

APPROVED MINUTES
Town of Goshen Planning Board
Town Hall
41 Webster Avenue
Goshen, NY 10924

August 20, 2009

Members Present:

Lee Bergus
Susan Cleaver
Ralph Huddleston, Chair
Mary Israelski
John Lupinski
Raymond Myruski

Also Present:

Neal Halloran, Building Inspector
Dennis Lindsay, Engineer
Ed Garling, Planning Consultant
Rick Golden, PB Attorney
Kelly Naughton, Esq.
Karen Schneller-McDonald, Consultant

Absent: Reynell Andrews

MINUTES

The minutes of the Planning Board meetings of June 18, 2009 and August 6, 2009 were approved.

JAVELIN – 11-1-7 & 4.1 – 39.63 +/- acres, located on Butler Drive in the RU zone with an AQ6 & flood plain overlay. Water testing.

It was noted that the applicant met recently to discuss water protocols with the Town's consultants. Mr. Lindsay said that the applicant has only two wells on site rather than the required three but that a provision allows that two are adequate if the rate is raised and the applicant has agreed. He said that in terms of monitoring, while the Hambletonian Park district is slightly outside the 2500 ft. radius, a fracture trace comes close to the property and the Town will require the applicant to measure there and also monitor the Corey well. The applicant has agreed and complies with the requirements of the water testing protocol, Mr. Lindsay said.

VOTE BY PROPER MOTION, made by Mr. Myruski, seconded by Ms. Cleaver, the Town of Goshen Planning Board, based on the engineers report on water testing protocols, will allow the applicant Javelin, to proceed. Approved unanimously.

Mr. Bergus	Aye	Ms. Israelski	Aye
Ms. Cleaver	Aye	Mr. Lupinski	Aye
Mr. Huddleston	Aye	Mr. Myruski	Aye

TRASKUS – Request for an Extension

Representing the applicant: James Sweeney, Esq.

Mr. Halloran said that the PB granted the applicant a six month extension on April 22, 2009 and is requesting another extension. He said that new Local Law #4 requires all projects exempted from the new zoning that took place in February, 2009 to have Conditional Final Approval by January of 2010. He said that if the applicant doesn't have Final Approval by then, they have to comply with the new zoning.

Ms. Cleaver asked what the applicant has done since the last extension was granted. Mr. Sweeney said that not much can be done in the current economic environment. She asked what the applicant will do between now and January and Mr. Sweeney answered that they will "tread water". He said he plans to go to the Town Board to argue that "it makes little sense to try to reach a benchmark that forces you into position of developing the property in one way or another" in this economic environment.

VOTE BY PROPER MOTION, made by Ms. Israelski, seconded by Mr. Bergus, the Town of Goshen Planning Board grants an extension to the application of Traskus, pursuant to the Town Code, to January 27, 2010. Passed five "ayes", one "nay".

Mr. Bergus	Aye	Ms. Israelski	Aye
Ms. Cleaver	Nay	Mr. Lupinski	Aye
Mr. Huddleston	Aye	Mr. Myruski	Aye

CONTINUED PUBLIC HEARING

A & L Acres – S.B.L. 13-1-34.2 that part located west of Route 17A, 101.452 acres located on Houston Road and Route 17A, in the AQ3 zone with two scenic road corridor overlays and two stream corridor overlays. Proposed 29 lot residential subdivision with construction to be done in two phases. Possible preliminary and final subdivision approval.

Representing the applicant: Steve Esposito, Burt Blustein, Esq.

Mr. Golden said the applicant is asking for Conditional Preliminary Approval for the entire project and Conditional Final Approval for the first phase of the 29 lot subdivision. The Preliminary Approval will have the deadline date of January 27, 2010.

Mr. Golden told the applicant that he is required to file the conservation easements for the open space for the Conditional Final Approval on Phase I (lots 1-20).

Mr. Halloran said that the PB has received the 239F from the County DPW and the 239M from the County Planning Department.

Mr. Huddleston asked for comment from the public. There was none.

VOTE BY PROPER MOTION, made by Mr. Myruski, seconded by Ms. Cleaver, the Town of Goshen Planning Board closes the public hearing on the application of A & L Acres. Approved unanimously.

