

APPROVED MINUTES

**Town of Goshen Planning Board
Town Hall
41 Webster Avenue
Goshen, New York 10924
October 4, 2007**

MEMBERS PRESENT

Reynell Andrews
Lee Bergus
Susan Cleaver
Ralph Huddleston
Mary Israelski
John Lupinski
Ray Myruski

ALSO PRESENT

Ed Garling, Planner
Joe Henry, Town Engineer
Sean Hoffman, Engineer
Kelly Naughton, Attorney
Neal Halloran, Building Inspector

CALL TO ORDER

Chair Ralph Huddleston 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 September 20, 2007 meeting were approved with modifications upon motion made by Mr. Myruski, seconded by Mr. Lupinski. Motion passed.

PUBLIC HEARING

Hambletonian– 8-1-12.221 – 23.4 +/- acres, 38 lot subdivision located on Magic Circle Terrace in the HR zone with an AQ6 overlay. DEIS & Preliminary Subdivision Approval.

Present for the applicant:

Stuart Turner, of Stuart Turner Associates
Alan Lipman, Esq.

Mr. Huddleston said this was a continuation of the public hearing on September 20, 2007.

Mr. Turner said the project is Section F of the original Hambletonian subdivision. He said the site is 24 acres in the R zone and that the applicant proposes to develop 38 lots from 11,000 to 47,000 sq. ft. Four of the lots will be “affordable” under the Town Code. The access to the lots is from Magic Circle. There are 163 lots in the current Hambletonian development, he said. There will be access to Craigville Rd. from Yankee Maid Lane and also access on Oakwood from Craigville Rd. He said there is a proposal

for a stub out to Bridle Path if the PB wants it for emergency access and there is discussion of a pedestrian connection to Arthur Place, but not a road connection. The site will be served by the Hambletonian water and sewer district. One of the wells will be expanded to get to the required minimum water supply. The storm water is to be handled on the site. There are two retention areas and the drainage will be handled without any additional runoff on site, he said. He said the open space will be addressed in the Final Environmental Impact Statement. There had been a cumulative traffic study done for several projects and while there are several proposals for modification to some intersections, this project in itself does not generate enough traffic to warrant changes or improvements to the intersections, he said. It is consistent with the current zoning and land use. Mr. Turner said the applicant will prepare the FEIS after the public hearing is closed, and will respond to all of the comments raised.

Mr. Huddleston opened the public hearing for comments.

David Resnick, Esq. said he represents members of the homeowners of Hambletonian Park, organized under the name "Care". He read his two-page letter dated 10-4-07 and gave copies to all PB members.

Mr. Resnick made several points:

1. There are inaccuracies and/or deficiencies with respect to a number of key impacts of the proposed subdivision on the existing homes and Hambletonian neighborhood. Specifically, the approved scope for the DEIS did not account for the residents' concerns regarding the effect of through traffic on the existing neighborhoods, if connecting roads at Arthur Place and Bridal Path were opened.
2. There are inaccuracies regarding the delineation of wetlands in the vicinity of the proposed project, and specifically encompassing the area where the proposed Bridal Path connector road would be constructed. Contrary to submissions to the Planning Board with respect to this area by the applicant and/or Town's consultant, the land in the area of a proposed Bridal Path Road is apparently categorized as both State and Federal wetlands, which require permitting if temporary or permanent roadways are to be constructed.
3. "The residents of Hambletonian Park and I have an ongoing concern regarding our inclusion in the overall planning process for this application, pursuant to NYS Environmental Quality Review Act and Town Law. We are of the belief that the Town has been doing only the bare minimum to keep my clients and I apprised of submissions and meetings for this matter, and even then, often only due to my and my clients objections to the Planning Board, as was the case with the previously opened, yet unnoticed public hearing for this application. Protestations of the Town's Counsel notwithstanding, it has always been my belief that the Planning Board should be doing everything within its means to provide maximum, rather than minimum notice so as to include rather than exclude the public and interested

- parties regarding matters before the Planning Board. My client's property and civil rights are the fabric of our society."
4. "We again respectfully request that if the Board is prone to approve the applicant's application, it do so without requiring the opening and/or construction, for any reason, of roads along Bridal Path and Arthur Place."

