

TOWN OF NEW WINDSOR

PLANNING BOARD

June 26, 2013

MEMBERS PRESENT: JERRY ARGENIO, CHAIRMAN  
DANIEL GALLAGHER  
HARRY FERGUSON  
HOWARD BROWN  
DAVID SHERMAN

ALSO PRESENT: TAYLOR PALMER, ESQ.  
PLANNING BOARD ATTORNEY

MARK EDSALL, P.E.  
PLANNING BOARD ENGINEER

JENNIFER GALLAGHER  
BUILDING INSPECTOR/PLANNING BOARD  
SECRETARY

ABSENT: HENRY VAN LEEUWEN

MEETING AGENDA:

1. Ridge Rise S.P.
2. Hudson Valley SPCA S.P.
3. Summit Terrace S.P.
4. Summit Terrace Sub.

**REGULAR MEETING:**

MR. ARGENIO: Please stand for the Pledge of Allegiance.

(Whereupon, the Pledge of Allegiance was recited.)

MR. ARGENIO: Welcome everybody to the June 26 regular meeting of the Town of New Windsor Planning Board.

APPROVAL OF MINUTES DATED 6/1/13

MR. ARGENIO: First on tonight's agenda is the approval of the minutes dated May 8, 2013 and sent out via

e-mail on June 18, 2013. Anybody sees fit, I'll accept a motion we approve them as written.

MR. GALLAGHER: So moved.

MR. BROWN: Second it.

MR. ARGENIO: Motion made and seconded. Roll call.

ROLL CALL

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

MR. ARGENIO: Franny, let the record reflect that Mr. VanLeeuwen's not here but he did call Jennifer and tell her he was coming, he's obviously running just a little late. We do have a quorum and we obviously have begun the meeting already.

PUBLIC HEARINGS:

RIDGE RISE SITE PLAN (04-27)

MR. ARGENIO: That said, first on tonight's agenda is a public hearing for Ridge Rise. I see Mr. Zepponi is here, I see Mr. Slutsky. This application proposes development of 30 plus acre parcel into a multi-family development of 148 units. The plan was previously reviewed at the 13 October 2004, 25 October 2006, 26 March 2008, 18 November 2009, 11 August 2010, 9 March 2011, 8 August 2012, 13 March 2013, 10 April 2013, and 22 May 2013 planning board meetings. They are here tonight for a public hearing. Obviously, there was some lapse there in time while they were doing whatever it is they were doing, either waiting out the economy or looking for outside approvals, et cetera.

Mr. Zepponi, Mr. Slutsky, please come up. I would like you to give us a tour of the changes and the updates that you have made on your plan, maybe we can talk about the status relative to the highway improvements after you share with us that information. We'll then open it up to the public and get any comments that the public may have. So that said, Mr. Zepponi, go ahead.

MR. ZEPPONI: Basically, there were about a half a dozen comments that were made that were folded into the plan. Just a quick overview, the clubhouse is to be built upon 50 percent of completion of the sales. There's a note that reflects that. We had done some additional details with regard to the repair of Corporate Drive for specific conditions.

MR. ARGENIO: Say that again, Corporate Drive?

MR. ZEPPONI: The repair of Corporate Drive we showed typical on the previous submission but we have now expanded. There was a leveling course that was added. There were notes added to make sure that there'd be a ground, so a couple more details were added.

MR. ARGENIO: Very good, that's what we talked about.

MR. ZEPPONI: Offset the shelter from the sidewalk, very insightful comments by one of the members. So we set it back from the side with the sidewalk passing in front instead of it passing through. And we removed the boulevard and landscaping therein and provided striping which will allow the maneuver from the dropoff back into the--

MR. ARGENIO: That's on the northern most entrance?

MR. ZEPPONI: That's correct. There's also a note added to the billboard that it will remain during the course of sales and it will be amortized through the sales of units in the development part of this project and when the sales are over, the billboard will be removed. We also added a sidewalk--

MR. ARGENIO: Excuse me just one second. Members and Mark, that billboard removal comment is a little illusive, is that too loose? Mark, do you think we need to do something better?

MR. EDSALL: I think the intent, I understand if the note needs to be worked on what Tomer indicated it's a wonderful available advertisement spot for the sale of the units. The fact that they have an existing billboard it's not as if they have proposed to put a new one, they're going to amortize it out over the course of the sales. Once the sales are complete they are going to agree to take it out.

MR. ARGENIO: What does that mean, 25 years, possibly?

MR. EDSALL: Theoretically, the same as the 50 percent for the clubhouse. We don't know how long it's going to take to hit 50 percent, this would be when maybe you want to set a percentage when they're 90 percent sold out.

MR. ARGENIO: Mr. Slutsky, is that your intent on that?

MR. SLUTSKY: I couldn't say it better than Mark. Depends, I mean, we can put a time limit if you want to have a minimum maximum.

MR. ARGENIO: What's your proposed?

MR. SLUTSKY: Eight years.

MR. ARGENIO: That's a long time.

MR. EDSALL: Eight years or when you have obtained C.O.s for all the units, whichever comes first.

MR. SLUTSKY: Yes.

MR. EDSALL: Most amortization of the highway billboard

signs do run around 10 years is what I understand.

MR. ARGENIO: What do you guys think, Howard and Harry, Danny, have any thoughts on this?

MR. BROWN: How big is the billboard?

MR. ARGENIO: If you have to ask that question it means it's not that big.

MR. GALLAGHER: It's there, I'm okay with that, I think, Jerry.

MR. FERGUSON: I don't see a problem.

MR. ARGENIO: So it's a cap of eight years.

MR. EDSALL: Or if the last C.O., whichever comes first.

MR. SLUTSKY: Okay.

MR. ARGENIO: Go ahead, Al, thank you.

MR. ZEPPONI: Now we had the sidewalk in front of buildings four and five was another comment previously. The center lane Route 32 I haven't heard anything new whatsoever from our engineer, town engineer, not Mark, your traffic engineer nor DOT.

MR. ARGENIO: So it's in Poughkeepsie?

