



parking in the rear as well as lighting. The applicant will add some blacktop in the rear and a concrete walkway. At the PB's request some ivy will be planted along the front wall and flower beds would be created at the entrance. No changes will be made to the septic and well.

Ms. Judy Flynn, 6 Gibson Rd. expressed concern regarding the change in use as this a residential area. Mr. Halloran explained that this is a permitted use in the area as long as it is under 5000 sq. ft. Ms. Daly noted that as a special use designation it is allowed. Ms. Flynn stated that she did not object in general but was concerned that other businesses would follow. Ms. Israelski noted that businesses under 5000 sq. ft are allowed on State and County roads. It would not be permitted on Gibson Rd.

Ms. Flynn also asked about the sign guidelines. Mr. Bossley replied that it will be an attractive sign, designed by Clay Boone. He also stated that this is not a heavy traffic business and cars would be parked in the rear and would not be very visible from the road.

Ms. Cleaver stated that the downward directed lighting on the sign is appropriate and asked if the parking lot will also be directed downward. Mr. Bossley responded that it has already been installed and is aimed downward. Mr. Bergus asked if the lighting would be on all night. Mr. Bossley stated he could put them on a timer. Mr. Andrews asked that they go off at 10 pm and not be lit on Sundays. Mr. Bossley agreed with the 10 pm time, but was not sure if he could install a timer that would keep them off on Sunday, but he will comply with this request if possible.

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

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

Mr. Henry asked that the sign detail also show some construction details, how will it be anchored and the electrical service. Also, a note needs to be placed on the plan regarding the timer. Mr. Andrews asked if the sign could be smaller in order to alleviate the neighbors' concerns Mr. Bossley agreed to bring it in 6" on each side. It is noted that the temporary sign is white, which makes it appear larger. The actual sign will be burgundy in color with tan trim and gold lettering.

VOTE By Proper MOTION, made by Ms. Cleaver, seconded by Mr. Myruski, the Planning Board of the Town of Goshen hereby declares that the application of Bossley will have no significant impact on the environment under NY SEQRA. Passed unanimously.

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

VOTE By Proper MOTION, made by Ms. Cleaver, seconded by Mr. Bergus, the Planning Board of the Town of Goshen hereby accepts the resolution, as prepared by the attorney, granting conditional approval to the Bossley application subject to fulfillment of the conditions as stated in the following resolution. Passed unanimously.

**TOWN OF GOSHEN  
PLANNING BOARD  
RESOLUTION GRANTING  
SPECIAL PERMIT APPROVAL  
BOSSLEY**

**WHEREAS**, an application has been made to the Town of Goshen Planning Board for a Special Permit on a 1.098 acre parcel of land located at 99 Route 17A, Town of Goshen Tax Map Section 13, Block 1, Lot 33.22; and

**WHEREAS**, on May 19, 2005, the Planning Board conducted a duly noticed public hearing to consider comments from the public; and

**WHEREAS**, the Planning Board conducted an Environmental Review, which included a Short Form EAF; and

**WHEREAS**, on May 19, 2005, the Town of Goshen Planning Board adopted a SEQR Negative Declaration determining that there were no significant impacts associated with development of this site which have not been mitigated by project design; and

**WHEREAS**, on May 19, 2005, the Town of Goshen Planning Board considered comments received from the Orange County Department of Planning with regard to the proposed sign for the property and was satisfied that applicants have modified their signage to comply with the County's comments; and

