

**TOWN OF GOSHEN
ENVIRONMENTAL REVIEW BOARD
MINUTES OF MEETING
January 10, 2007**

MEMBERS PRESENT

Phil Dropkin, Acting Chair
David Gawronski
William Gantter
Carol Laskos
Norman Stein
John Swift

ALSO PRESENT

Neal Halloran, Building Inspector
Susan Cleaver, ex officio
Kenneth Newbold, Town Councilman

I. CALL TO ORDER

The regular meeting of the Town of Goshen Environmental Review Board was called to order at 6:40 p.m. on Wednesday, January 10, 2007.

MINUTES: The minutes of the December 13, 2006 meeting of the Environmental Review Board were approved with amendments.

II. APPLICATIONS BEFORE THE PLANNING BOARD

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

Susan Cleaver reported that the Town Planning Board has raised issues concerning the perc tests on this project and spoke about the importance of having someone representing the Town witness the perc tests that are not witnessed by the County Health Department. Mr. Halloran said the County witnesses about 10% of the perc tests performed. Mr. Dropkin said one solution would be to have the developer pay for a representative of the Town to be there to witness the perc tests, saying, “we don’t want to overburden the developer but there is a concern that a number of errors may have happened and maybe this is a solution.”

The members of the ERB agreed to recommend to the Town and its PB that they consider requiring a representative of the Town to be present for perc tests and that the cost be paid by the developer.

Ms. Cleaver also reported that some neighbors had raised issue at the public hearing with the developer’s storm water drainage plan, expressing concerns that their ponds might dry up. Mr. Halloran said the neighbors are suggesting that the developer not divert the storm water from its natural flow pattern. He said the AKRF report of 11-28-06 asked the question of why divert the storm water where it doesn’t want to run.

Mr. Dropkin said the AKRF report recommends that there be alternatives to the applicant's proposed water retention plan so as to minimize the disturbance in the construction, so as to not dry up existing ponds that border the development and so as to not lose any existing farmlands that border the development. He suggested that, subject to the ERB further reviewing the report, the PB should adopt the recommends of the AKRF report.

The members discussed the steep grades on the property and the adverse consequences of runoff and erosion. Ms. Cleaver said she was concerned about the runoff affecting the wetlands.

Mr. Dropkin suggested that the PB ask the Town engineer to look at the proposed lots because of their existing steep grades.

Mr. Gawronski suggested that the Town should have a 15% grade maximum for build able lots, and should set a percentage of the lot that can be graded on top of that. He said the Town is high at 25% and that some municipalities set it at 10%. "My suggestion is that if we are going to do 15% or 25% that there should be a percentage of it that can't be built upon. If it is 25%, then 50% of it should not be build able and if the Town lowers it to 15%, then 25% of that should not be build able," he said. The ERB agreed to recommend a code change on slopes to the Planning Board and the Town Board.

Orleans/Makuen – 13-1-10.1 – 87.05 acres, 185 units, planned adult community located on Route 17A in the RU & CO zone with an AQ6 and scenic road corridor overlay.

The ERB discussed AKRF's proposed revisions to the scoping document. Mr. Dropkin explained that the scoping document itself sets forth the perimeters for what is going to be in the DEIS, and that if something isn't addressed in the scoping document, the applicant, when he prepares the EIS, can say he isn't going to address it because it wasn't in the scoping document so if it's missed going in, there may not be a chance to address it later.

Mr. Dropkin asked members to read the scoping document and to e-mail Mr. Halloran any comments by January 18th.

Mr. Halloran said that at the last ERB meeting it was decided to report that members thought there was enough wetlands on the property to justify the DEC looking at it and taking jurisdiction over the wetlands. Mr. Gawronski mentioned that the ERB had listed a number of concerns from its meeting of December 13th.

Mr. Dropkin had several suggestions of things AKRF recommended could be deleted, that he believed should remain in the scoping document including that the applicant should provide a list of current vegetative conditions, that the fiscal impact on utilities, emergency services, dial-a-bus and schools should be included and that it should be made clear that a Phase 1A and a Phase 1B will be required if the lead agency determines it is appropriate and necessary.

Mr. Dropkin also suggested that a proper record of artifacts discovered on the property by the developer should be made and that the artifact itself be delivered to a designated place, like a library, community center, or museum.

Jeffrey Normel, Arcadia Hills - .460 acres.

Mr. Halloran said this was an approved lot located in the flood plain and wetlands, purchased by the applicant from the County who owns several other similarly situated lots. The applicant obtained a permit to build in the buffer from the DEC.

Mr. Halloran said that he and Ms. Cleaver walked the site recently and that it appeared obvious there is fill there and the wetland flags had been moved and that a neighbor reported that between 15 and 20 truck loads of soil had been brought in. Mr. Halloran said further investigation is needed and that the Planning Board has agreed to ask its environmental consultant to look at the property.

Because the lot is in a flood plain, the applicant has come to the PB for a special use permit and will be looking for a zoning variance, Mr. Halloran said. He explained that the owner will have to build 6 to 7 feet above the current grade for the 1st floor level, since it will have to be one foot above the flood plain. Ms. Cleaver said she is concerned about any hazardous waste stored in the garage, stating her concerns for it seeping into neighboring wells. It was mentioned that the owner will also have to get a variance to build within 100 feet of the stream on the property. Mr. Halloran said the issues for the ERB is whether or not there are environmental concerns here that the PB should be looking at in their review of the special use permit. It was agreed that there are at least two concerns, the lot being in the wetlands and within 100 feet of a stream.

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.

There was a lengthy discussion of the applicant's intention to clear-cut the property and a discussion of the steep slope issue in relation to this project.

Ms. Cleaver showed photographs of the visual effects of clear cutting of a development in the Village of Florida. Mr. Dropkin said he'd like to see the property for himself and suggested that ERB members be prepared to discuss the clear cutting issue at its meeting January 24.

Rieger – 9-1-8.452 – 360.9 acres on Craigville Road

Mr. Halloran distributed the scoping document. A public scoping session will be held on January 18th and there will be a time following that session for comment, Mr. Halloran said. He asked for comments on the scoping document at the next meeting.

OTHER MATTERS

Mr. Halloran reported that Ms. Cleaver had appeared before the Town Board to discuss the use of weather stations for water testing protocols. The Town Board agreed with her that applicants should continue using Middletown's water treatment plant for the place to measure rain and snow precipitations, he said. Applicants had wanted to use other sites.

The **next meeting** of the Environmental Review Board was set for 6:30 p.m. January 24th as a special meeting to discuss setting criteria for habitat assessment with Environmental Consultant, Karen Schneller-McDonald.

Adjournment: The meeting adjourned at 8:25 pm.

Phil Dropkin, Acting Chairman

Notes prepared by Susan Varden