

TOWN OF NEW WINDSOR

PLANNING BOARD

OCTOBER 14, 2015

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

ALSO PRESENT: MARK EDSALL, P.E.
PLANNING BOARD ENGINEER

VERONICA MC MILLAN, ESQ.
PLANNING BOARD ATTORNEY

JENNIFER GALLAGHER
BUILDING INSPECTOR

STEPHANIE RODRIGUEZ
PLANNING BOARD SECRETARY

MEETING AGENDA:

1. Windsor Heights Mobile Home Park
2. USAI site plan amendment
3. 5 Corners site plan
4. Temple Hill Apartments

REGULAR MEETING:

MR. ARGENIO: Welcome everybody to the regular meeting of the Town of New Windsor Planning Board of October 14, 2015. Please stand for the Pledge of Allegiance.

(Whereupon, the Pledge of Allegiance was recited.)

APPROVAL OF MINUTES DATED 9/9/15 & 9/23 15

MR. ARGENIO: First on tonight's agenda approval of the minutes dated 9/9 and 9/23 sent out via e-mail on 9/18

and 10/1

MR. VAN LEEUWEN: So moved.

MR. GALLAGHER: Second it.

MR. ARGENIO: Mr. Van Leeuwen's made a motion we accept them as written, Danny's seconded it. Roll call.

ROLL CALL

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

ANNUAL MOBILE HOME PARK REVIEW:

WINDSOR HEIGHTS MOBILE HOME PARK

MR. ARGENIO: Windsor Heights Mobile Home Park, somebody here for that? What's your name, sir?

MR. SASSER: Joel Sasser.

MR. ARGENIO: Jennifer, has somebody from your office been out to see this park?

MRS. GALLAGHER: They have.

MR. ARGENIO: How is it?

MRS. GALLAGHER: It's good. It's on Riley Road, 26 units.

MR. ARGENIO: How many units?

MRS. GALLAGHER: Twenty-six.

MR. SASSER: Is it 26?

MRS. GALLAGHER: It's what we counted.

MR. SASSER: It's full. I've been coming here for 11 years, you'd think I'd know the number off the top of my head.

MR. ARGENIO: Did you bring a check in the amount of \$250 to the benefit of the Town of New Windsor? That said, does anybody want to make a motion for one year extension?

MR. VAN LEEUWEN: So moved.

MR. FERGUSON: Second it.

MR. ARGENIO: Motion made and seconded by Mr. Ferguson that we offer Windsor Heights Mobile Home Park a one year extension permit to operate. Roll call.

ROLL CALL

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

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MR. VAN LEEUWEN AYE
MR. ARGENIO AYE

MR. ARGENIO: You're good for a year. Thank you for
keeping a nice place. On to our regular items.

REGULAR ITEMS:

USAI SITE PLAN AMENDMENT (15-11)

MR. ARGENIO: First regular item on tonight's agenda is USAI site plan amendment. The application proposes parking improvements on the south side of the existing facility. The plan was previously reviewed at the 12 August 2015 planning board meeting. Gentlemen, for the record, your names are?

MR. CAPPELLO: John Cappello, Jacobowitz & Gubits.

MR. MC GIVER: Jim McGiver, C.T. Male Associates.

MR. ARGENIO: Mr. Cappello, could you have brought a smaller drawing?

MR. MC GIVER: I take the heat for that, I never made it back to my office, the plans are waiting for me so it is completely on me.

MR. VAN LEEUWEN: What do you want us to do, beat you with a wet noodle?

MR. MC GIVER: That would be appropriate, believe me, I'm very sorry about that.

MRS. GALLAGHER: Do you want to borrow these, Mr. Chairman?

MR. ARGENIO: John, tell us where we're at.

