

**Town of Goshen
Planning Board
MINUTES OF THE
REGULAR MEETING
November 17, 2005**

MEMBERS PRESENT

Ralph Huddleston, Chairman
Lee Bergus
Susan Cleaver
Mary Israelski
John Lupinski
Ray Myruski

ALSO PRESENT

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

ABSENT

Reynell Andrews

I. CALL TO ORDER

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

II. APPROVAL OF MINUTES

The minutes of the October 6, 2005 meeting were approved upon motion made by Mr. Bergus, seconded by Ms. Israelski. Ms. Cleaver abstained.

The minutes of the November 3, 2005 meeting were approved upon motion made by Ms. Cleaver, seconded by Ms. Israelski. Mr. Huddleston and Mr. Myruski abstained.

III. PUBLIC HEARINGS

PERSOON, 17-1-4 & 36, 127 +/- acres located on Maple Ave., Winners Circle and Breezeway Ln. 66.5 acres in the RU zone with an AQ3 and scenic road corridor overlay. 60.4 acres in the AI zone with a scenic road corridor and flood plain overlays. Seeking preliminary approval for a 26-lot subdivision.

Present for the applicant: Steve Esposito
Steve Kunis

Mr. Halloran explained that the Public Hearing has been continued from last meeting. A response to the 239m has not been received from the County so no action can be taken tonight. The major issue left open concerns the 300' road frontage requirement for each of the five lots on Maple Ave. A draft resolution

has been prepared. Also, the applicant needs the wetlands delineation on the west side in order to show they have the required amount of unconstrained land for the desired number of units. Mr. Esposito stated that they have 58.1 acres of unconstrained land on the east side, and to have the 26 units they need one acre on the west side. The wetlands have been delineated and mapped today. He expects the report in his office within a day or two. There will be approximately 20 acres of upland that will be usable for the Town if they choose to do so.

Mr. Clarence Meyerriecks, 135 Maple Ave., stated that he will miss the peace and quiet, the wildlife and the views, but his major concern is the effect this may have on his well. He has a 35' hand dug well. He would like some guarantee that the septic system of the nearest unit will be at least 100' from his well. His property consists of 1.2 acres located behind Lot #5. Mr. Esposito stated that the plan shows the septic system 100' from the property line, but they can move it back some to be sure there will be no problem in the future. Mr. Esposito explained the process they will have to go thru including the application to the DOH. The DOH will require them to drill and test wells and show that there will be no off site impact and that the wells can support the proposed units. Ms. Cleaver asked if there would be any problem with storm water runoff, i.e., heavy fertilizer use etc. for Mr. Meyerriecks' well. Mr. Myruski asked if they could monitor Mr. Meyerriecks' well when they do the well testing. Mr. Esposito stated that their wells will be approximately 270' deeper than Mr. Meyerriecks well so the water is probably coming from a different source. Mr. Huddleston noted that it is very difficult to monitor a hand dug well and may cause problems, therefore it would not be advisable.

Mr. Van Hage asked which lot would be moved if it is decided that only 4 lots would be allowed along Maple Ave. He asked if one could be moved further up the hill. Mr. Esposito explained the process, which led up the Conservation Analysis and the fact that one of the most significant resources to be preserved was the ridgeline and the views. Mr. Halloran noted that no decision has been made regarding the 300' requirement. The PB can waive the requirement. Mr. Huddleston stated that they did receive input from Joel Russell regarding the reason this requirement is in the code. Mr. Halloran stated that the intent was to avoid long narrow lots and encourage use of interior roads and to reduce the number of curb cuts. Ms. Roth reminded the Board that they would be setting a precedent if they waive the requirement. She also stated that shared driveways often cause problems for the homeowners.

Ms Israelski noted that shared driveways are in the Comprehensive Plan and the plan encourages the applicant to be aware of the views. Also part of the Plan states that commercial use is permitted by special permit. Some of the units along

Maple Ave. could be designed to look like homes, but actually house small businesses as long as they are less than 5000 sq. ft. She also asked if the County has responded concerning the need for the Town to have access to the r.o.w. for pedestrian use. Mr. Halloran will check with the County. Mr. Kunis reminded the Board that there is an existing home in the way of any possible trail on this side of the road. There is also a swale along the road in this area, which would make it very difficult to obtain the r.o.w. Mr. Esposito noted that they do provide internal access for a trail and the area on the westerly side of Maple Ave. is flat and would be more suitable. Mr. Esposito suggested that when the board speaks to the county regarding the r.o.w. they should have a plan ready to show them what the Town is hoping to establish.

Mr. Lupinski noted that one of the reasons for granting a waiver is to protect the apex of the ridge, however, these homes will be 2 stories and you will still see them. He approves of the design, but suggested that they move one of the five in order to get the 300' frontage and put it up the hill. This would keep Maple Ave. in conformity with the rural aspect. Ms. Cleaver asked if this is a scenic road. Mr. Halloran stated that it is in the scenic overlay district. She then asked which is more valuable from a scenic point - the ridge or the road. Mr. Huddleston responded that he feels the reason it is designated as a scenic road is the view of the ridge.

Mr. Halloran suggested that they have more plantings to mitigate the impact of the homes along Maple Ave. They are set back a reasonable amount from the road and Mr. Kunis suggested they could be staggered. Mr. Bergus stated that he lives in the area and personally would prefer that the ridge be preserved. Mr. Huddleston suggested that the members take the copy of Mr. Cappello's resolution regarding the 300' frontage waiver home for review.

