

TOWN OF NEW WINDSOR

PLANNING BOARD

SEPTEMBER 24, 2014

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

ALSO PRESENT: DOMINIC CORDISCO, ESQ.,
PLANNING BOARD ATTORNEY

MARK J. EDSALL, P.E.
CONSULTING ENGINEER

CAMMY AMMIRATI,
PLANNING BOARD SECRETARY

JENNIFER GALLAGHER,
BUILDING INSPECTOR

VERONICA McMILLAN,
PLANNING BOARD ATTORNEY
FOR GREENETRACK

JAMES PETRO,
PLANNING AND ZONING COORDINATOR

MEETING AGENDA:

1. Grand Hudson Resort and Casino (14-12)
2. Tractor Supply Company (14-13)
3. Tractor Supply Company (14-14)

REGULAR MEETING:

MR. ARGENIO: I want to call the regular meeting of
the Town of New Windsor Planning Board for

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September 24th, 2014 to order.

Would everybody please stand for the pledge of allegiance.

(The Pledge of Allegiance was recited.)

MR. ARGENIO: Okay, welcome, welcome everybody, welcome. Tonight joining us is Mr. Petro, Jimmy, help me, your title?

MR. PETRO: Planning and zoning coordinator for the Town of New Windsor.

MR. ARGENIO: Planning and zoning coordinator, he handles a lot of our, when I say our I mean the Town of New Windsor, Town of New Windsor real estate interest at the airport, that big piece of property. He assists the supervisor and the Town Board with that.

That said we'll get right down to it. The first item on tonight's agenda is approval of minutes dated September 10, 2014 sent out via e-mail on September 17th. I will accept a motion.

MR. VanLEEuwEN: I will make the motion.

MR. GALLAGHER: Second.

MR. ARGENIO: I will have a roll call that we accept those minutes as written.

ROLL CALL:

MR. VanLEEuwEN: Aye
MR. FERGUSON: Aye
MR. BROWN: Aye
MR. GALLAGHER: Aye
MR. ARGENIO: Aye

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GRAND HUDSON RESORT AND CASINO (14-12)

MR. ARGENIO: Moving right on. Before we get to the first item on the agenda I want to just get a couple of things clear for the record. We have Miss Veronica McMillan from --

MS. McMILLAN: Lewis & Greer.

MR. ARGENIO: From Lewis & Greer, attorneys at law with us tonight. She is temporary counsel for the Town of New Windsor Planning Board for the Grand Hudson Resort and Casino proposal on International Boulevard at Stewart Airport. Counsel Cordisco, who does a fine job, and Miss McMillan's presence is no indication of his doing a better or worse job, Mr. Cordisco does represent other casino applicants in other areas. And in the interest of avoiding any impropriety or even the implication of any impropriety The Town of New Windsor Planning Board has retained alternate counsel.

In addition to all of that the record should reflect that Counsel Cordisco is not in the room, nor is he in the building at this time. When we're done with the casino, discussing that issue, he will come in for the rest of the agenda.

So that said we'll move right on to Grand Hudson Resort and Casino represented by Wendel Company. This application proposes development of a full service gaming facility on lands used from the Town. The plan is being reviewed on a concept basis.

Sir, can I have your name, please?

MR. McLAUGHLIN: Sure, Robert McLaughlin.

MR. ARGENIO: Mr. McLaughlin, do you have anybody else with you?

MR. McLAUGHLIN: Yes, Andrew Reilly.

MR. ARGENIO: Mr. Reilly, we met a few weeks ago. So what we're going to do, we have some comments from the engineer, the engineer has reviewed the plans. They are very, very conceptual in nature. Kind of a broad stroke beginning. And we'll get to those comments in a few moments but what we're going to start with is Mr. McLaughlin, are you

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counsel for the applicant?

MR. McLAUGHLIN: Counsel for the applicant, yes.

MR. ARGENIO: Mr. Reilly, are you counsel or engineer?

MR. REILLY: I am an engineer and certified planner.

MR. ARGENIO: So, Mr. McLaughlin, if you could, please, for the benefit of the members, the audience and the rest of the folks in attendance would you give us a tour of what you are proposing.

MR. McLAUGHLIN: I would be happy to. And thank you to the Planning Board for tonight, we appreciate your time and all of your efforts and the efforts of your counsel and past counsel, he was very helpful to us.

I represent the Grand Hudson Resort and Casino which is a partnership between Greenetrack, Inc. from Alabama and a company called the New Windsor Developer, LLC whose primary member is Michael Malik. Greenetrack owns a facility in Eutaw, Alabama and has been extraordinarily successful for the past 20 years.

MR. ARGENIO: Who is Mr. Malik?

MR. McLAUGHLIN: Mr. Malik is the owner of New Windsor Developer, LLC. Mr. Malik is from Detroit. And he operates the Motor City Casino as well as other casino developments around the world. His company used to operate the Mandolay in Nevada and now he's very successful in Motor City Casino.

MR. ARGENIO: He's the nuts and bolts guy from a casino perspective?

MR. McLAUGHLIN: He is a developer along with Mr. Winn who hopefully you guys have seen in the newspaper here in New Windsor. He's been here since March and working with the Town. And the operator of the facility will be Full House Resorts, they operate five facilities around the country including Michigan, Indiana, Mississippi and New Mexico.

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MR. ARGENIO: Okay.

MR. McLAUGHLIN: Okay? We are located at Stewart Airport, which you all know well. This is a conceptual picture from the architect WATG of way the facility will ultimately look.

Inside the facility what we are proposing is a casino with 3,000 slot machines, seven restaurants, and a hotel that will have with a 13, 14 story, I forget.

MR. REILLY: 14 story.

MR. McLAUGHLIN: 14 story hotel tower that will have 350 rooms, a resort, pool area as well as a spa plus an entertainment area and a banquet area as well.

Of the seven restaurants we'll have a two story, within the casino, a two story nightclub that will be able to look down on the casino floor. We are proposing to have some local restaurants. The Bonura family has committed to having at least one restaurant in the casino. We'll also have a six story --

MR. REILLY: Right now it is six, it could be five.

MR. McLAUGHLIN: Six story, potentially five story garage. Across the street right now we envision parking that would be potential future development on the other side of International Boulevard and obviously we will come back to you if those plans were firmed up.

MR. ARGENIO: That's not proposed at this time?

MR. McLAUGHLIN: Right now it's just a parking lot. Potentially retail or potentially some other use.

MR. ARGENIO: It's proposed as a parking lot at this time?

MR. McLAUGHLIN: Parking lot at this time.

MR. PETRO: Mr. Chairman, I'm going to be interrupting a little bit here and there, I know a little bit about the project. The height of the hotel is lower than the height of the tower up by

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the reservoir. So that's number one. Number two it is not in any flight path from either the 1639 runway or the main --

MR. ARGENIO: 927.

MR. PETRO: That's correct. So it's not in either flight path. And anything from the FAA yet, Bob?

MR. McLAUGHLIN: We have received word from the FAA that we are not within the RPZ, and there are potentially, possibly, could be, hypothetically some communications issue. There is a communications tower on the top of the hill. With WATG and our engineers they designed this structure to be purposely below the hill and build it into the hill. The FAA believes there potentially could be some communication issues because of the height of the hotel. They acknowledge in a letter that -- well, in your discussions with, Drew's discussions with them they have acknowledged that that certainly can be mitigated in a variety of different ways. And as the plans and the designs are finalized we'll work with the FAA to help with that communications issue, if in fact it exists. You know, they inputted some program, they decided that it's a potential.

MR. ARGENIO: Let me just share with you real quick, from the perspective of this Board, again in the words of my predecessor, who is sitting in front of me, at the end of the day you need to do what you need to do --

MR. McLAUGHLIN: Right.

MR. ARGENIO: -- to take care of that, to mitigate that situation. As long as this Board is in possession of a letter of sorts that says that you've taken care of it, the nuts and bolts of it, we're certainly not communication experts here, unless one of you guys are hiding some expertise I am unaware of.

MR. McLAUGHLIN: Take away the FAA, there is no objections.

MR. REILLY: Robert Alexander is a representative

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of FAA that is working on this project, he promises he has some input on that potential issue with the electronics. He says it's not an issue. We also talked to the Port Authority who also said that they are inputting to the FAA to make sure that it's doesn't have any issues with communications.

MR. ARGENIO: When you finalize that stuff and get that you will forward that information to counsel or Mr. Edsall and we will move forward.

Yes, Mr. Chairman.

