

TOWN OF NEW WINDSOR

PLANNING BOARD

September 11, 2013

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

ALSO PRESENT: DOMINIC CORDISCO, ESQ.  
PLANNING BOARD ATTORNEY

MARK EDSALL, P.E.  
PLANNING BOARD ENGINEER

JENNIFER GALLAGHER  
BUILDING INSPECTOR

CAMMY AMMIRATI  
PLANNING BOARD SECRETARY

MEETING AGENDA:

1. Walter's MHP
2. Summit Terrace S.P.
3. Summit Terrace Sub.
4. Cumberland Farms
5. Meadowbrook Estates Minor Sub.
6. Crestmoore @ New Windsor

**REGULAR MEETING:**

MR. ARGENIO: I want to welcome everybody to the regular meeting of the Town of New Windsor Planning Board for Wednesday, September 11, 2013. Would everybody please stand for the Pledge of Allegiance?

(Whereupon, the Pledge of Allegiance was recited.)

MR. ARGENIO: Today is September 11th as everybody knows and I'm sure that everybody's familiar with the events a few years back. In keeping with that, we're going to have a brief moment of silence. Mark would like to say just a couple of brief words as he is a former firefighter and lifetime member down in Cornwall. So Mark, do you have a couple things you'd like to say then?

MR. EDSALL: It's real easy to say we'll never forget. But I'd like us all to remember those that were lost on September 11, a total 2,996, 246 within the planes, 2,606 in the towers and 125 down in the Pentagon. Particular note to myself are the 343 firefighters in the towers, one being a good friend of mine, his son went to high school with my son. And I would hope everybody keeps in mind the term never forget and really never forgets.

MR. SHERMAN: My son is alive by 10 minutes.

MR. ARGENIO: Mark, thank you for that. And today we're certainly happy for Dave's son, my goodness a stroke of luck. Let's get down to business.

#### APPROVAL OF MINUTES

MR. ARGENIO: The first item on tonight's agenda is the approval of the minute dated June 12, June 26 and June 24 that were sent out via e-mail on August 15. If anybody sees fit I'll accept a motion to approve them as written

MR. VAN LEEUWEN: So moved.

MR. GALLAGHER: Second it.

#### ROLL CALL

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

ANNUAL MOBILE HOME PARK REVIEWS:

WALTER'S MOBILE HOME PARK

MR. ARGENIO: Annual mobile home park review, Walter's Mobile Home Park. Somebody here for this? Would you please come up? You were here last time, what's your name?

MR. DANTAS: Allen Dantas.

MR. ARGENIO: Jen, somebody been out to have a look?

MRS. GALLAGHER: Yes.

MR. ARGENIO: What say you?

MRS. GALLAGHER: Yes, it's great, no problems at all.

MR. ARGENIO: Have you brought with you a check this evening made out in favor of the Town of New Windsor in the amount of \$515?

MR. DANTAS: Got it right here.

MR. ARGENIO: Accept a motion for one year extension.

MR. VAN LEEUWEN: So moved.

MR. GALLAGHER: Second it.

ROLL CALL

MR. GALLAGHER            AYE

MR. FERGUSON            AYE

MR. BROWN                AYE

MR. VAN LEEUWEN        AYE

MR. ARGENIO              AYE

MR. ARGENIO: Thank you for keeping a nice place there.

MR. VAN LEEUWEN: I concur a hundred percent.

REGULAR ITEMS:

SUMMIT TERRACE SITE PLAN (13-07)

MR. ARGENIO: Okay, the first regular item on tonight's agenda is Summit Terrace site plan up at Stewart. This is off of Clark Street, if you guys remember. The application is a 270 unit multiple family residential project on the 19 and a half acre property. The plan was reviewed at the 8 May 2012 planning board meeting. This project is a redevelopment of the prior Stewart military housing property and is the second phase of the Atlantic Marine Corporation Community Development. As previously noted, the project is subject to a developer's agreement between this applicant and the AMCC as agent for the United States of America and the Town of New Windsor. So that said, Mr. Sarchino, do you have some plans that you can put up for us just so we can refresh ourselves?

MR. SARCHINO: Sure.

MR. ARGENIO: So if I remember correctly, I'd like to just address a couple of things for the benefit of the board.

MR. VAN LEEUWEN: What about the dumpsters if I remember correctly?

MR. ARGENIO: Mr. Sarchino took care of that. I want to hit, since Henry brought it up, I'm going to hit Mark's comment about the lighting and the dumpsters. Joe, you have to make sure that they have lights in them that are motion activated.

MR. SARCHINO: Okay.

MR. ARGENIO: We had some comments from county and the only binding comment quote unquote binding comment that they made was a comment about the sidewalks and the way they were configured. And I think if my memory serves me, Mark, correct me if I misspeak, we had given the applicant guidance on that, that we wanted that changed, then we got the county comments and it was interesting that their comments were congruent with ours which means we're thinking similarly. I'm not going to take the time to go through all of the other advisory/suggestion comments, suffice it to say this, a lot of those comments the suggestions that they made

that we've covered already in our prior reviews, things that we've discussed and I think you made a comment about the dumpsters, Mr. Sarchino cleaned that up, but I have a couple things I do want to hit here but Mr. Sarchino first I'd like to hear from you on any updates you can give us on the plans since you've been here last.

MR. SARCHINO: Right, okay, Mr. Chairman. On August 23, we made a submission to the board and the re-submission addressed Mr. Edsall's comments as to providing additional information as far as the engineering goes, such as the utility profiles. We had some clarification that needed to be made with his office with regard to how the storm water basins work which we made that clarification.

MR. ARGENIO: What does that mean, how the water flows or how the--

MR. SARCHINO: How the retention system functions. So we clarified that with the person in the office and that was found to be acceptable. There was also some information about the slope stabilization in this area that we made clarification with this office as well and they found that to be acceptable, the water main and storm water profiles were submitted to his office for review.

MR. ARGENIO: Do you have that, Mark?

MR. EDSALL: Yes.

MR. SARCHINO: The only other thing that we added at the board's request at the last meeting was a flag pole that was added right in front of the clubhouse as you enter the site and this landscaped island in this location here so that was part of the re-submission as well. Other than that, that was all we needed to respond to. As far as we understood, everything else was taken care of prior to that submission with the board.

MR. ARGENIO: One of Mark's comments here I thought I read was that, I'll read it, the applicant's consultants have done a good job addressing the comments and concerns, I was pretty sure that I had read that.

MR. SARCHINO: Okay, great.

MR. ARGENIO: Joe, do you have a copy of Mark's comments for this evening?

MR. SARCHINO: No, I don't.

MR. ARGENIO: You can take these right here.

MR. SARCHINO: Thank you.