MR. CAPPELLO: Really I think where we are is we've been before the board, we've had a list of comments from the engineer, from your fire inspector, we discussed revisions to the plan at the workshop meeting and we're hoping that the board would consider given the fact that there's no real footprint changes here, remediation plan is about to get underway, it's been fully vetted and reviewed by the DEC, there have been no other agencies who have come up with concerns, we're more than happy to discuss the proposed revisions we're going to be making to the plans. And we would hope that the board would consider tonight negative dec, waiving the public hearing and granting site plan approval.

MR. ARGENIO: What revisions, John, are you talking about?

MR. CAPPELLO: Well, the one major revision--

MR. ARGENIO: Actually, you know what, Jen, give him those plans please so he can point it out to us so we can understand it. While you're doing that, John seems as though we're good with county here on this. Mark, just for you a question, I have a comment here from fire.

MR. CAPPELLO: That's what we're going to go over.

MR. ARGENIO: South roadway needs to be 30 foot wide and the north entrance needs to be removed. Okay, so then subsequent to that, there was a second review on 10/7 and it's been approved so John, I guess you've addressed their comment?

MR. CAPPELLO: Yes.

MR. ARGENIO: I can't imagine them wanting to remove an access point so a fire truck can't do a loop, I can't imagine that.

MR. CAPPELLO: Yeah, what they had suggested and we went over is this road as it goes through the entrances, this is the south road, the entrance is 48 feet but since it's an access road and solely an access road for trucks to avoid going through the parking lot, it goes down to 20 feet. However, the northern most access is 30 feet and would allow a truck to go in. And what we propose and discussed is removing these parking places here so the access to the parking lot and the access to the building for fire trucks would be right through here, straight shot in, it's more than 30 feet wide, there's going to be a knox box at both the gate, at all three of the entrances that the fire department will have the key to it so this will serve as 30 foot. And the second access to the building this will just serve as another way in.

MR. ARGENIO: You said a lock box at the building entrances?

MR. MC GIVER: Knox box, so after hours they can come in open it up and get access to the site.

MR. VAN LEEUWEN: Is this the Lippman property?

MR. CAPPELLO: Yes.

MR. VAN LEEUWEN: This is the one he bought, the old fuel company?

MR. CAPPELLO: Yes, yes, that's where we're remediating.

MR. VAN LEEUWEN: When are you going to tear the buildings down?

MR. MC GIVER: They're gone.

MR. VAN LEEUWEN: I haven't been there in two weeks.

MR. MC GIVER: We removed the asbestos in the buildings, started only Monday and we're not finished yet, started on Monday but--

MR. VAN LEEUWEN: No wonder I didn't see it yet, okay.

MR. ARGENIO: Just to summarize for the benefit of the members, you guys have a copy of Mark's comments? We do have acceptance from the fire prevention board, their 10/7 memo, DEC approval, we have as of 9/15 of 2015 the SWPPP has been submitted and accepted, reviewed and accepted by Mark's office. Mark, what about DOT? I have a copy of your letter, you e-mailed it to me so just for the benefit, I mean, you and I spoke a little bit about this, can you just kind of update the members on where we're at with DOT and their look at this application?

MR. EDSALL: Well, we referred the plans and information to them on August 18 and the transmittals that we have always used make it very clear that it's referred as part of an inter-municipal or inter-governmental cooperation for them to give us feedback. We sent that and we sent a lead agency letter. We received a response on the lead agency letter and that letter was I believe from the same unit that would normally respond to our coordination request. They responded effectively saying here's the link to apply for a permit.

MR. ARGENIO: Normally wouldn't it be the applicant that would apply for that permit?

MR. EDSALL: Yes but we're getting back into the difficult ages with the DOT again where they respond to our inter-governmental request for coordination by

telling us where we can apply for the permit which we have no intention of. So as I attempted to get an answer for tonight, on October 8, I took a scanned copy of my letter from August 18, sent it to the regional representative up in Poughkeepsie and the Newburgh permit representative, said please respond to our request for coordination, it's going in front of the board and I referenced tonight's meeting. I've heard nothing. So I think it's back to the days where the board has to act on the site plan issue. We made a valiant effort to try to coordinate and it just didn't get anywhere. The applicant will have to apply for a permit and hopefully DOT will not make you make any changes that would impact the site plan. If they do, I'll be getting back to you. So you can either consider them a field change or if it's serious enough we'll re-open the site plan review which I doubt.