MR. ZEPPONI: I believe it's still grinding through the system.

MR. ARGENIO: That dreaded deep, dark hole, I assume there Mr. Slutsky knowing you you're probably chasing it down with all due diligence.

MR. SLUTSKY: Correct.

MR. ZEPPONI: There's plenty of record to establish there's going to be a center lane established and improvements to create a left turn in.

MR. ARGENIO: We also agreed that the board needs to hear back from Poughkeepsie.

MR. ZEPPONI: Yes, and then the last two comments.

MR. ARGENIO: The board needs to hear back from Poughkeepsie prior to approval. Go ahead, Al.

MR. ZEPPONI: There were two comments that actually regarding existing sanitary manholes on the site. The site has an existing manhole down near the entrance and another one up near this dogleg on the northeast side and we utilized both of those manholes actually an existing stub out of the manhole we tied into as proposed to service to the site and then down below we tied into another manhole. And Mr. McGoey suggested that we change the angle of the two existing pipes which is not a big deal. So we're coming in at a different angle, same two manholes, just realign the pipes and that's it. Those were all the comments we had.

MR. ARGENIO: Do we have any infrastructure issues that we had discussed that the venue--

MR. EDSALL: They have all been revised or been addressed with the developer's agreement and the technical reviews as all indicated, John Agido and John revisited sewer, made sure everything was fine, made that one last tweak, my understanding that's the last item.

MR. ARGENIO: Okay, Danny or Howard or Harry, is there anything you guys would like to address prior to opening it up to the public? We'll have an opportunity again, anything you want to get focused on? Certainly have been working. Dan, any comments?

MR. GALLAGHER: Not at this time.

MR. FERGUSON: No.

MR. BROWN: No, I don't have any.

MR. ARGENIO: Okay, insomuch as Nicole is not with us, Jenn has been filling those duties, she went to the assessor's office, compared 11 envelopes with names on it containing notice of public hearing for this application. Notices were sent out in accordance with state and local law and announcing that tonight is the public hearing. That said, if there's anybody who would like to comment for or against or has a question on this, please raise your hand and be recognized and you will be afforded that opportunity? Seeing no hands, I'll accept a motion we close the public

hearing.

MR. GALLAGHER: So moved.

MR. FERGUSON: Second it.

MR. ARGENIO: Motion made and seconded that the Town of New Windsor Planning Board close the public hearing.

ROLL CALL

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

MR. ARGENIO: I'm actually kind of surprised, not so much from you guys cause you guys are following it pretty closely, but that many units you'd think that somebody would want to know what's going on in their town. I guess I don't know, whatever, it was in the paper, right? Okay. I'm going to give it to you guys, that is to Harry, Howard and Danny, if you guys have any questions or comments? So my issue is, this is my particular issue as one vote of this board is the DOT business, we need to get that tightened up, I would like to, I'd like to see that closed, I'd like to see that come to fruition because I think it's an important issue. Harry and Howard Brown, do you guys have any additional comments, anything we need to talk about with the site plan? I don't see us going over the wire tonight, the DOT thing has got to come together. There's some other minor technical issues that Mark needs to work out with Mr. Zepponi, but the plans I have to say you have come a long way baby, you have come a long way Tomer. Danny, do you have any other thoughts on this?

MR. GALLAGHER: No, we've seen this plenty of times.

MR. ARGENIO: The changes have been made down on the north entrance, I think that looks pretty good. The bus shelter that we had requested is there, sidewalk, the crosswalk, sidewalks that are missing have been included.

MR. GALLAGHER: Only have one crash gate connection to Washington Green?

MR. ZEPPONI: Two.

MR. ARGENIO: What about the crash gates, Mark?

MR. EDSALL: They were revised to not be chain, they're chains, they're gates now and per the details of the fire inspector.

MR. GALLAGHER: Grass area leading to Washington Green area?

MR. EDSALL: We have never received approval from Washington Green since that's a private road to use them. However, we're putting them in on their property. In all honesty, if the fire department has a fire on either side where lives are in danger, I defy anyone to stand in the way and stop the fire truck.

MR. ARGENIO: I agree with that. I agree with that.

MR. EDSALL: It's a safety issue.

MR. ARGENIO: No question, the firemen have to have access, end of story. I think I said this to you when we talked on the phone about this a week ago, they have to have access.

MR. EDSALL: It's not as critical as when there wasn't the second drive but we didn't see any reason to take them out to be honest, Mr. Chairman. Two key approvals that Al and I have talked about obviously DOT which you went over, DEC as of late we have all found out is now imposing their jurisdiction on the private multi-family, there's a very good chance when you talk to them that they are going to tell you that you need to form a transportation corporation to own the sewer improvements which my understanding, Taylor can speak correct me, probably be the same people as the homeowners' association.

MR. ARGENIO: That's to get sewer from the building wall to the public system, is that correct?

MR. EDSALL: The entire collection system within the private property.

MR. ARGENIO: It--

MR. EDSALL: Last item which Al is already working toward is the Department of Health approval so those three agencies right now once they have obtained those

approvals, they could be invited back to give us the good news.

MR. ARGENIO: DOT is the big one, I don't have to tell you guys.

MR. ZEPPONI: Fortunately or unfortunately, I'm not part of that.

MR. ARGENIO: Do you guys have anything else, anything else you want to talk about? Anything else we can do for you tonight, Mr. Slutsky, other than the obvious? Okay, thank you for coming in.

REGULAR ITEMS:

HUDSON VALLEY SPCA SITE PLAN (12-10)

MR. ARGENIO: Regular items, Dave, I didn't ask you to come up, Dave Sherman, because Jennifer says Henry had called her and said he was going to be here tonight, maybe he's running late, I don't know. So we'll see a few minutes. Actually, you know what, come on up. It's 7:15, he should be able to do better than that, wouldn't you agree, Mark?

MR. EDSALL: No comment.

