

# Town of New Windsor

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## OFFICE OF THE PLANNING BOARD

WEDNESDAY — MARCH 26, 2003 - 7:30 PM  
TENTATIVE AGENDA

CALL TO ORDER

ROLL CALL

APPROVAL OF MINUTES DATED: FEBRUARY 26, 2003

### REGULAR ITEMS:

1. **E & M CONSTRUCTION SUBDIVISION (#03-03) RT. 300 & SHEPRO LANE (DALY)** Proposed two-lot residential subdivision
2. **NIMA CONTRACTING SITE PLAN (03-06) RT. 9W (COPPOLA)**  
Proposed new construction – 4,950 s.f. office/retail building.
3. **ROBERT MINARD SUBDIVISION (03-07) SHAW ROAD (JAMES)**  
Proposed 4-lot residential subdivision
4. **STELLA WAY SUBDIVISION (03-08) SCHIAVONE ROAD (ADONI ENG.)**  
Proposed 3-lot residential subdivision.

### DISCUSSION

5. **CAMILLIERE HOME BEAUTY** – Discussion from Work Shop (Edsall)
6. **FIRST COLUMBIA (02-200) SEQRA DISCUSSION**

### CORRESPONDENCE

7. **FOX MEADOW SUBDIVISION – TOLEMAN ROAD** – Request for 6-month extension of preliminary approval
8. **MARK SHUSTER (THE PINBALL CORRAL/ELECTRIC MUSEUM)**  
Discuss Letter of 3/20/03 submitted.

### ADJOURNMENT

(NEXT MEETING –APRIL 9, 2003)

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TOWN OF NEW WINDSOR

PLANNING BOARD

MARCH 26, 2003

MEMBERS PRESENT: JAMES PETRO, CHAIRMAN  
JIM BRESNAN  
JERRY ARGENIO  
THOMAS KARNAVEZOS

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

MICHAEL BABCOCK  
BUILDING INSPECTOR

ANDREW KRIEGER, ESQ.  
PLANNING BOARD ATTORNEY

MYRA MASON  
PLANNING BOARD SECRETARY

ALSO PRESENT: ERIC MASON  
NEIL SCHLESINGER

ABSENT: RON LANDER

REGULAR MEETING

MR. PETRO: I'd like to call the March 26, 2003 meeting of the New Windsor Planning Board to order. Please stand for the Pledge of Allegiance.

(Whereupon, the Pledge of Allegiance was recited.)

MR. PETRO: One of our alternates will sit in, Mr. Schlesinger, being that Mr. Lander is not here and we

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also have Mr. Mason is an alternate.

APPROVAL OF MINUTES DATED FEBRUARY 26, 2003

MR. PETRO: Approval of the minutes dated February 26, 2003.

MR. ARGENIO: Motion for approval.

MR. KARNAVEZOS: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board accept the minutes as written. Any comments? If not, roll call.

ROLL CALL

MR. SCHLESINGER	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

REGULAR ITEMS:

E & M CONSTRUCTION SUBDIVISION (#03-03)

Mr. Daly appeared before the board for this proposal.

MR. PETRO: Proposed two lot residential subdivision. Mark, I have two sheets, which one?

MR. EDSALL: The loose one, the other one had a misprint on it.

MR. PETRO: Project involves subdivision of 2.4 acre parcel into two single family residential lots. Plan was previously reviewed at the 26 February, 2003 planning board meeting. Property is in an R-4 zone, plan has been corrected per my comments. Planning board is lead agency.

MR. DALY: Thank you for your patience.

MR. PETRO: We're pretty clean on this. I think you cleaned up what we had mentioned at the last meeting, correct.

MR. DALY: That's correct. Did you want me to go over, I know there are some members that are here that were not last time, I'd be happy to go through it quickly.

MR. PETRO: You can go over it quickly, sure.

