

**Town of Goshen Planning Board
Town Hall
41 Webster Avenue
Goshen, NY 10924
September 21, 2006**

MEMBERS PRESENT

Reynell Andrews, Acting Chairman
Lee Bergus
Susan Cleaver
Mary Israelski
John Lupinski
Ray Myruski

ALSO PRESENT

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

ABSENT

Ralph Huddleston

I. CALL TO ORDER

Acting Chairman Andrews called the regular meeting of the Town of Goshen Planning Board to order at 7:30 pm at Town Hall.

II. APPROVAL OF MINUTES

The minutes of the September 7, 2006 meeting were approved as corrected upon motion made by Ms. Cleaver, seconded by Mr. Bergus.

III. Public Hearing

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. Continued public hearing**
*******Request to postpone until the October 5, 2006 agenda.**

This applicant has repeatedly asked for postponement of their public hearing. Mr. Halloran believes that the application may have changed to such a point that it may be classified as a minor request and they may not even need a public hearing. It was suggested that they consider closing the public hearing and re-noticing the project if it is necessary at a later date.

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

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

IV. AGENDA ITEMS

Kimiecik - 18-1-69 - 13.9 +/- acres, located on Fox Rd in the CO zone with and AQ3 overlay. **Sign application**

Present for the applicant: Steve Esposito

Ms. Israelski asked if the applicant is in compliance with the approval recently granted. Mr. Esposito responded that they are and, in fact, have done more than was requested. They have extended the rock walls and the sign is in compliance. He noted that the large piles of wood will be depleted shortly, as this is the season for sales of firewood. Mr. Andrews noted that the sign is an unusual design. It is a large rock and it will be embedded. There will be no lighting and the lettering will be painted/stenciled on by a professional.

VOTE By Proper MOTION, made by Mr. Myruski, seconded by Mr. Lupinski, the Planning Board of the Town of Goshen hereby approves the sign application for the Kimiecik project. Passed unanimously.

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

Dickerson - 13-1-69 - 92.90 acres, 21 lot subdivision located on Dunmore Lane in the RU zone with an AQ3, AQ6 and scenic road corridor overlay.
Possibly set public hearing for Preliminary subdivision approval October 19, 2006.

Present for the applicant: Steve Esposito

Ms. Israelski has asked to be recused from this discussion. Mr. Esposito explained that this is an application for a 20-lot subdivision. The Constraints Analysis has been done. There is a road proposed on the West side, which will extend from Gibson Rd., to the rear property line. This could provide access to Peachtree if needed. Mr. Halloran noted that this, in turn, could connect to the Orleans/Makuen project.

Ms. Roth has prepared a Part 3 outline for the applicant to prepare and present prior to the Public Hearing. The outline was reviewed. Mr. Esposito asked if the

area warrants a Phase I wildlife review. Ms. Roth suggested that the applicant describe what is on the site. Mr. Henry noted that a SWPPP has been submitted and it needs to be updated. Mr. Bergus asked if traffic needs to be discussed further. Mr. Esposito noted that they will be accessing a signalized County road. Mr. Cappello stated that they include a discussion even if there are no impacts so that the PB can prove that they did review the issue. Also, if the Makuen and JPH projects come in, there will be an impact.

Mr. Cappello suggested they prepare the Part 3 for the next staff meeting and if everything is in order a Public Hearing can be set at the Oct. 5 PB meeting.

Schonfeld subdivision - 11-1-27.2 & 96 - 47.9 acres, located on 17M in the RU zone with an AQ3 & scenic road Corridor overlay. New sketch plan

Present for the applicant: David Higgins

Mr. Halloran explained that the Conservation Analysis for the original plan was approved. However when the applicant began their soil testing, they could not obtain adequate percs. They are returning with a new sketch plan. Mr. Higgins stated that they are still proposing the same number of units. The area for the 15 single-family homes has been shifted so that the open space area increased and is now all in one area. He also noted that there was an error in the first map regarding the zoning. There is no CO zone, it is all RU.

Mr. Cappello asked if it is still consistent with the original CA. Yes, it is. Mr. Bergus asked if there would be more of a visual impact. Mr. Henry has asked Mr. Higgins to take some photographs both on and off site to try to clarify the visual impacts from the golf area and the Heritage Trail. Mr. Halloran feels that the trees will provide a sufficient buffer for most of the project.

Mr. Higgins pointed out how they changed the plan by sliding the houses further down the ridge. Ms. Israelski asked how the retention ponds would be set up and maintained. She is asking that they be visually appealing. Mr. Cappello asked that an easement for storm facility on lot 6 be set up for the Town to maintain the pond itself. The Town does not want to own the area. It should be part of the homeowner's property and merely have the easement for the Town to access the facility. He also noted that the Highway Superintendent should also be involved in this aspect, as his department will have to maintain the facility itself. The Town will form a district and charge back to the homeowners.

Mr. Lupinski asked if the units on the ridge (8-13) could be moved down somewhat. Mr. Higgins stated that he could move some of them, but there may be a problem with the septic on 12-15. He will shift these units as much as he

Mr. Halloran explained that the plan has changed. The applicant is now planning a 2300 sq. ft. addition. As this is a special use, a Public Hearing is necessary. Mr. Lisowski presented renderings of the revised plan. They will be bringing back the Tudor style to the area where the greenhouse/bar was located. The façade of the banquet hall will also be altered to reflect the Tudor style. In the rear of the banquet facility there will be a large terrace area, which will open up the banquet area to the outside. Parking for the banquet area will be in the rear grassy area. The applicant will need permission from the DOH for this, as this is the area where the septic field is located. They plan a major increase in the landscaping in the front also. There will also be outdoor terraces on either side of the front entrance.