Melissa Gallo, 12 Florican Ln., read a letter on behalf of her husband, Brian, who has been a volunteer fire fighter for 17 years and is currently a NYC fire fighter. Addressing the suggestion of making Bridle Path an emergency access road, he said that the current response time in Hambletonian Park is under 5 minutes which he said is well within a reasonable emergency response time. For a rural community, 11 minutes is considered an acceptable time and for a urban area 7 minutes is considered acceptable. He said that in the past 40 years, response time and emergencies has never been questioned and that the addition of these nominal percentage of homes compared to the number of existing homes (20%) will in no way affect the current acceptable emergency response time in Hambletonian Park. If a road like this is opened, he said, emergency workers will also be driving through Hambletonian Park to get to the homes on the other side of Craigville Road. This will ultimately cause serious problems for pedestrians and motorists in Hambletonian Park. Without street lights and sidewalks, curvy roads at high speeds will be a disaster waiting to happen. He said he is concerned with whether there will be adequate water supply in order to extinguish a substantial fire and the effect it would have on the residents and their own use of water after this emergency. He said he understands there has been approval of an emergency access road on Brookside, and asks why another would be needed only a half mile down the road.

John Graesser, 35 Yankee Maid Ln. said he thought the water supply issue is the most important. The proposal is for hydrofracturing or deepening one well which is a good solution if done correctly, Mr. Graesser said. The DEIS says the water supply needs to be raised from 47 gallons per minutes to 63 gallons per minute or 33%, calling the expectation of such an increase from one well to be a "tall order". He said there are two types of hydrofracturing and he hopes they use the most effective one and added that they come with potential risks of opening up pathways to new contaminants and may collapse over time due to increase pressure. He asked if there are standards in place for final yield testing and if the process will be closely monitored by the Town. "If problems from increase in demand occur in the future, who is going to pay for that, we know we will," he said, adding that there should be no mistakes made that the residents are going to end up paying for in the future. Mr. Graesser also voiced his opposition to a temporary road for construction, saying "We are willing to accept the temporary inconvenience of having construction vehicles come down our road, for the remotest possibility that the so called temporary road turns into a permanent road." He asked about blasting occurring during construction and the applicant said there is a possibility of blasting.

Dennis Mahoney, 3 Upper Magic Circle asked if the lot sizes conform to the current master plan.

Richard Rodstrom, Sr. of 1 Goodtime Court asked if the developer shouldn't build his own water tower at his expense, if there isn't enough water.

Mr. Huddleston said the developer will have to find the water before he builds because the County won't give its approval until it is proven that there is enough water.

Tom Kennedy, 28 McBride Place, said he is concerned with the extension of Arthur Place into the Village, calling it a substandard road that would create serious danger and asks what will be the impact of the new homes, and those proposed in other developments, on the schools and taxes. He suggested that for each building lot being proposed, the developer be accessed for 6 to 10 years for a financial supplement to offset the initial introduction and give the Village time to build this into the school budget. Mr. Kennedy also asked, "What is the larger plan for the life of the Village and Town and what are we looking to create. Essentially their characters are being changed and the profit will be to the people who are not part and parcel of the area we live in," he said.

Mr. Huddleston said that Arthur Place was only being considered for pedestrian access.

Michael Glick, 48 Lower Magic Circle Drive said he has two children and a lot of parents are concerned that if Bridle Path is opened, the kids will no longer be able to bicycle and play in the street.

John Ziobro, 14 Florican Lane said that many times he has had to slow a car down, adding that there will be a major catastrophe if the road is opened up, saying it will become a major thoroughfare.

Anthony Bear, 1 Yankee Maid Lane urged the PB not to let the developer go ahead with their plan without the proper study, saying "We don't have enough water." He said that hydrofracturing is not a permanent solution, that it will have to be done over and over and is an expense the residents will have to pay. "We heard they weren't going to loop the system, the system has to be looped, if not, we are going to lose water pressure and if you have a fire at one end, you are done. Use your best judgment, but don't let us get hurt more than we already have been."

Mr. Huddleston said the PB has its own engineers and planners who review all of the material to provide technical input.

Mike Anderson, 23 Yankee Maid Lane asked if there will be bond protection if there is contamination from opening up the well. Ms. Naughton said that the Town has typically required a bond for three years. Mr. Anderson questioned whether a three year bond will be long enough.

