

**Town of Goshen Planning Board  
Town Hall  
41 Webster Avenue  
Goshen, NY 10924  
October 19, 2006**

MEMBERS PRESENT

Ralph Huddleston, Chairman  
Reynell Andrews  
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

Lee Bergus

**I. CALL TO ORDER**

Chairman Huddleston 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 21, 2006 meeting were approved as submitted upon motion made by Ms. Cleaver, seconded by Ms. Israelski.

The minutes of the October 5, 2006 meeting were approved as submitted upon motion made by Ms. Cleaver, seconded by Mr. Myruski.

**III. PUBLIC HEARING**

**Traskus (a.k.a. - Elm Hill Farms) 18-1-8.22 - 114.54 acres, 38 lot subdivision** located on Arcadia Road in the RU zone with an AQ3 overlay.

Present for the applicant: Steve Esposito

Mr. Golden is acting as counsel to the PB for this project. Mr. Esposito explained the progress of this application to date. The Conservation Analysis was submitted and accepted in 2004. It was ascertained that there would be approximately 114 buildable acres. The base density calculations yielded 46 lots and they are proposing 38 units. A sketch plan has been submitted as well as the EAF Parts 1 & 2. The plans have been submitted to the Dept. of Health. Preliminary plans have been reviewed and soil testing has been done on all lots or the individual wells and septic systems. The access will be off Arcadia Rd. and will line up with Forest Green Rd. They are proposing no development on

Arcadia Rd. The homes will be clustered behind the hill, which will help to screen them from Arcadia Rd. Sixty-five acres will be preserved as open space and will be held in a restrictive covenant. There will be stub roads to the northwest and the south to allow connection with any future developments.

The Chairman explained that they would be taking comments from the public tonight. The applicant is not obligated to respond at this time, but will respond in writing. Mr. John Rodnite, Clarke Rd. stated that he lives just below this property and is concerned about the affect of runoff on his septic system and wells. He also expressed concern regarding the increase in traffic. Mr. Esposito responded that the soils have been tested and reviewed by the town engineer. These results will then go to the DOH. He also explained that in the AQ3 district the soils have to show ability to suitably support the sanitary systems.

Mr. Jeffrey Sisti, 282 Arcadia Rd., was also concerned with the increase in traffic. He also noted that the open area is a working farm and there would not be enough land left to support a farm. Mr. Esposito stated that the central piece would be set aside for the existing farm. There will be enough to support a small operation, possibly a horse farm in the future. The smaller piece of open space would be owned by Lot #21.

Ms. Gross, 317 Arcadia Rd. asked if the farmland in the front of the property could ever be developed. It will be restricted from future development and only agricultural activity will be allowed. She asked if the entrance could be off of Route 94 instead of Arcadia. The applicant does not own the property on Route 94. Mr. Esposito also stated that the PB has always advocated connectivity, which would allow for traffic to flow through to other parcels when they are developed. Ms. Gross asked if there would be plantings. Mr. Esposito noted that it is required under the code to establish a buffer. She also expressed concerns regarding the water pressure and the issue of speeding on Arcadia Rd. The traffic and speeding issues should be brought to the Town Board.

Mr. Halloran stated that he received a call in his office from Mr. James Wierzbicki, 135 Clarke Rd. expressing concern regarding the impact on his well. He has a 600' well and only 3 - 3.5 gpm currently. Mr. Mitchell Gross asked what would happen to the farmland if it is not used. Mr. Huddleston stated that if the ability to farm is eliminated, the owners may decide to sell it. It would still be allowed to function as a small horse farm or something similar. It cannot be developed

Mr. Phil Johnson, 48 Fort Hill Rd., stated that his farm is in the rear of the area and asked if there is any consideration being given to their view of the project. Mr. Esposito noted that there is existing vegetation and there will be some

plantings in the existing hedge rows, but nothing is proposed in the rear. Mr. Johnson also noted that his farm is on the westerly side from the proposed homes and the prevailing winds will carry odors to these new homes. The future owners need to be advised of this. Mr. Huddleston stated there would be notes placed on the maps and deeds. Ms. Gross asked about the size of the lots and how long it will take to complete the project. They will be a minimum of one acre and the applicant does not now have a time frame for completion. She then asked about the next steps in the process.

Mr. Golden explained that this Public Hearing is for preliminary approval. When the hearing is closed the PB has 62 days to make a determination. The law requires that once the preliminary approval is granted, and if the final application is in accordance, then they have a right to a final approval. However, the applicant will also need approvals from other involved agencies.

