

APPROVED MINUTES
Town of Goshen Planning Board
Town Hall
41 Webster Avenue
Goshen, NY 10924
September 20, 2012

Members Present:

Reynell Andrews
Lee Bergus
Ralph Huddleston, Chair
David Gawronski
John Lupinski
Giovanni Pirragalia

Also Present:

Dennis Lindsay, PB Engineer
Sean Hoffman, PB Engineer
Rick Golden, P.B. Attorney
William Canavan, PB Hydrologist
Ed Garling, PB Planner

Absent: Susan Cleaver

The PB meeting was opened at 7:30 pm by Chair Ralph Huddleston.

The minutes of the June 21, 2012 were not approved.

Possible Extension or Abandonment of Applications pursuant to Town Code

Peck application

VOTE BY PROPER MOTION, made by Mr. Andrews, seconded by Mr. Bergus, the Town of Goshen Planning Board grants a six month extension to March 21, 2013 on the application of Peck. Passed unanimously.

Mr. Andrews	Aye	Mr. Gawronski	Aye
Mr. Bergus	Aye	Mr. Pirragalia	Aye
Mr. Huddleston	Aye		

Orange County Turf – 21-1-83 & 21-1-84 23.9 +/- acres located off Pulaski Highway & Pumpkin Swamp Road in an agricultural zone.

A letter was read asking for an extension of the public hearing to the October meeting. Mr. Golden said it was alright to extend it once more.

Mr. Huddleston asked if there was anyone present for the public hearing. There was not.

Mr. Huddleston suggested that the PB staff write a letter to the applicant stating that without good reason, this will be the last extension of the public hearing to be granted.

VOTE BY PROPER MOTION, made by Mr. Andrews, seconded by Mr. Bergus, the Town of Goshen Planning Board grants an extension of the Public Hearing on the application of Orange County Turf to its October, 2012 meeting. Passed unanimously.

Mr. Andrews	Aye	Mr. Gawronski	Aye
Mr. Bergus	Aye	Mr. Pirragalia	Aye
Mr. Huddleston	Aye		

Jackson – 13-1-69.22 – 3.9 +/- acres located on Gibson Road in the RU District, AQ6 overlay. Modification of site plan for Dickerson subdivision for a duplex.

Representing the applicant: Christopher Jackson

Mr. Jackson said he has approval of a subdivision plan to build a four-bedroom single family house but wants to construct a duplex consisting of two two-bedroom houses, which would be a modification of the existing site plan. Mr. Golden said that a duplex is allowed provided that applicable site plan requirements are addressed. The issues, he said, will be septic, water, parking, access and setbacks. The applicant said he proposes to use a common entranceway to the county road. There will be one well and one septic system to be shared, he said. Mr. Golden said there will need to be an agreement between the parties with respect to the septic and driveway including matters such as who is responsible for maintenance. Mr. Golden suggested the applicant show on the plan what he is going to do and then address issues of water, septic and access. Mr. Huddleston suggested that the applicant speak to the Building Inspector first before making modifications to the drawing.

Bristol Motors 20-1-25.11 – 4.10 +/- acres, site plan located on State Route 94 in CO zone with an AQ3 overlay.

Representing the applicant: Susan Plass, Surveyor

Mr. Garling said he needs additional information regarding the type and size of plantings. He said the fencing around the septic area should be specific as to type, with details for the fence footings shown on the drawings and details on the retaining wall indicated. Mr. Garling said the flood lights must be shielded and details of the lighting fixtures must be shown. He said that SEQRA should be done if it hasn't been done already.

Mr. Lindsay said that he needs information on the well and the adequacy of the water supply. He said he also needs information on the waste water, which should be tested and confirmed that it is operating satisfactory. Signage and landscaping information also must be provided.

Mr. Huddleston opened the hearing to the public for comment. There was none.

Mr. Huddleston told the applicant that additional information is needed before the PB can move forward with the application.

VOTE BY PROPER MOTION, made by Mr. Andrews, seconded by Mr. Gawronski, the Town of Goshen Planning Board closes the public hearing on the application of Bristol Motors. Passed unanimously.

Mr. Andrews	Aye	Mr. Gawronski	Aye
Mr. Bergus	Aye	Mr. Pirragalia	Aye
Mr. Huddleston	Aye		

VOTE BY PROPER MOTION, made by Mr. Gawronski, seconded by Mr. Bergus, the Town of Goshen Planning Board declares a Negative Declaration in terms of SEQRA on the application of Bristol Motors. Passed unanimously.

Mr. Andrews	Aye	Mr. Gawronski	Aye
Mr. Bergus	Aye	Mr. Pirragalia	Aye
Mr. Huddleston	Aye		

Anderson – 13-2-3 – 2.974 +/- acres located on 2 Gaebriella Terrace with frontage on Houston Road in the RU District with an AQ-3 and Scenic Road Corridor Overlay. Site plan application for 648 sq. ft. in-ground swimming pool.

Representing the applicant: Erik Anderson

Mr. Anderson said he wants to construct an in-ground pool on his property. He received a variance from the Town Zoning Board of Appeals allowing him to put a pool as close as 6.7 feet from the side property line, subject to the PB's approval of the details of a fence for privacy and type of plantings along the fence line.

