

TOWN OF NEW WINDSOR

PLANNING BOARD

February 10, 2016

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

ALSO PRESENT: MARK EDSALL, P.E.
PLANNING BOARD ENGINEER

JOAN QUINN, ESQ.
PLANNING BOARD ATTORNEY

JENNIFER GALLAGHER
BUILDING INSPECTOR

STEPHANIE RODRIGUEZ
PLANNING BOARD SECRETARY

MEETING AGENDA:

1. Brittany Terrace MHP
2. Monaco MHP
3. Jointa Lime Company

REGULAR MEETING:

MR. ARGENIO: Welcome everybody to the regular meeting of the Town of New Windsor Planning Board for February 10, 2016. Would everybody please stand for the Pledge of Allegiance?

(Whereupon, the Pledge of Allegiance was recited.)

MR. ARGENIO: Welcome everybody. Jen, would you please as an order of business send a note to I think it would probably go to George for the benefit of the town board that the planning board had our reorganization meeting tonight and we would like to remain status quo with our

attorney, our engineer and our stenographer. So Mark, you're okay for another year, just saying whether you like it or not.

MR. EDSALL: Thank you.

MR. ARGENIO: So I think that's like, that's a recommendation from us to the town board that they extend their contract for another year.

MRS. GALLAGHER: I'll do that.

ANNUAL MOBILE HOME PARK REVIEWS:

BRITTANY TERRACE

MR. ARGENIO: Let's get right to it. The first item on tonight's agenda is we have a couple of mobile home parks. First one is Brittany Terrace, somebody here for that? How are you, what's your name?

MS. KEAN: April Kean.

MR. ARGENIO: Jen, has somebody from your office been out to their site?

MRS. GALLAGHER: Yes.

MR. ARGENIO: What say you?

MRS. GALLAGHER: There are no problems with this park.

MR. ARGENIO: Mrs. Kean, your park is always neat and well kept, I live out that way so I certainly know that. Did you bring a check for the benefit of the Town of New Windsor in the amount of \$400?

MS. KEAN: Yes, we did.

MR. ARGENIO: One year extension.

MR. BROWN: So moved.

MR. VAN LEEUWEN: Second it.

MR. ARGENIO: Motion made and seconded that we offer Brittany Terrace one year extension.

ROLL CALL

MR. VAN LEEUWEN	AYE
MR. GALLAGHER	AYE
MR. FERGUSON	AYE
MR. BROWN	AYE
MR. ARGENIO	AYE

MONACO MOBILE HOME PARK

MR. ARGENIO: Next is Monaco Mobile Home Park, somebody here for this? Can we have your name for the record?

MS. LORIA: Carmela Loria.

MR. ARGENIO: How many trailers here?

MRS. GALLAGHER: Three trailers.

MR. ARGENIO: Has somebody from your office been out to have a look?

MRS. GALLAGHER: Yes.

MR. ARGENIO: What say you on this application?

MRS. GALLAGHER: No issues.

MR. ARGENIO: Where is your park?

MS. LORIA: 52 Clancy Avenue.

MR. ARGENIO: Got it. Okay, seeing as things seem to be in order, ma'am, do you have a check made out to the benefit of the town in the amount of \$250?

MS. LORIA: Yes, I do.

MR. ARGENIO: Motion for one year extension?

MR. GALLAGHER: So moved.

MR. VAN LEEUWEN: Second it.

ROLL CALL

MR. VAN LEEUWEN	AYE
MR. GALLAGHER	AYE
MR. FERGUSON	AYE
MR. BROWN	AYE
MR. ARGENIO	AYE

MR. ARGENIO: Okay, ma'am, thank you very much for coming in.

REGULAR ITEMS:

JOINTA LIME COMPANY (16-01)

MR. ARGENIO: Regular items, first and only item on tonight's agenda is Jointa Lime Company site plan. The application proposes a hot mix asphalt plant as a two phase project. The plan was reviewed on a concept basis only. Somebody here to represent this? Okay, please come forward and give your name and your affiliation with the project to the stenographer, please.

MR. FITZGERALD: Peter Fitzgerald, manager of Jointa Lime Company.