MR. ARGENIO: And I give them to you because one of his bullet items is he's got a bunch of comments on your detail sheets and I'm not going to get into reading all of the comments because I think it's really minutia members, it's on the second page there, when a standard space adjoins a handicapped space double line should be installed, one blue, one white. I don't mean to say it's unimportant but it's really engineering details that I don't think anything here materially affects the project.

MR. EDSALL: Can I add to the comment on details I do the detail review at the very end of a project because I don't want to waste your client's money, our time looking at it twice. So I wait until the plans are resolved then I look at the details.

MR. SARCHINO: That makes sense.

MR. EDSALL: So they're very minor in nature, just intended just on the final plan just to clean up minor items.

MR. SARCHINO: I don't see any problems with the comments, we can take care of this, Mr. Chairman.

MR. ARGENIO: Let me continue for a second. And I want to get into something for the benefit of the members. For the record, a public hearing was held on this application 7/24 of '13. Nobody spoke at that meeting. The water main extension approval was granted on 8/13 of 2013. You guys are in the process of acquiring your wetlands permits. The SWPPP is submitted, reviewed and acceptable by our consultant, McGoey, Hauser and Edsall. We talked about the Orange County Department of Planning a moment ago. The sewer allocation has already been processed and approved by the town board. We declared a negative dec on the under, the SEQRA process for this application which I'm going to take that opportunity to segway into a letter that was

written by a concerned citizen and I asked that Cammy e-mail that letter to the members. You guys received that I assume? Good. So it came Friday, concerned citizen, that's not accurate, the header on the letter Stewart Park and Reserve Coalition and here's what I want to mention to you guys and have you consider. The author of the letter, the group that penned the letter mentions in their letter that we didn't acknowledge nor did we discuss at any point in time that the project is adjacent to the Stewart Forest, what is it called, Stewart--

MR. CORDISCO: Stewart State Forest.

MR. ARGENIO: SSF. Well, that may or may not be accurate, I don't know if it is or isn't. But I can tell you everybody here, everybody on this board is a resident of the town and I know Henry drives passed that on his way home as I do on my way home and I certainly know the Stewart State Forest is adjacent to the property, I'm assuming that the other members, Howard, Harry and Danny and Dave, if you were on the dais on that evening were aware that the Stewart State Forest is there as well. So what I'd like to do is unless somebody has an issue with it is affirm that when we did declare our negative dec we all knew that the Stewart State Forest is there, we identified the traffic as an issue and Mr. Sarchino through discussions with his client they have agreed to make the improvements down near the Thruway bridge which is important to us. And that was the issue we identified. So I just, I'd like to affirm that if anybody disagrees, say I disagree. Danny, you affirm that, are you in agreement?

MR. GALLAGHER: Yes.

MR. ARGENIO: The others, did you consider that?

MR. FERGUSON: Yes.

MR. BROWN: Yes.

MR. VAN LEEUWEN: Yes.

MR. ARGENIO: So we affirm that we did, certainly we were certainly aware of that and we did consider it. I know I did and I'm glad to hear you guys did as well. Dominic, is there anything else in particular that we need to discuss relative to this group's concerns

because I certainly don't want to blow them off. I want to--

MR. CORDISCO: You covered the omission of the fact that the Stewart State Forest wasn't specifically mentioned previously but it's not as if the board doesn't know that Stewart State Forest is there.

MR. ARGENIO: Correct.

MR. CORDISCO: So you've covered that aspect of the letter. The other two comments that relate to the town but you can decide whether or not they relate to this application is that the letter raises the issue regarding the town's waste water treatment plant and the fact that the town has entered into a consent order to upgrade its sewage plant. And the other aspect of the letter is the asphalt plant which was located at Stewart and was also as I might add a town board action, the letter suggests that.

MR. VAN LEEUWEN: Temporary.

MR. ARGENIO: It's two miles away.

MR. CORDISCO: Correct, just mentioning the comment.

MR. ARGENIO: Occupies a third of an acre of property.

MR. CORDISCO: The commenter mentioned it as items that in her opinion should have been evaluated in an actual Environmental Impact Statement.

MR. ARGENIO: And that's the beauty of SEQRA that it's a self-checking mechanism and we, the planning board are supposed to apply our wisdom and our opinions to it as residents of this town. And I believe we did that. Does the knowledge of the blacktop plant two miles away or the sewer issue, does it affect anybody's opinion on the negative dec?

MR. GALLAGHER: No.

MR. ARGENIO: Let the record reflect all the members responded it does not affect their opinion on either declaring a negative dec or affirming the negative dec for this application. Okay, well, we covered it and, you know, we always welcome these letters, we don't run from these because sometimes there's things that we're not aware of as a board, you know, so who knows, so we

have addressed it.

MR. CORDISCO: Mr. Argenio, if I can, finally the letter suggests that there are procedural defects in connection with the Stewart State Forest issue that it was not being identified in the EAF. Just so that the record is clear, regardless of whether or not Stewart State Forest was specifically identified in the EAF, the board still took the same procedural actions that it should have taken, even if it was mentioned and by that what I mean is that you circulated for lead agency, you got zero comments regarding lead agency so you assumed the position of lead agency and secondly, you evaluated the long form EAF for the project so in my opinion there was no procedural defects regardless of whether or not the document itself mentions Stewart State Forest by name.

MR. VAN LEEUWEN: Didn't have to, we know where it is, we all live here.

MR. CORDISCO: That's why your planning board members--

MR. ARGENIO: Okay, I'm going to go back to this for a moment, we talked about lights, members please jump in if there's anything that anybody wants to comment on, I'm just going through Mark's comments and I'm seeing, you know, Joe has the classic not for construction stamp on here somewhere, it appears just like every engineer does.

MR. SARCHINO: We all remove that.

MR. ARGENIO: I've built jobs and had them occupied for five years and still had that not for construction stamp, please address that, Mr. Sarchino.

MR. SARCHINO: I absolutely will.

MR. ARGENIO: I'm not going to go through, is there any one of those bullets, guys to my left, that get anybody banged up?

MR. GALLAGHER: Maybe just a fence around the storm basins, you did propose a fence?

MR. ARGENIO: Good point, Danny, one of Mark's bullets and I want to read it in a review of the plans, it's not clear and P.S. the bullets I was referring to were the detail bullets but you bring that, I think it's a

good point in review of the plans it's not clear why the fence is not provided for the entire perimeter of the storm water basin. Joe, you need to wrap the basins.

MR. SARCHINO: We do, we show it, something that the NYSDEC wanted was a fence along this entire perimeter adjacent to the hundred foot adjacent area so we do show a fence from here all the way down here.

MR. ARGENIO: That's not a fence along the storm water basin.

MR. SARCHINO: I'll finish it. So what the fence also does it ties into an existing fence that runs along the stream in this location, there's an existing chain link fence so there's another piece of fence that comes down to here and that encloses that basin. There's another fence right here and that encloses and it comes back out here so it encloses the basin.