Mr. Bergus	Aye	Ms. Israelski	Aye
Ms. Cleaver	Aye	Mr. Lupinski	Aye
Mr. Huddleston	Aye	Mr. Myruski	Aye

Mr. Golden said the PB needs to consider three Findings. The proposed Finding were read:

“The Planning Board finds, in accordance with the requirements for the Scenic Road Corridor Overlay District, that this project will not result in the degradation of scenic character; will be aesthetically compatible with its surroundings; will minimize the removal of native vegetation, except where such removal may be necessary to open up scenic views and panoramas; and will locate and cluster buildings and other structures in a manner that minimizes their visibility from the road to the extent practical.”

VOTE BY PROPER MOTION, made by Mr. Bergus, seconded by Ms. Lupinski, the Town of Goshen Planning Board adopts the Finding as read by Mr. Golden on the application of A & L Acres. Approved unanimously.

Mr. Bergus	Aye	Ms. Israelski	Aye
Ms. Cleaver	Aye	Mr. Lupinski	Aye
Mr. Huddleston	Aye	Mr. Myruski	Aye

“The Planning Board has chosen to waive the requirements contained in Section 83-13(G): Continuation of Streets into Adjacent Property and (I) Permanent Dead-End Streets (Cul-De-Sacs) as it found that such requirements were inappropriate because of the inadequacy and lack of connecting facilities adjacent or in proximity to the subdivision.”

VOTE BY PROPER MOTION, made by Mr. Myruski, seconded by Mr. Lupinski, the Town of Goshen Planning Board adopts the Finding as read by Mr. Golden on the application of A & L Acres. Approved unanimously.

Mr. Bergus	Aye	Ms. Israelski	Aye
Ms. Cleaver	Aye	Mr. Lupinski	Aye
Mr. Huddleston	Aye	Mr. Myruski	Aye

“The Planning Board waived the Environmental Control Formula as permitted by Section 97-18(D)(3) because the applicant demonstrated, through site-specific soils testing and analysis to the satisfaction of the Planning Board and the Town Engineer, that the lots were appropriately sized and designed to accommodate the individual septic systems proposed.”

VOTE BY PROPER MOTION, made by Ms. Israelski, seconded by Ms. Cleaver, the Town of Goshen Planning Board adopts the Finding as read by Mr. Golden on the application of A & L Acres. Approved unanimously.

Mr. Bergus	Aye	Ms. Israelski	Aye
Ms. Cleaver	Aye	Mr. Lupinski	Aye
Mr. Huddleston	Aye	Mr. Myruski	Aye

Mr. Golden read the eighteen proposed specific conditions:

1. The applicant must demonstrate full compliance with Section 97-41(F) of the Goshen Town Code.
2. The applicant must comply with the requirements in Section 97-29(G) through (J) of the Goshen Town Code, except where site features are screened from the road.
3. The applicant must dedicate a 30-foot strip of land along the northeast side of Houston Road to the Town for the purpose of a pedestrian walk or the widening of the road.
4. Within 60 days of the filing of this Resolution the applicant must file a petition with the Town Board to create a Drainage District within the A & L Subdivision, whereby the Town of Goshen will be responsible for repairs and maintenance of the drainage facilities on the premises, and charge the costs thereof to the homeowners in the Drainage District. This Petition shall include a condition that the area along Road A and the drainage facilities be constantly mowed and maintained, at least four times a year, all costs thereof to be charged to the homeowners in the District. If a Drainage District is not created by the Town Board, the owner of Lot 29 is responsible for the property along Road A and must offer an easement over such property in favor of the Town granting the Town the right, but not the obligation to enter the property to maintain the drainage facilities. There shall be a deed restriction in such form as is satisfactory to the Planning Board Attorney filed to this effect.
5. The Common Driveway Maintenance Agreement for Lots 11, 12 and 13 must be modified to the Town Attorney’s approval.
6. Wetlands and any required buffers are to be marked on individual lots prior to Final Approval. The applicant must use properly Environmentally Sensitive Area (“ESA”) signage where applicable, and have such signage in place prior to any site disturbance.