MR. MILLSPAUGH: Mark Millspaugh, Sterling Environmental Engineering Consulting to Jointa.

MR. ARGENIO: Mark, do you have a plan that you can put up there so we can see what we're talking about? Okay, so what do you have to say?

MR. MILLSPAUGH: We came to the planning board workshop, we met with Mark Edsall and went through two phases of site plan presentation. Plat one is phase one which consists of the existing hot mix asphalt plant that's on World Trade Way on town owned land. This particular plat lists the tax parcel numbers and then up on Brooks Street at the location of the former waste water treatment plant that's no longer in use, former, is related property that's used strictly for storage of overflow materials that are fed through the hot mix asphalt plant. So phase one is the existing operations that are subject to the lease with the Town of New Windsor. Phase two is all of what's shown on phase one plus the additional area of the town owned land where the salt storage barn is. And the only difference between phase one and phase two is the Jointa Lime will ultimately when the town vacates that salt storage operation will take down the salt storage building and will use this part of the site for storage of feed for the asphalt plant. And then you'll notice on phase one there's a gap in the aggregate bins caused by this drainage that comes through the site. What we would like to do under phase two if we're able to get the necessary DEC and U.S. Army Corps of Engineers permit is to be able to fill in and extend that culvert that would allow the bins to be continuous along here and no longer have to work around that gap.

MR. ARGENIO: Can you stay on that page, what's the pass-thru from this site to this site, is this the corridor right here?

MR. FITZGERALD: Yes, right here.

MR. ARGENIO: Is that what that is for?

MR. FITZGERALD: Yes.

MR. MILLSPAUGH: Right now the operations are hamstrung by having to negotiate around this drainage way that's currently set, it's marked off with the concrete blocks and silt fencing. In order to extend that culvert, we would need approval from the Army Corps of Engineers in the form of a nationwide permit and also approval from the DEC perhaps an Article 15 permit.

MR. ARGENIO: What's that mean?

MR. MILLSPAUGH: Stream disturbance permit.

MR. VAN LEEUWEN: The old stone house, is that on this property?

MR. MILLSPAUGH: It is, it's right here, the Sayer House.

MR. VAN LEEUWEN: What's in there now?

MR. MILLSPAUGH: It's empty.

MR. VAN LEEUWEN: Nobody living there?

MR. FITZGERALD: No.

MR. ARGENIO: Let's talk about this area up here, you're going to store what there?

MR. FITZGERALD: For the most part just raw materials for the plant, you know, these bins are a little smaller than we prefer so at times depending on the workload we'd like to have additional storage of materials that ultimately come into these bins to reduce the pressure of the on time delivery of other aggregate.

MR. ARGENIO: Mr. Millspaugh, I would assume you're going to show us some grading up here and some berms,

some containment, this is the stage one of the planned development process, is it not?

MR. MILLSPAUGH: It is. When we met with Mark Edsall, he hooked us up with the town's repository of property and topographic survey mapping for town owned land and we obtained those drawings Friday.

MR. ARGENIO: So you did not have the OG data before, you do have it now?

MR. MILLSPAUGH: It just came in and we'll certainly show the grading for both sites.

MR. ARGENIO: What are you anticipating your timeframe on the phase two development to be? And I understand that you're not driving it, other agencies are driving it, that happens all the time and at this planning board and I'm sure planning boards all over the State of New York, so does anybody have a thought process on that?

MR. MILLSPAUGH: My sense was when we had this board's concurrence on the concept, we could proceed with the applications to the Army Corps of Engineers for extending that culvert. It would take about four weeks to complete the permit application and get it submitted. We were anticipating that upon concept approval and ultimately site plan approval for the two phases any work here would be contingent on demonstrating that we secured the permits. So we wouldn't be able to proceed with that work until the whole permitting process plays out.

MR. ARGENIO: You mean the culverts and such?

MR. MILLSPAUGH: Yes.

MR. VAN LEEUWEN: That's a priority.

MR. FITZGERALD: Absolutely.

