

DRAFT - UNAPPROVED

ENVIRONMENTAL REVIEW BOARD MINUTES OF THE MEETING January 11, 2006

MEMBERS PRESENT

Phil Dropkin – Acting Chairman
Wallace Gantter
David Gawronski
Carol Laskos, New Member

ALSO PRESENT

Neal Halloran, Building Inspector
Susan Cleaver , Ex Officio

ABSENT

Norman Stein, MD

I. CALL TO ORDER

The regular meeting of the Town of Goshen Environmental Review Board was called to order at 6:30 pm on Wednesday, January 11, 2006.

II. MINUTES

The minutes of the December 14, 2005 meeting were approved as submitted upon motion made by Ms. Cleaver seconded by Mr. Dropkin.

III. TOPICS

Hambletonian Park. - 8-1-12.221 - 23.4 +/- acres, located on Upper Magic Circle in the HR zone with an AQ6 overlay.

Mr. Dropkin submitted a letter he has written (attached) to be forwarded to the PB itemizing his review of the DEIS for this project. He did not address the issues that have been noted at prior meetings as they are a matter of record. The following new items are discussed:

- 1) The letter from the applicant's attorney stated that this phase is 20% of the total original subdivision. However, on the long form EAF, they answer that it will not have a significant impact. It would seem that this would have an impact on the growth and character of the community and neighborhood and therefore should be a subject for further discussion.
- 2) The letter also states that the capacity of the water district was studied and with the largest well out of service the maximum daily yield would be 53.6 gpm, while the project demands would be 53 gpm. This is too close if any of the wells go down. Mr. Gantter pointed out that any fire demand could bring additional stress to the system. The water demand and capacity needs further study.

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- 3) The PB did request traffic impact studies and this applicant did two studies. One, involving the impact of this development alone and the other involving the aggregate impact of other future projects, i.e., Heritage Estates, Maplewood etc. The ERB has been asking for this aggregate review for quite some time and commends this developer for implementing this study. There will be significant impacts and the PB should review what steps could be taken to address the costs that would be incurred to mitigate the impacts. This will require further review.

Ms. Cleaver stated that she has spoken with Kate Schmidt, County Planning Dept. regarding the possibility of having applicants contribute to mitigation issues. Ms. Schmidt is willing to set up a meeting between the County Planning Dept., DPW, the Air Quality Dept. and the Town ERB and PB to discuss this possibility. Of particular interest is a means to pay for the upgrading of intersections. Mr. Halloran noted that the impact of Harness Estates should also be reviewed in any traffic studies. Ms. Cleaver also asked that Good Time Park be included. Mr. Halloran will bring these issues to the Staff Meeting tomorrow.

- 4) Mr. Dropkin also noted that the EAF states there will be no blasting, but there is a notation in one of the appendices that they will be blasting after all. The discussion is very cursory. There should be further discussion regarding notification of the public and obligation for property damage. Any blasting will effect the public health, safety and welfare of the neighborhood.

VOTE By Proper MOTION, made by Mr. Dropkin, seconded by Mr. Gawronski, the Environmental Review Board of the Town of Goshen hereby authorizes Mr. Gawronski to sign the comment letter to the Town Planning Board regarding the Hambletonian, DEIS. Passed unanimously.

Bassano - 2-1-44.21 - 2.1 +/- acres located at 46 Greencrest Rd and upper Greencrest Rd in an RU zone with an AQ6 overlay.

Mr. Halloran explained that this is a question of what is allowed under the accessory structure of the code. The applicant has a small existing house and wishes to construct a 3,000 sq. ft. home on the same property. He would be considering the existing 1300 sq. ft. home as the accessory dwelling and the new larger home as the main residence. A variance would also be needed as the smaller dwelling is more than the 1000 sq. ft. allowed under the code. This is basically a situation where the applicant is reversing the normal process.

Mr. Halloran is concerned that we may be creating a larger impact by allowing this to proceed under the guise of an accessory structure. The applicant has stated that one

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of the dwellings will be a rental. Mr. Gawronski noted that we could be setting a precedent that does not agree with the actual intent of the section of the code. It is assumed that the intent was for the smaller unit to become the accessory, however the code is ambiguous on this point. Mr. Halloran feels that the accessory dwelling should be subordinate to the existing dwelling.

