

**TOWN BOARD WORKSESSION
JULY 9, 2007**

PRESENT:

Douglas Bloomfield	Supervisor	Louis Cappella	Councilman
Philip Canterino	Councilman	George Lyons	Councilman
Kenneth Newbold	Councilman		

ALSO PRESENT: Dennis Cappella, Town Attorney

Supervisor Bloomfield called the meeting to order at 7:30 p.m.

ITEMS DISCUSSED:

1. INTRODUCTION OF ZONING/CODING CHANGES AND SEQRA REVIEW:

Attorney Caplicki explained the procedure the Board will be following to introduce and process the two new Local Laws. He explained this evening the Board will be adopting the Lead Agency Designation for proposed Local Law No. 2 and 3 of 2007. He said the text in the Local Law that the Board already has will be the text for Thursday's meeting, with possibly a few minor changes. Attorney Caplicki stated the Board should be able to set the Public Hearing for sometime in August.

Councilman Canterino made a Motion to declare the Goshen Town Board to be lead agency for the purposes of review of and action on Introductory Local Law No. 2 of 2007, Zoning Map Amendments. The Motion was seconded by Councilman Cappella. Motion carried unanimously.

Roll Call Vote:

Councilman Canterino	AYE	Councilman Lyons	AYE
Supervisor Bloomfield	AYE	Councilman Newbold	AYE
Councilman Cappella	AYE		

Motion carried unanimously.

Councilman Canterino made a Motion to declare the Goshen Town Board to be lead agency for the purposes of review of and action on Introductory Local Law No. 3 of 2007, Zoning Text Amendments. The Motion was seconded by Councilman Cappella.

Roll Call Vote:

Councilman Canterino	AYE	Councilman Lyons	AYE
Councilman Newbold	AYE	Councilman Cappella	AYE
Supervisor Bloomfield	AYE		

**TOWN OF GOSHEN TOWN BOARD
NOTICE OF DESIGNATION OF LEAD AGENCY**

Please take notice that, according to the provisions of 6NYCRR Part 617.7 the Town of Goshen Town Board has declared itself to be lead agency for the purposes of review of and action on the project named below. The Town of Goshen Town Board shall act as lead agency and shall follow the provisions of 6NYCRR Part 617.7 governing determination of significance of the proposed action as the only agency authorized to adopt Zoning Laws and Amendments thereto.

Contact Person/Address: Honorable Douglas Bloomfield, Supervisor
Town of Goshen Town Hall
Town Hall – 41 Webster Avenue
Goshen, New York 10924

Name of Project: **Zoning Map Amendments
Introductory Local law No. 2 of 2007**

Location: Townwide – Town of Goshen, County of Orange

Tax Map Parcel: Townwide

SEQRA Status: Type 1, Rezoning amendments to map on a townwide basis

Project Description:

The Town Board has reviewed the current Zoning Law including the text and map and also reviewed the Comprehensive Plan. Based on this review it was felt that certain changes were essential. In addition to the review of these documents the Town Board also received a townwide traffic impact study and reviewed the Town’s Open Space Plan. Based on the review of these documents certain portions of the zoning map were proposed to be changed for the reasons described below. These changes are summarized as follows:

1. The HR District around Hambletonian Park was reduced and rezoned RU primarily because of the potential impacts on traffic to the Route 207/Craigville Road/Scotchtown intersection in the village, the amount of federal wetlands on the site and access to a portion of the site off a hill on a County Road. Land on Old Chester Road was also eliminated as the land, for various reasons, was not conducive to HR development.

2. The CO area off Fletcher Street at Exit 122A north east of Route 17 was rezoned to include all portions of the lots now currently zoned for CO uses.
3. The Town Board chose to encourage CO development in a rural area off Route 17A north of the Village of Florida to provide for more commercial ratables. This area is adjacent to Industrial Drive and black dirt areas, which the board believes are unsuitable for residential uses at higher densities.
4. A small HM area near Quarry Road with smaller lots, good access to Route 17A and somewhat limited site development ability is proposed to be rezoned HC from HM which will be similar to existing uses adjacent to these lots.
5. Some areas along Route 17A from Durland Road into the Village of Florida are currently HM and HR. One of the larger sites has been approved for annexation into the Village of Florida. One site on Durland Road adjacent to a single family area will be rezoned RU while other areas with better access to state roads 94 and/or 17A will be rezoned CO.
6. Rezone land south of Elant and the hospital along Harriman Drive and Route 17 CO for a distance of 1,200 back from Route 17 and rezone the balance of the parcel RU. The proximity to the highway including noise and visual impacts were the primary reasons to eliminate residential uses in this area.
7. Along Route 17M and Arcadia Road the area east of Route 17M is proposed for HC and CO uses rather than residential along Route 17M. Much of the area is currently commercial and some land lies undeveloped because of the residential zoning.
8. Land near Florida behind an existing CO are, now zoned AI is proposed to expand CO uses in this area adjacent to the black dirt now being expanded nearby for CO uses.
9. Land along Route 17M limited predominately to retail and commercial use has been proposed to be rezoned from CO to HC and in two Minor instances from AI or RU to HC.