MR. ARGENIO: So the original question was--

MR. FITZGERALD: We'll move as fast as possible in terms of the permits for the outside agencies, big benefit to our site logistical challenges so we'd like to move that process along as fast as possible.

MR. ARGENIO: Let me push a little harder.

MR. MILLSPAUGH: Well, the town still owns the land so we felt duty bound to get the sense from this board that this is an acceptable approach. Ultimately, the applications would have Jointa Lime's signature and the Town of New Windsor's signature.

MR. ARGENIO: I would expect that, so what do we anticipate that timeframe to be, three months, 18 months, seven months?

MR. MILLSPAUGH: If we don't, one of the parallel discussions to have tonight involves whether you need an opinion from your zoning board but--

MR. ARGENIO: We'll get to that.

MR. MILLSPAUGH: But this, you were, I'll answer it the other way around, if you give us the nod tonight to proceed, we would take about four weeks to get the application together for this work.

MR. ARGENIO: Somebody's got to help me, man, what do we anticipate their turnaround time to be? What would be the reasonable turnaround time for them in your experience?

MR. MILLSPAUGH: In my experience, about four months.

MR. ARGENIO: Okay, so if we said eight, nine months, 10 months you'll have that buildout done, that would be a fair estimate?

MR. MILLSPAUGH: I think so.

MR. ARGENIO: That's what I was trying to get to. Let's just go down, and P.S., note to members, I've been by this facility many times, take a ride by there just so you can understand what we're doing here. And if you remember just to refresh everybody's memory, they were talking about being on Walsh Road on Dave Plotkin's property down there but there were a host of issues associated with that, not the least of which was traffic, that movement up on the corner of Walsh Road and 9W, Danny, you were here for those discussions.

MR. GALLAGHER: I was.

MR. ARGENIO: There was talk of the water main under Walsh Road being transite, that's a whole other issue

and you're pounding that road with heavy trucks, that water main could be in jeopardy and not to mention the quality of the pavement surface. So I assume you have arrived at some type of arrangement with the town board or the town, Mr. Fitzgerald, I should direct this at you for the lease of this property?

MR. FITZGERALD: Yes.

MR. ARGENIO: Terms are, I don't think they're really subject to discussion for this board but--

MR. FITZGERALD: They're established, yeah.

MR. ARGENIO: Mark or counsel, Joan as it were, do you, can you comment for the benefit of the members? And I was at one of the workshop meetings the discussion about the tower, the tower is close to the roadway, there certainly would seem as though some type of relief would be needed?

MR. EDSALL: We're both going to answer you. There's some history in years passed that applications involving fuel storage facilities were referred to the zoning board for interpretations and variances if needed. Because of that having been the practice on prior applications, the discussion was held as to the appropriate nature of forwarding this for consideration so I'll let Joan speak to this application.

MS. QUINN: Yes, I think the issue of whether or not a variance would be required, the portable HMA would be considered a structure and thus not in concert with the various setback requirements. It's the recommendation that it gets referred to the ZBA for an interpretation as to whether or not you'll require a variance for that particular piece of the development.

MR. ARGENIO: Is it mainly the tower that we're talking about or is there other things there? It's a tower, isn't it, or is there something else?

MR. EDSALL: My belief that's the only element on the site that wouldn't meet setback.

MR. MILLSPAUGH: Actually, two, there's the silo control room structure that's, well, whatever it is, it's all part and parcel to process equipment, you know, still has wheels on it. And then there's a stack right here on the, which is the air emission point and

when you apply the six inches of height for each foot of setback you're well into the silo control room structure and barely into the stack, the stack conflicts about five feet.

MR. ARGENIO: Basically duct work, your exhaust stack?

MR. FITZGERALD: Yes.

MR. EDSALL: So my suggestion would be that you would send it over not only for a variance for an interpretation but a variance if needed so they don't have to come back and get re-referred, if in fact the ZBA determines that a variance is necessary, they could deal with it as part of a single referral.

MS. QUINN: This way we can do it as sort of a two track approach so we don't waste any time for the applicant or the project to do the referral now.

MR. ARGENIO: What are the two tracks?

MS. QUINN: Well, they would continue with their application process with the Army Corps of Engineers and then we would do the referral to the ZBA just so that everything is happening at the same time.

