

COVINGTON_ESTATES_(01-41)

MR. ARGENIO: Mark, can you, I see Mr. Winglovitz is here, why don't you come on up. Mark, can you speak or Mr. Winglovitz please?

MR. EDSALL: Very quickly the applicant has diligently pursued all the necessary approvals, however, there were many issues to be addressed relative to extensions of district and different agencies relative to ensuring that there were proper facilities and capacity available so the town would be in a position to provide the services. Because of all those complexities, they ran out of time and unfortunately for these type of cases the town's site plan regulations has a mirrored type sunshine provision the same as a subdivision where its maximum with all extensions is 360 days.

MR. ARGENIO: So things aren't hanging around unbuilt and with an approval that lasts in perpetuity.

MR. CORDISCO: One difference is that a lot of town codes allow a town to extend site plan approval for good cause shown. This particular town does not and that tracts a final subdivision approval, once you get final subdivision approval, the state law says that you've only got 360 days, a maximum of 360 days and so here they apply the same rationale to site plans approvals.

MR. EDSALL: And the reason was exactly as you indicated, Mr. Chairman, I can think probably six, seven years ago where Myra was pulling her hair out because there were 30 applications that were eight years old and never met any of their conditions and what the heck do you do with them because there was no way to put an end to it.

MR. ARGENIO: So the plans have not changed at all.

Reapproval

February 27, 2008

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MR. CORDISCO: No.

MR. ARGENIO: Mr. Winglovitz?

MR. WINGLOVITZ: With the exception of the right-of-way which was now relinquished by the town.

MR. EDSALL: There was an issue of a roadway that believed I guess to be a town right-of-way, it was back from the Revolutionary War days but physically it was impossible to make the connection because of elevation differences.

MR. BABCOCK: We wanted to put a town road there.

MR. EDSALL: It probably would have been a good idea if there were no hills but the elevation difference by the railroad tracks it was just unrealistic so Supervisor Green indicated to all of us that that was foolish to continue to think that it was going to happen and decided to remove that.

MR. ARGENIO: Plus it involved a bridge over the railroad.

MR. EDSALL: Would have had to cross the railroad tracks and even if the railroad tracks were removed and you graded out there through there now you're dumping all the traffic by the elementary school.

MR. ARGENIO: Other than that they have not changed.

MR. WINGLOVITZ: Correct.

MR. ARGENIO: And you have been diligently working on the developer's agreements and other such things are in place now and you need a reapproval, no issue Dominic or Mark with this?

MR. BABCOCK: This just happened how long?

MR. CORDISCO: No, I would add that, I'm sorry.

MR. EDSALL: No, just going to comment that Dom and I have been working on making sure that the resolution reapproved it, some of the conditions that may be listed are listed there because they were former conditions of the board, some they have already met. So they're already ahead of the game.

MR. CORDISCO: Yeah, in fact I had prepared, about to say I prepared a draft resolution which I also circulated around to Miss Babcock today and she provided some comments and suggestions on it so I have already made the changes but that's not the resolution that's in front of you and so that at this point could be signed tomorrow if the board authorizes it tonight.

MR. ARGENIO: So I have in my hand a copy of those minutes from back in the day, these are part of that resolution.

MR. CORDISCO: Yes, they are but they have been updated to which conditions they have already satisfied.

MR. ARGENIO: Okay, anybody have any questions on this?

MR. CORDISCO: As far as procedurally if you were to re-grant another conditional approval you would also be waiving a public hearing because you already had a public hearing. You'd be reaffirming the SEQRA negative dec that you already adopted for this project because nothing has changed. So there's been no new environmental issues that need to be addressed and it would be granting once again another conditional approval which would give them another 360 days.

MR. ARGENIO: Okay, let me just ask one question. Are we going to see this again in 360 days?

MR. WINGLOVITZ: I hope not, I think we've got everything finally squared away with all the other conditions of approval, just to probably the end of or beginning of last month so we've had time.

MR. ARGENIO: Should I ask your attorney that question too?

MS. BABCOCK: Yes, that is correct.

MR. ARGENIO: I will accept a motion we reapprove the Covington Estates application subject to all the former items that it was subject to, does that cover it?

MR. CORDISCO: That would cover it and authorize you to sign the resolution that I prepared.

MR. ARGENIO: And authorize the chairman to sign, chairman or secretary to sign the resolution.

MR. SCHLESINGER: Motion made.

MR. GALLAGHER: Second it.

MR. ARGENIO: Motion has been made and seconded that the Town of New Windsor Planning Board reapprove the Covington Estates application. No further discussion, roll call.

ROLL CALL

MR. SCHLESINGER	AYE
MR. GALLAGHER	AYE
MR. SCHEIBLE	AYE
MR. ARGENIO	AYE