

TOWN OF NEW WINDSOR

PLANNING BOARD

March 14, 2012

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

ALSO PRESENT: DOMINIC CORDISCO, ESQ.
PLANNING BOARD ATTORNEY

MARK EDSALL, P.E.
PLANNING BOARD ENGINEER

NICOLE PELESHUCK
PLANNING BOARD SECRETARY

ABSENT: HENRY VAN LEEUWEN
JENNIFER GALLAGHER

REGULAR MEETING:

MR. ARGENIO: I want to welcome everybody to the March 14 regular Town of New Windsor Planning Board. Everybody please stand for the Pledge of Allegiance.

(Whereupon, the Pledge of Allegiance was recited.)

MR. ARGENIO: Welcome everybody, we have a lot to go through so we're going to get right down to business here. Nicole, do you know if Mr. Petro will be attending tonight?

MRS. PELESHUCK: I'm not sure. Town Board's going on.

APPROVAL OF MINUTES

MR. ARGENIO: First item on tonight's agenda approval of the minutes dated October 12, November 9, January 11, February 8 all sent out via e-mail on February 21. So that's October 12, November 9, January 11 and February 8. If anybody sees fit, I'll

accept a motion we accept them as written.

MR. BROWN: So moved

MR. GALLAGHER: Second it.

MR. ARGENIO: Roll call.

ROLL CALL

MR. FERGUSON AYE

MR. BROWN AYE

MR. GALLAGHER AYE

MR. ARGENIO AYE

MR. ARGENIO: Mr. VanLeeuwen is not with us tonight.

ANNUAL MOBILE HOME PARK REVIEW:

WINDMERE ESTATES

MR. ARGENIO: Annual mobile home park review for tonight. Jennifer Gallagher, our building inspector, is not with us tonight, her baby is sick, earache I guess.

MR. GALLAGHER: Strep throat.

MR. ARGENIO: However, I did speak to her myself about Windmere Estates. Is anybody here to represent this? Can you please come forward? What's your name?

MR. JOHNSON: Richard Johnson.

MR. ARGENIO: I spoke to Jennifer about your Windmere Estates earlier today and she says that everything for the benefit of the planning board members is in order. At this point, how many units do you have there?

MR. JOHNSON: Right now, 93.

MRS. PELESHUCK: Ninety-two.

MR. ARGENIO: Do you have a check made out to the Town of New Windsor in the amount of \$560?

MR. JOHNSON: I do.

MR. ARGENIO: I'll accept a motion for one year approval.

MR. GALLAGHER: So moved.

MR. BROWN: Second it.

MR. ARGENIO: Motion made and seconded we offer one year approval to Windmere Mobile Home Park. Roll call.

ROLL CALL

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

MR. ARGENIO: I see you in a year. Thanks for coming

in.

REGULAR ITEMS:

PATRIOT BLUFF SITE PLAN (01-65)

MR. ARGENIO: Okay, first regular item on tonight's agenda, we do have a bit going on here tonight so we'll try to keep it moving as best we can is Patriot Bluff site plan on Epiphany Drive represented by Mr. Shaw. This application involves development of 178 unit multi-family condo site plan on the westerly portion of the RPA property. The site plan was previously reviewed at the 12 December, 2001, 22 May, 2002, 10 March, 2004, 9 May, 2007, 27 June, 2007, 8 August, 2007, 10 September, 2008, 12 November, 2008, 10 December, 2008 and 19 August, 2009, 14 September, 2011 and the 11 January of 2012 planning board meetings. Mr. Perna, do you think we covered it enough?

MR. PERNA: I had black hair when I first came here, no pun intended.

MR. ARGENIO: As Danny said, if you would have listened to us when we first got started we wouldn't have had to have so many meetings.

MR. SHAW: I have to say it's the best decade of my life.

MR. ARGENIO: I'd like to hit a couple things just to refresh the board members this evening. You talked about the disposition of an additional or possibly a couple additional refuse enclosures, how did we leave that issue? Was that resolved?

MR. SHAW: Yes, that was resolved in the exact locations that you wanted, you wanted one in the westerly section, one in the easterly section.

MR. ARGENIO: Additional?

MR. SHAW: Additional, and those revised drawings were submitted to Mark and I think also the drawings that you have in front of you now also reflect those additional refuse enclosures.

MR. ARGENIO: We also talked about I have in my notes here landscaping.

MR. SHAW: You wanted to look at it.

MR. ARGENIO: Where specifically on the site, when we were talking about the landscaping?

MR. SHAW: We talked about the landscaping in detail as to where the landscaping was going to be. You have a lot of unique features such as the Town of New Windsor does not want it in the right-of-way.

MR. ARGENIO: We eliminated I think if my memory serves me most of the trees going up the spine road.

MR. SHAW: On the north side cause that's the school property, on the south side is Mr. Petro's property which we have a grading easement on and according to the terms of our easement agreement with him we have put in plantings, okay, in that easement area so there will be plantings on Epiphany Drive out of the right-of-way on Mr. Petro's property. So now that gets us to the corner and now what we have is the wetlands which we're now crossing which obviously we can't put any plantings there which brings us to this point and at this location we have the Central Hudson easement to the west of us and we can't put any trees in the Central Hudson easement, not being allowed to put it in the right-of-way what we did was heavily landscape on our property landscaping on the easterly side of Epiphany Drive and all that should be reflected in the drawings that you have.

MR. ARGENIO: What I want to try to do, Mr. Shaw, is not to go back, back, back because this has been in front of us for a long time. I'm trying to hit the things I have in my notes that I remember I have outstanding. As I remember, there were very, very minor, minor, minor items.

MR. SHAW: The only change I made to the drawings since our last presentation before the board were the refuse enclosures, that was it. You wanted plans dropped off at Town Hall so you could look at the landscaping, that was it, no changes have been made to the landscaping.

MR. BROWN: Lighting in the enclosures that was supposed to have been done?

MR. GALLAGHER: We discussed solar possibly.

MR. ARGENIO: We discussed solar.

MR. SHAW: We did, we did revise the refuse enclosure

drawing, if you want to turn to it or have Mark turn to it, there's notes that--

MR. ARGENIO: You're right, we did talk about that.

MR. SHAW: That's a very good point. There are notations about being hardwired, I don't remember if I put any notations down with respect to the solar but it was supposed to be hardwired off a motion detector.

MR. ARGENIO: While Mark is looking that up, I just want to for the benefit of the board just remind everybody the DSEIS was deemed complete in November of 2008, the DSEIS site plan public hearing was held in 10 December of 2008 subsequent to us declaring that complete. The SEQRA findings were adopted 10 December, 2008, we declared a negative dec for this project under the SEQRA process on August 19, 2009 and they received preliminary subdivision approval on August 19 of 2009. Now, I have one sheet, I assume you guys have the same sheet as me, we certainly started out with many more than this. Mark, can you shed some light to this?

MR. EDSALL: Greg added a note onto the detail sheet for the enclosures saying that the refuse enclosures shall be internally illuminated and operated by a motion detector sensor.

MR. ARGENIO: So we do have the lighting?

MR. EDSALL: That's included, we did not mandate what type of lighting, we'll leave the developer flexible to put in what works best, motion detector operation I think is what the board wanted so it wouldn't create a nuisance and run all the time. But nonetheless, if somebody came there they would have the benefit of light.

MR. ARGENIO: So these are not battery operated, they're hardwired and they're 110 volts?

MR. EDSALL: They will be powered.

MR. ARGENIO: While you guys consider this, I will say to Mark and/or Dominic this has come a long way, this project, I see the dedication to extend the road offer to the Mandelbaum project is properly outlined and annunciated, is that correct?

MR. EDSALL: There is a reserved route for it. It's

not shown to be constructed, we have a dedication Parcel C which gives us broad flexibility on getting over there.

MR. CORDISCO: One of the conditions of the approval which we have incorporated in the resolution is the preparation of an offer of dedication for that strip so that the town isn't obliged to accept it so they don't have to own it, they only have to own it if the town wants to own it when it makes sense to make that connection between Route 32 and Route 300.

MR. ARGENIO: So we're doing what we're supposed to do, planning.

MR. EDSALL: And the dedication parcel is still shown as a wide nearly triangular portion of land although at this point we have a more definitive design done but nonetheless they're still proposing a wider dedication in case something changes.

MR. ARGENIO: So the applicant on the other side has a broader spot to hit with his road if his plans should change?

MR. EDSALL: Yes.

MR. ARGENIO: Mr. Perna, when are you going to build?

MR. PERNA: Everybody asks me the same question. I can only tell you that we have gone through cycles and the cycle that we're in now we never experienced a cycle like this before.

MR. ARGENIO: Are we coming out of it?

MR. PERNA: I'm going to get to it. We have another project across the river at Fishkill and to tell you what we have experienced the last project we built in the la-la days we had 50 signed contracts from a piece of paper, like we just started a project last year, end of last year right across the street from where we had the other one and we made bathrooms better, we added patios, a lot of horse and pony show to make a better model, we had 600 people go through our sales office without a single contract. We built our models, we furnished our models, now we have four signed contracts, about half of them binders but we're finding the public is still very, very ill-confidenced (sic.) about the economy, concerned about what's going to

happen when they can't believe in Washington, Queens, Europe, whatever it is, we still see a very high buyers' concern about are they going to have their jobs. So when am I going to start? As soon as we see a demand we're going to start. We're seeing a demand now, we know that, we do know it's going to be very different, we're not going to build, sell like from paper, we've going to have to build models because the people first ask when the model's are going to be done. Then they ask when is the rec building going to be done. As we're required to build the rec building, probably have to build it right up front so we're in changing times. I wish I had a more definitive answer because we're builders, this pays our rent. As soon as the market permits we're going to start building. Period. We'll go through our paperwork, we'll get all the paperwork done, HOA, et cetera but to fully put a shovel in the ground we have to see a more positive economy. People are still not building at the rate they did, I think it's still going to take a little while.