MR. ARGENIO: I understand, I didn't understand what you were referring to with the other track. What about FAA or Port Authority with the being near an airport, are you in any kind of tolerance zone?

MR. FITZGERALD: We've had aeronautical studies done on both the highest points which are the silos and the temporary crane usage that was needed to set them in place and both were cleared and we've gotten annual renewals on that.

MR. ARGENIO: That's interesting, so you stand that tower up, that's not self erecting, right?

MR. FITZGERALD: No.

MR. ARGENIO: You have to stand it up with a crane, call the FAA about that?

MR. FITZGERALD: We file for an aeronautical study, give them the estimated height of the crane and they look at the flight paths, the patterns and give their conclusion.

MR. ARGENIO: What size crane does it take to stand that thing up?

MR. FITZGERALD: You usually use 215 ton and an 80 to stabilize the back, two of them.

MR. ARGENIO: So 250 picks up the top, 80 stabilizes the bottom and you rotate it?

MR. FITZGERALD: Exactly.

MR. ARGENIO: Okay, Peter, what about the salt shed business, Mark or maybe I should be asking you, Mr. Millspaugh, you mentioned that the town is in there, when are they going to be out of there, you're not taking that down, are you?

MR. FITZGERALD: We'd actually prefer to reuse it.

MR. ARGENIO: I would think, right?

MR. FITZGERALD: Yeah, we think it could work for our operation, we don't see any reason to take it down.

MR. ARGENIO: How long before you have occupancy on that?

MR. MILLSPAUGH: We have the concerns that the town's going to be in there all this season, this winter and it's tied to when they're able to move to the new storage facility which your firm is involved with, correct?

MR. FITZGERALD: Correct.

MR. ARGENIO: Do you want to share for the benefit of the members?

MR. FITZGERALD: Our expectation is to hopefully be in there by September, fall area so that when next winter comes, you know, the town's in place with an alternate salt shed area and we can take possession of the current one.

MR. ARGENIO: You guys are helping the town with that, am I right?

MR. FITZGERALD: Yes.

MR. ARGENIO: And these improvements on this site they're at--

MR. FITZGERALD: Our cost.

MR. ARGENIO: -- your expense?

MR. FITZGERALD: Yes.

MR. ARGENIO: Okay, so let me just, Mark, I want to get to you about any other engineering concerns that you're thinking about.

MR. EDSALL: I've got a copy of the comments.

MR. ARGENIO: Just give me a minute.

MR. EDSALL: Okay.

MR. ARGENIO: Peter, what about lighting?

MR. FITZGERALD: Lighting, there's, because this is a portable plant in nature when we got it we installed lights from the factory on different points that keep the entire footprint with some extent of lighting, it's all pointed down, it's not going to, the lighting is not going to leave the site, it's all strategically placed on different pieces of the process.

MR. VAN LEEUWEN: Are you all done with the runways?

MR. FITZGERALD: That's correct.

MR. VAN LEEUWEN: And are you going, you're not going to open up at all until September?

MR. FITZGERALD: No, no, we currently have an active lease with the town and--

MR. ARGENIO: Open up in the spring.

MR. VAN LEEUWEN: You're going to open up in the spring with everything the way it is now?

MR. FITZGERALD: Correct.

MR. VAN LEEUWEN: That's what I want to know.

MR. ARGENIO: So just as a thought process, and I want to kind of go around the room a little bit to you guys

and just to see if anybody else has thoughts and then I'm going to come back to you, Mark Edsall, about any other engineering things we need to be looking at.