**WHEREAS**, based upon its review, the Board has determined the following:

- The use complies with all requirements of the land use district, overlay district and all other local laws;
- There will be no excessive off-premises noise, dust, odors, solid waste or glare or any public or private nuisances;
- The use will not cause significant traffic congestion, impair pedestrian safety, or overload existing roads;
- The property is accessible to fire, police and other emergency vehicles;
- The use will not overload any public water, drainage, or sewer system, or any municipal facility;
- The use will not degrade any watercourse or other natural resource or ecosystem or degrade the water quality or quantity of an aquifer;
- The use is suitable for the property on which it is proposed;
- The use is compatible to surrounding uses and has been conditioned if required to protect the natural, historic, and scenic resources of the town;
- The use is consistent with the goal of avoiding strip commercial development and buffering nonresidential uses that are incompatible with residential uses;
- The use will not adversely affect the availability of affordable housing in the town;
- The use and site plan comply with criteria set forth in 97-75D (Criteria for Site Plan review); and
- The use will have no greater overall off-site impact than would full development of the property with uses permitted by right, considering all relevant environmental, social and economic impacts.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town of Goshen Planning Board finds that the applicant has submitted all applicable materials and met all applicable requirements as set forth in the Zoning Code of the Town of Goshen and hereby grants conditional special permit approval to Rick Bossley subject to the conditions set forth in this resolution:

- a. The map shall include details regarding construction and installation of sign;
- b. Sign lights will be turned off at 10:00 p.m. from Monday through Friday and will remain off on Saturdays and Sundays.

Motion made by Ms. Cleaver seconded by Mr. Bergus. Vote of 6 ayes and 0 nays whereupon the resolution was declared adopted by the Town of Goshen Planning Board.

Dated: May 19, 2005  
Filed in the Town Clerk's Office on May 23, 2005

**Slesinski - 19-1-121**, small scale 2 lot subdivision located off of Chestnut Lane in the RU zone, with a AQ3 overlay.

Present for the applicant: Bob Marshall

Mr. Halloran reported that the applicant has received the necessary variances from the ZBA regarding the size of the lot. Mr. Marshall stated that the applicant is proposing to cut off a 2-acre parcel from the main property to give to the daughter. This is the last road in Sawyer's Peak. The parcel will have its own well and septic. The soil testing has been performed and witnessed by the Town Engineer. The road design presented was suggested by the Highway Superintendent. There is a 50' r.o.w. that stops at the end of the property. The r.o.w. is only across the front of the property. The entrance is off of Chestnut. It was asked if the r.o.w. could eventually go to Cross Rd. Mr. Marshall explained that this would not happen. The applicant hopes to enter the TDR program as he does not want the balance of the farm developed. There would be no reason to extend the "T".

Ms. Israelski asked if the driveway location could be changed as it is unattractive. Mr. Marshall replied that Mr. Andryshak asked that it be set to the side so that snow plowing would be easier. They are trying to avoid the possibility of "plowing in" the homeowner. Mr. Andrews asked that Mr. Andryshak put this in writing for the file. Mr. Henry noted that this is the only logical plan. The "T" was created by a prior action and it cannot be removed at this time.

Mr. Marshall also explained that Chestnut Lane has been offered for dedication to the town and is nearly ready for acceptance.

VOTE By Proper MOTION, made by Ms. Cleaver, seconded by Mr. Bergus, the Planning Board of the Town of Goshen hereby closes the Public Hearing in regard to Slesinski. Passed unanimously.

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

Mr. Henry has some minor technical items that need to be addressed on the plan. Also, the deed description for the 50' r.o.w. needs to be provided for review by the Attorney. This also needs to be identified on the plan. Ms. Cleaver asked that they preserve as many of the existing trees as possible. Mr. Andrews asked that a note be placed on the plan establishing the limits of disturbance. Mr. Henry stated that a conditional approval could be granted or this could be put off until all the documents are finished. The Board was polled in this regard.

Mr. Andrews	Wait 2 weeks
Mr. Bergus	grant conditional approval
Ms. Cleaver	grant conditional approval
Ms. Israelski	grant conditional approval
Mr. Lupinski	grant conditional approval
Mr. Myruski	Wait 2 weeks

VOTE By Proper MOTION, made by Ms. Cleaver, seconded by Mr. Lupinski, the Planning Board of the Town of Goshen hereby grants a conditional final approval for the Slesinski subdivision per the following resolution:

**TOWN OF GOSHEN  
PLANNING BOARD  
RESOLUTION GRANTING  
CONDITIONAL SUBDIVISION APPROVAL  
SLESINSKI FARMS – Michael and Marie Panzer**