MR. ARGENIO: It has to be coming, I can't imagine that it's going to get much worse than it is. My business has been slow, everybody I talk to talks about how slow it is. That's good, you bring up a good point, the rec building construction has been a problem, not with your project but with other projects around town that predate me during the tenure of my predecessor, Mr. Petro, that's why we have that rule or law in place where you have to build the rec center at a certain threshold and to have you building it on the front end it would be even better, it would be even better.

MR. PERNA: We might be forced to do it due to market conditions, Mr. Chairman.

MR. ARGENIO: Do you guys have anything else?

MR. BROWN: I just have one question. I don't know when you're going to start, you know, that market conditions but when you do start Epiphany Drive will have construction vehicles heading up, am I correct?

MR. SHAW: Yes.

MR. BROWN: Now, what kind of noise level is that going to create to people who live in Patriot Ridge which is right on Epiphany Drive or are they going to create any type of dust situation where the condos will have to be

cleaned after your project is done?

MR. SHAW: I don't now how to answer your first question cause it's never been, a study's never been done on it.

MR. ARGENIO: You know what, Greg, not to interrupt you but I'd like to throw that one right to Mr. Perna because he will be the one building it. What are your thoughts on that?

MR. PERNA: Our roads are kept clean, if required sweeping is done, the road will be sweep. Period.

MR. BROWN: What about the condos?

MR. PERNA: I said the roads that our trucks drive on will be swept, dust will be kept to a minimal. What we do is we water with water and calcium chloride.

MR. ARGENIO: Water trucks and such.

MR. PERNA: Yeah, and also sweep the roads so again, we're not here to have unhappy neighbors cause some of them might be moving up. So no, really, I'm saying we use good precaution. Is there going to be some dust? Not going to say there's not going to be dust. Sure try as hell not to make dust. As to the noise, I can't say trucks are not going to make noise but they're going to make the noise they have to do to go up the hill.

MR. ARGENIO: Howard, I don't think, I think that some level of impact from the construction is unavoidable. I don't think there's any question about it. The construction of the units, this is only my opinion is I think far enough away from the existing units but this issue you're bringing up is a very real issue and if it's a problem, Jennifer will get a phone call. And, you know, I'm sure there's tracking pads designed in association with this project to keep the, designed to shake the mud off the dump trucks wheels as they leave in theory as they leave so the mud is not spinning off the wheels all the way down Epiphany Drive so as you drive down it, it's chattering your wheels. I'm quite sure if we have that situation, if we get the building inspector involved she'll send somebody out to take care of it. But to say there will be zero impact I don't think that's, I think we'd be kidding ourselves. I did some work many, many, many years ago down in the

intersection, I don't even know if it was for these guys or associated with these guys but we started a machine up before 7:00 o'clock and second day we did it the police were there. Now my guys didn't know there was a noise ordinance but once they did they didn't do it again but whatever. Harry, do you have any other thoughts?

MR. BROWN: No.

MR. GALLAGHER: No.

MR. ARGENIO: You two professional to my left, anything else I'm missing?

MR. EDSALL: I'm going to toss it to Dom only to the extent that my comments are short and as I indicated, I did not list any of the conditions in my report. I referred them to Dom so Dom could review them and blend them into the resolution so everything that I had is in Dom's resolution and it's as a result of several meetings with Greg, the plans were not only finetuned at the end but also issues such as the agreements with Central Hudson because you've got the ability to build work within the easement and that has to be transferable with the development to the town. All those things Greg and I shook out after several meetings and I have passed them on to Dom.

MR. ARGENIO: What say you?

MR. CORDISCO: The resolution that you have before you includes all of Mark's comments and conditions so we have accommodated all those. The only ones that were additional were ones that I used previously for both The Grove and the Covington projects.

MR. ARGENIO: This is the zero lot line.

MR. CORDISCO: Correct, because like we have a subdivision, we have the possibility that the plat could be filed but no homeowners' association is in place in that scenario. Once the plat is filed, lots could be sold, people could be looking to live out there without having a master homeowners' association to take care of things. So what we have done here is obviously we want to have the ability to look at the homeowners' association document which a draft has already been provided. But we also want to be sure that the restrictions are in place so the homeowners'

association has to get approved and filed by the Attorney General's office.

MR. ARGENIO: On the front?

MR. CORDISCO: Correct. So what I did was I used the same language that the board has previously used for both The Grove and Covington.

MR. EDSALL: This is not just a site plan approval, the board had two active applications before it, one for site plan which was application 0165 but also there was an ongoing application that was filed at the same time following number 0166 for the subdivision. So there was also subdivision anticipated, part of the SDEIS was to modify the configuration so there wasn't single family residences but had the zero lot line development straddling both sides of Central Hudson so the active application was we might as well call it morphed into the major subdivision that's before you now so tonight I think you included them all in one resolution.

MR. CORDISCO: Correct.

MR. ARGENIO: What's the time clock that starts tonight if they get final approval?

MR. EDSALL: Time clocks will be disposed of by the state legislator.

MR. CORDISCO: Correct, well, it's still there, it's 360 days and what the board has done is always granted the full 360 days up front but now in the past when you got that that was a hard and fast deadline. Now New York State has amended the law to allow an applicant to come back, show good cause and get extensions as warranted. So we have added that language to the approval resolution as.

MR. ARGENIO: I'm glad I asked the question.

MR. GALLAGHER: Is there a number of extensions that they're allowed?

MR. CORDISCO: No, it's limited now.

MR. SHAW: Is that both for site plan and subdivision?

MR. CORDISCO: Correct.

MR. ARGENIO: You didn't know it either.

MR. SHAW: I knew I just wanted to clarify for Mr. Perna.

MR. EDSALL: Bottom line is that when Dominic and I worked on this one of the things was we made sure that the resolution covers both applications so you'll be granting a major subdivision approval and the site plan that covers the overall property.

MR. ARGENIO: Okay, somebody I think a motion is in order.

MR. GALLAGHER: I'd like to make a motion for final approval for Patriot Bluff Condominium site plan subject-to Mr. Chairman reading in.

MR. BROWN: Second it.

MR. ARGENIO: Motion made and seconded. Mark, we have a motion and a second for final approval for Patriot Bluff Condo site plan on New York State Route 32, I don't know that we have any subject-to's. What do we have?

MR. EDSALL: They're in the resolution.

MR. ARGENIO: Subject to the resolution, that which is contained in the resolution document.

MR. EDSALL: You did have it say site plan and subdivision?

MR. ARGENIO: Motion for site plan and subdivision. Roll call.

ROLL CALL

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

MR. ARGENIO: Thank you, Mr. Shaw, thank you.

MR. PERNA: Thank you very much.

NOWICKI SUBDIVISION (07-14)

MR. ARGENIO: Next is Nowicki on Station Road. Somebody here to represent Nowicki? What's your name, sir?

MR. MARSHALL: Larry Marshall.

MR. ARGENIO: Mr. Marshall, this application proposes subdivision of the total 116 acres into nine single family residential lots. The application was previously reviewed at the 23 May, 2007, 25 June, 2008, 13 October, 2010 and 17 November, 2010 planning board meetings. What's your name again?

MR. MARSHALL: Larry Marshall.

MR. ARGENIO: What can you tell us, Mr. Marshall, about this application?

MR. MARSHALL: At the last meeting on November 17 we received preliminary approval and I think a negative declaration.

MR. ARGENIO: You just stated that you received preliminary approval?

MR. MARSHALL: Yes.

MR. ARGENIO: And you're going for outside agency approval?

MR. MARSHALL: We had to go to the health department for approval for realty subdivision for the nine lots.

MR. ARGENIO: Okay, yes, Mark?

MR. EDSALL: Yes.

MR. ARGENIO: Go ahead.

MR. MARSHALL: We went and in addition to the health department approval we also needed DEC wetlands disturbance permits for the driveways for several lots. We're back in front of you with those two approvals from the outside agencies, we're here to request final approval.

MR. ARGENIO: I'm going to read from Mark's comments.

Compliance with the SPDES permit is required, storm water pollution prevention plan submitted and accepted. That's accepted, MS4 acceptance issued and NOI submitted, four acceptance issues and NOI submitted to DEC, wetland impacts, project impacts wetland number MB-29 and MB-59, that's Mary-Baker, you have the permit issued on 1/29 of '11. DEC takes no exception to any issues associated with any archeological issues on the site. We have not heard from New York State Office of Parks, Recreation and Historic Preservation as of yet. This went to planning, Nicole? Where are we at with planning, do you have anything from county?

MRS. PELESHUCK: Yes, it was local back in July of 2008.

MR. EDSALL: So 8/12/08 it's on the next page, Jerry, on the flip side.