7. The Applicant shall place a Conservation Easement over 54 acres, enforceable by the Town, which shall be drafted to the satisfaction of the Town Attorney as to form, including ongoing maintenance standards that will be enforceable by the Town against an owner of open space land to ensure that the open space land is not used for storage or dumping of refuse, junk, or other offensive or hazardous materials. This conservation easement shall provide that the State of New York may take such portions of Lot 5 located within the conservation easement as necessary for use by the State for the expansion of Route 17A, or for use by the Town for such purpose should the State so permit.
8. The applicant must construct roadways with a minimum of 1.5% slope.
9. Any and all swales constructed on the site must be constructed to the satisfaction of the Town Engineer and Highway Superintendent.
10. Footing drains and roof drains must be carried in separate pipes and discharge directly to the road drainage system (pipe, basin or swale) on high sides of roadways or to daylight on low sides of roadways.
11. The applicant must direct the outlet channel from the storm water management facility toward the stream near Houston Road.
12. The overflow from the water quality detention pond to the emergency channel must have rip-rap protection.
13. The 36-inch pipe from Road A must have a drop into the basin, and not have its invert match the wet pond depth to avoid deposition in the pipe.
14. The applicant shall revise the phasing plan to the satisfaction of the Town Engineer for purposes of ensuring that Phase I is functionally independent from Phase II.
15. The names of the streets constructed as part of this subdivision shall be subject to the approval of Orange County 911 services and shall be sufficiently different in sound and spelling from other street names to avoid confusion.
16. The applicant shall submit two copies of all submissions to and responses from the involved agencies between the time of this conditional approval and final approval.
17. Any and all drilled wells that will not be utilized by the applicant must be properly abandoned, capped and decommissioned prior to any construction.
18. Prior to final approval, the applicant shall modify the open space calculations to the satisfaction of the Town Engineer.

Mr. Golden said the proposed Resolution also includes five General Conditions consistent to with the PB's previous resolutions.

VOTE BY PROPER MOTION, made by Ms. Israelski, seconded by Ms. Cleaver, the Town of Goshen Planning Board accepts the Resolution of Conditional Preliminary Approval for the Major Subdivision of A & L Acres. Approved unanimously.

Mr. Bergus	Aye	Ms. Israelski	Aye
Ms. Cleaver	Aye	Mr. Lupinski	Aye
Mr. Huddleston	Aye	Mr. Myruski	Aye

Mr. Golden said that the applicant now wants to move into Conditional Final Approval for Phase I (for 20 of the 29 lots). The Conditional Final approval will hold for 180 days and then the applicant will have to come back to the PB for up to two 90 day extensions, giving them a total of 365 days and if they cannot resolve all of the conditions by that time, their approval will lapse and they will have to submit a new application, Mr. Golden said.

Mr. Golden said that the conditions of the Conditional Final Approval for Phase I are the same eighteen conditions of the Preliminary Approval, but that one additional Finding will be added which is:

“The Project presents a proper case for requiring a park or parks suitably located for playgrounds or other recreational purposes, but suitable parks or recreation areas of adequate size to meet this requirement cannot be properly located on the site, requiring a payment of a parkland fee to be determined by the Town Board in lieu of providing such parkland.”

VOTE BY PROPER MOTION, made by Ms. Israelski, seconded by Mr. Bergus, the Town of Goshen Planning Board grants Conditional Final Approval of Phase I of the Major Subdivision for A & L Acres, with the eighteen conditions previously read and the additional Finding read by the PB Attorney. Approved unanimously.

Mr. Bergus	Aye	Ms. Israelski	Aye
Ms. Cleaver	Aye	Mr. Lupinski	Aye
Mr. Huddleston	Aye	Mr. Myruski	Aye

Meadows of Goshen – 12-1-86.1 – 97.8 acres – 37 lot subdivision, located on Gate School House Road & Maple Ave. in the RU zone with an AQ3 & AQ6 overlays. Possible Final Approval.

Mr. Halloran said the project started 6-7 years ago and was adopted under interim zoning and continues under the interim zoning.

Mr. Lindsay said the project was grandfathered and that his office reviewed it to make sure it complied with new environmental regulations. He said that the only issue had been the re-location of Gates School House Road and the intersection. He said his only comment is that the applicant will have to change the type of pipe they plan to use and decide how they will treat the area where they remove pavement. It needs to be re-

grassed and stabilized, he said. As the applicant changes and improves the main roadway, the intersection is going to be pushed out and it may hurt sight distance. He said that the plantings may need to be set back and vegetation trimmed so as not to diminish the sight distance.

Mr. Garling agreed and said that a condition of approval should be that when the plantings go in, the highway superintendent makes sure the sight distance issue is being addressed in the field. He questioned who is going to maintain the two landscaped areas near the entrance off Maple Ave. and asked if the drainage areas will be fenced.

Mr. Esposito said he is not proposing fencing. There was a brief discussion about putting up a mesh fence but four PB members indicated they were not in favor of fencing. The remaining two PB members did not offer an opinion.