**WHEREAS**, an application has been made to the Town of Goshen Planning Board for small scale subdivision approval on a 104 acre parcel of land located at Cross Road and Chestnut Lane, Goshen Tax Map Section 19, Block 2, Lot 121; and

**WHEREAS**, the Applicants, as requested by the Building and Zoning Department, applied for and received an Area Variance from the Town of Goshen ZBA; and

**WHEREAS**, on May 19, 2005, the Planning Board conducted a duly noticed public hearing to consider comments from the public; and

**WHEREAS**, the Planning Board conducted an Environmental Review, which included a Short Form EAF; and

**WHEREAS**, on May 19, 2005, the Town of Goshen Planning Board adopted a SEQR Negative Declaration determining that there were no significant impacts associated with development of this site which have not been mitigated by project design; and

**WHEREAS**, the Planning Board has determined that the subdivision shall create an additional need for recreational facilities and there is no land appropriate at the site to be set aside for such recreational use;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town of Goshen Planning Board finds that the applicant has submitted all applicable materials, and met all applicable requirements as set forth in the Zoning Code and Subdivision Regulations of the Town of Goshen and hereby grants conditional final subdivision approval to Michael and Marie Panzer subject to the conditions set forth in this resolution:

- A. Payment of all fees including recreation fees in the amount of \$3,000;
- B. Review and approval of deed description for 50' Right of Way;
- C. Note limits of disturbance on plans; and
- D. Additional technical corrections and/or details on map and plan which shall be supplied to applicant by Joseph Henry, Dufrense and Henry, P.E.

Motion made by Ms. Cleaver seconded by Mr. Lupinski. Vote of 6 ayes and 0 nays whereupon the resolution was declared adopted by the Town of Goshen Planning Board.

Dated: May 19, 2005  
Filed in the Town Clerk's Office on May 23, 2005

### **III. AGENDA ITEMS**

**Goshen Associates – 10-1-44.2, 3.9 acres**, for a minor subdivision for conservation analysis located on Old Minisink Trail and Fletcher Street in a RU zone with AQ 6 overlay.

Present for the applicant: Dawn Benedict  
John Shafran

Mr. Halloran reported that the Public Hearing has been closed and an updated version of the Conservation Analysis has been presented. Ms. Benedict stated that 50% of each subject parcel would be set aside for a conservation easement. The plans now indicate the split rail fence, which will establish a boundary for the easement. Notes have been added to the plan indicating the split rail fence, a statement that no structure can be erected in the conservation easement and that the area of the easement will remain unaltered. The limits of disturbance are also indicated.

They have indicated that the new street trees will be pin oaks rather than pear trees as they are more salt resistant. Ms. Benedict noted that they will only plant street trees where they are needed as there are some existing trees. Ms. Israelski asked that they keep the trees on the left front corner and along the front. Mr. Henry noted that there can be no trees where the utilities enter the property and of

course, they may have to be removed if they interfere with the driveways. The grading plans and elevations have been submitted.

Mr. Shafran submitted some pictures of the type of homes he plans to build. They will have walk out basements. Ms. Cleaver stated that she and Ms. Israelski walked the site and noted that there appears to be some wetlands. It was agreed that they are within the conservation area and the fence is being provided to safeguard this area. Mr. Shafran noted that they did a drainage plan to alleviate Ms. DePalma’s concerns. Mr. Henry will review this plan.

Ms. Israelski asked that a note be added to the plan stating that the will remove the scrub and dead trees and keep what can be saved. They will keep the trees on the left and replace and plant pin oaks where needed as long as they do not impact the driveways or the utilities. Mr. Henry advised the applicant that they may need to ask for a bond for road work. Ms. Benedict suggested they come to the staff meeting next week to work out any remaining details and then they can be on the June 2 agenda for approval.

VOTE By Proper MOTION, made by Mr. Myruski, seconded by Mr. Bergus, the Planning Board of the Town of Goshen hereby rescinds the Conservation Analysis adopted on 4/21/05 to adopt the revised Conservation Analysis dated 5/19/05 and presented below. Passed unanimously.