MR. PETRO: One more step further, the IDA has been contacted by a major company out of Long Island and some political people that the radar station on the top of the knoll is real obsolete and radar from World War Two, blah blah, so they are really going to digital and GPS systems. That may almost become a moot point at some point. During this operation if they do decide to go digital they are going to remove the tower to start with.

MR. REILLY: Just to give the Board a little background, the history of that, we contacted the FAA, they actually recommended this over other sites that were anywhere near the runway protection zones, they said tuck it in over on this side, so we followed their direction.

MR. ARGENIO: Typically if they are good with it we are good with it.

MR. McLAUGHLIN: The one other item I do want to point out is the event center. The event center is potentially up to 1,500 seats. Right now it will be an open type of event center. So it won't be stadium seating, it will have a multi-purpose multi-use. So it could be used alternatively for banquet facilities as well as potentially plays and shows and other types of events.

MR. ARGENIO: What's the seating?

MR. McLAUGHLIN: 1,500.

MR. REILLY: I brought with me tonight as another exhibit for the Board, this is a detailed description of all of the components of the

project.

MR. McLAUGHLIN: So to the south of the property right now is just parking for RVs and buses. We as part of other negotiation with the Town will take down some existing structures that are there. Certainly the gymnasium which is on this triangle right now as well as the police academy building. Then we've agreed that we would refurbish the Army reserve base that's probably right up here in this corner and make that a new police academy and police department building. Drew?

MR. REILLY: Okay --

MR. ARGENIO: Can I just interrupt you for one second?

MR. REILLY: Go ahead.

MR. ARGENIO: Jimmy, I don't want to put you on the spot but our property, I say our, Town of New Windsor, property that you guys, I say you guys, Phil Crotty, you, acquired X years ago, that was how many acres 120?

MR. PETRO: 260 total. 50 with the K. Hovnanian and the Town retained some. This is 140 acres of the 260.

MR. ARGENIO: This is about 140 acres?

MR. PETRO: They are going to remove a couple of roads here and there but it's so close to within, I would say within a couple of acres plus or minus, but we are using 140 as the actual number.

MR. ARGENIO: So Mark, Mark Edsall, and again I apologize for putting people on the spot and asking them for exact numbers, do you recall what International Plaza footprint was off the top of your head? Again I don't mean to put you on the spot.

MR. PETRO: I can help you with that.

MR. EDSALL: Absolutely.

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MR. PETRO: Not just the footprint but there was over a million square feet that was to be developed. And as I said at the Gaming Siting Board yesterday, this project through the SEQOR process is less obstructive to the property. This is going to -- the International Plaza was over 2 million square feet in the SEQOR documents.

MR. ARGENIO: Do you remember what the footprint was?

MR. PETRO: It was over a million square feet.

MR. ARGENIO: In acreage I mean.

MR. PETRO: Acreage?

MR. ARGENIO: Yes.

MR. PETRO: A little bit bigger than this. You still had, don't forget initially, you had approximately, it was approximately 200 acres because you still --

MR. ARGENIO: That's my point.

MR. PETRO: -- you had 50 acres still with K. Hovnanian when we did that and the initial 99 year lease. And this is 140 plus the 50 they took and about 10 acres which they are not taking, Jerry, that we're retaining. We are actually retaining the blacktop plant.

MR. ARGENIO: What was that number?

MR. PETRO: About 10 acres.

MR. ARGENIO: We are actually still retaining that amount? That was actually my point. It was my understanding, nobody had confirmed it for me to share with the Board as of yet, but a particular relevance to the members, Hank, Danny, Harry and Howard Brown, is that this particular application is a smaller footprint, a lesser impact than was the entirety of the International Plaza project which we approved.

MR. PETRO: In 2006.

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MR. ARGENIO: From the SEQR perspective in 2006 is that substantially accurate, Mark, what I just said?

MR. EDSALL: Yes.

MR. REILLY: For the Board's pleasure that will be the theme for tonight, things you need. We did a very good analysis of that and the SEQR documentation. We'll get out the two pages that give you the exact square footages of what was proposed and approved and what we're doing and what's remaining.

MR. ARGENIO: And you are going to supply that to Mr. Edsall?

MR. REILLY: Yes. Actually you have it on record. It is part of your SEQR documentation but we'll pull out the section for you.

MR. ARGENIO: That would be great. Go ahead, sir.

MR. McLAUGHLIN: Just before I turn it all over to Drew, I should have mentioned, and I will now, we do have 140 acres under long term lease on your lease with the Town. Right now it's really under an option where we pay a monthly fee until we get a license award and then once we obtain that license award the lease will go live.

MR. ARGENIO: That's the way I would do it if I were you.

MR. McLAUGHLIN: The Town was very cooperative, okay? We did conduct SEQR with the Town. We did conduct SEQR, a SEQR review and the Town did approve SEQR on May 29th.

Now for Drew.

MR. REILLY: You took a lot of my thunder away. Thank you very much for entertaining us tonight, and please interrupt with any questions. I'm going to try to do a very quick presentation of running through the site plan.

We are here tonight to hear from you and get all the information you need to make a decision on this project. As was mentioned you knew about the

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previous project that was proposed there. There was an EIS done, we completed SEQR. The Town had a voluminous document for draft environmental and final EIS. All statement and findings -- we did initial studies to bring those studies up to speed.

For example, I will only use one example wetlands, wetlands. The delineations are only good for five years. We redid the delineations to make sure we are not impacting any wetlands. We tried to avoid any impacts on this project.

So, again the Town went through a very regimented SEQR process. They issued a negative declaration after that. And you are very familiar with this, the Town also put a new zoning in place, planned casino overlay district which is very important because the plan that was approved under that overlay district which is essentially what you see here is kind of the zoning of the site. And then the next question is well why are we here, the Town, it's not a zoning issue. It also says we have to meet all the requirements of site plan approval and those other things that are required under site plan approval that gets us through today why we're here today, town process create new zoning district, we are here to get site plan approval. The only thing you will see, not that you typically see on a site plan, is you didn't see the zoning comparisons to the setback requirements is what we are providing because the plan actually is the zoning of the site. There is no particular setback requirements and good planning will also help in making sure this building and all the things on it fit correctly on this piece of property.

But as stated before it's a much smaller footprint than what was proposed before, a lot more green space left on this site.

Okay, so now we are, to date, we have a site plan application before you. If you would like I'm going to do a quick run through, that is what we do sometimes. I went through your checklist for site plan approval, I will give you a quick kind of synopsis on the things on your checklist.

For example, one of the things on your checklist is a landscape plan. As you stated we don't have a final landscape plan but I did bring with me tonight, I will leave all of those drawings with you and get you additional copies, we do have

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a landscape plan that has been started and hardscape plan that will illustrate all the landscaping. And we will leave this with you but I'm not going to get into specifics of it but we do have a landscape plan, try to follow the requirements.

MR. ARGENIO: Let me just stop you for a second, I appreciate that. But do me a service, do us a service, the Town and the Planning Board please, follow the protocol and get that landscaping plan transmitted to Cammy so we can have a record of it and it will get to our Planning Board engineer.

MR. REILLY: Anything I bring up tonight I will get copies for the Board. And anything you ask for, like you asked before, I will get you, you the Board, to help you with your decision.

We have a landscape plan. You have a 16 sheet engineering plan that Mr. Edsall has seen but we do have additional information that we are going to be providing to the Planning Board.

The next thing on the list is a lighting plan. We have begun a lighting plan but we do need some input from the Town. We are going to have electronic signage here, we want to make sure we meet the requirements of what the Town requires. Communities have different requirements for electronic signage.

Screening, we always have screening. The perfect screen here, if you're familiar with the site, is the hill. The hill provides a screening to the residential development that's off on the other side of the hill. We're not providing screening per se to International because as you can see from the architecture we are spending a lot of money. We want it to be seen from those two. We don't want to be seen and impact the residential properties that are on the other side of the hill.

Access and egress, we are proposing a primary entrance onto, onto International and a secondary egress on Breunig. You can also use, is that Jim Kelly Way. Now, with this entrance onto International if you remember the original there is actually a road that exists there now, don't ask me to pronounce it.

MR. PETRO: Degollo (phonetic spelling).

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MR. REILLY: Thank you very much. We are replacing that road. The original plan has driveways and entrances all along International, we're just going to have one main entrance. And Aviation will remain in place as a secondary access also behind the building for fire access purposes.

MR. PETRO: While you are pointing there show them where Airport Center Drive is coming out so the Board can see. That would be from the hill up by the accelerator, come down a little bit. Go straight. That meets down at the bottom. Right now that's all being removed.