Mr. Golden told the PB that it needed to make the following Finding:

“The project presents a proper case for requiring a park or parks suitably located for playgrounds or other recreational purposes, but suitable parks or recreation areas of adequate size to meet this requirement cannot be properly located on the site, requiring a payment of a parkland fee to be determined by the Town board in lieu of providing such parkland.”

VOTE BY PROPER MOTION, made by Mr. Myruski, seconded by Ms. Cleaver, the Town of Goshen Planning Board adopts the Finding as read by Mr. Golden on the application of Meadows of Goshen. Approved unanimously.

Mr. Bergus	Aye	Ms. Israelski	Aye
Ms. Cleaver	Aye	Mr. Lupinski	Aye
Mr. Huddleston	Aye	Mr. Myruski	Aye

Mr. Golden read the following proposed Resolution Conditions:

1. The applicant must clearly mark the limits of disturbance prior to any construction activities. Such delineation shall be enforceable by the Town.
2. The applicant shall submit two copies of all submissions to and responses from the involved agencies between the time of this conditional approval and Final Approval.
3. Within sixty (60) days of the filing of this Resolution, the applicant must file a petition with the Town Board to create a Drainage District within the Meadows of Goshen Subdivision, whereby the Town of Goshen will be responsible for repairs and maintenance of the drainage facilities on the premises, and charge the costs thereof to the homeowners in Drainage District. If a Drainage District is not created by the Town Board, the owners of the lots containing drainage facilities

4. are responsible for such facilities, and the applicant must offer easements over such property in favor of the Town granting the Town the right, but not the obligation, to repair and maintain the drainage facilities to the extent necessary to protect Town property or interests.
5. All curbing along the roads of the subdivision shall be constructed using Belgium Block.
6. Wetlands and any required buffers are to be marked on individual lots prior to Final Approval. The applicant must use proper Environmentally Sensitive Area (“ESA”) signage where applicable and have such signage in place prior to any site disturbance.
7. The applicant shall place easements over that land outside of the street right-of-way that is part of the temporary turnaround (Road B – Howard Court), reverting the land to the abutting property owners upon the continuation of the road and include such as a note on the map, subject to the satisfaction of the Planning Board Attorney as to form, providing that the land revert to the owners of the adjacent lots, Lot 11 and Lot 12 when the through road is completed.
8. Any and all wells installed shall be no less than 300 feet deep.
9. Prior to the issuance of the Certificate of Occupancy for the first unit, the applicant shall post a security in the amount of \$10,000.00 to be held by the Town in an interest bearing account. This bond will remain for two years after the date of the issuance of the last Certificate of Occupancy for this subdivision. During such time period (between the issuance of the first Certificate of Occupancy and two years after the issuance of the last Certificate of Occupancy), should any adjoining homeowner experience problems with their wells, such homeowners may petition the Town Board to release funds from the account to fund any appropriate mitigation measures (for example, drilling the well deeper). The contents of the petition and corresponding procedures by the Town shall be in accordance with the Meadows of Goshen SEQRA Determination and Findings Statement dated May 15, 2003.
10. Though blasting is not expected, any and all blasting operations that might occur shall be conducted so as not to endanger the health, safety and welfare of persons and the safety of property, including but not limited to that of adjacent landowners. Any blasting operations shall be carried out in compliance with Chapter 58A of the Town Code and in compliance with the additional requirements of the Meadows of Goshen SEQRA Determination and Findings Statement dated May 15, 2003.
11. The applicant shall stockpile topsoil during construction and re-spread it to establish permanent lawns and landscaping.
12. Prior to the signing of the plat, the applicant shall obtain a jurisdictional determination from the Army Corps of Engineers.
13. Pursuant to the SEQRA Determination and Findings Statement, the applicant shall file deed restrictions prior to the issuance of its building permit with adequate proof of such filing submitted to the Building Department, for each lot