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

**CONSERVATION ANALYSIS FINDINGS  
TOWN OF GOSHEN**

NAME OF PROJECT: Goshen Associates/Fletcher Street  
S/B/L: 10-1-44.2

DATE: May 19, 2005

RESOLUTION TO APPROVE THE “CONSERVATION ANALYSIS” FOR GOSHEN ASSOCIATES/FLETCHER STREET:

WHEREAS, the Planning Board’s professional staff conducted a site walk and examined aerial photography of the property, confirming natural and cultural resources on the subject property.



Mr. Halloran reported that at the last meeting discussion was held regarding the posting of a bond in order to allow the applicant to commence site work. Mr. Henry has developed a figure of \$80,000 plus inspection fees of \$4,000. Ms. Israelski asked what is included in the bond amount. Mr. Henry replied that it includes the following:

- 1) Restoration of the site to it's current status
- 2) Abandonment of any wells
- 3) Capping of the C&D area.

The bond will be in the form of an irrevocable letter of credit or cash. Mr. Roberts asked what the time frame would be for final approval. Mr. Henry suggested that this bond be released when the final approval is granted.

VOTE By Proper MOTION, made by Mr. Andrews, seconded by Ms. Cleaver, the Planning Board of the Town of Goshen hereby accepts the bond amount of \$80,000 for approval per the following resolution. Passed unanimously.

**TOWN OF GOSHEN  
PLANNING BOARD  
RESOLUTION GRANTING  
CONDITIONAL SITE PLAN APPROVAL  
MATCHPOINT SPORTS**

**WHEREAS**, an application has been made to the Town of Goshen Planning Board for site plan approval to construct a 73,790 square foot indoor recreation facility and outdoor recreation facilities including a pool and tennis courts on a 10.1 acre parcel of land located between Route 17M and Route 17, west of Arcadia Road, Town of Goshen Tax Map Section 11, Block 1, Lot 25.22; and

**WHEREAS**, on November 18, 2004, the Planning Board conducted a duly notice public hearing to consider comments from the public; and

**WHEREAS**, the Planning Board conducted an Environmental Review, which included a Full EAF and several additional plans, reports and documentation, which are recited in the Resolution of Conditional Negative Declaration, which is also attached and incorporated into this resolution as if fully stated herein; and

**WHEREAS**, on February 19, 2004, the Town of Goshen Planning Board adopted the above referenced SEQR Conditional Negative Declaration determining that there were no significant impacts associated with development of this site which have not been mitigated by project design; and

**WHEREAS**, on March 17, 2005, the Planning Board, by resolution determined that modification reducing the scope of the project would not result in any significant environmental impact that would necessitate a revocation of the prior conditional negative declaration;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town of Goshen Planning Board finds that the applicant has submitted all applicable materials, and met all applicable requirements as set forth in the Zoning Code of the Town of Goshen and hereby grants conditional final site plan approval to the Matchpoint Sports subject to the conditions set forth in this resolution and contained in the SEQR Conditional Negative Declaration:

- A. Place a note on map acknowledging that +/- 0.04 acres of federal wetlands have been disturbed and any further disturbance will require submission to the US Army Corp of Engineers;
- B. Obtain all required permits from Orange County Department of Health, NYS Department of Transportation, and NYS Department of Environmental Conservation; and

BE IT FURTHER RESOLVED that the applicant may immediately commence certain drainage improvements to the site upon submission of letter of credit or cash for \$80,000 to secure the proposed reclamation to the site, if the project were abandoned.

Motion made by Ms. Cleaver seconded by Mr. Andrews. Vote of 6 ayes and 0 nays whereupon the resolution was declared adopted by the Town of Goshen Planning Board.

Dated: May 19, 2005

Filed in the Town Clerk's Office on May 23, 2005.

**Dysinger Excavation 24-1-63.2** - for special use permit 97-13 C(3) for storage of non farm equipment and (7) repair garages for non farm related vehicles. Located on Pulaski Highway and Big Island Road in the AI zoning with an AQ3 overlay.