MR. DALY: What we have is a two lot subdivision, it's located on Route 300, Temple Hill Road and this is a private lane called Shepro Lane off of Temple Hill Road. This is your north arrow pointing north. Tax parcel 35, section 35, block 1, lot 32. The entire parcel is in the R-4 residential district and which calls for one acre zoning, 43,560 square foot and what is the action that's being taken here is we're subdividing this lot, the entire or the parent lot of 2.4 acres into two lots, lot 1 ending up being 1.24 acres, lot 2 1.27 acres. The zoning regulations table shows that the lots meet and conform to all of the requirements of the zone in terms of the area, setback and dimensions. What's shown here visually is on lot 1

proposed driveway coming onto Route 300, lot 2 proposed driveway coming onto Route 300 and placement of the houses. The darkened line is the envelope of the building setbacks on both lots, both lots will be served by municipal services, water and sewer hookups which are available at the site. We did in preparing it also look through and note that there's an additional easement which is shown here, it's the sanitary sewer easement to the rear of the property and is shown here in a light green color and it runs along the back along the side of lot which would be the south side of lot 1 between the Central Hudson easement and the property but it's on the property completely as a 20 foot wide easement then runs along the rear property line. And the purpose of that is a couple of manholes along there was to provide municipal services to the 2 residences, O'Connell and Massoud who were on Shepro Lane. We also note there were no DEC wetlands, no Federal wetlands, property was not in a flood zone, it was actually in zone C area minimal flooding with no problem. We did put a map note on here at the request of the planning board that lot 1 is not allowed to access Shepro Lane and so that driveway coming out onto 300 and that's essentially it. The current copy we're looking at is the map 3 revisions just in case anybody is referring to their work at hand.

MR. PETRO: We have Highway approval 3/19/2003, obviously and Fire approval 3/18/2003, are we waiting back from DOT, Mark, on this?

MR. EDSALL: No, I think this one given that it was individual driveways, you had decided, the board decided that you would proceed on this and just make permit applications.

MR. DALY: We've made permit applications but we have not, we haven't heard back from DOT as of this afternoon.

MR. PETRO: This lot is contiguous with the historic sites to the north, whether a referral to State Office of Parks and Historic Preservation will be needed?

MR. EDSALL: I just brought your attention, you need to

decide if it is or is not contiguous and the reason it's important is that if it was contiguous and I'm not suggesting it is, if it was contiguous, you have a situation where it could be classified as a Type I action under SEQRA because it's adjacent to a historical site. Obviously, this is down the road, there are residences between the historic site and here, I think if you agree that it's not contiguous and it's removed so it would have no impact, we just need to have that on the record cause that would justify why you're not claiming it's Type I and why you're not sending it to Historic Preservation.

MR. PETRO: I agree with what you just said. Any members disagree? We have Shepro Lane.

MR. BRESNAN: How can it be contiguous?

MR. PETRO: Just bringing it out. Anybody disagree with that? We'll just let his comments stay in the minutes and that's the reason for not doing the positive. Mark, I know you have no other comments and I don't have any other, do any of the members have anything else?

MR. KARNAVEZOS: The only thing he said that the sanitary sewer easement was in lot 1 and in fact, it's lot 2 and going back up to 1.

MR. DALY: That's correct, if I misspoke, I apologize for that.

MR. EDSALL: The sewer easement is a subtraction so on the final plan you need to have net lot areas shown.

MR. ARGENIO: When you do the setback on the lot that takes from the property line and you would never set back from the easement.

MR. EDSALL: Correct, zoning doesn't acknowledge easements, other than private road easements cause when we adopted the private road regulations, we said to treat private road right-of-ways the same as you would a lot line.

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MR. ARGENIO: Okay.

MR. PETRO: Motion for negative dec.

MR. ARGENIO: Make a motion for negative dec for E & M Construction.

MR. BRESNAN: Second it.

MR. PETRO: Motion has been made and second that the New Windsor Planning Board declare negative dec for E & M Construction minor subdivision on Temple Hill Road. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. SCHLESINGER	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

MR. PETRO: Motion for final approval.

MR. EDSALL: Have that subject to showing the net lot areas because they have to make sure that they still have 43,560 once they subtract out the easement.

MR. PETRO: Just show the net areas on the map, this will be a subject to.

MR. EDSALL: Because you've got Shepro Lane and the sewer easement.

MR. PETRO: Motion for final.

MR. KARNAVEZOS: So moved.

MR. BRESNAN: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant final approval with the subject-to we just read in with the net areas shown on the map with the easements subtracted out. Is there

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any further discussion from the board members? If not,  
roll call.

ROLL CALL

MR. SCHLESINGER	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

NIMA CONTRACTING SITE PLAN (03-06)

Mr. Anthony Coppola appeared before the board for this proposal.

MR. PETRO: This application proposes development of 4,950 square feet one story office on the one acre parcel. Plan was reviewed on concept basis only. It's in an NC zone permitted use rear portion or the lot is a R-4 zone, I guess you're not encroaching enough to go to the zoning board. Use by right in the NC, you have an overlap of 30 feet or 30 percent.