MR. ARGENIO: Just so I'm clear, do we have a problem with closing out SEQRA at this point because we don't have--

MR. EDSALL: No, she responded to SEQRA and indicated that they're accepting New Windsor to act as lead agency. Certainly given them ample opportunity to advise us if they have any concerns from site plan standpoint. I would suggest that you proceed with your review and approvals and I'm sure if the applicant runs into any resistance to move driveways which I really doubt they'll be back.

MR. CAPPELLO: As far as the permit, we're not authorized to apply for permits until SEQRA's completed anyway, that's why Mark is correct in asking them what we usually ask them for is to give us at least an indication that they're okay.

MR. ARGENIO: Is that a procedural fact we have to post a positive or negative decision before they apply for their permit for DOT?

MR. EDSALL: They will not release the permit unless there's a negative decision granted. But again, we've been doing this since the mid '80s with the DOT and we have always I would say for probably 85 percent of the time we've been successful that they'll give us back technical comments, such as before you go much further the driveway's gotta move or we object to two curb cuts, we only want one, something to that extent.

MR. ARGENIO: Well, let's not go round and round with it. So, Mark, again, correct me if I misspeak here, this application is essentially an expansion of the parking lot. Now I'm getting to a point members, took down some buildings, you're going to clean up this Brownfield area and you're going to build this parking lot and improve this access to River Road, is that essentially correct, John?

MR. CAPPELLO: Yes, I mean, there's going to be interior improvements and revisions to the building but that would be the building department.

MR. ARGENIO: But what's not included here is a 6,000 square foot building is my point.

MR. CAPPELLO: Yes, there's no expansion of the footprint of the new building.

MR. ARGENIO: Site amenities.

MR. CAPPELLO: Yes, exactly.

MR. ARGENIO: I'm heading to the discussion of the public hearing and I will yield to whatever you guys think is best, but it certainly seems to me that they're improving the site, they're not adding any buildings, it's essentially a parking lot and a Brownfield cleanup.

MR. VAN LEEUWEN: I'll make a motion to waive public hearing.

MR. ARGENIO: I tend to agree with you, Henry, just want to make sure nobody else disagrees. One second, Howard or Harry?

MR. FERGUSON: No, that's okay.

MR. BROWN: I don't disagree.

MR. ARGENIO: Danny, do you agree?

MR. GALLAGHER: Yeah, nothing but improvements going on.

MR. ARGENIO: Mark, you wanted to make a comment?

MR. EDSALL: I just wanted to make the record reflect that this is a special permit use. Their application

has no affect on their existing special permit. These are purely site plan revisions. Therefore, it's my opinion, my recommendations that the need for a special permit public hearing is not applicable and that the board has the opportunity to waive public hearing purely under the site plan aspect.

MR. ARGENIO: Agree Veronica?

MS. MC MILLAN: I do.

MR. ARGENIO: So the motion has been made to waive that.

MR. GALLAGHER: Second it.

MR. ARGENIO: It's been seconded by Mr. Gallagher. Roll call to waive the public hearing.

ROLL CALL

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

MR. ARGENIO: Seems to make sense to me.

MR. VAN LEEUWEN: It's an improvement.

MR. ARGENIO: I'm just looking through Stephanie's summary page, Orange County Planning local determination. What is the genesis of this here? DOT consent, see attached letter for lead agency. Okay, I get it. Took care of fire, it's not onto a town road, it's onto a state road, so there's nothing to talk about there. Members, does anybody else have any questions, anything else they're wondering or curious about with this application? Anything they'd like to probe?