MR. ARGENIO: SEQRA circulated 7/7 of '08, took lead agency. Nicole, please check the status of the negative dec, that's done yet or not?

MRS. PELESHUCK: Yes, it was done November 17, 2010.

MR. CORDISCO: Right before we granted preliminary approval.

MR. ARGENIO: Drainage district unaware of application status, we have not seen a petition to the town board as of yet. What about the drainage district, Mr. Marshall?

MR. MARSHALL: I don't know of the status of that, I don't think that anything was ever submitted.

MR. EDSALL: Mr. Chairman, that very commonly is a condition of approval that before the plans are stamped.

MR. ARGENIO: I also know that the town board is not big fans of this type of--

MR. EDSALL: Well, they will prescribe the ownership and how it's maintained.

MR. ARGENIO: -- action.

MR. EDSALL: So nonetheless, they will probably create a drainage district, underline drainage district

although they may mandate that the--

MR. CORDISCO: There may very well be a condition of the formation of the drainage district that a maintenance agreement be amongst the lot owners to maintain as the first course the storm water facilities and that if they fail to do so then the town could by virtue of having the district created go in and make whatever maintenance that they need to make or improvements that they need to make and charge back the lot owners for that so typically that's done as a condition of final approval.

MR. EDSALL: It's not uncommon.

MR. ARGENIO: Plans are okay at this time, however, they might have to have some site work changes as work progresses, that's from Mr. Fayo. He's okay with what we have in front of us. But he says he's reserving his right to change something if he feels the need.

MR. EDSALL: Larry, you met with him at the site and made some revisions after the meeting, correct?

MR. MARSHALL: Correct.

MR. EDSALL: It may be worthwhile to let the board know what revisions you made based on meeting with Mr. Fayo.

MR. MARSHALL: We staked the driveway locations and met with Mr. Fayo prior to going to the DEC for the wetlands disturbance permits and the driveway for lot eight was relocated, it was previously down to the, I don't have it here, to the north and we moved it to the south to a better location to increase the sight distance. In addition, he was concerned with detailing on our plans to take the runoff from the driveways.

MR. ARGENIO: Do we have that on the drawing?

MR. MARSHALL: Yes, this is just down-sized, this is sheet two of the set.

MR. ARGENIO: Go ahead.

MR. MARSHALL: He was most concerned with the detailing for the driveway entrances to make sure that no runoff from the driveways came out into Station Road, that it did go into the ditches along the side of Station Road. And we added additional details and I think that's

where he's saying that we might need to make some field changes on it. We do have the details on sheet three for that. In addition he wanted a defined swale along Station Road in the section of the steep bank at eight and seven, he wanted that peeled back and defined, a ditch be provided which is also shown there.

MR. ARGENIO: What about Mark, yeah, there's two separate lots here for drainage easement?

MR. EDSALL: What's going to happen is the town board is likely to head in one or two directions. They're either going to accept the dedication of the parcels to the drainage district that's formed which has been the case on several applications or they could treat it similar to what is the trend of late which is closer to the approach for site plans, that there are easements reserved and then there's obligations among the various lot owners to maintain what's contained within the easement.

MR. CORDISCO: It's treated along the same lines as private road, think of it as having a private road maintenance agreement.

MR. ARGENIO: Dom, but the problem is nobody needs it. You need a private road to get to my house, you need the road. These boxes nobody needs these.

MR. EDSALL: Well, in all candor, the--

MR. ARGENIO: You don't need them to be in your house.

MR. EDSALL: You need them only because the State of New York has adopted storm water regulations and laws that mandate them so we have no choice on their existence. The town board is the only body that can decide in which direction they go, if they'll accept them for the drainage district or not. So it's fate accompli when it leaves here because they make their direction and that's the way it will be.

MR. ARGENIO: The town board?

MR. EDSALL: The town board. If you're considering approval and you make it subject to the drainage district formation, you acknowledge that the manner in whichever the maintenance occurs may change by the town board and these parcels may turn into easements and that's up to the town board.

MR. ARGENIO: Why do you have the parking stall at the bottom of some of the driveways?

MR. MARSHALL: Some are pretty steep and the concern was in the winter months that you might not be able to get up it.

MR. EDSALL: That's something we have been mandating for several years just for that reason because it's a convenience, even if the driveway isn't so awful bad if you're plowing contractor hasn't gotten there yet you have someplace to get out of the way, other than the road which we don't want you there either.

MR. ARGENIO: What about Parks?

MR. EDSALL: Parks?

MR. ARGENIO: Orange County Department.

MR. EDSALL: I will defer to Dominic with that, I don't know that we really have to wait forever, DEC has commented on the cultural resources.

MR. CORDISCO: We don't have to, you're talking about the New York State Office of Parks Recreation?

MR. ARGENIO: That's precisely what I'm talking about but it seems to me that somebody else is trumping them here based on what I read.

MR. EDSALL: I'm just noting that we never heard from them, I think an extraordinary period of time has gone by, if they had anything to tell us we might of heard by now.

MR. CORDISCO: There's no mandatory time in which they have to reply but the one mandatory aspect is is that if they were in a zone that required further analysis by Parks then the DEC could not have issued their permits.

MR. ARGENIO: If they add circles and squares the ones that we fought a few years ago out in what do you call it?

MR. CORDISCO: Another community. So they're not within those circles and squares and as a result we're under no obligation to wait any further. I should note

for the record we have already adopted a negative declaration for this project.

MR. EDSALL: Howard or Harry, you guys have anything else on this? We certainly have seen it a few times, we have kicked them out of here to go get their outside approvals, it seems to me that Mark has sufficiently addressed the concerns that I had had about the drainage easements.

MR. EDSALL: There have been numerous upgrades and changes to the plans, Larry and his company have upgraded the plans as the requirements were outlined so this had had quite a number of reviews.

MR. ARGENIO: Do you have anything else, Mr. Marshall?

MR. MARSHALL: No, I don't.

MR. ARGENIO: Do they include the plan to widen the bridge where the railroad is, Mark?

MR. EDSALL: Not to my knowledge.

MR. ARGENIO: Just wondering.

MR. EDSALL: You missed your chance on SEQRA on that one.

MR. ARGENIO: You guys have anything on this? Anything preventing us from proceeding with this?

MR. EDSALL: Not that I'm aware of. You may want to authorize counsel to prepare a resolution and authorize the chairman to sign it since at this point we weren't quite sure.

MR. ARGENIO: The plan is a well done plan, I have to tell you.

MR. EDSALL: They have done everything they needed to do.

MR. CORDISCO: I can prepare the resolution. The only conditions that I, that would be apart from the standard conditions would be the fact that they need to get a drainage district formed by the town board and whatever scope that they may entail and submitting a bond estimate for key sight improvements.

MR. EDSALL: Yes.

MR. ARGENIO: And I want to make sure that we include in their Highway Superintendent Fayo may have some comment about the culvert crossings and the ditching at the end of the lots, you're telling me you're all set with them, the letter doesn't say that the letter says he's good but he may have some additional commentary.

MR. MARSHALL: Well, we made the revisions and sent them, the plans to him multiple times and it wasn't until this evening that we received any comments.

MR. ARGENIO: As I said, I'm getting favorable response from him but he says quote the highway superintendent may have some additional site work he needs to change as work progresses down near the road.

MR. EDSALL: I suspect that what he's concerned about is that if he encounters any drainage conditions.

MR. ARGENIO: I see a 15 inch culvert and I, and I didn't ask the question because the obvious answer is the drainage is going in a different direction but I don't know, man, that may be undersized, I don't know, I'm not the engineer, but there's a lot of water down there. Mark, I got to tell you.

MR. MARSHALL: Most of the water flows through this 28 by 40 CMP.

MR. ARGENIO: I see that.

MR. MARSHALL: There's a secondary pipe that crosses in front of lot six.

MR. ARGENIO: So most of the flow is being disposed of across the street before it gets to that 15 inch culvert?

MR. MARSHALL: This 15 inch culvert is, we originally didn't even have a culvert there.

MR. ARGENIO: So the guy doesn't have to drive into the ditch.

MR. MARSHALL: There's not even really a ditch there, if you look at where lot five is located.

MR. ARGENIO: That's why I didn't ask the question.

MR. MARSHALL: Mr. Fayo had requested us to put a culvert in there as a safety really that any water did come down in that way there's the 15 inch that's located on lot six if it becomes inundated the water can pass through there.

MR. ARGENIO: Got it. And Mark, the town board has no issue with these drainage districts of late? I don't mean to set you up.

MR. EDSALL: No, like I said, the trend of late here wherever it's possible that the town doesn't absorb the burden of maintenance on the basin, they try.

MR. ARGENIO: It will be owned by the property owner or owners?

MR. EDSALL: It will be owned by the property owner and there will be a maintenance agreement for the various people benefited by the facilities. Again, that's the trend. Where exactly the town board has landed at this moment we'll find out.

MR. ARGENIO: Just so I can elaborate when the guy goes to buy lot four it will be made known to him that he has to maintain this and this parcel A and B?

MR. EDSALL: Yes.

MR. ARGENIO: It will be disclosed by law?

MR. EDSALL: That's usually in the disclosure in the deed.

MR. ARGENIO: Okay, I'm good. You guys have anything else? I'll accept a motion, I'll read the subject-to's.

MR. GALLAGHER: I'd like to make a motion for final approval for Nowicki major subdivision lot line change off Station Road.