Present for the applicant: Karen Emmerich

Mr. Halloran stated that the septic design and well location information has been submitted. The applicant is ready for a Public Hearing for conditional use as a non-farming use.

VOTE By Proper MOTION, made by Mr. Andrews, seconded by Ms. Cleaver, the Planning Board of the Town of Goshen hereby sets a Public Hearing for the Dysinger Excavation application for the next meeting on June 2, 2005. Passed unanimously.

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

**Lands of NOP - 18-1-44.2**, located on Reservoir Road and Scolza Terrace, in the RU zone with an AQ3 & stream corridor overlay.

Present for the applicant: Kirk Rother

Mr. Halloran explained that the Conservation Analysis has been approved. A question was raised regarding a connecting road to the adjoining project. Mr. Henry explained that, in the past, it was suggested that a district be created whereby if a road were to be built, those in the district would be assessed for the installation of the road if it were completed. To his knowledge this has not been done. Mr. Andrews asked that the exact documentation of this agreement be reviewed. Mr. Halloran will co-ordinate this research with the attorneys involved.

Mr. Rother stated that at the consultants' work shop questions arose regarding the cul de sacs on the plan. There are 5 lots on one cul de sac and 4 on another. They are considering changing the one with the 4 lots to two flag lots with shared driveways. He asks the Board's opinion on this choice. Ms. Israelski asked which would create the least impervious surface. Mr. Henry also noted that the cul de sac is too large. It should be downsized from 100' diameter to 80'. Mr. Andrews and Mr. Myruski expressed concern over the use of common driveways. Too often disagreements evolve making maintenance difficult.

Ms. Cleaver asked if they could have a cul de sac with grass in the center, making it more attractive. Low growing shrubs and/or the use of pavers was also suggested for the center. Mr. Rother stated he prefers the cul de sac design as it creates more of a community setting, however the Highway Superintendent does not favor cul de sacs as they are difficult to plow. Mr. Lupinski asked who would maintain them if there are plantings/grass in the center. Also, they would have to be the larger diameter if there are plantings in the center. Ms. Israelski asked if it could be deeded to one homeowner for maintenance and Ms. Cleaver asked if it could be part of the storm water maintenance plan.

Ms. Israelski suggested this be presented to the Town Board as the Town might have to maintain the area. Mr. Myruski noted that the applicant could consider putting in plantings that are low to no maintenance and are deer and salt resistant. Mr. Lupinski stated that flag lots might be easier in the long run if a maintenance agreement can be set up in the beginning. The Chairman polled the Board on their feelings for cul de sacs or flag lots.

Mr. Andrews	flag lots
Mr. Bergus	cul de sac
Ms. Cleaver	cul de sac
Ms. Israelski	cul de sac
Mr. Lupinski	flag lots
Mr. Myruski	cul de sac

Mr. Rother stated that at this point, he needs to know if it is okay to proceed with the sketch plan as presented. He is ready to submit the project to the DOH. Mr. Henry suggested a combination of green and pavers in the cul de sacs. Mr. Henry does not have to review the test wells, but the building department will need the information on the tests. Ms. Cleaver asked the applicant receive permits before any well drilling begins. A NOI should be sent to the State and they should contact the ACOE to see if they need a permit. Mr. Rother noted that they do have a JD letter from the ACOE. Mr. Halloran stated that the EAF was received on 11/23/04 and he will be sure copies are sent to everyone. Lead Agency will be considered at the next meeting.

**Schuster - 15-1-18.1** - small scale subdivision located on Arcadia Road in a RU district with an AQ3 overlay.

Present for the applicant: Robert Osterhout

Mr. Halloran stated that they closed the Public Hearing on 11/17/04 and issued a neg dec. The septic system has been reviewed. Mr. Henry has some minor items to be addressed. The applicant should use concrete monuments, check on discrepancies in the metes and bounds descriptions and submit the deed description for the 25' r.o.w. on Arcadia Rd. for the attorney's review.

Ms. Cleaver asked if trees would be planted. Mr. Henry noted that there would be no changes to the site. If they were installing a new road then tree plantings would be required. There is no road within this subdivision.