MR. VAN LEEUWEN: I have none, I'll make a motion to--

MR. ARGENIO: Let's just, I want to make sure I'm buttoned up here, just hold on, Mark and Veronica, is there anything else that we need to get squared away, SEQRA, is that right?

MS. MC MILLAN: Yes.

MR. ARGENIO: I'll accept a negative dec under the SEQRA process.

MR. VAN LEEUWEN: So moved.

MR. BROWN: Second it.

MR. ARGENIO: That the Town of New Windsor Planning Board declare negative dec under the SEQRA process for USAI.

ROLL CALL

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

MR. ARGENIO: We did a pretty thorough I'll call it a technical review, probably the better word is a planning board review at the last meeting, Mark had some comments, seems as though you folks took care of them between Male and John Cappello. Mark or Veronica, what are we missing here other than the DOT?

MR. EDSALL: If you make conditional approval, make it subject to my comment number two which has a couple clean-up items the revisions required per the fire inspector's approval memo.

MR. ARGENIO: Jim, do you have a copy of Mark's comments? You do?

MR. MC GIVER: Yes.

MR. ARGENIO: Do you see those?

MR. MC GIVER: I do, we discussed them in the meeting, we're prepared to do that.

MS. MC MILLAN: Also, Mr. Chairman, comment number six which provides for the improvement estimate.

MR. ARGENIO: Subject to Mark's comments that should cover everything.

MR. MC GIVER: Yes.

MR. VAN LEEUWEN: So moved.

MR. ARGENIO: Mr. Van Leeuwen has made a motion for final approval subject to Mark's comments and subject to DOT. You okay with that, John?

MR. CAPPELLO: Absolutely.

MR. ARGENIO: You have to meet DOT's requirements.

MR. CAPPELLO: Yes.

MR. GALLAGHER: Second it.

MR. ARGENIO: Roll call.

ROLL CALL

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

FIVE CORNERS SITE PLAN (15-08)

MR. ARGENIO: Next on tonight's agenda is Five Corners site plan represented by Pietrzak & Pfau. The application proposes development of the tax lots adjacent to New York State Route 32. The plan was previously reviewed at the 22 July 2015 and 9 September 2015 planning board meetings. Why don't you come up too, Ray, you're a celebrity nowadays. Off the record.

(Discussion was held off the record. Whereupon,

following which, these further proceedings

transpired.)

MR. ARGENIO: Okay, Joe, what do you have for us? What changes have you made? What have you done with this plan? Joe, you're not sneaking anything in on us are you tonight?

MR. PFAU: Nothing new. We responded to Mark's comments from September, most of them were minor. They had to do with the striping details, dumpster, some minor modifications of the bulk requirements. And really that's it.

MR. ARGENIO: Looks like you changed the walkway as well.

MR. PFAU: Yes, we changed that to six foot and everything fit. We didn't have to change anything because of that. And that's actually what we didn't end up doing, we lost one space up front because of that.

MR. VAN LEEUWEN: What are you looking for tonight?

MR. PFAU: We're hoping at the last planning board meeting the planning board decided to waive the public hearing and we were waiting for--

MR. VAN LEEUWEN: This is another little improvement to the property, why have a public hearing if you've got an improvement? It's not necessary.

MR. ARGENIO: This, I have a letter from DOT here and it says New York State DOT finds it acceptable to remove the middle curb cut to the site and note the enhanced circulation. So seems as though they're on

the same page as us, unfortunately, they say however this also brings up the noted change in use, therefore, please provide trip generation and distribution information. I also see that comment reflected in Mark's comments. I'll read directly, response from DOT dated 9/11 of '15 requests trip generation distribution information from applicant. They indicate a highway work permit is anticipated. So I think that jams us up here a little bit.

MR. PFAU: Well, Mr. Chairman, there's no change of use, if there's anything, there's a reduction of use.

MR. ARGENIO: I think I agree with that, Joe.

