

**ENVIRONMENTAL REVIEW BOARD
MINUTES OF THE MEETING
February 9, 2005**

MEMBERS PRESENT

Phil Dropkin, Chairman
Frank Gillis
Norman Stein, MD

ABSENT

Wallace Gantter
David Gawronski

ALSO PRESENT

Susan Cleaver
Neal Halloran, Building Inspector

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 9, 2005.

II. MINUTES

The minutes of the January 12, 2005 meeting were accepted as submitted upon motion made by Mr. Gillis, seconded by Mr. Dropkin.

III. TOPICS

HERITAGE ESTATES, 8-1-0.2 & 11-1-98.6, 256 acres located on Old Chester Rd. and Brookside Dr. in the HR and RU zone with an AQ6, AQ3, scenic road and stream overlay.

Mr. Dropkin explained that the applicant had previously submitted a full EAF and then the PB directed them to submit a Scoping Document. The Planning Board consultants also submitted a draft Scoping Document. Mr. Dropkin further explained that the Scoping Document serves as a guide for the Environmental Impact Statement. It lays out the topics that will be addressed in the EIS.

This is a 258-acre project, with 232 homes proposed. It appears there will be a private sewer system, which will deposit the effluent into the Otterkill and then into the Wallkill. Mr. Halloran noted that they actually plan to hook up to the Village system. The private system is one of the alternatives. Ms. Cleaver stated that the storm water effluent will go into to the Otterkill and the sewer effluent will go to the Village Treatment Plant, which sends their wastewater to the Wallkill. The EAF is confusing on this issue. The wastewater will be treated first and indirectly sent to the Otterkill and the Wallkill.

Mr. Dropkin also feels that there are other issues that will need to be more fully addressed, i.e., traffic, impact on schools etc. He also noted that 58 % of the area is wetlands. In reviewing the AKRF Scoping Document, Mr. Dropkin noted that under the heading of Infrastructure and Utilities on page 11, the DEIS should look at the potential impacts on aesthetic, odor, lighting and other impacts from the disposal system upon neighboring properties, which would suggest that there would be a sewer system on site. The document then states that the potential impact of biodegradables and thermal loading on adjacent streams and rivers will be analyzed and discussed. The wording is confusing in this section. It is suggested that it be changed to read that the potential impact on adjacent rivers and streams shall be analyzed and discussed, including but not limited to the potential impact of biodegradables and thermal loading. It should read all impacts, not limited to just biodegradables and thermal loading.

Mr. Dropkin also noted that there are references in the technical appendices to the sewer system, which still suggests that they are considering an on site system. If they are planning on this or on hooking to the Village system it should be clarified in the document. The extent to which they are considering an on site system needs to be fully disclosed. Operation, maintenance and payment for the system needs to be clarified. Ms. Cleaver noted that the cost to each homeowner also needs to be stated. Mr. Halloran noted that this Town Board appears to expect to ultimately take over water/sewer systems.

Mr. Dropkin noted that the ERB was not included on the list of agencies to be notified, This Board should have been included in order to have more time for review and time to respond by the deadline of February 17. Therefore, the comments made in this meeting will have to serve as the ERB's written comments to the PB. It is requested that the ERB receive copies of all documents when the other parties are notified.

Mr. Dropkin further stated that this Scoping Document should take into account all of the other pending projects that are in the area. Traffic from future developments will impact all of the area. We need to take a more global view. The ERB recommends to the PB that all of the other projects that are in planning stages must take into account the cumulative impacts. The Scoping Document needs to be changed to include this need for overall review of impacts. Mr. Halloran noted that on this project, Hambletonian and Salesian are doing a joint traffic study. Also, this project and Salesian will probably do a joint water study.

PERSOON SUBDIVISION 17-1-36 & ?? 127 acres, located on Maple Ave., Winners Cir. And Breezeway Ln in the RU Zone with an AQ 3, scenic road overlays.

A full EAF is submitted. The applicant is planning on building 22 single-family homes and four attached homes. Forty-one acres will be developed with 86 acres to remain as open space. Mr. Dropkin noted that it appears they will be disturbing several acres of forestland. The property currently has 20.7 acres of forest and they will end up with 8.7 acres.

Mr. Dropkin asked Mr. Halloran if the PB is requesting a DEIS. It is uncertain if they have reached a decision on this. It appears that they are going from 0 acres of landscape to 29 acres of landscape, which is a large amount of area to keep plant and keep green. Therefore, there would be large water consumption. The ERB suggests that they preserve more of the trees, which will cut down on water consumption. Ms. Cleaver noted that a large portion is wetlands, which cannot be disturbed. Mr. Halloran noted that there is a wide buffer toward Maple Hill, which is forested.

Mr. Dropkin also noted that under B.1.f, the applicant is asked for the maximum number of vehicular trips generated per hour upon completion of the project. They did not answer this and they should. In B.3 they are asked if disturbed areas will be reclaimed and they answer "not applicable." The Board feels that is an inadequate response. In 13 they are asking if subsurface liquid waste disposal involved and they answer "yes." Mr. Halloran stated that this probably refers to sewage septic systems. They should answer this more clearly. Mr. Dropkin also asked for clarification of the "yes" answer to #16 regarding the pumping out of septic systems. Ms. Cleaver responded that this refers to garbage, which then will go to Pennsylvania. In question #17, when asked if the project involves disposal of solid waste, they answer "no." This needs to be clarified.

