		
JUNE 1986	NO SCALE	FIGURE 8



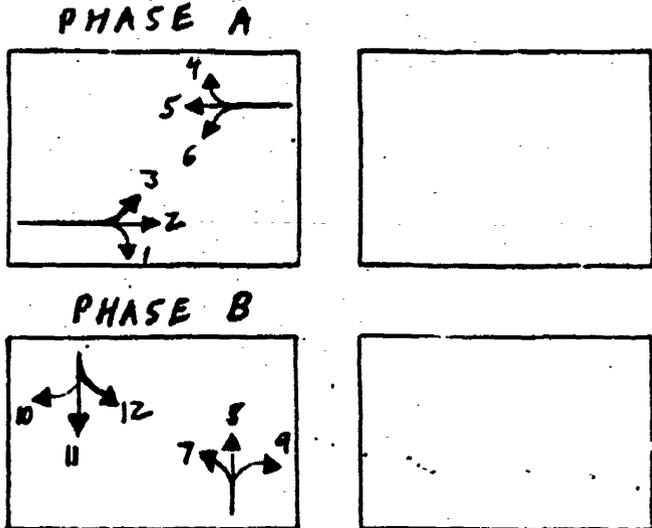
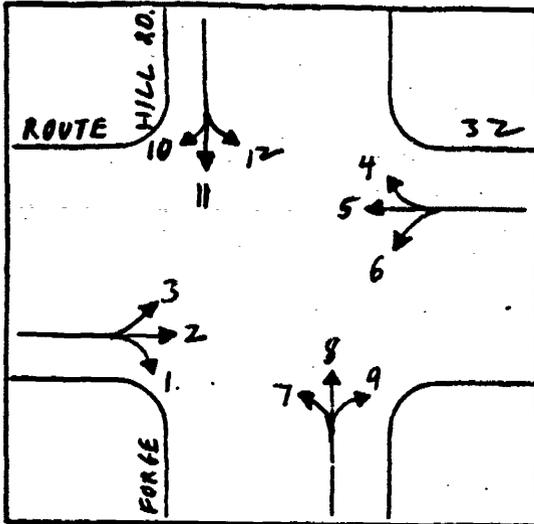
LEXINGTON GATE		
HOWARD L. LAMPERT, P.E. TRAFFIC ENGINEERING CONSULTANT		
1995 COMBINED TRAFFIC VOLUMES AM PEAK HOUR		
JUNE 1986	NO SCALE	FIGURE 9



LEXINGTON GATE		
HOWARD L. LAMPERT, P.E. TRAFFIC ENGINEERING CONSULTANT		
1995 COMBINED TRAFFIC VOLUMES PM PEAK HOUR		
JUNE 1986	NO SCALE	FIGURE 10

INTERSECTION ROUTE 32 & FORGE HILL RD.
 ANALYSIS BASED ON 1995 COMBINED TRAFFIC VOLUMES

MP: 1.0
 TI: 5%



PERIOD	PHASE	CRITICAL MOVEMENT	G/C RATIO	VOLUME AT LEVEL OF SERVICE			VOLUME DEMAND	% TURNS & LANE WIDTH	LEVEL OF SERVICE
				C	D	E			
PEAK A.M. HIGHWAY HOUR	A	1+2+3	0.56	1250			365	20 FT 49%L, 7%R	C+
	A	4+5+6	0.56	1190			410	20 FT 10%L, 13%R	
	B	7+8+9	0.28	420			170	18 FT 15%L, 4%R	
	B	10+11+12	0.28	370			190	16 FT 39%L, 29%R	
PEAK P.M. HIGHWAY HOUR	A	1+2+3	0.52	1090			630	20 FT 10%L, 15%R	C+
	A	4+5+6	0.52	1000			640	20 FT 12%L, 23%R	
	B	7+8+9	0.32	470			375	18 FT 20%L, 29%R	
	B	10+11+12	0.32	420			300	16 FT 40%L, 15%R	

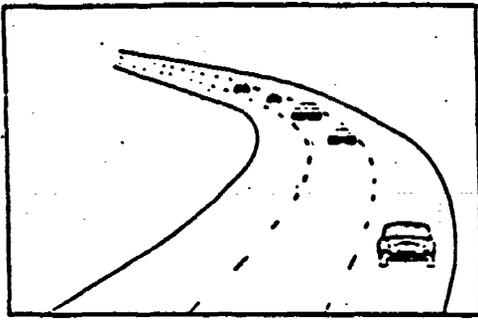
NOTES:

LEVELS OF SERVICE

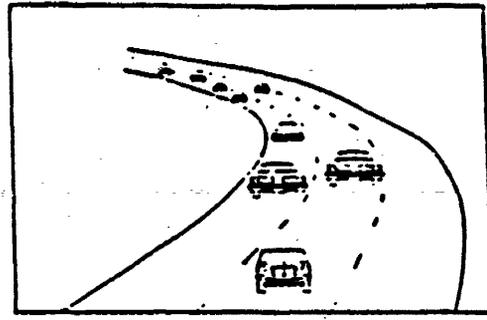
The 1965 Highway Capacity Manual (Special Report No. 87), published by the Highway Research Board, established a system by which highway facilities are examined for their adequacy to handle traffic volumes. The basic considerations are various "Levels of Service", as illustrated on Page 2 and described on Pages 3 and 4.

Intersection capacity and Levels of Service are dependent upon a number of factors, including but not limited to, the following:

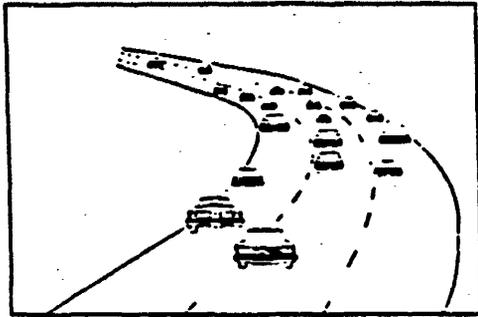
1. Approach width
2. Parking conditions
3. One-way or two-way traffic operations
4. Turning movements
5. Presence of trucks and buses
6. Metropolitan area population
7. Location within metropolitan area
8. Signal timing
9. Variations in demand
10. Pedestrian congestion
11. Presence and location of bus stops



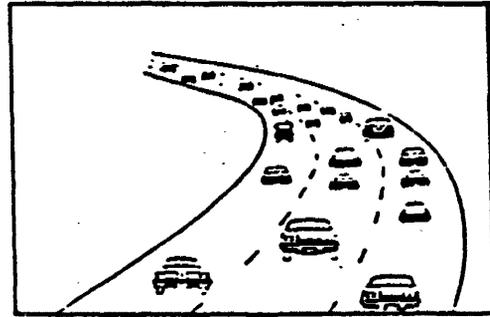
LEVEL OF SERVICE A



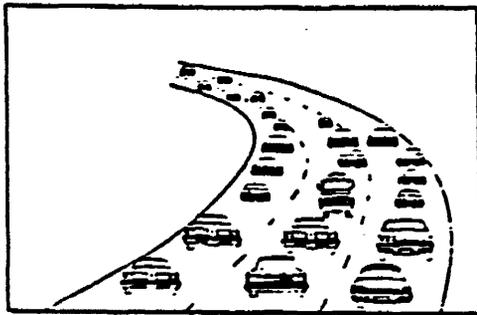
LEVEL OF SERVICE B



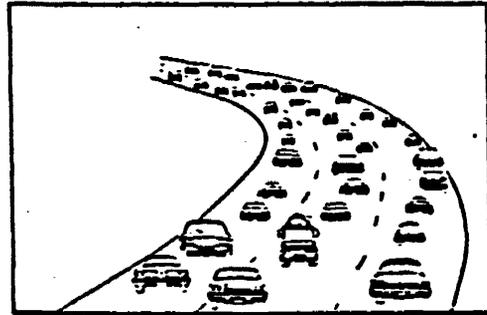
LEVEL OF SERVICE C



LEVEL OF SERVICE D



LEVEL OF SERVICE E



LEVEL OF SERVICE F

DESCRIPTION:

Level of Service "A" - conditions of free flow with relatively low volumes. There is little or no restriction to maneuverability due to the presence of other vehicles. Drivers can maintain their desired speed and will experience little or no delay. Average overall travel speed of 30 mph provided, with a Load Factor at intersections near the limit of 0.0. (Load Factor is the degree of utilization of an individual intersection approach expressed as a ratio of the number of green phases that are loaded, or fully utilized, to the number of green phases available per approach for the same time period.)

Level of Service "B" - within the zone of stable flow, but speed somewhat restricted due to traffic conditions. There will still be reasonable freedom for drivers to select their speed and lane of operation, and probability of restricted flow is low. Average overall speed of 25 mph is provided, with a Load Factor at intersections of approximately 0.1.

Level of Service "C" - within the zone of stable flow, but speed and maneuverability closely controlled by relatively high volumes. Drivers are restricted in their freedom to select their own speeds, change lanes and/or pass. Satisfactory operating speed is obtained, with service volumes suitable for design practices. Average overall speed of 20 mph is provided, with a Load Factor at intersections of approximately 0.3.

Level of Service "D" - approaching unstable flow but still maintaining tolerable operating speeds. Fluctuations in volumes with temporary restrictions may cause substantial drops in operating speed. Drivers have little freedom to maneuver; comfort and convenience become more restricted. Conditions are tolerable for short periods of time. Average overall speed is down to 15 mph. Delays at intersections may become extensive with some cars waiting two or more cycles. Load Factor at intersections of approximately 0.7.

Level of Service "E" - usually defined as "Capacity" of the roadway. A typical speed is approximately 15 mph. The flow may be somewhat unsuitable with momentary stoppages necessary, and back up on approaches to intersections. Load Factor at intersections in range of 0.7 to 1.0.

Level of Service "F" - described as "forced flow". Demand volumes exceed capacity and speeds are substantially reduced. Stoppages vary in duration due to downstream congestion. Vehicular back ups extend from signalized intersections through unsignalized intersections.

TRAFFIC SIGNAL WARRANTS

The "Manual of Uniform Traffic Control Devices", issued by the U.S. Department of Transportation defines the criteria (called "Warrants") to be used in establishing the need for a traffic signal and other control devices. Factors which influence the selection of such traffic control devices include the relationship of the volume of traffic on the main roads to the side roads or driveways, rates of speed, safety hazards, etc.

Of the eight "Warrants" dealing with traffic signal installation, two are pertinent to the intersections on adjacent roadways and at the development driveways. These are:

1. Warrant No. 1 - "Minimum Vehicular Volumes" - intended for application where the volumes of intersecting traffic is the principal reason for consideration of a traffic control signal installation.
2. Warrant No. 2 - "Interruption of Continuous Traffic" - applies to operating conditions where traffic volumes on a major street are so heavy that traffic on a minor street suffers excessive delay or hazard in entering or crossing the major street.

These Warrants are set forth as a guide to the installation of traffic signals, more to insure safe and proper movement of the motoring public on highways in general, than as a convenience to any particular classification of driver, such as patrons of a retail facility.

TOWN OF NEW WINDSOR PLANNING BOARD

TOWN HALL, UNION AVENUE, NEW WINDSOR, NEW YORK

~~SEPTEMBER 1987~~

BOARD MEMBERS PRESENT: HENRY SCHEIBLE, CHAIRMAN
DANIEL MC CARVILLE
HENRY REYNS
LAWRENCE JONES
RON LANDER
CARL SCHIEFER
HENRY VAN LEEUWEN

OTHERS PRESENT: MARK EDSALL, PLANNING BOARD ENGINEER
JOSEPH RONES, PLANNING BOARD ATTORNEY (ARRIVING LATE)
LESLIE DOTSON, PLANNING BOARD CONSULTANT

Mr. Scheible called the regular meeting to order. He asked if there were any additions or corrections to the August 12, 1987 minutes. Being that there were none a motion was made to accept the minutes as distributed by Mr. Reys, seconded by Mr. Jones and approved by the Board.

ROLL CALL	MR. REYNS	AYE
	MR. JONES	AYE
	MR. MC CARVILLE	AYE
	MR. VAN LEEUWEN	ABSTAIN
	MR. LANDER	AYE
	MR. SCHIEFER	ABSTAIN
	MR. SCHEIBLE	AYE

Mr. Scheible then asked if there were any additions or corrections to the minutes of the August 26, 1987 meeting. Being that there were none, a motion was made to accept the minutes as distributed by Mr. Reys, seconded by Mr. Jones and approved by the Board.

ROLL CALL	MR. REYNS	AYE
	MR. JONES	AYE
	MR. MC CARVILLE	AYE
	MR. VAN LEEUWEN	ABSTAIN
	MR. LANDER	ABSTAIN
	MR. SCHIEFER	AYE
	MR. SCHEIBLE	AYE

LIXINGTON GATE (86-17)

Mr. Mike Waskew came before the Board representing this proposal.

Mr. Waskew: I'd like to go over some of the things at the last meeting we

scheduled a public hearing for October 14th and since the last meeting, I had a rather productive work session with Mark Edsall at his office and I'd like to if he hasn't yet perhaps we can include some of the fine tuning done on the site plan. Washington Green is what we'd like to change the project's name to Washington Green formerly Lexington Gate at New Windsor. A couple reasons for that one is we'd like to ask unless the Board has a preference that the new Town road be called Washington Drive. I don't believe there is a Washington Drive in the Town of New Windsor and it will be connected out we know eventually somewhere close to the Cantonment on Route 300. We think it is appropriately named if there are no objections that is how we'd like to proceed. That is one item relatively minor.

Mr. Van Leeuwen: You have to get the OK from the Town Board for the street name.

Mr. Waskew: I'd like to present it to the Planning Board for your opinion if nothing else. When we go to the public hearing in October I'd like to present the project as a phased project phase 1 and phase 2. Doing that mostly to make it expeditious to start the building process. It seems to make most sense to start working on the Town road if all things go well we'd like to be able to start that some time this year when I say phase it will be the building phased. Mark and I went through a whole series of details I suppose it would probably pay to go through it I have submitted something of a summary to be included into the site plan. Let's run over them I believe we have gone over the plan a lot and I believe everybody is relatively happy with it but the changes are simply this. We moved the building, there used to be proposed a recreation area right at the entrance of what is we hope to be called Washington Drive that created some problems with set backs and possibly a dangerous situation. These would be relatively traveled road so what we have done is located a building there completing screening against the Town road I believe an excellent suggestion and a recreation area from the center which includes swimming pool and pool house which has a meeting room and a couple of offices eventually for whatever the management will be as well as rest rooms that creates protective recreation area in the center. We have added a lot of proposed landscaping, there is typical landscaping shown on the drawing, the plans have gone through a review of what really has gone through a couple of reviews. We have gone to Bobby Rogers and his people I believe they have, I don't know if Mark has checked with them, I believe they have gotten the plan to sign basically as far as the road widths fire truck access goes hydrant locations, all of that has been done according to their wishes. Mark made another suggestion which we like and we are going to acquiesce to and that is to Mark the entrances to that end the plan varies again because we have renumbered the buildings, you'd be driving along Washington Drive the 1st entrance will indicate building 1 through 9. The second entrance will say building ten through 18. There are 18 buildings. These single exists throughout the project at every intersection we are trying to direct fire trucks readily around the site and so to that end we have changed the numbering we have actually increased the parking area, the addition of building we didn't remove all the parking we left on the road seems like a good idea to have extra parking depending on how you read the ordinance you need 1 1/2 or 2 parking spaces per unit, we have 3.2. We have about 40 more parking spaces than the worst scenario would ask for and Mark has requested a guiderail along Washington Drive and we will put one in to be done pretty much how you want to do the notation will read with the street lighting will be done by Central Hudson that is really their bailiwick, our lighting will consist of colonial light poles at every building entrance. So there will be two per building. We find really that gives just

about the right amount of light, it doesn't become a glare but bright parking lot yet allows them to see where they are going. The stair wells in the buildings are pretty well lighted so that should be ok.

Mr. Van Leeuwen: Upstairs and downstairs you are going to have it?

Mr. Waskew: The stair wells are open as designed. For the public hearing I will bring in elevations and renderings the stairwells are open so each landing has colonial lanterns.

Mr. Van Leeuwen: Is this a condo now I thought it was town houses?

Mr. Waskew: No, condo.

Mr. Reynolds: You have indicated that you have more units now than previously indicated.

Mr. Waskew: 210 as against 204. I believe that is what we are allowed is 211 and so we just increased it to 210 we are leaving a tremendous amount of natural space never to be developed other EAF information says that we are only developing 20 of the 37 plus acres. The other 17 acres are going to be left as woods part of it is going to be used as storm water retention areas with head wall control area. There is quite a bit of calculations on that. Mark has a whole drainage report on that. We have taken advantage of what we are entitled to we think it is a nicely developed piece of property. We are leaving buffers on all areas, tree buffers on Washington Drive.

Mr. Van Leeuwen: The middle building as you pull in Washington Drive the building against the screening part of it there how far is that away from the screening and property line?

Mr. Waskew: It is 40 feet from the side yard we will call this a side yard this is the worst case scenario.

Mr. Van Leeuwen: What are the other two?

Mr. Waskew: 55 and 50 plus.

Mr. Van Leeuwen: Any way you can move the building over?

Mr. Waskew: Yes.

Mr. Van Leeuwen: You are going to have a commercial operation and if people put in a meat store they are going to have refrigerator units and everything else running all the time.

Mr. Waskew: No problem.

Mr. Scheible: What I fail to see and what I had asked at the previous meeting I see sidewalks but only fifty foot down the end here.

Mr. Waskew: It is a couple hundred feet actually.

Mr. Scheible: I had in mind a full--I'd like to go through the whole project.