This board needs to consider the environmental impacts. If this situation were to become prevalent throughout the town, there would be impacts on the schools, water and traffic. Ms. Cleaver noted that we need to address the cumulative impacts. SPDES would also have to be considered and there is a limited availability of water. Mr. Gawronski suggested that we recommend that the Town review the section of the code for intent and clarification. Mr. Halloran will check with Joel Russell to see what his intent was when he wrote this portion.

Javelin, 11-1-7 & 4. Butler Dr. in the RU zone.

No comment at this time.

Persoon, 17-1-4 & 36, 127 acres located on Maple Ave.

Mr. Gawronski asked about the disposition of the 300' frontage issue. Mr. Halloran reported that the PB did waive the requirement.

Fordham University - Wood Rd., 5-1-80, 10.6 acres located at 3 Wood Rd., in RU zone with an AQ6 overlay, for religious and education use for a proposed retreat house.

Mr. Halloran explained that the university has acquired this 9000 sq. ft. residence, which they propose to use as a retreat house. The applicant has stated that there may be a phase 2, which will consist of a 30 room dormitory building. They are currently planning to have a limit of 20 students at a time for approximately 15 weekends per year. If they go higher than that number they may have to deal with the issue of a public water supply. The size of the septic system was the main concern. The applicant has run flow tests, but the PB has requested more information on the actual size of the tank.

The applicant is also planning to open the building up to other groups and they mentioned the possibility of having weddings, which would mean more than 20 people. Ms. Cleaver noted that the well is close to the parking area and down gradient. Once they reach numbers that would require a public water supply they will need to look at wellhead protection and a 100' buffer.

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Mr. Gawronski noted that the applicant needs to further define their purpose. They also may have to look at a new septic system and parking issues will need to be addressed. The PB has suggested that a water meter be installed to help Mr. Halloran monitor usage for enforcement purposes.. The entire request needs to be reviewed very closely and the permit will have to be carefully worded.

Ms. Cleaver asked that some sort of agricultural signs be placed on the perimeter. She cited instances where people wander in to agricultural areas with no regard to the fact that they are trespassing. This could be a dangerous situation and this particular property does have adjoining farms.

Zalunski 20-1-8 74.8 acres located on Puaski Highway and Cross Roads in the RU zone with an AQ3, scenic road and stream overlays.

Mr. Gawronski has reviewed the plan and stated that the house placement is quite acceptable, however there is no mention of saving the old dance hall or the other ag structures. Mr. Halloran stated that there has been no mention regarding the dance hall, but the other structures will be taken down. Mr. Gawronski requested that the applicant consider some means to preserve the dance hall as it is an important part of the Town's history. Mr. Halloran stated that the developer does not want the responsibility of maintenance and the new owner probably will not want to deal with that problem either.

Mr. Dropkin suggested that the County Historian be contacted and possibly someone should look into a grant to preserve this historic structure. Ms. Cleaver has some information regarding grants for saving barns. Mr. Gawronski also asked that the PB ask the applicant to review the four houses on the SW side of Cross Rd. He feels they should be moved further back or that there be one less structure to improve the view for this scenic road.

I. OTHER

Ms. Cleaver suggested that since Mr. Dropkin has officially resigned from this board in order to serve on the ZBA. This was done upon the advice of the Town's Counsel. However he has continued to help the ERB in a temporary capacity and the members would like him to be reinstated in some capacity. Possibly the Town Board could waive the ruling and allow Mr. Dropkin to continue to serve on the ERB. Mr. Halloran has agreed to formulate this request to the TB

VOTE By Proper MOTION, made by Ms. Cleaver, seconded by Mr. Gawronski, the Environmental Review Board of the Town of Goshen hereby requests that the TB consider re-instating Mr. Dropkin to the ERB. Passed unanimously.

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III. MEETINGS

Mr. Halloran has arranged for a speaker to come to the next meeting to discuss storm water management. Ms. Cleaver will speak with Ms. Schmidt to arrange a meeting regarding traffic mitigation.

Adjournment: The meeting adjourned at 8:30 pm upon motion made by Mr. Dropkin, seconded by Mr. Gawronski.

Philip Dropkin, Chairman

Notes prepared by Linda P. Doolittle