MR. REILLY: The roads that are all being removed, there is a whole bunch of roads that are being removed in here that are going to be taken out.

There's parking areas down here, a lot of asphalt. There's some existing buildings that are all going to be taken out of here.

I do want to bring, you probably know this, we have applied for and received a permit when we're ready to go to do that site clearing and demolition of those buildings, we have that in place and the engineer that will work with us we have the SWPPP to do that, not the site plan, but to remove the asphalt.

MR. VanLEEuwEN: The old barriers.

MR. REILLY: The old barriers, right. So parking and loading areas, we have a separate plan. The site plan shows all the parking and loading areas but I know it's always a question from a planning board, this is our service area in here. If you're going to have dumpsters, any uses, this is where it's going to be at the back of the site here. This is the area that trucks pull in.

We have a secondary service area over here but this is a equipped for the event center, if you have musical groups coming they want to unload equipment into the event center. We also have that screening park. We've added a large berm here and wall that we're creating so you don't see this service area when you come down International Boulevard. Obviously we want the beauty of the casino and not the service entrance there.

Paving details we are going to be doing in

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accordance with the Town requirements. Curbing location and curbing through sections, everything is going to be curbed in this facility. All the parking areas and internal roadways are going to be curbed. Catch basins and stuff are on the engineer plan.

MR. ARGENIO: At the risk of being too basic concrete curb, yes?

MR. REILLY: Thank you. I believe they are concrete curbing.

Storm drainage, I am not going to get too in-depth but this is actually an existing site so we fall under the redevelopment rules of the SWPPP. I am acting like an engineer, I'm not going to play engineer tonight, but we are going to do underground storage under the parking area to take care of that. And the quality is going to be if you're familiar with vortex units within all the parking areas. So that's how we are handling that. We are meeting the requirements of the State. I'm sure Mr. Edsall will comment on how we are meeting drainage requirements.

MR. ARGENIO: Your underground storage will have storm traps?

MR. REILLY: Right, some of this will continue. We are rerouting some of the existing flows through here. And again it's a redevelopment site so we can use different methodologies than what -- we don't have any above-grade ponds or detention basins or retention basins.

MR. VanLEEuwEN: How many gallons will each one of them hold?

MR. REILLY: I don't know the number. I will get that to you. I don't have everything memorized on this site, I will get you it. Mark, you don't remember? I don't remember what the capacity is of those systems.

MR. PETRO: Jerry?

MR. ARGENIO: Yes, Jim.

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MR. PETRO: Mark, you can correct me because it's been awhile, but the curbing, Drew, that's done in any New York State right-of-way I don't know whether it has to be I believe 8-inch in diameter. Normally going to pull 6-inch curb, might as well draw that the first time on the plan. They can certainly tell you all of those facts.

MR. ARGENIO: You realize why I'm asking the question, you remember the incident.

MR. PETRO: Yes, right.

MR. ARGENIO: You know the building, remember?

MR. REILLY: The site will be curbed meeting the Town's requirement.

MR. PETRO: It's less on the town roads.

MR. REILLY: By the way, it's an interesting issue here that came up, International Boulevard and Breunig are under control of the Port Authority as we met with the DOT and found out after they told us they had all of these requirements, they told us they had no jurisdiction over these roads. We are dealing with the Port Authority on the design of these two entrances and we had a very good teleconference, they probably had six or seven representatives on the phone and they are going to work out their requirements for those entrances on those roads.

So we talked about storm drainage. Waterlines and hydrants, Mr. Edsall, we are going to obviously be removing some of the existing waterlines in here. We are going to be relocating some and putting our service lines in.

MR. ARGENIO: If I may, where are we at with water there, Mark, is it an issue? Do we have adequate supply in that area?

MR. EDSALL: Yes, we've got the two million gallon reservoir.

MR. ARGENIO: Go ahead.

MR. REILLY: It's a very good point, the

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environmental analysis we looked at, and we will work with the Town on the issue of water supply, we have started to locate hydrants on here and this building will be sprinkled. We will work with your fire marshal and make sure they are located in the correct places and they can fight the fires.

Sanitary sewer same thing, relocating some of the lines, providing new service laterals. And we are helping the Town to make some improvements at the waste water treatment plant. We are actually fixing some I&I problems in this area, removing the old sewer lines that are in this area.

As I said before the building location and setbacks, it's kind of a unique project, it's almost like the plan represents the zoning but we will take comment on that. But we don't have clearly demarcated well this is the zoning requirement and this is what we're doing here.

Elevations, brought a lot of them with us tonight, you have some. Anything else you need.

MR. ARGENIO: Mr. Reilly?

MR. REILLY: Go ahead.

MR. ARGENIO: So, Mark, again I'm just kind of thinking out loud here a little bit, up there we have 8-inch transite sewer mains for the most part.

MR. EDSALL: Generally, yeah.

MR. ARGENIO: Generally.

MR. EDSALL: Eight and tens I believe.

MR. ARGENIO: Capacity is okay up in that area? I mean there was a lot of buildings there at one point in time.

MR. EDSALL: I think it was very accurate to state that the biggest problem with the collection system in that area is the I&I. And the Town has been working to correct the I&I situation. And specific to this site it will be resolved as a result of the reconstruction.

MR. ARGENIO: Good, good. Okay, Mr. Reilly.

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MR. REILLY: By the way, you're not the only town. I think every town has been having issues of I&I in their sewer system.

MR. PETRO: Excuse me, the applicant is going to be doing at a great expense improvements to the sewer plant because there was BOD, is that the right terminology, is very high and they are going to be treating at the plant. George has been talking with them constantly for some upgrades.

MR. ARGENIO: That's like circa 1974. George, is that right, '75 maybe?

MR. GREEN: Early 70s.

MR. ARGENIO: Kartiganer designed that 100 years ago.

MR. PETRO: There is a 30-inch line that's already in place that brings everything there, so we are going to put it through there.

MR. GREEN: Utilize the 30-inch line. We were originally planning on putting a package plan up there but we didn't, we decided that wasn't practical.

MR. ARGENIO: Make the improvements on the existing facility that services the entire town so everybody can benefit I think is the process.

MR. GREEN: We are going to put a new filter in, primary clarifier and brand new belt press. Buying a second one. And we're putting up the new building for both belt presses.

MR. ARGENIO: Mr. Reilly?

MR. REILLY: We submitted some of the drawings, we also have and we will submit them when we go vignettes, the architects put them together to show you what each portion of the building looks like and we will also submit them or leave them with you tonight. Just so you know from a visual standpoint.

You also asked for division and occupancy, Bob went through, and we have a drawing that shows all

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the different components and that's for your building department and fire marshals to know how the building is laid out. So I believe I've run through your list.

Signage, signage is always important. I talked about at the beginning of this is that we will be working with you on signage. There will be a sign at the entrance, the entrance of the facility off of International Boulevard. You will comment on that, FAA, Port Authority, we'll take all of your input on the signage that's going to be on this facility.

MR. ARGENIO: Likely we will not comment on it. Likely the building inspector will comment on it as a code enforcement issue. Likely.

MR. PETRO: Jerry, it's estimated that 85 percent or better of the traffic would be utilizing International.

MR. ARGENIO: I want to let him finish, I do want to get to that.

MR. REILLY: While you are on traffic we might as well.

MR. ARGENIO: Are you done?

MR. REILLY: I'm done with the standard walk-through of the plan, but specific questions we can talk about.

MR. ARGENIO: So we were at a meeting, I was at a meeting, other folks in this room were at a meeting in Poughkeepsie, to talk about traffic. Jimmy, you seem to be fairly -- would you please share with the members?

MR. PETRO: I will start. Approximately 85 percent or more would be using the International Boulevard which is now a brand new four lane highway that goes directly to 84 with one red light, the Thruway, frankly it goes right to the atrium.

MR. ARGENIO: It's important to know, excuse me for interrupting you, Jimmy, let me be clear on this with you guys, Jimmy says 85 percent of the people

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will be using the 84, 747, International Boulevard access. That doesn't mean that they are taking up 85 percent of the capacity of that road, it means 85 percent of the people coming to this facility are coming via that route. That's an important distinction because the DOT said in our meeting up in Poughkeepsie that we don't want you sucking up all of our additional capacity, which is not going to happen. Go ahead, Jim.

MR. PETRO: 15 percent or so would be coming off of Route 207 up Breunig. And there are I think four improvements, is that correct?