Mr. Van Leeuwen: On a condo site plan we have been asking for sidewalks all the way around.

Mr. Mc Carville: I didn't think they needed to be on both sides of the street.

Mr. Waskew: Just along the building and maybe heading over towards the recreation areas.

Mr. Van Leeuwen: So people can walk on the sidewalk and the school.

Mr. Scheible: They are going to walk to Shop Rite I think and also Washington Drive because I had talked about last meeting also I'd like to see a stop area here for public transportation because I can see that today coming where public transportation is going through here so I have a stop area and a sidewalk here so they don't have to walk in the middle of the road.

Mr. Van Leeuwen: I agree with you Hank. I understood that is the way we set it up in the beginning.

Mr. Reynolds: Yes, we did.

Mr. Waskew: I have no objection to that.

Mr. Van Leeuwen: There'd probably be some senior citizens moving in and if kids move in they can walk to school.

Mr. Waskew: I will add it on the final site plan.

Mr. Scheible: As far as private homes or what going to have to go sidewalk.

Mr. Mc Carville: What about the swales verses the curbs. What did you have in mind?

Mr. Waskew: In most of our cases we have head-on parking so I don't--we are going to have concrete curbing because of the head-on parking situation that is all it needs in most cases the parking lots pitch towards the middle of the road with a swale between the parking area and the road.

Mr. Scheible: There is quite a bit of parking area, there is-- say if someone wanted to leave the area, anyone of these projects, any one of these housing units here going to have to walk right down the middle of the roads, I would insist on sidewalks.

Mr. Van Leeuwen: I agree, we talked about it months ago.

Mr. Waskew: It will be done. We will add in sidewalks.

Mr. Van Leeuwen: Are these roads going to be to Town specs, the interior roads?

Mr. Waskew: As far as width and base the surface paving is not going to be exactly Town specs.

Mr. Van Leeuwen: We want it exactly to Town specs.

Mr. Waskew: What we could do is we put on 2 inch base course and inch topping

if that is Town specs, that is fine I think the Town specs are in excess of that isn't it?

Mr. Edsall: Yes.

Mr. Waskew: We consider these parking roads really perhaps what we can do is make the private roads, we are going to maintain the roads we are going to plow the roads, maintain the roads this is the only road that the Town--we are going to dedicate to the Town.

Mr. Van Leeuwen: Can we make another agreement until the Town loops the road through will you maintain that road until such time?

Mr. Waskew: We can make that agreement. I'd like to keep our paving specs entirely, I think they are very good yes, we can make an agreement that will maintain the road.

Mr. Van Leeuwen: We are making everybody in the condo units do this and we can't say you are a nice guy and leave you out.

Mr. Edsall: Only a comment in regard to the maintenance being Mr. Bones isn't here and he asked me to attempt to put some thoughts forward once it is dedicated to the Town private persons cannot maintain Town roads and it is insurance problems I am sure the Town won't allow it it is a liability problem once he dedicates it he has to maintain until the Town accepts it after he dedicates it I don't believe liability wise the Town would want to let anyone being their own personnel maintain it.

Mr. Van Leeuwen: Ok, I will accept that.

Mr. Waskew: We can take some time to dedicate the road I suppose that is the option.

Mr. Jones: That one side is going out to Forge Hill Road.

Mr. Waskew: Yes. Originally I believe in the previous plan you had this was a paved road clear out to Forge Hill the intention is not to do that but leave it as fire lane to Forge Hill, have DOT spring-loaded barricades at this end. We don't want this to become the through road I don't think anybody wants it to.

Mr. Reynolds: You said that before and I am still a little puzzled how you are going to prepare that road you are saying it is going to be just a fire entrance or emergency entrance or exit and yet how are you going to stop traffic from going through there.

Mr. Waskew: We are going to put up barricades, concrete barricades which are I believe there is a tension loaded hinge on them right at the road surface if you know enough you can drive over it and it won't cause any damage nor will it stop a fire truck but I don't think people will drive their cars.

Mr. Mc Carville: Did the fire department approve those?

Mr. Waskew: It is specifically designed for that useage. You don't have to get out or open anything you have to go over it.

Mr. Mc Carville: They didn't approve crash gates.

Mr. Reyns: Another question is that going to be a maintained area all the way out to the road?

Mr. Waskew: Yes.

Mr. Reyns: Both sides, it isn't going to grow up with brush?

Mr. Waskew: It will be maintained.

Mr. Van Leeuwen: What kind of surface?

Mr. Waskew: Probably just gravel or stone I don't want it to look like a road that people can use readily. Four inches of crushed stone.

Mr. Reyns: And then a sidewalk along the side of it.

Mr. Waskew: I want to make the road narrower there will be some kind of evergreen hedges on both sides probably something like barberry, something fairly low maintenance.

Mr. Reyns: My concern is safety public walking from their condo and out to the stores.

Mr. Waskew: There is lighting.

Mr. Jones: You have no lighting?

Mr. Waskew: Yes at the entrances to each of the buildings the thing I had missed, we will add some of these lanterns along here so it will be a lighted walkway out towards the road.

Mr. Scheible: Rock proof glass covering.

Mr. Lander: What about the storm water drainage here.

Mr. Waskew: It is not so clear here there are two parts a small area no more than to the right that comes down the road and onto Route 32. I believe Bill Youngblood has already confirmed and the report is in Mark's hands at the moment. The amount of drainage onto Route 32 is not a problem. It is part of the DOT permit for access onto 32, all of the rest of surface water is drained from this area. There is no additional outflow.

Mr. Lander: What you have here on area 6 that is all swamp back there.

Mr. Waskew: It is wet lands today it would probably be swamp.

Mr. Lander: Because Con Rail here they have a drainage ditch along the tracks they don't want water by the tracks but the people downstream get all the water from the Con Rail ditch and from Vails Gate Heights storm water which runs right in the ditch right down and floods everybody out. If we have this volume of water coming here I know the water because I used to hunt it that won't be too much of a problem because it is a swamp for years but what we we don't want is to add insult to injury.

Mr. Waskew: There is a detail on the sheet that shows how the headwall shows the drainage. If there is a problem with Con Rails ditch and others we will determine the edge so this is not a problem.

Mr. Mc Carville: You were mentioning perhaps putting sidewalks down to where the school is, I think that would be an excellent idea.

Mr. Scheible: That is included tonight.

Mr. Mc Carville: They have new sidewalks they put in in the front of the school there.

Mr. Scheible: It can meet that.

Mr. Waskew: OK, and this will be done to Town specs we will talk about what kind of sidewalk we want to try and keep this kind of countryish and small townish. I don't want six foot wide concrete walks.

Mr. Van Leeuwen: I wouldn't want to see you put blacktop.

Mr. Scheible: It will have to be built to Town specs.

Mr. Waskew: I don't mind them being three or four feet.

Mr. Scheible: Two baby carriages have to be able to pass.

Mr. Mc Carville: You were mentioning the guardrails along Washington and the worst possible thing you can put in there would be the regulation DOT metal guardrails I think if you were to consider some type of a wood guardrail.

Mr. Waskew: Good suggestion, what we have used on Lexington Hill I will invite anybody to take a look we have used large sections 3 by 12 treated lumber guardrails. We will not put in galvanized.

Mr. Scheible: Do you have all this down?

Mr. Waskew: It is in the minutes. The only other thing is the water system that I'd like to discuss with you briefly I think Mark and Greg Shaw Associates have looked at this at some length there is a water main we are going to run up Washington Drive and tap off it. We can't loop back out to Forge Hill Road so we are going to have our own internal loop come back out Washington Drive and the water can be metered and per my discussion with mark we have agreed to put in a meter pit and pay for every drop of water entering into the property whether we use it in construction or it leaks or whatever it is ours. The fire department internally it is looped and they have looked at it the only hydrant we are putting in that we wouldn't be paying for the water there is a hydrant which will come directly off the Town of New Windsor main on the Town road here. I think that is pretty much it. We talked about signage, there will be a sign, I will bring examples of the kind we want. This will be carved wooden street signs I will bring some photos back of the kind we want.

Mr. Van Leeuwen: I'd like to see what they are going to look like, the buildings.

Mr. Waskew: Probably vinyl sided. It will look like clapboard there is variations the architect is making all sorts of wonderful plans for us you will see them soon. Is there an architectural review board in New Windsor? I think you will be happy with them.

Mr. Van Leeuwen: Not at this point.

Mr. Waskew: Our intention is to make a nice place to live.

Mr. Reynolds: Mark, do you have any comments I notice here that you are talking about the negative declaration is this being included, are these the comments that Mike is taking care of now or are there some other comments you want to bring before the Board before we close this?

Mr. Edsall: The only two items I feel of concern for the SEQR process would be the drainage and the effect on the transportation system basically why I am recommending that the Board issue a conditional negative declaration which is a new process under the revised SEQR regulations and what it does is allows the Board to say they feel there will be no negative effect on the environment based on the fact that the applicant is taking mitigative efforts to correct certain problems we just have to list that the corrected problems will be the transportation because he is working with DOT to correct the situation on 32 and the drainage which is required to put that suitable retention facility. I think it is something we can get out of the way now what it does is it clicks in a mechanism which is required to publish a public notice for 30 days for public comment and we can then start receiving neighbor's comments so that we get them hopefully around the time we have the public hearing. That is why I want to get it moving now we can get all the public comments at once.

Mr. Scheible: That will be coincided at the same evening of the public hearing.

Mr. Edsall: You only have to have a 30 day public comment period rather than start the 30 days, Ok, I'd just as soon we start it now.

Mr. Scheible: At the public hearing these questions can be answered.

Mr. Edsall: If you do make conditional negative declaration and the comments come up the negative declaration is void, if you have no problems it just stays in place, so it is a new feature they have added to the law and it seems to apply here.

Mr. Scheible: I see where that is going to straighten out a lot of the projects where there were issues brought up after we have made a declaration be it positive or negative.

Mr. Edsall: Also, we can do it this way instead of going through a scoping session and DEIS which in many cases is a lot of work for a couple items.

Mr. Reynolds: Thank you.

Mr. Waskew: One of the things I am asking for tonight I guess is a conditional negative declaration. The other thing I'd like to ask and that is part of why we phased this I'd like permission from the town Board to begin staking the town road and some of the internal roads so we can do some studies until we stake the roads and look at them some of these may shift we may run into a two hundred

year old oak tree which I am not going to be interested in cutting. The town ordinance is such that I can't even do anything like that as long as I am before the Planning Board if there is a way I can get some kind of approval from the town to begin work on phase 1 if only the pre-engineering work whether that involved conditional final approval or consensus of the Board I am requesting that kind of action as well.

Mr. Van Leeuwen: I don't see any problem. As long as it is only staking not going to start putting bulldozers.

Mr. Waskew: No we won't start bulldozing we still have to go to the public hearing and the County.

Mr. Jones: You are just going to be staking out.

Mr. Waskew: And deciding and therefore we will not exactly where things are.

Mr. Reyns: I think that ought to be spelled out.

Mr. Waskew: We can call it a consensus of the Board. The only way that applies is that the Board is in agreement with the plan and is just a matter of working it out.

Mr. Schiefer: Permission to lay out the roads.

Mr. Scheible: Would you have any problems with the conditional negative declaration.

Mr. Reyns: I think that we should go take the engineer's recommendations on that.

Mr. Edsall: Included in the motion since at this point you have only take lead agency you should make a decision it is an unlisted action and then proceed with the conditional negative declaration.

Mr. Van Leeuwen: I so move.

Mr. Mc Carville: I make a motion that we declare this a conditional negative declaration and that the conditions will be mitigated, the traffic situation and the drainage situation and the drainage situation with regard to Washington Green and we further state that it is an unlisted action.

Mr. Schiefer: I will second that.

ROLL CALL	MR. JONES	AYE
	MR. REYNS	AYE
	MR. VAN LEEUWEN	AYE
	MR. SCHIEFER	AYE
	MR. LANDER	AYE
	MR. SCHEIBLE	AYE
	MR. MC CARVILLE	AYE

Mr. Schiefer: I make a motion that we allow him to proceed with the staking of the road in this project.

TOWN OF NEW WINDSOR PLANNING BOARD

TOWN HALL, UNION AVENUE, NEW WINDSOR, NEW YORK

OCTOBER 14, 1987

BOARD MEMBERS PRESENT: HENRY SCHEIBLE, CHAIRMAN
DANIEL MC CARVILLE
HENRY VAN LEEUWEN
CARL SCHIEFER
HENRY REYNS
RON LANDER

ALSO PRESENT: JOSEPH RONES, ESQ.
MICHAEL BABCOCK, BUILDING INSPECTOR
MARK EDSALL, PLANNING BOARD ENGINEER

Mr. Scheible called the regular meeting to order. He asked if there were any additions or corrections to the September 23, 1987 minutes. Being that there were none, a motion was made by Mr. Reyns to approve the minutes, seconded by Mr. McCarville and approved by the Board with one abstention by Mr. Schiefer.

PUBLIC HEARING-WASHINGTON GREEN (formerly Lexington Gate) (86-17)

Mr. Mike Waskew came before the Board. He presented the Affidavit of Mailing, Affidavit of Publication and return receipt.

Mr. Waskew: Some of us have seen this before. It is a 210 unit condominium project with frontages on Route 32 just north of the Ponderosa and south of Temple Hill Motel. The 210 unit will be built in, I believe, eighteen buildings. One hundred seventy of them, twelve units each and one of six. The units are all two bedroom, two bath condos with either a patio or terrace. Of course, a kitchen, living room, and each building, as much as possible, are oriented around the topography so that nearly all the units have a nice view. The proposed recreation area swimming pool, clubhouse. I have some photos here. The attempt is to reach affordable housing which is to say we are meaning to sell the condominiums in the neighborhood of \$90,000.00 to \$100,000.00. There are some photos here. They are of a similar project which is in Harriman. There is a really substantial attention to detail, the ground, etc. There was some question of a problem of traffic along Route 32. We have presented to the Department of Transportation this drawing. We are widening the road abutting with a left-hand turn lane. The problem of drainage, we are leaving a large undeveloped area. There will be a water retention area control device and any storm drainage will be trapped here and released slowly so it doesn't overload any down stream drainage systems. That is the project. Fundamentally that is the project. Mr. Youngblood is here. He'd like to add something to that.

Mr. Youngblood: Some of the features Mr. Waskew referred to were the wetlands here. We have this wetland, both a marsh and swamp, a marsh being an area always covered with water and a swamp one where the water level is within a foot of the surface. A soil study of the area was done by a consultant with a

degree in Botany. We investigated potential of the area and what would happen with retaining the storm water during high floods and his report of the marsh and swamp shows we can do this. The entrance of the water is at this point here and you can see this area which we are going to leave as a conservation easement will not be effected. Right here is where the control is so there is no more water discharged from the development after it as been built and has been discharged at this time. Commonly we call it zero increase in run off. If you walk the property this is a very high knoll. It has some very scenic vistas from here looking out across the valley and we attempted to put some of these units in the area here and they will gain the availability of that vista. A town road which will be dedicated to the town is being built out to 32 and up to this point. The right of way is being reserved all the way along here and at any particular time when the point, this town road would go to is known it can cross the railroad or the Conrail property. The water and the sewer are being reviewed and designed by myself and by Shore Engineering. They will be approved by the Health Department and DEC in both Orange County and in White Plains. The access out here has been worked out with the Department of Transportation, Jeff Wickery and Donald Green. The requirement after we had a traffic study on the project and the roads around was that they'd like a left turn into our site which is in effect coming in this way if you are going north there will be a left hand turn lane. The units will be going up here. There is a picture standing here, the Board can't really see it. Mike, maybe you can turn it around.

Mr. Waskew: It may very slightly but fundamentally it is the same. There is a lot of additional things on the as built photos. Aside from the units, we are going to provide a recreation area. We have provided fire lanes, that is required by the Fire Department.

Mr. Youngblood: Mr. Waskew has met with the Fire Prevention Board and we have gone through all of the various circumstances, fire lanes that are provided, a fire lane provided out to, I believe, Forge Hill Road.

Mr. Waskew: Yes.

Mr. Youngblood: It is a gravel fire lane and a gate at the end of this and the gate is such that if a fire engine needed to get through it can. It is not available for access for the unit owners to come into the property. They'd use Route 32 as an entrance or the town road. The fire lane that connects all this so we have no dead end area. The buildings are accessible for fire apparatus, the width of the road we had originally proposed twenty four foot in width. We have increased them to thirty five feet in accordance with the fire company. Fire hydrants are required. We have looked at everything we can but I think it is interesting in that we are capable of putting this number of units on the property and if you look at this we are developing just about sixty percent and saving an area that has ecological value to the Town and also with the storm water, as I have prepared the review under the SEQRA Law, I see very little impact upon what the development is doing. One impact is traffic, all the traffic is coming out to the State highway. We have provided a left hand turn lane. The traffic study shows there is no impact which would make the intersections not function the way they presently do on Route 32. Both north and south of us there is an intersection with a traffic light. Both of those will function with the development of this property. The Town has a beneficial effect there getting the Town road to go through which is a bypass and it can be a bypass that

doesn't go through the residential neighborhood. We tried to connect it and it was wrong so the people buying here recognized this. We have a roadway next to us and it is ideal to get the road and develop it over to Route 300.

Mr. VanLeeuwen: The area that you call No. 5, what kind of terrain is that, is it wet?

Mr. Youngblood: The line that is here is the limit of the one hundred year flood level for the retention and this contains the basic natural marsh and swamp. We have constructed a stone wall here to assure that no intrusion occurs by the future developer into this area. This area here is relatively dry. There is a high water table and it is really open for a baseball field, little league field, any kind of recreation that could go in here. But this side of it we'd not recommend or I wouldn't put a field there.