MR. PFAU: So when we go actually go for our permit, if that--

MR. ARGENIO: I'm just reading a letter to you, man, I didn't write it and I agree with you. Mark, does that make sense?

MR. EDSALL: Yeah, it's a little bit baffling that we've got that response because there's four structures on the existing property, they're going down to two structures, cutting out a, removing a curb cut that's in a dangerous condition or dangerous location rather near the Five Corners but they want to look at trip generations.

MR. ARGENIO: Who's that person, Mary McCullough at DOT?

MR. EDSALL: Yeah, she's the one that usually responds on referrals.

MR. PFAU: But I think that she thought that the uses have not changed, you know.

MR. YANNONE: Restaurant, gas station, manufacturing retail in the front, gas station and it's exactly what we're proposing only on a smaller scale. There's no change of any use that we're proposing, just a reduction in size.

MR. ARGENIO: I think I agree with you, Mark, where does this leave us or Veronica, somebody help me with this? Because I think what Joe Pfau and Ray Yannone just said makes sense to me, does it make sense to you guys?

MR. FERGUSON: Absolutely.

MR. ARGENIO: You guys agree?

MR. VAN LEEUWEN: Yes.

MR. ARGENIO: We have to follow the law, we can't break the law. We don't have the authority to say it's okay to break the law. What are your thoughts, Mark?

MR. EDSALL: Well--

MR. ARGENIO: Seems as though she's misinformed or misinterpreted the plans.

MR. EDSALL: She may not be fully advised of what's happened here. Before we adopt a negative dec, it would be good to have on record from Joe a trip generation evaluation before this application and after this application showing that when you remove two of the four buildings and uses that you result in a decreased trip generation.

MR. ARGENIO: I would submit to you, Mark, I don't want to say I'm an advocate for the applicant, but I would submit to you if I'm the applicant, you know what I would say, I'm not going to close the curb cut, I'm not going to touch them. As such, DOT, you don't need to know anything about what I'm doing. What's preventing him from doing that? But instead he's doing the right thing and he's closing one of the curb cuts.

MR. EDSALL: There's no doubt that the applicant's intent is to improve this site to the benefit of the town and to their benefit, but benefit of the town so it is disappointing that we have this twist.

MR. PFAU: Can't this be something if we would require a permit from DOT which it seems that we do can we handle it through the permit process?

MR. ARGENIO: Joe, I'm sure you have a sense of where this board is on this application.

MR. PFAU: I'm asking the question.

MR. ARGENIO: I want to be procedurally correct so as to not misstep, Ray, and have you get jammed up later on, that's what we try to avoid, we've been pretty

successful. Jimmy was very successful in that sense and I'd like to think myself, and these people around me have been pretty successful in that sense as well in protecting the town as well as the applicants over the years but I don't want to misstep. So what are our options here?

MR. VAN LEEUWEN: Can I make a suggestion?

MR. ARGENIO: Let's hear from counsel, first.

MS. MC MILLAN: Mark and I both concur there should be some information in the record with regard to the trip generation cause transportation and traffic, vehicular traffic is part of the SEQRA review. So before you move forward with the negative dec, we should have something in the record related to that.

MR. ARGENIO: Okay.

MR. EDSALL: It's unfortunate, I'm really not happy, the letter came in late in the game, I wish it came earlier so these guys could have had it and resolved it but it is what it is, we got a response we're not happy with.

MR. VAN LEEUWEN: Why can't Joe go to DOT and make an appointment and explain the situation, maybe they can get a letter from them and we'll approve it if they get a letter.

MR. ARGENIO: I think that's what they're going to have to do but I was trying to avoid that.

MR. EDSALL: Jerry, short of them getting a letter from DOT, if they came back to us with a trip generation analysis and I can't believe in my mind that reducing two of the buildings, one being a gas station on a heavily used road causes a lot of trips when you remove that and go with these two buildings, it's got to be a decrease, if they submit that documentation, this board could then comfortably close SEQRA, grant an approval conditioned on them obtaining whatever permits they need. Just kicks the can down the road one meeting.