MR. COPPOLA: That's correct, I believe what the law allows us into the R-4 without getting into the requirements of that zone so we showed a 30 foot setback and it's labeled there limits of construction, that's where we set the corner of the building. Do you see you that?

MR. PETRO: I'm still trying to find out where we are here, existing one story building is under construction, what building is that?

MR. COPPOLA: It's right here.

MR. PETRO: I see it on the map but where is it?

MR. KARNAVEZOS: Down by Stewart's Furniture.

MR. PETRO: The one in the hole down on 9W?

MR. BABCOCK: That's the proposal, isn't it?

MR. COPPOLA: No, the low spot is actually next to this, the doctor's office is right next to us here.

MR. PETRO: Map says existing one story office building under construction, I don't know of anything being built there.

MR. COPPOLA: Our project that we got approved last year, same owner Nick Calella (phonetic).

MR. EDSALL: You know Dr. Prabhu, he's to the right of

this proposed site, see the name on the right of the proposed building, it's right there.

MR. PETRO: But it's not being built yet.

MR. COPPOLA: This one is, it's about halfway done, it's, the exterior's done right now. We're doing a new retail office building pretty much in line with what's under construction right now. It's going to be one story just under 5,000 square feet. Couple things that we should point out here. We have spoken to the DOT and what we prefer to do instead of having two entrances off Route 9W as the previous site plan that you had approved showed obviously entrance to the building that's under construction that has not been built yet, what we're showing here is a combined entrance between the two lots and that's going to be in the same ownership. So I don't believe there's any issue there. So one new entrance which will service both buildings and there would be kind of a Y there in the front.

MR. PETRO: You're saying two lots are under one ownership? That's why it's okay?

MR. COPPOLA: It's identical ownerships.

MR. PETRO: Let's hold it there for a minute. A month from now he sells me this lot, you're going to have an easement across the lot to enter that one cross easement?

MR. COPPOLA: Even if it's in two ownerships.

MR. PETRO: Or move the lot line.

MR. COPPOLA: You'd probably want a cross easement, yeah, we'll do that cross easement.

MR. PETRO: Andy, you'll look for that and take care of that?

MR. KRIEGER: Yes.

MR. PETRO: All right, sorry to interrupt.

MR. COPPOLA: So basically, we conform to zoning, we conform to the NC zoning which allows this use, you pointed out the 30 foot setback into the R-4 zone which I guess allows us not to use that zoning and not to apply for a variance if we're less than 30 feet which we are. Essentially, what we're doing for storm drainage is almost identical to what we provided for over here, what the DOT was looking for we're going with three underground dry wells, they're all detailed there and that basically empties into the low area which empties into the back of the building. This whole lower area which was labeled wetlands is the low spot and that eventually comes out, you can see there's a dotted line, a culvert right here and that crosses Route 9W. So that's where we're at as far as drainage goes. And again, that's basically keeping in mind with what was already done and approved last year. We have basically detailed the drainage to the stages of putting in the site lighting, landscaping, parking conforms, we have a small trash shed and essentially, it's going to be again very much in line with what was approved last year and what's under construction now.

MR. PETRO: There's a number of technical items that you can just straighten out once you talk to Mark, they're on the sheet, I'm not going to go over every one of them.

MR. COPPOLA: We're just here really tonight this is the first time we've been in front of the planning board, I guess we'd like to start SEQRA, go through the process, get the drawings out to any of the involved agencies.

MR. PETRO: Motion to authorize lead agency coordination letter?

MR. ARGENIO: So moved.

MR. BRESNAN: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board authorize a lead agency coordination letter for Nima Contracting. Is there any

discussion? If not, roll call.

ROLL CALL

MR. SCHLESINGER        AYE  
MR. BRESNAN            AYE  
MR. KARNAVEZOS        AYE  
MR. ARGENIO            AYE  
MR. PETRO              AYE

MR. PETRO: I can tell you a public hearing will be required but I'd like to see the plan cleaned up one more time.

MR. COPPOLA: That's fine. I guess my only question before is Mark, do you think we're at the point where we should send it to DOT?

MR. EDSALL: I would go ahead and get as many of these and they're minor corrections done and then maybe bring some copies to workshop and then we can ship it out from there.

MR. COPPOLA: Okay, that's fine.

MR. EDSALL: Just for the record, I posed a question to the building inspector as far as the shared use of that sign and we have come to a conclusion by looking at the code that there's no problem with that sign at the entrance being shared as long as it independently meets the zoning and doesn't exceed the allowable sign square footage and that would also give them the option at a later time if they ever wanted to sell a lot and wanted to put their own sign up they can do so.