MR. FERGUSON: Second it.

MR. ARGENIO: This is subject to the formulation of the drainage district which is going to involve involvement from the town board, the bond and your acknowledgment that Superintendent Fayo, Highway Superintendent Fayo may have some additional commentary at some point in

time before the sale of the first lot. Roll call.

ROLL CALL

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

MR. ARGENIO: Thank you for coming in.

MR. MARSHALL: Thank you very much.

A & J WASHROOMS SITE PLAN AMENDMENT (12-05)

MR. ARGENIO: Next is A & J Washroom site plan, Temple Hill Road. Somebody here to represent this? I see Mr. Shaw. Greg, let me just, the plan proposes 11,600 square foot addition on the right rear which is the westerly corner of the existing building for use as a warehouse and storage area. So Greg, where are we here exactly? Oh, Wembly Road, that's a private road, isn't it?

MR. EDSALL: It's a public for the first several hundred feet and then it becomes private for the loop, this portion is public.

MR. ARGENIO: Okay, so what's across the street, Automotive Brake?

MR. EDSALL: Cimorelli's.

MR. ARGENIO: What's your name?

MR. HURLEY: Gordon Hurley.

MR. ARGENIO: You're the applicant?

MR. SHAW: Yes, he represents A & J Washroom.

MR. ARGENIO: So Cimorelli's is across the street?

MR. SHAW: Cimorelli's is right here.

MR. ARGENIO: Got it, right here. Go ahead, Greg, tell us what you're doing here.

MR. SHAW: We're proposing an addition on the rear and side of A & J Washrooms, it's an area on the plan that's shaded. Along with that, we're putting in a parking area for 27 spaces which is going to be on the west side of the building adjacent to Wembly Road. That's it in its entirety. But now let's get into an issue that just came about within the past 48 hours. A number was transposed incorrectly on the plans.

MR. ARGENIO: Stop. How is that possible?

MR. SHAW: People make mistakes. Instead of it being 11,600 square feet, it's 15,600 square feet, the size of the building hasn't changed, just a numerical value.

But what that also does--

MR. ARGENIO: Because of your parking count.

MR. SHAW: It blows the parking count and I have taken the liberty, I know you don't like to have plans presented to you at the last minute but superimposing this road where those four spaces would be. It's a relatively small change as I view it, you may view it a little differently but I wanted to get that out of the way up front so we can talk about the application in its entirety.

MR. ARGENIO: Okay, yeah, go ahead. I'm glad you didn't bring in new plans, I have to tell you.

MR. SHAW: I was warned.

MR. ARGENIO: I don't want to see it, I don't want to know about it, I don't want to hear it. I don't think any of the board members want to see it either.

MR. SHAW: That's really the site work in its entirety. We're creating 27 and another four for a total of 31 which would bring us in compliance. The parking as I said is going to be on the west side of the building, the addition is 15,600 square feet and that basically fills up the lot between parking and building, you know.

MR. ARGENIO: Any coverage issues?

MR. SHAW: No, no, no, you have a development coverage in that zone of 85 percent.

MR. ARGENIO: Looks like you're close to 85 percent.

MR. SHAW: We're in the 70s so I believe that was referred out to the county and they came back for local determination.

MRS. PELESHUCK: Yes.

MR. SHAW: So my client is extremely anxious to begin construction.

MR. ARGENIO: This came in today.

MR. SHAW: With a lot of phone calls may I add so my client is anxious to start construction so we would ask

this board to consider conditional final tonight.

MR. ARGENIO: Do you guys take exception to the parking issue? Do you see where it is?

MR. BROWN: Yeah, I see it.

MR. ARGENIO: That's correct, right there, I mean, I don't think it's a big issue.

MR. GALLAGHER: My only question that's going to come up every day I see 18 wheelers there on Wembly Road parking trying to finagle their way back into their loading dock, it happens every day five times a day so I'm just worried if any of these parking spaces are now going to become issues with the trucks that park right on Wembly and have to wait for UPS to drive around, just every day coming off of Temple Hill there's usually somewhere either on the Scenic side or on the A & J Washroom side trucks that are parked and Coke trucks, UPS trucks.

MR. ARGENIO: Whose trucks are parked?

MR. GALLAGHER: It's probably mostly trucks trying to get into the A & J I would think, I'm asking Harry cause Harry drives by it also a lot of times it's happened the 18 wheelers are having to wait for UPS, Air Gas, for Coke, for any of those coming up to try and finagle their way back into backing into the building itself so now he's adding additional parking that we're putting on the outside might become a problem.

MR. ARGENIO: So these loading bay doors are here?

MR. GALLAGHER: Exactly.

MR. ARGENIO: This guy's backing in like this?

MR. GALLAGHER: He's usually parking here, sometimes in the middle so all the Coke, UPS, Air Gas, everybody that's coming up he's either backing in or he's waiting for cars to go by this way, there's a lot of waiting involved, I see a lot, I don't know if these four, I'd have to go down there and see where that's going to be because I know where the loading dock is. Is this going to be an issue because sometimes the trucks do pull up there.

MR. HURLEY: This is actually this is the road that's probably 15 feet or so in there because actually a fire road that goes right through here.

MR. EDSALL: Here's the existing conditions plan, next one.

MR. SHAW: Sheet two.

MR. EDSALL: Give an idea what they're dealing with now.

MR. GALLAGHER: There's a curb.

MR. SHAW: This shaded area is existing macadam, this is the right-of-way line, there's no curb, you know, by creating these new drives for this parking area, an opportunity may exist for a tractor trailer to come through in this fashion, pull in and then back in.

MR. GALLAGHER: And turn around? No.

MR. SHAW: Not be able to turn around, pull into this drive, follow this drive, go out onto Wembly and back into Wembly Road, there's an opportunity where before you could just do nothing but just back in each and every time.

MR. ARGENIO: So let me just--

MR. FERGUSON: Isn't there a slope right there? There's a steep slope in the back, you're going to grade that?

MR. HURLEY: Yeah, we have to put a fire road in there.

MR. ARGENIO: Let me just recharacterize what you said, I want to make sure I understand what you're saying. At some point in time we have a building and a condition and a situation where there's bay doors that tractor trailers are backing up to, those tractor trailers they're going to turn around somewhere to get to the bay doors that's the reality of where we're at. I think what you're saying, Mr. Shaw, is now with that parking lot paved that turning movement can happen on the applicant's property and doesn't have to happen on Wembly Road anymore. I think that's what you're saying.

MR. SHAW: That's what I'm saying.

MR. EDSALL: Right now you've got three paved stubs from the building out to Wembly. When it's done, you're going to have three access points but they're going to be connected with a 30 foot lane wide as the town road.

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

MR. HURLEY: Gordon Hurley.

MR. ARGENIO: You understand what Greg is describing?

MR. HURLEY: Yes.

MR. ARGENIO: Does that work?

MR. HURLEY: That actually kind of makes a lot of sense because you should be able to actually drive off Wembly and you can pull into the bay out here and just back straight up and if it's usable a trailer instead of having to park here you can actually park right in there on the fire road.

MR. ARGENIO: You have obviously not put a template and a turning radius thing to that.

MR. SHAW: No, and to be honest with you it may take some maneuvering, may take more than one turn.

MR. GALLAGHER: Yeah.

MR. SHAW: Depends upon the size of the rigs. What I have is a 35 foot wide lane with 35 foot wide drives and parking spaces.

MR. ARGENIO: We're running the biggest fire trucks in the, down the 30 foot roads, we were running them down 25 foot roads until a few years back until the code changed.

MR. EDSALL: It may be as Greg said more than one particular turn but you've got the ability that all three of the cuts are connected.

MR. ARGENIO: What can we do to convince the driver of the rig?

MR. FERGUSON: To be honest with you, it's easier instead of making a big loop circle it's easier to pull

in the Scenic property because it's wide enough.

MR. GALLAGHER: That's what they do now.

MR. FERGUSON: Cause it's totally one open parking lot so he pulls in and jackknifes back into the back, the bay, I don't think any driver would waste their time trying to maneuver through a second opening and loop around, they're going to continue to do it the same way they do it now.

MR. ARGENIO: Well, what's your addition for?

MR. HURLEY: Warehousing.

MR. SHAW: Warehouse and storage.

MR. ARGENIO: Well, the reason I'm asking the question is because what they're doing, what I'm seeing here is pretty clean and it's in compliance with all the zoning so I was hoping somebody would have a fresh quick answer that would encourage the trucks to go on that parking lot and not do the maneuver, I call it the maneuver you guys have been describing on Wembly Road.

MR. SHAW: Mr. Chairman, the condition is created by the existing building, has nothing to do with the new addition.

MR. ARGENIO: I said that, Greg.

MR. SHAW: I'm not saying this is going to remedy it but maybe there's an opportunity to improve it where if we leave it alone it will just continue to be a problem.

MR. ARGENIO: Okay, let me ask you this question, Mr. Shaw, is it possible and I don't know your counts, you know your counts better than I do that this area here, this 30 foot wide driveway, can we get that a little wider up into here possibly down into here and that driveway, get this a little bit wider? Even if you've got a couple three feet it may entice those trucks to go into Gordon's property and stage themselves there.

MR. SHAW: This is 30 feet wide.

MR. ARGENIO: You're tell me this meets the code, this meets the law?