MR. PFAU: I guess talking about it this evening and saying that there's a reduction is not, wouldn't be part of the record.

MR. ARGENIO: No, I recognize that, I mean, the way

Mark, Joe, the way Mark is presenting it is from a common sense perspective and you've been in front of this board enough times to understand that's what we try to do. However, there are regulations and laws that we have to follow. Alright, so I think you need to do that.

MR. EDSALL: Is there anything that the applicant is looking to starting to do work on the site that perhaps you could authorize so they can start working with the building department so we don't slow them down totally?

MR. YANNONE: We want to have everything done because the tenants we're talking to we can't have anything go astray.

MR. ARGENIO: We're on the same sheet of music.

MR. PFAU: Submit to the DOT or the planning board?

MR. EDSALL: Send it to both but I believe that the planning board will be free to act once they have the information.

MR. ARGENIO: From us as you say it's common sense and I'm sure your document will reflect what Mark is presuming and what we're all presuming and at that point, we can make an effective SEQRA determination and hopefully, it will get DOT satisfied and squared away. Remember, you're going to have to get a DOT permit because you're going to close that entrance in the right-of-way. What else guys? Do you guys, members, do you have any questions?

MR. BROWN: No.

MR. ARGENIO: You follow that whole process?

MR. BROWN: It's unfortunate but I follow it.

MR. VAN LEEUWEN: They're cleaning up a piece of property.

MR. ARGENIO: Every time I drive passed I'm looking for a backhoe. Danny, any questions?

MR. GALLAGHER: No.

MR. ARGENIO: Joe or Ray, anything else?

MR. YANNONE: No.

MR. PFAU: No.

MR. BROWN: Misinterpretation on their part, that's what it is.

MR. ARGENIO: To be continued. Please make sure that when they submit, we get them on an agenda right away, move it along.

DISCUSSION

TEMPLE HILL APARTMENTS SITE PLAN (11-14)

MR. ARGENIO: Discussion item, Temple Hill Apartments site plan, 160 multi-family residential blah, blah, blah, blah, blah, blah, blah. Pietrzak & Pfau, designation is going from senior work force to integrated housing. I'm kind of wired into this a little bit, Mark and I have spoken about it, I'm not sure if I spoke with you, Veronica, about it but so Veronica or Mark, can you please for the benefit of the members let us know what's going on here and Joe Pfau, if you have anything, let us know. Mr. Mandelbaum just walked in the room too.

MR. EDSALL: Mr. Mandelbaum I'm sure will correct my information that I present if it's incorrect but Jonah came to the workshop and made us aware of some new recommended guidelines from the state relative to these type projects where you have a mixture of work force housing and senior housing that the requirements of the state now is that you integrate those uses from building to building. So that rather than having four buildings that are senior and two buildings that are work force that you integrate them across the board. Mr. Mandelbaum asked how best to deal with this and I don't believe a new set of plans is appropriate or needed. He's not proposing to change the site plan one bit. So there's nothing new to stamp. He's not proposing to change the use count, it's still 272 units, 186 being totally affordable senior and 84 work force with two caretaker apartments. All he's looking to do is mix them among the six buildings.

MR. ARGENIO: So the senior housing and the work force housing are now interspersed amongst each other on that same site?

MR. EDSALL: And he will coordinate that distribution with the building department we're just now calling it so that all the buildings will be designated as senior work force integrated housing, nothing more than that. So there's no site plan change here but it's an important that Mr. Mandelbaum have this board's approval on the record so he can refer that back up to the state.

MR. ARGENIO: Anything else on that?

MS. MC MILLAN: No, I think it's covered by the sections of the code that deal with total affordable, totally affordable senior and work force housing contemplated in these overlaid districts that both can be available in the same site plan. There's no prohibition in the code to having to be interspersed in the same building.

