

**Town of Goshen  
Planning Board  
MINUTES OF THE  
REGULAR MEETING  
April 20, 2006**

MEMBERS PRESENT

Ralph Huddleston, Chairman  
Lee Bergus  
Susan Cleaver  
Mary Israelski  
John Lupinski  
Ray Myruski

ALSO PRESENT

Richard Golden, Attorney  
Neal Halloran, Bldg. Insp  
Joe Henry, Engineer  
Susan Roth, Planner

ABSENT

Reynell Andrews

**I. CALL TO ORDER**

Chairman Huddleston called the regular meeting of the Town of Goshen Planning Board to order at 7:30 pm at the Goshen Senior Center. Mr. Bergus led the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

The minutes of the April 6, 2006 meeting were accepted as modified upon motion made by Ms. Cleaver, seconded by Mr. Bergus. Mr. Myruski abstained

**III. PUBLIC HEARINGS**

**Gerick Associates - 21-1-108 - 131.5 +/- acres**, located on Celery Ave in the AI zone with a flood plain and stream & reservoir overlays. **Non-residential - 2 lot subdivision for agricultural use. (RG)**

Present for the applicant: Rick Minkus

Mr. Halloran explained that this application is for a 2-lot subdivision in the middle of the Black Dirt. The purpose is to provide a landing strip for the crop dusting plane used by the farmers. Mr. Minkus stated that he is giving the acreage to the Vegetable Growers Corporation as the property previously used for this purpose was sold. It will be for this use only; there are no other plans for the property.

The same plane that has been flying for the past years will be using the field for spraying. This field is located approximately ¼ mile from the previous airstrip. There are no homes nearby. Ms. Cleaver asked about bulk storage requirements for fuel. Mr. Minkus replied that they are approved for less than 5,000 gallons of fuel

storage by the DEC. The chemicals will not be stored on site, they are brought by each farmer as needed.

Mr. Golden asked if they could provide information on the number of flights. Mr. Minkus stated that he is not sure, but he expects around 175-200 flights per year from April to September. Mr. Bergus asked about the type of soil. Mr. Minkus stated that it is gray soil and unfarmable. It is almost like cement and the field will be mowed as a sod field. There were no comments from the public.

VOTE By Proper MOTION, made by Mr. Myruski, seconded by Mr. Bergus, the Planning Board of the Town of Goshen hereby closes the Public Hearing in regard to the Gerick Associates application. Passed unanimously.

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

VOTE By Proper MOTION, made by Ms. Cleaver, seconded by Ms. Israelski, the Planning Board of the Town of Goshen hereby declares that the application of Gerick Associates will not have an adverse impact on the environment and therefore warrants a negative declaration under SEQRA. Passed unanimously.

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

Mr. Golden noted that before the PB can grant an approval for this special use, the applicant needs to go to the Town Board for a special permit use approval as this use is not permitted in any zone. Mr. Halloran has spoken with the Supervisor and the Town Board is prepared to deal with this application at their meeting next week.

**Hambletonian - 8-1-12.221 - 23.4 +/- acres**, 38 lot subdivision, located on Upper Magic Circle in the HR zone with an AQ6 overlay.

Present for the applicant:      John Nosek, Engineer  
   Marshall Courtney, Attorney  
   Cliff Bell  
   John McDermott, Developer

The Chairman advised the audience that all those who wished to speak will be given an opportunity to do so. He noted that this is an emotional issue and he asked that everyone be polite and patient. Each speaker should come up to the microphone,

state their name and address and try not to repeat items that have already been brought up by prior speakers.

Mr. Nosek explained to the audience that the applicant is proposing a 38-lot subdivision on the remaining area of Hambletonian Park known as Section F. A new road is proposed, which would be dedicated to the Town. The applicant proposes to extend Rabbit Run to a T intersection. The area is in the Hamlet Residential zone and all lots will be serviced by extending the existing water and sewer system. They will need to install a booster pump station for one section of the new homes.

The applicant was asked by the PB to show the potential for a future connecting road. The possibility of extending Arthur Place into the Village and/or extending Bridle Path to Old Chester Rd. were reviewed. Bridle Path would require too much disturbance of wetlands, so the developer chose not to show this on the plans. Mr. Nosek stated that if the Town wishes this extension of Arthur Place, the developer will do so, otherwise they will not make this connection.

The project is similar to the original one approved in 1969. The road layout is essentially the same. The cul de sacs in the original were removed as they are no longer allowed. The lot count is the same. The architectural design was reviewed. Each home will be 2 stories and be less than 3000 sq. ft.