MR. GALLAGHER: All the green area in the middle is residents, can they get to that or is it fenced in?

MR. SARCHINO: It's fenced in from here to here but the basin itself is also fenced in, even if somebody did get in here there's still a fence around the basin.

MR. GALLAGHER: What's the reason we're not allowing residents in the middle?

MR. SARCHINO: DEC wants that area naturalized and not have any activities in that area.

MR. ARGENIO: So you're saying the fence, the long fence was a requirement of the DEC?

MR. SARCHINO: Correct.

MR. CORDISCO: Just to be clear so everyone understands.

MR. ARGENIO: I think that's ridiculous, I can't imagine that. What's the point of having the forest and the green area, isn't it so people can enjoy it and walk through it, the wetlands that the DEC protects?

MR. CORDISCO: The adjacent area itself is not even wetland, it's upland areas that provided a buffer to the wetland.

MR. SARCHINO: That's their requirement.

MR. ARGENIO: Don't put the fence in.

MR. SARCHINO: Oh, no, I have to put the fence in. Respectfully request that the board not require it.

MR. FERGUSON: Is the trail for the school on this project because there's a trail that leads--

MR. SARCHINO: It's down here and there's like a little bridge that comes across.

MR. ARGENIO: Do you think I'm off base with my comment?

MR. EDSALL: I understand your opinion and I certainly share it. However, they have to obtain a permit from DEC so that they can construct the basins and also comply with the wetlands.

MR. ARGENIO: For the record, this is the stupidest discussion I've ever had since I've been on this board. The DEC is preserving these wetlands and these forests so the fauna and everything can develop and maybe people can walk up in there, who knows what, but then they say no, stay out cause we preserved it. I don't get it, man, as long as I sit up here I'll never understand.

MR. VAN LEEUWEN: Can I tell you something? That's the same thing as Governor Cuomo is doing all this to bring business in and the DEC says throw them out, don't want them.

MR. EDSALL: Can I comment on the existing fence? We don't have any knowledge what shape it's in, how big it is, but if they add a note as long as it will be inspected and improved if it is or at least prepared if it's deficient in any areas the board can accept the existing fence.

MR. ARGENIO: Dominic, do you have the 207 improvements memorialized in the agreement?

MR. CORDISCO: No, I do not. It's my understanding that the applicants and the attorney for the town are working on the terms of its developer's agreement and that will be a town board approval item in connection

with that.

MR. EDSALL: I list that as a suggested condition of approval, the developer's agreement. Second developer's agreement this being just between the developer and the town be a condition of approval.

MR. ARGENIO: Mark, please say that again.

MR. EDSALL: There's a developer's agreement in existence right now for this developer, the U.S., United States and Town of New Windsor that's executed in existence. There's going to be a separate developer's agreement just between the town and the developer for the off-site improvements that's being worked on by Mr. Blythe. We have discussed it a couple times but I'm suggesting you just make it a condition of approval.

MR. ARGENIO: So in that agreement will be the obligation for the improvements on 207?

MR. CORDISCO: That's correct. And the timing of those obligations and in connection with the development of this site as to when improvements have to be made.

MR. ARGENIO: Did we agree to anything on the timing?

MR. EDSALL: I think we had some percentages in, matter of fact.

MR. SARCHINO: We discussed it at a certain point of C.O.s or of the project and I know we've been working with Michael Blythe in developing that and I think we're all going to have an opportunity to review it.

MR. EDSALL: One of the adjustments we made was I suggested was that--

MR. SHERMAN: Thirty-five percent.

MR. EDSALL: If for some reason when they hit the 35 percent the town does not obtain title to the land that's needed, we wouldn't hold them up because of our delay but as soon as we obtain the land or whatever else we need to have done they would proceed immediately so we've been working with them on the wording.

MR. SARCHINO: The draft permit says 35 percent.

MR. CORDISCO: My recommendation to you is that those details be memorialized in a developer's agreement because this agreement will then be recorded and will be in the chain of title for this property.

MR. ARGENIO: Yeah, I'm okay with it, though just want to make sure that we hit it now that Cammy's showing me the notes it's jarring my memory. You guys, Dan and Howard and Henry, Harry, do you guys have anything else with this? I tried to be comprehensive.

MR. VAN LEEUWEN: No, they gave me everything I asked for, I just want to know how tall the flag pole's going to be?

MR. SARCHINO: I don't know.

MR. ARGENIO: It will be a six footer.

MR. VAN LEEUWEN: Now wait a minute.

MR. ARGENIO: Any approval you do or do not receive tonight, Joe, will be subject to Mark's comments as they're crafted tonight.

MR. SARCHINO: Absolutely, I would imagine any approval would note that.

MR. ARGENIO: Is there anything else I'm missing?

MR. EDSALL: No, and again, my comments were as the chairman indicated a bunch of very detailed bullets, it's no reflection on the efforts so far because we've got quite a complex set of plans, quite a number of sheets and they're in very good shape, there are minor cleanups.

MR. ARGENIO: I'll accept a motion for final approval subject to the execution of those two developer's agreements Dominic referenced and these comments crafted by Mark this evening.

MR. VAN LEEUWEN: So moved.

MR. GALLAGHER: Second it.

ROLL CALL

MR. GALLAGHER                    AYE

|                 |     |
|-----------------|-----|
| MR. FERGUSON    | AYE |
| MR. BROWN       | AYE |
| MR. VAN LEEUWEN | AYE |
| MR. ARGENIO     | AYE |

MR. ARGENIO: Thank you Mr. Forgione, thank you, Joe.

MR. SARCHINO: Thank you very much for your time.

MR. ARGENIO: Okay, we'll talk to you.

MR. EDSALL: You have the subdivision to take care of as well.

SUMMIT TERRACE SUBDIVISION (13-08)

MR. ARGENIO: Yes, this is more procedural than anything else, I believe. This is the Summit Terrace Subdivision. Application proposes two lot minor subdivision of the 69.8 acre parcel on Clark Street in the Town of New Windsor. The application was reviewed at the 26 June 2013 and 24 July 2013 planning board meetings. Mark, what do we need to talk about relative to this?

MR. EDSALL: This is the tail on the site plan dog.

MR. ARGENIO: This seems to be entirely procedural.

MR. EDSALL: Yes, this was anticipated for years when the original project was submitted. So I would suggest that you approve it subject to the plan complying with the site plan boundary layout, just to make sure they're consistent with each other, you've already completed SEQRA as part of one action so it's--

MR. VAN LEEUWEN: I'll make a motion.

MR. ARGENIO: Mr. VanLeeuwen made a motion we approve the subdivision for Summit Terrace.

MR. BROWN: Second it.

