

**ENVIRONMENTAL REVIEW BOARD
MINUTES OF THE MEETING
August 10, 2005**

MEMBERS PRESENT

Phil Dropkin, Chairman
Frank Gillis
Wallace Gantter
David Gawronski
Norman Stein, MD

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, August 10, 2005.

II. MINUTES

The minutes of the July 13, 2005 meeting were approved as submitted upon motion made by Mr. Gillis, seconded by Mr. Dropkin.

Mr. Gantter asked if the PB attorney replied to the question regarding the impact fees mentioned in the minutes. Mr. Halloran replied that impact fees can only be charged to recreational facilities. Mr. Gantter thought there could be some way to apply fees to the impact on schools. Mr. Halloran suggested that this could not be done, but possibly if the Town were to coordinate with schools for fields it could apply.

III. APPLICATIONS BEFORE THE PLANNING BOARD

Draft GEIS for the Goshen Executive Center

Mr. Dropkin asked if this was available for review. Mr. Halloran explained that the Town was notified as an "interested" agency and only received one copy. The Town feels they are an "involved" agency and the attorney is advising Goshen Executive Center of this and asking for more time to respond as well as more copies for review. The based this interpretation on the fact that the plan shows access onto town roads in two areas and access across town property. Mr. Dropkin asked that the ERB be included with copies for review.

RTE 17M Storage - 12-1-103 - 3.75 acres, located on 17M & Musket Rd, in the I zone with an AQ3 overlay.

This is an applicant that has been caught in the change in the zoning law. Mr. Halloran stated that he is before the PB and the ZBA. At last night's ZBA meeting they discussed the possibility of downsizing the building with the

applicant. It is also noted that there may be Federal wetlands in the rear of the property.

They are proposing the construction of a 25,000 sq. ft. building with multiple units for office/storage. There will be approximately 13 different units with a small office in front and storage in the rear. The road on the property will be brought up to Town specs as part of the contract to purchase or the monies will be put in escrow by the seller. Mr. Dropkin noted that this entire corridor is being built up and now is the time to set the look and the tone. Mr. Halloran also stated that both the PB and the ERB are very cognizant of the visual effect on the Church. The PB has asked for sight line analysis.

Mr. Gawronski suggested that they should consider adding a pitched roof and cupola as well as the earthtone colors to give the building a more pleasing appearance. Mr. Gillis asked what the applicant will do if there are wetlands on the property. Mr. Halloran replied that they will probably have to decrease the size. ACOE wetlands are not as restrictive as DEC wetlands as no buffer is required. Ms. Cleaver noted that our code does have a buffer requirement.

Dr. Stein asked if the traffic patterns have been studied. There was a berm in the area and Mr. Gillis suggested they describe the scope and extend of the existing berm and the screening vegetation. Mr. Dropkin noted that the Town requires parking be in the rear when possible. However, Mr. Gantter pointed out that some parking would have to be in the front for customers.

The ERB recommends to the PB that they ask for the following:

- 1) Sight line analysis from all bordering locations.
- 2) Gabled roof line and cupola as well as earth tone colors for the exterior of the building.
- 3) Applicant needs to show the scope and extent of the wetlands on the map.
- 4) Traffic patterns for ingress and egress should be reviewed for safety.
- 5) Appropriate landscaping must be added and maintained along 17M as well as around the building. The applicant needs to discuss the existing berm and any vegetation from all sides.
- 6) Parking should be in the rear (from 17M) to the extend possible.

Atlantic Fiber Optic Corp - 18-2-10 - 2 + acres, located on Orange Farm Rd (Co Rte. #68) in an HC zone with an AQ3 and scenic road corridor overlay.

Mr. Halloran explained that the area is currently used for the storage of empty roll-off containers. The area is screened by a stockade fence with white pines planted in front. The applicant plans to construct a 60 x 80 building for the

storage of the truck cabs used for hauling the containers. There is a trailer used for an office in the front of the area, which is not in compliance. The applicant will put this inside the building. There have been no complaints from the neighbors regarding this property.

Mr. Dropkin noted that this is an opportunity to impact the visual effects of this property. The applicant states the roof will be green in color, he should consider using earth tones for the entire building. There are only three employees so parking should not be an issue. The entire area is gravel.

