

# ENVIRONMENTAL REVIEW BOARD

## MINUTES OF THE MEETING

June 8, 2005

### MEMBERS PRESENT ALSO PRESENT

Phil Dropkin, Chairman Susan Cleaver

David Gawronski Neal Halloran, Building Inspector

Frank Gillis

Norman Stein, MD **ABSENT**

Wallace Gantter

### 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, June 8, 2005.

### II. MINUTES

The minutes of the April 13, 2005 meeting will be reviewed at the next meeting when the rest of the members are present.

The minutes of the May 11, 2005 meeting were approved as submitted upon motion made by Ms. Cleaver, seconded by Mr. Dropkin.

### III. ADMINISTRATIVE ITEMS

Mr. Dropkin noted that there have been several Conservation Analysis Findings submitted for review of late and it is the finding of this Board that the language is entirely too loose. He asked Mr. Halloran what is the purpose of these findings. Mr. Halloran responded that the purpose is to give some kind of constraints on how to develop a particular site. The developer is to stay away from anything listed under the primary constraints and to avoid if possible any items listed under the secondary.

Mr. Dropkin stated that generally the Conservation Analysis are written so as to be largely of very little effect of any kind. The language is too vague and gives little firm guidance to the developer. Specifically, the following CA's were discussed:

1. Goshen Associates – Item #3 states that the design "should consider" the following. The wording needs to be stronger. By using the word "should" the developer is being given the option. This section should state that the design "should be conditioned upon the following" or "restricted to the following";.

Town of Goshen June 8, 2005

2. Shoenfeld – same comment, Para. 3 mentions pedestrian access to the Heritage Trail & “should be provided if possible”; therefore wording should have had a determination of whether it is possible or not.
3. Dickerson – Same general comment. There should be directives not suggestions.
4. Ashford – Para 4 & “views from the site toward Route 17 should be considered”. This does not restrict or give any appropriate guidance to the developer.
5. Prospect Hill – Para 3. use of the term & “consider” gives the developer the option to reject an item. Para. 3a & “layout of the roads should acknowledge the off site views”. Again, what kind of advice is intended? Para 3c & “consider re–use of salvageable materials from the barn”. This is a meaningless statement. Para. D What is or is not to be done in regard to the listed items, i.e., stormwater management, landscape etc. Para. F & “the railroad bed should be considered in the open space.”; The developer is entitled to more direction.
6. Rieger – Para 5 & “future access to the Broadlea Estate should be considered”. Again, no direction is given. Para 6 & “consider potential inclusion of a pedestrian trail”. Either they have a trail or they do not.

Dr. Stein agreed that the documents are very vague and largely useless.

In regard to the Hendler application, it appears that none of the matters raised by the ERB have been discussed by the PB, therefore these are reiterated as follows:

1. Concerns over garbage and storm water if a trail is proposed through the Audubon area.
2. Will the lighting have a negative effect on the bird life in the area.
3. Views from Route 17.
4. The impact of polluted wells in the area.
5. The impact of highway noise from Route 17.

Goshen Associates, LLC – Deed of Conservation Easement. The ERB questions if the comments from Ms. Israelski were fully addressed especially regarding her request for salt resistant trees in the street front area. The ERB also questions what will happen after the 1 year performance guarantee lapses. Mr. Halloran stated that the street trees were part of the original easement and now they do not appear to be mentioned. The site plan notes that the conservation easement is solely in the rear. He explained that the easement was set up to encourage natural progression of growth in the rear area. All of this may be moot at this point, as Mr. Huddleston has walked the site and feels it needs to be delineated as there are wetlands on the site that the applicant has not considered. This may change the entire project.

Town of Goshen June 8, 2005

Persoon application – the ERB reviewed the letter from AKRF regarding the EAF. The members agree that the phasing plan should indicate which units are to be built and when, so that roadways are not built if they are not needed due to lack of market demand. The Board's major concern relates to the traffic study. The applicant has studied the Houston Rd. – 17A intersection, but they have not addressed the overall issue. When looking at any project, the board needs to see the overall impact of many projects. The l.o.s. is going to deteriorate because of the aggregate impact of a number of projects. The ERB has been asking for these overall studies

for quite some time.

Mr. Gillis noted that the developer needs to forecast future projects. They need to review the impact from future projects that are just coming to the PB or are beginning actual development, otherwise the information the Boards are receiving is unrelated. Mr. Gawronski noted that traffic on Maple Ave. has increased at least 4 times what it was, most likely due to the increase in development in the Town of Wawayanda. Mr. Halloran noted that there at least 5 developments in the process for this area alone.

Mr. Dropkin noted that this Board has asked the PB to consult with AKRF on what other communities are doing to address these overall impacts of multiple projects. The Planner should be asked to provide some information on this issue.

#### IV. Site Plan Review

##### **151 Greenwich Corp.** Route 17M

Mr. Halloran explained that this is a plan to construct a building to store construction equipment on property opposite the landfill. The ERB advises them to do landscaping, street tree plantings. Plantings should be evergreen and maintained. The appropriate lighting also needs to be shown on the plan.

Dr. Stein noted that the Board routinely asks that certain requirements be met, i.e., lighting, screening, plantings, maintenance, building materials and colors etc. It is suggested that they make these types of things a prerequisite for review by this Board. Mr. Halloran stated that he does advise the applicant that they need to address these items. Mr. Dropkin suggested that they add viewshed analysis to this list. In particular, the view from the neighboring properties.