The Chairman asked for comments from the board. Ms. Cleaver asked for a building envelope to be placed in the open space area. Mr. Weslowski stated that he feels the farmer should not be restricted in regard to where he puts some of his outbuildings. He will need to put in sheds to help protect his animals and they may be outside the "building Envelope". Mr. Huddleston explained that the PB needs to have some control and suggested that Mr. Weslowski meet with Mr. Esposito to work out a plan that will work for the farmer.

Ms. Cleaver would also like to see a detailed landscaping plan. Mr. Esposito stated there would be a 50' "no disturbance" area around the entire project. Ms. Cleaver requested ESA signs be placed in the wetlands areas. She also expressed concern regarding discharge into the wetlands. Mr. Henry stated that this will be addressed.

Mr. Myruski emphasized that we must be sure that the agricultural area is protected from those coming in to the development. The new owners need to be made aware that there is an operating farm in the area and there will be noise and odors connected with that business. Mr. Esposito stated that they are proposing screening and there will be ag restrictions in the deeds. Mr. Esposito also agreed to post the property. Ms. Cleaver asked that all pump testing be done in accordance with §3.1 of the code. Mr. Henry will review this section.

Ms. Israelski questioned the connection to the Weslowski parcel. Mr. Esposito stated that they are leaving this as a r.o.w., which will be dedicated to the Town. She also reminded the applicant that street trees are required by the code. Mr. Esposito responded that they are arranging the plantings to resemble an agricultural site rather than in lining up along the street. Mr. Andrews asked if there would be any trees planted along the line with the Johnson farm. Mr.

Esposito stated that there is a mix of trees in the area and there are some existing large trees that will remain. They do plan to supplement the plantings in this area.

Mr. Golden asked for clarification on the ownership of the open space farm area. Mr. Esposito stated that it will be offered to the Town, a non-profit agency or be a deed restriction on the existing residence. A smaller portion of open space will likely be assigned to Lot #21. The owners of the property will be responsible for the maintenance. Mr. Golden also noted that there is a family cemetery on the property. It will need to be maintained and access will need to be provided for the family members. Mr. Huddleston stated that the Town would also need access in case the family is no longer able to maintain it. There needs to be some sort of protection if the property is sold.

Clarification is also needed regarding the 50' buffer. Should there be no disturbance at all or a "no build" area. Will the property owners be able to have a lawn. Mr. Diurna noted that an all natural buffer might be better rather than having manicured lawns in one area and natural in other areas. This needs to be decided. In summary, the following items need to be addressed:

1. Landscaping plan.
2. Information on cemetery on the maps
3. Place 50' buffer on the maps with signage and deed restriction.
4. Building envelope for the farm
5. Information in deed noting that the area borders an active farm and there will be noise and odors, etc.
6. Obtain all necessary federal, state and local approvals.
7. Satisfactory restrictive covenant for the 65 acre open space stating no further subdivision is allowed.
8. Dedication documents to the Town for the roads for connection to future developments.

Ms. Roth asked if the Part 3 had been completed. Mr. Esposito replied that they still have the Indiana Bat study to complete. The rest of the studies are done and they will add tonight's comments and submit a completed document.

VOTE By Proper MOTION, made by Mr. Andrews, seconded by Mr. Myruski, the Planning Board of the Town of Goshen hereby continues the Public Hearing on the Traskus Subdivision application open until the November 2, 2006 meeting.

Mr. Andrews	Aye	Ms. Israelski	Aye
Ms. Cleaver	Aye	Mr. Myruski	Aye
Mr. Huddleston	Aye		

**IV. AGENDA ITEMS**

**Hendler**

Present for the applicant: Jane Samuelson  
Jane Daly

New materials for the DEIS have been submitted. Ms. Samuelson stated that they have met with the consultants and feel they have addressed their concerns. Ms. Roth noted a few minor comments, but feels the document is complete enough for public review. Mr. Henry agrees. Ms. Cleaver had several comments she would like to see addressed. She would like to see further discussion on the impacts to the wetlands. She noted an error on Fig. C-5 of the PAC erosion plan regarding the numbering of one of the ponds. She would also like further information on the regulations covering the HOA. She is concerned about the repercussions if the HOA becomes financially unable to fulfill their duties. Will the Town have to take over? She also asked that Mr. Henry review §3.1 of the Town Code and be sure that the applicant complies with this testing. She will e-mail the remainder of her comments.

VOTE By Proper MOTION, made by Mr. Myruski, seconded by Mr. Andrews, the Planning Board of the Town of Goshen hereby declares that the DEIS for the Hendler application is deemed complete and requests that a notice of completion be prepared and published. Passed unanimously.