Matt Geralde, 9 Yankee Maid Lane said he agrees with all of the previous comments and said that he is concerned with the increased traffic from 38 houses and asked what the Town will do with their concerns.

Mr. Huddleston answered that all of the public comment, the PB's comment and the PB's professional's comments will be addressed by the developer's technical experts, that the PB and its experts will then review them "until we are satisfied that the comments are addressed to our satisfaction and our professionals agree that they were answered to their satisfaction, we will then develop a fact sheet and will render a decision."

Christine Jacobson, 49 Lower Magic Circle said it is hard for her to believe that the storm runoff will be contained in two catch basins. "With the increased erosion caused by the additional excavation, I can't imagine we won't have continued severe problems with storm water runoff, certainly on Yankee Maid Lane and Lower Magic Circle." She said she hopes the new homes will be congruent with the rest of Hambletonian Park, saying she thinks it is the developer's responsibility to make the new homes congruent with the rest of the development, in terms of aesthetics and infrastructure.

Mr. Huddleston said the developer is required to produce a storm water pollution prevention plan including a full design, full calculations during the construction and post construction, how erosion and runoff will be handled and how it will impact other properties.

Ally Grasser, 35 Yankee Maid Lane, said she is concerned about property values, stating that when the subdivision goes in, there will be issues with water, and their property values will go down, and a lot of homeowners will be forced to sell, but won't be able to sell as quickly as the new homes and will have difficulty because everyone knows Hambletonian Park has water issues. She asked if the residents will ever be able to drill their own wells.

Mr. Huddleston said that isn't a question for the PB who is limited to administering the current code. "You have to take a step up, to the Town Board if you want a law changed," he said.

Diane Ferrara, 22 Yankee Maid Lane, asked who pays if a foundation cracks when the developer is blasting. Mr. Huddleston said there is a Town blasting protocol and a bond will be required.

Mike Anderson, 23 Yankee Maid Lane, about the application's place in the process.

Mr. Huddleston said the applicant was in the SEQRA review process, and that the developer has no approvals at this point. The public hearing is the last stage of the SEQRA process, after which there will be 10 days for the public to submit written comment to the Planning Board. He said all of the documents, the site plan, water study, and every study done in the last 30 years, are in the Building Inspector's office and can be reviewed there by the public. He said the DEIS is on the Town's website too.

Joseph Lemma, 18 Yankee Maid Lane, said he is concerned with water run-off.

Diane Ferrara, 22 Yankee Maid Lane asked what happens next. Mr. Huddleston said that all of the comments will be addressed and included in the FEIS and once the PB is satisfied that all of the questions have been answered adequately, then the PB makes a decision whether or not to approve it and under what conditions, if any. All of the meetings are public, he said, but only this is a public hearing, he said.

Tom Kennedy, 28 McBride Place, asked how old the planning guidelines are and if a building moratorium is possible. Mr. Huddleston said the guidelines are 3-1/2 years old and there was a building moratorium at that time.

Richard Rodstrom, Sr. 1 Goodtime Court said he was concerned about the increase traffic trying to get from Yankee Maid Lane onto Craigville Rd. and asked if there would be blasting on every new lot. Mr. Huddleston said the extent of blasting isn't known at this time.

Christine Jacobson, 49 Lower Magic Circle asked about a water loop. Mr. Huddleston said there is not a requirement for water loops in the Code. Town consultant Sean Hoffman said the applicant is proposing what would be considered a loop, making a connection at two ends, in the southern end of the project and at the upper end near the water tank.

Ally Grasser, 35 Yankee Maid Lane asked about the history of Bridle Path. Mr. Garling said the development began around 1959 and the road was opened at that time and then closed when residents were concerned with water and came before the Town Board to say they didn't want more development and the builder closed the road off. Ms. Grasser said it is her understanding that the citizens got together and asked for

the road to be closed and that it was because of traffic and safety in the development, “so a historical precedent has been established. We don’t want it opened,” she said.

Mike Anderson, 23 Yankee Maid Lane, asked how he could get access to the deliberations that went on about the closing of the road. Mr. Halloran said if it was closed by the Town Board there would be minutes of the decision and that it might have been in 1987.

