

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

DECEMBER 17, 2009

Members Present:

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

Also Present:

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

MINUTES

The minutes of the Planning Board meeting of December 3, 2009 were approved with corrections.

Goshen Properties – Performance Bond Reduction Request

Mr. Lindsay said that the applicant has requested a reduction of its performance bond from the original amount of 499,300 to \$77,200. Mr. Lindsay examined the site and determined that most of the infrastructure is complete. He said he is recommending that the Town retain \$101,400 to ensure the completion of the work.

VOTE BY PROPER MOTION, made by Ms. Israelski, seconded by Mr. Myruski, the Town of Goshen Planning Board reduces the amount of the performance bond retained on the application of Goshen Properties to \$101,400.00. Approved unanimously.

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

2010 Planning Board Meeting Schedule

VOTE BY PROPER MOTION, made by Ms. Cleaver, seconded by Mr. Andrews, the Town of Goshen Planning Board adopts its 2010 meeting schedule, meeting the first and third Thursdays of each month. Approved unanimously.

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

Discussion on Reiger application

It was agreed that the PB’s environmental consultant and hydrogeologist should be present at the public hearing on the Reiger application, scheduled for January 21, 2010.

Zalunski – 20-1-8 – 74.8 acres, 20 lot subdivision located on Pulaski Highway and Cross Roads in the RU zone with an AQ3, scenic road and stream & reservoir overlays. Possible conditional final approval.

Representing the applicant: Amador Laput, Project Manager, B.E.S.T.

Mr. Laput said that the site plan now shows street trees spaced 40 ft. apart along the new roads as requested by the PB but that on the two existing roads of Cross Road and Pulaski Highway, the zoning allows the applicant to provide no more than one tree per 1,000 square feet of floor area of developed parcel and that calculation results in 44 trees along the two existing roads. Mr. Laput asked the PB where it would like these 44 trees to be placed. He said that the applicant is open to leaving the downhill sides of Pulaski Highway open to restore the scenic view. The PB said it would like to keep the 44 trees where the trees are currently shown on the site plan. The PB discussed species of trees and determined that they would like the street trees to be red maple, plum, sugar maples and Bradford pear, instead of pin oak at the entrances.

Mr. Lindsay said that the applicant has extended the culdesac to the property line with a turnaround at the end which must be satisfactory to the highway department. He said that the applicant’s site plan shows a sub-surface curtain drain and retaining wall inside the no build zone and asked if that is acceptable. Mr. Huddleston said that those types of structures shouldn’t cause any difficulty and a poll of each PB member determined that they can remain. It was mentioned that the retaining wall, no more than 4 feet tall, is on Lot #9 and that if it were not there, more grading would be needed.

Mr. Laput said that there will be disturbance of the wetlands, less than a tenth of an acre, to install a pipe crossing the wetlands. Mr. Huddleston told the applicant to put a note on the plan indicating that and noting the total wetland disturbance for the project.

Mr. Garling said that the scenic road easement notes have to be added to the maps and mentioned that there will be a number of lots that will be impacted by the easements.

Mr. Golden said that the plans were just submitted this evening, and that certain items still need to be changed. Mr. Laput said the full set of plans will be 26 sheets.

Mr. Huddleston told the applicant that the PB doesn't have what is needed to vote on the application. He said he wanted the PB's engineer, planner and attorney to look it over. Mr. Laput said he can make the necessary changes and can submit the plans to the Planning Department by the middle of next week. Mr. Halloran asked for full sets of plans by next Tuesday (Dec. 22). Mr. Golden said he will e-mail the draft conditions to the PB by Dec. 29 so they will have nine days to review them prior to the next meeting.

Persoon subdivision modification – 17-1-4 & 36, 127 +/- acres, application to modify an existing 21 lot preliminary approval to add six additional lots located on Maple Avenue, Winners Circle, Breezeway Lane and Sunset Court. 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 & flood plain overlays. Possible amended preliminary approval and possible conditional final approval.

Representing the applicant: Jerome Fine, Engineer

PB member Mary Israelski recused herself.

Mr. Fine said the applicant received written approval from the DPW for the work on Maple Ave., received DEC approval from Mr. Gogler and has moved ahead with the water protocol.

Mr. Lindsay said that there are wells they can now monitor on the north and south side of the site, and that the applicant is also looking for wells on the east and west side to monitor. The applicant has not yet produced the information that will allow them to reduce the length of testing time to 24 hours on Lot #4, he said.

Mr. Garling said the PB needs to discuss access from Maple Ave. to enter the site to develop the road system. He said that residents of the adjacent developments don't want traffic going through their developments to build the road or the houses, so the PB has to make sure that the access road that goes into the property will be capable of supporting heavy vehicles for a period of time while the houses and road gets built. The access road will have to be there for several years, he said. Mr. Fine said that the existing farm road can handle heavy trucks. Mr. Lindsay said it makes sense to keep the heavy trucks on the existing farm road and other trucks on the town road. Ms. Cleaver asked about signage stipulating a weight limit. Mr. Myruski suggested a 5,000 pound weight limit on the town road. It was noted that it becomes an enforcement issue.

Mr. Golden reminded the PB that the issue was previously discussed at length and was part of the application when it was determined to be a negative declaration. The question now is whether by changing the access road in a substantial way from what it was represented, regardless of the weight, SEQRA would have to be re-opened to deal with the impact, he said.

Mr. Huddleston recalled that it was “a big public issue and there were a lot of people from those two subdivisions begging that we not have those vehicles coming up and down those roads.”

Ms. Cleaver asked if the PB can leave it with all traffic coming off of Maple Ave. Mr. Golden said that was what was considered by the PB under SEQRA for its negative declaration and that it was consistent with the public comment.

Mr. Lindsay said he is concerned that there may be one or two lots that don't get built for 15 years, so the easements across those properties will have to stay for a long time.

Mr. Huddleston suggested leaving it as it is and polled the PB. No one was in favor of re-opening SEQRA and it was determined to leave it the way it is, using Maple Ave.

Mr. Lindsay said that the plans must include a subdivision plat showing all of the new lots and that Lot #6 and #16 don't meet the lot width. The applicant can change that by pushing the culdesac back or reconfiguring the lot lines where they connect to the culdesac, he said. Mr. Golden explained that it is now clear that it is not compliant with the code and that with that knowledge, the PB cannot approve it. The PB cannot give a frontage waiver.

Mr. Lindsay said that there are still issues with drainage. He said that a lot of the drainage goes to the northeast corner of the site, that he has some ideas to make that work better and that it will have to be a condition of approval.

Mr. Golden said he has a rough draft of the resolution of approval with 42 conditions, and reminded the applicant that approval is needed before the PB's Jan. 21st meeting to keep within the old zoning. He said the applicant will have to make the changes on the plans, including the culdesac and the lot frontage. Mr. Lindsay said that there also needs to be a subdivision plat and more information on Lot #27 and that the bulk table must comply with the code. Mr. Fine said he will try to have the revised plans submitted by Dec. 22. Mr. Golden said he will draft the resolution by Dec. 29th and get it to everyone to review.

ADJOURNMENT: A motion to adjourn the meeting at 8:45 p.m. was made, seconded and approved unanimously.