ROLL CALL

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

MR. VAN LEEUWEN: Flag pole better be 30 feet.

MR. CORDISCO: I prepared one resolution that covered both approvals.

MR. ARGENIO: Joe, Jennifer just said the code is 25 feet.

MR. SARCHINO: Is that okay, 25 feet?

MR. ARGENIO: That's the code.

MR. VAN LEEUWEN: That's the code.

MR. SARCHINO: Twenty-five feet it is, thank you for your time.

MR. ARGENIO: Good luck to you.

CUMBERLAND FARMS (13-10)

MR. ARGENIO: Cumberland Farms site plan amendment. Anybody here to represent this? Bohler Engineering. The application proposes exterior freezer box enclosure on the west side of the building. Plan was previously reviewed at the 24 July 2013 planning board meeting. This is an amendment to application 0525 which received approval in 2006. This plan proposes construction of a 27 and a half by 4.8 foot exterior freezer enclosure. As part of the work, the dumpster enclosure must be shifted. The plan includes upgrade of handicapped access to the building. What's your name, sir?

MR. O'BRIEN: Timothy O'Brien.

MR. ARGENIO: Mr. O'Brien, what do you have to say to us tonight?

MR. VAN LEEUWEN: Is that the one on 207?

MR. ARGENIO: On 94.

MR. O'BRIEN: This is an existing site plan. We have a survey for the site. Basically, you just have a sidewalk on the side of the building there now. What we're proposing to do is to shift that sidewalk out, move the dumpster enclosure over so we can put the new freezer storage container there. We did show you an elevation photo of that last time I was here, it's not that ugly aluminum.

MR. ARGENIO: No.

MR. O'BRIEN: It's the white one, much nicer than I thought it would be.

MR. GALLAGHER: Which Cumberland Farms is this?

MR. O'BRIEN: They didn't have cut sheets on it and they didn't have details of it so I asked for a photo, that's what they gave me. What we're proposing to do along the front of the building is restripe the handicapped accessible spaces, put in a new ramp, widen that curb sidewalk and put the structure in on the side. The interior it's actually measured 7.8, I believe the interior is a 4.8, the structure is 27 by 7.8 and we'll have a ramp on this side as well for access to it. The dumpster enclosure will be shifted over slightly. One of Mark's comments last time was to

provide a 19 foot parking stall from the bollards that are going to be installed. We were able to show those as well. The other one of Mark's comments I think last time or the board's comment you wanted to know how loud the condenser unit was on top. I did provide a calculation I believe in my response letter and basically they're not that loud, I did provide a cut sheet of that. Sound level at the unit is 89 decibels which calculates it out, that's the, as you go away from it at least at a distance of 29 feet decibel level is about 46. The other thing that somebody had asked is distance to the residential units. I provided that as well in the letter, 190 feet to the nearest single-family home and about 250 feet to the other ones so I think we addressed those concerns as well. Mark, did you confirm the decibels?

MR. EDSALL: No, I looked at the numbers relative to the units, the equipment provided and clearly it poses no significant problem as you get further away even to the property line given the spacing to the single-family residences and the multi-families, I can't imagine that it would be an issue. It's not as if it, I mean, if it had a mechanical malfunction and there was a bearing broken, they'll have to maintain but normal operation doesn't seem to be a concern.

MR. ARGENIO: Based on the decibel level?

MR. EDSALL: Based on the decibel levels, it's very, very consistent with any commercial use.

MR. ARGENIO: I was very much on the fence about a public hearing but I don't know, you know, so you didn't think, 190 feet is quite far.

MR. O'BRIEN: Yes.

MR. ARGENIO: You don't think that the noise is going to be an issue, Mark?

MR. EDSALL: The--

MR. ARGENIO: Apparently, 89 decibels is fairly quiet.

MR. EDSALL: Well, if you took up camp immediately adjacent to the unit it may be noticeable.

MR. ARGENIO: I can't believe that you did this. Let the record reflect that the learned counsel has an App

with a decibel level meter on it and if there's any accuracy to it at all, my voice that I'm speaking in now is hitting 90 decibels and numbers just above 90 decibels. So that about ohhhhhhhhhhhh, that's 100, that's 100 decibels, the noise I just made.

MR. EDSALL: I rest my case.

MR. ARGENIO: How much did you pay him? Thank you and thank you, I gotta get that App.

MR. EDSALL: I would suspect some of the air conditioning units at residences probably will be louder than what they'll be.

MR. VAN LEEUWEN: Mine are loud, I'll tell you that much right now.

MR. O'BRIEN: At the property line we estimated at 49 decibels so the further you go away--

MR. ARGENIO: Well, so should we talk about the public hearing? What do you guys think?

MR. VAN LEEUWEN: I'll make a motion to--

MR. GALLAGHER: I think it's minor in detail.

MR. VAN LEEUWEN: -- to waive public hearing.

MR. FERGUSON: Second it.

ROLL CALL

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

MR. ARGENIO: That thing better be calibrated. Mark, we need to do SEQRA do we not?

MR. EDSALL: Yeah, you've taken lead agency but you haven't--

MR. ARGENIO: I have county's response here.

MR. EDSALL: -- reached a determination, county returned it local determination.

MR. ARGENIO: Why are you putting the bollards in the front of the building?

MR. O'BRIEN: It's Cumberland policy, Quick Cheks are doing it, I believe they do it for safety reasons.

MR. ARGENIO: Obviously to keep people from smashing into the building.

MR. O'BRIEN: I guess it happens more than you would imagine.

MR. ARGENIO: So that's really your only change, the modifications on the west side and the bollards, is that correct?

MR. O'BRIEN: The bollards here, this unit, relocating the trash enclosure, dressing up the, redoing the handicapped accessible and the concrete at the same time they'll be doing they're, they'll be doing maintenance issues on site so--

MR. GALLAGHER: Nothing changing with the gas pumps, gas overheads, nothing?

MR. O'BRIEN: Not that I know of.

MR. ARGENIO: I'll accept a motion.

MR. VAN LEEUWEN: So moved.

MR. GALLAGHER: Second it.

MR. EDSALL: You need to consider negative dec.

MR. ARGENIO: Motion for negative dec.

MR. VAN LEEUWEN: So moved.

MR. GALLAGHER: Second it.

ROLL CALL

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

MR. ARGENIO: Mark, what else do we need to consider with this?

MR. EDSALL: Well, at this point, you've considered the county's comments, you've received back a local determination.

MR. ARGENIO: Do you have Mark's comments?

MR. O'BRIEN: I just received them.

MR. ARGENIO: They're very sparse.

MR. EDSALL: You have formally waived the public hearing.

MR. ARGENIO: We have formally waived the public hearing.

