

APPROVED MINUTES

**Town of Goshen Planning Board
Town Hall
41 Webster Avenue
Goshen, NY 10924**

October 16, 2008

Members Present:

Reynell Andrews
Lee Bergus
Susan Cleaver
Mary Israelski, Acting Chair
Raymond Myruski

Also Present:

Neal Halloran, Building Inspector
Dennis Lindsay, Engineer
Ed Garling, Planner
Kelly Naughton, PB Attorney

Absent: John Lupinski

CALL TO ORDER

Acting Chair Mary Israelski called the regular meeting of the Town of Goshen Planning Board to order at 7:30 p.m. at Town Hall.

MINUTES

The minutes of the Planning Board meeting of October 2, 2008 were approved by a vote of the Planning Board.

Schonfeld Subdivision – 11-1-27.2 & 96 – 47.9 acres, 17 lot subdivision, located on 17M in the RU zone with an AQ3 & Scenic Road Corridor overlay. Preliminary Subdivision Plan.

Present for the Applicant:

Dave Higgins, Lanc & Tully
Alan Lipman, Esq.

Mr. Higgins said he was before the PB months ago to present a concept plan. At that time the PB requested that the road entrance be opposite Arcadia Rd. and that the open space be offered to the Town for recreational fields. He said the sketch shows “Road B” coming off Arcadia Rd. and onto “Road A” to serve the current residential subdivision. He said that there is talk about Arcadia Rd. being re-located because of the possible rehabilitation to the bridge over Route 17 but it is not known when that might occur, so the applicant won’t know when “Road B” could be constructed. The sketch shows the residential component of the subdivision to be developed using “Road. A”, he said. A right-of- way could be offered to the Town so that “Road B” could be built by the Town

or by the owner of Lot #15 which will be a reserve lot. If the Town passes the zoning changes they have on the table, that lot will become a commercial lot, he said. He said the applicant is also proposing a connection to the rear parking area of what was once the Owen Murphy Inn. He said the plans have been sent to the DOT but a response hasn't been received. "We think it is a good idea to have that entrance opposite Arcadia Rd. so you can have a four-way light controlled entrance, but we can't wait 5-10 years for that road entrance to be done," Mr. Higgins said.

Ms. Cleaver asked if the applicant is interested in providing access through its open space property to the Heritage Trail.

Mr. Lindsay said that the PB can say that this is their belief that there should be a connection to the Heritage Trail but the developer can't be required to do so because the Heritage Trail falls under the authority of Orange County. "If you think it is a good idea you can ask the applicant to put it on the map and show it and go to the County for the preliminary review and find out how they feel about it," he said.

Ms. Naughton suggested that a condition of preliminary approval could be that the applicant approach the County about access to the Heritage Trail.

Ms. Cleaver asked if the ridge top views were addressed and said she'd like to see a limitation put on the house colors. Mr. Higgins said the homes were originally sited further toward the ridge, but there was a recommendation that they be sited as far front as possible and that the back be aligned so there is a visual vegetative buffer between the recreational fields and the residences. The houses have now been moved as far front as possible, he said. Ms. Naughton said another condition of approval will be that the applicant demonstrate compliance with Section 97-41 of the Code to the satisfaction of the Building Inspector.

Ms. Cleaver said she is concerned about the view of the subdivision from 17M and suggests tree plantings along 17M. It was noted that the garage is visible from the street on Lot #14. Mr. Higgins said that the driveway for Lot #14 can be re-located to the high side of the house. Ms. Israelski asked the applicant to show a buffer for Lot #14 when the landscape plan is done.

Mr. Lindsay said there are currently 14 residential lots and a 15th lot proposed that is going to be a potential commercial lot. He said that 15 development lots is the maximum. There will be a separate lot designated open space.

There was a lengthy discussion about "Road A" and "Road B." Mr. Lindsay explained that the developer is proposing to build "Road A" as part of their subdivision, as required. He said that the developer is also proposing to provide a right-of-way for the Town, if

it desires, or the commercial lot owner, to build “Road B” shown on the sketch. He said there are some gravel roads that run through the lot and they may provide some opportunities for access for the Town, because that would be through the proposed right-of-way, not through the center of the lot.

Mr. Myruski asked if the developer would be willing to grade the gravel road and get it to the stage where the Town could tar and chip if it wanted to. Mr. Higgins said he thought the applicant could do that much.