The ERB recommends to the PB that they ask for the following:

- 1) Landscaping should include a double row of evergreen (blue spruce) trees and maintenance agreement for at least one year. Applicant should plant species that are "deer proof" if possible.
- 2) Any signage or lighting should meet with PB approval and lighting should be downward directed.
- 3) The entire building should be constructed of earth tone materials (as well as the green roof mentioned in the plans)
- 4) The office trailer currently outside, will have to be placed inside the building once it is completed.

Battiato - 18-1-13 - 8.8 acres, located on Arcadia Rd in a RU zone with an AQ3 overlay.

Mr. Halloran reported that the Conservation Analysis was approved at the last PB meeting. He also noted that there are some wetlands in the upper left corner that continue off of the property. The applicant is asking for a 3-lot subdivision when he only has 8.8 acres. He needs to do well testing to prove sufficient water before he can qualify for this request. Mr. Gawronski noted that there is a formula that we rely on for the testing, but we need to consider the future use in the area. Mr. Halloran noted that the applicant will have to show that there will be no impact on the neighbors.

The ERB has no further comment at this time.

Brennan Pond - 14-27-2 - 3.16 acres, located on Murabito Pl in a RU zone with an AQ3 and stream & reservoir overlay.

Mr. Halloran reported that the property owner began putting in a pond and then was informed that there were regulations governing this activity. He now has to mitigate that disturbance. 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 and scenic road overlay.

Mr. Halloran reported that during the moratorium this applicant received approval for a 2-lot subdivision. This is a further subdivision of the larger lot. There are a great deal of wetlands on this property. This lot will be 3.48 acres and the remaining parcel will stay at 10 acres.

The ERB has no further comment at this time.

Goshen Self Storage – 12-2-37 - 6.57 acres, located on 17M in an I zone with an AQ6 overlay.

Mr. Halloran explained that this applicant is affected by the change in zoning. The new zoning changed how the surface coverage is calculated. None of the interior roads have been made public as yet. The applicant is in the process of re-aligning the lot lines. Any variance issued will not "go" with any expansion of the lot. The applicant is proposing the construction of a 22,000 sq. ft. storage building.

Landscaping is a major issue with this applicant. The Maaco building is under construction and the landscaping asked for the first building still is not installed. Ms. Cleaver noted that they have been parking vehicles on the interior roads. This is an enforcement issue. Part of the problem is that the fees have not been increased in several years. Mr. Halloran feels this could be corrected by the timing of the requirements. He would like to see landscaping in place before the building permit is issued. Dr. Stein asked if it needs to be plantings. Could they hide the buildings with a berm or a hill?

Mr. Gillis noted that since they have not done the first required plantings as yet, could this be used as leverage. The plantings should be completed around the entire building first. Ms. Cleaver informed the members that she has information from the EPA regarding the toxicity of coal tar sealant. As there is a great deal of blacktop in this area, the applicant needs to be advised of this problem. She noted that we should considering banning the use of this product.

The ERB recommends to the PB that they ask for the following:

- 1) The landscaping shown on the plans is deciduous. This should be changed to evergreens, i.e., blue spruce and "wildlife friendly" species. This landscaping should be completed prior to the issuance of a building permit. The PB should also consider requesting the posting of a performance bond (or a letter of credit).

- 2) The applicant should be advised they should not use coal tar sealant and they should seek an alternative. There are several other comparable products available.

Hendler, - 10-1-51.2 & 52.3 & 52.4 - 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.

The applicant will be submitting an expanded Part 3 EAF. The ERB is being asked to advise if there are any topics other than those listed that need to be studied. Ms. Cleaver noted that there may be significant impacts on the bird sanctuary, from runoff, lighting and noise. She also noted that when well testing was done in this area previously, the area across Route 17 was affected. Mr. Gantter pointed out that they should include the intersection of Fletcher St. and Route 17 and Fletcher and Minisink Trail in the traffic study. They should include peak hours when County workers are coming in to town as well as school traffic and Saturdays as traffic is very heavy on Route 17 on Saturday mornings. This Board has previously requested that applicants consider the impact in relation to all other projects in construction or being planned. This should be considered in addition to the background factors used in the study.

