

**ENVIRONMENTAL REVIEW BOARD  
MINUTES OF THE MEETING  
February 8, 2006**

**MEMBERS PRESENT**

Phil Dropkin – Acting Chairman  
Wallace Gantter  
David Gawronski  
Carol Laskos

**ALSO PRESENT**

Neal Halloran, Building Inspector

**ABSENT**

Susan Cleaver , Ex Officio  
Norman Stein, MD  
John Swift, New Member

**I. CALL TO ORDER**

The regular meeting of the Town of Goshen Environmental Review Board was called to order at 6:30 pm on Wednesday, February 8, 2006.

**II. MINUTES**

The minutes of the January 11, 2006 meeting were approved as submitted upon motion made by Mr. Gawronski, seconded by Mr. Gantter.

**III. AGENDA ITEMS**

**Hambletonian Park. - 8-1-12.221 - 23.4 +/- acres, located on Upper Magic Circle in the HR zone with an AQ6 overlay.**

Present for the applicant:     John McDermott  
  Joseph Neumann

Last month the ERB submitted a letter written by Mr. Dropkin to the PB, which itemized the review of the DEIS for this project. Mr. McDermott explained that Mr. Huddleston had asked him to review the letter and be prepared to formulate a response. He has submitted documentation to respond to all but the first issue raised in the letter. That issue dealt with the question of whether this will be a significant impact on the quality and character of the community and neighborhood. Mr. McDermott is asking for clarification on what is actually being requested by the ERB.

Mr. Dropkin noted that the letter from the applicant's attorney's stated that this phase is 20% of the total original subdivision. However, on the long form EAF, they answer that it will not have a significant impact. It would seem that this would have an impact on the growth and character of the community and neighborhood and therefore should be a subject for further discussion.

Mr. McDermott explained that this is the last phase of the subdivision, which began in the '60's. They are proposing 38 homes, which will amount to approximately 20% of the total development. Mr. Dropkin is asking what that 20% means. Mr. McDermott replied that it is 20% of the number of homes in the Park. Mr. Dropkin feels that when you increase an area by that number of homes, you will clearly impact traffic, schools, etc. In the past, the ERB has also asked that these impacts be reviewed in the aggregate.

Mr. McDermott explained that there are 3 roads going into the project. These are the extensions of stubbed roads from the original project. This piece was originally slated for 30 homes and all the Homeowners in The Park knew that this final phase would be completed at some time. As a benefit, the completion of this phase will complete the roadways and the water and sewer systems. The entire Park project was approved in the 60's including this property. They also agreed that since this was the first water and sewer district in the Town, they would install it in sections. There were problems with the sewer problem and other expenses arose, which caused the first builder to go out of business. Mr. McDermott bought this final section in 1986.

Mr. Neumann emphasized that they are trying to finish what was started in the '60's. Mr. Dropkin asked how do we know that the homeowners in the area really knew about this phase. Mr. Neumann replied that there were planning billboards displayed in the beginning and they can see the stubbed out roads in the existing development. Also, the houses on top (Hopkins Terr) already existed. The other roadways, i.e., Magic Circle and Yankee Maid, bordering this section were also aware. Bridle Path existed, but had been closed off by the Town. He also stressed that this is a very "tight" neighborhood and the neighbors would have informed anyone new moving in.

Mr. Dropkin emphasized that the Board is not biased, but their mission is to advise the PB. Mr. McDermott noted that they are aware that the ERB does have an affect on the PB and they want to be sure that they have satisfied the ERB's concerns. Mr. Dropkin advised the applicant to be prepared to discuss the quality issue. Mr. Neumann noted that this phase will actually benefit the existing homeowners. It will finish what was started years ago. He also noted that there is a great deal of misinformation around. Ms. Laskos suggested that they send out information to clarify the questions. Mr. Neumann stated that they have been meeting and working with the homeowners to try to answer their questions and to be sure that they have the correct information.

Discussion was held regarding the definition of quality. Mr. Neumann presented a brief overview of the different plans that have been designed over the past few

months. He notes that the construction would probably be upgraded from the existing homes. He also noted that they had put in several elements required under the zoning for the HR zone. One of these requirements is for affordable housing. They had a multi-family concept and a retirement or group of smaller homes to meet this requirement and this met with extreme opposition from the neighbors, so they took it out. They have tried to show what could be done under the new zoning. They created alleyways in order to accommodate rear loaded garages (a requirement of the new code) and this met with opposition from the planners. They also tried to design the roadway in order to slow down traffic and save some of the significant trees. This also met with opposition. After several meetings and design submissions, they have worked out a plan, which is very similar to what exists currently. It is a more conventional plan that will have the look, size and shape of the existing. Mr. McDermott emphasized that the new code makes it difficult to create a plan that will look exactly like the existing (which the neighbors seem to want) so they have tried to do the best they can and still adhere to the code. For example, the existing homes have front loaded garages, but the code does not allow them, so these new homes will have to have garages in the rear. Mr. McDermott noted that very often cars end up parked in the drives, which detracts from the look of the home. By having the garages in the rear, it should help the homes to hold their value.

