

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

OCTOBER 21, 2010

Members Present:

Reynell Andrews
Lee Bergus, Acting Chair
John Lupinski
Raymond Myruski
Susan Cleaver

Also Present:

Neal Halloran, Building Inspector
Sean Hoffman, PB Engineer
Rick Golden, Esq. PB Attorney
Kelly Naughton, Esq. PB Attorney

Absent: Ralph Huddleston

Meadows of Goshen – 12-1-86.1 – 97.8 acres – 34 lot subdivision, located on Gate School House Road & Maple Ave. in the RU zone with an AQ3 & AQ6 overlays.

It was stated that the applicant's attorney had requested to be placed on the meeting agenda to discuss a bond authorization, but no one representing the applicant was present.

Mr. Hoffman said there is a question of the percentage of work that has been completed. He said also that the applicant has requested a waiver from the Town's road standards, which he called "very conservative" but said there hasn't been any specific request from the applicant as to what they propose the number to be. Currently, the Town's standard is 15" of stone sub-base, 15 inches is "the equivalent of an interstate highway, heavy volume and heavy trucks," Mr. Hoffman said.

Mr. Golden advised the PB that since the bond amount is tied-in with the estimate for bonding of the roads, it makes sense, since the applicant is not here to respond to questions, that it would be appropriate to adjourn this to the PB's next meeting and ask the applicant to appear so it can be addressed.

In response to questions from the PB, Mr. Hoffman said that 6" of stone sub-grade is not uncommon. He said it has to do with the soil types, the length of the design line, the capacity of the road and the volume of traffic.

Mr. Hoffman said the applicant has done a significant amount of roadwork, including the clearing and preparing and rolling of the sub-grade and said there were no observed problems. He said the applicant, based on site specific information, is coming to the PB with a waiver request. He said he has not inspected the work yet but plans to probe the

soil and determine the level of detail done. He also said he will talk with the Highway Superintendent.

Mr. Golden said that the PB has the ability to waive the road standards, providing they are consistent moving forward and treat everyone in similar circumstances fairly. He suggested that the PB not make a determination until the applicant is present and suggested that the Building Inspector not put it on the PB agenda until the applicant has submitted a written proposal.

VOTE BY PROPER MOTION, made by Mr. Andrews, seconded by Ms. Cleaver, the Town of Goshen Planning Board adjourns the vote on the bond issue until a future date. Approved unanimously.

Mr. Andrews	Aye	Mr. Lupinski	Aye
Mr. Bergus	Aye	Mr. Myruski	Aye
Ms. Cleaver	Aye		

Maplewood – 8-1-45 – 94+/- acres, 103 units, residential and open space subdivision in the RU zone with an AQ6, scenic road and stream corridor overlay. Discussion of scoping document.

Representing the applicant: Stu Turner, and Christine O'Donnell
Planners

PB member Susan Cleaver recused herself and Mr. Halloran stated that Dave Gawronski will serve as a PB alternate for Ms. Cleaver on the consideration of the application of Maplewood.

Mr. Golden said that the applicant had submitted a draft scope for the Environmental Impact Statement (EIS) and that comments were made by PB members, the town's professional staff and others and that Ms. Naughton has put together a draft of all of those comments which will be reviewed tonight. He said the PB needs to finalize the scope by November 3. He asked the applicant if he would grant the PB a one-day reprieve so the PB can finalize the document at its next meeting November 4th. Mr. Turner said that if the PB could not finalize it at this meeting that the applicant will not object to it being done on November 4th. He said he was speaking on behalf of the applicant who was present at the meeting.

Ms. Naughton read aloud the three-page memorandum dated Oct. 19, 2010 containing 30 items regarding comments from the Town engineer, the Town planner, the applicant and the Town's environmental consultant. Ms. Naughton also read the supplemental memo, dated October 21, 2010 containing comments from the consultants and the

applicant received by her office as recently as this afternoon. This October 21 memo was also distributed to PB members and the applicant's representatives at the meeting.