The ERB asks the applicant to address the above items as well as supply the building materials and color and to address the view from the neighboring church. They also need to show the relationship to the existing Route 17M storage facility.

Town of Goshen June 8, 2005

Environmental Review Board Page-----4

**A & L Acres 13-1-34.2** – 39.7 acres located on Houston Road in the RU zone with an AQ3 & 2 scenic road and 1 stream corridor overlay.

Mr. Halloran explained that the applicant has presented sketch plans and they are now asking if they should pursue the preliminary work based on this layout. Mr. Dropkin asked if an EIS will be required as this project will be part of an aggregate impact. Mr. Halloran stated that there has been no comment on an EIS. Mr. Dropkin would like to see an expanded Part III or a full EIS to assess aggregate traffic and environmental impacts. Mr. Halloran further explained that the ERB should raise issues early on as later it would be difficult to ask for changes.

Mr. Gawronski asked if this is the site of the original Borden farm. If so, should the applicant do a Phase I Archeological Study. Possibly SHPO should be contacted. The PB should bring this to the attention of the applicant.

The ERB will respond when they have more information.

**Goshen Properties 13-1-34.1 & 39.1** – 42.30 acres, located on Houston Road and Route17A, located in the RU zone, with an AQ3, 2 scenic road , and stream corridor overlays.

Mr. Halloran explained that this project has presented a layout for discussion. There are several driveways cutting across steep slopes. The PB has suggested some alternatives to the layout to reduce the amount of curb cuts. There is a road shown, which goes to the property line. This is presented in this manner in order to provide for connection to any future development.

The ERB has not further comment at this time.

**Dogherty 13-1-9** – located on Police Drive in the RU zone with an AQ6 overlay, Request for a special use permit for an accessory dwelling.

This is an application for the construction of another dwelling on this property. Mr. Halloran stated that this has to fit into the neighborhood as well as meet the setbacks. The PB did ask if they could move the new dwelling further back on the property and near to the main building. However, this is one of the few spots on the property that it will work due to the soils. Mr. Halloran read the section of the code, which provides for accessory dwellings.

Town of Goshen June 8, 2005

Environmental Review Board Page-----5

Ms. Cleaver expressed concern that if this is allowed a precedent will be set that could pave the way for nearly doubling the number of homes in the Town. It is possible that each lot could add another dwelling to their property as long as they meet setbacks. A lengthy discussion of the code ensued. Mr. Halloran explained that the PB is aware that the language is confusing and there is some disagreement on the interpretation. This particular project has been sent to the ZBA for an interpretation.

It is felt that the original intent of the Town Board was to allow for "mother-daughter" units and to fill the need for affordable housing. The fact that the dwelling is limited to 1000 sq. ft. and 2 bedrooms should limit the number of applications for these accessory dwellings.

Mr. Gawronski suggested that for future projects they ask for a stipulation on the maps that no accessory apartments/dwellings be allowed. Mr. Dropkin suggested that they remove the "as of right" in the code and make accessory units subject to Board approval. This would require a change in the code.

The ERB recommends to the PB that they recommend to the TB that they eliminate the "as of right" accessory dwellings or apartments in the code. Therefore, it becomes a matter subject to TB approval on a case by case.

**Zalunski 20-1-8** – 74.8 acres located on Pulaski Highway and Cross Roads in the RU zone with an AQ3 overlay, scenic road and stream & reservoir overlay.

Mr. Gawronski has mentioned the need to preserve the view shed at an earlier meeting and he is pleased to see that the PB and the applicant took this into account. Mr. Halloran noted that the open space area would be preserved as a horse farm. He also explained that the existing large building on the property used to be a dance hall and it will probably be demolished. Mr. Dropkin asked that they consider saving the building since it had a unique use. It is old and representative of the immigrants who came here. We should keep it as an historical piece.

The ERB recommends that the PB make it a conditional approval that the applicant is required to preserve the building and provide historical information explaining the past uses.

**Makuen – 13-1-10.1 & 10.2**, – 96.07 acres located in the RU & CO zones

with an AQ6 & scenic road corridor overlay, located on Route 17A, next to the Village. This is a 4-lot subdivision apparently proceeding under the small scale subdivision section of the code.

Town of Goshen June 8, 2005

Environmental Review Board Page-----6

Mr. Halloran explained that this is for the construction of one more house. There are two existing dwellings. It has been reviewed extensively at previous meetings.

The ERB has no further comments at this time.

**Maplewood ( Salesian Village) 8-1-48** – Hamlet residential and open space subdivision in the HR & RU zone with an AQ6, scenic road, and stream corridor overlay

Mr. Halloran explained that this project is causing some concern with the PB members. This is a difficult site due to the extensive wetlands. There is a question as to whether this is truly a hamlet design. The applicant has proposed some changes to their original design, which were discussed.

They are sharing a traffic study and a water study with the McDermott project and Heritage Estates. The ERB will continue to review this project and comment at the next meeting.

#### IV. OTHER

The scoping document for Prospect Hill was received today and the members should review it for discussion at the next meeting.

Dr. Stein asked if this Board and/or the PB had any input on the Tetz Asphalt project in the Town of Walkill. The PB did submit written comments.

Adjournment: The meeting adjourned at 9:00 pm upon motion made by Mr. Gawronski, seconded by Mr. Gillis.

Philip Dropkin, Chairman

Notes prepared by Linda P. Doolittle