Mr. Andrews	Aye	Ms. Israelski	Aye
Ms. Cleaver	Aye	Mr. Myruski	Aye
Mr. Huddleston	Aye		

VOTE By Proper MOTION, made by Ms. Cleaver, seconded by Mr. Myruski, the Planning Board of the Town of Goshen hereby sets the Public Hearing for the DEIS for the Hendler application for December 7, 2006. Passed unanimously

Mr. Andrews	Aye	Ms. Israelski	Aye
Ms. Cleaver	Aye	Mr. Myruski	Aye
Mr. Huddleston	Aye		

**Gary Job 20-2-16 - 2.0acres**, located on Industrial Drive in the CO zone with an AQ3 overlay. **Neg Dec to be signed by Mr. Huddleston.**

The resolution of Negative Declaration was signed by Chairman Huddleston at the request of the applicant.

**Gersbeck & Korycki - 16-1-2.1 & p/o 2.2 - 133.5 +/- acres, located on Korycki Lane, in the RU and AI zone with a stream & reservoir overlay. 2 lot subdivision**

Present for the applicant: Ken Pinkham  
Ron Korycki

Mr. Pinkham explained that applicant would like to divide a lot from the parent parcel in order to construct a new house. The new lot will be supported by individual septic and well. Perc tests have been done and they are acceptable. Mr. Myruski noted that the existing dwelling should be shown and asked if that septic system is adequate. Mr. Pinkham replied that they would run the tests.

Ms. Cleaver expressed concern regarding the proximity to the Orange County and Al Turi landfills. It appears the site may be within 2000' of the Al Turi Landfill. The applicant will check on this and place the information on the map. The applicant has a letter from the DEC regarding the wetlands and they will present it for the file. They will also need to demonstrate an easement for suitable access to the proposed lot. Mr. Cappella advised the applicant to work this out with Mr. Andryshak and Mr. Henry.

A Public Hearing is necessary. The applicant will endeavor to have the above information in time for the Nov. 2 meeting. The Board will then set a Public Hearing. If the information is not received by the submission date, they will be moved to the Nov. 16 date.

**Orange and Rockland - to discuss issue with the trees**

Mr. Michael Grant was present for Orange & Rockland to discuss working with the Board to ascertain a method to mitigate the removal of the large trees along Arcadia and Conklington Roads. Mr. Grant apologized that their arborist could not be present tonight due to a family emergency. O&R has met with Mr. Halloran and Supervisor Bloomfield regarding the tree cutting that recently took place. The company is extending the pole lines to improve the capacity for Goshen, Warwick and Chester. They cut down several significant trees and left large stumps and received several complaints from the residents in the area. They wish to rectify the problem. They plan to "flush cut" the stumps and re-plant where they can.

Mr. Grant is here tonight to arrange to make a site visit with the PB and/or the consultants to ascertain the best means to achieve a resolution to the problem. Tree varieties were discussed and they need to be "deer proof". Mr. Henry advised that the actual tree stumps should be left as they will hold the steep slope

in place. Ms. Roth reminded them that the landscaping needs to be maintained. Mr. Huddleston stated that the board will require a management plan.

After discussion it is agreed that O&R will plan to meet with the Board members at Noon on either 10/25 or 10/27.

## V. OTHER

### Environmental Consultants

Mr. Halloran explained to the PB that the members of the ERB are concerned that the recent Conservation Analyses have been incomplete. The applicants may be missing certain significant items and the ERB feels the need for a professional to walk the sites and ascertain if the CA's are indeed correct. Mr. Henry and Ms. Roth stated that they have environmental experts on staff that could do this work without going to another outside source. Mr. Cappella concurred that they should use the resources that the board already has. He suggested that the environmental expert should walk the site and give their recommendations to the ACOE. It is agreed that the environmental consultants should be out in the field prior to scoping. Ms. Israelski noted that the consultant should be familiar with all the documents that the Town has prepared recently, i.e., Farmland Preservation and Open Space etc. Mr. Huddleston asked Mr. Henry and Ms. Roth to submit the qualifications for their environmental people and he will review them and make a recommendation. The ERB members have also asked that some of the previously submitted large projects should be reviewed by Town consultants.

## VI. 239M responses received for these applications

**Houston Subdivision - 17-1-5.24 -97 +/- acres** - located on Rte 17A & Houston Rd in the RU zone with an AQ3, stream & reservoir and (2)scenic road corridor overlays. (L&T)

### Upcoming Public Hearings

**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.

Mr. Huddleston and Mr. Cappello reminded the members that it is extremely important that they review the Scoping Document and have all their comments ready for inclusion prior to the Public Hearing on November 2, 2006. This is a major project and will require that the Board be fully prepared and focused throughout the proceedings.

Mr. Cappella reminded the members that it is extremely important that they and all the other boards review this Scoping Document and submit their comments as soon as possible

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

Ralph Huddleston, Chairman

Notes prepared by Linda P. Doolittle