MR. EDSALL: My comments really focus, again, on this, on a preliminary basis cause I anticipated that it would be making a trip to the zoning board. So I've asked under comment one is just explaining the two phase approach and comment two just asking for exactly what they did which is a first appearance explanation of the operation and the phases developed. Comment three I'm asking for them to make sure they submit any relevant permits so they're part of the record including the FAA approval for the operation on that site. The full review I'll do once we have the additional and more complete plans with the topography relative to storm water and the storm water management. Comment five I just am pointing out some sections of the EAF that I believe they should consider either doublechecking the answer or completing the answer so that when we circulate this the EAF is in best complete form. We should refer this to the highway superintendent, we can do that in parallel to the ZBA and other referrals. Just suggesting that they bring, put the planning board project number on it again for filing. Procedurally which is not in the comments but I picked up on from the presentation of the applicant, I would suggest that you consider SEQRA for the whole project, phases one and two so that that can be analyzed in its entirety. The board could then after all the necessary information is received and considered reach a SEQRA determination of significance. But relative to the approvals, my suggestion is that you grant phase one approval at such time the board feels they're comfortable with that but hold phase two until we hear back from Army Corps. They really can't do anything until they have that approval but it would eliminate the need to change the plans if Army Corps requests any changes, if the disposition of the old salt storage barn changes for any reason as the final phase two lease is concluded, so I would suggest you dispose of phase one when it's appropriate after SEQRA's been completed after you've had the public hearing, if you so decide. But hold phase two approval until you have all the ducks in a row.

MR. ARGENIO: Okay, so coming back to the board just a couple of thoughts. The positioning of this particular facility is essentially at the airport, adjacent to the highway network four lane road known as International

Boulevard, is that right?

MR. EDSALL: Yes.

MR. ARGENIO: To 747 to 84, you know, if you look at, you know, where asphalt plants are, I mean, I can't speak for Los Angeles or Detroit or St. Louis but in New York City with the exception of the plant that the New York City Highway Department owns in Manhattan on the East Side all the plants are out near the airports, quite frankly, if you go down to whatever highway takes you out towards Long Island and you get out towards Shea Stadium out towards the airports there's a place called Asphalt Alley, there's four plants right alongside of each other. So it kind of makes sense in that sense and in the sense that as I said you're real close to the highway network, you're not in the Town of New Windsor like the Walsh Road location where you have to go through our town with heavy trucks with inbound aggregate and outbound finished bituminous concrete as a part of your operation. So that was my thought process. But Harry and Howard, do you guys have any additional thoughts on this thing? Kind of broad stroke.

MR. BROWN: No.

MR. FERGUSON: No.

MR. ARGENIO: This is our first look at this, obviously, so Danny Gallagher, do you have any additional thoughts?

MR. GALLAGHER: Nothing additional, you stole some of my thunder, I like the proximity to get to 84 keeping the trucks out of the town closer to the highway.

MR. ARGENIO: And that's something we should probably talk about at some point in time is the routing of the inbound product, I didn't mean to stop you, Henry.

MR. VAN LEEUWEN: Don't worry about it but go ahead.

MR. ARGENIO: The routing of the raw materials coming in I would think it would come from the highway network and the routing if we need to of the outbound product. Now, obviously people are going to buy blacktop there and bring it down to 207 and go pave driveways and parking lots and stuff and that's what you do, you supply product to those folks.

MR. FITZGERALD: Sure.

MR. ARGENIO: Maybe guys we should think about a little bit the route, inbound aggregates and AC, I'm sure the AC is going to come from either up, one of the guys up in Albany, Gorman (phonetic) or somebody like that or Peckham or Sucot (phonetic) but they'll be coming in from Thruway or 84 fair to say.

MR. FITZGERALD: All interstate.

MR. GALLAGHER: Anything in the river coming up from the river off barges?

MR. FITZGERALD: No, not at this point.

MR. VAN LEEUWEN: Can I see, can you point out where the existing salt shed is now?

MR. FITZGERALD: Sure, this is the phase two.

MR. VAN LEEUWEN: Right there, okay, thank you.

MR. ARGENIO: Go back, what is this, stay there, Peter, I see your coal bins, your conveyer, your dryer, you probably have a bag house here, what's the other structure?

MR. FITZGERALD: Bag house here.

MR. ARGENIO: What's the other thing in between?

MR. FITZGERALD: This is a dryer, excuse me, dryer's here, bag house, lime silo, lime silo, wrap system.

MR. ARGENIO: You have the drum that the stone goes into, what's the dryer?

MR. FITZGERALD: The drum and dryer are one in the same.

MR. ARGENIO: What is the thing between that and the bag house, what's that?