MR. ARGENIO: Okay, next is Hudson Valley SPCA. Dan, do you want to sit with me here, bud? This application proposes three integral site plans on a single plan. Plans include retail and the SPCA use. The plans were previously reviewed at the 25 April 2012, 14 November 2012, 9 January 2013, 10 April 2013 and the 22 May 2013 planning board meetings. What's your name, sir?

MR. TROCHIANO: Anthony Trochiano from Pietrzak & Pfau Engineering.

MR. ARGENIO: Okay, so why don't you tell us what's your last name again?

MR. TROCHIANO: Trochiano.

MR. ARGENIO: I wish Mr. Pfau were here and that's not to impugn you at all, sir, but there's a couple of things that we did go over with him. Why don't you give us a quick update if you're able to, the status on the sewer laterals that come out of the buildings and either go individually to the town sewer system combined and then combine and then go to the town service system.

MR. TROCHIANO: This plan is the last plan where we submitted, we show typical sewer transmission lines that come into the project, eight inch sewer main, sewer manholes that you would normally have on a project like this. The DEC requires and I heard Mark mention at the last application that in that situation under private ownership this sewer main would have to be either one of two things, either contained within the easement and under municipal control or transportation corporation would have to be created.

If the board doesn't take any exception to this, what our preference would be it's not illustrated on this plan yet, would be to remove these transmission lines as we show them and replace that with sewer services that would run similar to the way it's shown now by gravity and then parallel to each other. You'd have three separate services that would connect into the existing line in the back of the property.

MR. ARGENIO: Where is that on the utility plan?

MR. TROCHIANO: Yeah, you can see it on the utility plan, we haven't added what I just explained yet.

MR. ARGENIO: I caught that. So you're saying you want to run individual?

MR. TROCHIANO: Services.

MR. ARGENIO: Sewer services, home runs as it were all the way back to that 30 inch main?

MR. TROCHIANO: That's right.

MR. ARGENIO: Yeah, and Mark, that would not require DEC intervention and the formation of a transportation district?

MR. EDSALL: This week?

MR. ARGENIO: I'm sorry, this week?

MR. EDSALL: Might change next week. The norm for years has been that they didn't require transportation corporation, they allowed site plans to have privately operated sewers but they are enforcing the transportation corporation pretty vigorously now.

MR. ARGENIO: Who would own those laterals?

MR. EDSALL: The individual lots to which they serve.

MR. ARGENIO: So it would be an easement for each lot to get back?

MR. EDSALL: The front lots would have to have easements across the lots, they cross to get to the town sewer, it's not the preferred from a technical standpoint it's always nice.

MR. ARGENIO: I would think it's a big giant mess to do it that way.

MR. EDSALL: But unfortunately, the governmental pressures coming from Albany as it may be are forcing applicants in this case to choose that direction because the town supervisor's already indicated that it is not a matter of having no interest, he has absolutely zero interest, opposes, is against, however you want to say it, he's not going to take the sewer.

MR. ARGENIO: Can't say that I blame him.

MR. EDSALL: No, doesn't make any sense.

MR. ARGENIO: The DEC's like a moving target, they keep changing the rules. I don't know how difficult it is for us, we need to follow it, Mark needs to follow it, be up to date but certainly from an owner's perspective, it can be difficult because you just don't know where you're going from one day to the next. What do you have here? Mr. Trochiano, what about DOT, can you tell us about DOT? Can you give us an update on that because just like the prior applicant, that's a, that can be a significant hurdle, you have certainly much less of an impact but one never knows with the DOT.

MR. TROCHIANO: I guess I don't know if the town handled it or they made an initial submission with our plan set to DOT as far as--

MR. ARGENIO: We referred that, didn't we, Mark?

MR. EDSALL: We referred it as well Joe indicated that they had reached out to Seby and very possibly someone from Poughkeepsie but we did the formal referral and we haven't heard anything back.

MR. ARGENIO: Do you have any followup on that? Do you have any feedback?

MR. TROCHIANO: No, I don't, that's something we'll have to look into.

MR. ARGENIO: Mark has a bulk comment, final revisions to the SWPPP per John Szarowski's comments, do you know the status of that?

MR. TROCHIANO: If there's some comments from them I don't believe they have been resolved but if the intent is to revise our plans accordingly.

MR. EDSALL: Joe was in our office meeting with John within the last several days.

MR. ARGENIO: John Z?

MR. EDSALL: Yes, my understanding is that they are not, you know, project dangerous conditions, they are not going to alter the plan layout, just final comments.

MR. ARGENIO: They're clean-up items?

MR. EDSALL: Clean-up items. The biggest item, Mr. Chairman, tonight that we're recommending that the board considers closing out SEQRA because all the issues have been discussed and disposed of, they will not be able to get their agency approvals without SEQRA being resolved. All the impacts have been considered and it might be due time to adopt a negative dec or authorize preparation of one.

MR. ARGENIO: You say that and my mind goes into about four different gears. I'm on about gear six right now, and I'm going to tell you the first five gears I think we kept SEQRA open because of traffic.

MR. EDSALL: You're absolutely right.

MR. ARGENIO: So the issue was the Verizon easement is becoming a little more difficult to acquire than we had anticipated which we discussed. And moving to the last gear, Mark, for the benefit of the folks up here, I think I'm aware of the status. Can you tell us where we're at with that, how we doing with that?

MR. EDSALL: The technical issues have all been resolved at this point, the real estate group for Verizon out of Boston needs to approve the purchase amount for the land. The evaluation was done by the town assessor and we sent that up couple months ago. I have been trading phone calls with the real estate representative over the last couple days so it's moving, it's just--

MR. ARGENIO: So slow.

MR. EDSALL: We had to educate all new people. The only one out of the original people was me. I wasn't smart enough to leave. Everybody else left.

MR. ARGENIO: Okay, so there's nothing else preventing SEQRA from being closed, correct?

MR. EDSALL: Not to my knowledge. The traffic was the issue that was discussed and the board considered it and at this point are prepared to move forward from what I understand.

MR. ARGENIO: So unless anybody feels differently or has any additional comment, I'll accept a motion we declare a negative dec on this application under the SEQRA process.