MR. EDSALL: Then at this point, my only suggestion was having revisited the site at the applicant's request to consider the finish of the enclosure if they're going to architecturally do any of the matching color stripes as long as they blend that into the building it will look good.

MR. ARGENIO: We'd like a note on the plan to that effect that it will, enclosure will match the building.

MR. EDSALL: Yeah, they've got, it's a brick building but they've got a lot of white accent finish and the Cumberland Farm striping accent so as long as they're cognizant of the desire to match it.

MR. ARGENIO: There's orange in Cumbie's business logo, an orange enclosure would be inappropriate.

MR. O'BRIEN: Yes.

MR. ARGENIO: Some shade of white.

MR. VAN LEEUWEN: The flag pole would be appropriate at 20 feet.

MR. ARGENIO: I don't know how you'd do that.

MR. EDSALL: Have the architect think about it.

MR. O'BRIEN: You're fine with the white enclosure or the unit, whatever it is?

MR. VAN LEEUWEN: Find a spot for a flag pole.

MR. ARGENIO: We're listening, see if you can find a spot for the flag pole. Mr. VanLeeuwen would like that if you could find a way to do that.

MR. O'BRIEN: I'm looking for it, really don't have one.

MR. VAN LEEUWEN: I have one at my own house.

MR. ARGENIO: Let's do this, I don't want to get jerked up about it, I don't want to create a problem for Jennifer. But let's do this, here's my suggestion, maybe Jennifer, one of your people could take a walk out, Mark or one of your people, see if we can find a spot that's safe. We certainly don't want it to be in danger of falling on the highway or the driveway or some such thing.

MRS. GALLAGHER: Okay.

MR. ARGENIO: Do you agree to install one if we can find a reasonable and safe spot to put one in?

MR. O'BRIEN: If Cumberland Farms agrees.

MR. ARGENIO: That's not what I asked you.

MR. O'BRIEN: I'll agree to it.

MR. ARGENIO: On behalf of your client?

MR. O'BRIEN: As a condition of approval.

MR. ARGENIO: That is depending on if the engineer and the building inspector can find a safe location to install it. I think that's fair, we're not twisting your arm but if there's a safe spot and this is not something that we're asking you to do that we don't typically ask other folks to do. So Jennifer will or somebody from Mark's office will take a walk out there, if they can find a spot, it would be great if you could do that.

MR. VAN LEEUWEN: Well, the parade always goes passed here, the parade always goes passed here, the Memorial Day parade always goes passed here so it would be very fitting.

MR. ARGENIO: Anything else guys? Professionals?

MR. EDSALL: No.

MR. ARGENIO: Motion, if anybody sees fit, I'll accept a motion for final approval for Cumberland Farms based on what we just discussed and Mark's comments.

MR. VAN LEEUWEN: So moved.

MR. GALLAGHER: Second it.

MR. ARGENIO: Subject to Mark's comments and our prior discussion about the flag pole.

ROLL CALL

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

MR. ARGENIO: Thank you sir for coming in.

MR. O'BRIEN: Thank you.

MEADOWBROOK ESTATES MINOR SUBDIVISION (01-42)

MR. ARGENIO: Next on tonight's agenda is Meadowbrook. We're going to save that till the end. Anybody here? Nobody's here for that, right? We'll save that to the end.

CRESTMORE @ NEW WINDSOR (13-02)

MR. ARGENIO: Let's talk about Crestmoore. Mr. May?

MR. MAY: Yes, sir.

MR. ARGENIO: Application proposes 26,315 square foot building proposed for use as an assisted living facility. Application was previously reviewed at the 27 February 2013 and 12 June 2013 planning board meetings. Charles P. May and Associates is the engineer. What this application is proposing is a 24 hour seven day a week assisted living facility providing on-site medical monitoring of personal care services. The property is located in the HC zoning district of the town. At our February meeting, the board determined this would be processed as Use Group A-6, a medical building. For parking purposes it's being treated as a convalescence facility. So Mr. May, what do you have to say?

MR. VAN LEEUWEN: Right next to Petro's building.

MR. EDSALL: This is Duffer's.

MR. MAY: As you all know, it's the Duffer's area which is presently zoned highway. The use is going to be for medical building. We're going to be utilizing the same entrance that Duffer's has always used. As a matter of fact, even part of the parking lot, just want to say that this is a first generation plan and we've moved everything back.

MR. ARGENIO: You haven't or have?

MR. MAY: I have on the grading plans, I'm just using this as an illustration.

MR. ARGENIO: So your illustration it's not been moved back and the plan you just picked up it has been moved back?

MR. MAY: Yes. This was the most recent plan submitted August 23, so everybody has been moved back. We have now, previously we had a requirement for an easement from the adjoining property owner because there's a detention basin was discharging along this side of the property and so now we have submitted with our SWPPP an easement agreement so that the adjoining property owner can continue to discharge along this property line. We

recently submitted also a SWPPP which actually has included in it the easement and the easement agreement and exactly what the easement is showing. We have also developed a detention basin which the information for it is enclosed within the SWPPP and we do have a flag pole, that was one of the requests that came up earlier. We did have a flag pole in this location, was actually a 30 foot high pole and you were saying a 25 foot.

MR. VAN LEEUWEN: Yeah, because that's the limit you're allowed in town 25 foot.

MR. MAY: We do have a flag pole in this location so therefore we're covered with the flag pole. We have submitted, we also have submitted in previous submissions elevations of the property.

MR. ARGENIO: How wide are your sidewalks, Mr. May, lower parking lot, upper parking lot?

MR. MAY: They're four foot, four or five feet wide, I believe.

MR. ARGENIO: Well, I think there's a big difference between four and five feet is 25 percent. The problem is is that here in particular the bumper of the cars are going to overhang and take up most of the sidewalk and a convalescing person, how do they get wheeled in a wheelchair when a bumper of the car is occupying 30 inches of the sidewalk?

MR. VAN LEEUWEN: Those sidewalks should be made six foot because if a wheelchair comes down and a person with a walker comes down they have to be able to pass each other.

MR. MAY: I agree, we can make them six foot wide in this location, matter of fact, we can probably make them all six feet wide if you wish.

MR. VAN LEEUWEN: You should.

MR. ARGENIO: I don't know if our code says that but it certainly makes sense. What does this mean two percent, does that say two point, .02?

MR. MAY: Yeah, that's two percent, that's the fire lane, that's the fire lane road, this is an access road for the fire lane to go down and a run the building.

MR. ARGENIO: How does that bus shelter work? Don't you think that there should be like a pulloff there for the bus to get out of the traveled way to pick up or drop off?

MR. MAY: These are 30 foot wide roadways, I'm sure there's enough room for a bus to pull off.

MR. ARGENIO: My point is that if the bus pulls over to drop or pick up, if somebody wants to get around the bus they're driving into oncoming traffic and it seems to me that there's maybe do you have room back there?