- of this subdivision to include the following: (a) There shall be no signage, unregistered vehicles, hunting or raising of livestock or poultry on the property.
14. (b) Satellite dishes are not permitted in the front yard and shall be screened from neighboring lots. (c) No above ground pools shall be permitted. (d) Any and all clearing of the individual lots shall be in accordance with the limits as shown on the approved subdivision plat. (e) No trees shall be removed that buffer the border of the lots.
 15. The applicant shall offer for dedication to the Town a 100-foot easement for highway purposes and pedestrian access located between Lots 2 and 3 as shown on the plat.
 16. The name of the street involved in this subdivision shall be subject to the approval of Orange County 911 services and shall be sufficiently different in sound and spelling from other street names to avoid confusion.
 17. Prior to the signing of the plat, the applicant must comply with all outstanding issues set forth in the memorandum of the Town Engineer dated June 15, 2009 to the satisfaction of the Town Engineer.
 18. Prior to the signing of the plat, the Stormwater Pollution Prevention Plan (“SWPPP”) must be revised to the satisfaction of the Town Engineer following approved practices as defined in the New York State Stormwater Management Design Manual (latest edition).
 19. Prior to the signing of the plat, Note 1 on Sheet L1 of 2 shall be revised to the satisfaction of the Planning Board Attorney.
 20. Prior to the signing of the plat, Comment 13 on Sheets C-1, C-2 and C-3 shall be removed or revised to state 62 days rather than 90 days.
 21. Prior to the signing of the plat, the applicant shall provide deed restrictions for Lots 1 and 34, satisfactory to the Planning Board Attorney as to form for the maintenance of the landscaped entrance features.
 22. Prior to the signing of the plat, the applicant shall delineate the wetlands onsite, and have the delineation validated by the Department of Environmental Conservation (“DEC”).
 23. Plantings along Lots 21 and 22 must be performed in a manner and in such specific locations as directed by the Town Highway Superintendent, Town Planner and Town Engineer to ensure optimum sight distances under the circumstances.
 24. The drainage pipe at the common driveway being re-constructed by the applicant near Road A shall use reinforced concrete pipe not HDPE. All areas where pavement is removed for this re-construction shall be stabilized and redressed.

At the suggestion of the applicant, the PB agreed to increase from \$5,000 to \$10,000 the amount of the well security and eliminate the minimum house size of 2800 square feet. There will be no minimum house size as the applicant wants it to be responsive to the market place and environmentally friendly.

VOTE BY PROPER MOTION, made by Mr. Bergus, seconded by Ms. Israelski, the Town of Goshen Planning Board approves the Conditional Final Approval of the Major Subdivision of Meadows of Goshen consistent with the Findings and the Conditions read and discussed. Approved unanimously.

Mr. Bergus	Aye	Ms. Israelski	Aye
Ms. Cleaver	Aye	Mr. Lupinski	Aye
Mr. Huddleston	Aye	Mr. Myruski	Aye

Reiger – 9-1-8.452 – 360.9 acres, 108 units, located on Craigville Rd in the RU district with an AQ3 & AQ6 overlay with a scenic road corridor overlay. DEIS Completeness.

Representing the applicant: Steve Esposito

Mr. Lindsay said he reviewed the DEIS and discussed it at staff meeting with the applicant. He said the applicant hasn't addressed, to the level expected, the possible connection to Stone Hedge. The applicant didn't look into the feasibility of a connection, didn't look at the hydraulic lines for both systems to determine if they could connect, didn't address who would benefit and what the detriments might be. He said that the applicant also didn't address a requested third alternative that would show additional trees left within the development area of the corridor and cluster development. There were two steps taken to minimize clearing, but the applicant didn't provide an alternative #3. Mr. Lindsay said it may not be needed, but he is pointing out that it is not included.

Mr. Esposito said the applicant actually came to the PB with several alternatives, that a tree survey was done and a number of lots were re-located to preserve where there were large or significant areas of existing trees. He said he thought everyone was in agreement that they would have corridors for existing vegetation and habitat movement. Mr. Esposito said he agreed with Mr. Lindsay that more should be included about Stone Hedge and that he will do so.

Mr. Lindsay said that he thinks the water study needs to be improved but that the hydrologist believes the DEIS is ready to go to the public for comment.

Mr. Golden said that if the applicant conforms the DEIS to a memorandum given to them today by his office, then he has no objection, from his review of the DEIS, to it being released for public review at this time.

Mr. Garling said that he has given a three page memo to the applicant containing mostly grammatical corrections and said that with those changes and the addition of a January,

2008 site map showing the houses and the clearing limits, that the DEIS could be deemed complete.

Mr. Golden and Mr. Huddleston noted that the applicant has agreed to make the changes requested before the DEIS goes to the public.