MR. BROWN: So moved.

MR. GALLAGHER: Second it.

MR. ARGENIO: Motion made and seconded that we declare negative dec for Hudson Valley SPCA. site plan. Roll call.

ROLL CALL

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

MR. PALMER: We'll prepare the formal resolution, formal negative dec resolution.

MR. ARGENIO: That would be great. So Mr. Trochiano, I don't know what else we can do for you tonight.

MR. TROCHIANO: That's more than enough.

MR. ARGENIO: I think the big thing is the SEQRA, obviously.

MR. TROCHIANO: Yes.

MR. ARGENIO: Guys, they put the crosswalks in. We talked about, we went over the, I'm reading Mark's comments and it's just jarring my memory, we went over the county letter a few meetings ago or last meeting with pretty fair detail. The fire folks are okay,

Jenn?

MRS. GALLAGHER: Yes.

MR. ARGENIO: Okay, talked about the cemetery, we talked about the shifting the parking, got it away from the right-of-way. The lighting got taken care of, Mark, didn't it?

MR. EDSALL: Yes.

MR. ARGENIO: Yes, lighting got taken care of, that was an issue. You guys got anything else on this? Dave, any other thoughts?

MR. SHERMAN: No.

MR. ARGENIO: We'll see you another time. Thank you.

MR. TROCHIANO: Thank you.

SUMMIT TERRACE SITE PLAN - STEWART (13-07)  
SUMMIT TERRACE SUBDIVISION - STEWART (13-08)

MR. ARGENIO: Next on tonight's agenda is New Windsor Stewart Associates LLC site plan, a/k/a Stewart Terrace, Summit Terrace project on Clark Street up at the airport, near the airport. Hi, how are you doing? The application proposes a 270 unit multi-family residential project on the 19.5 acre property. The plan was previously reviewed at the 8 May 2013 planning board meeting. I see Mr. Forgione is here. Mr. Sarchino could not be here tonight, Umberto's with us up here, we haven't seen you in quite some time so Umberto, if you're sitting down and Joe, if you're sitting down or Mr. Forgione if you're sitting down, who's representing that?

MR. FORGIONE: Mr. Umberto. My name is Joe Forgione. As you announced, the plan that's in front of you is the same land and layout that we had met a few months ago about and since that time, we have completed our engineering surveying final plat, boundary lines, subdivision lines, we have advanced the plans to a place where I think that your engineer has now provided us with a review letter. Umberto and I spent the afternoon going through the comments. We don't see anything in the reports that we cannot address and we'd be willing to address all the items in the report. I think the last time we were here we talked about the layout, we talked about the unit designs, elevations, floor plans, unit mixes and the like. Nothing has changed at all with the plans other than refining the plans with the engineering details.

MR. EDSALL: Mr. Chairman, maybe as a preface for my review comments if I might?

MR. ARGENIO: Please do.

MR. EDSALL: The initial plans submitted were really introductory comments on the plans and they expanded the drawing set as the board asked them to include multiple drawings with all the different aspects of the site plan which gave me the opportunity for this meeting to actually go through and look at the drawings in detail. What I tried to do and I don't believe it's necessary if I go through all the comments is I tried to go through as thoroughly as I could to help them for the next revision, the next iteration. I have a lot of

things addressed. I don't believe there are any comments in here that would impact the layout but they in fact would just help define the plans that much better for the next set.

MR. ARGENIO: Okay, I want to paraphrase a little bit, I'm not going to read the whole letter but we have a letter here from New York State Office of Parks Recreation and Historic Preservation regarding Summit Terrace redevelopment on Clark Street. Thank you for requesting the comments of our office. We have reviewed the project in accordance with the Historic Preservation Act of 1980. These comments of the Division of the Historic Preservation relate to only cultural and historic resources. They do not include commentary on possible environmental impacts, which we're certainly aware of. Obviously based upon this review it is the Office of Parks Historic Preservation's opinion that your project will have no impact upon cultural resources in or eligible for inclusion in the State and National Register of Historic Places. I paraphrased a bit but the message is clear there, certainly if somebody wants to see this letter it's in the planning board office. I don't see any sidewalks anywhere. How does that work?

MR. FORGIONE: One of the comments in the review letter is just that we, to review the placement of sidewalks and talk about pedestrian access throughout the site which is something that we'll look at a little closer.

MR. ARGENIO: Yeah, I'm going to recant that, Mr. Forgione, I do see a few sidewalks scattered about. What about refuse, how is that going to work?

MR. FORGIONE: Like we discussed earlier, many of the units will have garages but what we have done and we have taken some time to look at different areas and placing dumpster pads so that coupled with garages and units that don't have a garage will have the access to the dumpsters so--

MR. ARGENIO: Are they enclosed the dumpsters?

MR. FORGIONE: Yes, sir, I do not, I don't know if the detail, the dumpster detail is on the plans but if it--

MR. BALDINUCCI: There is, we have trash enclosure detail and it's going to be enclosed and it's fully enclosed.

MR. GALLAGHER: I see quite a few retaining walls, do you know what the highest one would be?

MR. FORGIONE: One of the comments in your engineer's letter is that just that, that we give more spot elevations on top of wall and bottom of wall, I'll tell you that the set of plans we have already advanced these plans to the next level, we're looking at tiering the wall where it would be an eight foot wall and four foot wall or six foot wall and a six foot wall above but we're going to tier the walls for a number of reasons but one is the, cosmetically looking how the, out the back of the building we thought it would be better to have say a tiered wall with some nice landscaping rather than one complete structure.

MR. GALLAGHER: That's the longest one is that going to be?

MR. FORGIONE: This one right here, yeah, that wall we believe is going to remain, like I said, we believe we're looking at it, we already have a grading plan done tiering the wall.

MR. ARGENIO: You'll show us some elevations on that so we can have an understanding of that?

MR. FORGIONE: Yes, sir.

MR. ARGENIO: What type of wall?