Mr. Lupinski asked Mr. Kunis if he would be building the homes. No, he will not be personally building them, but will have control over the design. There will be approximately 4 models. He also asked if there would be deed restrictions - yes, there will be deed restrictions. Also, the units will all be residences. Mr. Van Hage stated that he has a barn very close to Lot #5 and again asked if they could move lot #5 elsewhere. He would really like to keep his solitude. Mr. Esposito stated that they will move the house and septic behind the hedgerow. Mr. Henry will forward his comments to Mr. Esposito as soon as possible so they can be addressed in time for the December 1 meeting. The Public Hearing will remain open until then.

Wholesale Storage - 12-1-18, 5 acres, special use permit for the selling of wholesale landscaping materials, located on Hartley Road, in a CO zone with an AQ6 overlay.

Present for the applicant: Kirk Rother

Mr. Halloran stated that the Public Hearing was continued in order to address some technical issues. Mr. Henry stated that the plan is now technically ready to approve.

VOTE By Proper MOTION, made by Mr. Bergus, seconded by Mr. Myruski, the Planning Board of the Town of Goshen hereby issues a neg dec for the Wholesale Storage project as it will not have a significant impact on the environment under NY SEQRA. Passed unanimously.

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

VOTE By Proper MOTION, made by Mr. Myruski, seconded by Ms. Cleaver, the Planning Board of the Town of Goshen hereby grants a special use permit and site plan approval for Wholesale Storage as depicted on plans with latest revision date of 10/31/05 for the storage of mulch, topsoil, and wood chips. Passed unanimously.

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

Kerr & Wendland 12-1-2 72,6 acres located on Hartley Rd. in a CO zone with an AQ6 and stream and reservoir overlay. 2-lot subdivision & special use permit for light industry.

Present for the applicant: James Dillin

Mr. Halloran reported that the public hearing was held open waiting for the septic design and perc tests. Mr. Henry stated that the deep tests were acceptable, but the perc tests still need to be witnessed. Mr. Dillin stated that he expects that these tests will be completed soon. Due to the Thanksgiving holiday, this will be put on the December 15 agenda.

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 Kerr & Wendland application. Passed unanimously.

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

IV. AGENDA ITEMS

TAYLOR – 20-2-17, 2.134 acres, located on Industrial Drive in a CO zone with an AQ3 overlay.

Present for the applicant: Michael Sandor
Mr. Taylor

Mr. Sandor explained that the applicant is proposing an addition to his existing building. They received a DEC wetlands delineation dated 9/30/05. The wetlands on the site have been validated. They plan to add a metal pole type building with a concrete poured floor. Mr. Taylor has an existing operation working with sheet metal. There is just himself and one assistant and they need more storage. The existing loading dock will be used. They are installing a water quality basin even though it is not required. Mr. Henry pointed out that it will also be used for siltation control during construction. Mr. Huddleston asked if they would be increasing or changing the parking. No, they will be using the gravel area in the front. They are doing nothing that will require a DEC permit.

Ms. Roth feels the plans are ready for a Public Hearing even though it does not really need one. The members concur that a Public Hearing is not warranted. Mr. Henry has a comment memo stating the technical items that need to be on the plan. He suggested the members make a site visit. The board should be able to conclude the application at the 12/1/05 meeting.

FOLEY 10-1-10.21. 10.123 acres, located on Owens Rd., in the RU zone with an AQ6 overlay. 2-lot subdivision.

Present for the applicant: James Dillin

This project is next to Owens Road Associates. Applicant is planning to put a new home behind the existing home on a portion of this 10+/- acre site. Ms. Roth has prepared a preliminary Conservation Analysis form for review. There are stonewalls and hedgerows around the property. The access will be the r.o.w. along the Trolley Line. There is a rock outcropping that should be noted on the plan. Ms. Roth will add this to the C.A. also as well as a notation regarding the wetlands. This r.o.w. should be shown on the map also. Mr. Huddleston asked that Mr. Dillin research the r.o.w. to be sure there will not be a conflict with O&R.

VOTE By Proper MOTION, made by Mr. Lupinski, seconded by Mr. Myruski, the Planning Board of the Town of Goshen hereby adopts the Conservation Analysis as modified. Passed unanimously.

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

V. ITEMS FOR DISCUSSION

Eisenhower Estates, Inc. 14-1-7 .5764 acres located on Storms Rd. and August Rd. in the RU with an AQ3 overlay. Seeking variance from 280A. Permission to build a private road on an undeveloped part of a public road.

Mr. Halloran explained that ZBA is reviewing two lots off of Storms Road. There is an issue with the amount of roadway easement required. It is currently a paper road. There is also a large piece of property that will likely be developed in the future. This entire area could connect to Arent and then to Fidanza. They are proposing a private road for the two lots in question. Mr. Henry asked if they should be asking for 10' or 10' from each lot as it is likely this could become a Town road. Mr. Huddleston feels the Town needs to obtain a full 50' r.o.w. easement in the most expeditious manner possible.

Arent 114-1-6 1.33 acres located on Storms Rd. and August Rd. in the RU zone with an AQ3 overlay. Seeking variance from 280A. Proposed driveway in the right-of-way.

This is the second lot seeking a variance in this area and the issue is similar. Mr. Myruski noted that since these lots are already established, they should try to get 10' from each.

VI. OTHER

Mr. Bergus asked that the sign on the Maaco building on 17M should be checked on. It appears to be fluorescent. Ms. Cleaver noted that it is very bright. Mr. Halloran will check on this.

The final EAF Part III for Hambletonian Park is available for review.

Adjournment: The meeting adjourned at 9:00 pm upon motion made by Mr. Bergus, seconded by Ms. Israelski.

Ralph Huddleston, Chairman
Notes prepared by Linda P. Doolittle