MR. VAN LEEUWEN: There's too much of a drop here.

MR. ARGENIO: No, right here.

MR. MAY: This little building was in this location and I moved it back.

MR. ARGENIO: I think you made a smart move by moving it back.

MR. MAY: It creates more of a wall in that particular location.

MR. ARGENIO: Speaking of walls.

MR. MAY: I can probably have a little pulloff before this somehow.

MR. ARGENIO: Yeah, if you could.

MR. MAY: I can squeeze a little pulloff.

MR. ARGENIO: I think you should look at that, Mr. May. Let's talk about walls a little bit here. When I look at the plan, I see, do I see walls or do I not see walls?

MR. MAY: Well, what happened was we had the building at 51 feet in this particular location and we actually moved it over two feet just prior.

MR. ARGENIO: Fifty-one foot offset.

MR. MAY: Well, from the property line right here and at the 11th hour we moved the building over and what happened in this location we had walls previously now I

have to take a look at this area right here and come up with the design for the retaining walls. I mean, we have all the notes and everything that Mark requires and we'll probably use LHV for that.

MR. VAN LEEUWEN: How about in the front on 32, that's a dropoff there too?

MR. MAY: Yeah, but I don't see that as being an area where we would have that much of a retaining wall, we have a curb in this location.

MR. VAN LEEUWEN: I'd like you to take a look at it.

MR. ARGENIO: You know what we should do, if Mark just note to self, you guys too, Henry, you too, go look at the wall adjacent to Bonura's restaurant on 32 near 9W.

MR. VAN LEEUWEN: Yup, that's high.

MR. ARGENIO: Look at the type of wall, have a look at it.

MR. CORDISCO: The new one that just opened?

MR. ARGENIO: Yeah, it's pretty nice.

MR. EDSALL: This is out in the Town of Newburgh.

MR. ARGENIO: Yes.

MR. CORDISCO: On 32 right across from the entrance to 84.

MR. ARGENIO: I don't know whose wall it is, I don't know whose it is but it's really nice, take a look at it. But anyway, I'm sorry, Mr. May, do we have walls on this south side?

MR. MAY: We definitely have walls on this side.

MR. ARGENIO: That's the north side, do you want to use mine?

MR. MAY: We do have a wall on this particular location on the south side that we had to create in order to allow, in order to allow the drainage to continue along this particular area. So there is a wall in this location in order to meet the invert for the existing pipe, it's not an extensive wall but it's--

MR. ARGENIO: What's FM mean, fire main?

MR. MAY: Force main, yeah, we collect all of the sewage in the lower floor and what we do is we have a force main which comes up and it's collected into a sanitary manhole in this area and from there it actually discharges by gravity down into the system.

MR. ARGENIO: So what drainage are you talking about near that wall? I'm not following you.

MR. MAY: If you look on drawing SG-1.

MR. ARGENIO: Okay. I see it but I don't quite understand what's going on, looks like there's a curb up here that cuts the road in half. I don't know what that's doing, looks like the symbol for a curb to me then it looks like there's a driveway going down here. I don't really get it, I don't get it.

MR. MAY: Well, we have an easement to grade on the adjoining property, this is the fire lane which we have utilized to come down around the property, this is a 30 foot wide fire lane, the detail is on the drawings, it should be on the SG-1.

MR. ARGENIO: Is this a curb here or not this curb?

MR. EDSALL: It's a drop curb.

MR. ARGENIO: Okay, what's the fire lane material, Mark, grass, block?

MR. EDSALL: It's an open paver filled, it was filled with sand on the detail but one of my comments is to consider like a crusher run rather than sand, tends to wash away less.

MR. ARGENIO: Okay.

MR. EDSALL: More of those minutia details.

MR. ARGENIO: You've got a lot going on there.

MR. VAN LEEUWEN: Where's the storm dump onto what's his name's land, Devitt's land? It must.

MR. MAY: Well, there's an existing basin in this location which actually, well, actually attenuate it to

this location which it has in the past.

MR. ARGENIO: Mark, can I have the county comments? County, Mark, on the county, can somebody please explain to me one of the members or Mark, county comment number two says County Planning recommendation that the board work with the applicant to potentially provide a connection to the neighboring development to the south. In doing so, the two developments could share a unified ingress egress. What neighboring development is to the south? I'm not aware of any neighboring developments here.

MR. GALLAGHER: The apple orchards? What's right after this?

MR. EDSALL: It might be the commercial site with the solar lights, might be to the south.

MR. ARGENIO: They mean the neighboring subdivision, the neighboring building? When I see development, I think houses.

MR. EDSALL: It's the strip mall with the office underneath in the back, I believe that's it.

MR. GALLAGHER: But they don't have an interest there do they?

MR. EDSALL: No, they don't and besides that the grades are difficult. If it was a flat world and both applicants wanted to have cross traffic maybe that would work but I don't know that it's--

MR. MAY: There's a significant difference in elevation between they're talking about right here there's an actual parking lot in this location.

MR. ARGENIO: I believe you're right.

MR. MAY: If you're looking, maybe I can show you on here when you look at this parking area, this is the building in which they're speaking about which is south there, it would be extremely difficult because there's such a drop and it would be of no avail to anyone to have a connection here because this is actually a fire lane which we have developed. So therefore, they wouldn't be able to use the fire lane.

MR. ARGENIO: Why aren't you doing that as a loop that

fire lane?

MR. MAY: The fire lane comes all the way down, it wraps around.

MR. ARGENIO: It doesn't wrap around in that picture.

MR. MAY: Hold on, the fire lane comes all the way down in along in here.

MR. ARGENIO: It does wrap around in the other plan?

MR. MAY: Excuse me, Mr. Argenio, that was my first generation. What it does it wraps around, these are all 30 foot wide aisles and they can come up and go out and they can actually come in, this is a 30 foot aisle also.

MR. ARGENIO: Makes sense.

MR. MAY: They're all 30 foot wide aisles.

MR. ARGENIO: While the members consider the plans, there's a couple things I just want to, want to point out, you should grab a copy of Mark's comments, Mr. May, there are a couple of areas that, you know, different things have been addressed and updated. But I do want to point out a couple things. One of his comments is the plans show a single finish floor elevation with the building to be multiple floors as previously requested, please provide all floor elevations for the building. And I'm going to try to stay away from minutia but I think that's important. I'm sure you'll have a project site sign, I didn't figure your project or your building or business whatever the case may be, please show that on the plans that location. We talked about the retaining walls a little bit already, we're going to need to get some effective clarification on top of wall, bottom of wall and what type of wall you're doing. Mr. May, I don't know what that wall is in that area I described, I don't know whose wall that is but I can't imagine it being appreciably more expensive than any other wall. That would be great if you could use that, propose that type of wall.