VOTE By Proper MOTION, made by Mr. Myruski, seconded by Ms. Cleaver, the Planning Board of the Town of Goshen hereby grants conditional approval to the Shuster subdivision application per the following resolution. Passed unanimously

**TOWN OF GOSHEN  
PLANNING BOARD  
RESOLUTION GRANTING  
CONDITIONAL SUBDIVISION APPROVAL  
SCHUSTER**

**WHEREAS**, an application has been made to the Town of Goshen Planning Board for small scale subdivision approval on a 47.656 acre parcel of land located on Arcadia Road, Town of Goshen, Goshen Tax Map Section 15, Block 1, Lot 18.1; and

**WHEREAS**, on 2/17/05, the Planning Board conducted a duly notice public hearing to consider comments from the public; and

**WHEREAS**, the Planning Board conducted an Environmental Review, which included a Full EAF; and

**WHEREAS**, on 2/17/05, 2005, the Town of Goshen Planning Board adopted a SEQR Negative Declaration determining that there were no significant impacts associated with development of this site which have not been mitigated by project design; and

**WHEREAS**, the Planning Board has determined that the subdivision shall create an additional need for recreational facilities and there is no land appropriate at the site to be set aside for such recreational use;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town of Goshen Planning Board finds that the applicant has submitted all applicable materials, and met all applicable requirements as set forth in the Zoning Code and Subdivision Regulations of the Town of Goshen and hereby grants conditional final subdivision approval to Schuster Arcadia subject to the conditions set forth in this resolution:

- A. Payment of all fees including recreation fees in the amount of \$3,000;
- B. Modify plan to use concrete monuments on all property corners;
- C. Review and approval of deed descriptions for ROW; and
- D. Minor technical amendments which shall be forwarded to applicant by Joe Henry, Town Engineer.

Motion made by Mr. Myruski seconded by Ms. Cleaver. Vote of 6 ayes and 0 nays whereupon the resolution was declared adopted by the Town of Goshen Planning Board.

Dated: May 19, 2005

Filed in the Town Clerk's Office on May 23, 2005.

**Hot Diggity Dog - 18-2-11**, located on Rte 17A, in the HR zone, with an AQ3 overlay, site plan approval.

Present for the applicant: Mr. & Mrs. Sullivan  
Donald Karas

Mr. Halloran explained that this Hot Dot Wagon has been sitting in the area of Mr. Karas' barn for several years as a peddler. They originally obtained a license, but failed to renew for the last couple of years. It is the Town Board's position that if a peddler/vendor is on private property, access, parking and sanitary facilities etc. must be reviewed. It is noted that other peddlers use the property on occasion. Mr. Myruski asked if they are issued a permit would it be for one year or forever for that property. Mr. Halloran stated that the owner could have others on the property.

Ms. Daly noted that the application before this board is not signed by the landowner. This application should be coming from the landowner and should state all possible other uses. Mr. Myruski pointed out that this would be in the landowners' best interests and once the proper approvals are obtained, it would be good for any vendors he wanted to have. It is noted that the other vendors come and go, while this hot dog stand is there 24/7 all year. Ms. Sullivan noted that they do have it cleaned at a commissary in accordance with Department of Health regulations.

Mr. Andrews asked what the Town Code states. Mr. Halloran read from §73 of the Town code. The Town Board feels that once this type of operation is on private property, the Town must have certain controls, especially for safety concerns.

Mr. Sullivan explained that he removes the garbage daily and the septic is drained on a weekly basis. The sanitary facilities are for the workers only. Mr. Henry has placed a call to the DOT for their opinion, as there are no curbs or declared ingress and egress. Mr. Andrews asked how many people come each day. Ms. Sullivan stated that there are probably 6 – 8 cars at their busiest time, between 12 and 1 pm. Ms. Daly and Mr. Henry concur that a site plan will be required and it must be submitted by the landowner. Mr. Sullivan asked if he has spent his

money on this site plan for nothing. Ms. Israelski asked if they could use the documentation the applicant has provided so far and just change it to Mr. Karas' name. It is agreed that they could submit an amended application. Mr. Karas stated that he wants to do the right thing.