Mr. VanLeeuwen: How much land is in No. 5 approximately?

Mr. Youngblood: My guess is three and a half acres.

Mr. Waskew: A little over that, I think, nearly four acres, I think.

Mr. Van Leeuwen: How about getting that donated to the Town for a ball field?

Mr. Waskew: I don't see any reason why not.

Mr. VanLeeuwen: In that area there is no ball field. The reason why I ask, the Supervisor brought it up to me, is there a possibility we can get a ball field and three and a half acres would be ideal.

Mr. Youngblood: I did, at one time, I had laid out two fields and I believe I had the backstop here coming out.

Mr. Scheible: I remember that.

Mr. Youngblood: It's been developed without any real problems whatsoever.

Mr. VanLeeuwen: Can I get you to do it?

Mr. Youngblood: Absolutely.

Mr. Reynolds: I have had some discussion regarding the recreation areas and I don't want to get into this because it has come up before. We started into a recreation area being either given to the Town or whatever. I think we should discuss this with the Recreation Commissioner because there have been so many recreation areas donated to the Town and they are all over grown with brush and not being managed.

Mr. Scheible: Such as Butter Hill.

Mr. VanLeeuwen: That is not the ball field.

Mr. Waskew: There was some thought given to that area to create a senior citizens residence. It is permissible under the zoning ordinance and we had, at one time, reserved that area to that end. That has been taken off the plan because we don't want it for consideration but it is an option.

Mr. Scheible: This is a very heavily wooded area now that is a thick woods in there.

Mr. Youngblood: Except that the woods are not large trees. It is young growth.

Mr. Scheible: I will now open the meeting to questions from the floor.

Linda Fehrs: I live on Mt. Airy Road, I represent Citizens for a Better New Windsor. I was wondering what the time frame for building this was?

Mr. Waskew: We are going to build it in phases with a minimum of two years, more likely three, targeting to complete two phases over two years.

Ms. Fehrs: Thank you.

Mr. Scheible: On the sidewalks.

Mr. Waskew: There are some sidewalks on the plan along the town road out to Route 32. There will be walkways through the project indicated schematically here. The walkways through the project I think we could develop with the Planning Board the nature of the walkways.

Mr. Scheible: That was stated earlier.

Mr. Waskew: There will be walkways through there.

Mr. Scheible: That is going to be a very important part of the plan. The sidewalks are not going to be something we are going to work out at a later date but right from the very beginning.

Mr. Waskew: There is a landscaped planned on the other plans. The sidewalks are indicated.

Mr. VanLeeuwen: Are the roads to Town specs?

Mr. Youngblood: Yes. All the utilities are Town specs. Mark gave me the Town specs and we have included those on the plan.

Mr. VanLeeuwen: And there is a possibility we can work together and get the ball field?

Mr. Waskew: Sure.

Mr. Rones: Have you provided us with the Botanist's report that you mentioned?

Mr. Youngblood: Earlier on it was submitted, yes. It should be in there.

Mr. Edsall: I have one copy.

Mr. VanLeeuwen: I make a motion that the Public Hearing for Washington Green Development be closed.

Mr. Revns: I will second that.

ROLL CALL:	MR. LANDER	AYE
	MR. REYNS	AYE
	MR. MC CARVILLE	AYE
	MR. VAN LEEUWHEN	AYE
	MR. SCHIEFER	AYE
	MR. SCHEIBLE	AYE

Mr. Waskew: I might request we get back on the Agenda for the next hearing with the goal of getting at least a conditional approval based on conditions only that we get proper other agency approvals.

Mr. Scheible: I don't see any reason why, we will put you on with the other fifteen or sixteen.

3-23-88

Mr. Mike Waskew came before the Board representing this proposal.

Mr. Waskew: Last time we were here I saw we had asked permission to clear the road and to cut the road of Washington Green.

Mr. Scheible: Let me stop you right there. September 9th was the last time you came in.

Mr. Waskew: Possibly.

Mr. Scheible: Quoting our minutes here. The other thing, one of the things I am asking for tonight I guess is a conditional negative declaration. The other thing I would like to ask and that is part of why we phased this and I would like permission from the Town Board to begin staking the Town Road and some of the internal roads and I repeat, to begin staking the Town Road and some of the internal roads, so we can do some studies here until we stake the roads and look at some of these we may run into a two hundred year old oak tree which I am not interested in moving. The Town Ordinance is such that I can't even do anything like that as long as I am before the Planning Board and there is a way that I can get some kind of approval from the Town to begin on Phase I. If only the pre-engineering work, whether that involved the conditions for approval or consensus of the Board. I am requesting that kind of action as well. Mr. VanLeuven went on to ask, I don't see any problem as long as there is only staking, not going to start any bulldozers. Mr. Waskew answered, no, we won't start bulldozing. We still have to go to the public hearing and the County. Mr. Jones, you are only going to be staking out? Mr. Waskew, deciding and therefore we will know exactly where things are. So you have stated here quite a few times that the only reason you are coming into us tonight was to ask permission to stake the roads out and to clear the brush. Now from what I have seen down there you have gone a lot further. Not only I, but we are not very happy with what we see.

Mr. Waskew: Is that the meeting Mr. Shaw and I came down that you had in the other hall. I believe that we went to one more meeting after this where you held it in the Senior Citizens residence which we came to the Board and asked for permission to do two things. One was to get your opinion on whether or not you thought, and maybe I am wrong, but

please forgive me if I am wrong. But to get your opinion on the connection of the water line out to the Forge Hill high pressure line. We discussed that at some length that the effect of the settling and at the end of the meeting, I asked specifically for permission to cut trees, put in the Town Road and cut the other road to which I believe Mr. VanLeeuwen responded get your bulldozers moving. We think it is a good idea to cut the roads and let them settle over the winter.

Mr. Scheible: If we can find that, then it is fine.

Mr. Waskew: If I am making a mistake, I might be, and I certainly had no intention of going ahead and working on things I hadn't asked permission for. I said I was under the impression I was doing what I asked permission for.

Mr. Scheible: In the meantime, do you have any DEC permission or county health permission.

Mr. Waskew: No we don't have the permission in hand. I will tell you the status of that stuff. From three sets of permits that we are looking for DEC for the sanitary main road sewer because you have broken up the sewer system into the town portion of the sewer and the private portion of the sewer system, the town portion to be approved by the DEC. That was submitted by McGoey & Hauser to the DEC sometime in January and perhaps in December. We expect to have that back from the DEC based on a conversation I had today in the middle of April, April 21st, I believe. I think it was April 21st. That is that approval. But that is only for the Town road portion of the sewer which I am not asking for permission about at all. You wanted approval from the DOT for the left hand turn lane. It has come back with comments. There is a minor change on the shoulder of the west side of 32 and they will approve the plan. The other approval which is the water line which I believe we discussed at the second meeting, the meeting after the minutes you discussed and that has been submitted by Shaw to the County. Normally there is a one hundred and twenty day turn around, but they have hired new people and we expect to have that back in about three weeks. Admittedly, there may be some problems, but I am not asking to put in the water line, nothing except continue on the road and possibly work on a private portion of the sewer. In the meantime, while I would like to discuss the level of changes of some of the work we have done has precipitated and ask for direction on how you would like us to proceed. What this plan shows is that there are some large trees that have been shown on here. They are really transfers on the sheets. They are all trees in excess of eight inches in diameter, large trees. We have not cut any of those, some of them fall in different locations, one of them -- two of them fall in the middle of roads, several fall in the roads, these two are probably the only thing we can't do without. We would like to move the entrance road, shift the parking lot, relocate the building, then change the curve of this road, move parking spaces. There is a tree falling in the middle of the road. We want to create an island around that and we want to move the parking spaces to the other side of the road. Part of what we did over the winter is to be able to find out all of these things.

Mr. Scheible: Those power lines, are they bringing those in for temporary use?

Mr. Waskew: Temporary. It appears to be in the middle of the road. When they cut the temporary road they cut it to be extremely left of the property line. The pole looks like it is sitting in the middle of the road. We have cut the other side of it there. There was an existing power line in what was the middle of the road. Of course, we have cut the Town Road through here. We have cut back through. We took out the mud and muck and put the shale itself, all shale back there. We would like to treat these as site conditions with your building inspector. We are moving roads a couple of feet and rotating buildings. As long as we fit within the setback requirements. I don't see why we need to come in for new site plans or we will cut the trees but we would rather not do that. This entrance road, there is really beautiful stone walls here.

Mr. McCarville: There is a good wall to the left that should be preserved along the line.

Mr. Waskew: Absolutely, we are going to preserve the wall and leave it natural and put some kind of fencing. There is no way to cross the road. We have every intention of saving that and later cleaning it up. This whole farmers stone wall through here we have picked up trees that were as a windbreak and we are transplanting them along this property line and moving the stonewall to that property line. It was a nice way to treat the edge of the property. We are reusing those things and we want to cut the roads and we would like to put some of the structures like the sewer and storm drain structures in. I believe we are taking a risk if there is any.

Mr. Scheible: Is that number one. It looks like you have it almost leveled off when I was down there. Is that where the spot is all leveled off?

Mr. Waskew: That's where the first building is going to be. This was a swamp and what we was take out the muck and bring in dirt off the road, the gravel off the road and bring it in there and there is a huge tree standing there which again we don't want to cut.

Mr. Rones: Don't you think by taking this muck and moving the earth around that you may have exceeded the directions that you have been given by the planning board.

Mr. Waskew: Possibly, although it is very hard to stop at that point and create a dam here at the edge of the parking lot and not have a swamp. This will undermine what you have already done.

Mr. Rones: So you had to work in those areas outside of the roadways.

Mr. Waskew: Sure, in order to stabilize the road.

Mr. Scheible: The drain pipes are temporary?

Mr. Waskew: Yes they are temporary to continue carrying the water. We put filtration fences up here. There is no mud out on the road. We need to do it right. Possibly we have exceeded it. I don't know, sometimes you just can't stop at a particular point. This is Mr. Shaw's water main plan. It is at the County Board of Health right now and what I have done and maybe there has been some concern what the real problem would be is that there are some intersections between the septic sewer lines, the storm lines and the water lines, There are some limitations on height and separation. The sheets I gave you I direct each and every one of those intersections. The actual mean permitted is one and a half feet, eighteen inches. There is one that is very close in the sewer and the water lines that means you would have to encase the line. I am not doing any work on the town road with utilities. I would like permission to continue to move dirt and move dirt in an expeditious and a proper manner which I think we are doing. We would like to continue doing it in that way. I would also like to be able to put some of the structures in for the private portions of the sanitary sewer which if the first thing that goes in. McGoey and Hauser still have to approve this, so we wouldn't do it before that happens anyway.

Mr. Edsall: We did a search of the minutes and there was two meetings they attended after the September 9th meeting. October 14th meeting was a public hearing, no discussion at all for any approval for clearing. The 28th of October Meeting Hank VanLeeuwen made a motion to give permission to clear the roadway of brush in the one area that is the limitation of the motion that the Board granted. The Motion was by Mr. VanLeeuwen, I make a motion to give permission to clear the roadway of brush in the phase I area in regard to Washington Green. He asked permission to grade but the board after the discussion of the motion said to give permission to clear the road of brush.

Mr. Scheible: We said at that time we had been caught many times before in a situation where we didn't get approval back from either DEC or the County. We would want to be left in the same position as this. We still don't have approval from the County nor from DEC and you have gone ahead. I feel a little bit stronger then I did before that we never have given you permission to go ahead and start the bulldozers up. If you can find any proof that otherwise states what I just said, please bring it in.

Mr. Waskew: I would have to go through the Minutes myself. But I am sorry Mr. Van Leeuwen is not here because there is no doubt that that was what he said, get your bulldozers moving. We discussed what sense it made to clear and prepare the road over the winter and let it settle. It is not like it was a casual discussion about the brush.

Mr. Scheible: It is very clear it is not showing up in the minutes.

Mr. Waskew: We had discussed it.

Mr. Scheible: I remember the discussion now when Mark brings it up. I remember the discussion which stated previously that we had been entrapped in this situation many times where we gave the developer permission to go ahead and do it and never came back with the final approvals.

Mr. Waskew: I remember that part of the discussion also without a doubt. Do you remember the part that I am talking about?

Mr. Ronces: Is there anything in the approvals process that is pending right now that could change the location of any of the roadways or the private services or anything of that sort.

Mr. Edsall: The biggest concern on my part is the fact that if it was totally private system internally sewer, water, all utilities, then we really in effect wouldn't care. We care that they comply with the State laws but not as far as us taking over a system. The water system is going to be dedicated to the Town. We don't have any idea what the County Health Department is going to do with the system. They may ask for additional lines, things have happened like that. Many times we don't know what they are going to recommend or require before they approve it. My biggest concern is that it is a system that the Town is going to end up taking for dedication unless it is wrong. So the concern would be that even though there is a sanitary system which is private, it is being put in a development that is going to have municipal water lines. I would be hesitant to recommend unless the Town Board and the Planning Board did concur that it was a good idea.

Mr. Waskew: I can wait for the sanitary system until we get DEC approval. That is the public portion of the sanitary sewer, the private portion, are you saying you don't want to look at the private portion of the sanitary sewer?

Mr. Edsall: My problem comes in when you start putting pipes in and there is a potential for complaints between municipal water lines and the sewer lines. The Town really would not be able to go out there and observe construction. They wouldn't have any need to because it is a private sewer line but we want to make sure that it does not cause any problems with the municipal water.

Mr. Waskew: We have agreed that we will and we will pay for the --

Mr. Babcock: Is there DOT approval? I don't think they got DOT work permits?

Mr. Waskew: We have DOT approval. We don't have DOT work permit because we are asking for work permit to widen the highway. That has come back with a very minor comment. They want to change a headwall on the south side of the property. I think also extend a drain line on the north side of the property, otherwise approved as drawn.

Mr. Edsall: My concern is that the DOT is just like the County, they are very sensitive for access to work permits being taken off their roads without proper posting of bonds, insurance, certificates, highway work permits. If the state came around and nosed into the sites they might violate you for access to the site off a state road. So I don't know whether or not that is a problem as well as, they may have a review but that is not a permit.

Mr. Babcock: They also want you to have a permit before you do any work in their right of ways. You have some what of what you could call a culvert part.

Mr. Waskew: Verbally, we discussed that with them. We did that for them so we can continue the drainage along Route 32. We put the filtration for them and we put the cleaning pad, frankly for them, so we would not carry --

Mr. Edsall: You are saying for them, but the fact is, don't pull any equipment off our roads until you have insurance, bonding and permits, so at this point saying that you are doing a lot of things for them, but for you you should get a permit because I believe you are in violation of state requirements for access as construction sites. That concerns me because there has been some accident situations on County roads that has resulted in a lot of litigation because of injuries. So I would suggest that you straighten that out with the DOT right away.

Mr. Waskew: We will do that tomorrow morning. I don't know that we have this specifically, an access permit, if there is such a thing.

Mr. Edsall: I believe there is. It is the same thing that the County has.

Mr. Scheible: Lets go back to the problems. You were never according to our records and if you can prove otherwise, you were never given permission to go in there and start and do whatever you have accomplished already. All you were given permission for was to clear brush. Personally, I think we should bring things to a halt until we get some permit. Number one from the State and until we hear some comments back from the County and the DEC. I would like to see things stopped. I think we have gone a little bit too far. We find this happening in our town more than once where people are jumping the gun and things are just going on that this Board has not been very happy with. I don't know, I hope I am not speaking for myself.

Mr. McCarville: I agree with you.

Mr. Waskew ; I don't believe we have jumped the gun.

Mr. Ronas: Even putting the best cast on it as far as you are understand was about Mr. Van Leeuwen meant but going down the road and getting it prepared, you still have done a lot as you say in the swamp area, clearing that out, getting that area prepared for that first unit. As I understand it, there is some other site work too. It may have been desirable to do that work, but if it is done without the board knowing about it and having a chance to give input and the feedback and consultations back and forth, we loose the handle on the development. That is what we should have and that is a very uncomfortable feeling about the project and the consensus is that it would be best to retain control, get everything squared away so we can feel more comfortable about it. Then you can proceed in a more expeditious manner once you get some of these loose ends cleared up over the

next few weeks. I think it would be just getting back to what you started off the presentation with concerning the trees and realigning some of the buildings and the road. Those changes, I think should be shown on there. It would be just my feeling to have that shown on the plans so that the various features, structures, can be verified when the building inspector or whomever goes out there and has to check up on these things.

Mr. Waskew: We will modify the plan. We will do whatever the Board wishes us to do. But I understand that we were doing only what we believed generally to have permission to do. We came before the Board with what we believed to be the moment we were going to exceed what we had permission from the Board to do.

Mr. Roness: You are talking about tonight.

Mr. Waskew: Yes.

Mr. Roness: Apparently, there was a misunderstanding. So if you could as you say halt the work.

Mr. Waskew: We will find out from the DOT whether we need an access permit. Having done that we will secure that permit. What else would you ask us to do.

Mr. Roness: Mark, I believe you were referring to the County approvals concerning the water.

Mr. Edsall: What is your next request?

Mr. Waskew: To continue to move earth at least on the sites.

Mr. Edsall: That has nothing to do with any of the approvals so that would be a Board decision. You may want to take the approach that you had on one of the other jobs that you allowed earth moving to post an environmental maintenance fund so if things fall through the area can fall through in a proper fashion. That was done on Liberty Meadows.

Mr. Waskew: I would be willing to do that.

Mr. Roness: How would we determine the adequacy of the bond?

Mr. Edsall: Approach in the same fashion to the way we did the mining permit for restoration of disturbed ground and it is a percentage charge for topsoil, seeding and so on. You can reseed it and stabilize the earth.