MR. MAY: We have another project with walls that we have submitted to Mark, we're familiar with the three vendors that you can use in the town.

MR. ARGENIO: LHV, who else?

MR. EDSALL: I don't recall.

MR. ARGENIO: Big block, it's big block, Ft. Miller, LHV and one other one. Please go down, take a look, I would like you to be keyed into that because that's a really nice wall and I think it's large modular block is what it looks like.

MR. EDSALL: I'll find out from Mr. Bonura who the manufacturer is as well.

MR. ARGENIO: Do you have a deficit from an earth perspective? Is the site on balance?

MR. MAY: The site will probably require some fill to be honest with you, with the, and what happens with this type of a building because the building is so large and because of the fact that we wanted to bring the elevation up so that we wouldn't, we would actually have gravity for the sewer, I think we're going to have a situation where we're going to need fill.

MR. ARGENIO: Import something.

MR. MAY: Yeah, definitely, we always like to balance it but large building and a small site of this nature just not going to work out and some areas we have eight feet of fill, yeah, it's not a small building.

MR. VAN LEEUWEN: How many people is it going to house?

MR. MAY: A hundred and thirty-eight beds.

MR. VAN LEEUWEN: That's a lot. That's going to be how many stories, two?

MR. MAY: Well, it's actually, no, here's the actual building itself one, two, three stories and there's a lower story in the back.

MR. VAN LEEUWEN: People are going to be living down there too?

MR. MAY: Not living but they're going to be cared for at that location.

MR. VAN LEEUWEN: What's the building going to be made of?

MR. MAY: Well, you know, we haven't, I'm assuming that it would probably be most likely be brick, a brick building.

MR. ARGENIO: That's good.

MR. MAY: They don't usually build them in anything other than brick face.

MR. ARGENIO: Okay, Mark, those grass pavers I think are supposed to have sand and topsoil in them, it's been my experience Kenny Apartments, Mullens Apartments, couple other sites, take a look at that, make sure we figure that out. My concern is we're on a slope, I think the idea you're supposed to develop turf, if they develop turf that eliminates your erosion, I think grass, grass I think it was even fill.

MR. MAY: We didn't want to have a mobile situation.

MR. EDSALL: One of the things with the fire inspector's office, it can create a fire lane and it's only usable for nine out of the 12 months because of it's buried in leaves, buried in snow, it really, they can't consider it.

MR. ARGENIO: You have not achieved your goal.

MR. EDSALL: What they want to have is something that's plowable, drive a plow truck over it as if it was a road, that's where we're headed.

MR. ARGENIO: Okay, I think we can talk about the public hearing tonight. I don't see any way that we're not having a public hearing on this, unless somebody disagrees with me. Mark, are we at a level of fitness where we can do that as of yet?

MR. EDSALL: I think the board should authorize it and then just again this has been kind of a growing process, Mr. May's office has added a number of drawings to the set to make it more complete, as the plans get more complete, I can look at drawings in more detail and make some very specific comments. I think these comments could, many of them could be addressed on the next submittal which could be for the public hearing.

MR. ARGENIO: I'm not going to quantify them but a lot

of what I see here is not big giant heavy lifting. A lot of the comments--

MR. EDSALL: The one area I do want to make sure is resolved for the public hearing is the drainage on the south side.

MR. ARGENIO: Walls, drainage and grading north and south.

MR. EDSALL: The south side it looks as if they're adding walls but there's two drainage pipes that I want to make sure don't get lost, that all has to be coordinated. So if you can make sure that that's addressed in the plan for the public hearing.

MR. VAN LEEUWEN: Mark, have you taken a look at the holding pond there?

MR. EDSALL: The last two pages of the comments are Joe Szarowski from our office are Storm Water Pollution Prevention Plan comments so we have built them right into our comments for this meeting.

MR. VAN LEEUWEN: Good enough.

MR. ARGENIO: So--

MR. EDSALL: He's got all the room in the world back there.

MR. ARGENIO: Does anybody have any other additional comment about the public hearing or any thoughts, Howard or Harry?

MR. VAN LEEUWEN: I think we should have a public hearing.

MR. GALLAGHER: We need it.

MR. VAN LEEUWEN: I don't think we can go without it.

MR. GALLAGHER: No, a building of this size needs it.

MR. ARGENIO: Absolutely, there's no question about it.

MR. GALLAGHER: We had it for the Guardian Storage.

MR. VAN LEEUWEN: I'll make a motion that we have a public hearing.

MR. GALLAGHER: Second it.

ROLL CALL

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

MR. CORDISCO: That would be once the revised plans are submitted.

MR. ARGENIO: Yeah, once Mr. May has made the changes that Mark has announced in his comments, yes, Dominic, thank you for that.

MR. CORDISCO: Of course.

MR. ARGENIO: Guys have anything else? Does he have a flag pole on this thing, Henry, are you doing your job?

MR. MAY: Yes, sir.

MR. ARGENIO: You're a good man, Mr. May.

MR. MAY: It's 30 foot high though, that's the only problem.

MR. ARGENIO: What about the DOT, Mark?

MR. VAN LEEUWEN: It's got to go to DOT. Well, maybe not, he's going to use the same entrance.

MR. ARGENIO: Stop, it has to go, how do you go from Duffer's to how many units this is?

MR. EDSALL: It's going to DOT at minimum for all the utility curb cuts so we're referring the plans for that purpose. I'm not quite sure if they can look at it for traffic volume, I'm not quite sure we can have a, matter of fact, they should probably submit for purposes of the public hearing a short traffic analysis for the commercial Duffer's versus this facility.

MR. ARGENIO: Yeah, and I don't think they should be, I don't think it needs to be a voluminous exercise but I can't imagine going from the use of a driving range to how many beds, Mr. May?

MR. MAY: Well--

MR. ARGENIO: Or residents?

MR. MAY: What's happened, Mr. Argenio, we sort of have with the owner we've talked about the traffic, we haven't written anything up and submitted it to Mark but previously there was quite a lot of activity with Duffer's when the economy was doing well and he has numbers of, the number of players that came in during that time, I can't quote the numbers, they don't, I don't quite remember them but there has been a cut in the amount of traffic that's come in and out of Duffer's.

MR. VAN LEEUWEN: There's not that many, my business is right up the street from there, okay, so I pass it four, five, six times a day.

MR. ARGENIO: Nobody went there, to your business, that is.

MR. MAY: The other thing too is that, Mr. Argenio, is the fact that we have 138 residents which do not drive.

MR. ARGENIO: Good point.

MR. MAY: A. B, we have studies from previous projects that I've performed with senior housing and these assisted living facilities where the peak is like Mother's Day.

MR. ARGENIO: Everybody's going to bring mom a flower.