MR. ARGENIO: So you have a building that's for seniors and you're highly, I don't want to use the term monitored, regulated is the right word, you're highly regulated by the state and all their requirements, et cetera. So you have a building where you have seniors in it, you can also have work force housing folks there as well and you'll have the same I guess elevators and handicapped access?

MR. MANDELBAUM: Correct, all ADA compliant, nothing in the building is changed, integrating i the community, that came down from the state several years ago, there's a law, federal case called the Homestead Act where now the state creates a design and they are actually implementing that to have people integrate so you're not warehousing only seniors here and only work force here, only disabled here and only disabled veterans here because that's what the world is, the world is everybody lives together and you're not discriminating against somebody who can't be in a specific building. So we also work with people with special needs, disabled veterans, they all can live together, the elevators in the building are the same, the apartments are the same, they're all 100% ADA compliant, no change whatsoever, except if you're 55 and you want to live in the building across the street I can't go and discriminate against you, tell you no, you can't live in the building because I'm actually discriminating. So now talking about Hank, he's a little bit older than 55, you're too young but Hank wants to live across the street and his choice to live in this apartment building on the third floor, I should be able to let him as long as it's income qualified, still the income requirement exists, no change, at least he can be able to move into that building, he can't say I'm discriminating because I won't let him move into that building.

MR. ARGENIO: That's essentially what we're doing, permits the integration of these different descriptions of uses and it's driven by the state I guess.

MR. EDSALL: Yup, as we said, no change in the unit count, what you're doing now instead of separating four buildings of seniors, two building of work force, it's all integrated now.

MR. BROWN: This is only if you have work force and senior. If you just built senior, it's strictly senior, right?

MR. MANDELBAUM: Correct, because we have here a mix on the whole campus. If I have only a senior building then it's correct but since we have the whole campus is a mix so I can't discriminate against somebody.

MR. BROWN: How does that affect seniors who want quiet living and you've kids living next door that are yelling or screaming up and down?

MR. MANDELBAUM: I can answer that very easily, 95 percent apartments are one bedroom, it's more geared for the seniors because only one bedroom.

MR. BROWN: So technicality but most work houses are not going to go in there?

MR. MANDELBAUM: Correct.

MR. ARGENIO: Danny?

MR. GALLAGHER: Could you have a work force one bedroom with a guy that has a job and has two kids, could he live there with two kids?

MR. MANDELBAUM: No, also is based on income, if you have one guy, husband, two kids that's a four family, they, first of all, we won't allow it because it's too many people, we do have some two bedrooms, I think maybe there's four two bedrooms and only one three bedroom so it's right, it limits you to what you can actually have but the income limits, restrict them from being there.

MR. ARGENIO: What you're saying you can only pack so many people into that space?

MR. MANDELBAUM: Yes, you can't, you know.

MR. ARGENIO: Does that answer your question?

MR. BROWN: Yes.

MR. GALLAGHER: Yeah, I'm good.

MR. VAN LEEUWEN: Make a motion to approve.

MR. FERGUSON: Second.

MR. ARGENIO: Motion has been made and seconded by Harry that we, that the Town of New Windsor Planning Board acknowledge and authorize the reclassification of the Temple Hill Apartments from what it is currently to integrated housing and for the record, there are no new plans, it is the same unit count, same site plan, same everything, nothing has changed except the word integrated. Motion has been made and seconded. Roll call.

ROLL CALL

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

MR. ARGENIO: Mark or Veronica, anything else?

JOINTA LIME

MR. EDSALL: Couple items, Jointa Lime has contacted me, the consultants and apparently the board had not at the last meeting authorized circulation of lead agency coordination letter. With the board's permission, I will do so.

MR. ARGENIO: Gentlemen, Mark and I talked about this I think yesterday and for the benefit of the members authorizing that circulation of that letter was no more complex than it was an oversight at the last meeting. So unless anybody has an exception to it we're going to circulate lead agency. Anybody take exception to that?