MR. PETRO: But should be noted that the sign requirements would be that of one lot?

MR. BABCOCK: That's correct.

MR. EDSALL: I've got comments here, Anthony had the old zoning code for the square footage.

MR. PETRO: 32 square feet?

MR. EDSALL: 64 total.

MR. PETRO: So you can't say well, I'm using it for both lots and double the size, you'll have a billboard.

MR. BABCOCK: He's got two signs, three foot four inches by five foot two so it's close, I'm sure he can make it.

MR. COPPOLA: We'll make a note that it's for both lots.

MR. PETRO: You can have another sign on the other lot if you wanted to to meet code, if he wants to put another sign on the other lot and meets code, he can do that?

MR. BABCOCK: Yes.

MR. PETRO: Drainage, again, where is all the water going here?

MR. COPPOLA: Well, the low spot is coming back to the building in the back, the low spot in the back of the building, this is your low area so we're showing three underground dry wells, 1, 2, 3, that's your low point there, the parking lot, basically, the outlet here is shown right there right along the property line.

MR. PETRO: Underground dry well you're saying catch basin?

MR. COPPOLA: No, it's a structure, perforated structure.

MR. PETRO: Going to allow water out and be piped to the other area also?

MR. COPPOLA: Right and comes back out this way under Route 9W, this area.

MR. PETRO: One more time, the dry wells that you're talking about, are they piped together and then off the site?

MR. COPPOLA: Yes.

MR. PETRO: Not dispersing just where the dry well is?

MR. COPPOLA: Correct.

MR. PETRO: What's exiting with the dry wells, 8 inch pipe?

MR. COPPOLA: Let's see.

MR. EDSALL: It's 8 inch. One of my comments is suggesting to bring it up to 15 cause generally, the planning board has indicated that they don't want to rely on the seepage pits working so we put the pipe in as if it wasn't a seepage pit.

MR. PETRO: I was going to suggest why are they seepage pipes, not just regular catch basins?

MR. EDSALL: There's an environmental benefit to using the seepage pits in the event you're not taking the first flush of storm water which could be contaminated and discharging it so there's a volume benefit, you do get percolation. You've got a treatment benefit, you're not taking the oils and taking that off-site but on the other hand in deference to your comment that these may not work forever, even if they fail, you've got the piping and the outlet.

MR. PETRO: They won't work forever, after so many winters and sand, sand, sand, they're not going to work.

MR. EDSALL: They clearly won't work as efficiently but we have both systems available now.

MR. PETRO: All right, you talked me into that because it's going to be a 15 inch pipe, right?

MR. EDSALL: The other suggestion I made my comments just while we're talking about it is to move the outlet to the catch basin or the seepage pit that's closer to 9W, that way the outlet would be very near the pipe that goes to DOT, that way, we'd impact the adjoining

area less, it's almost the same grade.

MR. PETRO: I see you have the roof drains tied into it.

MR. ARGENIO: The water's running uphill in one instance in the drainage system and also I think that if there's no wetlands back there behind that building I don't think they should be indicated on the plans. Why are they indicated on the plans?

MR. COPPOLA: To be perfectly honest, that's what the surveyor indicated. They're not wetlands as an environmental wetlands would be, it's just a wet area.

MR. ARGENIO: Well, why did he call them wetlands?

MR. COPPOLA: I'll ask him.

MR. ARGENIO: That's a specific term.

MR. COPPOLA: I understand.

MR. PETRO: Just check, make sure it's not a Federal overlay for that. I'm sure it's not New York State or he would have known already.

MR. COPPOLA: Definitely not New York State, I know that.

MR. PETRO: But I've had on a number of occasions where someone would go in the field and just on their own call something wetlands and it may not be. I'm not sticking up for him one way or the other.

MR. EDSALL: Even if they're Federal wetlands, you have nothing on the plans that's impacting any of those areas, correct?

MR. COPPOLA: That's correct. I think you're actually allowed a tenth of an acre but we're not even back there but it's just a question of how we're naming it.

MR. PETRO: Clean up the comments.

ROBERT MINARD SUBDIVISION (03-07)

Mr. Bob James appeared before the board for this proposal.