The members suggested that the applicant place their emphasis on the positive items. The utility networks will be completed, the original approval called for more homes than they are proposing, the pedestrian way through Arthur Place appears to be a benefit. Mr. Dropkin asked if they could put back some of the trees. Mr. McDermott stated that he would keep as many as he could, but now that the design shows a more conventional roadway, many trees will have to come down.

Mr. Halloran noted that there is a conservation easement, and the PB has often asked that those easements be left forever wild. Mr. McDermott stated that he would try to keep it natural, however they should not expect it to be a woods. It is very difficult to keep these types of areas free from litter and other forms of abuse. He further noted that time is of the essence at this point, as he has \$100,000's invested over nearly 10 years and cannot wait much longer.

The neighbors have expressed concern regarding the possibility of a thru road. Mr. McDermott feels that a pedestrian way is very important and it is part of the new zoning. He has found that an "official path" is very problematic to maintain and he would like it to be an "informal pedestrian way". The fact that there will be 3 entrances and the conservation easement are important mitigating factors. Mr. Dropkin noted that the applicant is trying to give the development the same look and feel as the existing as much as is allowed by the current zoning code.

Ms. Laskos stressed that the applicant needs to promote a positive perception with the neighbors – by stating the positive, they will help the PB make their decisions.

Mr. McDermott noted that Mr. Dropkin's letter mentioned blasting. His research has found that blasting has less of an environmental impact than hammering. He used hammering in 2003 and it caused some concerns. He will notify people within 300' (there is no requirement to do so) and will put signs up. He noted that blasting techniques have improved greatly in the last few years and the licensed people are very precise and knowledgeable. Ms. Laskos asked about the water demand. Mr. Halloran noted that there is adequate production and a water tower for storage, however the engineers are questioning if it will be adequate storage. The increase in traffic has raised some concerns. The major problem is the intersection with Rte. 207 and that is currently a problematic intersection. Several possibilities are being researched and the Town Board has taken the traffic in the entire Town on as an important project for this year. Mr. Neumann asked what the next step would be. Does the ERB respond to the PB? Mr. Dropkin noted that the PB will have the minutes of this meeting and they have a liaison (Ms. Cleaver) who can report to them.

Mr. Dropkin thanked the applicant for taking the time to come in and address their concerns. Mr. Dropkin asked if there could be some type of special assessment arranged to help in the cost of traffic mitigation

**Foley 2-lot subdivision, Owens Rd.**

The ERB has no comment at this time.

**Goshen Christian Reform School - 13-1-10.4 & 11.32** 25.274 acres, located on Route 17A, in RU zone with an AQ6 overlay and scenic road corridor overlays.

The ERB has no further comment at this time.

**Nextel, 11-1-45** 18.1 acres located at 338 Harriman Dr. in the RU zone with an AQ6, AQ3 and stream & reservoir overlays. Co-location on existing tower.

Mr. Dropkin reported that as a member of the Telecommunications Advisory Committee he has reviewed the submission and raised the following issues:

- 1) The tower is insufficient to hold the weight.
- 2) The applicant's explanation of why a location at 93' is insufficient is inadequate. Needs further explanation.

Mr. Gantter asked if an extension to the tower will interfere with helicopters using the pad at Arden Hill Hospital. There is no light required on the tower. Mr.

Dropkin suggested that the applicant should contact the FAA and receive a written reply. Mr. Halloran noted that Mr. Komi, Telecommunications Consultant to the PB has noted that an inspection of the tower is necessary. The information provided by the applicant is insufficient.

**Fordham University** - Wood Rd., 5-1-80, 10.6 acres located at 3 Wood Rd., in RU zone with an AQ6 overlay, for religious and education use for a proposed retreat house.

Mr. Halloran explained that the issues raised at the Public Hearing centered around vegetation, adequacy of the septic system and future expansion.

**Zalunski 20-1-8** 74.8 acres located on Puaski Highway and Cross Roads in the RU zone with an AQ3, scenic road and stream overlays.

Mr. Gawronski has reviewed the plan and asked about the curtain drain on lots 3&4. Mr. Halloran noted that the DOH might question this. Mr. Gawronski asked that the issue of running water on lots 3 & 4 be addressed.

Adjournment: The meeting adjourned at 8:30pm upon motion made by Mr. Gawronski, seconded by Mr. Gantter.

Philip Dropkin  
Acting Chairman

Notes prepared by Linda P. Doolittle