Mr. Roness: You need some time to look at the site and what is proposed to be moved?

Mr. Edsall: I just do it by the area of disturbed ground which can be worked out very easily.

Mr. Scheible: Mike, shouldn't there be a permit issued from your office

to get this so far as the roadwork and so forth.

Mr. Babcock: There wouldn't be any permit. The only thing we would want is a DOT work permit.

Mr. Scheible: It has been exceeded because the only thing you were allowed to do until you have preliminary approval only which gives you only permission that we can give you under preliminary approval is to clear the brush. Until you receive your final approval you should have done any digging whatsoever.

Mr. Waskew: Again, there was a misunderstanding because as I say I am quoting the conversation at the last public hearing. We understand that having applied for site plan approval that we waived our right to move dirt on our property without your permission. That is why we asked for it at that meeting.

Mr. Scheible: I believe you asked but we only gave you permission to do the brush cutting. What I would like to request now is for your operation to come to a halt until we can get a bonding together, so far as the restoration bond.

Mr. Ronas: What earth moving could you describe the additional earth moving you have in mind that is going to be the subject of this bond.

Mr. Waskew: Yes.

Mr. Scheible: You have made some cuts that are eight to ten feet deep there.

Mr. Waskew: Yes, I was doing what I thought I had permission to do which was to cut the road and prepare the town road and let it settle. That is the discussion I know we had. So yes those cuts had been made here. There haven't been any through here. There has been some top soil moved along these areas and we cut trees along these roadways and we had worked in this area.

Mr. Scheible: This whole area is leveled off right here.

Mr. Waskew: No, it hasn't been, this area. One of the things I was going to ask permission to do, the site plan calls for this area to be lowered, that was one of the changes we want to leave the stone wall up and these line of trees we want to use it as part of the natural recreation area. So I know we haven't moved any dirt. We have started to move this stone wall. The permission we had asked for is to clear these roads, cut these roads down to grade. Do earth moving that effects some of these at these additional areas. This will have to be moved with it.

Mr. Scheible: How fast can you move on the bond?

Mr. Waskew: We can move on the bond, we can have it before the end of the week. That is only two days.

Mr. Scheible: That is only two days, could you agree to halt your operation until that time?

Mr. Waskew: Yes. We will do that.

Mr. Babcock: I think we ought to get something from DOT.

Mr. Scheible: A permit from the DOT and you are covered insurance wise.

Mr. Waskew: Yes.

Mr. Babcock: Or a letter saying that they have no problem with the situation that is there.

Mr. Waskew: I will do that regardless of whether a highway access permit is needed. Then could we proceed again as I requested which is to move the dirt and cut the roads, basically. This means I think it will take us into April to do that and by then we will have a good idea of what is happening with the approvals.

Mr. McCarville: You are not talking utilities or sewer pipes?

Mr. Waskew: No, I had come in to get permission to put in the sewer structures but I will withdraw that request.

Mr. McCarville: If the appropriate bond is in possession I have no problem with the site roadwork going on.

Mr. Scheible: Mike, you can give me a call when you have the bond so we will get together on that.

Mr. Rones: You are going to put it into a form of a Motion?

Mr. Lander: It is my recollection that the trees were suppose to -- the brushes was to be cut, no bulldozers were suppose to cut the roads until I went over the minutes and maybe you are right and maybe we are wrong but until I do that I would like to wait and see. I am going to have to go over the minutes as far as the water and sewer. That, I don't think should be done. If you are right then we gave you permission to do it.

Mr. Scheible: You can re-open your operation when you have your bond and permit from the DOT.

Mr. Schiefer: Once the bond is in place and the DOT permit is there let him go ahead with the cutting the roads, nothing else. No sewer, no water, go ahead doing what he is doing now.

Mr. Lander: Right.

Mr. Waskew: Yes.

Mr. Schiefer: I make a motion that the Planning Board of the Town of New Windsor, once Mr. Waskew has a restoration bond in effect with regard to Washington Green Subdivision, we have agreed upon the restora-

tion bond and to get DOT approval then he can proceed with cutting in the roads period. Nothing on sewer, nothing on water.

Mr. Waskew: What do you mean by DOT approval, either highway access permit or a letter from the DOT that they have no problem having us temporarily using it.

Mr. Babcock: They will give you a temporary work permit. You are going to have to post a bond with them or whatever it might take to get them to do that.

Mr. Waskew: Fine.

Mr. Babcock: If they want to give you a letter so I am aware that they have no problem with the operation, you are doing there that is fine. However, you might want to work it out with them. It has to be in writing.

Mr. McCarville: I will second that motion.

ROLL CALL:

Mr. LANDER:	AYE
MR. MC CARVILLE:	AYE
MR. SCHIEFER	AYE
MR. SCHEIBLE:	AYE



COUNTY OF ORANGE

LOUIS HEIMBACH, County Executive

Department of Health

124 MAIN STREET
GOSHEN, NEW YORK 10924 TEL: 914-294-7961

Walter O. Latzko
President, Board of Health

September 9, 1987

RE: Lexington Gate
Town of New Windsor

Town of New Windsor
Planning Board
555 Union Avenue
New Windsor, NY 12550

Gentlemen:

I have reviewed the site plan for this project which you sent to our office.

Since this is a proposed condominium, it does not require our review as a realty subdivision. The plans for water mains and the swimming pool area must receive our review and approval prior to construction.

Very truly yours,

M. J. Schleifer, P.E.
Assistant Commissioner

MJS:dlb

cc: File

TOWN OF NEW WINDSOR
PLANNING BOARD
RECEIVED
DATE 9/11/87

WASHINGTON GREEN CONDOMINIUMS ROUTE 32

86-18

Mr. David Freid and Joseph Sweeney appeared before the board representing this proposal.

MR. PETRO: Mark, before we start this, just for the record, can you state for the record why Washington Green is here tonight and what we plan to accomplish?

MR. EDSALL: A normal procedure of the Planning Board in conjunction with the building inspector's office for any site plan and this is a multi-family site plan but none the less, a site plan is that near the end of the project and for single structure project at the time the C.O. is requested, a review is made by the representative from my office and from Mike Babcock's office to determine if the site work has been completed in general accordance with the approved plan. Have all the improvements been put in and are they generally conforming to what the board desired? Spacing of parking, number of parking and other improvements. The same procedure is used for multi-family projects a little more complicated because you have numerous structures and the general goal is as you get towards the last units we begin our review of the overall project to determine how much remains to be completed. In line with same, I contacted Joe Sweeney, we've had a number of discussions at technical work sessions, the board has and we've began to catalogue the outstanding items. One issue which became of concern to several people was the completion of on-project and off-project sidewalks. In addition to that and maybe not as popular for discussion are such things as completion of some inter-connections on the water mains, completion of overlays of paving areas, and those type items. When it became clear that there should be a list prepared and as-builts prepared, I asked Joe to proceed with that and he's done so and following those reviews at the workshop, it was our joint consensus that there would be benefit in the applicant appearing before the Planning Board to explain what items remain to be completed on the project, when they would be completed and then compare those completion schedules to the dates that the C.O.'s are anticipated for the remaining units.

MR. PETRO: As a point of interest for the record, how many units are to be built out or have been built out and how many C.O.'s are still remaining?

MR. EDSALL: There's 4 buildings right?

MR. SWEENEY: If I may, I prepared just a overall view of items remaining.

MR. EDSALL: So basically at this point, we have requested this list which Joe just provided us with a copy and relative to the sidewalk issues, because the applicant had indicated consideration of eliminating certain sidewalks at that point I believe that because this is a project with units that have been sold, prospectus that have been filed with the A.G.'s office, I believe it was appropriate that the representation be here from the board of managers from the two phases of the project and we forward a letter requesting that they send such representatives tonight. It's really here for discussion just so the board is aware of the status and as well if any changes are considered you have input from the representatives.

MR. PETRO: It's my understanding that the sidewalks, that representatives of Washington Green did come before us a few months ago and that was to discuss sidewalks in particular and I think did we or did we not give them relief on some. We did not finalize that, is that correct, we discussed it.

MR. VAN LEEUWEN: We discussed it only.

MR. EDSALL: It was discussed and at that point, I guess I believe I jumped into the discussion and I did indicate that I thought unilaterally the board could not delete items which are shown on a project plan that was the basis of purchasing of units by what are now homeowner's.

MR. PETRO: Do you want to make any statements?

MR. SWEENEY: What I handed you is just a listing what we have. You questioned the numbers of C.O.'s that are

outstanding, I have 16, its parking lots were another issue that came up between Mark and I. According to my as-built drawing my engineers came out and did a count. I come up with 470, I believe our bulk table called for 461 as a maximum and a minimum of 410 so I think we have actually exceeded that requirement. Everything else is pretty much spelled out here.

MR. PETRO: Fire lane detail it says approved by the fire inspector, all fire lane details have been approved and as they have been built they are, they meet all the standards set forth in the detail.

MR. EDSALL: We're still in the process of finalizing that, I know Joe has worked with Bob Rogers. One suggestion that we had since there was a question of how you locate these fire lanes during the winter months, what we've suggested seems to be a solution that everybody is happy with is to drive in plastic sleeves so that in the winter months, flagging and such can be put along one edge of the fire lane so it can be easily located for plowing or usage. That means that you don't need the flags out 12 months a year so it is not an aesthetic problem during the summer but the rest of it Bob I believe has worked out with Joe and accepted what's there.

MR. PETRO: Mr. Sweeney, let's get back to the sidewalks, that seems to be a pretty big issue at this time, obviously New Windsor Planning Board hasn't changed their mind or hasn't given relief. What Mark is saying we can't if we wanted to because it's in the prospectus that is going out to the people. Are you intending to build all the sidewalks as the plan indicates?

MR. SWEENEY: I'm going to hand that to David Freid.

MR. FREID: Well, I guess the original thought was that we weren't really sure because this road is not, the Town hasn't taken it over. We're not really sure what to do with it, it's sort of in limbo, I guess.

MR. PETRO: What road are you talking about?

MR. FREID: What we've done so far you asked us last time to put the sidewalk in from Route 32 to this intersection right here.

MR. PETRO: That is correct.

MR. FREID: No problem.

MR. VAN LEEUWEN: That sidewalk is in.

MR. FREID: You asked us to do it and it is. And then, you started thinking does it really make sense to have these said walks in from this intersection to this intersection from here to here because most people, it's a private community, most people just are walking in the street. People aren't driving too fast inside the community. We were going to come back to you on that one. This road through here, this sidewalk through here I guess right now I've talked with some members of the community, they seem, some of them seem to want it. It's hard to say if there's a complete consensus on it, I don't know. I don't know what the right idea is. I would prefer not to put a lot of sidewalks on this community because I think that what it does it distracts from the landscaping. It makes it like a lot more urban. I'd prefer to keep a suburban look. We're going to do whatever you want but I would prefer not to put sidewalks in where possible because I just don't think they are too attractive looking. I'd rather have the landscaping.

MR. DUBALDI: How do you expect people to walk around the project in the streets?

MR. FREID: Well, I guess right now they seem to be walking through the streets.

MR. DUBALDI: Is that what you want? You want people walking through the streets?

MR. FREID: Look around at some of the side roads if you go off 32 there aren't sidewalks and people seem to walk.

MR. PETRO: Bottom line is it's on the site plan and it

has been represented to the Attorney General's office and perspectus and the people buying the condos somebody bought a condo a year and a half ago said look at the sidewalks we're going to have. The reason that somebody else doesn't have them in the old development doesn't effect this.

MR. FREID: After talking with the two members of the Condo Board 1 and Condo Board 2, the president they said that they do want this sidewalk to go in but they don't want this particular sidewalk in here that goes passed the pool and I think that certainly makes sense. I guess I'm not really, I'm here to listen to you guys.

MR. SCHIEFER: What's going to happen to that road that was supposed to be a dedicated Town road initially, right?

MR. FREID: Right.

MR. SCHIEFER: What's going to happen?

MR. VAN LEEUWEN: I don't think so.

MR. SCHIEFER: If that is not going to happen, then I start to agree with you on the sidewalk.

MR. VAN LEEUWEN: Where does the sidewalk lead to?

MR. FREID: It would just lead to here.

MR. SCHIEFER: The road leads to nowhere.

MR. VAN LEEUWEN: And the sidewalk itself leads to nowhere.

MR. DUBALDI: On Washington Drive.

MR. VAN LEEUWEN: Correct, we're talking about Washington Drive.

MR. SCHIEFER: Had that originally gone through to make a connection, definite need for a sidewalk, however the people that bought in there they were under the assumption you were going to have them. I can see

their objection.

MR. PETRO: I want to remind everyone in the audience this is not a public hearing. This is not a public hearing. I want to know if the president of the Condo Board number 1 and Condo Board number 2 are they present? Step forward and state your name and address and just again I would remind this is not a public hearing and I want to keep this as brief as possible but I do want to get the input so we can try and come up with some solution of this.

ANN POLITA (PHONETIC): Condo Board 1 President 1103 Washington Green.

MICHAEL MISSARES (PHONETIC): President of Condo Board unit 2, 1063 Washington Green.

MR. VAN LEEUWEN: Can I ask you a question, is that going to remain two separate presidents or is that going to be one?

MR. MISSARES: No.

MR. PETRO: It will stay two?

MR. MISSARES: Yes, yes if we could, I would like to raise a point to both the chairman on the board with your permission we're in consensus with a number of other residents as well as the managing agency have come up with a number of positions which we would ask that Phillip Kane express for us, if that is okay with the board.

MR. SCHIEFER: I've read some of Mr. Kane's letter and there are issues in there I as a Planning Board member do not want to address. That is not the entire letter. There are many things that are not issues that should be brought before this Planning Board.

MR. MISSARES: The only issue we wish to address here tonight here is the issue of the sidewalks.

MR. VAN LEEUWEN: I have no problem with that but I don't want to get into the other issues, fertilizer,

shrubbery.

MR. PETRO: Mr. Kane, you are here, I've received two or three letters through Mark's office from Mr. Kane. I've phoned him, I believe once we have discussed this and I want to be on good terms with this gentleman and the people in the units as the rest of the members do but we have to limit the time that we're going to spend on it, stay with the sidewalks and get that resolved at least because I read your letter, it was kind of lengthy to say the least. Let's stay with that and maybe we'll get something done.

MR. KANE: Thanks very much for letting me speak. My name is Phillip Kane, I'm a resident of Washington Green, 1126 Washington Green. Strictly speaking about the sidewalk, we've discussed it amongst the president of Condo Board 1, myself, the president of Condo Board 2 and two members of each condo board. There are according to the recently reviewed site plan that I looked at in Town Hall, dated October 4, 1991, currently shows that there are 5 sidewalks that have to be installed by the developer at its cost and expense. Those sidewalks consist of the one over here that has been in, the second segment runs over here up Washington Drive to the second entrance, the third segment runs after you come in off Route 32 into the main entrance and you turn left into the community, there's a sidewalk here and then there's one by the pool and there's a fifth sidewalk which is down here and it says mark on the site plan concrete sidewalk to meet existing sidewalk by school. What we have joined in our consensus is we wanted the Planning Board to enforce the obligation of the developer to install those 5 segments of sidewalks at its cost and expense because of our concerns about life safety issues, with respect to traffic. Those road roads service over 200 homes. There are over 450 parking spaces, there are cars, there are trucks, there are moving vans, there are all kinds of vehicular traffic coming in. The one exception to the 5 sidewalks being installed where we feel a life safety issue does not arise is in the area by the pool and the reason why we feel we can distinguish that from the other four is because of the fact that when you come in, the traffic by the time it

gets to this beginning of the sidewalk can disperse in four to five different directions, it comes in, it can come in here, it comes back here through here and when it comes into this entrance, it can be left or right and then the sidewalk starts so we felt that that sidewalk didn't create a life safety issue. And we asked for compliance for the site plan that you had of record, it was marked stamped October 4, 1991, it was signed and executed by Mr. Lander as the Chairman of the Planning Board New Windsor and it said basically--

MR. VAN LEEUWEN: Secretary of the Planning Board, sir.

MR. KANE: Secretary of the Planning Board and it was deemed approved. Those are the 5 sidewalks that currently exist on the recently approved site plan.

MR. PETRO: One of them already has been put in so there's 4 that remain not put in, one of which you don't care to have put in.

MR. KANE: Right, because of the fact we feel it's not a life safety issue.

MR. PETRO: All the condo presidents and in the association are in agreement?

MR. MASSARES: Yes.

MS. POLITA: Yes.

MR. VAN LEEUWEN: We want the sidewalk going to the school and people can walk to Shop Rite.

MR. PETRO: I think it's pretty clear and I think the site plan has been approved the way it stands, they have the people living there and that is what they like to see with the exception if you can get together with that one, that one sidewalk I think and Carmen's point is well taken, I think you built a showpiece development there and I think that you should follow through with it, with the sidewalks.

MR. FREID: We do want to follow through, I mean I'll tell you what, the next question would be if the

sidewalk is going to go in that is really my concern we're going to do whatever you want but my main concern was aesthetically if the sidewalk goes in over here and fits and this road is going the Town is going to accept it, is it possible that this sidewalk could be let's say 40 inches instead of 48 inches instead of having so much concrete such a wide road on a road to nowhere? I would prefer to accept more greenery that is mainly the main reason why we were contemplating this.

MR. PETRO: Well 40 or 48 inches basically what's the site plan call for, 48 inches?

MR. VAN LEEUWEN: 48 inches.

MR. PETRO: Says 48, so we'd need an amendment to the site plan.

MR. SCHIEFER: Andy, does what we're talking about changing any of this, don't we need an amended site plan?

MR. KRIEGER: Not only amended site plan, it was in the prospectus that is an Attorney General matter. What Mark said about the inter-relationship between the site plan and the prospectus in the case like this is absolutely correct.