Town Supervisor Doug Bloomfield commented on the quality of the questions and input from the subdivision residents. He said he wanted to address the drilling of individual wells in the Village and said only in one location in the Village are individual wells allowed to be drilled. Regarding hydrofracturing, he said, that Mr. Klopchin, who manages the Town’s water and sewer systems and is a licensed college graduate in his field, said that every 5 to 7 years all wells should be hydrofractured as a maintenance item. “Ours had not been hydrofractured in Hambletonian Park since they had been put in, so we hydrofractured and got the water levels back up but this will have to be repeated, whether this is built or not, this is part of the protocol we are trying to do to maintain your water system.”

PB member Lee Bergus said the developer has to bring the water system up to the current standards, not just for his homes but for the existing homes too to meet the current standards at peak demand, so everyone is going to benefit when he finds that water. He also said that anytime a well is opened, there is potential of contamination but also potential to increase the yield.

Dan Matteo, 21 Knapp Terrace commended the PB on its “unprecedented vote” to go against the County’s recommendation to make Brookside an open road. He asked the PB to give the homeowners in Hambletonian Park the same consideration in regard to opening up roads as it did to the homeowners in Brookside in opening up their road. “You have the ability to change our lives, we respectfully ask to acknowledge our wishes and leave our way of life the way it is and put to rest Bridle Path and Arthur Place ever becoming temporary, permanent or any type of access roads,” Mr. Matteo said.

Paula Olson, 19 Florican Lane asked about the ownership of Bridle Path and the existence there of wetlands. Mr. Halloran said the road is owned by another developer who gave the Town a 50 foot right-of way. He said there are wetlands. Mr. Huddleston said it was the Town’s request that the builder look at the option of opening the roads. The PB is required to look at all options and assess the potential for impact or benefit, he said.

VOTE BY PROPER MOTION, made by Mr. Bergus, seconded by Ms. Israelski, the Town of Goshen Planning Board hereby closes the Public Hearing on the application of Hambletonian Park. Passed unanimously.

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

Mr. Huddleston told the audience that the PB will receive written public comment for the next ten days and those comments may be addressed to PO Box 217, Goshen, New York .

Hausner – 13-1-47 – 9.6+/- acres, located on Gibson Rd in the RU zone with an AQ3 overlay. Special use permit for a dog kennel.

Present for the applicant: Anthony Meluso, Engineer

Mr. Meluso explained that Ms. Hausner raises Malamutes, has shown them for over 25 years, and rarely if ever breeds them. She wants to purchase the home at 104 Gibson Road with its 9.6 acres and build a kennel for 16 dogs. It will not be a breeding or boarding facility, he said. The kennel will be 66 ft. by 24 ft, and will lay at the bottom of the property. It will be a pole barn with concrete floor and radiant heat and will have its own well and septic. There is a 40 ft. buffer on one side and a 20 ft buffer on the other, he said. The impact has been minimized and no trees will be cut. He said the project meets the setback requirements.

Ms. Israelski said that while she thinks the use is compatible because the applicant has such a large parcel, she would put conditions on the approval such as limiting the number of dogs to ten, requiring some heavy planting and a decent size berm to block the noise, and insulating the kennel with something that inhibits sound transmissions, like cork.

Mr. Andrews said he thinks the project should be reviewed after one year to see if there are any public complaints.

Ms. Cleaver said she has visited the site and noticed two small areas where you could see daylight through the trees, and could hear the BOCES students. She said she expects the noise travels the other way as well.

Mr. Hoffman suggested continuing the earth berm on the eastern property line bringing it toward the rear of the property.

Mr. Lupinski asked the applicant if she had any problems with her neighbors where she lives with her dogs now. Ms. Hausner said she has ten dogs on two acres and hasn't had any complaints.

Mr. Garling suggested foam insulation for the walls and therma pane windows on either end to block out noise.

Mr. Huddleston asked for public comment.

Theresa McKuen, 72 S. Church St., owns the adjoining vacant land around the property and said her only concern is the barking. She requested a review in a year.

Ms. Hausner said she is putting a lot of money into this and that it would be a problem to her if she built it and then a year from now, someone said they didn't like it there. She said that Malamutes aren't going to bark constantly, that she is considerate of her neighbors and doesn't want people who don't want her there, saying it is a big financial debt for her and that it is important to her to do it the right way.

Ms. McKuen withdrew her request for a review after the first year.

Ms. Hausner said she wouldn't be satisfied with having to limit her kennel to 10 dogs. She said she has ten dogs now and the least she could live with would be a 15 dog limitation.