The meeting was opened to members of the public. Mr. David Resnick, attorney for the Citizens Against Road Extension explained the issues that are of concern to the homeowners. They are generally not opposed to the 38 homes, although there are some concerns. The major problem is the potential for the opening of the two new access roads. He stated that it appears there has not been a "hard look" given to the affect of opening these roads on the existing neighborhood. Without more intensive study of these impacts, he feels the PB cannot make a determination. He noted that there are at least three other options. One, is to extend Brookside Dr. to Old Chester Road. A second choice would be to extend an access road from Craigville Park to Old Chester Rd. and thirdly, Knoell Rd. should be considered.

Mr. Resnick noted that extending Bridle Path is not a desirable option due to the impact on the wetlands. This possibility had been considered in the past and would be very expensive. Who would pay for this? It would seem more cost effective to use one of the other three options. He also stated that Arthur Place appears to be unpopular with nearly everyone. He does understand why the County is in favor of connecting roads to ease traffic problems.

Mr. Dan Matteo, 21 Knapp Terr. stated that he is opposed to multi-family units. The homes should be consistent with the existing. He also hopes that any approval is based on safety. He states that there is the possibility of over 1000 extra cars going

through the Park and the responsibility for potential injury “falls on each member of this Board.” He further stated that it is no secret that the obstacle for the developer is traffic congestion. He also stated that Ms. Israelski is involved in Real Estate and this is a conflict of interest. He asks her to recuse herself from this application.

Mr. Huddleston explained to the members that no questions will be answered tonight. The applicant will reply to the issues in writing at a future time.

Brian Gallo, 12 Florican Lane expressed concerns regarding emergency response. He is a member of the NYFD, a volunteer with GFD and a paramedic. All three of our firehouses and the ambulance are on the other side of the Village. Their first response route is to use Route 207. He feels that opening up the other roads, would put the children in the Park at risk. He also asked if there is enough water for these new homes for normal use and for emergency use.

Ms. Alyson Graesser, Yankee Maid Lane, spoke of concerns regarding property value. The increase in traffic through this closed community will devalue their property as well as contribute to noise and air pollution and litter. She notes that there are no sidewalks and they will be needed, which will result in the loss of frontage to some homes. She also feels vandalism will increase, which would cause a rise in insurance premiums. The increase in traffic will also affect the road surface. Ms. Graesser emphasized that many of the residents are first owners in the community and are retiring. If their property becomes devalued, this will effect their retirement finances. She also noted that there are 39 homes on Yankee Maid Lane and 32 children.

Mr. B Carretero, 5, 7 & 9 Yankee Maid Lane, emphasized the water problems in the area. He has given up his garden due to the lack of water. He also stated that the lift station for the sewer system is not adequate to handle 38 more homes. The increase in traffic and the affect on the safety of their children is also a great concern.

Mr. Chris Wildfoerster, 41 Lower Magic Circle, noted that there are 320 voting residents in the Park. The affect of 38 new homes is the first of many that will be of concern with new development. The primary issue is one of safety. This is a closed community and opening Bridle Path would change that. He has been told that the emergency services have asked for this connectivity of roadways. He would like to see the response times for emergency vehicles. He notes that Route 207 is still the preferred route.

Mr. Wildfoerster stated that approximately 50 cars come by the corner of Florican and Lower Magic Circle. The new homes will double that number and if the Maplewood development continues with their plans there could be as many as 500 new homes. This could bring about 2048 trips daily. Hambletonian Park will

become a shortcut and this increase in the number of vehicles per day will affect the children. He also noted that the roads were not constructed to allow a direct route. Many people get lost in the maze. Replacing the roads and infrastructure and adding sidewalks will be necessary. What will be the cost and who will pay for these items? Streetlights will be needed and crime and vandalism will rise. He asked the Chairman why Maplewood representatives did not come tonight as they were on the agenda. Mr. Huddleston replied that Maplewood was on the agenda to receive further scoping comments and did not need to attend.

Mr. Wildfoerster stated that Goshen is going through dramatic changes and he feels the Town should initiate a moratorium before further problems arise. He noted that this proposed connection of roads is a “knee jerk” reaction to the existing traffic problem. The new growth in the area should be well thought out and well executed.

Ms. Patty Garnett, 27 Knapp Terrace, told a story of when her son was 5 and the children were given a class project. Four children in the Park felt that people drove too fast, so they wrote letters and followed the steps to have the speed limit reduced from 30 to 20 mph. She submitted pictures from the teacher and copies of the newspaper articles.