Mr. Halloran also noted that there may be other facilities being planned for the jail property as well as homeland security issues that need to be addressed. The ERB has commented previously on this project and reiterates those comments as follows:

- 1) Lighting on the outside of the buildings will be critical to the view from Rte. 17.
- 2) Noise impact from Rte. 17 should be addressed, possibly a barrier with plantings will be needed or berms
- 3) Due to the steepness, will this plan meet ADA requirements.
- 4) This is in the Hamlet Design zone and does not comply with these requirements.

The applicant needs to consider these issues as well as those raised tonight.

Lands of Giza – 18-1-47.1, 5.7 acres, located on 17A, in the CO zone, with an AQ3 and some scenic road overlay.

Mr. Gawronski stated that the applicant has incorporated many of the items the Board has previously asked for. The plans have been changed since this last submission. A row of trees has been added to the left side. The other side is fairly heavily wooded. There will be no lighting on the signs. The applicant has agreed to use retro reflective paint on the sign. The ERB has no further comment at this time

Panda Foods - 22-1-45 - 3.99 acres, located on Pulaski Highway in the AI zone with an AQ3 overlay.

Mr. Halloran explained this is a family run operation. Their business is expanding and they need a larger building. Pictures of the site have been submitted. The PB has asked for some buffering on the Northern side. There is natural vegetation in the front of the parcel. There are no lighting or signage questions. The ERB has no further comment at this time.

Reiger - 9-1-8.452 - 360.9 acres, located on Craigville Rd in the RU district with an AQ3 & AQ6 overlay with a scenic Road corridor overlay.

Ms. Cleaver reported that this site is a beautiful area, especially the left side of Craigville Rd. This is a very biodiversity rich area and this portion of the parcel should be in the Conservation Analysis. There are extensive pockets of wetlands and it would be ideal if these could be connected into a large corridor of open space. She also noted that an old cemetery has appeared on an old map and the applicant is researching this.

Mr. Halloran pointed out that the wetlands are all DEC with 100' buffers, so the area will be quite large. Also the stream will have a 300' buffer. He also noted that the biodiversity study did show this to be an area that should be kept open for a corridor. The parcel is also near the Knoell Farm, which has been earmarked for open space preservation by the Town. There is also a potential to hook up to the Stonehenge water district. There are no further comments at this time.

Kerr - 12-1-2 - 72.6 acres, located on Hartley Rd. in a CO zone with a stream & reservoir overlay with an AQ6 overlay.

This project is next to Wholesale Storage and across from Waste Management. They are proposing the construction of a building to house assemble race care bodies. Ms. Cleaver noted that there are a large amount of wetlands and some of the property is in the flood plain. Mr. Gawronski suggested that the building be constructed in a "barn like" manner. The materials should be earth tones with a cabled roof and cupola if possible. Ms. Cleaver noted that parking is in front and this is not allowed. Mr. Halloran pointed out that in §97-14C, the PB may waive or modify parking requirements.

The ERB recommends that the PB request the following:

- 1) Earth tone materials for the building construction, with a gabled roof and cupola.
- 2) Parking should be in the rear.

- 3) The septic system should be made "flood proof".
- 4) There should be a double row of evergreen trees around the perimeter.
- 5) Any lighting shall be downward directed.
- 6) Signage will meet with the PB's approval.

IV. OTHER

Mr. Dropkin suggested that the group consider rotating the chairman responsibilities. Dr. Stein agreed to chair the next meeting.

Mr. Halloran stated that the PB needs a volunteer to act as back up for some of their projects. There are occasions when a member may have to recuse themselves from a project and if a full board is not present, it will be difficult to call for a vote on certain items. For example, Ms. Cleaver must be recused from the Maplewood Village application, which is a large project. Mr. Gawronski expressed interest in volunteering to be an alternate. He needs to check his schedule to see if he will be able to give it the time commitment needed.

Mr. Halloran announced that there is a conference on Oct 8 - 10 that the members might want to attend.

Adjournment: The meeting adjourned at 8:55 pm upon motion made by Ms. Cleaver, seconded by Mr. Gillis.

Philip Dropkin
Chairman

Notes prepared by Linda P. Doolittle