MR. REILLY: Yes.

MR. PETRO: We are looking to do on Route 207, they can go over, the Board is definitely going to want to see that, I think it's great, George worked with them a lot on that just by living here, we kind of know what needed to be done. So that's just an overview. But, Drew, go ahead.

MR. REILLY: Just to add, you did a very good job, just to add to that we took the conservative approach and environmental review, we didn't want to, we basically did not take a lot of credit for public transportation and other things but we're going to be running programs which talked about in there are employees to use public transportation, car share. Obviously promoting other methodologies getting into the casino, flying in, taking the train, other things, whatever, we are going to build upon that. So the calculations were very conservative. We didn't take a lot of credit for that. We are going to push that program. We believe obviously International Boulevard was built for and I will tell you one thing, the New York International Plaza project was planned for 2 million square feet but their analysis was for two and a half million square feet, so we are generating a lot less than the long term plan for New York International.

They wanted to be conservative on their analysis, you don't want to turn away business if you got something that's a little bit exceeded 2 million square feet, so you did an analysis on that. So we have done a very good analysis on the

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traffic.

Having done dozens and dozens of casinos we also know how the traffic usually works and when the peeks are and it's accepted by DOT you really need to know when the peeks are occurring. You don't get the morning peek. Other than employees, which we're going to work with you, don't get a big rush of customers at 8 o'clock or 7 o'clock in the morning. There are different peeks and different times for casinos.

MR. PETRO: Jerry, just the first one, the turning lane underneath the tunnel to go onto Union, you know, going east.

MR. ARGENIO: You know I'm going to ask about it.

MR. PETRO: I know you are, that will be the first one that's going to be mentioned, the entire turning lane. I don't know if they can get down passed probably down through almost Nynex and probably right down to Volvo.

MR. ARGENIO: Down to the culvert.

MR. PETRO: As far as they can go.

MR. ARGENIO: That's what we talked about originally.

MR. PETRO: Then three others -- why don't you touch on those.

MR. REILLY: They are on that handout there but these are things I will just make a point of, these are things that the Town has identified over the years. You were very eloquent at the meeting with the DOT telling them we wanted these things for years. This project is going to help pay for those improvements along 207.

MR. ARGENIO: What are those improvements?

MR. REILLY: I will give you the list, I am not the traffic guy.

MR. ARGENIO: Mr. Reilly, you can probably point to that map and tell us the intersections. We know

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the area.

MR. PETRO: There is an alignment, Jerry, up by Bivona Lane where the car lot, Barbera is.

MR. ARGENIO: Realignment or?

MR. PETRO: They are going to try to align where Walters is, align that with Weather Oak Hill. Obviously there's going to be a larger turning lane into Breunig as you move up forward on the right-hand side. That's number three. And there's a fourth passed it.

MR. REILLY: 207 at Breunig, 207 at Square Hill Road and Weather Oak Hill Road and 207 at Route 300 and more work at 207 and 300. On the back of your handout there lists those improvements that are being met.

MR. ARGENIO: It seems to me that the turning lane going westbound on 207 into Breunig, the link should be like eight fold of what it is.

MR. PETRO: Mark, I don't know if they are going down to the Stewart Mall, that would be easy.

MR. GREEN: What was that question?

MR. ARGENIO: Going west on 207 there's a turning lane to turn into Breunig Road, that's about 100 feet long.

MR. GREEN: It's going to be extended from the culvert on the other side of Stewart Plaza all the way through Breunig, the turning lane.

MR. REILLY: All the way to the retail strip mall.

MR. ARGENIO: Members, if anybody has anything that I'm not covering, jump in. Don't feel like you're interrupting me. Go ahead, Mr. Reilly.

MR. REILLY: I am sorry, do you need anymore on traffic transportation issues?

MR. ARGENIO: That's the broad stroke beginning.

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MR. REILLY: I was done with mine, we will answer any questions.

MR. GREEN: Can I interject just for one second? Still on traffic, there's a provision in the Host Community Agreement that the traffic analysis will continue after the casino is built and adjustments have to be made, that's in the host community report.

MR. REILLY: That's a great thing on all major projects, we do that on all the projects, have a follow-up study.

MR. ARGENIO: Do you guys understand what he is talking about? We had the same thing I think on Apple Ridge where they do a follow-up study a year, two years from the building.

MR. BROWN: Very important.

MR. ARGENIO: I want to read this comment, Mark sent me his comments. And they are pretty basic because this plan is very conceptual at this point in time. But there is one thing that he put in here that I think is of particular relevance, here me on this if you would. The plan submitted is very conceptual in nature. It would appear that the intent of this meeting appearance is for the applicant to make an initial presentation to the Planning Board with a more comprehensive and complete set of plans submitted for a subsequent appearance. For purposes of clarity it is anticipated that future submittals will include that information called for in the code for site plans, dimension, detailed plans, bulk data as necessary per the code, dimensional information with regard to site layout, setbacks for buildings, et cetera, et cetera, paraphrasing a little bit there. Location of pavement edges, property lines, dimensions of parking spaces and aisles, sidewalk dimensions et cetera. Identification of various uses, buildings on the full service site, information supporting parking provisions and distribution, pedestrian vehicular movement layout, landscaping, signage, a lot of these things we have already talked about here tonight. Detailed complete storm water management, blah blah blah,

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and other such information to constitute a complete site plan submittal for this size development.

It would seem to me that probably 90 percent of what Mark has listed there one or the other of you folks have covered tonight. But I want to make sure that you guys are on top of the case with that from an engineering perspective that we do have a good confident set of plans for the next meeting. We'll put you on the agenda. Everybody is excited about this project. I'm not going to go on and on. We have a job to do here as a Planning Board. I know you guys understand that. And that's what we're going to do.

MR. PETRO: Jerry, erosion control plan.

MR. ARGENIO: Yes, Mark.

MR. EDSALL: We need a SWPPP.

MR. ARGENIO: We will need a full SWPPP for the entire site along with the additional items including Mark's comments.

MR. REILLY: Okay.

MR. ARGENIO: Do you have a copy of Mark's comments?

MR. REILLY: I can take one with me.

MR. ARGENIO: Take a copy with you.

MR. EDSALL: Jerry, could I just?

MR. ARGENIO: I wish you would.

MR. EDSALL: Could I clarify? A lot of the information has all been reviewed and I think the Board has a good understanding from the presentation and there is a lot of information pictorially here that's available, keeping in mind that this Board is not an architectural review board. The representations of what the buildings will look like is very good information for the Board but that's not really part of the site plan approval. What we need you to do is take the information that is shown photographically,

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pictorially and boil that down onto a set of drawings that will just show what the various portions of the site are being used for, where the parking is provided. Make it clear the appropriate amount of parking is near the particular use. How the pedestrian movement occurs from parking to the use. Those are the kind of things.

MR. ARGENIO: One of the things, not to interrupt you, Mark, but one of the first things that came to my mind when you said the parking will be across the street is how are folks going to cross a four lane highway safely.

MR. McLAUGHLIN: Primary parking will be the garage.

MR. ARGENIO: Still it's a parking lot, people are going to be crossing a four lane highway. I don't need the answer at this particular moment but as an example as an extension to what Mark was saying that's the first thing.

MR. EDSALL: We discussed that we need to take all of this good information that we have talked about and put it onto a set of site plans so that the Board can just move forward.

MR. PETRO: Curves, lighting.

MR. EDSALL: Lighting. In other words, it's great again to see the representations on displays, but we just need a set of plans be it to see the rendering of the landscaping isn't the same as having a landscaping plan.

MR. ARGENIO: I guess what you're saying is, and there's a lot of, it's absolutely accurate we don't approve pictures, we approve plans.

MR. EDSALL: Yes. And this helps the Board understand what you're proposing.

MR. REILLY: Just to clarify, you've asked for, as you saw, we have two large sheets of plans trying to represent the entire site. We will have a certain level of detail on that but then we have a 16 sheet set of plans that are more detailed.

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Again, each town does it differently. Will that be acceptable to have a certain level of detail on these drawings and then much greater level?

MR. EDSALL: We are going to spend a lot of quality time together looking at it, we will help you out.

MR. ARGENIO: Don't misunderstand me, I'm not being critical of anything, this is a first getting to know you picture for the members. I mean I've been involved in some meetings at the town level in this building and I attended a meeting in Poughkeepsie with the supervisor, Mr. Edsall, but this is our first meeting. You have done a fine job pitching and showing what you are doing and hitting on the high points, especially the things that are important to us as town residents. Now, what's important to me may not be important to the next guy in the town, but you know we try to be, we try to think about.