MR. FORGIONE: Right now, we're talking about a block wall, what is it called, with a geogrid backing, the color of the wall will compliment the, what we decide with the brick or the stone in front of the building.

MR. ARGENIO: What is, there's a line on the plan that I'm looking at known as drawing SP3, the layout plan? Umberto, can you come up here just for a moment? What's this line here, right here, what's that line?

MR. BALDINUCCI: That's just side yard setbacks, front yard setback and you have a side yard, side yard.

MR. ARGENIO: So that's your setback line around the whole thing, alright.

MR. FORGIONE: Instead of making this wall paved area we're showing some kind of finished in the middle for

plowing purposes.

MR. BALDINUCCI: Fire access as well it needs to be a mountable curb and in case of, you know, emergencies, the, it just makes it easier with the fire department accessing the site.

MR. ARGENIO: Don't put this away, I want to go through Mark's comments. Mr. Forgione, whatever the case may be, make sure you have a copy of Mark's comments.

MR. FORGIONE: The town planning board review comments, sir?

MR. ARGENIO: Yes, that's what they are.

MR. FORGIONE: Two reports.

MR. ARGENIO: The second one is the switch and that's equally as important. Just I want to highlight a couple of things and I do have a couple of questions. Please denote all items in bulk table affected by the MOU as referred in note seven with the double asterisk to our understanding to include the building height, maximum building length, maximum unit size note four, note five, note six, Umberto, seems as though the parking values need to be cleaned up a little bit. That is that, what's illustrated on the plan does not match your calculations so we need to doublecheck that.

MR. BALDINUCCI: Yes, that's fine.

MR. ARGENIO: I don't want to seem as though I'm focused on minutia but at the risk being, of seeming I'm focused on minutia, Mark has a comment about the lack of a dumpster on the north end of the site and the south end near the clubhouse. I would think that particularly near the clubhouse you would want a dumpster, you know, for parties and things of that nature, something somewhere around here and something somewhere around here. I believe that's what he's referring to.

MR. BALDINUCCI: We have trash enclosures at all locations next to each building we provide trash enclosures, the clubhouse is the only location where we don't have a trash enclosure in the vicinity so--

MR. FORGIONE: Would you like to see one in this area? Is that what you're saying?

MR. ARGENIO: Yeah, I think there's probably wisdom to his comment somewhere near the clubhouse.

MR. BALDINUCCI: Okay.

MR. ARGENIO: Mark, what do you think about, do you have the drawings there, Mark?

MR. EDSALL: Yes.

MR. ARGENIO: The drawing known as SP3.

MR. EDSALL: I'm on it. Part of it at least.

MR. ARGENIO: If you look at between building eight and 10, do you see the trash refuse area there?

MR. EDSALL: Yeah.

MR. ARGENIO: The truck movement is more, is a difficult movement there to empty the refuse as opposed to the movement between building nine and 11, do you see that trash receptacle area, it's a much easier movement don't you think?

MR. EDSALL: Yeah.

MR. GALLAGHER: I see a truck having to back out between eight and 10 turning around.

MR. ARGENIO: I don't know what the alternative is.

MR. EDSALL: No, I looked at that and it's not as, it's worse there than it is when you look over between two and four there they can back up and loop around.

MR. ARGENIO: Two and four works.

MR. EDSALL: I mean, it's just one of those things but you do have to back out between four and six same thing.

MR. ARGENIO: Mr. Forgione, I'm sorry, go ahead.

MR. FORGIONE: I was just looking at the plan, you're suggesting we put another dumpster here in this location?

MR. ARGENIO: Somewhere in the vicinity of this

building.

MR. FORGIONE: Again, I want to look at it but if I eliminate this dumpster and were to place it here somewhere in here, take this dumpster and place it here it gives you an additional one maybe it will solve the issue with not having a dumpster here, eliminate this backup and maybe just maybe we can get it here somewhere where a truck can come in and just back up.

MR. ARGENIO: Mr. Forgione, my contemporary next to me was just suggesting the exact same thing you did, it's probably a good thing.

MR. EDSALL: Generally, when I look at these, I look at each dumpster to see shortest walking distance, if you've got two half buildings and a third part of a third building so they're fairly well balanced because they do get a lot of activity and if you don't have them distributed--

MR. ARGENIO: I agree, Mark, and, you know what, I understand that it's really it would be unreasonable for us to set a goal of saying a trash truck should never have to back up, that would be unreasonable goal. But if we cannot have that situation in lieu of something where it's just a short in and out that would be better, that's all.

MR. EDSALL: We'll look at truck movements, travel distance because one of the complaints that we've had from a lot of the constructed developments is not enough dumpster enclosures that on a night like tonight I have to walk passed two buildings to get to it to try to make it convenient and the clubhouse he's get a lot of gathering activities, try to service them as well.

MR. FORGIONE: Okay, sir.

MR. ARGENIO: Mr. Forgione, what's your guidance or Umberto, whoever wants to take the question what's your guidance, what's your thought process moving forward on where would you put sidewalks and where wouldn't you put sidewalks in addition or in lieu of what's shown on the plan already?

MR. FORGIONE: I wouldn't put any sidewalks along the roads, that's for sure. And I think it really defeats the purpose of having driveway cuts throughout so the only way an additional sidewalk would be that little

piece where the entrance to the buildings are.

MR. ARGENIO: So what we're really looking at here all of these fingers that I'm seeing here they are, I mean, if I look, actually, you know what you guys should do, can you put up plan SP3 so we're all looking at the same thing or SP4, pick one, I don't care.

MR. EDSALL: Mr. Chairman, maybe where I was going with the comment all the fingers as you call them are all the islands outside the garages, it would be extremely difficult to put a sidewalk along there, it would end up being like a torture track of up and down.

MR. ARGENIO: I get that but I want to understand what's going on there.

MR. EDSALL: The only place in looking at this because starting at the right side of the plan you've got basically the wetlands buffer, the back of the houses then you've got all the roads and the islands, the only place you could put a walkway which would kind of serve going up and down the plan north and south would be if there was some elements added along what used to be Brockelhurst (phonetic) and Vancor (phonetic) area separated far enough away from the buildings where you could have a center walkway with maybe some benches or something else.