Date of Action: July 9, 2007

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Contact Person/Address: Honorable Douglas Bloomfield, Supervisor
Town of Goshen Town Hall
Town Hall – 41 Webster Avenue
Goshen, New York 10924

Name of Project: **Zoning Text Amendments
Introductory Local Law No. 3 of 2007**

Location: Townwide – Town of Goshen, County of Orange

Tax Map Parcel: Townwide

SEQRA Status: Type 1, Rezoning amendments to text on a townwide basis.

Project Description:

The Town Board has reviewed the current Zoning Law including the text and map and also reviewed the Comprehensive Plan. Based on this review it was felt that certain changes were essential. In addition to the review of these documents the Town Board also received a townwide traffic impact study and reviewed the Town's Open Space Plan. Based on the review of these documents certain aspects of the text were proposed to be changed for the reasons described below. These changes are summarized as follows:

1. The CO district is proposed to be amended in two ways. First, existing residences will be allowed to continue and be expanded by a special permit of the Planning Board on small lots under one acre. Second, Planned Adult Communities will not be allowed in CO districts due to the potential negative impact such uses are likely to have in attracting commercial and industrial ratables to the town.
2. Planned Adult Communities with a variety of housing types will be allowed by the Town Board subject to meeting specified criteria in the HR, HM or RU districts. The generic criteria are: traffic and access, water and sewer, plan layout and landforms relative to suitability of a site for the use. If the Pac addresses these issues the Town Board is in a position to approve such a sue as a floating zone. Thereafter, the Planning Board will review the project for subdivision on site plan

- review.
3. Provide some flexibility for the Planning Board to locate parking lots for commercial uses, but to limit commercial uses along state or county roads in RU zones.
 4. Provide for screening of utilities on commercial roof areas and aesthetics in CO and HC areas.
 5. Elimination of a subsection that allows a developer to achieve a 50 percent open space criteria by reserving land elsewhere within half a mile which, in some cases, may not be developable land.
 6. Clarify the definitions and use of constrained and unconstrained land.
 7. Limit multifamily use in HMN and HR areas to 30 percent of a site. The objective is to limit multifamily housing as part of a project and not allow its expansion beyond 30 percent.
 8. Eliminate bonus densities for RU uses which are in relatively rural areas. Bonus density provisions had been granted to the Planning Board with very loose criteria which, in some cases, allows bonuses for development or activities which could be a tax liability or major cost to the town without any Town Board approval or oversight. All bonus provisions are predicated on water and sewer and the expansion of recreation facilities for public use, all of which are decisions that will impact taxes and will otherwise require Town Board action.
 9. Finally, density transfers between properties will be granted by the Town Board for a project upon completion of SWQRA and a positive recommendation from the Planning Board.

Date of Action: July 9, 2007

Date of Mailing: July 13, 2007

Both Notice of Designation were sent to the following: Orange County Planning Department, Town of Goshen Planning Board, the Town Clerks of the following towns: Blooming Grove, Chester, Wawayanda, Wallkill, Hamptonburgh, Warwick and the Villages of Goshen, Florida and Chester.

2. PDR: Supervisor Bloomfield stated he had received letters from the Orange County Planning Department saying our two PDR farms were not chosen in this round of funding. The two farms submitted were the Tuthill and the Slesinski farms. The Planning Department encouraged the Town to submit them again in the future round of funding. Supervisor Bloomfield said since we have three PDR properties now, he felt the County was probably receiving more and more applications. Therefore, we can try again

in another round. He said he wrote to the Tuthills and the Slesinskis informing them of the decision and encouraging them to consider resubmitting their applications at the next enrollment period.

3. BURKE “NO PARKING SIGN” INSTALLATION: Supervisor Bloomfield reported Councilman Newbold talked with the Monsignor at John S. Burke School when the stop sign was installed near the school on Fletcher Street. Councilman Newbold also informed the Monsignor that in the fall there would be no parking allowed on the Town Road in front of the school. The Board feels the signs should be ordered and installed prior to the school year.