MR. PETRO: Robert Minard subdivision on Shaw Road, proposed 4 lot residential subdivision. Application proposes subdivision of 13.5 acre parcel into four single family residential lots, lot 44 being conveyed to another lot as a lot line change concept basis only, R-1 zone, bulk information on the plan is correct. The bulk table should be expanded to indicate provided values for each lot, complete sanitary designs are required as part of this application and should be submitted prior to request for preliminary approval. Private road details and provisions are needed. You have a list of them there. Do you have a copy of Mark's comments?

MR. JAMES: No, I don't.

MR. PETRO: I don't think this is going anywhere else. I will entertain a motion for lead agency.

MR. KARNAVEZOS: So moved.

MR. ARGENIO: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare itself lead agency for the Robert Minard subdivision.

ROLL CALL

MR. SCHLESINGER	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

MR. PETRO: Why don't you give us a quick shot what you're doing here?

MR. JAMES: Basically he's got two tax lots, one is 13 1/2 acres, one is 183 acres on Shaw Road and the

entrance which is sometimes called Shaw Lane, it's about 3,300 feet southeast of Beattie Road. There's an existing dirt road that comes into that site which feeds the orchard and also a tax lot, separate house lot at the end of it is about 1,300 feet to the existing house. We intend to build the base of the road to meet the future expansion to a town road. And basically we've got four lots coming off that on the east side.

MR. PETRO: How is the, I guess does it run downhill in the back here going down?

MR. JAMES: Where are we looking at?

MR. PETRO: Behind the houses.

MR. JAMES: Yes, it's a fairly severe hill once you get to the middle of the lot 15 percent, little bit more.

MR. PETRO: Highway hasn't seen it yet so I was just curious on the driveways. Fire is approved on 3/18/03. What's your name, sir?

MR. JAMES: Bob James, I'm representing Mr. Minard.

MR. PETRO: Mark, pretty clear cut other than the comments that you have here. If he cleans these up, we'll schedule him for a public hearing.

MR. EDSALL: I think that it should be pretty straightforward, I don't know that the highway super will have too many concerns cause this happens to be the driveway where we met Mr. Chairman when we were talking about the soccer field and had some pretty good sight distance.

MR. PETRO: Jerry already told me that, yeah. All right, I think if if you take Mark's comments, clean it up.

MR. JAMES: Next step would be sewage disposal system and I don't think we'll be back here at least until the end of April. Oh, do we need to see you at the workshop first?

MR. EDSALL: Get the sanitary work done then we'll check it out before it's set for a public hearing. Are you going to authorize a public hearing?

MR. PETRO: We can authorize if he's ready, you can get it set up. No sense in coming back for the minor changes that he needs. Come back and have your public hearing. Motion to have a public hearing for the Robert Minard subdivision and lot line change on Shaw Road.

MR. ARGENIO: So moved.

MR. BRESNAN: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board have a public hearing for the Robert Minard subdivision. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. SCHLESINGER	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

MR. PETRO: What's the lot line that we're changing?

MR. JAMES: Basically along the dirt road in here where the lane comes in and we're taking this piece here which would be trapped and adding that to here.

MR. PETRO: Plus you're going to remove this lot line.

MR. JAMES: Right, this is a right-of-way to this lot.

MR. ARGENIO: This driveway physically exists now?

MR. JAMES: Yes, dirt driveway.

MR. PETRO: How are you going to access the big lot?

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MR. JAMES: There's a right-of-way.

STELLA WAY SUBDIVISION (03-08)

Mr. Darren Stridiron appeared before the board for this proposal.

MR. PETRO: The application proposes subdivision of two existing parcels into three single family lots. Plan was reviewed in concept only, R-4 zone, bulk information on the plan is correct with the exception of lot area, nothing back from highway. Again, this must be very new because we have nothing back on--we don't have much to go on here.

MR. STRIDIRON: This is an existing 5 1/2 acre parcel that's actually 2 tax lot parcels which is 52 and 60 in Section 57.

MR. PETRO: Where is Schiavone Road, where does that come off?

MR. STRIDIRON: That comes off I believe Vascello.

MR. PETRO: It's all in the Town of New Windsor.

MR. STRIDIRON: Right.

MR. PETRO: Right against the railroad, right?

MR. STRIDIRON: Right.

MR. PETRO: Thinking ahead, I'm sorry.