MR. ARGENIO: Behind building three, five, 11 and nine?

MR. EDSALL: Yeah, that's the only way to go up and down this plan with a walkway.

MR. FORGIONE: I was just going to suggest.

MR. ARGENIO: Let's take one thing at a time relative to the question about the drawing, let's take building 10, for instance, move your finger to the top of building 10, okay, now if we come down the building, Mr. Forgione, what am I seeing there, three driveways right there in a row, is that what I'm seeing? And again, I'm just trying to understand the plan. Oh, there you go, now you're talking.

MR. FORGIONE: So what you're seeing is the fingers are coming out here right so these are the--

MR. ARGENIO: I get it.

MR. FORGIONE: -- the entrances, so as you come down you're walking down this way.

MR. ARGENIO: Not really but you think it's a mirror image of that?

MR. FORGIONE: This way, right.

MR. ARGENIO: So, again, looking down the page on that particular building and you can leave, that's perfect, set that up, it's about garage doors 1, 2, 3, and you have the same three garage doors here, one, two, three then you have a main entryway, right, a main entryway right here, okay, then two garage doors and then what's the next thing?

MR. FORGIONE: This is an island so you've got here--

MR. ARGENIO: What am I pointing to right there, that's what?

MR. FORGIONE: That's a door.

MR. ARGENIO: Entrance door?

MR. GALLAGHER: Some have overhangs, some don't.

MR. ARGENIO: Yeah, some of them have overhangs and roofs over them, some of them do not.

MR. FORGIONE: That's right.

MR. ARGENIO: I'm trying to understand what I'm looking at. I certainly understand they're islands and fingers or whatever but okay, I get it now, yeah, that's your overhang. Then the next one doesn't have an overhang, that's the deal, yup, but the problem is the one without the overhang doesn't show any sidewalk going to it, do you see it?

MR. FORGIONE: In here?

MR. ARGENIO: I can't really see that very well but on our drawing this one has a sidewalk, this lower one doesn't, is that right?

MR. FORGIONE: Yes.

MR. GALLAGHER: Do they all have a sidewalk leading to the door?

MR. FORGIONE: We can add it.

MR. ARGENIO: How do you get to a door without a sidewalk, am I missing something Mark?

MR. FORGIONE: No, probably caught one of our mistakes.

MR. ARGENIO: Just trying to understand what I'm looking at. Okay, so let's go to the next thing, what I think you guys were talking about, Mark you had suggested that in this area here that I'm pointing to on the plan that there be some type of walkway through here and that gets the pedestrians away from the pavement, et cetera, et cetera, I think it's a great idea.

MR. EDSALL: It gets them to the clubhouse, if there's kids, keeps them away from the road.

MR. FORGIONE: When you asked if there's anywhere I would add a sidewalk that would be the best, it would be meandering field fitted, probably it would look nice, we have a swale back here so we want to work, we'd like to do like a field fit out there but yeah, something along those lines.

MR. ARGENIO: You'll show a sidewalk there and it will say approximate location of proposed sidewalk?

MR. FORGIONE: To be field fitted, if that's okay.

MR. ARGENIO: Perfectly reasonable. That's a good idea, that's a good idea. What about the laterals, same scenario as the past?

MR. EDSALL: For the sewer?

MR. ARGENIO: Yeah.

MR. EDSALL: It's going to be the same scenario for approvals. My comment on the laterals was more that I'm suggesting they rethink having even though six inch may be adequate theoretically from a flow standpoint my concern is you have 29 units all connected to one lateral, you know, sometimes when you have a blockage you upset 10 people it's one thing, but the entire building it may be a--

MR. FORGIONE: Understood, it was one of the comments

that we spoke about internally last week, we're working with the architect whether it should be one hit, two hits, maybe three hits but if you're going towards you think an eight inch connection?

MR. EDSALL: No, I think the architect should look at the length of the runs internally within the building, just a lot of piping all trying to get to one place, may make sense to try and split it up into quadrants or thirds.

MR. BALDINUCCI: The laterals leaving the building are located central so you have two pipes, two runs that basically split the building into two parts going from left to right from, you know, from the outside towards the inside.

MR. EDSALL: I understand.

MR. FORGIONE: Saying maybe there should be two hits off the main.

MR. ARGENIO: Instead of having the effluent leave the building in one spot, possibly have it leave in two or three spots so a blockage in the six inch lateral doesn't block up 29 or 28 units per building.

MR. EDSALL: What sounds good in theory we find out 10 years down the road has the potential for upsetting a lot of people all at once.

MR. FORGIONE: We looked at that internally because we want to make sure also that was a good comment because we want to make sure we have enough so if you have one you want to make sure we have enough slope to serve the end units so we're looking at that whether two or three hits to the main.

MR. ARGENIO: So you're thinking the same way we are.

MR. FORGIONE: Yes, sir, yes.

MR. ARGENIO: What about what are you doing with your roof leaders?

MR. BALDINUCCI: We're going to coordinate with the storm system that we have outside, we haven't finalized the locations for the roof drains with the architectural drawings but we're finalizing that with the next submission.

MR. ARGENIO: So you're going to tie those drops in underground?

MR. BALDINUCCI: Possible, yes, if there's swales behind the buildings, if, there's different practices that we can use, just basically bring the waters to the two storm water basins that we have.

MR. FORGIONE: Mr. Chairman, along the rear of the buildings such as two, four, six, seven, eight, 10 basically all of these buildings because of the pitch of the roof we'd like to take the roof leaders and take them out to the lawn swale here as well here and detention basin so there's no real reason to catch it and tie it into the storm sewer flow in the front of the buildings. Typically the ends we'd like daylight, we'd like to go to daylight as much as we can with the roof leaders for a slew of reasons.

MR. ARGENIO: What do you mean when you say daylight?

MR. FORGIONE: Come down the side of the building, they open up, we put a splash guard and they run on the lawn so when you have the rear of the buildings you never want to catch them and bring them forward.