Mr. Higgins said that changes have been made to the dry detention basin that the PB hadn’t liked. He said now the plans show a small area for detention at the front that can be completely landscaped with most of the storm water conveyed to a larger area in the back. He said it will look much better from 17M.

Mr. Lindsay said the applicant should review his memo and make amendments to the plan as necessary, before a public hearing is held.

Mr. Garling said that the comments from the DOT should first be received, an agreement as to what is going to be shown in the way of the residences on the hill and information about the wetlands shown on the map, all before a public hearing is scheduled. Mr. Andrews said that the PB should have a definitive response from the Town Board as to the proposed open space recreation area before the public hearing is held. Ms. Naughton offered to write a letter to Town Councilman George Lyons who is liaison with the Joint Recreation Committee, with copies to the Town Board and the Joint Recreation Committee, to see if the Town is interested in accepting an offer of dedication from the applicant for the open space.

Ms. Naughton suggested that the applicant submit copies of the revised plans to be reviewed by the staff and then get on the PB agenda to schedule a public hearing. Mr. Lindsay said he wants to look at the plans at a staff meeting to make sure the applicant has complied with things that were asked for.

Mr. Lipman said that the applicant will withdraw the request to schedule a public hearing at this time. He said the applicant will write the County about trail access.

Brancaccio – 13-1-42.3 – 12.1 + acres, 2 lot subdivision, located on Maple Ave. in a RU zone with an AQ6 & AQ3 overlays. Sketch subdivision plan.

Present for the Applicant:

Kathy Brancaccio, Applicant
Christopher Guddemi, of LAN Assoc.

Mr. Guddemi said the owner wants to subdivide her 12.1 acres into two lots, with the newly created lot to be used by her son to build a house. He noted that the property is in the AQ6 zoning district. He said the septic tests have not been done. Mr. Lindsay said he wants to witness the septic tests and suggested that one perc test is probably all that will be necessary.

Ms. Israelski asked why the house has been sited so close to the proposed property line. Mr. Guddemi said it was to the maximum separation distance from the wetlands and minimize impervious coverage for the extension of the driveway, and that it lays well with the lay of the land. Ms. Israelski said she has a problem with the location of the house being 30 ft. from the property line and said the applicant should consider that if the homeowner wants to put something behind the house for recreational purposes that there won't be room. Mr. Guddemi said that the orientation of the house may change slightly and that the size will be reduced to 2100 sq. feet. Ms. Brancaccio said that the house will probably be situated more parallel to Maple Ave.

Mr. Guddemi said he doesn't know who has jurisdiction of the wetlands on the property. He said that he delineated the wetlands himself and has the certifications to do so. Mr. Huddleston told him to get clearance from the DEC that it is not DEC regulated wetlands.

VOTE BY PROPER MOTION, made by Ms. Cleaver, seconded by Mr. Bergus, the Town of Goshen Planning Board declares it intent to be lead agency on the application of Brancaccio. Passed unanimously.

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| Mr. Andrews | Aye | Mr. Huddleston | Aye |
| Mr. Bergus | Aye | Ms. Israelski | Aye |
| Ms. Cleaver | Aye | Mr. Myruski | Aye |

VOTE BY PROPER MOTION, made by Mr. Myruski, seconded by Mr. Huddleston, the Town of Goshen Planning Board types the application of Brancaccio as an Unlisted Action in terms of SEQRA. Passed unanimously.

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| Mr. Andrews | Aye | Mr. Huddleston | Aye |
| Mr. Bergus | Aye | Ms. Israelski | Aye |
| Ms. Cleaver | Aye | Mr. Myruski | Aye |

VOTE BY PROPER MOTION, made by Mr. Andrews, seconded by Mr. Bergus, the Town of Goshen Planning Board sets a public hearing on the application of Brancaccio for November 20, 2008. Passed unanimously.

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| Mr. Andrews | Aye | Mr. Huddleston | Aye |
| Mr. Bergus | Aye | Ms. Israelski | Aye |
| Ms. Cleaver | Aye | Mr. Myruski | Aye |

ADJOURNMENT

VOTE BY PROPER MOTION, made by Mr. Andrews, seconded by Ms. Cleaver, the Town of Goshen Planning Board adjourned the PB meeting at 8:50 p.m. Passed unanimously.

Mary Israelski, Acting Chair
Notes prepared by Susan K. Varden