

**DRAFT - UNAPPROVED**

**Town of Goshen  
Planning Board  
MINUTES OF THE  
REGULAR MEETING  
August 3, 2006**

**MEMBERS PRESENT**

Susan Cleaver, Acting Chairman  
Reynell Andrews  
Lee Bergus  
Ralph Huddleston (late arrival)  
Mary Israelski  
John Lupinski  
Ray Myruski

**ALSO PRESENT**

John Cappello, Attorney  
Neal Halloran, Bldg. Insp  
Joe Henry, Engineer  
Susan Roth, Planner

**I. CALL TO ORDER**

Acting Chairman Cleaver called the regular meeting of the Town of Goshen Planning Board to order at 7:30 pm at Town Hall. Ms. Israelski led the Pledge of Allegiance. .

**III. PUBLIC HEARINGS**

**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. **Special use permit for an extension of existing cell tower.**

Mr. Halloran explained that the applicant has again asked to postpone the hearing date. He has spoken with the Town's consultant and he states there has been little progress on this application.

VOTE By Proper MOTION, made by Mr. Myruski, seconded by Mr. Andrews, the Planning Board of the Town of Goshen hereby extends date for the Public Hearing for Nextel Communications to September 21, 2006. Passed unanimously

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

**IV. AGENDA ITEMS**

Ms. Cleaver amended the order of the agenda as Attorney Cappello has not arrived yet and Attorney Golden could not be present this evening.

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

Present for the applicant      Mr. Neumann

Mr. Halloran noted that the final version of the Scoping Document had been sent to the applicant. The consultants agree that all items have been included.

VOTE By Proper MOTION, made by Ms. Israelski, seconded by Mr. Myruski, the Planning Board of the Town of Goshen hereby approves the Final Scoping document for the Hambletonian application. Passed unanimously.

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

**Hendler - 10-1-56.2 & 56.3 & 56.4 - 91.1 acres** located on 6 1/2 Station Road and Cheechunk Road, in an RU& CO zone with an AQ6 and scenic road overlay, for a Planned Adult Community and 8-lot residential subdivision. **Update on status, consultants comments due by 8/10 on the DEIS**

No one is present for the applicant. Mr. Halloran stated that no action is required at this time. Ms. Israelski asked that the visual impacts of the water tower be considered in the EIS. The applicant should also address the possibility of future developments tying into this water system. Ms. Israelski also noted that there are hamlet design guidelines that address garage doors and foundations that need to be reviewed. All visual aspects should be closely studied. She would also like the density calculations closely reviewed.

Ms. Cleaver asked that Mr. Henry closely monitor the SPDES requirements and asked that the applicant address the affects of lighting on the bird sanctuary. It is also noted that under the Phase 2 Archeological Review significant artifacts are mentioned. Further clarification is needed. Ms. Roth will re-visit this study.

There were no further comments from the members.

**Owens Road / Goshen Meadows - 10-1-10.22 - 131.3+/- acres, 39 lot subdivision** located on Owens Rd in the RU zone with an AQ6, AQ3, scenic road corridor, and stream & reservoir overlay.

Present for the applicant:      Joseph Pfau

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Mr. Pfau explained that the preliminary plans have been submitted and reviewed in work session. The major issue of concern involves the storm water management. The applicant has planned for one large treatment area in the NW corner. Most of the storm water drains to that area. Mr. Pfau stated that there is a wetlands crossing at lots 6,14, 23 & 31. At the consultants' meeting, Mr. Henry suggested the applicant look into putting in 4 smaller systems on either side of the wetlands rather than crossing them. Mr. Pfau explained that they found two problems with this suggestion. The slopes in that area are in excess of 15% and the elevations themselves are problematic. They would not be able to put in an outlet unless they raised the roadway at the crossing by approximately 5', which might cause a larger disturbance to the existing wetlands. Therefore, they would like to stay with the existing plan.

Mr. Henry explained that the Town is trying to create "country roads", and not use curbing and storm drains. This current plan would create storm sewers, therefore he felt they should try to design something that will work with the site. The wetlands are a natural barrier and the applicant should try to work with the natural features of the site. This may require the applicant to move some of the lots around within the site. Mr. Pfau noted that having 4 small treatment areas may be more costly to maintain than the one large one.

Mr. Cappello reminded the members that they need to begin the SEQRA process and look at the alternatives. They can issue a pos dec or ask for an expanded Part 3 EAF. He explained that the members could ask for an expanded Part 3 and if they find it necessary, still issue a pos dec. In addition to the storm water issue, the applicant needs to review the open space area and the possibility of Town ownership for a park along the river. They will need input from the Town Board on this matter. Ms. Israelski asked for clarification of the calculations used to obtain the lot count. She also asked for review of the Conservation Analysis. Ms. Cleaver noted that the ownership of the open space needs to be established, either an HOA or a conservation district. Mr. Halloran noted that the parcel on the right of this area will be coming in for subdivision. This needs to be considered as well as the Jonas property.