They expect to have 762 seats, which will require 254 parking spots. They can only provide 226. Therefore, a variance would be needed, however, the PB can waive this requirement. Mr. Myruski asked if all the parking would be on asphalt. No, there will be valet parking for banquets, and those cars will be parked on the grass in the rear. Mr. Henry pointed out that changes to the existing wastewater disposal system will have to be addressed. Also, the applicant will have to show that they are not increasing the amount of runoff with these changes. Mr. Mahoney noted that most of the changes requested by Mr. Henry at the staff meeting have been addressed. The applicant needs to be sure that all the above items are received at the next staff meeting. The PB can then set a Public Hearing at the next meeting.

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

Present for the applicant: Steve Esposito
David Steinmetz
Jay Scruggs

Present for the Planning Bd: Joel Russell
Graham Trelstad

Mr. Steinmetz stated that they would like the PB to consider declaring Lead Agency and issuing a pos dec tonight. They have had several meetings with the Board's consultants and feel they have finally established a plan, which meets the TND standards.

Mr. Esposito reviewed the changes they have made since the last presentation. They have established a more definitive Village Center in the CO portion. There will be approximately 44,000 sq. ft. for CO use. The majority of the property will

be single-family dwellings. They have established a mixture of housing types, there will be single-family homes, town homes and condo-type units. There will be a total of 503 units: 136 will be single lots, 347 Town homes and 20 condo style apartments.

Mr. Andrews asked how long it would be before they knew if there is enough water to support this density. They are in the process of doing some preliminary water tests. Ms. Israelski asked if they have considered a pedestrian access to Elant. She also asked if Harriman Dr. would be able to handle the increased traffic. Mr. Cappello reminded the Board that these questions will be answered in the DEIS. Ms. Cleaver stated that it appears they have not taken the Conservation Analysis into account at all. Mr. Trelstad pointed out that the Hamlet zone does not require a Conservation Analysis. He noted that we are at a point where there is enough of a plan to move forward. As the project moves on some elements can be integrated. Mr. Russell noted that when the Town developed the Code, the decision was made to develop certain areas, not to preserve them. Most of the Town is in a preservation area. They need to create a balanced plan, which would mean some areas would be developed more heavily.

Mr. Bergus suggested that the clubhouse and pool be brought further into the project to bring the people into that area. Mr. Esposito stated that it is placed near the town center in order to bring people into this area so it will be successful. It is also a strong welcoming element in the proposed location. Mr. Russell asked if it could be brought to the rear of the CO zone. That possibility will be considered. Mr. Russell emphasized that they are at the point where they can begin the SEQRA process. The plan at the moment is conceptual and many changes can still be made. The environmental issues will also be addressed in the SEQRA process.

Mr. Cappello explained that the applicant should submit a draft scope, which can be sent out with the pos dec to the involved agencies. Therefore, the PB will wait to issue that declaration until a draft scope is received, so that all the information will be ready to be mailed. If the draft scope is received by next meeting and mailed to the agencies, a public scoping can be set for the first meeting in November. Mr. Henry pointed out that the applicant is proceeding at their own risk.

VOTE By Proper MOTION, made by Mr. Myruski, seconded by Mr. Bergus, the Planning Board of the Town of Goshen hereby confirms that, as no one has replied to the NOI to object, they are Lead Agency in regard to the Hamlet at Goshen project. Passed unanimously.

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

Since, the architect, Mr. Scruggs, traveled here from Virginia for this meeting, he presented some of the preliminary renderings for the housing units and the commercial buildings. A lengthy discussion was held regarding the Village Center area. Mr. Scruggs will work to incorporate some of the suggestions from the Board for the look and feel of the center. Mr. Russell also asked that they consider narrower streets and/or wider sidewalks. Mr. Cappello emphasized that they need a narrative discussion on the benefits of these possibilities. The Board needs the reasoning behind these decisions.

A&L Acres 13-1-34.2 217.8 acres, 49-lot subdivision located on Houston Rd. in the RU zone with an AQ3 & 2 scenic road and 1 stream corridor overlay. **Neg Dec resolution & Preliminary approval.**

Mr. Lupinski asked to be recused from this discussion. Mr. Cappello presented a draft neg dec resolution. Some edits were made.

VOTE By Proper MOTION, made by Mr. Bergus, seconded by Mr. Myruski, the Planning Board of the Town of Goshen hereby accepts the neg dec as edited for the A & L project. 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 Ms. Israelski, the Planning Board of the Town of Goshen hereby grants preliminary approval for the A&L Acres 29-lot subdivision located on 17A and Houston Rd., pursuant to the map dated July 2006, conditioned upon the applicant applying for and receiving all necessary approvals from other local county agencies and to the payment of the appropriate fees. It is acknowledged that the PB will be looking at potential pedestrian paths along Route 17A and Houston Rd. between preliminary and final approval. Also all mitigation measures that are incorporated in the neg dec will be accomplished. Passed unanimously.

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

Javelin - 11-1-7 & 4.1 -39.63+/-acres, 14 lot subdivision located on Butler Drive in the RU zone with an AQ6 & flood plain overlay. **Possibly set Public hearing for preliminary approval October 19, 2006.**

Present for the applicant: Steve Esposito

Ms. Roth has prepared a memo for a Part 3. The applicant will prepare the Part 3 document and submit this in time for the Staff Meeting. If all the information is acceptable. The PB can set a Public Hearing at their next meeting.

Adjournment: The meeting adjourned at 10:25 pm upon motion made by Ms. Cleaver, seconded by Mr. Myruski.

Reynell Andrews, Acting Chairman

Notes prepared by Linda P. Doolittle