MR. GALLAGHER: Definitely does, I think it's going to clean it up, I think by adding parking spaces is going to make it even worse for the trucks to get back into the building.

MR. EDSALL: The parking is on current grass areas.

MR. ARGENIO: Look at the slope here, nothing is going in there.

MR. EDSALL: Which space is he concerned about?

MR. ARGENIO: I'm okay with what you're saying and I think it's got merit but I'm trying to come up with this meets the law, these exist now, it's not like he's adding, they're there now, so we have a condition where people are coming in like this and backing over so I'm well, maybe we can make this wider if we can grab five foot on each side of the driveway or maybe we can grab a couple three or four feet here and then maybe that will entice the driver, maybe he'll want to come in there, maybe, Gordon.

MR. HURLEY: If they can do it, I can make that happen.

MR. ARGENIO: Maybe Gordon can have a sign up or tell his vendors.

MR. GALLAGHER: I think they're going to have to still use Wembly, this very well might be up to code and might make it look aesthetically better, I don't know that it's going to help the drivers out which might be passed our--it is what it is.

MR. ARGENIO: If we can put this here like this, Greg, you see me here?

MR. SHAW: I see you.

MR. ARGENIO: Maybe he can get plus or minus five here, plus or minus five here, you've got a big wide driveway maybe.

MR. HURLEY: I'm almost thinking if they're going to do anything they're going to do like this and back in then you have enough room if you have another truck here if they have to wait.

MR. EDSALL: These three.

MR. HURLEY: On the fire lane you can pull right in here cause that goes right out to the road, right, the fire lane comes all the way across here?

MR. SHAW: No, this fire lane comes in like this and then does a 90 into the existing entrance.

MR. EDSALL: Right now you've got the three cuts, all the parking they're proposing is basically filling in the grass areas but still creating the 30 foot access on it.

MR. FERGUSON: If you moved the first seven parking spots right and you added, put them here with the other seven it's an open area where they can actually pull in this way and back in.

MR. HURLEY: That's what I was thinking.

MR. FERGUSON: Dan, if you take the first seven and combine them with the additional four.

MR. ARGENIO: Harry, it may not even take all seven, I'm saying one, two, three spots, if you took the first three spots out and put them down here maybe you can get in there with a tractor trailer.

MR. EDSALL: Then turn out one of the other curb cuts and back in.

MR. FERGUSON: No, you'd still come out the same curb cut.

MR. ARGENIO: He's always going to come out and back in but what he's not doing is maneuvering on the neighbor's property.

MR. EDSALL: He noses out and backs in back across the whole street.

MR. GALLAGHER: Sometimes they're just there where you keep going around.

MR. ARGENIO: I think where we're headed, Harry stand up, just look here for a second, I think here's where we're heading is I think we're, what we're going to do is we're going to request Mr. Shaw put something together so a tractor trailer can come in this way and then do this. Yes?

MR. FERGUSON: Yes, if you eliminated most of these you can actually stage another truck right here.

MR. ARGENIO: He can't eliminate all these because I don't think you're going to fit them, if he peeled three or four out and put them down here you can get a tractor trailer in here.

MR. GALLAGHER: There's no other loading dock.

MR. SHAW: That's a drive-through door so vehicle's going to go right inside.

MR. ARGENIO: Can you do this, Greg?

MR. SHAW: I think I can.

MR. GALLAGHER: Tomorrow morning I'm going to look at it too.

MR. SHAW: The million dollar question is how do I reconfigure and get approval tonight?

MR. ARGENIO: I'm going to give this to Harry and Danny and you fall under a little bit more scrutiny than anyone else maybe would because the two people on the planning board happen to work right on that road, it's like when Neil, are you here, when an applicant comes to do something on Station Road, he falls under a little bit more scrutiny because Neil and I happen to live on Station Road and we know the road. But that's not a bad thing and you're not going to be penalized. Howard, as a proposal to you guys I think we're only talking about switching three stalls, possibly four over to here, I think Greg can work on it with Mark, come up with something, if one of you guys want to look at it before he finalizes it I'm good with it because there's no other issue and we have County Planning, it came through today. Howard, chime in if you disagree.

MR. BROWN: I agree with it, you don't want to hold it up as long as they're going to go look at it.

MR. ARGENIO: Very simple basic thing you guys, one of you guys.

MR. FERGUSON: I'm there every day.

MR. ARGENIO: Greg, please work with Mark, this is what

we're trying to achieve is to get some of the stalls out of here, this movement right here.

MR. SHAW: That's fine, it's very simple.

MR. ARGENIO: While we're still nosing out onto that road it's going to be better than it is now.

MR. EDSALL: When Greg sends it in I'll e-mail you a revised copy so you can look at it.

MR. GALLAGHER: And we'll look at it tomorrow and we'll send you some comments if we have any.

MR. EDSALL: Clearly the applicant's desire is to begin construction of the building itself, I'm sure he's not as enthusiastic about starting the paving at this point, if you want to get a second bite at working at the finalized plan, you can authorize the building inspector to go ahead and issue any permits on the building knowing that the only issue remaining is the final layout of some accesses to improve the conditions.

MR. ARGENIO: How do we make sure the applicant we still have his attention?

MR. CORDISCO: That the authorization to the building inspector is only for a building permit and that no C.O. could be issued until he comes back.

MR. ARGENIO: Okay, with that, Howard Brown?

MR. BROWN: Yes.

MR. ARGENIO: I've got to tell you I'm a road builder and that's how I make a living but defer absolutely to you two guys and Mark on this and Greg, obviously, I mean I'm sure that Mr. Shaw in about three hours could work this out.

MR. SHAW: It's a couple days.

MR. FERGUSON: Sometimes that whole road is blocked off.

MR. ARGENIO: I'm not resisting you guys at all but what I'm saying what I don't want to do is be an obstructionist, say it doesn't work. Doing things wrong I want to say okay, this is the problem and

here's our suggestion of how to solve it or Mr. Shaw, do you have a suggestion or Mr. Cordisco or Mr. Edsall, do you have a suggestion? Let's come up with something.

MR. EDSALL: The reality of this is that the problem of the traffic movements, the truck movements is not caused by the addition, it's caused by the existing conditions so they're coming in to get an addition but they're working with the town to solve a problem that exists which I think on that basis I would if you authorize the building inspector to as soon as they got acceptable plans issue a permit.

MR. ARGENIO: Greg, there's only one other issue unless the other guys have one so this is a public road this Wembly?

MR. EDSALL: Mr. Fayo has comment three was the one I updated, Mr. Fayo is okay with it, the town owns back to here.

MR. GALLAGHER: Then it becomes Hempsted?

MR. EDSALL: No, it's Wembly but it's--

MR. ARGENIO: So we have already heard from the county, right?

MR. EDSALL: Heard from county, heard from Anthony.

MR. ARGENIO: You have to work out your issues about the planning board size of the box, work it out with Mark.

MR. SHAW: Not big enough.

MR. EDSALL: Just waiting for--

MR. ARGENIO: So we can take lead agency.

MR. CORDISCO: You don't even need to circulate so you can take lead agency, we can also decide whether or not you want to have a public hearing.

MR. ARGENIO: Right, so we can take lead agency, accept a motion to that.

MR. GALLAGHER: So moved.

MR. FERGUSON: Second it.

MR. ARGENIO: Motion has been made that we declare ourselves lead agency for this A & J Washroom site plan.

ROLL CALL

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

MR. ARGENIO: Okay, what about the public hearing?

MR. GALLAGHER: Waive, I'd like to make a motion we waive it.

MR. FERGUSON: I'll second that.

MR. ARGENIO: I think there's wisdom in it and I think you guys brought some good insight here, this is a very, very commercial area and we're making a situation that could be, that's problematic according to you guys we have corrected it so I think you guys did a good job here tonight. Motion has been made and it's been seconded, I'll have a roll call to waive the public hearing for A & J.

ROLL CALL

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

MR. ARGENIO: Let's not get too crazy here, show me where the dumpster pad and enclosure is.

MR. SHAW: It's all internal.

MR. ARGENIO: It is?

MR. SHAW: You have a total of 49, 59, 64,000 square feet, if you're going to have it external that's one heck of a dumpster.

MR. EDSALL: I asked the question only cause I didn't see it, if they in fact have a manner in which they handle their refuse and the fire inspectors have

accepted the manner in which they are doing it, I have no further comment.

MR. ARGENIO: Fire approved, there's a new hydrant shown on the plan, it needs to have its own gate valve. Mr. Shaw, are you aware of that?

MR. SHAW: Yes, and it's shown right here on the detail hydrant installation.

MR. ARGENIO: Highway approved 9/11, no change, blah, blah, blah, blah, he still uses rods, whose detail, is that your detail?

MR. SHAW: Yeah, they still use rods.

MR. ARGENIO: If you're living in the '80s.

MR. SHAW: Well, they use retainer glands.

MR. ARGENIO: Not rods anymore.

MR. SHAW: I've seen them.

MR. ARGENIO: A lot of the old engineers use that type of thing.

MR. EDSALL: What happens if you use both?

MR. ARGENIO: You're wasting money. What am I missing Mark and Dominic?

MR. CORDISCO: Well, if you want to allow the applicant to go forward at this point you could make a motion that would authorize the building inspector to issue a building permit upon application provided, however, that no Certificate of Occupancy is issued for the addition.