The members agreed to decide on what other issues need to be studied at the Sept. 21 meeting.

VOTE By Proper MOTION, made by Mr. Myruski, seconded by Ms. Israelski, the Planning Board of the Town of Goshen hereby declares their intent to be lead agency in regard to the Owens Road/New Horizons project. Passed unanimously.

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

**New Horizons (Sunset Ridge II)- 10-1-28 - 54.2 acres**, located on Hampton Rd in the RU zone with a an AQ6 and Stream & reservoir overlay.

**Sketch Plan**

Present for the applicant: Michael Morgante

Mr. Morgante reported that the Conservation Analysis has been completed and a sketch plan has been presented. This will be an open space development with 31 lots, using community water and sewer. They will be conserving approximately 40.6 of the 54 acres. There are two main access roads. It will be a cluster development with lots of 1/4 to 1/2 acre each. There are three wetlands areas. Wetlands A is DEC; wetlands C is ACOE and wetlands B is mostly off the property.

Mr. Bergus noted that the State has not been looking favorably on developments under 50 lots for community water. The homeowners would have to sustain the burden of maintenance and this has not worked well in the past. As a private water system, it would be rejected. They should consider a municipal design. He also questioned the two outlets and the fact that they are offset from the intersections on the other side of Hampton Rd. It is suggested that the applicant consider the use of a cul de sac instead of one of the entrances.

Ms. Israelski stated that the area to be dedicated as open space may not be desirable to the Town, therefore they might not be willing to grant the density bonus. The land has to have a value to the Town. Mr. Morgante stated that if the availability of water proves out, then they could have 24 units. Mr. Halloran pointed out that the applicant could also consider TDR's or providing affordable housing.

Mr. Andrews stated that he feels the lots are too small. Ms. Cleaver agrees they are too small and some are very close to infringing on the wetlands, i.e., lots 6&7 and lots 9&12. They must be careful to keep out of the buffer during construction. Mr. Morgante stated that they have tried to follow the Town's open space guidelines. Mr. Lupinski noted that this plan is less dense than the one proposed several years ago. Mr. Morgante would like to pursue a discussion with the Town regarding the utilization of the open areas, possibly for soccer fields, walking trails, etc. There is a large flat area at the top of the property. Mr. Andrews asked how large is that flat area. It is approximately 3-5 acres. Ms. Israelski suggested the applicant contact the JRC to see what they might need.

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In summary, the applicant needs to look into the possible encroachment on the wetlands, frontage along Town Road for Lots 25 & 31, check with the JRC and review the access. Ms. Roth explained that after these items have been reviewed the Board can weigh the benefit vs. the bonus density request. Ms. Israelski also noted they should look at the ownership for any open space lands.

**Boylan - Windswept Farms - 11-1-99 - 46.4 +/- acres**, located on Old Chester Rd in the RU zone with an AQ6, stream & reservoir, and scenic Rd overlay.

### **Conservation Analysis**

No one is present for the applicant. Ms. Roth has drafted a Conservation Analysis. The consultants have walked the site. Mr. Halloran noted that the site backs up to the Heritage Trail. A site walk for the members is scheduled for Wed. 8/9 at 5pm.

**Heritage Estates - 8-1-9.22 - 249.76 +/- acres, 92 dwelling units** located on Old Chester Rd & Brookside Dr in the HR & RU zone with an AQ6, AQ3, scenic road and stream & Reservoir overlays. **Consultants comments are due. On 8/17**

### **DEIS approval**

No one is present for the applicant. Mr. Halloran explained that the Public Hearing was closed last meeting and several responses have been received. These will be forwarded to the applicant. The applicant already has copies of the transcripts from the July 6 & 20 meeting. The applicant must respond to each of these letters as well as the comments contained in the transcripts. Mr. Cappello advised that the applicant sign off on these documents when they receive them. He also advised the members to review these transcripts to be sure that everything is addressed in the FEIS when it is received.

Dr. Perry asked for clarification of the steps being taken. Mr. Cappello explained that the consultants have submitted their comments. The public has sent in letters and they are all being forwarded to the applicant. The applicant will now respond to all of these issues in the FEIS. Once that is completed, it will be discussed at a public meeting. The neighbors should chose one contact person and Mr. Halloran will advise that person when the FEIS will be available and when it will be on the agenda.

**Mangano - 11-1-33.2 -3.5 = +/- acres**, located on Rte 17M in the CO zone with an AQ3 & Scenic Road corridor overlays. **Site Plan approval for 40 x 50 pole barn. (239M sent to OC Planning on 7/27/06)**

Present for the applicant: Mr. & Mrs. Mangano

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Mr. Halloran stated that there are multiple uses on the site. The applicants live in a residence in the front of the site and there are two apartment buildings. They run a plumbing business off another 2-story building. They now wish to add a pole barn for vehicle storage (a pickup and flat bed truck). The applicant was asked to revise the drive around the building and they have done so. Ms. Israelski asked if it would be visible from the roadways. No it will not.