MR. FITZGERALD: This is the bag house.

MR. ARGENIO: What's that?

MR. FITZGERALD: Lime silo.

MR. ARGENIO: Okay, understand. So zoning, we need to defer to the zoning board, we need to refer to counsel and the zoning board, counsel, my initial thought was that I know this is a portable plant at some point in time there's wheels on that thing, you say there's no wheels on it now but I remember seeing wheels on it at some point in time.

MR. FITZGERALD: Every piece has wheels, they come with it.

MR. ARGENIO: So I thought it was like temporary equipment but if counsel says that we should send it to the zoning board then we need do that and that's for an interpretation.

MS. QUINN: Interpretation as to whether or not that structure, whether they're going to require a variance and I would recommend that it also be with respect to the other two items that you raised that you thought may have been--

MR. ARGENIO: The duct work is up in that zone whether or not it's a structure.

MS. QUINN: Two in total, bag house too or just the duct work?

MR. FITZGERALD: It's just the bag house.

MR. ARGENIO: So it's the duct work and the tower or the silos which you need a variance for or an interpretation that they think you don't need a variance for.

MR. FITZGERALD: Yes.

MR. ARGENIO: But it seems to me that this board is of the opinion and members please correct me if I misspeak that probably if we're going to have an asphalt plant in this town this is probably not a bad place for it to be.

MR. VAN LEEUWEN: I agree.

MR. ARGENIO: Up near the highway not disturbing.

MR. VAN LEEUWEN: The other place was not great no matter what you did there it was not right.

MR. ARGENIO: So at this point in time if any of the members see fit I'll accept a motion we deem this incomplete at this point in time.

MR. VAN LEEUWEN: So moved.

MR. GALLAGHER: Second it.

MR. ARGENIO: Motion made and seconded that the Town of Woodbury declare the Jointa Lime application incomplete at this current juncture thus sending them to the zoning board for the necessary interpretation and/or zoning relief that they're requesting for the two items that were described. Roll call.

ROLL CALL

MR. VAN LEEUWEN	AYE
MR. GALLAGHER	AYE
MR. FERGUSON	AYE
MR. BROWN	AYE
MR. ARGENIO	AYE

MR. ARGENIO: Mr. Millspaugh, you need to develop the plans a little bit. I understand you got the existing contours from Mark just recently but we're going to probably look real close I would imagine at the storm water runoff, make sure you've got a handle on that because obviously stone comes in, has dust on it, you know, piles get rained on and you have to make sure that doesn't, we don't end up with a turbid situation in the waterway that's ever, ever, ever so close.

MR. MILLSPAUGH: I can also provide this site is the subject of two Storm Water Pollution Prevention Plans, one to construct it and two to operate under the multi-sector general permit program, I know Mark's been through those but we can resubmit those as part of the package.

MR. ARGENIO: I don't think there's any question they're going to have to be resubmitted.

MR. EDSALL: Yeah, I would want to have that on record as part of your SEQRA determination.

MR. ARGENIO: Henry, you wanted to say something?

MR. VAN LEEUWEN: Yup, we need a flag pole guys.

MR. ARGENIO: Can you put a flag on the silo or something, maybe on top of the control house?

MR. FITZGERALD: We'll let you pick the place.

MR. VAN LEEUWEN: I don't care but there better be a flag pole and flag.

MR. ARGENIO: You'll do that?

MR. FITZGERALD: You betcha.

MR. ARGENIO: Just trying to think this thing through a little bit. We talked about runoff, we talked about phasing, we talked about timing of the second phase, page two of two, Peter, is that the full extent of your phase two improvements, full and complete extent of the improvements?

MR. FITZGERALD: Yes.

MR. ARGENIO: Wasn't there some talk at some point in time of the culvert going up a little bit or some such thing?

MR. FITZGERALD: Where are you looking?

MR. ARGENIO: Right there.

MR. MILLSPAUGH: We limited the extent of the culvert extension to the thresholds under the Army Corps nationwide permit because they're not ministerial, they're a substantive permit. But they're a whole lot different than an individual permit which has the bar set quite higher. So if we wanted to come up here it's a much more involved permit, would require mitigation somewhere on the property where you'd have to give back wetlands that are taken. So in order to keep this manageable and keep it moving forward, we want to pursue the nationwide permit.

