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May 22, 2002

Chairman James R. Petro, Jr. and
Members of the Planning Board
TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, New York 12553

Re: Amended Site Plan - Brittany Terrace
Station Road

Dear Chairman Petro and
Planning Board Members:

Brittany Terrace will hopefully be returning to the Planning Board at your June 12th meeting to resume the review of the park expansion. Our last presentation to the Board was at your September 13, 2001 meeting.

At that meeting I presented my client's position and the position of the Town Attorney that the project has a vested right to a conditional use approval for 275 units. I am enclosing a copy of Phillip Crotty's correspondence to Brian Gilmartin, Esq. dated July 18, 2000 stating same. Also at the September 2001 meeting I suggested that the Board review this previous approval for 275 units with the Town Attorney and also the fact that the project should not require a SEQRA action because the previous approval(s) preceded the creation of the State Environmental Review Act of the Environmental Conservation Law.

In October of 2001 Mark Edsall, P.E. corresponded with Michael Merriman of the NYSDEC regarding the existing sewage treatment plant. Mr. Edsall made 3 specific inquiries regarding the plant's capacity and the number of additional units that could be added without improvement to the facilities and/or modification of the SPDES Permit. The NYSDEC has responded to these inquiries in their correspondence to Peter Kean dated May 17, 2002. I am also enclosing a copy of this letter for your review.

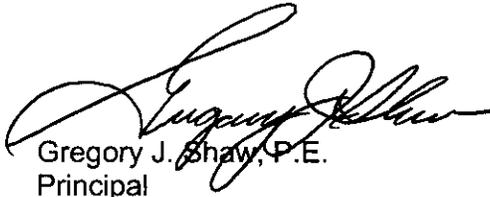
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I would respectfully request that the Board review the above issues with Mr. Crotty and Mr. Edsall during the next three weeks so that the project's review can resume at the June 12th Planning Board meeting.

I thank you for your cooperation in this matter.

Very truly yours,

SHAW ENGINEERING



Gregory J. Shaw, P.E.
Principal

GJS:mmv
Enclosure

cc: Peter F. Kean, Brittany Terrace