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February 21, 2007

Hon. Chairperson and Planning Board  
Town of New Windsor  
555 Union Avenue  
New Windsor, New York 12553

Via Facsimile (845)563-4695

Re: Covington Estates- Site Plan Application  
Our File No. 4433-002

01-41

Re-approval 180 days  
plus 2-90 day ext.

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Dear Chairperson Argenio and Board Members:

I am writing on behalf of Land Master Community Developers, the applicant, as it relates to the status of the conditional approvals granted for the above referenced application.

The property consists of parcels designated on the Town of New Windsor Tax Map as Section 65, Block 2, Lots 1.1, 1.2 and 1.3. The Planning Board granted conditional final approval on March 8, 2006. On October 25, 2006, the Planning Board discussed and voted to accept a modification to the site plan as suggested by the Town Board. This revision related to the offer of dedication of a right of way. This modification can be considered as a new grant of conditional final site plan approval.

The only conditions to be satisfied from both the original and modified grant of conditional final site plan approval are the lifting of the water moratorium and Town Board approval of the extension of Water District No. 5 to include this property. The applicant submitted to the Town Board the required petition, map, plan and report to extend the district and has made several follow-up requests. However, the Town Board will not take action on our district extension petition until the Board lifts the water moratorium. The water moratorium was adopted on January 8, 2003, and continues to date.

The Town of New Windsor Zoning Code states in part as follows:

Following the approval of a site plan by the Planning Board, the applicant shall have 180 days from the date of adoption of the Board resolution approving the plan to satisfy all conditions and secure the stamp and signature of the Planning Board Chairperson.. The applicant may apply to the Board for not more than two ninety-day extensions of the original one-hundred and eighty day period to satisfy all conditions of approval and to secure the stamp and signature of the Planning Board Chairperson.

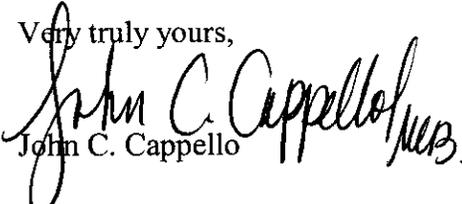
In effect, the approval of a revised site plan was granted on October 25, 2006. Therefore, the initial 180 day period would expire on May 4, 2007. The 360-day period for the original conditional

site plan approval would expire on March 3, 2007. The applicant has completed everything in its power to comply with the conditions of approval. The lifting of the water moratorium and the approval of the water district extension are solely within the power and authority of the Town Board. We have made numerous requests for the Town Board to satisfy the District condition subject to the moratorium. All other conditions of site plan approval have been satisfied. There have been no change in circumstances since the Planning Board granted site plan approval in March 2006.

Based on the above, we respectfully request that the Board either grant a ninety-day extension on the modified conditional final site plan approval to run to August 8, 2007, or in the alternative, reissue site plan approval for this project at your next meeting.

Thank you in advance for your cooperation and courtesies.

Very truly yours,

  
John C. Cappello

cc: **Dominic Cordisco, Esq.- Via Facsimile (845) 561-1235**  
David Weinberg, Esq.  
Ross Winglovitz, P.E.  
Hon. George Green, Supervisor  
Michael Blythe, Town Attorney  
Mark Edsall, P.E.