Mr. Anthony Vallone, 7 Fleetwood Dr. explained that they chose Hambletonian Park because it was quiet and safe, with little traffic. The children can play safely in the street. He noted that there are 9 school busses that come in to the Park and 4 of them are full. What will happen when these children are let out at the end of the school day?

He asked the applicant if the original plans had the connection with Arthur Place. No, they did not. Mr. Huddleston explained that the two connecting roads had been discussed and he asked to see them on the application. He noted that the Board is obligated to address these possibilities and the Board could not make an assessment without seeing the impacts. He emphasized that the applicant was asked to show them on the maps. At no point in time did the Board say they would use these roads. It is the Board’s obligation to take a “hard look” under SEQRA. He also stated that the applicant did not say they wanted these roads. He also noted that the potential for these roads to be extended is on the original plans when the Park was first granted approvals.

Ms. Euser, Yankee Maid Lane, expressed concern regarding safety and the infrastructure in the existing sections of the Park. The increase in traffic will compromise the integrity of the infrastructure. The residents have experienced frequent water main breaks and this traffic increase plus heavy equipment traffic will cause even more problems. The Town is currently assessing the residents to fix this infrastructure.

Ms. Melissa Gallo, 12 Florican Ln., read a letter from Mr. & Mrs. Kevin Loughran (see file) of 22 Knapp Terr. They state in their letter that they moved to the Park because of the trees, open spaces and safety for their children. They note that the streets have no stop signs, or lighting nor is there a direct route through the development. They feel Knoell Rd. serves the purpose of connecting sections of the Town. They ask if the PB will take responsibility for an out of control driver causing injury to a resident.

Ms. Susan Champlain, 43 Lower Magic Circle, has lived in the Park for 40 years. She was a teenager when they opened Bridle Path and knows that there were speeding problems. She asks that we learn from our past mistakes.

Mr. Tom Kennedy, 28 McBride Place explained that he lives on the other side of the possible extension and is concerned with the increased numbers of cars coming through his development. He stated that the shortage of available land is causing some serious concerns. The Village has experienced safety, water and other issues as well as the need to expand the sewage treatment plant. All of these items have caused an increase in taxes. He also questioned the density of 38 homes on 23 acres. He feels we are running the risk of changing the community for profit. We should consider other ways to deal with this land.

Ms. Diane Ferrara, asked that we also consider the fact that many residents have pets that need to be walked along the street. Even with speed bumps, traffic will still be a problem.

Mr. Bret Matthews, 22 Marie Terrace, expressed his thanks to Mr. Halloran and Mr. McDermott for their help. He has been observing the daily traffic patterns, and is very concerned about the safety issues. He feels Arthur Place is so steep as to be incomprehensible as a choice. He questioned if Orange County Planning Department has the qualifications to say that the steepness is acceptable. He also noted that most people coming here are coming from the city and they will be accustomed to certain driving conditions. Someone unfamiliar with the area, can come over the top of Arthur Place from Ham Park and not realize the steepness on the other side. He also questioned what is the backlash if the PB denies an owner of a property.

Mr. John Graesser, 7 Yankee Maid Lane noted that he is aware that kids are playing in the streets of the area, because he lives there. Strangers will not be as aware. He also agrees with all who have spoken previously. Mr. Huddleston asked if there are any new comments. Ms. Alyson Graesser stated that 14 years ago they lived on Denton Hill Rd. They looked for 2 years before they chose the Park. They wanted

an opportunity for the boys to have a neighborhood. She feels this will ruin the neighborhood.

Ms. Joan DeGeorge, 52 Lower Magic Circle, has lived here for 45 years. She has seen many changes in Goshen and she understands why people are moving up here. Her children had a great life in the Park and she hopes that the other families will have the same opportunity. Ms. Carol Quinn, 6 Florican Lane expressed agreement with all others who have spoken, and noted that this extension of the streets will only be a “band aid” fix and will not fix the real traffic problem in the center of the Village. However, it will ruin their community.

Mr. Chris Wildfoerster, urged the PB to look at Brookside to alleviate the traffic congestion. It would be a straight thru road. He also had some questions about the homes to be built. Will they built all at once or as sold? Will there be consideration given to the problem of insects from the holding ponds and will the ponds be fenced? What is the maximum size? Mr. Huddleston stated that there are standards that will have to be met.