Following discussion, Mr. Huddleston said the PB could limit the applicant to 12 dogs in the first year with the Building Inspector able to grant approval to have 16 dogs as long as there are no complaints after the first year. Mr. Huddleston asked the consultants to work with the applicant on the noise concerns.

VOTE BY PROPER MOTION, made by Ms. Cleaver, seconded by Mr. Myruski, the Town of Goshen Planning Board hereby closes the Public Hearing on the application of Hausner. Passed unanimously.

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

Mr. Huddleston said the PB will determine what conditions they will place on it but can't take any action until the County either comments on it or the 30 days for County comment elapses.

North Jersey Trailer & Truck – 12-2-20.1, 16-1 & 12.1 – 16.5 +/- acres, 15,000 sq. ft. truck trailer service building located on Calvary Court & Cannon Hill Drive, in the I zone with an AQ3 overlay.

VOTE BY PROPER MOTION, made by Mr. Andrews, seconded by Ms. Cleaver, the Town of Goshen Planning Board hereby declares its intent to be the lead agency in the application of North Jersey Trailer & Truck. Passed unanimously.

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

Todrabh – 24-1-63.2 – 7.09 +/- acres, located on Pulaski Highway and Big Island Rd in the AI zone with an AQ3 overlay.

Present for the applicant: James Dillin Jr.

Mr. Halloran said that during the last discussion the PB was uncomfortable with the size of the office space upstairs equaling the warehouse space.

Mr. Dillin provided a written narrative on the use of the building. He said it is warehousing and wholesaling and not retail and that there will not be outside storage. The farm equipment will be inside. Mr. Todrabh said there will be two warehouses inside the building, leased to two people who will be the only ones allowed to use the office space. There will be no subletting, he said.

Mr. Hoffman said that most of the items have been satisfied by the applicant. The number of parking spots has been reduced but the applicant has shown shadow parking.

Mr. Halloran said that while this is for a broad range of uses, retail use is not being applied for and is not allowed.

VOTE BY PROPER MOTION, made by Mr. Myruski, seconded by Ms. Cleaver, the Town of Goshen Planning Board hereby declares its intent to be the lead agency in the application of Todrabh. Passed unanimously.

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

Mr. Huddleston said the PB will wait the required 30 days to get responses back, for the SEQRA process to be completed.

Wallkill – 12-1-24.2 – 175.1+/- acres, 2-lot subdivision, located on Echo Lake Rd. in the CO, I, and RU zones with an AQ3 and stream & reservoir overlays. Site Plan.

Present for the applicant: Jay Beamont

Mr. Halloran said the applicant, the Town of Wallkill, owns the 175.1 acre parcel in the Town of Goshen. They are proposing to make a two-lot subdivision. The property was previously used for mining by the Town.

Mr. Beamont said the proposal is to subdivide the property into two lots, a larger parcel where the mine is located and a smaller one, about 5 acres, which contains two capped wells. There is no intention to use the smaller parcel now, but the Town wants the potential to use it, if needed, Supervisor John Ward said.

The Town is talking to someone about purchasing the mining parcel, Mr. Ward said. Mr. Huddleston asked the professionals to look into whether the Town of Goshen would have approval authority if someone bought the larger parcel and wanted to mine the property.

Ms. Cleaver said that the larger parcel contains an open area that appears to be a dump and that the maps she has shows it on the Town of Wallkill's property. It was determined that representatives from the PB and the Town of Wallkill will walk the site together to determine if the dump is on Town property. Ms. Cleaver said the concern is to see that the dump is cleared, because the debris is falling into the Wallkill River.

Mr. Garling said he believes the main issue is access and said the larger parcel doesn't have access. Mr. Huddleston said the PB won't approve a subdivision that land locks a piece of property. There was a lengthy discussion about access and easements. Mr. Huddleston said the PB and its counsel will need to evaluate the Town of Wallkill's access easements.

Reiger – 9-1-8.452 – 360.9 +/- acres, 108 lots, located on Craigville Rd in the RU district with an AQ3 & AQ6 overlay with a scenic road corridor overlay. Revised subdivision plans.

Present for the applicant: Steve Esposito

Mr. Esposito said the proposed plan is for 130 units and that 24 bonus units are being requested. “During scoping, the PB asked us to look at alternatives, one of which was a plan not receiving any bonus density. We came up with three possible plans as alternatives for development.” Mr. Esposito went through the three plans.

