

# DRAFT - UNAPPROVED

**Town of Goshen Planning Board  
Town Hall  
41 Webster Avenue  
Goshen, NY 10924  
November 16, 2006**

## MEMBERS PRESENT

Ralph Huddleston, Acting Chairman  
Reynell Andrews  
Lee Bergus  
Susan Cleaver  
Mary Israelski  
John Lupinski

## ALSO PRESENT

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

## ABSENT

Ray Myruski,

## 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 November 2, 2006 meeting were approved as corrected upon motion made by Ms. Israelski, seconded by Ms. Cleaver.

## III. Public Hearing

**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 they wish to cut off a 2-acre parcel from the parent parcel. The balance will consist of 127.85 acres. There will be individual well and septic on site. There are no improvements proposed to the existing private road. The certificates of mailing were presented and accepted.

Mr. Cappello stated that the one outstanding issue was the driveway easement. They are working out some minor issues and the Board could grant a conditional final approval based on the filing of the easement. Ms. Priscilla Gersbeck, owner of the parent parcel asked if the parent parcel wants to develop the road should it be a note on the map or in the deed. Mr. Cappello replied that it would only need to be in the notes if the PB requires it. He has not looked at it from this perspective.

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Ms. Gersbeck also asked if the corners of the driveway could be documented. Mr. Pinkham stated that they will be shown on the map and there will be monuments placed to delineate the drive. There were no further questions from the public. Mr. Bergus asked if the v.o.c. testing of the well has been completed. Mr. Korycki stated they would test when the well is completed. Mr. Henry stated there is an existing well and that should be tested. Mr. Korycki asked if he could use old landfill records. Mr. Henry stated they could change over time, so this would not be adequate. He requested that the following items be completed:

- 1) test the existing well for v.o.c.'s.
- 2) monumentation to protect the owners' driveway interest.
- 3) Soils testing
- 4) Indicate the desired rates for the perc tests - review the numbers.
- 5) Indicate the extension of the lateral in the absorption field.
- 6) Correct type on Sheet 3.

VOTE By Proper MOTION, made by Mr. Andrews, seconded by Ms. Israelski, the Planning Board of the Town of Goshen hereby closes the Public Hearing in regard to the Gersbeck/Korycki subdivision. Passed unanimously.

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

VOTE By Proper MOTION, made by Mr. Lupinski, seconded by Mr. Bergus, the Planning Board of the Town of Goshen hereby finds that the Gersbeck/Korycki application has no significant impact on the environment under NY SEQRA that has not been mitigated by the plans submitted. Passed unanimously.

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

VOTE By Proper MOTION, made by Ms. Cleaver, seconded by Mr. Andrews, the Planning Board of the Town of Goshen hereby grants conditional final approval to the Gersbeck/Korycki application conditioned upon the following:

- 1) Finalize and provide executed driveway easement agreement regarding rates and maintenance.
- 2) Install monumentation prior to C.O.
- 3) Editing of the map notes
- 4) Conduct the appropriate water testing (parameters to be provided by Mr. Henry) to the existing well prior to signing of the maps

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Passed unanimously.

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

**IV. AGENDA ITEMS**

**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 plans -**

Present for the applicant: Michael Morgante

Mr. Halloran stated that this was before the PB previously for a 31-lot subdivision. The plan has changed and they are now proposing 8 large lots with a community leach field. Mr. Morgante stated that the smallest lot is 4.1 acres. They are still providing approximately 28 acres of open space. There are some wetlands along Hampton Rd. and a small area in the rear. The community septic will be located in the top left portion of the site. Mr. Bergus asked if the TB has been consulted to consider setting up a district. Discussion was held regarding ownership of this septic system.

Mr. Henry feels it will have to be under the Town authority in order to receive DOH approval. He also noted that each lot would have to have individual pumps. Mr. Huddleston asked if lot #3 would still be a functional lot since this system is located on this lot. Mr. Cappello noted that the code does encourage the use of this type of community system. Mr. Bergus questioned if the Town would want to be involved on such a small development. There will have to be a maintenance road, which will need to be shown on the map. The DEC will also be involved with any approvals.

Ms. Cleaver asked if they could eliminate some of the curb cuts. Mr. Morgante stated that they put them as close together as possible, but possibly they could have one cut for each two lots with driveways branching off. He will look into this idea. Ms. Israelski asked if a r.o.w. could be set aside for future bicycle trails along Phillipsburg Rd. as this roadway is part of the "trail map". Mr. Morgante stated that they are planning to have some walking and/or horse trails. However, he noted that the topography is quite steep in this area. Mr. Henry commented that there will also be a great deal of shale in that area. It may be unsafe. The applicant will look at the possibility for some interior network to connect this development with others. Mr. Huddleston explained that they want to maintain the integrity of the "Trail Map". Mr. Morgante will work with Mr. Henry on this concept.

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Ms. Israelski also asked for entrance designs and street trees along the existing roads. Ms. Roth noted that they could bring the homes closer to the road to shorten the lengthy driveways. Mr. Morgante noted that the existing homes are set far back and the lots are wooded, so they would like to keep the plan in the existing rural character.