Councilman Bloomfield explained that the Town Board had discussed this situation and they feel the Building Inspector and Planning Board need to be involved so that everyone can know who is selling on the property. He also asked the PB if public review is necessary. Mr. Sullivan stated that he has been out of business for a month and needs some answers. Ms. Daly suggested the applicant and Mr. Karas come in for the consultants work shop on May 26 to try to resolve the problem. Ms. Cleaver stated that the ERB had several comments. These will be addressed at the consultants meeting. Mr. Myruski asked that this be resolved as quickly as possible.

**Goshen Humane - 13-1-1**, located on Police Drive, in the HC zone, with an AQ6 overlay.

No one is present for the applicant. Mr. Halloran explained that this is a volunteer organization and they have asked if they can put a sign at the bottom of the police station sign.

After discussion, the PB agrees that this is a sign application and it should be treated as any other applicant would be. The TB can decide to waive the fee since it is a volunteer organization if they wish.

**Reiger - 9-1-8.452** - 360.9 acres located on Craigville Rd in the RU district with an AQ3 & AQ6 overlay with a scenic Road corridor overlay.

Present for the applicant: Steve Esposito

Mr. Trelstad has prepared a Conservation Analysis, which was submitted this evening. The Board would like further opportunity to review the document as this is the first they have seen it and this site is heavily wooded. There will be many features that they will want to see preserved.

Mr. Esposito stated that they are presenting a clustering concept to enable them to save much of the forest. Lengthy discussion followed on the best means to identify the trees that should be saved as there are many large healthy mature trees on the land. Mr. Andrews suggested that an expert in the field, i.e., a trained forester, be brought in to study which trees should be kept.

Ms. Cleaver stated that when she walked the site she found some items that are not on the plan. There is a stream near Pleasant Ridge Run that needs to be noted. There also appear to be numerous wetland areas that are not shown. Mr. Esposito stated that they have been delineated by the state. Ms. Cleaver stated that she saw very few flags when she was there. Mr. Esposito will check into this. Ms. Cleaver also noted that there are several stonewalls that are not mapped. The applicant plans to provide an aerial view. Ms. Israelski would like to see a real inventory as she feels the aerial will not be adequate. Ms. Cleaver also asked if there are any endangered species and what would happen to their habitats. Mr. Henry noted that this is normally discussed in the EAF.

This Conservation Analysis will be discussed further at the consultants workshop. The endangered species issues will also be researched further.

**Ashford - 9-1-4**, 51 acres located on Hambletonian Ave in the RU zone, with an AQ3 overlay.

Present for the applicant: Steve Esposito

Mr. Trelstad has prepared a Conservation Analysis, which is submitted this evening. This project consists of 54 acres in the Town of Chester and 51 acres in the Town of Goshen.

Mr. Esposito explained that there will be limited access to the site. The entrance will be off Hambletonian Ave. in Chester. There will be a single cul de sac through the Chester portion for the 21 lots and a private road through the balance of the area in Goshen. There will be a HOA established for the 11 lots in Goshen, which will control the maintenance of the road. This project has been presented to the Chester Planning Board and the Chester School Board. The school needs more sports fields and there is a 12 acre area that is contiguous to the existing fields, which the applicant will donate to the school district. The applicant did try to obtain a r.o.w. through Broadlea but has been unsuccessful.

Mr. Lupinski asked if the HOA could contract with the Town of Chester for road maintenance for the private road if it was built to Chester specs. Mr. Andrews noted that there are often problems with homeowners contributing for road maintenance. It would be preferable if an agreement could be worked out with Chester.

Mr. Bergus noted that the perc and deep pit tests have been done, but could the applicant please number them on the plan. Ms. Israelski asked if there would be any room for parking for the Heritage Trail in the Chester portion. Mr. Esposito stated that they are considering this, but they are looking at areas in other

developments that might be in a better position. Ms. Israelski expressed concern regarding screening from the Heritage Trail. Mr. Esposito noted that they have shown the limits of clearing and they could put some type of covenant between the homes and the Trail.