MR. ARGENIO: I get the rear put the water on the grass but in the front of the building you're proposing them to run over surface?

MR. FORGIONE: In the front of the buildings we're looking at catching them and tying them into an inlet, typically when there's an inlet nearby you want to try to go into the side, bust into the side of the inlet and tie it into the inlet.

MR. ARGENIO: I get that, that makes sense for me for other reasons you said in the back of the buildings you have the grass, what's the difference, let it run, water the grass, but in the front of the buildings it's pavement everywhere, pavement, pavement, pavement.

MR. FORGIONE: And then you get ice so we understand that.

MR. EDSALL: One word of caution especially along building eight and 19 the rears, I think Jennifer will remember the scenario of The Grove where we had discharges of roof drains to the back of the buildings,

we had discharges from the high walls going from the footing drains retaining walls going to the grass area and then we had the water running into the units.

MR. ARGENIO: Say that again, the footing drains did what?

MR. EDSALL: The buildings were taking on water during the heavy rain periods, so we found that just having swales for the deluges that we've been experiencing is not working.

MR. ARGENIO: Do you have basements?

MR. FORGIONE: No but what we did, that's one of the things we have addressed in the next set of plans already without, we're not just relying on the swale, we put a series of inlets along the back for that reason alone, the water coming off we want to make sure we get it underground and pipe it, you're absolutely right that was one of our concerns right back here. So we have now introduced yard inlets in addition to a swale.

MR. EDSALL: Cause we have run into that a lot.

MR. FORGIONE: I actually have the grading plan we can show you.

MR. ARGENIO: I believe you, and that makes sense what you're saying, that's makes perfect sense.

MR. FORGIONE: He understands the concern, remember we're going to continue to own these and manage these.

MR. ARGENIO: I get it, we're on the same sheet of music to a great extent on a lot of this, a lot of this stuff.

MR. GALLAGHER: What's the size of the units?

MR. FORGIONE: They vary.

MR. GALLAGHER: Two bedroom, one bedroom?

MR. FORGIONE: Yes, sir. I can give you that, one bedroom is 807 square feet to 938 square feet. A two bedroom ranges from 1,009 square feet to 1,140 square feet.

MR. GALLAGHER: So one and two bedrooms?

MR. FORGIONE: Yes, sir.

MR. ARGENIO: Mark, on your comments, I'm not seeing anything that's like over the cliff car crash level, I mean, most of it's like lot of just cleanup stuff transforming, outlining, you know, the plans are a work in progress and they're moving along and they're thinking things through and making tweaks and adjustments and I see the same thing in your comments. Is there anything that we need to be particularly focused on?

MR. EDSALL: No, the only other issue which I would assume that they're making progress and on if they're looking at tying in roof drains, they have probably added some catch basins about the paved area, I thought it was a little shy on that, but they're probably adding more as my preference when we started this particular item but the length of the comments is not a reflection on anything more than the fact that they gave me more to review.

MR. ARGENIO: There was no detail plan at all, am I correct, more of a concept than anything else?

MR. FORGIONE: Yes, last time we wanted to get your signoff on the layout as pertaining to road widths, parking and the like so--

MR. EDSALL: So to be more direct on my answer, no, there's nothing on my comments that would impact the layout. It's just as you said a work in progress and my comments are intended to help them keep adding information to get them complete.

MR. ARGENIO: This is creative, isn't it?

MR. FORGIONE: One of the items that does not appear on the plans but we agreed to do to provide was a flag pole.

MR. ARGENIO: You're trying to trump somebody up here?

MR. FORGIONE: No, sir, you just asked for me, excuse me, no Mr. Chairman, you asked for one, we did not show it on the plans.

MR. GALLAGHER: Where are you planning on putting it?

MR. FORGIONE: Right here, center court coming in so it can be lit and it's not splashing on adjacent neighbors, that kind of thing.

MR. ARGENIO: Mark, everything seems as though on SP5, I mean, I'm sure there's some kind of formula to come up with a count on the catch basins, I mean, other than between eight and 10 and adjacent to building 10 the water leaving those two little parking lots possibly sheeting across the road, I don't have anything jumping out at me.

MR. EDSALL: That area's exactly one of the areas I looked at on the plans and I'm sure that they have been upgraded, there's catch basins at the extreme end of eight and 10, nothing in between, nothing for the parking lot between eight and 10, nothing for the parking lot on the side of nine or the other end of nine so if they seem to have provided the branches but maybe adding some additional catch basins in the parking lots would be helpful and it would also give them a connection point for the roof leaders.

MR. ARGENIO: I was thinking the same thing.

MR. EDSALL: Again, I didn't want to start getting into specific comments of individual catch basins cause I knew it's probably changing.

MR. FORGIONE: One more time just roughly.

MR. EDSALL: You see the orange on this, you have both this whole run where there's no catch basins.

MR. FORGIONE: In front of buildings--

MR. EDSALL: Eight and 10.

MR. BALDINUCCI: That's fine, yeah, that's fine.

MR. ARGENIO: Then to the south of building 10.

MR. FORGIONE: So mark that.

MR. EDSALL: We can obviously at a workshop look at the revised plans and upgrades compared to these.

MR. ARGENIO: I think you guys have done a pretty good job here, Mr. Forgione or Umberto has or Joe Sarchino

has. Do you have a copy of, Mr. Forgione, do you have a copy of the SWPPP comments from Mr. Szarowski from Mr. Edsall's office?

MR. FORGIONE: Yes, we do, sir.

MR. ARGENIO: Only eight comments, shouldn't be a big deal, Mark, seems to me that we should be going to county planning.

MR. EDSALL: Yeah, as I said earlier, these plans have made terrific improvement in details, so I would suggest at this point that we go ahead and well I should say we did, Jenn and I took the liberty of sending this out.

MR. ARGENIO: Well, that's good.

MR. EDSALL: Since we saw the plans, we're in good shape.

MR. ARGENIO: This is what we're typically waiting for.