MR. MAY: Right, during any other time we can, I mean, there have been studies by, you know, the traffic engineers that are models for these particular projects that we can submit to you that will show you that these don't generate a whole heck of a lot of traffic.

MR. ARGENIO: I think your commentary sounds reasonable. Do you agree?

MR. GALLAGHER: I agree.

MR. ARGENIO: But I still think you should put something.

MR. EDSALL: I would ask that just a single sheet

comparison of the trip generations and I would be not too surprised if it's not too much different or at minimum maybe even less.

MR. ARGENIO: What you're saying Mr. May makes a lot of sense.

MR. EDSALL: The employees are going to come, turn over on shifts but that's it, you're not going to have other than some delivery volume you're not going to have a constant flow as a business.

MR. ARGENIO: I agree.

MR. MAY: It's a 24 hour facility so you're going to have, it's going to be like a flow 24 hours a day, not a peak like quarter to eight in the morning.

MR. MAY: So the plan is I'll address Mark's comments and we can establish a public hearing date.

MR. ARGENIO: Yes.

MR. CORDISCO: Correct, on your re-submission you can then I believe--

MR. ARGENIO: Call Cammy.

MR. CORDISCO: Correct, and schedule the approximate date, get the notices in.

MR. ARGENIO: What else?

MR. MAY: I have nothing else this evening. I think we've covered just a lot of things.

MR. ARGENIO: Thank you for coming in this evening.

## MEADOWBROOK ESTATES (01-42)

MR. ARGENIO: Meadowbrook is next, I'm not going to say what I'd like to say, I'm not going to say what I would like to say about this but I'm going to say to Mark speak, speak, tell us what the story is here with Meadowbrook, please.

MR. EDSALL: I'm going to have a very, very quick comment and I'm going to refer to Dominic to speak on the phased filing of the plat. Bottom line is Meadowbrook is looking to take the total subdivision which was a 90 lot subdivision and in fact what they are doing is at this point asking for board's approval of Phase I which involves creating lot number 89 I believe or 90 which is a single-family lot fronting on Mt. Airy Road, another parcel to be dedicated to the Town of New Windsor for park purposes and the third lot would be the remainder parcel which they'll eventually come back for another phase of approval for the remaining 89 subdivision lots.

MR. CORDISCO: Correct, that's absolutely correct. State law allows an applicant to file a plat in sections and that's exactly what they're proposing to do here so it's an overall project, first section consisting of the recreation parcel to be dedicated to the town as well as a parcel that contains one home on it now that doesn't require any additional infrastructure.

MR. VAN LEEUWEN: There's a home on it already?

MR. CORDISCO: There's a home on a portion of their property.

MR. ARGENIO: The deal is this that developer agreed to give the town a substantial piece of property for the park contiguous with the park. The supervisor wants property and he wants to get it in the town's name cause he wants to attach it to the park and continue with whatever plans he and the town board has there. What's the difference between the discussion we're having tonight about Meadowbrook and the discussion we had about them a few weeks ago?

MR. CORDISCO: Very little. Actually, because the last time that they were already before the board they were looking for an extension of conditional final approval which the board granted and this topic did come up and

at that time, the board authorized the filing of the plat in sections. So what you have before you tonight is the first section they have, it's really for the board to determine that the fact that the first section comports with your understanding of what it should be.

MR. ARGENIO: Mark, have you looked at the piece they're going to dedicate to the town and is it congruent with what supervisor and the town board expect?

MR. EDSALL: More importantly, Jennifer took a copy of the plan to the supervisor and he confirmed that in fact it does represent the parcel that the town has agreed to accept.

MR. ARGENIO: Okay.

MR. EDSALL: The difference between a couple weeks ago and now then they didn't have a plan, now they do, basically it.

MR. ARGENIO: We don't need to do anything then?

MR. CORDISCO: The board already--

MR. ARGENIO: We already authorized it?

MR. CORDISCO: Correct, so it's just acknowledging it, they can come in and you can sign the plat.

MR. ARGENIO: We have acknowledged, we'll acknowledge receipt, we'll acknowledge receipt of the plan, Mark's reviewed the plan and finds the plan correct as the discussions were had between the developer and the applicant. Does everybody agree with that?

MR. VAN LEEUWEN: Yes.

MR. ARGENIO: We're going on Mark's word but we certainly have done that plenty of times in the past.

MR. VAN LEEUWEN: Who's doing the engineering?

MR. ARGENIO: Joe Pfau.

DISCUSSION

MR. EDSALL: Two items quickly at the end here, Mr. Chairman, if I could. You had processed a site plan application down on River Road, the old Lightron site. They have one area of warehouse that they want to use as a mockup area for the product and kind of a testing area for their in-house engineers. So it's not really warehouse and it's not really office and they wanted to make sure that doing that would not run afoul of their approval, I just wanted to bring--

MR. ARGENIO: It's warehouse?

MR. EDSALL: The one that's to the south is warehouse. My suggestion is that they identify the area to the building department so that it can be put in the file and we attach these minutes and my suggestion is it's a normal part of commercial business.

MR. ARGENIO: Jen, do you take exception to that?

MRS. GALLAGHER: It's fine with me.

MR. ARGENIO: Any of you take exception to that? You've been so directed. Why is Michele here?

MS. BABCOCK: I'm here just in case you had any further questions. John Cappello from my office was the attorney on this matter.

MR. ARGENIO: On this matter?

MS. BABCOCK: Correct.

MR. EDSALL: Michele and John have been in discussion.

COVINGTON ESTATES

MR. EDSALL: Second item of interest is Covington Estates as everyone knows has conditional approval and they had asked the board in the past to do that in three different phases. Just letting you know that they are proceeding with Phase I, they want a stamp of approval on Phase I. We're going to look at each section individually for the inspection and bonding costs rather and create all these plans.

MR. ARGENIO: Didn't we talk about that originally with them?

MR. EDSALL: We did, but rather than recreate plans with big crossed out lines that are an absolute mess, I'm suggesting you stamp the site plan and right next to it say Phase I, only so the plans when you look at them identifies what is Phase I.

MR. ARGENIO: You guys have any problem?

MR. VAN LEEUWEN: I don't.

MR. ARGENIO: Danny, can you get that done?

MRS. GALLAGHER: There's a lot of them.

MR. ARGENIO: Do half I'll do the other half.

MR. EDSALL: I still have to look at the final plans.

MR. ARGENIO: Okay, Mark. Michele, you alright, anything else?

MS. BABCOCK: No.

MR. ARGENIO: Professionals, anything else?

MR. EDSALL: That's it, thank you.

MR. ARGENIO: Motion to adjourn?

MR. VAN LEEUWEN: So moved.

MR. GALLAGHER: Second it.

ROLL CALL

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

Respectfully Submitted By:

Frances Roth  
Stenographer