MR. STRIDIRON: Proposing three lots on a private road that will be built as a town road base with a private binder. We had a meeting with Mark on the issues regarding sight distance which we did show on the plan. Now, we did move, we originally had the roadway more towards lot 14 to the east but we moved it over another 30 or 40 feet to get better sight distance. To the east, we have 160 foot sight distance and to the west we have 400 foot sight distance. There were comments made that the drainage on this site would have to be handled with the stone lined swale which we'd provide in several areas along the roadway that would discharge on the downhill portion of the roadway which is over in

these two areas of drainage, one on lot 3 over by the driveway and there's another area down by the entrance to the roadway which would be handled also with rip-rap culverts. The driveway slopes are all below the town maximum which is 15 percent or 14 percent. Our greatest slope on the driveway is 12 percent. The cul-de-sac slope in the area of the center is 4 percent maximum, we didn't go any steeper than that. The culvert pipe at the entrance to handle the existing drainage there's an existing ditch at Schiavone Road on the northern side of the road that we would handle with a stone lined swale and an 18 inch high density polyethylene pipe. Property itself would be served, the three properties would be served by the sewer line that runs into an existing starter manhole that's located on Schiavone Road. We'd provide a ten foot wide sanitary sewer easement, not that the line itself would run in the easement, but if you had to do any work around it, we did provide at least some area for grading or machinery to do the digging or maintenance. There are no variances required for any of these lots. The minimum lot size on lot 1 which is 1.1 acres, the largest lot is a 2.4 acre parcel.

MR. PETRO: You're going to require sewer points from Majestic, buy them and go to the Town Board and reallocate them?

MR. BABCOCK: He will have to do that.

MR. PETRO: Why are you not using just leach fields here?

MR. BABCOCK: He's in the sewer district.

MR. EDSALL: He's got to tie in.

MR. STRIDIRON: There are no conflicts with any of the drainage or sewer lines and individual wells would be serving these lots.

MR. PETRO: Jerry just pointed out the 1.1 acre lot so it is an R-4 zone, which is permitted one acre, correct?

MR. BABCOCK: Correct.

MR. EDSALL: Yes.

MR. PETRO: Let's talk about the access point on the road for a minute. I realize you don't probably have too much leeway there one way or the other with your lot size.

MR. STRIDIRON: That's correct.

MR. PETRO: You're right on the bend of road, I'm trying to picture coming this way and going in you have 106 feet you said?

MR. STRIDIRON: Yes, we actually did a study on this, we tried we set up the instrument at four locations along this road and that was the best location for sight distance.

MR. PETRO: What's the absolute minimum, 150?

MR. EDSALL: It's all related to vehicle speed and I haven't been on the site, I plan on going out with Henry but as I understand this is a section of Schiavone Road that has a turn where vehicle speed is limited just by the existing conditions but we'll look at that with the highway super.

MR. BABCOCK: Most cars that come up through Beaver Dam would take the road before this, Vascello, that exits out to Lakeside to Beaver Brook, if you go on passed Vascello, you come up Schiavone and you've got to go back out to Vascello so when we were out there, basically the cars that live here are the only cars on that road.

MR. ARGENIO: Mike, help me for a second, make a right turn on Beaver Brook then a right turn on Vascello, is that correct?

MR. BABCOCK: Which way, over the bridge into Beaver Dam?

MR. ARGENIO: Yes.

MR. BABCOCK: Make a left onto Beaver Brook just over the bridge, go down, make a right onto Lakeside, start up the hill, make a left on Vascello, when you go down a steep hill on Vascello, you make another left and it's a horseshoe, that's Schiavone.

MR. ARGENIO: I know where it is.

MR. PETRO: Why didn't he move it further to the straight side? I'm just curious.

MR. STRIDIRON: You want to bring the roadway perpendicular and you don't want to have an area where you're bringing it in at an angle.

MR. PETRO: You could have made a little bit of a bend in the road and go into your cul-de-sac.

MR. STRIDIRON: We didn't want to get too close to the areas of the wetlands. And as far as the grading is concerned, if you go farther down you're about six or seven feet down in terms of grade.

MR. PETRO: I'm going to leave it alone, let the highway superintendent look at it with Mr. Edsall and we'll go by what they say. Any other comments about the layout or the site itself? You have a number of comments Mark has written down, I think before we have a public hearing or set the public hearing, we should at least find out about the road. I have absolutely nothing here at all, no fire, no highway, clean up Mark's comments, come back and we'll set up a public hearing.

MR. EDSALL: Jim, number 5 I'd get going with.

MR. STRIDIRON: The comments regarding some of these issues are just a drafting of an easement detail of the retaining wall, it's not possible to get a public hearing set up if I address the comments from Mark and just have it scheduled?

