

DRAFT - UNAPPROVED

ENVIRONMENTAL REVIEW BOARD MINUTES OF THE MEETING July 13, 2005

MEMBERS PRESENT

Phil Dropkin, Chairman
Frank Gillis

ALSO PRESENT

Susan Cleaver
Neal Halloran, Building Inspector

ABSENT

Wallace Gantter
David Gawronski
Norman Stein, MD

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, July 13, 2005.

II. MINUTES

The minutes of the June 8, 2005 meeting were approved as submitted upon motion made by Mr. Gillis, seconded by Mr. Dropkin.

III. APPLICATIONS BEFORE THE PLANNING BOARD

Prospect Hill 20-1-58 proposed subdivision special use permit in the RU & HR district with a AQ3 and scenic road overlay on Route 17A.

Mr. Halloran explained that the Scoping Document, prepared by Chazen Engineering has been amended to include the PB and the AKRF comments. Ms. Israelski and Ms. Cleaver had further notes to be added after the last PB meeting. The comment period is being held open in order to allow for the ERB to add their comments.

Mr. Dropkin asked if the applicant has reviewed the impacts (particularly traffic and visual) in relation to the rest of the projects in the planning stage. The DEIS will be flawed if these are not included. The applicant should consider all impacts assuming full build out for all the other projects. The effect on the entire Florida School District also must be considered.

The traffic impacts must be considered at all locations up to and including each of the major intersections closest to the proposed development, but in any event at least within one mile. The intersection of Houston and Route 17A is of major concern. All impacts must be considered assuming that all projects are built as proposed. Impacts on water, noise, air, traffic, aesthetics, drainage, vegetation,

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and agriculture must be analyzed for this project together with the impacts of the proposed projects. The applicant also needs to include the impacts on Route 17 through the Town of Goshen. The overall impact on growth and the community plans and goals as officially adopted must also be discussed.

The applicant must also consider the impact on the use of parks and recreation, proposed trails, and Heritage Trail as well as the impact on fire, police and other emergency services. Also the cost to the Town for maintenance of roads and highways must be addressed. All of the above should all be reviewed in light of the effects of other proposed projects in the town.

Mr. Dropkin also asked if the Attorney could address the possibility of the imposition of a special assessment on developments (either one time or recurring fees) to pay for the anticipated added costs for the Town to maintain, repair and upgrade roads and other municipal facilities or improvements. This should also include impact on school districts. Ms. Cleaver noted that she has asked the applicant to include the depreciation costs for sewer and water services. She has also asked for replacement costs when the infrastructure reaches its life expectancy.

Mr. Halloran stated that he does not think the State will allow impact fees other than recreation fees. He noted that the applicant should be able to provide an annual budget for maintenance of the infrastructure.

ANGELA'S ICES, Route 17M and Knoell Rd.

Mr. Halloran explained that all uses on private property now have to be approved for that property. An individual can no longer obtain a peddler's license and operate on private property. He noted that there is an issue over the septic system. The original site plan approval for the driving range included a septic system, but it was never installed. This will have to be addressed. Ms. Cleaver asked that the applicant reduce the number of signs. Mr. Halloran stated that they will have to consolidate the signs to the appropriate number and size.

FIELDSTONE FARMS, Maple Ave.

This project is coming back before the PB. The ERB has no comment at this time.

ATLANTIC FIBER OPTIC CORP. 18-2-10 2+ acres, located on Orange Farm Rd. in an HC zone with an AQ3 and scenic road corridor overlay.

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The applicant is proposing to construct a 4800 sq. ft. building for vehicle storage. Mr. Dropkin questioned the amount of impervious surface. Mr. Halloran stated that 60% coverage is allowed.

The ERB recommends that the applicant be made aware of the following requirements:

- 1) The building (including the roof) should be constructed in earth tones.
- 2) The entire perimeter should be planted with two rows of staggered evergreen trees. These should be not less than 5-6' in height and notes to maintain and replace them should be on the plan.
- 3) Any lighting to be installed shall be directed downward.
- 4) The applicant should consider berming the northeast and southwest site.
- 5) Stockade fencing is on the plan. Trees should be planted on the outside to screen the fencing from abutting properties.
- 6) The application states different uses for the building. The purpose of the building needs to be clarified.

Goshen Self Storage - 12-2-37.1 - 6.57 acres, located on 17M in an I zone with an AQ6 overlay.

Mr. Halloran explained that the applicant is proposing an additional 60 x 372 ft. building. Mr. Gillis asked if they have completed all that they were required to do for their previous buildings. No, they have not. The ZBA has granted them the necessary variance for lot coverage for this building. Mr. Halloran would like any approval from the PB to be conditioned on this previous work, i.e., landscaping being completed prior to the issuance of a building permit. Previously, it was conditioned upon a the issuance of a CO. The applicant has already built their latest building, but they have not completed the requested work.

Ms. Cleaver noted that they have been asked to clean up the area and complete the landscaping. Mr. Dropkin reviewed the stormwater runoff analysis and noted the following:

- 1) On page 1, the applicant is asked what the runoff will be. They answer by saying it will be negligible. This does not answer the question.
- 2) On page 8, they state the drainage structure should be inspected periodically. A condition of the approval should be the establishment of a maintenance schedule and the plans for implementing it.
- 3) There should also be a schedule for upgrading and replacement.

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Ms. Cleaver has received information from the DEC that bituminous coal tar sealant is causing serious runoff problems. This applicant should be asked to use another form of sealant. Mr. Dropkin expressed concern regarding the variance granted allowing such an increase to the impervious surface. Mr. Halloran explained that under the old code they never reviewed the amount of impervious surface and this overall project was started several years ago. Now that the code has been changed, they are in violation, so the variance granted for this particular building was really insignificant.