MR. VanLEEUWEN: That's why we have five members.

MR. REILLY: That's why we are here, we want to show you. You haven't gotten a presentation on this specifically on this project. We know what detail is needed for the town engineer. But we also wanted to find out from you are there specific -- you raised some specific issues that we can address to make sure that there's sometimes those things just outside of the engineering detail that a planning board may want to know about our project.

MR. ARGENIO: That 207 corridor is a very important thing and it seems as though Jim Petro and the Supervisor have already shared with you about that. That is a very, very busy corridor, I don't have the photos with me tonight, but we have photos in the summertime that that intersection can back up.

MR. VanLEEUWEN: This afternoon around noontime, a little afternoon time, okay, it was backed up 4 miles.

MR. ARGENIO: We have a firehouse on that corridor that I don't know how it works exactly, we will work it out with the fire department, they need

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some kind of buzzer to turn the light red so they can get the fire trucks out in the event of a fire. So it's an important corridor for a whole host of reasons.

MR. REILLY: It's one of the reasons we chose the site. Think of all the sites proposed, this site had the best access to it from a standpoint of a new highway.

MR. ARGENIO: You don't have to pay for it, somebody else paid for it.

MR. REILLY: A brand new highway put in that can have plenty of capacity. But the issue is, right, is trying to minimize the traffic that is going to go on 207 through a lot of work we're going to do on this project, but also then offering to help the Town do things that you planned for the years.

MR. ARGENIO: This is a 90 million dollar DOT project. Mr. Supervisor?

MR. GREEN: Take a look at the EIS document, you will see that the analysis, a lot of the travel times between normal traffic, you know, that we see on 207 today and peak traffic times at the casino do not correspond.

MR. ARGENIO: I bet you're right.

MR. GREEN: So, you know, the impact is not quite as great as we would think.

MR. ARGENIO: Mr. VanLeeuwen?

MR. VanLEEuwEN: Minor detail, I am a flag nut, flags.

MR. REILLY: Flags.

MR. VanLEEuwEN: Big flags.

MR. REILLY: That we can do.

MR. VanLEEuwEN: I wasn't born here, I came here from Holland when I was eight years old and I love the American flag.

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MR. ARGENIO: Dan Gallagher, do you have any questions?

MR. GALLAGHER: Mr. Petro or Mr. Supervisor, are our firefighting apparatus good enough for a building of this size for the Town?

MR. GREEN: The building is sprinkled, yes. We have talked to the fire company, Vails Gate specifically, we have talked, you know, to people there, and we have adequate fire equipment but the Greenetrack will be providing \$500,000 to the Vails Gate fire district.

MR. ARGENIO: Is there going to be, Jim or Mr. Supervisor, is there going to be a, is there planned to have like an access, a remote fire station up there or is it felt that the Vails Gate remote firehouse on Weather Oak Hill, I think it's on Weather Oak is close enough?

MR. GREEN: Station two is in such close proximity.

MR. ARGENIO: The firemen feel that it's close enough?

MR. GREEN: To be truthful I don't know that we really want to put a fire station on Stewart itself.

MR. ARGENIO: George, I'm not advocating it, I'm just asking because I don't know.

MR. McLAUGHLIN: We did review with the fire department as well, there is a cooperation agreement with the fire apparatus that's at Stewart Airport already, between the two they are sufficient equipment to service. We are providing additional funding, either for training or equipment, to assist the facility.

What we have discussed and what we are conceptually thinking about is as part of, if it works as part of that police academy improvement there could possibly be some sort of an emergency services close by. It's the wrong optics to have it on site, but between police, fire and emergency services what a casino of this type usually has more calls than anything of are people getting ill

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or having health issues. And so it makes some sense to us and I think the Town as well to have an emergency service unit or two fairly close by so that they can respond quickly.

MR. ARGENIO: Thank you.

MR. GREEN: So that you know we did a survey of single site casinos and it bothers me what they found was that the only rise that they have seen in, rise of calls for service was from ambulances for senior citizens experiencing --

MR. ARGENIO: A heart attack.

MR. GREEN: -- heart attack, things like that. I thought that was sort of a prejudiced remark on the chief's part.

MR. ARGENIO: Jimmy, go ahead.

MR. PETRO: I think more to your question, I know why you're asking, the real question is basically can it handle the 14 story hotel, it's just more than the -- or Dan, you asked that. We had contacted the Vails Gate fire department. We talked with them directly, they said they had, as George said, the apparatus that could handle it, they were only short one thing and that would be manpower. So that is basically one of the reasons, as Bob said, the \$500,000 came into --

MR. ARGENIO: A half a million bucks doesn't seem like a lot of money buying fire apparatus.

MR. McLAUGHLIN: For the manpower issue. The additional taxes that the facility will generate will pay for some of that additional manpower that's required. The 500,000 is really up to what the fire department wants, equipment possibly, more likely training and then perhaps a few additional individuals before the taxes kick in.

MR. ARGENIO: Harry and Howard Brown, do you guys have any other questions?

MR. BROWN: Not right now.

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MR. ARGENIO: You are typically the quiet group, you usually listen and take it in.

Mr. Petro, do you have anything else?

MR. PETRO: One last thing because now it is going to go to the Planning Board obviously, and if you miss something Mark is going to find it, he finds everything.

MR. REILLY: We usually sit in that chair, so we know.

MR. PETRO: Something as simple as a dumpster enclosure, usually this Board likes to see dumpster enclosures. And if you don't have it on a set of plans and you want to get something stamped you have to go back and redo, you know, 17 sets of plans. So little things like that. I would ask at the next workshop and it's not a matter that you don't know, sometimes if you ask it just saves a lot a time. Like the eight inch curb, just little things. And I think a dumpster enclosure. The flag I was going to mention but Henry beat me to it out front. Andy Krieger used to say ask for a flag on the pole. You just asked for a pole. Henry, you got to ask for a flag on a pole.

MR. REILLY: He said flag.

MR. PETRO: I stand corrected.

MR. ARGENIO: This application is substantial. And there's a lot of onus put on the Planning Board for this application both due to local law and state law and we get it. So that said if you guys need to have a special workshop meeting with Mr. Edsall and Mr. Szarowski, who is Mr. Edsall's assistant, you should do that, you should request that. Don't wait for us to ask or tell you that.

MR. EDSALL: I was just asking, with the Board's permission, I'm not going to have this on the normal workshop of 20 minute slot, that would never work for this type of project.

MR. ARGENIO: That's my point.

MR. EDSALL: We will arrange special workshops

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where we can put some quality time in to make progress.

MR. REILLY: We are going to be working on final engineering plans, we will work hand-in-hand with your Town engineer. The next time we come to you Mr. Edsall will have reviewed the complete set of engineering plans and we can answer any additional questions. You will have a complete engineering package for you meeting all the requirements. But again knowing the nuances of each community, you know your town better than anybody else, what things you want to make sure are in place. I just did a dumpster enclosure Monday night for a community that got tired of the dumpster situation they had in their community.

MR. PETRO: Something like that can hold you up for another meeting because it's not on the plan.

MR. ARGENIO: Mr. VanLeeuwen?

MR. VanLEEuwEN: You work with us, we will work with you, let's put it that way.

MR. REILLY: This is your property.

MR. ARGENIO: I don't want to beat this horse to death. Veronica, do you have anything else you want to comment on?

MS. McMILLAN: Not at this time.

MR. ARGENIO: Mark, do you have anything else?

MR. EDSALL: No.

MR. ARGENIO: Jimmy, anything additional?

MR. PETRO: I'm done.

MR. ARGENIO: Members?

MR. VanLEEuwEN: I'm done.

MR. GALLAGHER: No.

MR. ARGENIO: Guys, thank you for coming. You have

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your work cut out. I think you have instructions,
I think you know what you need to do.

(Veronica McMillan leaves the room and
Dominic Cordisco enters the room.)

(James Petro leaves the room.)

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TRACTOR SUPPLY COMPANY (14-13)

MR. ARGENIO: Next application, Tractor Supply Company minor subdivision applicant at DMK Development New Windsor, LLC, property owner MCB Partnership LLC, Temple Hill Road, Route 300. This application proposes a subdivision overall parcel for two lots. One for development as part of the application proposed as subdivision of the overall parcel into two lots, one for development as part of the companion site, application, which is Tractor Supply and the second parcel for future development. The lots will be served by a shared commercial access. The plan is reviewed on a concept basis only.