MR. ARGENIO: You know, Dom, tell you what I may want to do, we've got a nice roll going here and that's good, we're not here to obstruct anybody. I think that we made a great hurdle here with resolving this corner and what seemed to me Mr. Edsall and Mr. Shaw could resolve that pretty readily and pretty handily. It would seem to me. I'd like to make that improvement unless any of the members disagree with me let's make this improvement one of the subject-to's, the building inspector will get on board here and I'm sure Mr. Shaw will respond posthaste. Mark, would you please review

it as soon as possible and keep Danny and Harry in the loop so they can, I want to follow a protocol is what I'm saying.

MR. EDSALL: It's a straightforward application.

MR. ARGENIO: Because it's so simple we're able to make this sweeping change on the fly. Mr. Shaw has certainly appeared in front of the board before, he typically does what he says he's going to do and does not misrepresent things so I'm quite sure we'll be able to come up with something that works.

MR. SHAW: Bottom line we can't get a stamped site plan until Mr. Edsall and the board is satisfied so that's your insurance policy.

MR. ARGENIO: Let's not re-invent the wheel here so is there any other subject-to's that I've missed?

MR. CORDISCO: Negative dec.

MR. ARGENIO: I'll accept a motion.

MR. FERGUSON: So moved.

MR. GALLAGHER: Second it.

MR. ARGENIO: Motion has been made and seconded that the planning board declare negative dec under the SEQRA process.

ROLL CALL

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

MR. ARGENIO: I will accept a motion if anybody sees fit.

MR. GALLAGHER: Motion for final approval for A & J Washroom site plan amendment, subject-to's.

MR. BROWN: Second it.

MR. ARGENIO: Comments subject to the bond and resolving this corner thing with Greg, Mark, Danny and Harry.

MR. FERGUSON: Second it.

ROLL CALL

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

MR. ARGENIO: Thank you for coming in.

MR. SHAW: Thank you.

MR. ARGENIO: Greg, thank you and thank you for being so cooperative with this and I'm sure we're going to take a crummy situation and we're going to make it better, that's one of the things we try to do.

MR. HURLEY: Thanks so much.

SUPERIOR AUTO SALES SITE PLAN (12-06)

MR. ARGENIO: Superior Auto Sale site plan, Minuta Architecture. Plan's dated 12/21 of 2012. The plan proposes demolition of an existing one story building on site to be replaced by additional vehicle display area. What do we have? Brian, how are you? That's it?

MR. MINUTA: That's it.

MR. BARBERA: We own that together.

MR. ARGENIO: I'm not following you.

MR. BARBERA: I'm on the corner.

MR. ARGENIO: Jimmy owns the one next to you?

MR. BARBARA: I own that with Jimmy down the street.

MR. ARGENIO: Is it next door?

MR. BARBARA: No, it's three lots down, I own the lot adjoining next door too and in back.

MR. ARGENIO: Got it. Okay, Joe?

MR. MINUTA: Joseph Minuta, Minuta Architecture representing Mr. Barbera, we have a very simple plan, existing wood frame building that's out in front he wants to demolish, we're simply going to create more parking area. We're not creating anymore impervious surface, no additional drainage because everything's already impervious at that location. The building's impervious so we have a net zero. Parking for display and that's the end result.

MR. ARGENIO: So am I seeing two here, two, four, six, eight, 10, 12 stalls that are going to go, Joe?

MR. MINUTA: That's correct, they're going to be placed there.

MR. ARGENIO: So you have a building there now?

MR. MINUTA: Building here, existing building's here.

MR. ARGENIO: What's down below you?

MR. MINUTA: This is the existing pole barn building that's a repair garage.

MR. ARGENIO: That's existing?

MR. MINUTA: Yes.

MR. ARGENIO: So you're going to have this building left when you're done which is there now, you're taking a building down here?

MR. MINUTA: Correct.

MR. ARGENIO: And you're going to pave that?

MR. MINUTA: Correct.

MR. ARGENIO: That's it?

MR. MINUTA: That's it. We're going to be adding sidewalk on the edge and that's it.

MR. ARGENIO: How wide is the sidewalk? You're giving us nothing to look at, there's nothing fun.

MR. MINUTA: I want to get you out of here early.

MR. BROWN: Where is this located?

MR. ARGENIO: At the traffic light, if you come up from your house, go like you're going to the airport, go up passed, under the Thruway keep going passed what used to be Schlesinger's Deli, go passed the car wash, you go up the hill, come to the--

MR. GALLAGHER: Dragon City.

MR. EDSALL: This is on the other side of Weather Oak Hill from the Vails Gate Substation 2 Fire Station.

MR. ARGENIO: How wide is the walk, Joe?

MR. MINUTA: I'm going to say four feet.

MR. GALLAGHER: Do you have bumper stops to stop the cars from going?

MR. BARBERA: Yes, we've had on the road going onto 207.

MR. GALLAGHER: No, for around the sidewalk itself, all your parking spaces.

MR. ARGENIO: He has enough parking here.

MR. GALLAGHER: So it would just be right there with handicapped there, right, Joe?

MR. MINUTA: These here, those exist.

MR. ARGENIO: How do these guys back out here?

MR. MINUTA: Just to clarify what's here, customers park in here, park in here, this is his display, his own people park cars here so whoever is maneuvering it around they know the lot.

MR. ARGENIO: That's your sales area?

MR. MINUTA: Correct.

MR. BROWN: So they have to come in basically through Weather Oak Hill Road.

MR. MINUTA: This entire location there's no curbing along any of it, it's pavement to pavement.

MR. ARGENIO: There's no curb all the way up through here, all the way up through here so when these people pull in currently when they go to leave they back out onto Weather Oak Hill?

MR. MINUTA: That's correct.

MR. BARBERA: Well, actually, actually when they pull up against my building here, they really don't go on, there's enough room to stay on the blacktop there, it's not that big.

MR. ARGENIO: Brian, I'm not that twisted about it.

MR. EDSALL: The new sidewalk is going to make it closer to the road.

MR. GALLAGHER: The new sidewalk does wrap all the way around?

MR. MINUTA: That's correct.

MR. GALLAGHER: If it's a four foot sidewalk I want to make sure.

MR. EDSALL: Well, I will do it as closely as I can since it's very irregular to use a 1 to 15 scale since there's no scales manufactured that measure 1 to 15.

MR. ARGENIO: Joe has them, he bought the last ones, that's why you can't get any.

MR. EDSALL: Approximately a five foot sidewalk.

MR. ARGENIO: Mark, give me the dimension here, what's this dimension here from the property line to the sidewalk, what's that?

MR. EDSALL: That would be right around 20 foot.

MR. ARGENIO: Joe, what's between the sidewalk and the building?

MR. MINUTA: That's a grass area, we've got 30 foot from the property line to the building.

MR. EDSALL: That may pay to shift that grass area out and put the sidewalk against the building.

MR. ARGENIO: That's where I was going.

MR. MINUTA: Okay, that's fine.

MR. ARGENIO: I understand we have an existing condition here, that's what it is but by putting all the hardware in here we're pushing these cars right out not onto Weather Oak Hill Joe but closer so I think that that would be, do you guys agree? Do you see what he's saying? That take that grass area out, put that sidewalk right next to the building.

MR. EDSALL: You've got about seven feet and then it's increasing as you head towards 207 between the property line and the edge of pavement as depicted.

MR. ARGENIO: We don't have Jennifer here tonight so Mark I wouldn't ask you to speak, I would ask Danny to speak for her but I'm not gonna but as far as this display area goes, Joe, the first thing you have to do is for consistency you have to take the lines out of there, take them out, they're silly, look on the final plan that's got, they've got to go those lines there.

But Mark, how do we look at this area here? From what I understand from Joe this whole thing is open, is that right?

MR. MINUTA: Yes.

MR. ARGENIO: And Brian brings his cars in here and he parks and displays cars all along here. Is there any code on how many cars he can or cannot put here or he can or cannot put here or can he back them bumper to bumper as many as he can fit in here, how does it work?

MR. EDSALL: That's not necessarily a zoning code issue and matter of fact, it's not a zoning code issue, it's a fire inspector safety issue. They review the layout with one purpose in mind, firefighting that they can still get to the building and that if one of the cars burned they can get to it before they are all engulfed. And we have referred it to the fire inspectors, they have looked at it and they have approved it and I suspect the reason why having worked with them in many cases that there's accessibility from two sides and there's not a long stretch here, you're looking at the most four cars in a direction off of Oak Hill where they would stage and it's right across the street from the firehouse.

MR. ARGENIO: He can run a hose from the firehouse.

MR. EDSALL: Comment two was to verify that there's nothing else you're looking for.

MR. ARGENIO: I think Joe's done a fine job.

MR. EDSALL: Bottom line--

MR. ARGENIO: Applications are getting more and more simple.

MR. EDSALL: -- he's not proposing any new construction so I don't suspect you'd want to have anymore of the other information but I just wanted to verify.

MR. ARGENIO: Parking is okay, Mark, how can it not be?

MR. EDSALL: It's all parking. As you look up in the top left corner the parking immediately at the corner of Weather Oak and 207 clearly that's display parking because you can never get cars out, you'd have to get two cars out to get the other ones out but that's

because that's display parking and his business parking are the 10 spaces in the back.

MR. ARGENIO: Go ahead.