MR. PETRO: How do we alleviate one sidewalk?

MR. CHARLES FRANKEL: Charlie Frankel, I'm an attorney and they've asked me to come and address that particular issue. The fact of the matter is there have been up till now 6 amendments or so to the offering plan and certainly number 7 could be--

MR. VAN LEEUWEN: Sir, may I say something that was all additions that they wanted to put in for the betterment of the community. This is something a little different, here's where you are taking away and I'm not agreeing, I'm not disagreeing but when you take something away from a site if you want to add something to it, I'm sure the Attorney General's not going to have a problem. But if you want to like the storage places for the garbage cans and so forth they wanted to

cover them, the mailboxes they dressed up which wasn't on the original site plan, those were amendments we had no problem with. Here you want to take something out and I'm not a legal eagle, he's the legal eagle, your legal a legal eagle.

MR. FRANKEL: But the Attorney General if we go in with an amendment saying we want to take out the sidewalk by the pool and the condo association says they agree with that, the Attorney General isn't going to be in a position to say no.

MR. PETRO: If you can draw up a letter we can put in the letter stating that that particular sidewalk will indemnify us from having any problems with that later on, if everyone agrees we don't think that.

MR. FREID: You guys don't want the sidewalk?

MR. FRANKEL: By the pool.

MR. PETRO: If Condo number 1 and number 2 doesn't have a problem with going from 48 inches to 40 on that one particular sidewalk.

MR. EDSALL: Which one are you looking to change?

MR. FREID: The one all the way down.

MR. EDSALL: If it is in the Town road, that is still an offer of dedication, still a proposed Town road. I believe the other section was 48, we can't accept anything less than 48. Matter of fact, if it was State, I'd have to put five feet in.

MR. FREID: How about that one internal?

MR. EDSALL: The internal is a code compliance. I don't believe you can go smaller than 40 inches.

MR. FREID: Whatever.

MR. EDSALL: I would think to be very honest with you from experience, if you go less than 48, it starts to get tight, if you can get 48 in, I'd put it in only

because whenever two groups passing, baby carriage, if you have someone on a bike, whatever else, it's tough to get by each other. If it becomes a detriment to your landscaping and that is the everyone involved agrees to 40 is about the lowest you can possibly go.

MR. PETRO: Let's finish the sidewalk problem up right now. I think it's pretty clear everything would stand as is except for the one sidewalk that the association feels is not necessary. I would like a letter either from Phil if you are writing letters from the association, I happen to know that you can write letters, something that we can have that our attorney can look over and your attorney would like to also and if you can agree upon that we can resolve this entire issue.

MR. KANE: The only other comment I'd like to make it's the desire of all of the members we just talked about that the sidewalk be continued utilizing the same materials that we utilized in the other sidewalk, the sidewalk up this way here continuing the same materials.

MR. PETRO: What was that?

MR. SWEENEY: Concrete on the, Town road spec calls for concrete.

MR. FREID: If we have to build to the Town specs.

MR. SWEENEY: The internal sidewalks in the perspectus has the option of either asphalt or concrete and that is what Phill is referring to.

MR. PETRO: On the internal your request on all the internals what you're saying you don't want blacktop, you want the concrete.

MR. KANE: What the design of the community was that we spoke to they wanted to continue the same element that was utilized here which was concrete, it was not an indictment of asphalt, it merely was we'd like to continue the same element concrete sidewalk matches the sidewalks that are in, matches the sidewalks such that

the original plans call for concrete throughout.

MR. PETRO: What's on the site plan?

MR. KANE: Site plan states currently for instance down here it states concrete sidewalk to meet existing sidewalk at school. It then shows a legend that is of concrete sidewalk is the same legends that is utilized throughout here, it's scored, I believe you score concrete, you don't score asphalt. It's the same legend used when it designates concrete and concrete is utilized throughout the remainder.

MR. PETRO: Does the applicant have a problem with putting concrete in? They are taking one of them out as it is.

MR. FREID: No, I don't have any problem with it.

MR. PETRO: For the minutes, it's going to be all concrete sidewalks and I think we resolved that issue.

MR. KANE: One final note that they have asked me to discuss as well there are a number of low level lighting that is in this area where the sidewalk will now be installed and we just want to make sure again that there's no misunderstanding that those lights shall be pushed back off the road and reinstalled once the concrete sidewalk is installed and they'll be re-lit as they currently are and located in the sidewalk area.

MR. FREID: We weren't planning on throwing them away.

MR. KANE: I understand that, it's funny but it isn't the only reason is that it's been almost two months and the lights that were disturbed over here in the front, the four lights which I think benefits the community as well because it's a very pretty area that is lit up on Route 32. The reason I bring it up is not for amusement, it's for safety and those lights have not been turned on and it's been two months since the sidewalk went in. They worked before the sidewalk, they are out for two months since the sidewalk.

MR. PETRO: Does the applicant intend on putting the

lights back?

MR. FREID: We plan on putting the lights back.

MR. VAN LEEUWEN: Are they still out?

MR. MISSARES: They are still out.

MR. KANE: With regard to the sidewalk, the last thing I'm sorry with regard to the sidewalk the last thing that they've asked me to express is that it be done expeditiously. I believe the sidewalk up in the front is about 500 feet and I forget what it is about 3 week period from start to finish?

MR. SWEENEY: That is close.

MR. KANE: Remainder of the sidewalk up Washington Drive is approximately 800 feet, sidewalk by the school is approximately 150 feet and the sidewalk up Washington Drive off Washington Drive where you come in is about 170 so they have got about a thousand feet of sidewalk and if it took three weeks for 500 we'd like it to be done as expeditiously as can be done.

MR. PETRO: Now you're going to have a problem once the frost gets in the ground, you can't pour concrete.

MR. VAN LEEUWEN: Because you people many wind up fixing them.

MR. KANE: That is why we've asked and we've had a consensus they've asked me to express our desire that we wait until say March or April when there's consistent 40 degree whether days, wanted to know if that would be okay.

MR. PETRO: The builders have done very good work and they are aware of that and hopefully that will be the case.

MR. KANE: We we agree with that, David's company has been responsible and responsive. I put it in the letter and we don't disagree with that but we would like it in and when there are 40 degree consistent days

sometime in early April.

MR. PETRO: I happen to know they are already putting frost stuff in the concrete now, you don't want that anyway so wait.

MR. VAN LEEUWEN: White comes out. Another thing usually the top layer of the concrete freezes and you won't know until a year later that is when it will flake off.

MR. PETRO: You are in agreement with that?

MR. FREID: No problem.

MR. KANE: The issue was raised about the handicapped access to ensure that they are installed one currently as I mentioned in my letter is installed there but I think it evidences the acknowledgement that they'll put a sidewalk in but I think several more would have to be added in the codes to make sure that it complies with ADA or whether or not ADA requires it.

MR. FREID: We're going to put in the code.

MR. PETRO: We're under supervision of State Code I think Mike will monitor that and I don't think you're going to have a problem.

MR. FREID: Town specs?

MR. PETRO: Yes.

MR. EDSALL: One other issue just has nothing to do at this point with the homeowner's groups but I have to ask the board so soap that I know what to do. Obviously the schedule that Joe prepared looks at a full C.O. build-out by February. Does the board desire or is it your belief that there won't be a problem you don't particularly care to consider the issue of any performance guarantees for completion of work when that last group of C.O.'s is asked for? As you are aware, normal procedure is that if the last C.O. or in the case as I said of a single building when the C.O. is asked for whatever site improvements are not completed

must be bonded as a guarantee with that bond amount returned once the work is completed. The difficult weather season that is approaching and it is apparent to me unless the building construction is delayed, they'll be in fact asking for their last C.O. before the work is completed.

MR. PETRO: You'll be releasing the bond values?

MR. EDSALL: This project pre-dated the establishment of the bonding schedule before approval. When this was approved, we did it at the end so we don't have a set bond schedule. We just got this.

MR. PETRO: C.O. is ready to be issued, we should receive a bond for the sidewalks.

MR. EDSALL: Should be for all the improvements. Again this is no reflection on the Freids or Washington Green, they've done in my opinion a great job. It's a beautiful project but I have to know what the board wants for procedure.

MR. PETRO: I think I just stated that you have a problem with that when the time comes for any unfinished work on the project when you receive last C.O. you have to put up a bond for any unfinished work, it's that simple.

MR. EDSALL: And that would be returned immediately upon completion.



U.F.F.
ROADWAY EXPERTS,
INC.

N. of F.
TEMPLE HILL
MOTEL, CORP.

ROUTE 32

PHASE 1
PHASE 2

1. ALL SILT TRAPS SHALL BE PROVIDED AT EVERY POINTS TO INTERCEPT AND CATCH SILT TRAP SHALL BE REMOVED FROM THE SITE, THERE SHALL BE EXISTING OR MAY BE CREATED UTILITIES, EXISTING DECKS, RIP RAP OR COARSE STONE CURBS, HAY BALES OR OTHER SUITABLE MATERIALS OVERSLOPE CHANNELS, BARRIERS OR OTHER CHANNELIZATION SHALL BE CONSTRUCTED TO ENSURE THAT ALL SILT LOADS ARE DIRECTED INTO THE ESTUARIAN AREAS, WHICH SHALL NOT BE PERMITTED TO FILL IN, BUT SHALL BE CLEANED PERIODICALLY DURING THE COURSE OF CONSTRUCTION, THE COLLECTED SILT SHALL BE DEPOSITED IN AREAS SAFE FROM FURTHER EROSION.
2. ALL DISTURBED AREAS, EXCEPT ROADWAYS, WHICH WILL REMAIN UNIMPROVED FOR MORE THAN 30 (THIRTY) DAYS, SHALL BE TEMPORARILY SEEDED WITH FELD OF RYEGRASS OR MULCHED WITH 100 LBS OF STRAW OR HAY PER 1000 SQUARE FEET. ROADWAYS SHALL BE STABILIZED AS RAPIDLY AS PRACTICABLE BY THE INSTALLATION OF THE BASE COURSE.
3. SILT THAT LEAVES THE SITE IN SPIKE OF THE FOREGOING PRECAUTIONS SHALL BE COLLECTED AND REMOVED AS DIRECTED BY APPROPRIATE MUNICIPAL AUTHORITIES.
4. AT THE COMPLETION OF THE PROJECT, ALL TEMPORARY SITUATION DEVICES SHALL BE REMOVED AND THE AFFECTED AREAS REGRADED, REPLANTED OR TREATED IN ACCORDANCE WITH THE APPROVED SITE PLANS.
5. THE SOIL MIXTURE FOR PERMANENT SEEDING SHALL BE:
 - HELVETICA BURELASS - 20 LBS/JACRE (45 LBS/1000 SQFT)
 - CREPINA RED FESCUE - 20 LBS/JACRE (45 LBS/1000 SQFT)
 - PERENNIAL RYEGRASS - 6 LBS/JACRE (10 LBS/1000 SQFT)
6. THE FOLLOWING APPLICATION RATES ARE TO BE USED FOR PERMANENT SEEDING:
 - LIME IS TO BE APPLIED TO ATTAIN A PH OF AT LEAST 6.5 TO 6.0 OR AT A RATE OF 2 TONS/JACRE.
 - FERTILIZER IS TO BE APPLIED AT A RATE OF 600 LBS/JACRE OF EITHER 5-10-10 OR 10-10-10 (NITROGEN - PHOSPHORUS - POTASSIUM).
 - 600 GALLI BE USED INSTEAD OF OIL.
7. THIS AREA IS A TEMPORARY SILT TRAP DURING CONSTRUCTION. WITH AN 18" PERFORATED RISER. AFTER CONSTRUCTION IS COMPLETE THIS AREA IS TO BE CLEANED AND LEFT AS A PERMANENT SILT TRAP FOR ROAD SANDS.

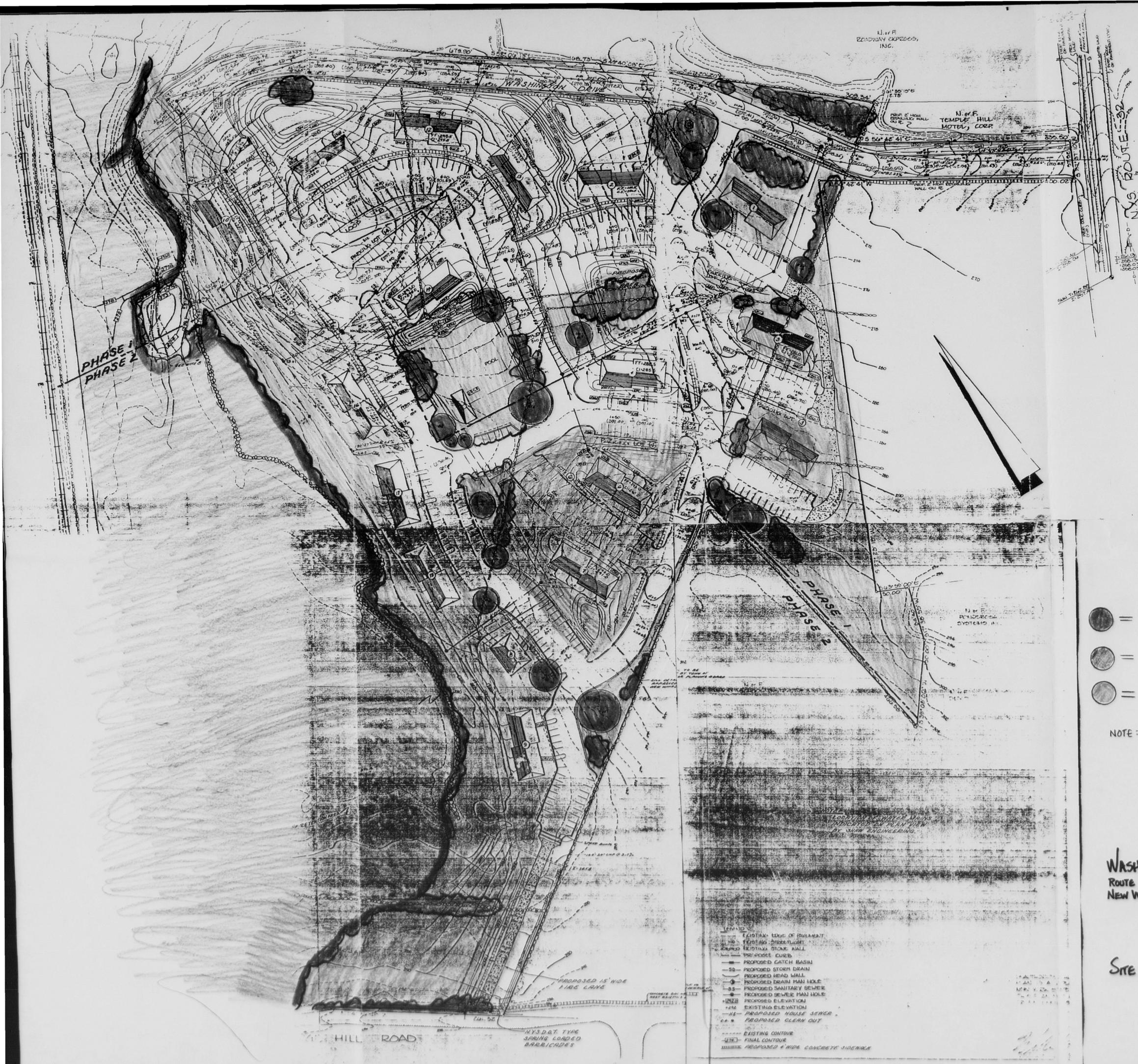
PROPOSED SEWER AND CATCH BASIN INVERTS					
C.B.M.	TOP	INVERT	SHALL	TOP	INVERT
1	296.00	275.45	2	256.77	248.66
2	284.00	274.36	2	262.65	256.65
3	282.20	274.88	3	269.62	260.62
4	284.20	277.86	2	275.65	267.65

- = TREES TO BE SAVED
- = RELOCATED BUILDINGS
- = RELOCATED ROADS /OR PARKING LOTS

WASHINGTON GREEN
ROUTE 32
NEW WINDSOR

ROAD AND BUILDING RELOCATION

- LEGEND
- EXISTING EDGE OF PAVEMENT
 - EXISTING DIRECTION
 - EXISTING STAKE WALL
 - PROPOSED CURB
 - PROPOSED CATCH BASIN
 - PROPOSED STORM DRAIN
 - PROPOSED HEAD WALL
 - PROPOSED DRAIN MAN HOLE
 - PROPOSED SANITARY SEWER
 - PROPOSED SEWER MAN HOLE
 - PROPOSED ELEVATION
 - EXISTING ELEVATION
 - PROPOSED HOUSE SEWER
 - PROPOSED CLEAN OUT
 - EXISTING CONTOUR
 - FINAL CONTOUR
 - PROPOSED 4' WIDE CONCRETE SIDEWALK



U.F.F.
ROADWAY EXPRESS,
INC.