Sir, what is your name?

MR. IVES: My name is Rod Ives, civil engineer with Napierala Consulting.

MR. ARGENIO: Let the record reflect Mr. Cordisco has joined us.

MR. CORDISCO: Thank you.

MR. ARGENIO: Okay, Rod, this is a subdivision, I don't want to get hung up on it, so give us a brief overview of what you want to do with the subdivision, then let's get to the meat of it which is the site plan.

MR. IVES: Okay, as you indicated we are looking to subdivide it. Right now it's about a 10.3-acre parcel lot one what we are calling the balance of land which is 5.6, that will be vacant at this point. The Tractor Supply piece will be on lot two which is a 4.7 plus or minus parcel. 5.6-acre parcel will have a 150 foot shared commercial access way which will be the main driveway that Tractor Supply will share with whatever future development MCB decides to put in there.

There is an issue with ProBuild, our neighbors to the north, their driveway plus some of the buildings encroach onto the MCB property so we need to work out the driveway encroachment issue.

MR. ARGENIO: Could I just interrupt you, Rod, for a second? Mark Edsall?

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MR. EDSALL: Yes.

MR. ARGENIO: Your comment two about the two lots that already exist, can you kind of summarize that for me, please?

MR. EDSALL: Well, in the application which was made as a minor subdivision and it's my understanding that the lots are split also by virtue of the sections of the tax maps. One is in section 69, the other one is in section 68. So there's currently two tax lots. I was suggesting that from a simplified approach that he might be able to kind of redesignate this as a lot line change rather than a minor subdivision, it's a form of a subdivision.

MR. ARGENIO: If that's the case what would be extinguished and what would be activated?

MR. EDSALL: We would move the lot line to match their desires.

MR. IVES: If I could interrupt?

MR. ARGENIO: What are you moving to where?

MR. IVES: That's the issue is what's recorded at the county is just 10.3 acres. There is no, it's only been, it only exists as two parcels on your tax maps.

MR. ARGENIO: So isn't that what we need to work from?

MR. EDSALL: So basically you're saying it's really one deeded parcel?

MR. IVES: Yes.

MR. EDSALL: And the county split it up because they drew a tax map line down the middle.

MR. IVES: Because I went to my surveyor and said I got two tax map parcels, do I even need to do a subdivision, can we do a lot line adjustment. He said well, he brought up the concern that at the county courthouse it's only one deeded parcel.

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MR. EDSALL: Okay, that's interesting. But I think the bottom line is what we can process that as a minor subdivision which is probably the cleanest way to make sure that formally they get the subdivision. But I think what we'll do is we'll basically hand it to the county in a form that they can probably digest it which is reconfigure the two tax map parcels.

MR. IVES: Okay.

MR. EDSALL: Otherwise I hate to say it, they will probably get confused, we'll end up with two parcels that are split twice.

MR. CORDISCO: Yes, correct.

MR. EDSALL: And again not being critical of them but it looks like they have, for some reason, wanted to draw a tax section line through here.

MR. CORDISCO: It's better to address the error rather than to just ignore it.

MR. ARGENIO: I agree.

MR. VanLEEuwEN: Who owns property?

MR. IVES: MCB Properties.

MR. VanLEEuwEN: Who are the principals, do you know?

MR. IVES: With MCB, no, I do not. I am working with DMK Development.

MR. EDSALL: These are the folks that did the Walgreens Plaza.

MS. GALLAGHER: Jim Bannon (phonetic spelling).

MR. ARGENIO: What's the other guy's name?

MS. GALLAGHER: I don't know. He owns across the street. He owns the Blockbuster where Kia parks all the cars now.

MR. EDSALL: I think, getting back to the

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subdivision issue, we'll call it a subdivision, but I think we will hand this off to the county, the tax maps can match the ultimate plan.

MR. IVES: So I will need to figure out where that tax map comes from.

MR. EDSALL: No, we'll help.

MR. IVES: Okay.

MR. ARGENIO: What is the story with the encroachments?

MR. IVES: I wish I knew.

MR. ARGENIO: How do we handle that, Mark or Dominic, if somebody else is building on the parcel?

MR. EDSALL: The application that's before the Board is not, does not rely upon those encroachments being corrected. They can develop the parcel as proposed with those encroachments remaining. So it becomes a matter between the two parties.

MR. CORDISCO: Absolutely.

MR. ARGENIO: So, Dominic, you don't think it affects us at all?

MR. CORDISCO: Not at all.

MR. ARGENIO: The guy's shed is on the other guy's property, it's between the two of them, it's got nothing to do with the Planning Board.

MR. CORDISCO: If it was somehow inhibiting the redevelopment of the site, you know, in other words like if there was a shed in a place where you were putting an access road or something like that, you know, then obviously that would be something that would need to be corrected. But if it's not impinging or impeding redevelopment or further development to this site it's really between the two owners.

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MR. VanLEEuwEN: Can I ask a question? How come this line, can't we make this line come to that point?

MR. IVES: This line here?

MR. VanLEEuwEN: Yes.

MR. IVES: I can ask.

MR. VanLEEuwEN: It looks better for planning purposes, you know, go from one to the other, doesn't it?

MR. ARGENIO: Henry, probably associated with that is probably a description of a mete, a bound, a distance, starting point, an ending point. I mean I'm not saying I disagree with you, but I'm saying that --

MR. VanLEEuwEN: I think it's a little ridiculous.

MR. ARGENIO: I agree with you. That could be a 10,000-dollar bill to get that resurveyed and get that done.

MR. IVES: From our end it's not that big a deal, but from my client DMK Development.

MR. VanLEEuwEN: Look into it, would you?

MR. IVES: I sure will.

MR. VanLEEuwEN: If we even leave this point alone and just make that little V, make it straight, in other words.

MR. IVES: Just like that?

MR. VanLEEuwEN: Now you got it.

MR. IVES: I got to remember that I got three lines in.

Just to your point about the encroachments, the only issue I see would be the driveway, we need to get that worked out because of DOT. When I met with DOT that was a hot topic because their driveway encroaches with their, they have the

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curbing and everything. We have an existing gravel, wide open gravel driveway here. We have another existing gravel driveway here. While I was talking to the DOT on site we watched tractor trailers at ProBuild. What they are doing now is just pulling in on the diagonal here. So I've brought this up to my client DMK, he's working with MCB as to what we do. And what we're looking at is getting rid of this driveway, providing them an easement to get to the proposing as the new main entrance. That will serve both. If ProBuild doesn't like that they are going to have to adjust their parking because they have parking that comes right up.

MR. ARGENIO: I see, so it's not a 50-foot easement?

MR. IVES: Right, now it's not. This is the existing normally property line for the MCB, 10-acre MCB parcel that we are subdividing. ProBuild's driveway, their southerly driveway encroaches the whole thing on MCB's property. We want our driveway to be right here. So DOT is never going to allow these two driveways to be side by side like that especially since they are on the same parcel. If they were on separate parcels maybe. I doubt that given my experience. So what I have said is the easiest thing to do, MCB wants to sell the land to DMK for this, we want the driveway here, let's close this and put an easement off of the 50-foot shared commercial easement that we're creating and give them an easement.

MR. ARGENIO: This plan doesn't show any of that.

MR. IVES: That's in the works, right, correct. This was what we presented to Mr. Edsall for workshop. I didn't want to go crazy and start changing a whole lot of things.

MR. EDSALL: Just one issue, if in fact an easement arrangement is worked out between ProBuild and MCB off of the shared commercial access way keep it back off of the highway. We want to have some very good spacing.

MR. IVES: What we would probably do is line it up

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with their existing driveway or their, yeah, the drive aisle for their parking.

MR. EDSALL: As long as that's far enough back but we will look at that with you. We don't want, in other words, the tail to wag the dog. We want the new commercial access way to be built correctly, not be subject to the wrong design because ProBuild happened to do things that wasn't quite appropriate.

MR. VanLEEUWEN: It might have been King Builders that was there before that.

MR. EDSALL: I'm not even saying ProBuild it might have been their predecessors.

MR. VanLEEUWEN: Right, that built the buildings on the other guy's property, now they just found that out or they already knew about it. That's their problem, not ours.

MR. ARGENIO: Anybody sees fit that we accept a motion we issue a lead agency coordination letter to begin?

MR. VanLEEUWEN: So moved.

MR. FERGUSON: Second.

MR. ARGENIO: Motion made and seconded for lead agency coordination letter.