MR. PETRO: Well, we can do that but I want to make sure that the road is going to be acceptable, number

one, we get a negative here from the highway, I don't want to have a public hearing with a negative. Highway location, that's number one, I mean, we can schedule it and you can say well, it's got to be ready in that respect but then it's going to fall on you to remember that and do all that.

MR. EDSALL: It would probably make sense to get a report from Henry because there's some concern, we probably could get the lead agency letter out, get that clock started then I'll just try to schedule to get out there with Henry.

MR. PETRO: I don't see any other major holdups here, frankly, I mean, it's pretty--

MR. SCHLESINGER: How is he tying in the sewer?

MR. PETRO: He needs permission from the New York State DEC, he has to buy sewer points from Majestic. Once he acquires those points, it has to be approved by the Town Board.

MR. PETRO: How are you physically tying into the sewer lines is the question?

MR. STRIDIRON: We have the detail shown on one of the plans for tying into the existing main on sheet number 5, detail number 10, the bottom left-hand corner.

MR. ARGENIO: Neil, did you mean how is it physically done or where?

MR. SCHLESINGER: Where.

MR. ARGENIO: On sheet C-102.

MR. EDSALL: It shows the laterals.

MR. STRIDIRON: This is the manhole.

MR. ARGENIO: Make a motion we circulate the lead agency coordination letter.

MR. SCHLESINGER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board authorize lead agency coordination letter for the, what the hell is the name of this, Stella Way subdivision. Is there any further discussion? If not, roll call.

ROLL CALL

MR. SCHLESINGER        AYE  
MR. BRESNAN            AYE  
MR. KARNAVEZOS        AYE  
MR. ARGENIO            AYE  
MR. PETRO              AYE

MR. PETRO: You talked me into it, we'll schedule a public hearing, we'll authorize it. We realize that we won't be able to schedule it unless the 30 days are gone from the lead agency coordination by the time you get the letter out, once you hear back and there's nothing, then you can schedule it. But you won't have to come back here, schedule it and come back, make sure that you have all the comments from highway here. I don't want to have a public hearing with nothing from the highway department.

MR. STRIDIRON: We deal directly with the highway department or through Mark?

MR. EDSALL: Just coordinate a field meeting, we'd like to meet with you out there so coordinate with me.

MR. PETRO: Motion to have a public hearing.

MR. ARGENIO: So moved.

MR. KARNAVEZOS: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board schedule a public hearing for Stella Way minor subdivision on Schiavone Road. Any further discussions from the board members? If not, roll call.

ROLL CALL

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MR. SCHLESINGER	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

DISCUSSION

CAMILLIERE HOME BEAUTY

MR. EDSALL: This is an application that was at the workshop involving Zig's Realty, if you recall, the real estate place next to where our former office was located on Route 9W. It's a proposal to change from a realty office to a beauty parlor. And in looking at it with Bob Rogers, the parking requirements are identical in the code. They're not proposing any outside improvements so it's purely a change in use interior with no change in parking required. We felt that there was probably no reason to make an application. I spoke with Mike, Mike says that he'll deal with any code related changes interior to the building. I just want to confirm that you see no reason to have him come to the planning board. Whatever parking deficiency they have is not going to get any better. They've got no place to build it and by code it's exactly the same requirements.

MR. PETRO: I don't have a problem. Do any of the members have a problem?

MR. BRESNAN: No.

FIRST COLUMBIA (02-200)

MR. EDSALL: Your comments have a sheet which outlines our procedural next requirement for the Draft Environmental Impact Statement, which is to determine if the submitted document is complete and acceptable for public review. As you recall, you authorized Stu Turner Associates to be retained to review the DEIS with our office. We spent a bit of time looking at it and it's our joint opinion that there are a number of areas where the document is deficient and in fact has some information that's incorrect. And it's our opinion that it should not be accepted as complete and acceptable for public review at this time. Attached to my comment is a memorandum that reflects our joint conclusions. Stu's office prepared the memo, it's ten pages long and it lists all the issues that need to be resolved. We have provided at the chairman's authorization we have provided a copy to First Columbia, they're aware of it, so tonight could you just accept or adopt comments and effectively say no, it's not acceptable at this time, resubmit it.

MR. PETRO: Okay, do we need to have that in the form of a motion to accept these comments from Stu Turner Associates?

MR. EDSALL: Yes, a motion.

MR. PETRO: Motion to do that. Is there a motion to do that?

MR. BRESNAN: So moved.