N. of F.
TEMPLE HILL
MOTEL, CORP.

NYS ROUTE 52

PHASE 1
PHASE 2

PHASE 1
PHASE 2

1. ALL DISTURBED AREAS, EXCEPT ROADWAYS, WHICH WILL REMAIN UNIMPROVED FOR MORE THAN 30 (THIRTY) DAYS, SHALL BE TEMPORARILY SEEDDED WITH 1/2 LB OF RYEGRASS OR MULCHED WITH 100 LBS OF STRAW OR HAY PER 1000 SQUARE FEET. ROADWAYS SHALL BE STABILIZED AS IMPROVING AS PRACTICABLE BY THE INSTALLATION OF THE BASE COURSE.
2. SILT THAT LEAVES THE SITE IN SPITE OF THE REQUIRED PRECAUTIONS SHALL BE COLLECTED AND REMOVED AS DIRECTED BY APPROPRIATE MUNICIPAL AUTHORITIES.
3. AT THE COMPLETION OF THE PROJECT, ALL TEMPORARY SITUATION DEVICES SHALL BE REMOVED AND THE AFFECTED AREAS REVEALED, REVEGETATED, OR TREATED IN ACCORDANCE WITH THE APPROVED SITE PLAN.
4. THE SOIL MIXTURE FOR PERMANENT SEEDINGS SHALL BE:
 - HELVETICA BURELASS - 20 LBS/ACRE (45 LBS/1000 SQFT)
 - COMMON BEA PEGUE - 20 LBS/ACRE (45 LBS/1000 SQFT)
 - PERENNIAL RYEGRASS - 6 LBS/ACRE (10 LBS/1000 SQFT)
5. THE FOLLOWING APPLICATION RATES ARE TO BE USED FOR PERMANENT SEEDINGS:
 - LIME IS TO BE APPLIED TO ATTAIN A pH OF AT LEAST 6.5 TO 6.0 OR AT A RATE OF 2 TONS/ACRE.
 - FERTILIZER IS TO BE APPLIED AT A RATE OF 600 LBS/ACRE OF EITHER 6-10-10 OR 10-10-10 (NITROGEN - PHOSPHORUS - POTASSIUM).
 - 600 CALI BE USED INSTEAD OF LIME.
6. THIS AREA IS A TEMPORARY SILT TRAP DURING CONSTRUCTION. WITH AN 8" PERFORATED BIER. AFTER CONSTRUCTION IS COMPLETE, THIS AREA IS TO BE CLEANED AND LEFT AS A PERMANENT SILT TRAP FOR ROAD SANDS.

CATCH	PROPOSED SEWER AND CATCH BASIN INVERTS	
	TOP	INVERT
1	286.00	275.45
2	284.00	276.36
3	282.20	276.88
4	284.20	276.85

- = UNDISTURBED AREAS
- = UNDISTURBED (TOP SOIL STORAGE)
- = RESTORED (PER PREVIOUS MEETING)

NOTE: DISTURBED AREA = 8.37 ACRES

WASHINGTON GREEN
ROUTE 52
NEW WINDSOR

SITE WORK

- EXISTING EDGE OF PAVEMENT
- EXISTING STREETLIGHT
- EXISTING STONE WALL
- PROPOSED CURB
- PROPOSED CATCH BASIN
- PROPOSED STORM DRAIN
- PROPOSED HEAD WALL
- PROPOSED DRAIN MAN HOLE
- PROPOSED SANITARY SEWER
- PROPOSED SEWER MAN HOLE
- EXISTING ELEVATION
- PROPOSED HOUSE SEWER
- PROPOSED CLEAN OUT
- EXISTING CONTOUR
- FINAL CONTOUR
- PROPOSED 4' WIDE CONCRETE SIDEWALK



PROPOSED AT THIS POINTS TO INTERCEPT AND CUSHY
 SILT FROM ROADWAY FROM THE SIDE OF THE ROAD BE
 EXCAVATED OR MAY BE CREATED UTILIZING EXISTING BENCH,
 RIP-RAP OR GRANITE STONE DIMS, BAY BARS, OR OTHER
 SUITABLE MATERIALS DIVERSION WALLS, BENCH, OR OTHER
 CHANNELIZATION SHALL BE CONSTRUCTED TO INSURE THAT
 ALL SILT LADEI WATERIS ARE DIRECTED INTO THE DRAINAGE
 AREAS, WHICH SHALL NOT BE PERMITTED TO FILL IN, BUT
 SHALL BE CLEANED PERIODICALLY DURING THE COURSE OF
 CONSTRUCTION THE COLLECTED SILT SHALL BE DEPOSITED
 IN AREAS SAFE FROM FURTHER EROSION.
 2. ALL DISTURBED AREAS, EXCEPT ROADWAYS WHICH WILL RE-
 MAIN UNFINISHED FOR MORE THAN 30 (THIRTY) DAYS, SHALL
 BE TEMPORARILY SEEDER WITH 1 LB. OF BUCKWHEAT OR
 MILCHED WITH 100 LBS. OF STRAW OR HAY PER 1000 SQUARE
 FEET ROADWAYS SHALL BE STABILIZED AS EARLY AS
 PRACTICABLE BY THE INSTALLATION OF THE BASE COURSE.
 3. SILT THAT LEAVES THE SITE IN THE COURSE OF THE REQUIRED
 PRECAUTIONS SHALL BE COLLECTED AND REMOVED AS
 DIRECTED BY APPROPRIATE MUNICIPAL AUTHORITIES.
 4. AT THE COMPLETION OF THE PROJECT, ALL TEMPORARY
 SITUATION DEVICES SHALL BE REMOVED AND THE AFFECTED
 AREAS RELOADED, REPAINTED, OR TREATED IN ACCORDANCE
 WITH THE APPROVED SITE PLAN.
 5. THE SOIL MIXTURE FOR PERMANENT CEMENTS SHALL BE:
 PORTLAND CEMENT - 20 LBS./ACRE (45 LBS./1000 SQ.FT.)
 CRUSHED RED PEGGUE - 20 LBS./ACRE (45 LBS./1000 SQ.FT.)
 PERMANENT FERTILIZER - 6 LBS./ACRE (10 LBS./1000 SQ.FT.)
 6. THE FOLLOWING APPLICATION RATES ARE TO BE USED FOR
 PERMANENT CEMENTS:
 LIME IS TO BE APPLIED TO ATTAIN A PH OF AT LEAST
 6.5 TO 6.8 OR AT A RATE OF 2 TONS/ACRE.
 FERTILIZER IS TO BE APPLIED AT A RATE OF 600
 LBS./ACRE OF EITHER 6-10-10 OR 10-10-10
 (NITROGEN - PHOSPHORUS - POTASSIUM).
 7. 600 GALLONS CAN BE USED INSTEAD OF SOIL.
 8. THIS AREA IS A TEMPORARY SILT TRAP DURING CONSTRUCTION.
 WITH AN 18" PERFORATED RISER. AFTER CONSTRUCTION IS
 COMPLETE THIS AREA IS TO BE CLEANED AND LEFT AS A
 PERMANENT SILT TRAP FOR ROAD SANDS.

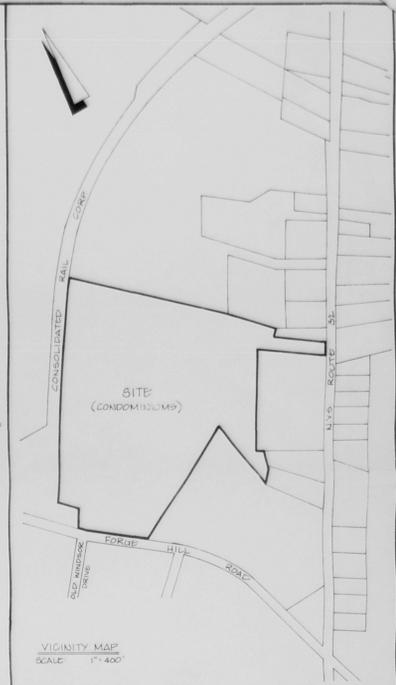
PROPOSED SEWER AND CATCH BASIN INVERTS					
C.B.#	TOP	INVERT	SHA#	TOP	INVERT
1	266.00	223.45	1	256.77	248.66
2	266.00	216.36	2	242.43	234.35
3	266.20	216.00	3	242.00	230.00
4	264.29	209.36	4	235.65	227.65

- = BLASTED AND EXCAVATED
- = BLASTED (INCIDENTAL EXCAVATION ONLY)
- ◐ = BLASTED (TOP SOIL REMOVED)
- ◑ = DRILLED NOT BLASTED

WASHINGTON GREEN
 ROUTE 32
 NEW WINDSOR

ROCK EXCAVATION DETAIL

- EXISTING EDGE OF PAVEMENT
- EXISTING STREETLIGHT
- EXISTING STONE WALL
- PROPOSED CURB
- PROPOSED CATCH BASIN
- PROPOSED STORM DRAIN
- PROPOSED HEAD WALL
- PROPOSED DRAIN MAN HOLE
- PROPOSED SANITARY SEWER
- PROPOSED SEWER MAN HOLE
- PROPOSED ELEVATION
- EXISTING ELEVATION
- PROPOSED HOUSE SEWER
- PROPOSED CLEAN OUT
- EXISTING CONTOUR
- FINAL CONTOUR
- PROPOSED 4' WIDE CONCRETE SIDEWALK



LOT 12
 1. THIS IS LOT 105, BLOCK 1, SECTION 35 AS SHOWN ON THE TOWN OF NEW WINDSOR TAX MAP.
 2. AREA 1 HAS 872 SQ FT = 39,7207 AC.
 3. BOUNDARY SURVEY BY PETER R. HUSTON, L.L.S.
 4. TOTAL NUMBER OF UNITS: 210 = 18 CONDOMINIUMS.
 5. ZONE: R-5
 6. WATER LINE TO BE COMPLETED WITH PHASE 1.

BULK TABLE

USE GROUP & D	LOT AREA	LOT WIDTH	FRONT YARD	SIDE YARD	TOTAL SIDE YARD	REAR YARD	STREET FRONTAGE	BUILDING HEIGHT	MAXIMUM BUILDING AREA	DEVELOPMENT COVERAGE	PARKING
REQUIRED:	5 ACRES 1700 PER UNIT	250	40	40	80	60	50	35	1000	20	440
PROVIDED:	39,7207	1100	45	40+	80+	60+	100	35	1000	18	441

PARKING COMPUTATIONS
 • REQUIRED = 2.0 SPACES PER EACH TWO-BEDROOM UNIT OR LESS
 • PROVIDED = 210 TWO-BEDROOM UNITS
 • 2.0 SPACES x 210 UNITS = 440 SPACES (REQUIRED)
 • 441 SPACES = 2.2 SPACES PER UNIT (PROVIDED)
 210 UNITS

- LEGEND**
- EXISTING EDGE OF PAVEMENT
 - EXISTING STONE WALL
 - PROPOSED CONCRETE CURB
 - PROPOSED 18" WIDE STONE FREE LAWN
 - PROPOSED SIDEWALK
 - PROPOSED DRIVE CURB
 - PROPOSED SANITARY SERVICE MANHOLE
 - PROPOSED SANITARY SERVICE

UNAUTHORIZED ALTERATION OR ADDITION TO THIS PLAN IS A VIOLATION OF SECTION 200(2) OF THE STATE EDUCATION LAW. COPIES OF THIS PLAN NOT HAVING THE SEAL OF THE TOWN ENGINEER SHALL NOT BE VALID.

William H. Youngblood, Jr.
 WILLIAM H. YOUNGBLOOD, JR. P.E. # 40178

REVISIONS

1	ADDED 10' SIDEWALK
2	ADDED 10' SIDEWALK TO 240' E.D.
3	JULY 20, 1987
4	SEPT 22, 1987
5	OCT 28, 1987
6	JUN 9, 1987. PHASE LINE SIDEWALKS NOTES
7	JULY 24, 1987. REVISED SHEET # 2
8	AUGUST 21, 1987. REVISED LAYOUT

APPROVAL GRANTED BY TOWN OF NEW WINDSOR PLANNING BOARD ON Oct 15, 1988
Lawrence Jones
 LAWRENCE JONES
 SECRETARY

FINAL BUILDING AND ROAD LAYOUT
 SITE PLAN
 FOR
WASHINGTON GREEN
 FORMERLY
LEXINGTON GATE
 AT
NEW WINDSOR
 LOCATED IN
 TOWN OF NEW WINDSOR,
 ORANGE COUNTY, NEW YORK

GRAPHIC SCALE: 1" = 50'

William Youngblood Associates 4772
 Engineers, Surveyors and Land Planners
 244 Route 59, Monsey, N.Y. 10952
 OCT 10, 1988
 1" = 50'
 1 OF 6



- EROSION CONTROL NOTES:**
- TEMPORARY DECONTAMINATION ENTREATMENT AREAS SHALL BE PROVIDED AT KEY LOCATIONS TO INTERCEPT AND CLARIFY SILT LAUNCH DRAINAGE FROM THE SITE. THESE MAY BE EXCAVATED OR MAY BE CREATED UTILIZING EXISTING BEDROCK, RIP-RAP OR CRUSHED STONE DAMS, LOW RALES, OR OTHER SURFACE MATERIALS (CONCRETE, BRICKS, OR OTHER SUBSTITUTES) SHALL BE CONSTRUCTED TO INSURE THAT ALL SILT LAUNCH MATERIALS ARE INTERCEPTED WITH THE ENTREATMENT AREAS, WHICH SHALL NOT BE PERMITTED TO FAIL. BUT SHALL BE CLEANED PERIODICALLY DURING THE COURSE OF CONSTRUCTION. THE COLLECTED SILT SHALL BE DEPOSITED IN AREAS SAFE FROM FURTHER EROSION.
 - ALL DISTURBED AREAS, EXCEPT ROADWAYS WHICH WILL REMAIN UNIMPAIRED FOR MORE THAN 30 (THIRTY) DAYS, SHALL BE TEMPORARILY SEEDED WITH FIELD OR PRAIRIE GRASS, OR MULCHED WITH COARSE OR FINE STRAW OR LAY FIELD ROCK MULCH. ROADWAYS SHALL BE STABILIZED AS SOON AS PRACTICABLE BY THE INSTALLATION OF THE DRAIN COURSE.
 - SILT THAT LEAVES THE SITE IN VIOLATION OF THE DETAINED PRECAUTIONS SHALL BE COLLECTED AND REMOVED AS DIRECTED BY APPROPRIATE MUNICIPAL AUTHORITIES.
 - AT THE COMPLETION OF THE PROJECT, ALL TEMPORARY EROSION CONTROL DEVICES SHALL BE REMOVED AND THE AFFECTED AREAS RECLAIMED, REPAIRED, OR IDENTIFIED IN ACCORDANCE WITH THE APPLICABLE SITE PLANS.
 - THE FIELD INTERCEPT FOR PERMANENT BEDROCK SHALL BE:
 - HEAVILY FERTILIZED - 20 LBS/ACRE (45 LBS/1000 SQFT)
 - COMMON RED FERTILIZER - 40 LBS/ACRE (45 LBS/1000 SQFT)
 - PERMANENT BEDROCK - 6 LBS/ACRE (10 LBS/1000 SQFT)
 - THE FOLLOWING APPLICATION RATES ARE TO BE USED FOR PERMANENT BEDROCK:
 - LINE 10 IS TO BE APPLIED TO ATTAIN A PH OF AT LEAST 5.5 TO 6.0 OR AT A RATE OF 2 TONS/ACRE.
 - FERTILIZER IS TO BE APPLIED AT A RATE OF 600 LBS/ACRE OF EITHER 5-10-10 OR 10-10-10 (VERTICALLY - FERTILIZER IS FERTILIZER).
 - 600 GALLONS OF OIL.
 - THIS AREA IS A TEMPORARY SILT TRAP DURING CONSTRUCTION WITH AN 18" PERFORATED RISER. AFTER CONSTRUCTION IS COMPLETE THIS AREA IS TO BE CLEANED AND LEFT AS A PERMANENT SILT TRAP FOR ROAD SANDS.

PROPOSED SEWER & CATCH BASIN INVERTS

CB#	TOP	INVERT	SM#	TOP	INVERT
1	296.0	291.50	1	296.70	249.66
2	296.0	292.30	2	292.45	254.45
3	293.62	292.89	3	290.62	260.62
4	297.94	293.94	4	277.06	263.06
5	299.90	296.00	5	284.64	279.65
6	290.94	286.34	6	294.44	285.24
7	293.94	289.34	7	298.22	290.22
8	293.40	289.30	8	292.50	286.20
9	284.70	280.70	9	286.5	281.00
10	277.55	273.40	10	273.66	267.55
11	277.55	273.05	11	269.10	273.69
12	284.70	279.23	12	285.75	274.86
13	284.80	279.80	13	282.78	275.82
14	291.83	285.00	14	297.0	277.00
15	292.27	288.77	15	288.0	277.50
16	291.83	287.83	16	282.5	278.45
17	298.57	295.07	17	283.5	279.35
18	291.77	288.76	18	286.0	280.25
19	291.77	289.00	19	295.0	285.00
20	287.50	283.60			
21	290.27	285.78			
22	294.82	290.00	DMA#		
23	296.48	292.48	1	279.0	274.42
24	301.21	297.04	2	286.0	276.20
25	300.94	297.44			
26	282.87	279.87			
27	282.87	279.66			
28	288.44	283.33	CB#	CONTINUED	
29	286.38	283.38	48	292.75	288.40
30	282.76	278.30	49	294.75	289.78
31	282.76	277.08	50	297.20	293.97
32	285.34	278.33	51	292.73	286.40
33	285.34	281.34	52	287.94	283.52
34	290.40	286.40			
35	293.53	289.53			
36	293.53	289.53			
37	271.23	267.23			
38	247.86	263.86			
39	247.86	263.48			
40	243.44	259.28			
41	243.44	259.28			
42	255.40	253.53			
43	255.40	252.33			
44	276.44	272.44			
45	293.45	289.35			
46	291.45	289.35			
47	294.75	292.75			

LIST - TREES TO REMAIN

TREE#	TYPE	SIZE (TRUNK DIA. @ 4.5 FT)
801	24" SYCAMORE	34"
802	12" SYCAMORE	20"
803	12" SYCAMORE	25"
805	22" SYCAMORE	25"
806	30" OAK	32"
807	24" OAK	33"
808	22" OAK	26"
809	22" OAK	18"
810	18" CHEBAY	18"
811	15" ELM	20"
812	15" ELM	19"
813	6" CEDAR	3"
814	10" CEDAR	10"
815	24" OAK	32"
817	15" ELM	20"
818	24" CHEBAY	23"
820	24" CHEBAY	18"

REVISIONS

- DATE: 10/19/86
- BY: [Signature]
- REVISIONS:
 - 1. [Description]
 - 2. [Description]
 - 3. [Description]
 - 4. [Description]
 - 5. [Description]
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NOTE: LOCATION OF WATER MAINS INDICATED ON PLAN VIEW BY SHAW ENGINEERING

- LEGEND**
- EXISTING EDGE OF PAVEMENT
 - EXISTING SIDEWALK
 - PROPOSED CONCRETE CURB
 - PROPOSED 18" WIDE STONE FIRE LANE
 - PROPOSED SIDEWALK
 - PROPOSED CATCH BASIN
 - PROPOSED STORM DRAIN
 - PROPOSED DRAIN MANHOLE
 - PROPOSED HEADWALL
 - PROPOSED SANITARY SEWER MANHOLE
 - PROPOSED SANITARY SEWER
 - TREES TO REMAIN

GENERAL LAYOUT OF GRADING, UTILITY, & SOIL EROSION PLAN FOR WASHINGTON GREEN FORMERLY LEXINGTON GATE AT NEW WINDSOR LOCATED IN TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK.

