

APPROVED MINUTES

**Town of Goshen Planning Board
Town Hall
41 Webster Avenue
Goshen, NY 10924
April 5, 2007**

MEMBERS PRESENT

Ralph Huddleston, Chair
Reynell Andrews
Lee Bergus
Susan Cleaver
Mary Israelski
John Lupinski

ALSO PRESENT

Neal Halloran, Bldg. Insp.
Joe Henry, Engineer
Rick Golden, Attorney
Susan Roth, AKRF

ABSENT

Ray Myruski

CALL TO ORDER

Chairman Ralph Huddleston called the regular meeting of the Town of Goshen Planning Board to order at 7:30 pm at Town Hall.

MINUTES

Upon motion made by Ms. Cleaver, seconded by Mr. Bergus, the minutes of the March 15, 2007 Planning Board meeting were approved by vote of the Planning Board.

AGENDA ITEMS

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. Intent to declare lead agency.

Present for the applicant:

Mr. Higgins of Lanc & Tully

It was noted that the PB had just received the plans tonight so hadn't had an opportunity to review them.

Mr. Higgins said there had been talk about giving a portion of the property to the Town as open space for recreation fields. He had been told the Town may be interested because of its proximity to the Heritage Trail. At a workshop meeting the applicant was asked to place three soccer fields on the plan to see how they would fit, to provide for parking and access and a path to the Heritage Trail. The new plan shows this layout. Over one-half of the property could be offered to the Town, he said.

Mr. Higgins said that since his last appearance in September, 2006 all of the soil tests for the lots have been done and there are acceptable results for the septic systems on the site. He said the sites for the homes have been moved to the portion of the property where the soil is better.

Mr. Huddleston said the PB hasn't had a chance to look at the plans and noted that the EAF needs to be reviewed to make sure the involved agencies are listed.

Mr. Halloran said that the Joint Recreation Commission has walked the property and has written a letter stating they are interested in it. Mr. Huddleston said the project should be presented at the next Town Board meeting to determine if the Town is interested, saying that the PB is preparing to proceed forward with this application and needs to know as early as possible.

VOTE BY PROPER MOTION, made by Ms. Israelski, seconded by Mr. Andrews, the Planning Board of the Town of Goshen declares its intent to be the lead agency with respect to the Schonfeld Subdivision. Passed unanimously.

Mr. Andrews	Aye	Mr. Huddleston	Aye
Mr. Bergus	Aye	Ms. Israelski	Aye
Ms. Cleaver	Aye	Mr. Lupinski	Aye

Heritage Estates – 8.1-9.22 – 249.76 +/- acres, 92 dwelling units located on Old Chester Rd. & Brookside Dr. in the HR & RU zone with an AQ6, AQ3, scenic road and stream and reservoir overlays FEIS.

Mr. Halloran said the planners had intended to get the FEIS to the PB two weeks earlier, but the PB had only a week to review it.

It was decided that more time was needed to review the document and it was stated that it would be put on the agenda for the next meeting in April. Mr. Huddleston

said any comments should be given to the planners as quickly as possible so they could be addressed..

Susan Roth of AKRF told the PB to take a hard look at Sections 3 & 4 of the document.

Persoon – 17-1-4 & 36, 127+/- acres, 26 lot subdivision, located on Maple Avenue, Winners Circle and Breezeway Lane. 66.5+/- acres in the RU Zone with an AQ3 and Scenic Road corridor overlay. 60.4+/- acres in the AI zone with a Scenic Road corridor and Flood Plain overlays. To discuss phasing, construction access, easement limits, radon.

Present for the Applicant: Steven Kunis, applicant

It was stated that the construction access to the site is proposed to be off Winners Circle or Breezeway Lane.

Ms. Cleaver asked about the hours the construction crew would be working, noting that residents won't be happy about having construction vehicles driving through their developments to access the site. Mr. Halloran said the law allows construction from 8 a.m. to 8 p.m. during the week, and 9 a.m. to 8 p.m. on holidays and weekends. Ms. Cleaver asked the applicant to limit the evening hours. Mr. Kunis agreed to limit site construction on weekdays to 8 a.m. to 7 p.m. and said he would try to limit the weekends to 9 a.m. to 5 p.m. He said he couldn't agree to eliminating work on Sundays, but said he would limit it to 10 a.m. to 5 p.m. and would have to speak to his people about limiting Sunday hours all together. He said he didn't think they would be doing any blasting. The PB agreed that inside work was not a concern.

It was determined that Winners Circle would provide construction access to the site since it is the shortest way to the proposed development. Ms. Israelski requested that the street first be inspected by the Town, then gone through a regular sweeping routine, and if there is any street damage when the developer is finished, the applicant will be held responsible to restore it to its original condition. It was suggested that the Town Engineer will take pictures of the street before work begins. Mr. Huddleston suggested there be a bond consideration for the access street.

Mr. Kunis stated the project will be completed in phases. Phase 1 will include the building of the first five houses on Maple Ave. and the storm water management basin and approximately six months later Phase 2 will be the construction of ten units and the connecting road from Breezeway to Winners Circle Lane.

Ms. Israelski requested that each driveway entrance off Maple Avenue, just as requested for Owens Road, be landscaped and street trees planted along the county road. Ms. Cleaver requested easement signs indicating the environmentally sensitive areas. Mr. Kunis said he would put the signs on the site plans so the PB can see where they will be. Mr. Lupinski requested that the maintenance road be gated or chained. Mr. Kunis said there will be radon piping. He also said the homes will be colonial style with driveways on the side.