Mr. Henry asked if it would be possible to provide a r.o.w. to Broadlea in case that property ever changes hands. Yes, this would be possible. Ms. Cleaver noted that there are some beautiful trees and some stone walls along the old farm trail that need to be saved. Mr. Esposito noted that there is no disturbance planned for that area. There will be a restrictive covenant on this area. Ms. Cleaver also asked that the applicant mark (flag) the trees in some way. Ms. Israelski asked who owns the small landlocked lots adjacent to the parcel. One is owned by the Town of Chester for the Surrey Meadows water tower. Mr. Esposito will check on the other.

Ms. Daly stated that they have received a notice from Chester that they wish to be lead agency on this project. She suggests that this would be appropriate if an EIS is prepared and Goshen would then be on the list to receive all documentation. She would like to see a more formal means of review for Goshen. She also suggested periodic coordinated workshops. Mr. Esposito stated that the applicant has been working with the Chester Planning Board and feels that they would not be inclined to issue a pos dec. He explained that Goshen is still a granting authority so they will be notified of all steps in the process. Chester feels they should be lead agency as the access road is in Chester and it is in their school district. They also will be more units in Chester.

Ms. Daly asked that this Board give her firm the authority to call the Town of Chester to initiate a coordinated review that will give us the appropriate control. Mr. Esposito explained how he has handled this type of problem in the past. Each municipality receives copies of all materials at the same time and one representative of the other community attends all the board meetings and the consultants are in touch with each other. Mr. Myruski noted that Goshen Planning Board is in control of the lots in their portion. He also feels that Chester has more to gain or loose. The Chairman polled the Board on the issue of Chester being lead agency.

Mr. Andrews	In favor of Chester
Mr. Bergus	In favor of Chester
Ms. Cleaver	In favor of Goshen
Mr. Lupinski	In favor of Chester
Mr. Myruski	In favor of Chester

Ms. Daly explained that there is no need to act on this request, as Chester would become lead by default. She will call Chester's attorney (Mr. Donovan) to coordinate the process. Since, the Conservation Analysis was just submitted tonight, the members will review the document and act on it at the next meeting.

**Persoon - 17-1-4 & 36**, 67.50 acres located on Maple Avenue, Winners Circle and Breezeway Lane in the RU Zone with an AQ3 & scenic overlays, sketch plan -special use permit for TDR.

Present for the applicant: Steve Esposito

Mr. Halloran stated that it is now necessary to decide if the EAF is complete. In a letter dated May 4, 2005, Mr. Henry noted some items that need to be addressed. Therefore, the EAF is not complete at this time.

Ms. Cleaver asked if the utilities for lots 1-5 would be underground. Yes they will be. Ms. Israelski asked if they are proposing a pedestrian access, using the old farm road in the rear of the homes. She would like to see access to the interior portion of the neighborhoods. Mr. Esposito asked what type of road is being requested. She stated that it could just be a r.o.w. It could be just grass, but it should be marked. She feels that some sort of sign is needed so that people would know they could use the path. Mr. Esposito stated they would have to grant an easement and they could put up a small sign.

Mr. Esposito also stated that the applicant is in the process of having the large open space appraised with the intent to convey it to someone else, i.e., TDRs. Ms. Israelski asked about the disturbance from Breezeway and Winners Circle. This area is wooded. Limits of disturbance will be put on the plans. She asked that the "T" at the end of Winners Circle be repaired. Mr. Henry stated this would be a construction detail. Mr. Esposito noted that it is unavoidable that some trees would be disturbed.

IV. EXECUTIVE SESSION

VOTE By Proper MOTION, made by Mr. Andrews, seconded by Mr. Myruski, the Planning Board of the Town of Goshen hereby adjourns to Executive Session to discuss pending litigation with no intention to return to the formal meeting.  
Passed unanimously.

Adjournment: The meeting adjourned at 11:35 pm.

Mary Israelski, Acting Chairman

Notes prepared by Linda P. Doolittle