William Youngblood Associates
 Engineers, Surveyors and Land Planners
 244 Route 59, Monsey, N.Y. 10952

UNAUTHORIZED ALTERATION OR ADDITION TO THIS PLAN IS A VIOLATION OF SECTION 200(2) OF THE NEW YORK STATE EDUCATION LAW. COPIES OF THIS PLAN NOT HAVING THE SEAL OF THE ENGINEER OR SURVEYOR SHALL NOT BE VALID.

M. F. FRIEDMAN

U. F. ROADWAY EXPRESS, INC.

U. F. TEMPLE HILL MOTEL CORP.

NYS ROUTE 32

WASHINGTON DRIVE

FORGE HILL ROAD

U. F. CONSOLIDATED RAIL CORPORATION

U. F. COMMON SCHOOL DISTRICT #5

U. F. ROADWAY SYSTEMS, INC.

U. F. DEVO

RETENTION AREA CONTROL DEVICE

PHASE 1 PHASE

NATURAL RETENTION AREA 6

TYPICAL LANDSCAPE

TYPICAL LIGHTING COLOCATION

PROPOSED RECREATIONAL AREA

PHASE 2

PHASE 3

PHASE 4

PHASE 5

PHASE 6

PHASE 7

PHASE 8

PHASE 9

PHASE 10

PHASE 11

PHASE 12

PHASE 13

PHASE 14

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PHASE 98

PHASE 99

PHASE 100

- LEGEND**
- EXISTING EDGE OF PAVEMENT
 - EXISTING STONE WALL
 - PROPOSED CONCRETE CURB
 - PROPOSED 10' WIDE STONE FREE ZONE
 - PROPOSED SIDEWALK
 - PROPOSED DRIVE LANE
 - 1" = 6' BOTANICAL RESOURCE SURVEY AREA (SEE REPORT BY JESS HANKS PHD)
 - SHADE TREE
 - FLOWERING TREE
 - EVERGREEN TREE
 - EXISTING TREE TO REMAIN

UNAUTHORIZED ALTERATION OR ADDITION TO THIS PLAN IS A VIOLATION OF SECTION 7209(2) OF THE NEW YORK STATE EDUCATION LAW. ANY SUCH VIOLATION SHALL BE PENALIZED AS PROVIDED IN THE ENCLINER'S CHARTER.

W. F. YOUNGBLOOD ASSOCIATES

W. F. YOUNGBLOOD

W. F. YOUNGBLOOD

REVISIONS	
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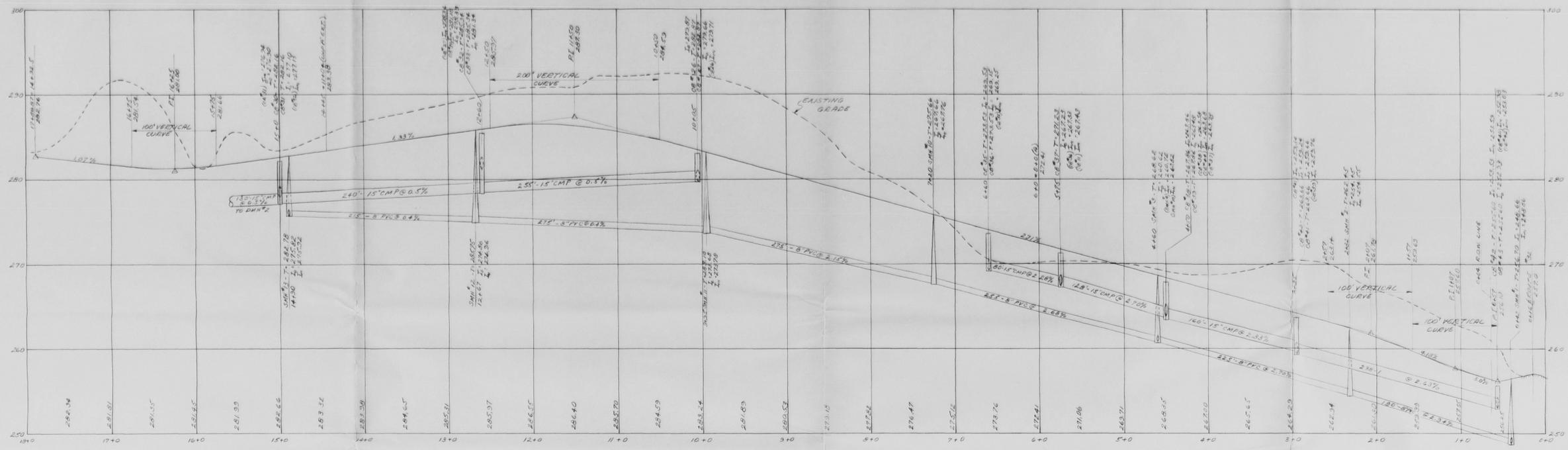
CONCEPTUAL LANDSCAPE PLAN & TYPICAL "STREET" LIGHTING FOR WASHINGTON GREEN LEXINGTON GATE AT NEW WINDSOR

LOCATED IN TOWN OF NEW WINDSOR, CHAMBERLAIN COUNTY, NEW YORK

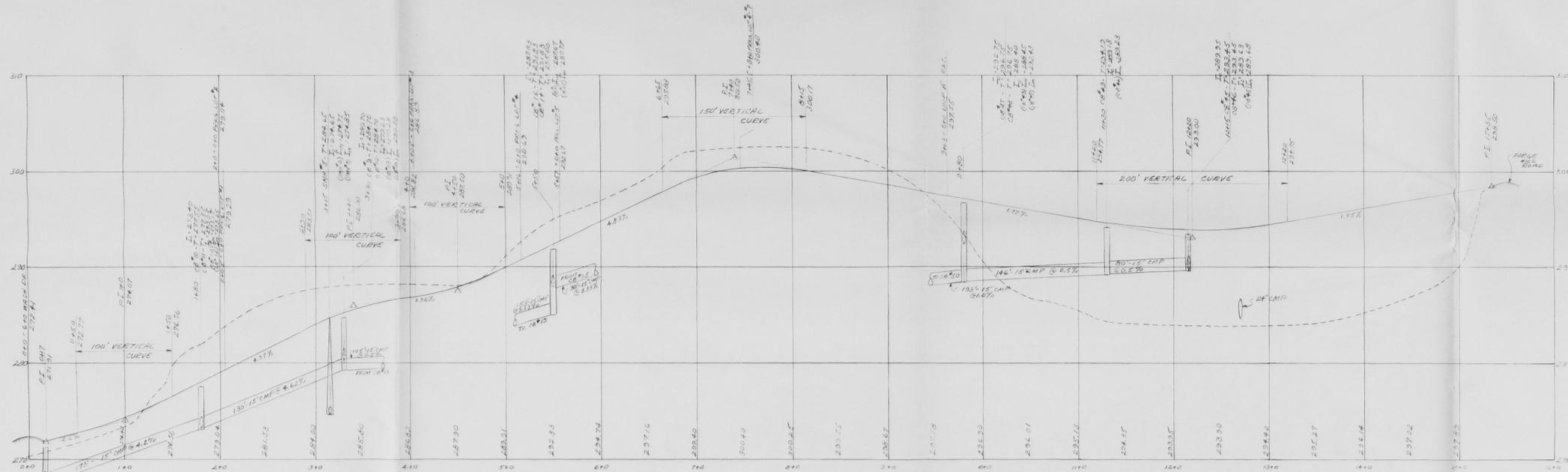
GRAPHIC SCALE

William Youngblood Associates
Engineers, Surveyors and Land Planners
244 Route 59, Monsey, N.Y. 10952

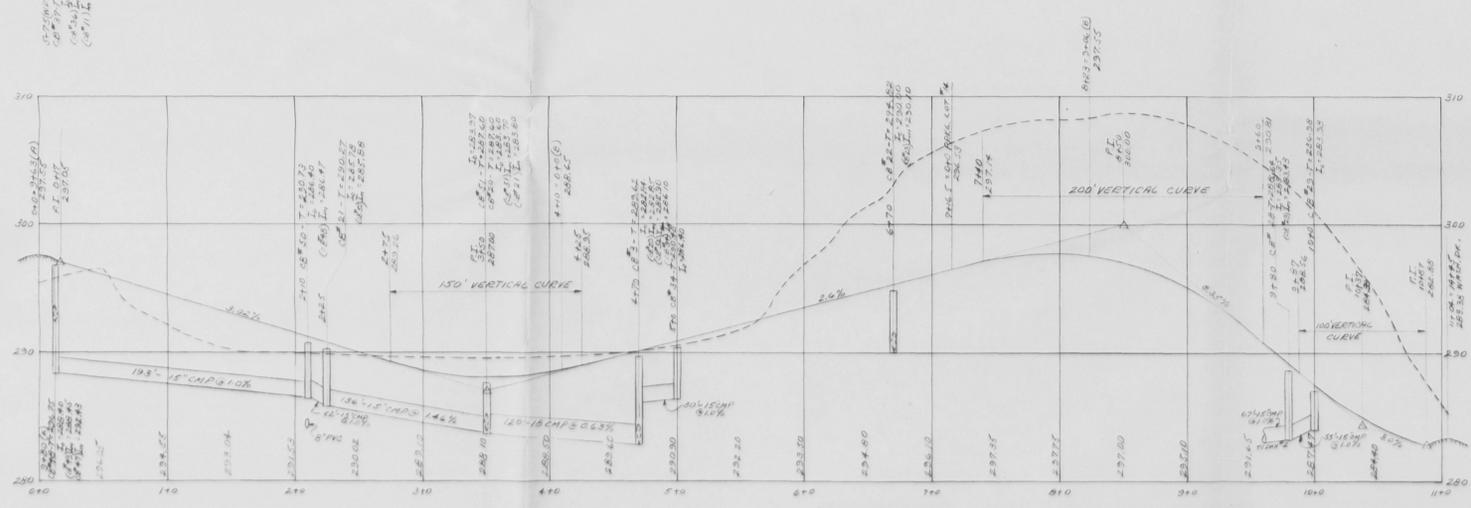
DATE: 10/19/94
SCALE: 1" = 60'
SHEET NO. 3 OF 4



PROFILE - WASHINGTON DRIVE
SCALE: 1" = 50' HORIZ.
1" = 5' VERT.



PROFILE - LOOP 'A'
SCALE: 1" = 50' HORIZ.
1" = 5' VERT.



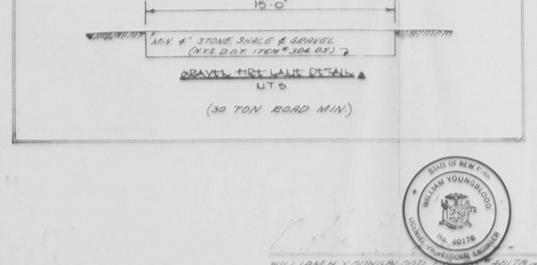
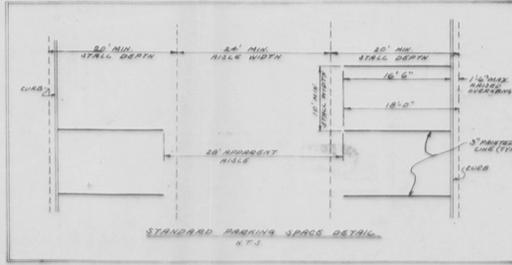
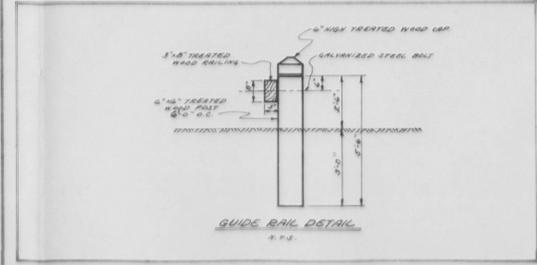
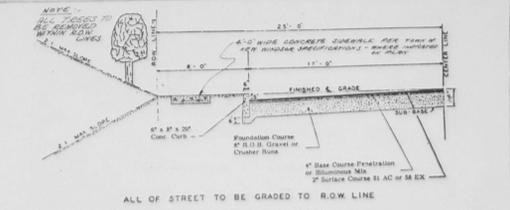
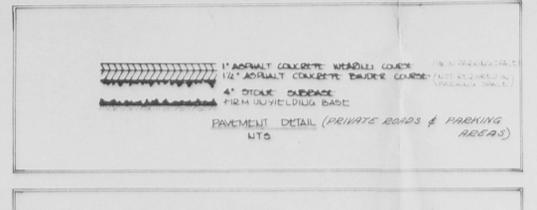
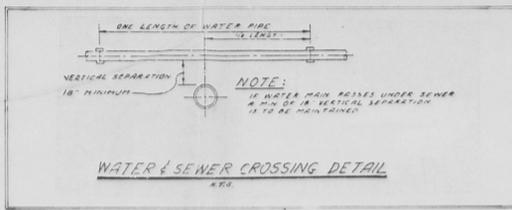
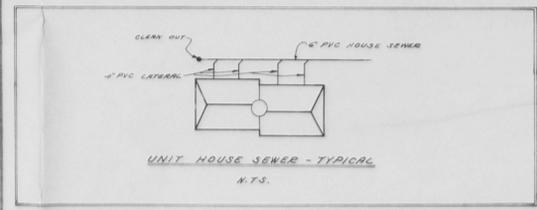
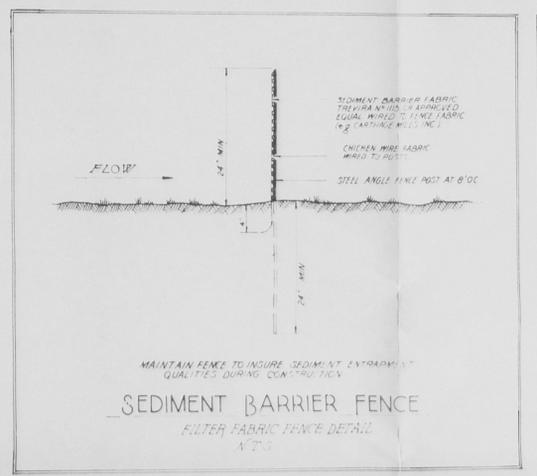
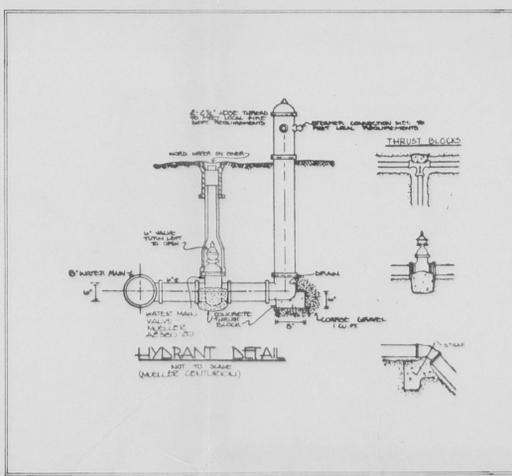
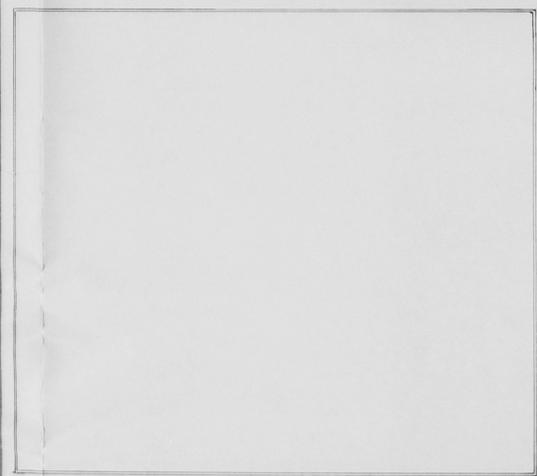
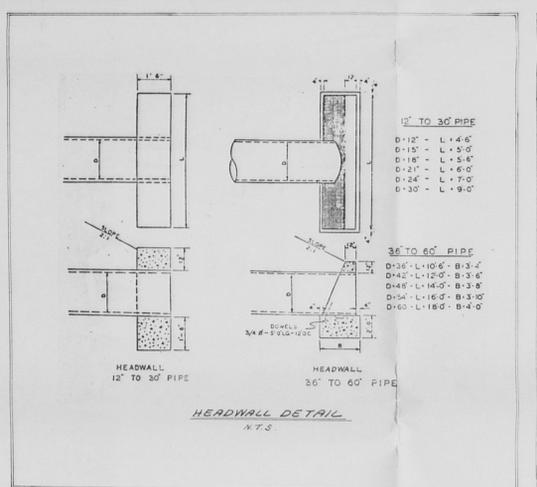
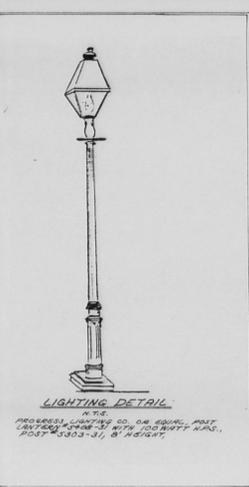
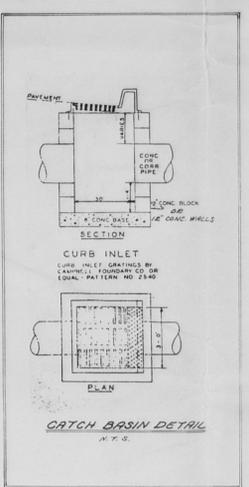
PROFILE - LOOP 'A' EXTENSION
SCALE: 1" = 50' HORIZ.
1" = 5' VERT.