Mr. Wildfoerster also asked about the possibility of blasting/pounding. Mr. Huddleston replied that there are Town requirements and insurance issues with which the developer will have to conform. What will be the impact on the water supply – he is currently paying \$450 per quarter. This is an issue to be reviewed with the Town Board. What impact will the new homes have on the existing infrastructure?

Ms. Gallo asked if the Board has done environmental studies on the impact of noise and air pollution. There are 160 homes there now, another 38 will create more traffic. She asks where the impetus came from to open these roads and make the Park a sacrificial lamb to solve the Town’s traffic problems.

Mr. Kennedy agrees there are many questions especially regarding the relationship of the community and the needs of the developer. This is a matter of economics, but the needs of the people living here must be considered. They have an emotional investment in what they wish Goshen to be. The people present tonight live here. Will the owner live here or just capture the profit and leave?

Mr. Resnick thanked all the members of the community for being here. They did a good job presenting their case and he thanks the PB for letting everyone speak. He urges the PB to issue a positive declaration. He feels there will be a significant impact if the roads are opened – sidewalks, lighting, health, safety, impact on the wetlands and general socio-economic impacts will be great. In closing, he thanks his clients and the Board for this meeting. He notes that the traffic issues on Route 207 are more of a problem than can be solved by this proposal of extending these roads.

Mr. Huddleston thanked the members of the public for their well-focused comments. Ms. Israelski has submitted written comments and asks to address the implied accusation of a conflict of interest. She stated that she has no financial interest in either approval or denial of this project. She feels there is nothing to prevent her from being fair and impartial. She noted that the zoning code requires certain amenities, i.e., public water and sewer, 50% open space land, lands for community gathering space. Twenty percent of the open space must be accessible to the public. Hamlets must follow certain guidelines. If a developer cannot show these then the density calculations must not be allowed. This development does not show focal and gathering places or a street design, however this is a conceptual drawing. Buffering needs to be provided for the pre-existing homes.

The possibility of a thru street is a real problem however the County and the planners have recommended connecting streets and our code requires pedestrian interconnectivity. The Planners need to decide how to connect safely. The complete text of Ms. Israelski's comments follow:

Each application for development requires careful scrutiny that we use the New Zoning laws to mitigate the effects of development. Our new town Zoning Law requires that the higher density areas provide greater amenities to the community. Hambletonian Park is one of the planned high density communities. The new development will join a pre-existing community.

Since our zoning requires amenities, the following is a list quoted from Town of Goshen §97-15:

Requirements:

1. Public Water and sewer
2. 50% open space of which 20% must be accessible to the general public which may include public greens, parks trails. This implies improvements may be given.
3. Land for common buildings and recreational facilities.

So now that we have requirements for high density what does Hambletonian Park really need?

1. From my observations Hambletonian Park needs an improved water source and infrastructure. This coincides with the requirement of Public Water and sewer allowed only if "withdrawal will not adversely affect water quality or quantity. This development and all other Hamlet developments should go the extra effort to make their water systems operate to benefit to the preexisting

systems thus mitigating the effect of this new development on water conditions.

2. 20% of the open space must be accessible to the general public. Part of this should either improved trails connecting neighborhoods or public greens where it would be practical for new and old neighbors to meet. It would be beneficial to the entire community if while the developer was there they could cleanup some existing water ways and ponds that were once part of the same development.
3. Our Zoning states that the Hamlets must follow The Hamlet Design Guidelines and follow the concepts from The Charter for New Urbanism. Developers must show that the character their development follows the concepts outlined in our charters. If the developer can not show this in their plan hamlet density calculations must not be allowed. Although I realize this is just a conceptual drawing and not detailed in any way I must comment of what has been presented:
  - a. Our design guidelines require focal and gathering places and there are none specifically located in your Alternative Subdivision revised dated April 6, 2006. The street design does not depict the essence of Hamlet design. This can be partly be accomplished if the views of entrances are terminated with special features. Rabbit run, for example, should terminate with a large village green with park benches and a gathering area such as a monument or low maintenance pavilion/structure/ garden, or raised garden platform surrounded by Belgium block. This village green should have appealing character as a place people would want to visit and gather.
  - b. Tree lined streets are shown in both our design guidelines but I do not see this design on the revision.

The Conservation areas planned for this neighborhood must be provided to give not only the conservation but have a dual purpose to mitigate the impact on privacy for the preexisting homeowners whose land back up to the new development. If trees are not present than some buffer should be considered. At the very least visual buffers must be installed where proposed water basins are planned.