In the questions regarding the well pumping capacity they answer 93 gpm. Mr. Halloran noted that they probably mean the total of all the wells. In question #23, they are stating that water usage per day is 9500 gpd. This would average to 320 per household, which seems low. The Town figured on 400 gpd when they did their study. It is also noted that when asked about the approvals required, they answer "none." It cannot be no. They are also saying "no" to state agency approvals. It is evident that at least the DEC will be involved. Applicant also needs to explain the yes answer to the question regarding whether the proposed project will create a demand for any community services, i.e., recreation, police etc. They are also saying "yes" to current services being sufficient. This needs to be explained. Mr. Dropkin feels that if they are required to complete a DEIS they

would have to work with consultants who will need to know what is going on in other projects. This overall information is needed to address the total impact.

Mr. Halloran suggested that we request that they complete an expanded Part III. Part C-11 especially needs to be addressed in a Part III. Cumulative impacts need to be addressed in light of the large amount of development going on at this time. Mr. Gillis asked if there has ever been a study done to show if the individual approach has been accurate in the past. Dr. Stein asked how far we need to ask the developer to go with the cumulative effects. Ms. Cleaver noted that it is usually done to what is in front of the PB. Mr. Dropkin stated that the analysis is that at full build out these are the impacts. If you go beyond that you are engaging in speculation. The developers need to show the effect of more scenarios, i.e., 3 children per household instead of 1.2. The impacts need to be viewed in a global context. Dr. Stein also noted that the definition of “significant” has to be considered.

Mr. Halloran stated that the PB has considered having the applicants coordinate their studies, but that could not be resolved. The ERB feels that an expanded Part III will help resolve this problem. Mr. Halloran noted that the Houston subdivision was asked to do an expanded Part III and it is approximately the same size project. He also stated that the PB has recommended to the TB that they consider the possibility of buying or taking some land that belongs to the Persoon farm that is across the road next to Sunset Ct. for parkland.

JONAS 10-1-6.222 located on Owens Rd. and Phillipsburg Rd. in an RU zone with AQ6 and stream corridor overlay.

Mr. Dropkin did call the state regarding the historic nature of the old trolley line and they have not replied as yet. The PB is aware of this trolley line. Mr. Halloran noted that the OWENS ROAD project also has a large portion of the trolley line. The PB needs to be aware that the ERB has attempted to obtain background on the trolley line from SHPO and they have not yet replied. The ERB will attempt to follow up. The PB should ask the developer to find out if there is any historic significance.

LANDS OF WHOLESALE STORAGE MATERIALS 12-1-18 located on Hartley Rd.

This is on Hartley Rd. approximately across from Waste Management. This project is proposing warehousing for soils and related natural materials. This will develop a potential for a roadway with a large amount of industrial development. Mr. Dropkin feels that we need to see what we can do now to soften the impact in

the future. Ms. Cleaver noted that the applicant was supposed to be parking their vehicles in this area, but she has questioned if this is being done. They were also storing trailers in this area that were seeping and they were dumping in the area. The ground will probably need some remediation. Mr. Halloran also noted that the Transfer Station is working to enclose their building. This site has a staggered two lines of trees facing Hartley Rd., but only a single line on the northeast side. This should be increased to a double line of trees and the same should be done to the opposite side. They should be evergreens and any fencing should blend in with the natural color and look of the area. Ms. Cleaver noted that they should show the stream. The height of the building also needs to be shown.

Dr. Stern questioned the noise level of this operation. Ms. Cleaver also noted that the type of wood to be ground needs to be stated. Some types need a permit as it could be considered solid waste. The PB should ask the applicant about the hours and days of operation and the noise level. The height of the storage should be questioned. It was limited to 30' on a previous application. The fire department should look at the combustibility and safety issues. Mr. Halloran questioned if they will be using concrete pads for storage. Ms. Cleaver noted that the stream is very close, so possible concrete should be considered.

HENDLER 10-1-51.2, 52.3 & 52.4 – 91.1 acres located on 6 ½ Station Rd and Cheechunk Rd., in an RU and CO zone with an AQ6 and scenic road overlay, for a Planned Adult Community and 8-lot residential subdivision.

Mr. Halloran explained that this project is for a planned adult community and 8 residential lots. Ms. Cleaver and Mr. Halloran have met with the applicant regarding possible environmental issues. They will probably be doing an EIS. The planners have also noted that this is a very steep site and may not be appropriate for senior housing. At this time, they are working on their Conservation Analysis. Ms. Cleaver noted that the applicant is considering a trail through the Audubon area to the Heritage Trail. Mr. Shapiro, attorney for the Audubon Society, expressed concern about garbage, solid waste, and storm water. She also asked if the lighting in the area would have a negative effect on the bird life.

Mr. Halloran stated that lighting was discussed at the Staff Meeting. "Night sky friendly" lighting has been discussed for commercial projects and it may become important for this residential project. It will also be seen from Route 17. Another large concern is that there are polluted wells in the area and there may be a possibility of cross pollution. The applicant is not concerned as the water should be flowing the opposite direction, but he was concerned about the MTBEs that were found in wells on Phillipsburg Rd. They will be doing a full EAF soon.

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Adjournment: The meeting adjourned at 8:00 pm upon motion by Mr. Gillis, seconded by Mr. Dropkin.

Philip Dropkin, Chairman

Notes Prepared by Linda P. Doolittle