ROLL CALL:

MR. VanLEEUWEN: Aye
MR. FERGUSON: Aye
MR. BROWN: Aye
MR. GALLAGHER: Aye
MR. ARGENIO: Aye

MR. ARGENIO: Mark, as I said I want to get to the site plan. Is there anything else we need to get particularly focused on on this subdivision?

MR. EDSALL: No. Ultimately once everything is nailed down on the shared commercial access way,

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whatever easement arrangements, access arrangements are worked out Dom will have to get that documentation.

MR. ARGENIO: It can't go to county you made him change that property line.

MR. EDSALL: I don't know that it's important it has to be to the county. I think we should probably nail down exactly what's happening because they are likely to pick up on the DOT issue and slow it down anyway.

MR. ARGENIO: I agree. I agree.

MR. EDSALL: Let's get our ducks in a row and then send it out. The answer is no, there's not a lot on this site plan or the subdivision side to worry about.

MR. ARGENIO: Let's not waste our time.

MR. EDSALL: Other than the fact in my comments you'll note that FW process subdivision and site plan are completely independent. They will be back on the agenda. So you've got two applications, when you make submittals two different sets.

MR. IVES: Okay.

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TRACTOR SUPPLY COMPANY (14-14)

MR. ARGENIO: Next item on tonight's agenda Tractor Supply Company site plan Temple Hill Road. The application is a proposed site plan for a 19,097 square foot retail establishment on the 4.751-acre parcel. Plan was reviewed on a concept basis only. I see Rod Ives has appeared here to represent this.

MR. IVES: Correct.

MR. ARGENIO: Mr. Ives, what do you have to say about this?

MR. IVES: Again, it is a 19,000 square feet Tractor Supply. I don't know if you are familiar with Tractor Supply's in the area. What we're proposing is a primary access. I'll just start there and walk through the site. The primary access would be a shared driveway with the balance of the vacant land. I have talked to DOT and what we're looking at doing is signing, providing signage that directs all tractor trailer traffic to the northerly driveway. We do have a secondary access to the south and DOT wants to keep trucks from exiting or entering the site there. So this would just be for customers only. The purpose for the second driveway is we have the away Tractor Supply's business model is they allow cars, customers with either trailers or without trailers to drive through the fenced in outdoor display area.

MR. ARGENIO: To get loaded.

MR. IVES: Yes.

MR. ARGENIO: I would like it if you would please delineate your front sidewalk display area from the area on the sidewalk that's used for pedestrians, please. It doesn't mean you have to paint it on the sidewalk, it means I'd like to see it on this plan.

MR. IVES: Just on the plan, okay.

MR. ARGENIO: That's my opinion. Maybe the members want something different. I think you should show

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it.

MR. IVES: I can certainly do that.

MR. ARGENIO: And look here is where we're going to do, if Jennifer the building inspector gets a call that says, you know, the firemen were complaining now there's only two feet wide for people to walk through if there's a fire, you know, they are going to stumble between the cars and the display stuff. Well there is a number there you need to keep probably a six or seven foot aisle that people can walk through.

MR. IVES: We do have plans for a five foot sidewalk space.

MR. ARGENIO: Show it.

MR. VanLEEUWEN: Mr. Ives, you have a problem right now, the location you have a problem right now with the display area --

MR. IVES: Encroaches.

MR. VanLEEUWEN: -- encroaches so the people have to actually walk in the road, okay? But here you have parking, in Chester you don't, right in front of it, okay? What they do they walk in the road, you have a lot of traffic coming up and down here.

MR. IVES: If I could this is the walkway right here, so we already have it, this whole area.

MR. ARGENIO: It's not wide enough.

MR. EDSALL: I think we need to get, there was a mention of five foot, historically where there's overhang from car bumpers we look for six, number one, at least six. Number two, I think you need to have some way of delineating it. I've seen it done where the sidewalk is in concrete and the display area is brick pavers or something else because you've got to have a clear delineation so that when the store people go to the displays they know when they have gone to the concrete, they've gone over the line. So I think you should make life easier for Jen and her people and the Planning Board and

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do a section through there and show us how you're going to delineate the purpose.

MR. ARGENIO: I think that's an extraordinary section and you got to show.

MR. VanLEEuwEN: And you have to show a dumpster.

MR. IVES: Typically what Tractor Supply does, what they have here and again being the concept in nature, just at this point there would be the loading area back here, there will be a concrete pad. On that pad will be a portable.

MR. VanLEEuwEN: You need to show it.

MR. IVES: I have to advance these plans, I am well aware of that. But so on this pad will be a movable aluminum ramp for the tractor trailers. They typically will want to put their dumpster on that pad.

MR. ARGENIO: Mr. Ives, if I may does Tractor Supply operate similar to Home Depot whereas there is typically no pedestrian or motorist traveling around the back of the building? The back of the building is only for deliveries and employees?

MR. IVES: No, customers will have access to this portion. The tractor trailers will be, you know, the loading will be over in here.

MR. VanLEEuwEN: Is this going to be fenced in, correct, the outdoor fenced area?

MR. IVES: Correct.

MR. VanLEEuwEN: So your customers, they are going to be able to walk through here?

MR. IVES: No, take the cars through there. This is an actual travel lane. So they can drive right in through there. Usually what they will have in the outdoor display area is drainage tile, hay bales, other large --

MR. VanLEEuwEN: I know what they have back there but there is a question on that in my mind anyway.

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MR. IVES: As far as?

MR. VanLEEuwEN: Cars going through there, okay?

MR. ARGENIO: What's the question?

MR. VanLEEuwEN: I don't think cars should be going through there.

MR. ARGENIO: Why?

MR. VanLEEuwEN: They should be able to back up here and get loaded from there to here, instead of driving through here. If they want to go this way and meet all the traffic here, the tractors and trailers here, okay, or they go this way. This way is the proper way to go.

MR. ARGENIO: It would seem maybe they can do something left turn only or something. I think driving forward is better than backing up. I think Henry, only my opinion.

MR. EDSALL: One way front to back is what you're saying.

MR. ARGENIO: Yes, yes, front to back.

MR. EDSALL: One way.

MR. ARGENIO: One way.

MR. IVES: That's how it's setup. You will notice we have the trailer, the angled spaces that's meant for cars or trucks with trailers. They are lined up so that they don't have to jostle around in the parking lot, they can shoot right in through into the fenced in area.

MR. VanLEEuwEN: They can only turn left instead of right.

MR. IVES: We can provide signage, striping.

MR. ARGENIO: Mr. Ives, you're going to need a proper landscaping plan as well. You're going to need to go to DOT. You're not ready for DOT.

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MR. IVES: Understood.

MR. ARGENIO: Landscaping details, et cetera ad nauseam. I think you were here for the prior application at which time we talked about concrete curbs. I don't want to see any blacktop curbs on the drawings.

MR. IVES: Okay. Our workshop with Mr. Edsall, we talked about the main curbing would be this island here would have to be curbed and an island here. We could stop the curbing along the display area out in front, is that correct? Do you want all edges of pavement curbed?

MR. ARGENIO: You know I think Mark needs to get a flavor, a comprehensive flavor for what you're doing. He will guide you. His guidance is typically pretty good. He knows what we're looking for.

MR. IVES: Okay.

MR. ARGENIO: As your plans evolve they will give you appropriate guidance.

MR. IVES: Sometimes what we will do, just to bounce this off, we will build mountable curb on here just because the people with the trailers and I know sometimes we just did one in upstate in Cortland, the fire department asked us to do mountable curbing.

MR. ARGENIO: Mountable curbing is better than six by six by 18 curb, that's destroyed in five years. Mark, do you need to steer us anywhere in particular on your comments?

MR. EDSALL: No. Just a comment regarding DOT. Given the unique situation here where you got two property owners trying to work out a closure of one curb cut and developing a new comprehensive shared use and then a cross easement let's have them get that issue resolved so, it's a private matter.

MR. ARGENIO: But, Mark, he needs to put that on paper.

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MR. EDSALL: Exactly. What I'm saying get that issue resolved, come back to us. We are not even going to think about making a DOT referral unless you guys get your issues resolved.

MR. IVES: Okay.

MR. EDSALL: We would rather not be in the middle of that.

MR. ARGENIO: Agreed. I'll accept a motion if anybody sees fit that the Planning Board be lead agency on the coordination letter to be in the SEQOR process.

MR. VanLEEuwEN: Yes.

MR. ARGENIO: Mr. VanLeeuwen made the motion.

MR. GALLAGHER: Second.

MR. ARGENIO: Danny Gallagher has seconded it. I will have a roll call.