MR. KARNAVEZOS: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board adopt the Stuart Turner and Associates' comments which is approximately ten pages under First Columbia DEIS. We're not going to accept it as being ready for circulation or public comment at this time. Any further comments from any of the board members?

MR. BRESNAN: No.

MR. PETRO: If not, roll call.

ROLL CALL

MR. SCHLESINGER	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

MR. PETRO: I would inform First Columbia to get working on these, Mark, and pay attention to them and get it done a little bit more precisely this time according to Mr. Turner's and your comments so we can move forward in the future.

CORRESPONDENCE

FOX MEADOW SUBDIVISION - TOLEMAN ROAD

MR. PETRO: Request for six month extension to preliminary approval. To the board dated October 23, 2002. The planning board granted preliminary approval for the Fox Meadow Estates subdivision. It's my understanding that preliminary approval was valid for six months and it's scheduled to expire in April. We're still in the process of obtaining approvals from Orange County Department of Health for water supply and sewage disposal. We respectfully request that an additional six month extension of preliminary approval be granted so that we continue our applications with the Orange County Department of Health. Lanc & Tully, David Higgins. This is for six months, Mark?

MR. EDSALL: Yes.

MR. PETRO: Can we do more than six months at one time?

MR. EDSALL: Six months you normally do for preliminary but your option.

MR. PETRO: They're asking for six, that's what we'll do then. Is there any objection to that? If not, I'll have a motion to do that.

MR. ARGENIO: For six month extension.

MR. BRESNAN: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant six month extension of preliminary approval to the Fox Meadow subdivision on Toleman Road. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. SCHLESINGER	AYE
MR. BRESNAN	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE

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MR. PETRO

AYE

MARK SHUSTER (THE PINBALL CORRAL/ELECTRIC MUSEUM)

MR. PETRO: Discuss letter of 3/20/03. Mark, Mike Babcock, why don't you just, cause I know that you're working with him, instead of me reading the letter.

MR. BABCOCK: Well, he talked to me about renting a space in Vails Gate and repairing pinball machines. Then as the conversation went on, he started talking about then possibly having open for use for kids to use the pinball machines.

MR. ARGENIO: Where is it, Mark?

MR. BABCOCK: The electronic store next to, in the area of where Napoli's Pizza used to be.

MR. ARGENIO: ADS?

MR. BABCOCK: Yeah, there's a store in the back, an area in the back and the arcade is something that does get me when I hear the word arcade as far as hangout and so on and so forth and what kind of arcade is it going to be, how many people are going to be there and parking for the rest of the tenants, so on and so forth. So I told him that it would require a site plan approval to do that so that we would have everything in writing.

MR. PETRO: Permitted use in the zone, Mike?

MR. BABCOCK: I don't know, the arcade.

MR. EDSALL: I don't know if that's specifically listed.

MR. BABCOCK: I don't think it is.

MR. PETRO: Now, the arcade is coming in, now if you wanted to just repair and fix them there, it's not so much of a problem.

MR. BABCOCK: No, just like the electronics shop, fix it.

MR. PETRO: Put up 7 or 10 or 12 pinball machines, somebody's going to come in and, start dropping quarters, that's what brings in the arcade, obviously.

MR. BABCOCK: Obviously.

MR. PETRO: Mike, we don't have to do that now to repair and fix them, I don't think the board has a problem but if they want to go into the arcade business, we need a full site plan, if it's a permitted use in the zone, if it's not a permitted use in the zone, don't even bother.

MR. BABCOCK: We can call it as a permitted use but I don't think he'd meet the zoning as far as setbacks, lot area so--

MR. PETRO: He's never going to get through zoning board and planning board and all that. Advise the applicant it's not going to work as an arcade if it's not a permitted use in the zone.

MR. BABCOCK: So he can repair machines there, fix them but nobody can play them?

MR. PETRO: No.

MR. SCHLESINGER: What constitutes playing them or putting money in there?

MR. PETRO: Playing the machine, making noise, operating. Mike, do you have anything else?

MR. BABCOCK: No.

MR. PETRO: Motion to adjourn.

MR. ARGENIO: So moved.

MR. KARNAVEZOS: Second it.

ROLL CALL

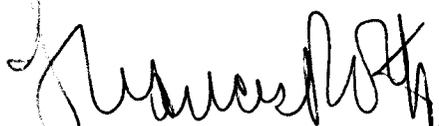
MR. SCHLESINGER        AYE  
MR. BRESNAN            AYE

March 26, 2003

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MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE

Respectfully Submitted By:

  
Frances Roth  
Stenographer

4/1/03