Sutherland – 4-1-30.1 - .81 +/- acres, located on Ridgeview Terrace in the RU zone with a scenic road corridor overlay. Application – addition to existing structure as a mother/daughter dwelling.

Present for the applicant: David Cook

Mr. Halloran said the request was for a second dwelling on the parcel, a two-family house with two external doorways (two separate units). Mr. Halloran said a Special Use Permit would be required, that if the applicant had six acres of land, it could be done without PB approval, but the property is .81 acres.

It was noted that the dwellings will have to share the well, that they could be on the same septic but that the septic will have to be expanded. Mr. Bergus asked for a pump test on the well to demonstrate that it has the adequate capacity for two units.

Mr. Golden noted that as with any Special Use Permit, “what it says is that generally throughout this district it generally is a permissible use, however, you have to determine whether at this particular location it is an appropriate use for this special permitted use with whatever conditions you want to place on it. If they are unable to meet those conditions then they are simply not able to get this special permitted use.” He said the PB has more leeway to determine if it is an appropriate use on this particular site.

Mr. Huddleston asked the applicant to provide the PB with a drawing showing the layout of the premises on the site.

New Horizons (Sunset Ridge II) – 10-1-28-54.2 acres, 8 lot subdivision located on Hampton Rd., in the RU zone with an AQ6 and Stream and reservoir overlays. Sketch plan, septic, possible intent to declare lead agency.

Present for the applicant: Michael Morgante, Engineer

Mr. Morgante said that since the applicant last appeared, more detail has been shown on the sketch plan including the septic system and corresponding collection

sewer system, driveway locations, site distances, grading of the driveways and trail access to the property specifically connecting Phillipsburg Rd. to Hampton Rd. He said that there is adequate site distances on the driveway locations and the grading of the driveways is within acceptable design criteria.

He said that when soil testing was done, the soils were marginal. Some of the areas were sparse enough that it didn't seem to warrant pursuing individual septic and wells for each lot, he said. However Lot #3 was tested in many locations and showed "outstanding" results. They did percolation tests on 11/18/05 and 12/11/05 and had a result of 15 minutes, but most were half of that, he said. The tests weren't witnessed.

Ms. Cleaver expressed concern about the horse trail being located next to the septic system and Mr. Morgante agreed to rearrange the trail so it will be further away from the septic system. He also agreed to surround the septic system with a split rail fence.

Ms. Israelski requested trees at the driveway entrances because the applicant will be grading. Mr. Morgante agreed. It was noted that the applicant has a tree location plan with trees numbered and species indicated.

Mr. Morgante said he will increase the size of the limits of disturbance and Mr. Bergus said the limits of disturbance should also overlay the sewer laterals. He said that the individual laterals that leave the pump station are not shown on the plans and need to be shown.

Mr. Huddleston asked the Building Inspector to review the EAF.

VOTE BY PROPER MOTION, made by Ms. Israelski, seconded by Ms. Cleaver, the Planning Board of the Town of Goshen declares its intent to be the lead agency with respect to the application of New Horizons (Sunset Ridge II) Passed unanimously.

Mr. Andrews	Aye	Mr. Huddleston	Aye
Mr. Bergus	Aye	Ms. Israelski	Aye
Ms. Cleaver	Aye	Mr. Lupinski	Aye

Mr. Morgante said his next step is to present the plan to the Town Board.

Nextel Communications – 11.1-45 – 18.1 +/- acres located at 338 Harriman Drive in the RU zone with an AQ6, AQ3 and stream & reservoir overlays. Co-location on existing tower. Discuss landscape requirements.

Mr. Halloran said that Mr. Garling had inspected the site to determine what planting needs to be put there, and determined that no plantings were needed at this point in time. Ms. Israelski said she spoke to Mr. Garling today and stated her belief that the site should be planted now so that when future development comes, the plantings will be a decent size. Mr. Huddleston and Ms. Cleaver agreed that it is important to plant at this time. Mr. Golden noted that the PB had approved the Nextel application upon the condition that the wetland plantings were necessary and should be approved by Mr. Garling. The condition still stands, Mr. Golden said. Mr. Halloran will inform Mr. Garling.

Dickerson – 13.1-69 – 92.90 acres, 21 lot subdivision located on Dunmore Lane in the RU zone with an AQ3, AQ6 and scenic road corridor overlay. Bog Turtle.

Mr. Halloran told the PB that it had approved a two-lot subdivision as part of the applicant's larger subdivision. With that two-lot subdivision, there was a nine acre lot that an EAF subsequently said is a bog turtle habitat comprising approximately 1 acre within the nine acres. The conservation easement still has to be approved by the Town Board, he said. The question is whether the PB wants to make a recommendation to the TB in regard to that easement in light of the presence of the bog turtle habitat. The easement states only that they can't develop on that property, Mr. Halloran said. He identified the bog turtle habitat as being about 20 to 30 feet off the lawn area of the house.

Following discussion, the PB decided to recommend to the Town Board that a split rail fence be placed around the bog turtle habitat with ESA signs placed around it so that it is left undisturbed and that the conservation easement should remain as previously stated.

The Planning Board adjourned at 8:45 p.m. upon motion made by Ms. Cleaver and seconded by Mr. Bergus.

Ralph Huddleston, Chair

Notes prepared by Susan K. Varden