PB Environmental consultant, Karen Schneller-McDonald referred to her memo of August 20, 2009. She said she discussed changes regarding biodiversity with the applicant's biodiversity consultant. The applicant's consultant said he realizes he has already provided much of the information in the bio-diversity report in some form or other. He noted that some of the species of special concern, that everyone is trying to address, are not classified as endangered, threatened or rare and that the only thing he didn't provide are the species that are either unlisted or listed by the State as apparently or demonstratively secure, that anything that is endangered, threatened or rare has already been divulged. He said he doesn't see the point "in adding a species to a list to generate something that isn't regulated." He said he would be adding 50 to 60 species, none of which were physically observed on the site, other than the two that were referenced in the endangered, threatened species report and the bio-diversity report. The others don't pertain to the site because there isn't habitat for them and they are not endangered, threatened or rare, he said. He said that Ms. Schneller-McDonald asked him for a breakdown of the list of how many species actually could be found at one stage or other of their life cycle on the site, based on the habitat that is there. He said that all of that information would be speculative and unnecessary at this point in time. Ms. Schneller-McDonald said there are several reasons for requesting this information. She said that the habitat is looked at first to determine what species the State has identified as being of the greatest conservation need might be using the site. "It is a winnowing down, to make sure the open space you have left on the site corresponds to the most sensitive habitat that are also present on the site," she said.

Mr. Golden read the biodiversity section of the scope and said it is up to the PB to determine if what was provided by the applicant is consistent with the scope.

Mr. Huddleston said he thinks that what the PB laid out in the study was complied with by the applicant. However, he said that it is below the level of what Ms. Schneller-McDonald is asking for and that he agrees with her that the PB should probably ask for more in the future. "In my opinion on the wildlife, what they have done is in line with what we asked for," he said.

Ms. Schneller-McDonald said she will re-visit that at a later stage because she thinks it is important. Mr. Huddleston said the PB "can take a look at that later down the road if it can be done within the scope process".

Ms. Schneller-McDonald said that in the water study portion of the DEIS additional information is needed on the water shed so a determination can be made as to whether there is a significant impact from the project on water resources. She said the DEIS needs to show the contributing drainage area for each wetland on the site to be evaluated in terms of impervious surfaces. "It is necessary to get a good idea of what areas are draining into what wetlands, so we can determine what the impact might be," she said. She said that what happens on the property can easily affect water resources on an adjacent property.

Mr. Esposito said he has no problem providing the information to the PB as part of the DEIS. He said he will provide the information on the contributing basins to each individual wetland on the site but questioned how that information will be evaluated.

Ms. Schneller-McDonald said there are other areas in regard to the water where there are gaps of information. For example she said there is no information in the DEIS about the connections between ground water and the water supply to wetland and streams. She said that the information she requested has not been provided and that she doesn't think there is adequate information provided to give it to the public and asked the question, "How could the public tell if there is going to be an impact on the water supply or water quality."

Mr. Huddleston said that it sounds like a hydrological comment and that in the DEIS the applicant stated that their action is not expected to impact those things. The PB's hydrologist looked at it and said he thought it was ready to go to the public, he said.

Ms. Schneller-McDonald said she will bring up the same issues under "technical" during the next go-around.

Chad Wade of Esposito Associates said he has taken care of most of Ms. Schneller-McDonald's comments over the last couple of weeks and that they are willing to address the few minor things left as part of the DEIS.

Ms. Cleaver said that from what she has read the biggest problem with pump stations is odor and that she wants to make sure it gets addressed, stating that she didn't see any discussion in the DEIS about mitigating odors, only that the applicant doesn't expect to have odors. Mr. Lindsay said he will make sure it gets addressed.

VOTE BY PROPER MOTION, made by Mr. Myruski, seconded by Ms. Cleaver, the Town of Goshen Planning Board deems the DEIS on the application of Reiger to be adequately complete for release for public review, conditioned upon the applicant's

complying with the agreed upon conditions here tonight as set forth by the professionals. Approved five in favor, one opposed. Mr. Lupinski said he was opposed to the motion only because he believes the DEIS is adequate enough for public review, without the conditions imposed upon it.

Mr. Bergus	Aye	Ms. Israelski	Aye
Ms. Cleaver	Aye	Mr. Lupinski	Nay
Mr. Huddleston	Aye	Mr. Myruski	Aye

ADJOURNMENT: A motion to adjourn the meeting at 10:05 p.m. was made, seconded and approved unanimously.

Ralph Huddleston, Chair
Notes prepared by Susan Varden