

UNAPPROVED MINUTES
Town of Goshen Planning Board
Town Hall
41 Webster Avenue
Goshen, New York
June 5, 2014

Members Present:

Reynell Andrews
Lee Bergus, Chair
Susan Cleaver
Phil Dropkin
David Gawronski
John Lupinski
Giovanni Pirraglia

Also Present:

Sean Hoffman, PB Engineer
Kelly Naughton, Esq. PB Attorney
Neal Halloran, Building Inspector
Richard Golden, Esq. PB Attorney

The PB meeting was opened at 7:30 p.m. by Chair Lee Bergus.

The minutes of the meeting of May 22, 2014 were approved.

Kolk – 11-1-98.6 – 10+/- acres, 3-lot subdivision located on Old Chester Road in RU, AQ 6 and Scenic Corridor Overlay. Draft Resolution.

Representing the applicant:

Nick Rugnetti, Pietrzak & Pfau
Steve Esposito

Mr. Rugnetti said that revisions have been made to the plans since the last meeting. The neighboring lot's well and septic have now been labeled and is correctly shown in accordance with the "as built" plan. He said that drywells were requested and so the applicant has provided infiltration storm tech units which, he said, provide the same function, are made of plastic and provide a little more storage than a drywell. All soil testing has now been witnessed by Riddick Associates, Mr. Rugnetti said.

Mr. Rugnetti said that at the public hearing there was a suggestion to re-locate the driveway for Lot #1. He said he went to the site to determine the possibility of relocating the driveway and determined that sight distance is limited by a rise in Old Chester Rd. and because it does not meet sight distance, the driveway will have to remain as shown.

Mr. Hoffman reported that the "as built" on the adjacent lot were field checked and found to be accurate and so the applicant revised its plans and the sewage disposal system for Lot #1 was relocated to comply with the separation distances. He said his firm witnessed the percolation tests which tested better but the applicant is using the design rate that was used previously because it is more conservative. Mr. Hoffman said that the applicant may be requesting a waiver from the Environmental Control Formula.

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Mr. Hoffman said that it has been determined that the current location of the driveway for Lot #1 is the best location right now.

Mr. Hoffman said that the infiltrators are shown at the rear of each lot and may interfere with future decks, patios or swimming pools and the applicant may want to consider relocating them to the side or front yards if possible.

Mr. Hoffman reported that the Town Hydrologist's report noted marginally elevated levels of sodium at first but that further review shows the chlorides are acceptable.

The PB discussed the open space, which will be privately owned, and what the homeowner could and could not do in the open space, as well as whether there is enough open space. The Code requires the preservation of at least 50% of the land as open space. Mr. Golden said that the applicant now shows a total of 10.38 acres of land and the applicant's open space shown currently is at 4.73 acres. Mr. Hoffman suggested that the applicant may have to increase the open space on Lots 1 & 2 by 25 feet.

Mr. Golden said that the open space area has to be adjusted in order to be compliant. "This PB must determine where the limits of the open space are. You would want to approve the defined area of the open space on the plan." He said the applicant should submit a new plan compliant with respect to the open space so that the PB can actually approve that revised plan at the next meeting when the draft resolution is discussed.

There was a discussion about requesting ESA signs marking the open space. Mr. Esposito asked that the PB not require ESA signs to delineate the conservation easement, calling it "inappropriate for this site", owing to the proximity to the homes. He referred to it as "an aesthetic concern." There was also a discussion of whether or not to allow a fence, and if so the type of fence, along the Heritage Trail.

Ms. Cleaver suggested that a sunken monument be used to delineate the property lines. Mr. Esposito agreed that the applicant will locate an embedded stone at the property lines.

Mr. Golden said that in the typical language of a conservation easement the owner would be prohibited from installing a fence but that the PB could change the language to allow fences, if the homeowner desires, of a certain type consistent with the natural setting of the Scenic Corridor.

VOTE BY PROPER MOTION, made by Mr. Pirraglia, seconded by Mr. Andrews, The Town of Goshen Planning Board authorizes the PB attorney to prepare a resolution of final approval consistent with the discussions tonight. Approved Unanimously.

Mr. Andrews	Aye	Mr. Gawronski	Aye
Mr. Bergus	Aye	Mr. Lupinski	Aye
Ms. Cleaver	Aye	Mr. Pirraglia	Aye
Mr. Dropkin	Aye		

Owens Road – 10-1-10.22 & 10-1-8 131.4+ acres 31 lot subdivision on Owens Rd.

Mr. Golden said that he had asked that the Owens Road subdivision be put on the agenda because with subdivision approvals, if the applicant submits a request for a final approval, and the PB doesn't make a decision within 60 days, then it is approved by default. Mr. Golden said that the application isn't ready for an approval and that his office told the applicant that if they didn't give an extension to the 60 day time period, that the PB would have to deny the subdivision approval because everything wasn't ready.

Mr. Golden said he received a letter from the applicant stating that the time clock has not started on this, even though the applicant submitted it for approval and that they will give the PB notice when the time clock starts.

Additional Item for Discussion

Mr. Golden informed the PB that at today's staff meeting the applicant Amy's Kitchen Inc. asked for an explanation of the SEQRA process. He said that there was a general discussion of the scope and how the applicant should address their presentation. The open air structure that is part of the application was also discussed. It was stated that it will be used for the occasional large events for Science of the Soul, a spiritual outlook adhered to by the owners.

Adjournment

The Planning Board meeting was adjourned at 8:50 p.m.

Lee Bergus, Chair
Notes prepared by Susan Varden