ROLL CALL:

MR. VanLEEuwEN: Aye
MR. FERGUSON: Aye
MR. BROWN: Aye
MR. GALLAGHER: Aye
MR. ARGENIO: Aye

MR. ARGENIO: Mr. Ives, I don't know where else we can go tonight. You have some guidance. Mr. VanLeeuwen is going to be looking for a flag pole with a flag.

MR. GALLAGHER: I was going to say we are leading to the historical corridor. Is this the colors --

MR. ARGENIO: That's a good point.

MR. GALLAGHER: Is that the color for the Tractor Supply is white?

MR. IVES: They are going more earth tones. This is the new, this is the one we just built in Cortland.

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MR. ARGENIO: Mark, how do we handle that the proximity -- I don't think they are in the historical.

MR. GALLAGHER: It's after the railroad tracks is when we really kind of start to get in there.

MR. ARGENIO: I think it is but I'm not sure.

MR. EDSALL: I would think if it's in the zone or if it's not in the zone if they are indicating they want to work with you on finishes do exactly what's proposed here.

MR. ARGENIO: Earth tones.

MR. EDSALL: Earth tones and review it and if it's out of the zone it's just a matter of review and just --

MR. ARGENIO: It's certainly not visible from the Cantonment.

MR. GALLAGHER: I know we are slowly as we lead up that way.

MR. CORDISCO: Just for a historical perspective the Board on prior applications has required merely renderings as far as looking at whatever would be necessary for the area.

MR. ARGENIO: Earth tones. Anything else, Rod?

MR. IVES: I think I'm all set.

MR. ARGENIO: Thank you for coming in.

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DISCUSSION:

BENEDICT POND (13-03)

MR. ARGENIO: Benedict Pond. Mark or Dominic?

MR. EDSALL: It's a request for an extension to the conditional approval --

MR. CORDISCO: Correct.

MR. EDSALL: -- with the site plan.

MR. ARGENIO: Any issues, Dominic, with that?

MR. CORDISCO: No, this is the first time we are seeing this in awhile and as I recall the Board in the past has granted not only the 180 day extension but the two 90 day extensions as well so they get a full 360 days.

MR. ARGENIO: So it's 180 day and two 90 day extensions. And somebody, Mark or Dominic, you guys have a letter from Michelle or somebody requesting that?

MR. CORDISCO: Correct.

MR. EDSALL: It was submitted. Miss Babcock communicated with me today and I told her that it was on the agenda and that I didn't see any reason that she needed to come in.

MR. ARGENIO: Dominic, is there any reason we should not consider that?

MR. CORDISCO: Absolutely not.

MR. ARGENIO: I will accept a motion.

MR. VanLEEuwEN: Motion.

MR. GALLAGHER: Second.

MR. ARGENIO: Benedict Pond conditional approval extension.

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ROLL CALL:

MR. VanLEEUWEN: Aye
MR. FERGUSON: Aye
MR. BROWN: Aye
MR. GALLAGHER: Aye
MR. ARGENIO: Aye

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MEADOWBROOK ESTATES (01-42)

MR. ARGENIO: What about the next one, Mark, Meadowbrook?

MR. EDSALL: That's a major subdivision requesting an extension and I would suggest, as Dom indicated, give them the 180 plus the two 90s which is authorized now by the state law.

MR. ARGENIO: Did we ever get the property dedicated to the Town, deeded over to the Town, does anybody know?

MR. VanLEEuwEN: As far as I know it is because they want to get it off the taxes.

MR. ARGENIO: Cammy says no, Henry says yes. It's not of any particular relevance with the extension, but I'm just curious --

MR. EDSALL: I'm not aware.

MR. ARGENIO: -- if they are active.

MR. VanLEEuwEN: George mentioned it to me months ago they were in process. As the Board may recall we had authorized the filing of the platen section, so that section of the plat could have been filed in the county first so that that way everything would have been setup for them to actually deed the property over for that particular parcel. I have not seen any documentation to show that that has actually occurred.

I make a motion subject to seeing if that's been done or not.

MR. ARGENIO: Let's be careful here because this extension I believe they are entitled to by state law, is that right, Dom?

MR. CORDISCO: They are entitled to extensions unless there's been a change in circumstances such as law or facts that may, you know, say that the subdivision itself is no longer a proper subdivision. I don't believe that that is the case here. I think the Board should read it carefully here because this as I understand it was a

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gratuitous, a gratuitous dedication.

MR. ARGENIO: Here is what I would like to do, Henry if you're okay with it, I would like to do the extension but I'd also like to check on that so we know if it's not done.

MR. VanLEEuwEN: That's what I meant to say.

MR. ARGENIO: We can, if it's not done, we can send them a letter. I don't want to make it a condition is my point. A motion is made for the 180 day and the two 90 day extensions. And, Dominic, could I charge you with checking on --

MR. CORDISCO: Certainly.

MR. ARGENIO: -- the property to let us know?

MR. CORDISCO: I would be pleased to.

MR. ARGENIO: Make the motion.

MR. VanLEEuwEN: Yes.

MR. FERGUSON: Second.

MR. VanLEEuwEN: One of the owners, primary shakers, is very, very ill.

MR. ARGENIO: Cavalari?

MR. VanLEEuwEN: No, Cavalari's cousin.

MR. ARGENIO: Wayne is sick.

MR. VanLEEuwEN: Wayne is very extremely ill, that might be the holdup.

MS. GALLAGHER: No, it's not the holdup.

MR. VanLEEuwEN: That's not the holdup? Okay, I didn't know that. I thought that was maybe the holdup.

MR. ARGENIO: A motion has been made and seconded for the 180 day and two 90 day extensions from Meadowbrook subdivision, and Dominic is going to

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check on status of that property being deeded over
to the Town.

ROLL CALL:

MR. VanLEEUWEN: Aye
MR. FERGUSON: Aye
MR. BROWN: Aye
MR. GALLAGHER: Aye
MR. ARGENIO: Aye

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SPCA (12-10)

MR. EDSALL: One more item. The SPCA, as you know, unfortunately had a fire at their site and notwithstanding the fact that they have an active application before the Board that they are trying to bring to closure they have a situation where they undertake care of animals and the fire is apparently causing them difficulties in the care of the animals and they haven't been able to bring to fruition the site plan and the financing. They are asking for a temporary arrangement. Attached to your package is a markup of where they would like to have these temporary units. They involve individual manufactured dog enclosures and then temporary fenced pen areas, eight in total. It's behind the concrete building so you really won't see it from 207, it's back behind. And then in addition a caretaker's trailer. I advised them that the caretaker's trailer is a maximum of six months that they would have the option to come back in if they would want to have some type of a renewal. But it is six month by code. And it is appropriate for this type of a fire situation. So they are seeking a six month temporary approval of these eight enclosure areas and the temporary caretaker trailer.

MR. ARGENIO: So if we don't agree with this what do they do with the dogs?

MR. EDSALL: We would not want to know.

MR. ARGENIO: So if we don't agree with this we are dog haters.

MR. EDSALL: You might be classified as a dog hater.

MR. ARGENIO: I don't know, is there any issue with this that you are aware of, Jen?

MS. GALLAGHER: The only issue I would have would be the caretaker's trailer and that it is known that it's for six months temporary.

MR. ARGENIO: Let's make sure we convey that to them. Anybody have an issue with this?

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MR. VanLEEuwEN: No, I don't. I will make a motion.

MR. ARGENIO: If you have an issue with it you are a dog hater.

MR. BROWN: They can come back and reapply six months later.

MR. EDSALL: As an example, if they have a well-worked out plan, it happened they needed two or three months because of weather conditions they would have to come in. The bottom line unless this Board extends it further it's six months period. They have been told that already, we'll do it in writing.

MR. ARGENIO: So that that is the motion. Anybody second?

MR. GALLAGHER: Second.

MR. ARGENIO: Six month extension per the sketch.

MR. EDSALL: Six month temporary authorization turned over to the building department.

MR. ARGENIO: Per the sketch. Jennifer will put it in the file or Cammy will put in the file. I have a motion.

ROLL CALL:

MR. VanLEEuwEN: Aye

MR. FERGUSON: Aye

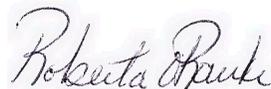
MR. BROWN: Aye

MR. GALLAGHER: Aye

MR. ARGENIO: Aye

MR. ARGENIO: Motion to adjourn.

Respectfully Submitted by:



Roberta O'Rourke
Stenographer