4. HEALY EASEMENT: Attorney Caplicki said this is a resident who lives off of Pheasant Hill Run and his property is next to our well site that services the Stonehedge District. He said Mr. Healy at one time wanted to purchase the property from the town which would leave no access to the well site. The Town chose not to sell, but would allow Mr. Healy to improve the area in front of his home, at his expense. Mr. Caplicki said either he or the Supervisor needs to write a letter to Mr. Healy laying out the conditions of the easement, allowing the improvements, with the knowledge that the property must always be accessible to the Town. He said he would compose a letter for the Board’s approval. Supervisor Bloomfield asked how the Board felt about doing this. Councilman Canterino stated this has been discussed before, and he had no objection initially since Mr. Healy is just improving it and it is an eyesore. He said if he is accepting the risk and expense with no ownership it is almost like the Adopt a Highway program. Councilman Newbold said he has always had a problem involving the public working on a Town road, “if someone doesn’t like the road in front of their house, they can just change it.” The Board spoke of the columns that were mentioned in an earlier plan and the fact that the columns must be far enough apart for the trucks to be able to pass through. Attorney Caplicki will compose the letter expressing the concerns of the Town Board and hopefully it will be ready for Board review on Thursday Night

5. ROGER STRAUB REQUEST FOR DITCHING AND ROAD PAVING: Supervisor Bloomfield stated he had a request from Roger Straub that some ditching and road paving be done on a road he lives on in Goshen Hills. Attorney Caplicki said when this request first came up he discussed it with Attorney Golden and the Building Inspector. Supervisor Bloomfield said it seems the road has not been dedicated to the Town so therefore, we should not be ditching and paving it. The Board discussed what is happening in that area, and it seems to be a creeping subdivision as there are three or four prospects looking to build there. Supervisor Bloomfield suggested the Board have Mr. Straub or anyone else in that area who is interested in this to come in and sit with our town Attorney, Councilman Cappella or the Highway Superintendent and the Building & Zoning Inspector to look into this. Councilman Cappella was asked what the name of the road is and he replied Goshen Trail.

6. DECARVALHO FINAL PAYMENT: Supervisor Bloomfield explained the Town and the Village have both held back 5% each of the final payment to Decarvalho till we could see that all the plants have survived the winter. The company is now asking for

their final payment. Supervisor Bloomfield said some of the trees have died and since they were guaranteed he said they would have to be replaced. He asked how the rest of the Board feels about this. The Board agreed the contractor should replace the plants and Supervisor Bloomfield will contact Stephan Yarabek and relay the Board's feelings.

Councilman Canterino reported he was out to the park on Saturday, and he said it is beautiful. He said the staircase is gone, the pits are all filled in, and he felt a letter of appreciation should be sent to Mr. Makuen who ran the excavator, thanking him for a job well done.

7. WORKPLACE VIOLENCE PLAN/RIGHT TO KNOW TRAINING:

Supervisor Bloomfield stated these are two courses required by OSHA that the employees have to participate in. He asked Councilman Lyons to report on the Workplace Violence Plan. Councilman Lyons had a copy of the Workplace Violence the Police Chief drew up some time ago. The Board discussed the reasons for the course, and there seemed to be some confusion about exactly what the plan is meant to cover. Supervisor Bloomfield said it should give some training on how to defuse a situation and calm the upset person down. The Supervisor gave two different situations that were solved by using this method. Councilman Lyons Workplace Violence does not seem to address this. He said the Supervisor is addressing customer relations, and the Violence plan seems to be addressing Workplace Violence among the employees. Supervisor asked Councilman Lyons to obtain some type of clarification on just what the Plan encompasses and report back to the Board.

Supervisor Bloomfield asked the Town Clerk to report on the Right to Know Training. She explained that her deputy had contacted New York State and the State is sending a trainer, Jim Cutrone, down and will give two training sessions for us. He will be here on August 8th from 10:00 a.m. to 11:00 a.m. The Board would like him to do more than one, so that the offices do not have to close. Therefore, the Town Clerk will contact Mr. Cutrone and see if perhaps he will be able to do more than one session and perhaps do them on the same day.

8. 2007 ORANGE COUNTY PLANNING GRANT: Supervisor Bloomfield said we have done this before using it for affordable housing, and something else. He said he would like to use it for the tri-annual review of our Master Plan Building and Coding. He said the review is costing the Town money as the Planner and Attorney, etc. have to be paid. He said we will need professional help with some of the other areas such as water protocols, etc. He asked if there was something else the Board would prefer to do. Councilman Lyons said inter-municipal projects could possibly result in obtaining more money. He asked if there was something we could do along these lines. The Board did not feel there was anything. Supervisor Bloomfield said he will work on what will be presented.

9. WATER METER INSTALLATION IN SCOTCHTOWN WATER DISTRICT:

Supervisor Bloomfield reported the meters are on order and should be here any day and once the meters are here the installations will be scheduled.

Executive Session: Councilman Canterino made a Motion to go into Executive Session to discuss the following:

1. Dr. Serdarevic Litigation
2. Kenneth Sullivan Litigation
3. 6 Larchwood cleanup – 1 Lark Terrace – 1 Oakwood Drive
4. Al Turi Landfill Tax Certiorari
5. Tondo Concrete Construction Bad Check
6. SRO/BOCES

with no intent to return. The Motion was seconded by Councilman Lyons. Motion carried unanimously.

Time: 8:55 p.m.

Valma Eisma, Town Clerk