Mrs. Mangano explained that they would not be expanding or increasing the size of the existing buildings. The various outbuildings existed when they purchased the property. Mr. Andrews noted that the plans show that the sheds are to be removed at the same time as the pole building is constructed. Can this be made a condition of issuance of a CO. The applicant also stated that they would not be disturbing the existing tree line as it acts as a buffer from Route 17. Mr. Bergus would like to see this made a condition also. It is suggested that the applicant put a note on the map stating that the existing buffer will remain and their engineer should show the limits of this tree line on the map. Any disturbance of this buffer would be subject to PB approval.

Mr. Halloran noted that this application was sent to the County two weeks ago so the 30-day period for County comment has not yet passed. Mr. Cappello explained to the applicant that the PB couldn't act until they hear from the County or this time period passes. The applicant is advised to have these notes regarding the tree line and the removal of the sheds placed on the map and to re-submit the plans in time for the 8/17 meeting. The County should have replied by then. The applicant should contact Mr. Halloran just prior to that date to be sure that the reply has been received and that they are on the agenda.

**Orleans / Makuen - 13-1-10.1 -87.05 acres**, planned adult community located on Route 17A in the RU & CO zones with an AQ6 & scenic road corridor overlay.  
**Conservation Analysis**

Present for the applicant:      Floyd Makuen

Mr. Halloran reported that the consultants and Ms. Cleaver walked the site and have been working on the Conservation Analysis. The development will be on the back side of the ridge. There is the possibility of access from Police Dr. and Gibson Rd. The area contains a number of wetlands. Ms. Cleaver noted that the site is surrounded by industrial uses. It is zoned Commercial, however a PAC is allowed in this zone at the discretion of the Town Board. Ms. Roth noted that this plan is unique for a PAC, as they plan to have detached single-family homes. She has also proposed some design guidelines in the Conservation Analysis dealing with pedestrian walk ways, etc. It is also noted that open space will be contiguous to the JPH development. At some point they may be able to connect

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to Gibson Rd. and to 17A. Ms. Roth suggested that they should try to coordinate the three developments in this area. They should all come in to at least one meeting.

Mr. Huddleston stated that they should make their opinion known to the TB. This use is still a beneficial ratable, and will have no impact on schools. Discussion was held on whether the board can accept the Conservation Analysis based on the consultants opinion as most of the members have not visited the site.

VOTE By Proper MOTION, made by Ms. Israelski, seconded by Ms. Cleaver the Planning Board of the Town of Goshen hereby adopts the Conservation Analysis as described by the consultants. Passed unanimously.

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

**IV. OTHER**

**GARY JOB -**

Mr. Halloran explained that this conditional approval was granted some time ago. The minutes state that a neg dec was granted. However, there is no signed copy of the neg dec in the file.

VOTE By Proper MOTION, made by Mr. Bergus, seconded by Mr. Myruski, the Planning Board of the Town of Goshen hereby re-grants and confirms that prior neg dec was granted to the Job application and authorizes the chairman to sign same. Passed unanimously.

**PROPOSED MEETING WITH THE TOWN BOARD**

Mr. Halloran is requesting a joint meeting for August 17 at 6 pm. The members agree to this meeting

**IV. APPROVAL OF MINUTES**

The minutes of the June 15, were approved as corrected upon motion made by Mr. Bergus, seconded by Mr. Myruski. Ms. Israelski abstained.

The minutes of the July 6 meeting were approved upon motion made by Mr. Huddleston, seconded by Mr. Bergus. Ms. Israelski abstained.

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The minutes of the July 20 meeting were approved as corrected upon motion made by Ms. Israelski, seconded by Mr. Lupinski. Mr. Myruski abstained.

July 6, 2006 & July 20, 2006 meetings were approved with minor corrections. Ms. Israelski abstained from

Adjournment: The meeting adjourned at 9:30 upon motion made by Mr. Andrews, seconded by Ms. Cleaver.

Ralph Huddleston, Chairman

Notes prepared by Linda P. Doolittle

**Upcoming Public Hearing scheduled for August 17, 2006**

**A & L Acres 13-1-34.2 - 217.8 acres**, 49-lot subdivision located on Houston Road in the RU Zone with an AQ3 & 2 scenic road and 1 stream corridor overlay.  
**Preliminary subdivision approval (SE)**

**Upcoming Walks Tuesday August 8, 2006**

**Hamlet at Goshen -11- 1-46 & 15-1-59 - 272.78 acres**, located on Harriman Drive & Conklintown Rd in the HM & RU zone, with and AQ6, AQ3, stream & reservoir, and scenic Rd overlay.