MR. GALLAGHER: No.

MR. VAN LEEUWEN: No.

MR. ARGENIO: Okay, and that's what you're directed to do.

ELECTRONIC SUBMITTALS

MR. EDSALL: Second item is until the point that the new modifications to the zoning law are adopted which are some minor clean-up items, one of which is a requirement for electronic submittals, in other words, when they submit plans also submit PDFs, either on a CD ROM, DVD or thumb drive with the hard copy plans. That will be in the new modifications. I'm requesting that the board by resolution make policy until it's in the law that we require three copies electronically of all resubmittals. Our friends at the DOT--

MR. ARGENIO: Why did you not have, why have you not included the initial submission?

MR. EDSALL: You're correct, initial and all re-submissions. DOT one and I'm hoping maybe if we do it electronically we might get better luck, DOT, DEC a lot of the agencies are requiring electronic copies of documents.

MR. ARGENIO: We have GCs that we work for that will not take a paper contract.

MR. EDSALL: So if we can do that, we're working on, Veronica and I are working on those additions into the code revisions.

MR. ARGENIO: Anybody have a problem with that? Okay, you've been directed.

WEIKFIELD - TOWN OF BLOOMING GROVE REFERRAL

MR. EDSALL: Last item, I don't know if you want to discuss at all the referral we got from the Town of Blooming Grove, just to put it on the record that we're considering it and trying to coordinate.

MR. ARGENIO: Yeah, bring everybody up to speed.

MR. EDSALL: Weikfield major subdivision, that's the one that has the required cross connection to Rakowiecki, Mr. Biagini's.

MR. ARGENIO: Station Road.

MR. GALLAGHER: Public hearing recently.

MR. EDSALL: Yeah, not too long ago. As it would be, there's a subdivision, a large subdivision immediately adjacent on the other side of the town line in Blooming Grove called the Lake Blooming Grove major subdivision, that planning board has required that a stub road be put to the Town of New Windsor line for a potential cross connection, they didn't know we had an application ongoing as well. The cul-de-sac road on the application you're currently reviewing it's kind of a near miss, they're pointed like this at each other, they're very close.

MR. ARGENIO: Did you ever see the picture on YouTube they're building the bridge, one guy's here, one guy's there and they miss by about 65 feet.

MR. EDSALL: Given the fact neither one of us knew there was an application, that's pretty good. The chairman and I are coordinating with the Town of Blooming Grove to at minimum have right-of-ways extended that match.

MR. ARGENIO: I told Mike to get to Anthony Fayo so he can have a look at it.

MR. EDSALL: It's been referred to Mr. Fayo, I referred back to Blooming Grove's engineer a copy of the near miss so we'll have something for you hopefully at the next meeting.

MR. ARGENIO: Who's their engineer?

MR. EDSALL: Mr. Brady, Pat Brady.

MR. YANNONE: Will we have to realign our roads?

MR. EDSALL: No, on the cul-de-sac, we'll have to reserve a strip, the dead-end cul-de-sac I'm trying to get them to move their road to match your cul-de-sac.

MR. ARGENIO: We'd be looking for you guys to reserve a right-of-way.

MR. YANNONE: There's plenty of land, steep slope.

MR. EDSALL: It will be along the contours, it doesn't go against the contours, since you're cramped with the wetlands trying to get them to move their road so that's in the works. Matter of fact I'll send you a copy of what they sent.

MR. YANNONE: Thank you.

MR. EDSALL: So you're in the loop on all of it.

MR. ARGENIO: Anything else anybody?

MR. VAN LEEUWEN: Motion to adjourn.

MR. ARGENIO: Motion to adjourn by Mr. Van Leeuwen.

MR. GALLAGHER: Second it.

ROLL CALL

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

Respectfully Submitted By:

Frances Roth
Stenographer