Alternative 1 has two separate areas for development and eliminates the through road, any interference with the wetlands and avoids the cultural resources on site. This is the applicant’s preferred plan.

Alternative 2 has a limited vehicular access road, keeping it narrow to minimize the disturbance and still have access from proposed road C to proposed road A.

Alternative 3 has the original road configuration with the number of proposed lots and no bonus density. It is the original concept.

Ms. Israelski said that this is the only remaining forest in all of Goshen and asked if the forest could be considered a primary conservation area instead of a secondary conservation area. Cleaver said it is listed as primary and added that it needs to be preserved to the greatest extent possible.

Mr. Hoffman agreed that there are some significant trees on the site and said that the clearing limits should be delineated and trees saved that can be saved, between 16 and 18 inches in diameter, but said he doesn’t see any reason to show any trees outside the clearing limits.

Ms. Israelski said it should be made “12” to be consistent with other applications and asked if the PB can lessen the density because this is the last remaining forest. “We need to search the Code to see if there is a way we can protect this,” she said.

The applicant asked for an opinion on the three alternatives. Mr. Huddleston polled the members. Ms. Israelski and Ms. Cleaver said that none of the alternatives were acceptable to them. Mr. Lupinski preferred Alternative #1 and the remaining four members preferred Alternative 3.

Mr. Huddleston told the consultants that the PB wants determinations as to definitions of primary and secondary, what falls within each and whether or not there is flexibility.

Gilmore – 12-1-51- .321 +/- acres, located on Rte 17M in the CO zone with an AQ6 overlay. Site plan & special use permit.

Present for the applicant: Barbara Christie, MSJ Engineering

Ms. Christie showed an aerial photo of the lot. She said the plan is to take the building down to its footings, use the same footprint, and build 1-1/2 floors. The DOT has told her that they can use a 22 foot entrance to the driveway and widen to 24 ft. in the back for a turnaround. The applicant is proposing an Eljen well system in the rear of the property, a shallow trench. They are planning landscaping on the side, trees and shrubs. It will be a contractor's office, she said and the applicant would like to bank some parking, and have one parking space in the back and one in the front. Clients will not be visiting the office, she said. Applicant and Owner, Chris Gilmore, said he is a contractor for Sprint, Extel and Horizon and said there will be one van on the property. The PB looked at an architectural view of the proposed building.

VOTE BY PROPER MOTION, made by Ms. Israelski, seconded by Mr. Bergus, the Town of Goshen Planning Board hereby declares its intent to be the lead agency in the application of Gilmore. Passed unanimously.

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

VOTE BY PROPER MOTION, made by Ms. Cleaver, seconded by Mr. Myruski, the Town of Goshen Planning Board hereby sets the public hearing on the application of Gilmore for November 15, 2007. Passed unanimously.

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

Jonas Estates - 10-1-97 - 84.9 +/- 3 lot subdivision located on Owens Road and Phillipsburg Road, with an AQ6 and stream & reservoir overlay. Possible sketch approval.

Present for the applicant: Roger Ferris

Mr. Ferris said the applicant is proceeding with the 3-lot subdivision sketch plan approval and will be creating a fourth parcel. He said the wetlands are in the front portion of the property and that there are three crossings that require permits from the DEC and Army Corp. of Engineers. He said the DEC already directed them as to where to put the crossings, conditioned upon obtaining the wetlands permit.

VOTE BY PROPER MOTION, made by Ms. Israelski, seconded by Mr. Bergus, the Town of Goshen Planning Board hereby declares its intent to be the lead agency in the application of Jonas Estates. Passed unanimously.

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

CMU Designers & Builders – 5-1-1.121 – 46.63 +/- acres, 8 lot subdivision, located on Phillipsburg Rd in the RU zone with an AQ6 & stream and reservoir overlay. Sketch Plan.

Present for the applicant: Steve Esposito

Mr. Esposito said the applicant has looked at two alternatives to accessing the site and that both alternatives propose road improvements to Phillipsburg Rd. He said the Constraints Analysis established a base density of 13 units and that just the straight AQ6 overlay district would put the density at 8 units. The applicant is going to proceed with developing well testing programs to try to obtain the 13 lots, Mr. Esposito said.