MR. EDSALL: June 20 we sent it out to Orange County Planning and also sent out to the lead agency coordination letter so we get that out of the way, get the clock running as it may be.

MR. ARGENIO: Okay, let's talk about the public hearing. So we have to vote whether to have or have not a public hearing. There's three neighbors here and notices, Washingtonville School District, New York State Department of Econ, what's that, Environmental Conservation and the United States of America, not the Town of New Windsor?

MRS. GALLAGHER: No.

MR. ARGENIO: So here's the deal, certainly not a lot of neighbors but it's a lot of units, 270 units is a lot of units. Make no mistake about it. Now we had a public hearing earlier tonight where Ridge Rise came in, how units was that?

MR. EDSALL: A hundred forty-three.

MR. PALMER: A hundred and forty-eight.

MR. ARGENIO: And nobody showed up. And we sent out a bunch of notices, 11 notices to all the folks in the

area. They are all rentals so what Danny's pointing out for the benefit of the other members is all the houses adjacent to this and they're rental homes so the notice would go to the owner of the rental home, not necessarily to the residents.

MR. FORGIONE: Which is the seller of the property.

MR. ARGENIO: Which is the seller of the property. So we have the 270 units here, substantial amount of units, and we have three people that will be notified of the public hearing, United States of America, I don't think that they're going to make any noise, the Washingtonville School District, who knows, Department of Environmental Control, who knows. So my predecessor always used to say if you have the public hearing you can't be criticized afterwards and I tend to agree with that. But there's five votes up here so whatever you guys think we'll do. My concern is it's a lot of units, it certainly won't slow Mr. Forgione down, he's done a great job with the plans, his engineer's done a great job with the plans and there's some time thresholds on some of the things we have here that are going to take some time to get the notices out to county, et cetera, so it's not going to affect his timetable. So we can vote whatever we need to do here, probably it's a lot of units, I think probably not a bad idea to put the notice in the paper.

MR. GALLAGHER: I believe we should have it. I don't think that we're far enough along where it's almost over anyway, I don't think it's going to slow them down.

MR. ARGENIO: Same thing happened that happened with Ridge Rise will happen with this, quite frankly, but at that point we'll pass muster and you, Mr. Forgione, for the Town of New Windsor will not suffer any unrest and able or undue scrutiny for skipping that step.

MR. FORGIONE: Understood.

MR. ARGENIO: Or us voting on skipping that step. But as I said, whatever you guys want to do we'll do so I'll start with Harry and Howard, you guys got any thoughts on it?

MR. BROWN: I think we should have one.

MR. FERGUSON: I'm fine with having one.

MR. ARGENIO: David, do you have any additional thoughts?

MR. SHERMAN: No, I think it's essential we have one.

MR. ARGENIO: You think it's essential? Well, I'm glad I said what I said.

MR. GALLAGHER: Make a motion we schedule a public hearing.

MR. BROWN: Second it.

MR. ARGENIO: Motion made and seconded we schedule a public hearing for New Windsor Stewart Associates. Roll call.

ROLL CALL

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

MR. ARGENIO: Probably the right thing to do, keep all of us out of the soup and I think you have a good plan. I think you're in a good place.

MR. EDSALL: From a date standpoint, if you have it on the July 24 meeting if they're prepared I think the plans are in wonderful shape for a public hearing. One of the reasons why Jenn and I worked to get the circulations out is because they were sent on the 20th, the 30 day period will have elapsed for the July 24 meeting versus if it went out tomorrow it wouldn't have so that will give you the 30 day clock having run for lead agency and as well for the County Planning. So that means that you can hold your public hearing and if you decide to take action on the assuming lead agency and considering the county's comments you'll be in a position to do so.

MR. ARGENIO: Let's do it.

MR. FORGIONE: Thank you.

MR. ARGENIO: Is there anything else, Mr. Forgione? Members, do you guys have any other commentary on this? We covered a lot of ground here tonight. Mr. Forgione

has told us that there's more changes coming, not incredibly consequential stuff but just detailed stuff and I'm glad to see that we're thinking along the same lines, that's always nice to hear when Danny's whispering something in my ear and you're saying the same thing that he's whispering in my ear, that's good to hear so--

MR. EDSALL: Last item, Mr. Chairman, I'd like to do because this is a large enough project that there's no way in a work session slot I could ever review all my comments and their corrections I'll probably be looking to set up a separate working meeting with them so we can spend--

MR. ARGENIO: Like a private work session meeting?

MR. EDSALL: Yeah, just so we can take the time to go through these items and the revised plans, perhaps in preparation for the public hearing and I'll let you know when that is so you might be able to join us.

MR. ARGENIO: Let's get it done.

MR. FORGIONE: July 24?

MR. ARGENIO: You have to contact Jennifer.

MR. FORGIONE: Okay.

MR. ARGENIO: Contact her and we'll get it set up and get it done, get it behind us and we'll keep moving. What else can we do for you guys?

MR. FORGIONE: You've done plenty, thank you very much.

MR. EDSALL: Just for the record, you do have a second companion application which is on the agenda tonight as well which is the subdivision application which is as Mr. Forgione indicated the land is owned by the United States of America, they're splitting off a piece for this development as part of the agreement in the developer's agreement that application I did provide them with comments, I suggest that you have comments for both the subdivision which is again really a nothing application, have them and the site plan all at once, have a joint public hearing.

MR. ARGENIO: Right, that's more of an advertisement issue than anything else so Jennifer you got that?

MR. EDSALL: The referrals and circulation reference both so we're doing this all, everyone will have an opportunity to comment.

MR. ARGENIO: Guy next to you is jumping out of his shoes.

MR. PALMER: We're in full agreement, we organized for SEQRA that we have the subdivision and site plan together.

MR. ARGENIO: Thank you for coming in. Okay, you guys got anything else?

MR. EDSALL: No.

MR. ARGENIO: Motion to adjourn?

MR. GALLAGHER: So moved.

MR. BROWN: Second it.

ROLL CALL

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

Respectfully Submitted By:

Frances Roth  
Stenographer