Mr. Golden said the applicant should come to the PB's staff meeting to discuss the type of deer-resistant plants and what can be done to meet the intent of the ZBA resolution of approval. Mr. Golden said it is unclear whether the application has to be sent to the County Planning Department but suggested that the Building Inspector send the application for referral just in case.

VOTE BY PROPER MOTION, made by Mr. Pirragalia, seconded by Mr. Bergus, the Town of Goshen Planning Board waives a public hearing on the application of Anderson. Passed unanimously.

Mr. Andrews	Aye	Mr. Gawronski	Aye
Mr. Bergus	Aye	Mr. Pirragalia	Aye
Mr. Huddleston	Aye		

Orange & Rockland – 12-1-1.7 48.7 acres special use permit and site plan review located on Hartley Road in the RU and HC zone with AQ6, and Scenic Corridor Overlay.

Representing the applicant: Alan Lipman, Esq.

Mr. Golden suggested that the PB can approve the Findings Statement subject to the condition that the comments of the consultants and PB counsel be folded into the final version.

VOTE BY PROPER MOTION, made by Mr. Pirragalia, seconded by Mr. Bergus, the Town of Goshen Planning Board approves the Findings Statement on the application of Orange & Rockland with the condition that the comments of the consultants and counsel be addressed in the final version. Passed unanimously.

Mr. Andrews	Aye	Mr. Gawronski	Aye
Mr. Bergus	Aye	Mr. Pirragalia	Aye
Mr. Huddleston	Aye		

Mr. Golden asked Mr. Lipman to waive any approval deadlines with respect to SEQRA since the applicant must go to the Town ZBA first. Mr. Lipman agreed.

Woodcrest (aka Kaprielian) – 4-1-9- 7+/- acres, small-scale subdivision located on Woodcrest Land and Farmingdale Road in the RU zone in the AQ-3 and Scenic Road Corridor Overlay districts. Schedule public hearing.

VOTE BY PROPER MOTION, made by Mr. Andrews, seconded by Mr. Bergus, the Town of Goshen Planning Board schedules a public hearing on the application of Woodcrest for October 18, 2012. Passed unanimously.

Mr. Andrews	Aye	Mr. Gawronski (not present for the vote)	
Mr. Bergus	Aye	Mr. Pirragalia	Aye
Mr. Huddleston	Aye		

Young’s Grove/Reiger – 9.1-8.452 306.9 +/- acres, located on Craigville Rd. at the end of Broadlea Road in the RU district with an AQ3, AQ6 with Scenic Rd. and flood plain overlay. FEIS.

Representing the applicant: Steve Esposito

Mr. Lindsay said the applicant did the water tests and compiled a report explaining what was done and that Town Hydrologist Bill Canavan was asked to review it.

Mr. Canavan said he reviewed the water testing procedure and that while the person monitoring the testing for the applicant at night did not write down and submit discharge readings either from a flow meter or a bucket and stop watch so specific data is missing but the data logs in the well monitoring the water levels indicate that pumping was consistent because there wasn't some extreme rise or drop in the draw down of the well and the following morning the reading was consistent with the flow they were pumping at the time. Mr. Canavan said that it is his opinion that the applicant basically has the information they need.

The PB discussed the FEIS with the applicant's representative Mr. Esposito, with Andrea Connell of VHB Engineering, PB Planner Ed Garling, PB Engineer Dennis Lindsay and PB attorney Richard Golden. PB member Mr. Lupinski arrived at the meeting at 9 p.m.

Mr. Esposito said that in terms of the disposition of the open space, the applicant's position is that "we are going to offer it for dedication to the Town, if the Town doesn't want it, we may look for a land trust or something similar if that meets, financially, our goals and objections. If not it will be covered with a conservation easement, dedicated to the Town and privately owned." Mr. Golden suggested adding to the FEIS that more detail can be addressed at the time of the Findings as to what if any recreation can be placed within the conservation easement description.

VOTE BY PROPER MOTION, made by Mr. Bergus, seconded by Mr. Gawronski, the Town of Goshen Planning Board adopts the FEIS on the application of Young's Grove/Reiger subject to the inclusion and modification of the FEIS, as discussed at tonight's meeting, which will be overseen by the PB's counsel. Passed unanimously.

Mr. Andrews	Aye	Mr. Gawronski	Aye
Mr. Bergus	Aye	Mr. Lupinski	Aye
Mr. Huddleston	Aye	Mr. Pirragalia	Aye

Mr. Huddleston polled the PB members as to whether they prefer the applicant's Plan 1A or its original plan. All six members stated that they prefer Plan 1A.

Meadows of Goshen

Mr. Hoffman told the PB that Meadows of Goshen is looking for a third reduction of the performance bond. Based on review, the Town's engineer recommends the Town retain approximately \$393,000 and return approximately \$54,000, he said.

VOTE BY PROPER MOTION, made by Mr. Gawronski, seconded by Mr. Bergus, the Town of Goshen Planning Board will send a recommendation to the Town to accept the recommendation of the Town Engineer on the reduction of the performance bond for Meadows of Goshen. Passed unanimously.

Mr. Andrews	Aye	Mr. Gawronski	Aye
Mr. Bergus	Aye	Mr. Lupinski	Aye
Mr. Huddleston	Aye	Mr. Pirragalia	Aye

ADJOURNMENT - The Planning Board adjourned at 9:15 p.m.

Ralph Huddleston, Chair
Notes Prepared by Susan Varden