Alternative A is straightening out the curves on Phillipsburg Rd and having a culdesac come off of that, and the farm would not be preserved, he said. Alternative B takes Phillipsburg Rd and makes it into a “t” intersection with the proposed culdesac, which would require a stop sign coming from Middletown to Goshen. He said that at the study session he was asked to profile both alternatives and showed the profiles to the PB. He said the vertical grades on Phillipsburg Road range from 13.1% slope to .7% slope. He said they would probably end up with a combination of the two – straightening out Phillipsburg and coming out off of the middle section. Mr. Garling said he thinks a combination of the two will work and likes the idea of softening the curve.

Heritage Estates – 8-1-9.22 – 249.76 +/- acres, ?? dwelling units located on Old Chester Rd. & Brookside Dr in the HR & RU zone with an AQ6, AQ3 scenic road and stream & reservoir overlays. Possible selection of alternate site plans.

Present for the applicant: Steve Esposito

Mr. Esposito said there are three proposed plans to look at. Ms. Naughton said that Mr. Golden recommends that the PB not commit to any one of the plans before they have been submitted to the County.

The PB looked at the three plans and Mr. Esposito gave the following descriptions.

Plan A: The road configuration is the same as the original plan. Some lots were eliminated, and the lots are larger. In this cluster there are 72 units. Same boulevard, same community green.

Plan B: Eliminated some road, turned the road, have a smaller community green. 72 lot cluster and the nine additional lots.

Plan C: Should the Town adopt the proposed revisions of the zoning code that eliminates bonus densities, the applicant will go down to the permitted 69 lots, 60 units in the cluster, and larger lots.

An informal poll determined that the preference was for Plan A, with Plan C as the back-up.

Hendler – 10-1-56.2 & 56.3 – 77.06 +/- acres located on 6 ½ Station Road and Cheechunk Road, in an RU & CO zone with an AQ6 and scenic road overlay, for a Planned Adult Community with 154 units and 7-lot residential subdivision.

Present for the applicant:

Jayne Daly, Esq.
Ross Winglovitz

There was a lengthy discussion about the trees on the site. Mr. Winglovitz said the number of trees being preserved is 48 and the number being removed is 8, so the applicant is preserving 87%. He said that the trees Ms. Israelski wants preserved would cause a significant redesign of the site. He said they looked at the impact of losing six units and determined it to be one-half million dollars in school taxes over 20 years.

“We have made the point that there is some dissatisfaction with the tree scenario but the applicant says they’ve gone as far as they can go. We have done as much as we can do and I don’t see us getting beyond it,” Mr. Huddleston said.

There was discussion of the irrigation of the new plantings. Ms. Naughton said that an irrigation system can be made a condition of approval.

PB members reviewed each page of the proposed Findings Statement dated Sept. 20, 2007 and made the following changes:

Page 1 – Add “and Special Permit” under Agency Jurisdiction.

Page 2 - Add “Statement” after Conservation Analysis Findings, second paragraph under SEQR Process.

Page 6 – 2nd paragraph, 7th line. Change to “The Planning Board must find that the applicant may be eligible for a 2 unit density bonus for a total of 7 units, for this total to be applicable.”

Page 11 –Add “and filtration” after chlorination in second sentence of #5 under “Board Findings”.

Page 17 – Change word “determined” to “determination” under #5, sixth sentence.

Page 19 – Omit “levels” and add “to NYSDEC intermittent stream standards” at top of page after tertiary treatment.

Page 21 – Change “practical” to “practicable” in the second line under Summary of Impacts and Mitigation Measures.

Page 23 - Replace “fro the date of installation” to “from the date of final build-out”.

Page 23 – Replace “determined” with “determination” in the sixth line of the first paragraph.

VOTE BY PROPER MOTION, made by Mr. Bergus, seconded by Mr. Myruski, the Town of Goshen Planning Board hereby adopts the Findings Statement as modified October 4, 2007 on the application of Hendler. Passed unanimously.

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

Ms. Naughton asked PB members to provide feedback on the proposed Resolution by October 9, 2007.

ADJOURNMENT

VOTE BY PROPER MOTION, made by Ms. Cleaver, seconded by Mr. Myruski, The Planning Board adjourned at 12:15 a.m.

Ralph Huddleston, Chair
Notes prepared by Susan Varden