MR. MINUTA: Just to clarify two items, the entire area here this was being proposed as grass, right now it's currently paved so we're paved right up to so that doesn't need to go in, technically a sidewalk doesn't need to go in.

MR. EDSALL: What's on the building footprint doesn't show doors or any access, what's on the Weather Oak Hill side of the building?

MR. ARGENIO: You're splitting a hair with me.

MR. MINUTA: You have a door here and door here.

MR. ARGENIO: Maybe we should do a site visit to determine where the dumpster is going to go, flag, three dumpsters are going to go.

MR. EDSALL: I didn't get a straightforward answer, what's on the Weather Oak side of the building?

MR. MINUTA: Windows.

MR. GALLAGHER: No access?

MR. EDSALL: You might be better off with wheel stops and no sidewalk.

MR. ARGENIO: With the wheel stops you're creating an area for pedestrians to not have to walk out near the road.

MR. EDSALL: Exactly and giving them more room to maneuver before they back out.

MR. ARGENIO: Anything else? Okay, here's what I think about this, Joe, unfortunately, you have to go to county so there's no wire to be jumped over tonight. Nicole, I think that we're at a level of fitness where we can send this to the county, I think Mark do you disagree with that for any reason?

MR. EDSALL: No, I'd like if we can to have just that one side changed with the wheel stops.

MR. MINUTA: I can do that.

MR. ARGENIO: Make a note, Joe, change that, eliminate grass, put the wheel stops in here, okay?

MR. GALLAGHER: Do we need wheelchair access on the sidewalk on top? It's going to have to flip around.

MR. MINUTA: Everything goes right up to this for ADA accessibility.

MR. ARGENIO: Show that ADA accessibility up here.

MR. MINUTA: No problem.

MR. EDSALL: Curb drop could be in the corner now.

MR. MINUTA: Right, we actually have it located here but quite frankly, it's all paved.

MR. ARGENIO: We need a handicapped detail.

MR. MINUTA: It's on the back.

MR. ARGENIO: You know what else you need to do? I have disapproval from highway but I think the reason it's--

MRS. PELESHUCK: They addressed them.

MR. ARGENIO: Yeah, okay, that's what I was going to say. His question here is that I need to know if any entrances or exits are on Weather Oak Hill, need to be assured water won't drain onto the road. Well, the whole Weather Oak Hill is the entrance.

MR. MINUTA: We did respond to that in kind so--

MR. ARGENIO: That's it, we go to county, make the changes we talked about, I cannot think of anything else.

MR. GALLAGHER: Public hearing.

MR. ARGENIO: Actually, that's a good point.

MR. CORDISCO: Do you want to wait until you hear back from county?

MR. ARGENIO: You know what I think? I'm going to tell

you, did we assume lead agency yet?

MR. EDSALL: No.

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

MR. BROWN: So moved.

MR. GALLAGHER: Second it.

MR. ARGENIO: Motion has been made and seconded that the Town of New Windsor Planning Board declare itself lead agency for Superior Auto Sales site plan. Roll call.

ROLL CALL

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

MR. ARGENIO: So planning board boxes, you've got to work that out with Minuta, I don't see a comment about public hearing on here, Mark.

MR. EDSALL: Well, no, I didn't know how far we were going to get so that's an appropriate item to think about. Box is there, give yourself the number, title's there, that's what counts.

MR. ARGENIO: So--

MR. BARBERA: I own in back of me, the house in back of me and I own the house to the side of me.

MR. ARGENIO: Do you? Well then I'm, I wasn't going to buy into it but I'm going to buy into it.

MR. BROWN: He's just taking the existing building down.

MR. ARGENIO: But as my predecessor used to say he drilled it into my head a thousand times if the applicant's got to come back, does it hurt anybody to have a public hearing? It doesn't hurt to have one. But given what Brian just said he owns the property, the firehouse is over here, the abandoned gas station is on the other side. I agree with Danny. What do you guys think?

MR. BROWN: I make a motion we waive it.

MR. FERGUSON: Second it.

MR. ARGENIO: Motion made and seconded. Roll call.

ROLL CALL

MR. FERGUSON AYE

MR. BROWN AYE

MR. GALLAGHER AYE

MR. ARGENIO AYE

MR. ARGENIO: That is to waive the public hearing so the public hearing's been waived. What else do we need to do here?

MR. EDSALL: I'll make the county referral.

MR. ARGENIO: Please do that.

MRS. PELESHUCK: I need new plans before we're going to send it out though.

MR. ARGENIO: Don't come in three weeks and say did you do that?

MR. MINUTA: Understood.

MR. ARGENIO: Joe, thank you. Brian, thank you for coming in.

MR. MINUTA: Thank you all very much.

PHILIP WILLIAMS SITE PLAN (12-07)

MR. ARGENIO: Williams State Farm site plan amendment. Joe, you broke the trend that was happening tonight. Mr. Shaw again? The application proposes a new office addition in place of an existing two story house. Plan was reviewed on a concept basis only. What's your name, sir?

MR. WILLIAMS: Phil Williams.

MR. ARGENIO: You want to sell insurance?

MR. WILLIAMS: If you need it, yeah, absolutely.

MR. ARGENIO: What do you have to say about this here? First of all, tell us where we are here.

MR. SHAW: We're on both Temple Hill Road and Old Temple Hill Road by the railroad tracks maybe a couple lots.

MR. WILLIAMS: Stewart's is across, Minuteman is just right across the street.

MR. SHAW: So that's where we are. It's a half acre site. Presently, what we have on it is Mr. Williams' existing office and two story frame house. We also have parking which has an entrance both on Temple Hill Road and also onto Old Temple Hill Road. What we're proposing is to demolish the house and in its place to construct a new office one story totaling 1,736 square feet. We also propose to redo the parking area and to create an area which is going to have 18 parking spaces. We have one little problem though since this lot was created and since the original building was built this area has been upzoned now requiring a minimum lot size of 40,000 square feet.

MR. ARGENIO: What's the zoning there?

MR. SHAW: It's C.

MR. ARGENIO: I didn't expect you to say that.

MR. SHAW: With that all the appropriate setbacks so while the proposal is to construct a reasonable size building within the geometry of the property we start violating setbacks. If you go through the zoning

schedule, you'll see that the lot area and the lot width and the minimum side yard are what are considered non-conforming conditions but we do have a couple issues that we need a variance on two for sure maybe three. One of which is going to be the minimum front yard depth, we're obligated to provide 60 feet. While we can provide that on Temple Hill Road we're not providing that on Old Temple Hill Road.

MR. ARGENIO: Which one is the front?

MR. SHAW: Old Temple Hill Road.

MR. EDSALL: He's got two fronts.

MR. SHAW: I have two fronts, all right, so we're going to need a 20 foot variance for that request with respect to parking. Based upon the square footage of 150 square feet per one space per 150 square foot of building we're obligated to provide 20 spaces, we're providing 18 so we're going to need a variance of two spaces on that. And then the other one which I have spoken to Mark about which is a little bit different than the plan is that I, what I'm basically indicating on the zoning schedule that we have a minimum--

MR. ARGENIO: Greg, excuse me for interrupting you, can't find some more spaces there? Minuta would fit 12 more spaces on that site, maybe 15, maybe 20.

MR. WILLIAMS: The front, because it slopes down on the front.

MR. ARGENIO: I don't know the lay of the land but I was thinking possibly something around here.

MR. WILLIAMS: That's all hill.

MR. SHAW: With all due respect and you know this as well as do I, you're on a state highway with a tremendous amount of traffic, you don't want to have spaces too close to the edge of pavement without, people can't get in quick enough because someone's backing out of the space so we felt two space variances appropriate. And then the final issue is the minimum side yard, we're obligated to provide 30 feet side, we're only providing 26 feet of a side yard setback which means we're going to need a variance of four feet. Now, at the workshop with Mr. Edsall he said it's been the board's policy as long as you're not

taking the non-conforming condition and increasing it that this setback will not require a variance. All right, so I just want to touch base with the board on that because if you're in agreement with Mr. Edsall I need two variances, if not, I need three.

MR. EDSALL: We'll send it over with that one flagged as being, the history with the zoning board is I'd flag them, is an interpretation and then what they do is if they think it's fine they just grant the variance so no one can ever say you didn't need it.

MR. ARGENIO: We're talking about this number here?

MR. EDSALL: Yes.

MRS. PELESHUCK: Just for the side yard.

MR. EDSALL: I'll flag that one.

MR. SHAW: Side yard one.

MR. EDSALL: Bottom line you've got a 15 foot setback on the existing building and since it's a connected addition, theoretically from history we would allow 15 into the, but they're providing 26.

MR. ARGENIO: This board has conducted business in that fashion as long as I've sat here. Do you guys take exception to that?

MR. GALLAGHER: No.

MR. ARGENIO: Okay, go ahead.

MR. SHAW: So with that, what we're looking for tonight is not approval, we're looking for sending it out to the Orange County Department of Planning to get that in motion and referral to the Zoning Board of Appeals so we can go and get our necessary variances. One thing I may want to point out because I'm sure you're going to ask the question why do you have a straight in and straight out onto Old Temple Hill Road but yet on the proposed plan we're going to take the Old Temple Hill Road and we're going to put a bend in it? And the reason for that is to cut off through traffic. Mr. Williams has a very bad problem with taxis that are using this as a short cut rather than going down to the intersection and coming back so that's the reason why. And one more point while we have a 20 foot wide drive

and talking to the fire inspector you may see it in the notes he suggested making it 25 feet wide which I told him we could. Then he said he'd approve it. There's probably some type of notation in the file stating increase to 25 feet and it's acceptable.