Mr. Morgante asked when he should begin a discussion with the TB regarding the sewer plan. Mr. Cappello replied that he should coordinate the review with the DEC and the Town Board. They need to be made aware that there are some threshold questions that need to be resolved before the PB can proceed. A notice of intent to be lead agency will be prepared for the next meeting. The applicant should supply the EAF for this notice.

**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.

Present for the applicant: Steve Esposito

Mr. Halloran presented several memos and letters from the various consultants containing their comments on the FEIS. These items were received too late to go out to the members in their mailings. The members also have several comments and questions. Ms. Israelski asked if our code allows the transfer from one watershed to another. Mr. Cappello responded that the code speaks to TDR's in which it is prohibited. It does state that you cannot transfer from one aquifer to another within the same parcel, but if the parcel is in two aquifers nothing is said. Heritage is common ownership and a common plan, but has 2 tax parcels.

Mr. Esposito stated the property is in several different zones, AQ6, AQ3 and Hamlet Design. Mr. Huddleston noted that these comments have just been received and the members have not had an opportunity to review them. Mr. Cappello explained that the FEIS is the PB's document and it is the PB's duty to tell the applicant that we need to address the threshold issues. The Board needs to prepare or direct the applicant to prepare further information. The Board needs to determine if they have enough information on the major threshold issues. If they need more, they need to direct the applicant on what is needed. There are time frames that need to be met.

Ms. Cleaver stated that at the Public Hearing there were issues raised concerning the water testing. The code states these tests cannot be done if there has been over 3.7" of rain prior to the test. They are also directed to use the information from the Middletown water station. There were wide discrepancies during the time frame and

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the applicant used a different station. Ms. Cleaver feels they should have gone to the TB for a change to the Code in this case.

Mr. Cappello noted that when Schoor de Palma set up the water protocols they stated that Middletown had to be used. Did they realize there were other closer sites or did they feel that Middletown would be the most accurate? They need to know the reason for this choice and it needs to be in writing. Mr. Huddleston has tried to contact Schoor de Palma, but has not received an answer yet. Ms. Cleaver also noted that the affect of this water usage on the streams within 500' needs to be monitored. This was also mentioned at the Public Hearing and should be included in the FEIS. Mr. Cappello stated that we need to come to an understanding of when and how we will get the answers to these questions. Do we need the hydrogeologists to comment? We need their rationale used when they chose Middletown. Ms. Cleaver noted that the entire code is based on water testing and the Schoor de Palma study.

Mr. Cappello noted that between preliminary and final we will need to confirm the results. Once preliminary approval is granted the applicant will have to prove their ability to provide water. These items need to be documented so we can have a findings that shows the problems and how we plan to deal with them. Supervisor Bloomfield asked that the TB have some input and Schoor de Palma should also give their comments. Mr. Cappello stated that we need to have a clear plan of the impact on the testing, what we can to clarify the situation and how do we deal with this globally so that it does not happen again.

Mr. Esposito suggested that an expert needs to review the water testing protocol, the report of the 72 hour testing and the affect of the temperatures on the streams. He stated that this monitoring was done and the initial data shows no interference. The applicant's consultants have followed the guidelines and have done the testing twice and they feel they have complied. Mr. Huddleston will continue to try to contact Schoor de Palma to get the answers. Mr. Cappello stated that we need a report of what was done, how it was done and what will be done to be sure the requirements are met. We have to create a record of compliance.

Mr. Huddleston apologized to the applicant, but since the reports from the consultants were just received tonight, there has not been time to review them. Mr. Cappello suggested that the members come to the next staff meeting to review these threshold substantive issues. They need to decide if the drainage reports etc. are adequate to make decisions. The members need to be prepared to do this thoroughly and in a timely manner.

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It is agreed that the December 7 meeting will be noticed for 6:30 to accomplish this task. Mr. Esposito asked that if more information is needed on these threshold items (water, sewer, traffic and drainage) their consultants be informed prior to Dec. 7. Mr. Huddleston noted that the Town Traffic Study should be completed by mid-December. He would like some indication of any major conflict between this new study and the one the applicant performed.

### Upcoming Meetings

Planning Board - November 16, 2006  
Staff meeting - November 21, 2006 (**This meeting is on TUESDAY**)  
Planning Board - December 7, 2006  
Staff meeting - December 13, 2006 (**This meeting is on Wednesday**)  
Planning Board - December 21, 2006  
Staff meeting - December 22, 2006 (**This meeting is on Friday**) **We have 1/2 day..**

### Upcoming Public Hearings

#### December 7, 2006

**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.  
**Approval of DEIS (EP)(RG)**

**Traskus (a.k.a. - Elm Hill Farms) 18-1-8.22 - 114.54 acres, 38 lot subdivison** located on Arcadia Road in the RU zone with an AQ3 overlay.  
**Continued public hearing on December 7, 2006**

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

Ralph Huddleston, Chairman

Notes prepared by Linda P. Doolittle