In addition to the three preceding conditions, the ERB requests the following:

- 1) They must find an alternative to bituminous coal tar sealant, due to the proximity to the Wallkill River (see attached notice from the DEC)
- 2) The building/roof should be in earthtones.
- 3) All existing dead trees should be replaced and the entire property should be screened with a staggered double row of evergreens.

These items should be conditions of approval. Mr. Dropkin stated that they are considered part of doing business and the applicant should be respectful of others in the community

GOSHEN ASSOCIATES 10-1-44.2 3.9 acres, for a minor subdivision for conservation analysis located on Old Minisink trail and Fletcher St. in a RU zone with AQ6 overlay.

Mr. Halloran reported that the PB had given approval conditioned on Mr. Huddleston's review of the wetlands and acceptance of the applicants' statement that there were no wetlands. He was not satisfied and asked that they submit a revised plan with the proper delineation. An updated plan has been submitted and Mr. Halloran feels that it is substantially different from the original submission. Therefore, it needs to be re-evaluated by the PB.

The units will have Village water and sewer. One of the units will be positioned in the area noted as wetlands. The applicant considers this to be under the 1/10 acre of allowable disturbance. Mr. Dropkin noted that there are trees on the edge of the property that are not shown on the plan. These trees need to be put back on the plan and if they are disturbed then they should be replaced. The area needs to have the look and feel that it had prior to construction.

The members agree that the Conservation Easement should be reviewed. The wetlands are actually forward of the Conservation Easement. It is agreed that the split rail fence should be placed on the edge of the wetlands. Ms. Cleaver mentioned that this property may also be located in a floodway. The PB should

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ask the applicant to assess the flooding impact that would result from any intrusion into the wetlands.

YANKEE PROPANE

The applicant is planning to construct an additional 30 x 80 x 15' building. They need a variance for setback from 50' to 8' from the ZBA. Mr. Dropkin noted that the Ag Data Statement is not complete. The ERB recommends that the PB ask the applicant to be sure the building/roof are constructed of earth tone materials, any lighting is downward directed, and the entire property be screened with a double staggered row of evergreens.

JONAS ESTATES - 10-1-6.222 - 122+ acres, located on Owens Road and Phillipsburg Road, with an AQ6 and stream & reservoir overlay.

The ERB has no comment at this time.

DALLY 4-1-64.2 14 Acres located on Ridge Rd. and Hasbrouck Rd. in the RU zone with an AQ6 overlay.

The ERB has no comment at this time.

REVIEW OF PENDING LOCAL LAWS

Moderate income / Affordable Housing
Financial Contribution in lieu of transferring development rights
Miscellaneous revisions to Town of Goshen Zoning

The above pending Local Laws were discussed. It is agreed that they are basically putting forth clarification for the implementation of concepts already in the Zoning Code. The members voiced no objections to them.

GIZA/BUY RITE 18-1-47.1 5.7 ACRES, LOCATED ON Route 17A, in the CO zone with an AQ3 and some scenic road overlay.

Ms. Cleaver noted that they are planning to recondition automobiles in a portion of the building. What types of acids/chemicals will be used and what containment measures are being taken? The members ask that the PB recommend to the applicant the following:

- 1) The building/roof should be constructed of earthtone materials.
- 2) Any lighting should be directed downward.

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- 3) The property should be appropriately screened with trees and they will be maintained and replaced as needed.
- 4) Applicant needs to state the types of chemicals to be used and their plans for containment and disposal.
- 5) Applicant needs to clarify the water discharge impacts.

BRENNAN POND 14-27-2 3.16 acres located on Murabito Pl. in a RU zone with an AQ3 and stream and reservoir overlay.

This is a wetlands mitigation issue. The owner needs to bring the pond back to wetlands. The ERB has no comment at this time.

STATION OFFICE PLAZA - 10-1-56.1 - 3.29 acres, located on 6&1/2 Station Road in the CO zone with an AQ6 and scenic Rd corridor overlay.

This project needs to be carefully reviewed. The bird sanctuary is nearby and there is a Senior project going in on the adjoining property. The existing farmhouse needs to be protected. The property as it currently exists helps to mitigate the impact of the Quickway.

The applicant must consider the following:

- 1) The impact on the development planned for the Hendler property.
- 2) The proposed parking will dramatically alter the look and feel of the intersection. It will greatly reduce the current open space.
- 3) There will be a major aesthetic impact as the size of the new buildings and the removal of the existing barn and the increase in impervious surface will greatly impact the look and feel of the area.
- 4) All of this will also have a serious impact on the bird sanctuary.
- 5) The septic system is planned to be along Cheechunk Rd., which will create difficulty in properly screening the area.
- 6) The landscaping on the plan is not sufficient. Ms. Cleaver suggested they speak to the Audubon Society to see what types of plantings could be used to attract birdlife.
- 7) The applicant needs to consider that this is a highly sensitive environmental area.

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.

This project needs further review. The ERB will reserve comment at this time.

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Dickerson - 13-1-69 - 92.90 acres, located on Dunmore Lane in the RU zone with an AQ3, AQ6 and scenic road corridor overlay.

The ERB has no comment at this time.

Adjournment: The meeting adjourned at 8:30 pm upon motion made by Mr. Gillis, seconded by Ms. Cleaver.

Philip Dropkin, Chairman

Notes prepared by Linda P. Doolittle