MR. ARGENIO: Hey, Mark, what about DEP, just occurs to me?

MR. EDSALL: We can include them in the circulations.

MR. ARGENIO: Does that mean we should or no?

MR. EDSALL: They're not adjacent or immediately--

MR. ARGENIO: If we're not, I don't know exactly where they are on that.

MR. EDSALL: With the board's permission at the time I make the Planning Department referral for the ZBA, which we're trying to make sure we always get those referrals out, I'll also do one on behalf of the planning board but I'll wait until I have the updated EAF.

MR. MILLSPAUGH: Just one question for clarification on my end, I notice that you say some questions that we said no should be yes and vice versa, there was a prior EAF and a negative declaration that supported the leasing and original construction so I think that's where when we answered some of the questions, it was knowing that the plant is out here already.

MR. EDSALL: Alright, we'll go over those.

MR. MILLSPAUGH: Okay, thanks.

MR. EDSALL: So I'll send that to County Planning, we would want to I believe do a SEQRA coordination as soon as possible so we can do the lead agency letter.

MR. ARGENIO: Okay.

MR. EDSALL: So with the board's acceptance I'll do that as well.

MR. ARGENIO: We circulate for lead agency, is that your motion?

MR. GALLAGHER: Yes.

MR. VAN LEEUWEN: Second it.

MR. ARGENIO: Motion made and seconded that the Town of New Windsor circulate for lead agency on the Jointa Lime asphalt plant application. Roll call.

ROLL CALL

MR. VAN LEEUWEN	AYE
MR. GALLAGHER	AYE
MR. FERGUSON	AYE
MR. BROWN	AYE
MR. ARGENIO	AYE

MR. ARGENIO: Mark or Joan, is there anything else we're missing here? I mean, Mr. Millspaugh's got some work to do on this plan, they need to get the zoning and get that variance or not buttoned up.

MS. QUINN: Yeah, I think that, you know, this is a preliminary appearance and the primary issue that we can be proactive about would be the referral to the zoning board on this issue.

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

MR. EDSALL: I agree it's a, I think the key here is without relief from the zoning board or an interpretation at minimum there's not much more we can do so we should get it there as quick as possible.

MR. ARGENIO: Danny or Henry, do you have any other thoughts?

MR. VAN LEEUWEN: No.

MR. GALLAGHER: No.

MR. ARGENIO: Harry or Howard, do you have any other thoughts?

MR. BROWN: No.

MR. FERGUSON: No.

MR. ARGENIO: Okay, do you have any questions?

MR. VAN LEEUWEN: I have one question, that old house that's a very old house I believe 17 something, I've never been in it, that's not going to be touched in any way, is it?

MR. FITZGERALD: No.

MR. VAN LEEUWEN: Okay.

MR. ARGENIO: Yeah, that would be a problem for them. The town will retain ownership of that and they can't futz around with that. Any other questions?

MR. MILLSPAUGH: No, just thinking in terms of the referral one thing to keep in mind is this is a portable plant and based on Mark's conditions, Jointa

Lime could make a business decision to disassemble it and take this away. I think that's what makes us different than being a building, it definitely is process equipment that there's still axles and wheels. And with respect to the house, they're not using that part of the property so when they're over and done the above-ground improvements will be taken away.

MR. ARGENIO: Okay, guys, thank you for coming in.

MR. FITZGERALD: Thank you.

MR. ARGENIO: Have a good one. Mark, anything else we need to talk about?

MR. EDSALL: I think that's it.

MR. ARGENIO: You guys got anything else? Motion to adjourn?

MR. VAN LEEUWEN: So moved.

MR. BROWN: Second it.

ROLL CALL

MR. VAN LEEUWEN	AYE
MR. GALLAGHER	AYE
MR. FERGUSON	AYE
MR. BROWN	AYE
MR. ARGENIO	AYE

Respectfully Submitted By:

Frances Roth
Stenographer