REVISIONS	
1.	DEC 18, 1986
2.	FEB 15, 1987 - PROFILES
3.	JULY 20, 1987 - PROFILES
4.	AUG 22, 1987 - NOTES
5.	SEP 21, 1988 - PROFILES

ROAD, SEWER & DRAINAGE PROFILES FOR
WASHINGTON GREEN
FORMERLY
LEXINGTON GATE AT
NEW WINDSOR
LOCATED IN
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK

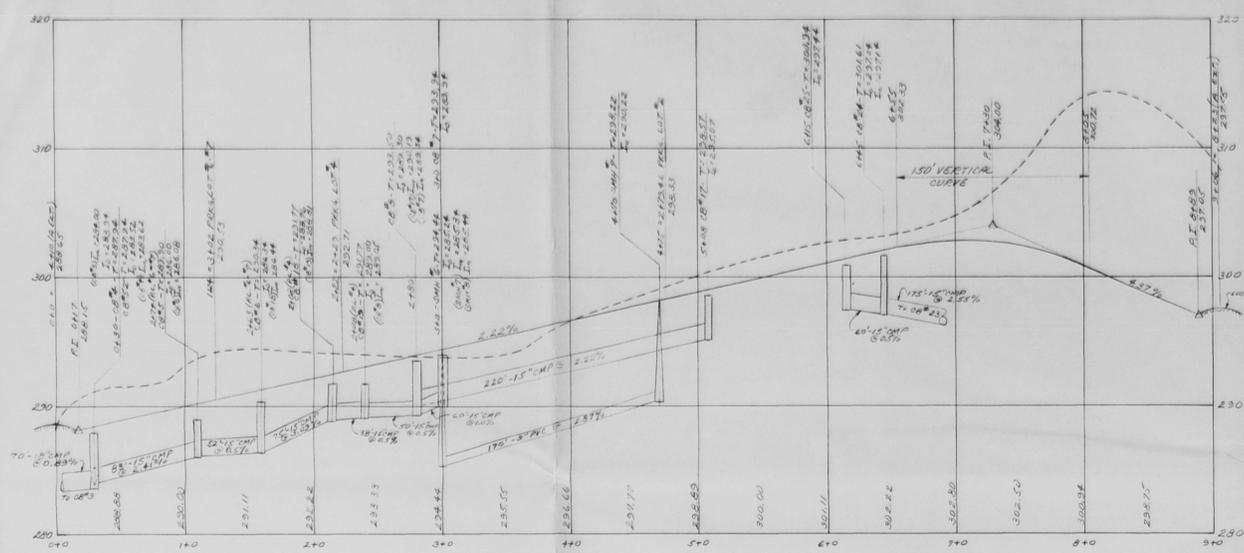


William Youngblood Associates 4772
Engineers, Surveyors and Land Planners OCT 10, 1986
244 Route 59, Monsey, N.Y. 10952 AS SHOWN
216

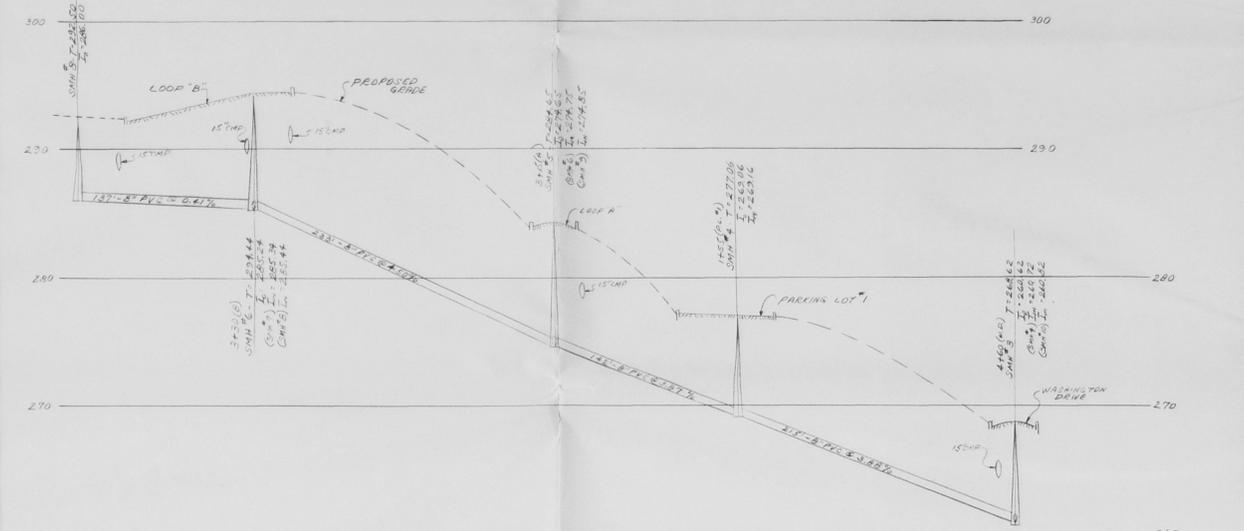


DETAILS FOR WASHINGTON GREEN
FORMS ONLY
LEXINGTON GATE AT NEW WINDSOR
LOCATED IN TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK.

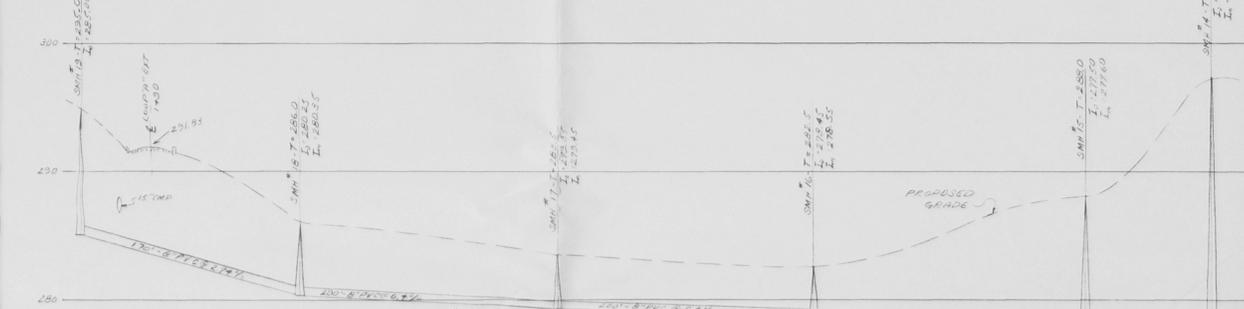
WILLIAM YOUNGBLOOD ASSOCIATES
4772
AS SHOWN
G. OF C. D.



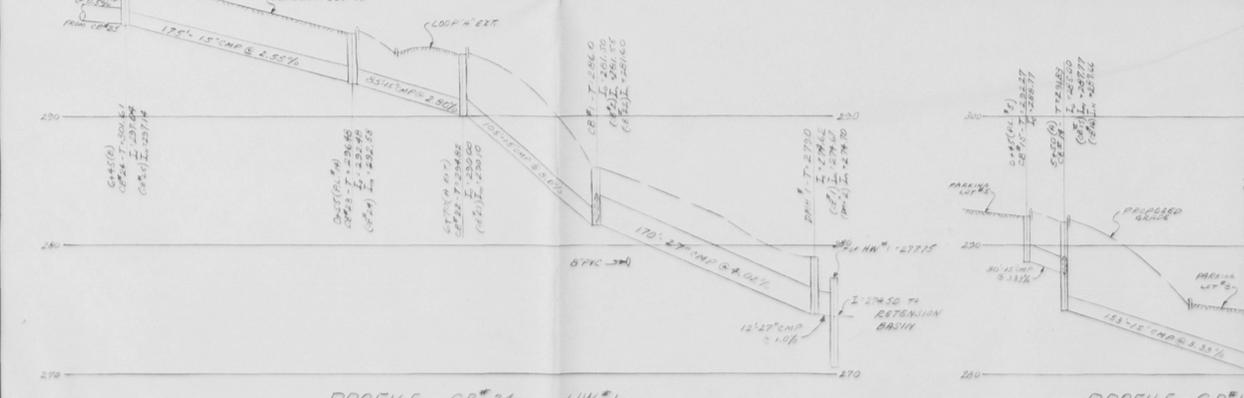
PROFILE - LOOP "B"
SCALE: 1" = 50' HORIZ.
1" = 5' VERT.



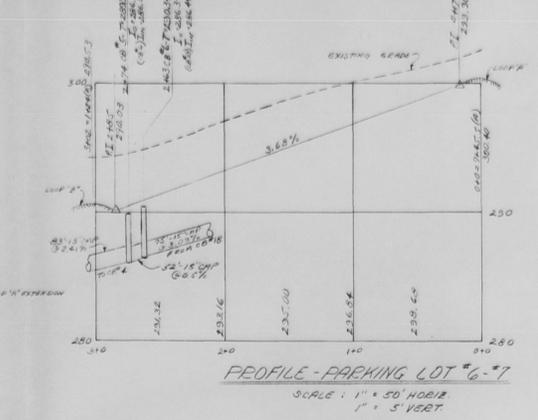
PROFILE - SMH #8 TO SMH #3
SCALE: 1" = 50' HORIZ.
1" = 5' VERT.



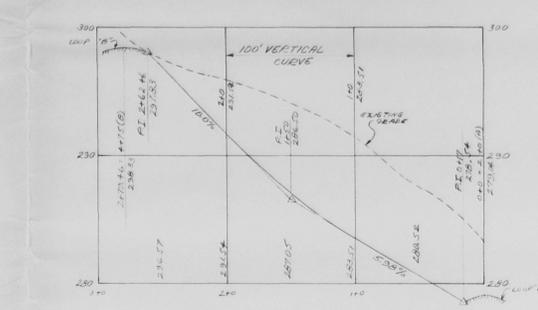
PROFILE - SMH #19 TO SMH #3
SCALE: 1" = 50' HORIZ.
1" = 5' VERT.



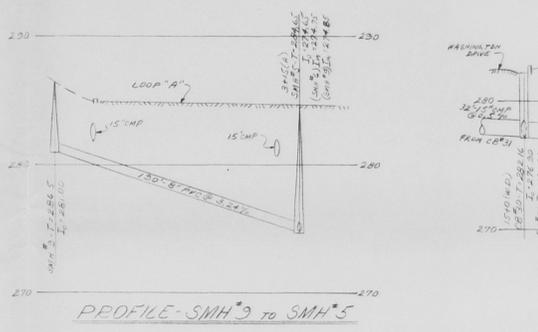
PROFILE - CB #24 TO HW #1
SCALE: 1" = 50' HORIZ.
1" = 5' VERT.



PROFILE - PARKING LOT #6-7
SCALE: 1" = 50' HORIZ.
1" = 5' VERT.



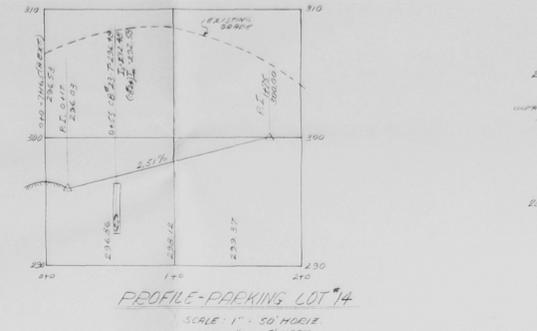
PROFILE - PARKING LOT #2
SCALE: 1" = 50' HORIZ.
1" = 5' VERT.



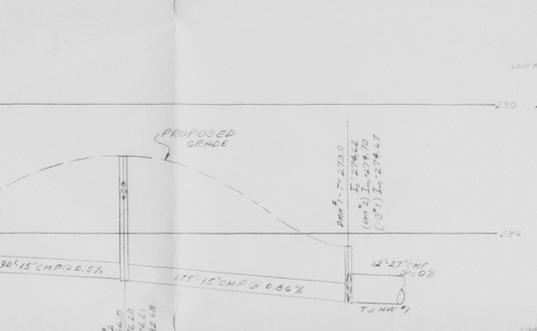
PROFILE - SMH #9 TO SMH #5
SCALE: 1" = 50' HORIZ.
1" = 5' VERT.



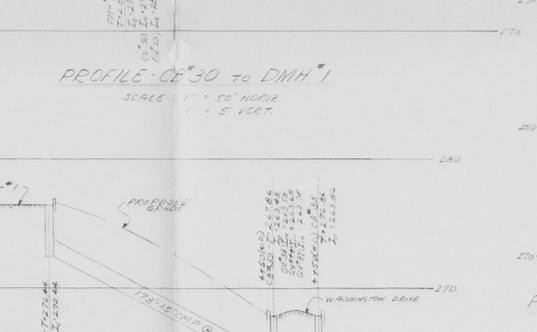
PROFILE - PARKING LOT #4
SCALE: 1" = 50' HORIZ.
1" = 5' VERT.



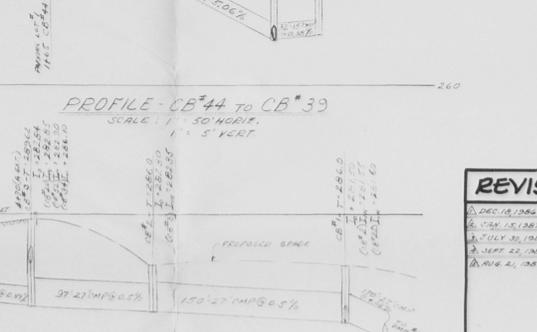
PROFILE - PARKING LOT #14
SCALE: 1" = 50' HORIZ.
1" = 5' VERT.



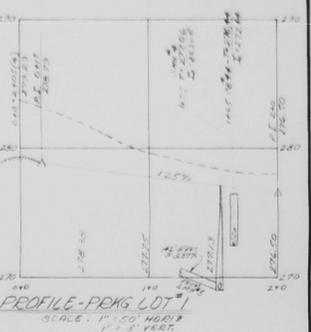
PROFILE - CE #30 TO DMH #1
SCALE: 1" = 50' HORIZ.
1" = 5' VERT.



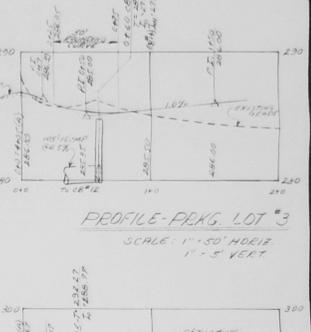
PROFILE - CB #44 TO CB #39
SCALE: 1" = 50' HORIZ.
1" = 5' VERT.



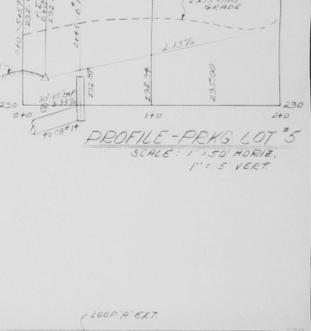
PROFILE - CB #52 TO CB #1
SCALE: 1" = 50' HORIZ.
1" = 5' VERT.



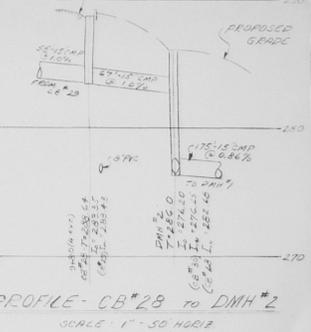
PROFILE - PKG LOT #1
SCALE: 1" = 50' HORIZ.
1" = 5' VERT.



PROFILE - PKG LOT #3
SCALE: 1" = 50' HORIZ.
1" = 5' VERT.



PROFILE - PKG LOT #5
SCALE: 1" = 50' HORIZ.
1" = 5' VERT.



PROFILE - CB #28 TO DMH #2
SCALE: 1" = 50' HORIZ.
1" = 5' VERT.

REVISIONS

1	DEC 15, 1986
2	JAN 15, 1987 - PROFILES
3	JULY 30, 1987 - PROFILES
4	SEPT 22, 1987 - NAMES
5	MAY 21, 1987 - REVISIONS

BOARD, SEWER & DRAINAGE PROFILES FOR
WASHINGTON GREEN
FORMERLY
LEXINGTON GATE AT
NEW WINDSOR
LOCATED IN
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK



WILLIAM H. YOUNGBLOOD, C.S., P.E. #40178

William Youngblood Associates
Engineers, Surveyors and Land Planners
244 Route 59, Monsey, N.Y. 10952

4772
OCT 10, 1986
ASSHOWN
5 of 6