The thru streets are a bone of contention here. I do not live in this neighborhood and so many of you do. The county has recommended 2 thru streets. The Towns Planners and all of the Hamlet design guidelines call for interconnectivity. But our guidelines also place a heavy emphasis and requirement pedestrian

interconnectivity. Pedestrian trails that are improved should be used to access Arthur Place and Bridal Path. I see our beloved joggers and bicyclist in lanes of traffic each time I travel on Craigville Road. I therefore think it is of utmost importance that improved pedestrian access be given to interconnect our neighborhoods so that we can achieve healthily and safe living and lifestyles. Other than that I leave it up to the planners to determine which streets can safely connect and cause the least amount of stress to the community.

Mr. Myruski agrees with Ms. Israelski. Ms. Cleaver also agrees, but notes that pedestrian access, especially to Craigville Park is important. Mr. Lupinski has no comment.

Mr. Bergus explained that he works for the County DOH and has been involved with the water system in the Park. He has stepped away somewhat since joining this Board, however he does have input. Regarding the water issue and the ability to fight fires, there are guidelines that must be met. The standards are very rigorous. The water system has to be able to meet peak demands even with the best well out of service. Also, because of the higher density proposed, they will have more stringent requirements to meet. The subdivision will have to go to the County for approval and they will also have to go for approval of the density. This project will not be “pushed through”.

VOTE By Proper MOTION, made by Mr. Bergus, seconded by Ms. Israelski, the Planning Board of the Town of Goshen hereby closes the Public Hearing on the Hambletonian Park project, Section F. Passed unanimously.

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

The Chairman called for a motion for neg dec under NY SEQRA on the Hambletonian Project. There being no second the Chairman called for a motion for a positive declaration under NY SEQRA, which will require a DEIS.

VOTE By Proper MOTION, made by Mr. Bergus, seconded by Ms. Israelski, the Planning Board of the Town of Goshen hereby declares that the Hambletonian Park project, Section F. will have a positive impact on the environment under NY SEQRA and thus requires the preparation of a DEIS.

Upon polling of the members as follows:

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

The resolution is passed by a vote of 4 in favor and 2 against. Mr. Andrews is absent.

**IV. AGENDA ITEMS**

**Maplewood ( Salesian Village) 8-1-48** - 94 acres, Hamlet residential and open space subdivision in the HR & RU zone with an AQ6, scenic road, and stream corridor overlay. **Board member comments on scoping document.**

Ms. Israelski submitted comments via e-mail for the last meeting (see file) and has photos of hamlets to submit tonight. She also requests architectural renderings. Mr. Bergus has the following comments: 1) description of the market place area; 2) subdivision approval is needed from the DOH; 3) applicant may need to describe phasing regarding the infrastructure. Applicant should also consider the viewpoint for any on-site water storage tank and the tank should be sized for fire fighting needs. There is an on-site sewage system shown, but there should be an option to tie in with the Village treatment plant. The report refers to studying the area for other development growth, but there should be more concern shown regarding traffic. The applicant speaks of “significant” in regard to mitigation, but there should be a definition for what is considered significant.

**V. OTHER**

Mr. Halloran stated that the DEIS for Heritage Estates is in for review. The members need to give this a “hard look”. Ms. Roth noted that they only have 30 days to issue comments.

The members agree that the May 18 meeting should again be held at the Senior Center.

**Upcoming Public Hearing scheduled for May 4, 2006**

**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.

**Upcoming Public Hearing scheduled for May 18, 2006**

**Maplewood ( Salesian Village) 8-1-48** - 94 acres, Hamlet residential and open space subdivision in the HR & RU zone with an AQ6, scenic road, and stream corridor overlay. **Public scoping hearing (L&T) (RG)**

**BMJB Enterprises, Inc. - 22-1-37.2, 17 acres**, located at 1033 Pulaski Hwy, in the AI zone with an AQ3 overlay & a scenic road corridor overlay. **Special use permit. (RG) (Continued Public Hearing)**

**Upcoming Walks scheduled for April 27, 2006**

**Pellegrino - 8-1-8.11 & 8.12 - 56 +/- total acres**, located on Knoell Rd, in the RU zone with an AQ3, AQ6, stream & reservoir, and scenic road corridor overlays. **Sketch plan for 7 lot subdivision \*\*\*need completed application and additional copies (MJS**

Adjournment: The meeting adjourned at 9:45pm upon motion made by Ms. Cleaver, seconded by Mr. Myruski.

Ralph Huddleston, Chairman

Notes Prepared by Linda P. Doolittle