MR. ARGENIO: No sewer, water detail notes on the plan.

MR. SHAW: No, it's not appropriate yet, I mean, I don't have any construction details to be perfectly honest all them will be on the drawings.

MR. ARGENIO: So Mark's comments are directly to that.

MR. EDSALL: I will do the county referral, I will do a joint referral to the ZBA and planning board.

MRS. PELESHUCK: Thank you.

MR. ARGENIO: No other involved agencies. Any reason we can't take the lead on this?

MR. CORDISCO: No, the zoning board will do their own SEQRA in connection with that.

MR. ARGENIO: Okay, I'll accept a motion for lead agency.

MR. GALLAGHER: So moved.

MR. BROWN: Second it.

MR. ARGENIO: Motion made and seconded that we declare lead agency for Williams.

ROLL CALL

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

MR. ARGENIO: I'm going to tell you guys that on the public hearing I definitely think we should be having a public hearing on this, it's too busy an area, it's too compressed a site. The neighbors are too close and I understand and I agree with you the logic set forth on the other applications when we waived it.

MR. CORDISCO: Can I make a suggestion, Mr. Chairman?

The public hearing will be mandatory for the zoning board and I would suggest that you wait to make the decision to see.

MR. ARGENIO: I agree with that.

MR. CORDISCO: Let them do their's first.

MR. ARGENIO: If it's active we should maybe consider it, if nobody shows up why waste time, I agree.

MR. EDSALL: That's been a good practice.

MR. ARGENIO: Thank you for pointing that out, Dominic, yeah, this has to go out, it has to.

MR. EDSALL: Nicole, you attend the zoning board meetings.

MRS. PELESHUCK: Yes.

MR. EDSALL: Nicole can fill us in if there's a lot of people with picket signs at the ZBA meeting.

MR. ARGENIO: Do you guys have any other comments?

MR. BROWN: No.

MR. GALLAGHER: No.

MR. ARGENIO: If anybody sees fit, I'll accept a motion that we declare this application incomplete at this time.

MR. GALLAGHER: So moved.

MR. BROWN: Second it.

MR. ARGENIO: Motion has been made and seconded that Williams State Farm plan amendment be determined incomplete at this time by the Town of New Windsor Planning Board. As such, Mr. Williams, Mr. Shaw, you have been sent to the zoning board and I think this is probably a good use for this property, that whole corridor is almost all commercial now all through Babcock cars, all the way through there so I hope you have success at the zoning board.

MR. WILLIAMS: Thank you.

ROLL CALL

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

MR. ARGENIO: Greg, thank you. Thank you for coming in, sir.

MR. WILLIAMS: Thanks everyone.

SCHLESINGER SITE PLAN (12-08)

MR. ARGENIO: Last and certainly not least is Mr. Schlesinger. Okay, I think I know what you want to do, Neil, it's certainly clear by the drawing.

MR. SCHLESINGER: I'll make it real easy for everybody. Originally that's the profile view of the Cigar Bar, several years ago we came before the board and we added on what we call the Elephant Bar or E Bar, we extended the roof out and this is a glass wall.

MR. ARGENIO: And you enclosed that.

MR. SCHLESINGER: It's all enclosed, steps.

MR. ARGENIO: Got that.

MR. SCHLESINGER: And then we added a patio area out here, okay, so all we want to do now is extend this roof line to over the patio area, take this glass wall out and put it there.

MR. ARGENIO: I think I know the answer to this question but I want to ask it anyway. The patio area you're describing is there currently tables on it now?

MR. SCHLESINGER: Four.

MR. ARGENIO: I thought so but I wanted to ask.

MR. SCHLESINGER: Five. Something we should have done originally but--

MR. ARGENIO: Yes, the obvious question is begged that when you did that originally and you put that wall there I don't think that distance is, is that eight feet, seven feet?

MR. SCHLESINGER: Ten feet, should have been done in the beginning but, you know, whatever.

MR. ARGENIO: Cheaped out, cost you a third more.

MR. SCHLESINGER: Right, cause I had to put in a sprinkler system, that was a big thing, right?

MR. ARGENIO: Off the record.

(Discussion was held off the record. Whereupon, following which, these further proceedings transpired.)

MR. ARGENIO: Okay, I see what you're doing here so you're enclosing that dining area, there's tables on it now which I know there's tables.

MR. SCHLESINGER: The glass that makes it seasonal, will make it seasonal here.

MR. GALLAGHER: What do you do with the wall that was glass?

MR. SCHLESINGER: There's railing.

MR. GALLAGHER: Lolly columns?

MR. SCHLESINGER: Yeah, there's four or five and railings there.

MR. GALLAGHER: Will it be a walk-through or knee high railing?

MR. SCHLESINGER: The steps will remain to go down into the patio.

MR. BROWN: Fully enclosed?

MR. SCHLESINGER: Side walls, yeah.

MR. BROWN: Heating and air conditioning?

MR. SCHLESINGER: We don't have air conditioning because it's open.

MR. ARGENIO: They're on different levels, is there a railing?

MR. SCHLESINGER: Yes, the answer was yes.

MR. GALLAGHER: So you're not going to walk through?

MR. SCHLESINGER: In the one area there's steps but you can't totally walk through.

MR. GALLAGHER: The steps will be the only way out to

the new area?

MR. SCHLESINGER: Right.

MR. EDSALL: As far as the review, we normally consider from this corridor any visual impacts. Just for the record, this is in the back of the building?

MR. ARGENIO: There's nothing to condition.

MR. EDSALL: It's an area that's lower so it would not be visible from the front, sides and it's an already developed area.

MR. ARGENIO: I could not agree with you more.

MR. EDSALL: Just having the record be complete.

MR. GALLAGHER: Historical.

MR. CORDISCO: Historical corridor which requires the board to review impacts, I think the record reflects that it's in the back.

MR. EDSALL: Again, being very familiar with the site from doing site reviews for other applications we're confident that it's not visible.

MR. ARGENIO: Neil, that outer glass wall and this is not particularly relevant to the application but I'm curious, is that the wall that you say will be movable and you open that?

MR. SCHLESINGER: It's sections of pretty much store front, you know, with aluminum framing and big windows, it doesn't slide out of the way, they take the windows out and take the framing out, you put it away for the summer and they come in and install it. It's a two or three hour job. You haven't been there during the summer? I see your wife there every now and then.

MR. ARGENIO: Maybe there's something else you want to tell me off the record? The board should determine if any visual information is required, if any aspects require review. I would say probably not by this board but probably the building inspector is going to, you're going to need to meet her requirements but I'm sure you know that already.

MR. SCHLESINGER: Yes.

MR. ARGENIO: No other involved agency. I'll accept a motion we declare ourselves lead agency.

MR. FERGUSON: So moved.

MR. GALLAGHER: Second it.

MR. ARGENIO: Motion has been made and seconded that the Town of New Windsor Planning Board declare itself lead agency for Schlesinger's site plan amendment.

ROLL CALL

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

MR. ARGENIO: So we're lead agency. It's an extension of commentary of what we're doing in the minimal scope of this application. And the fact that it is shielded from about every direction, does anybody see the need for a public hearing on this application?

MR. BROWN: No.

MR. ARGENIO: I don't see it either.

MR. GALLAGHER: I don't. I'll make a motion we waive.

MR. FERGUSON: Second it.

MR. ARGENIO: Motion made and seconded we waive the public hearing for Schlesinger's site plan. I just want to make sure that I want to get the number in here, what's this application number, Mark?

MR. EDSALL: It's 12-8.

MR. ARGENIO: Schlesinger's site plan 12-8, so we're waiving the public hearing.

ROLL CALL

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

MR. GALLAGHER: Do you have to run the sprinkler down into this new area now?

MR. SCHLESINGER: Yes.

MR. EDSALL: We'll have to send to the county as well.

MR. SCHLESINGER: I have to go to the county?

MR. ARGENIO: You're 500 feet within the state highway.

MR. EDSALL: We'll do this referral.

MR. SCHLESINGER: Because of?

MR. ARGENIO: That's what the law is, you're within 500 feet of the state highway, New York State Route 300. So anybody that's within 500 feet of that.

MR. EDSALL: There was a day when it wasn't required but Orange County Planning now mandates it for every application.

MR. SCHLESINGER: Okay.

MR. ARGENIO: So we can, typically, the county's been much better of late, they have 30 days to reply and we should send this, Mark?

MR. EDSALL: That's right.

MR. ARGENIO: And let's keep this moving and Nicole you'll see to that?

MRS. PELESHUCK: Yes.

MR. ARGENIO: You'll notify Mr. Schlesinger when we can put him back on the next agenda so he can continue moving, continue cooking steaks?

MRS. PELESHUCK: He'll be bugging me anyways.

MR. ARGENIO: I think that's it.

MR. SCHLESINGER: Thank you.

MR. ARGENIO: Okay, guys, anybody have anything else? Thank everybody for being brief tonight, we got a lot done in a short period of time. Motion to adjourn?

MR. GALLAGHER: So moved.

MR. FERGUSON: Second it.

ROLL CALL

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

Respectfully Submitted By:

Frances Roth
Stenographer