The October 19th memorandum included the following:

1. Page 1: The telephone number should be revised to: (845) 294-6430.
2. Page 4: The Town Board approvals listed should include "Determination regarding the integration of the proposed water supply with the existing Hambletonian Park water supply system.
3. Page 4: The second bullet of the Village of Goshen Board of Trustees approvals should be revised as follows: "Possible approval of emergency connection to Village public water supply system.
4. Section 2(a): The Applicant has suggested modifying No. 1 to state "(1) Craigville Road at the intersection of Oakwood Drive".
5. Section 2(b): The Applicant has decided to study the visual impacts of the construction of a water tower. The second sentence under Section 2(b) should be replaced with, "Visual impacts related to the construction of a water tower will be evaluated."
6. Section 3: All references to "species of conservation concern" should be revised to "special concern species", as defined by the DEC in the document listed in No. 7, herein.
7. Section 3(a): The peregrine falcon should be removed.
8. Section 3(a): It is suggested that the Applicant use the "New York Rare Plant Status Lists" (updated June 2010), and the "Checklist of Amphibians, Reptiles, Birds and Mammals of New York State, Including Their Legal Status" (updated April 2010).
9. Section 3(a): The environmental consultant has suggested the second bullet point be revised as follows: "Describe onsite vegetative communities according to the standard [in] "Ecological Communities of New York State" (Edinger, 2002). Mapping of these communities and habitats will be provided."
10. Section 3(a): The second sentence of the third bullet should be clarified as follows: "Identify those species that are rare, endangered, threatened or are special concern species, as identified by the NYS Natural Heritage Program, NYS DEC and US FWS, that can be supported by those habitats described as being present onsite."
11. Section 3(b): The environmental consultant has suggested the following additional language, "Describe potential impacts to the Purgatory Swamp important biodiversity area (a portion of the project site lies within this area) described in the "Southern Wallkill Biodiversity Plan" (Miller et al., 2002)."
12. Section 3(b): The third bullet point may be modified to state ". . . within the site disturbance area with a circumference of 16 inches or greater as measured from four feet above the base...". Additionally, the Planning Board may want to consider that a larger circumference be identified in the disturbance area in order to try and save some significant trees by planning around them, rather than clear cutting everything in the disturbance area.
13. Section 4(b): The environmental consultant has suggested the following revision of the second sentence of the first bullet point, "Identify all direct and indirect impacts on wetlands from construction, stormwater management systems or water supply sources."

14. Section 4(b): The environmental consultant has suggested the third bullet point be removed and replaced with “Identify potential impacts from diverting water from the CDAs, the addition of impervious surfaces on CDAs, and the increased water usage and hydrological changes resulting from converting existing vegetation into construction and post construction conditions.”

15. Section 5(a): The Town Engineer has suggested revising the second bullet point as follows: “Describe municipally controlled water supplies, and the feasibility of connecting to those systems, both legally and technically.

16. Section 5(a): The Town Engineer has suggested revising the fourth bullet point as follows: “Discuss connection for expansion of Hambletonian Park Public Water system, including hydraulic grades and what infrastructure would be required, installation and method of payment/cost.”

17. Section 5(a): The third through sixth bullet points should be relocated to Section 5(b) as they are more appropriately potential impacts rather than existing conditions.

18. Section 5(b): The Town Engineer has suggested revising the fourth bullet as follows: “Impacts from an emergency connection to Village public water system, including, but not limited to, distribution pressure (hydraulic grades), fire flow and any institutional issues affecting available capacity.”

19. Section 5(b): The fifth bullet point should be removed.

20. Section 6(a): The Town Planner has suggested removing the Wallkill River from the last bullet point.

21. Section 6(b): The Town Engineer has suggested clarifying the level of detail for the SWPPP required as follows (second bullet point): “Consistency with 2010 NYS DEC applicable regulations will be discussed, as well as the preparation of a preliminary SWPPP describing, at a minimum, the calculated quantity of runoff using standard methodologies, the quality of treated stormwater discharges, identification of proposed structural and nonstructural stormwater management measures, including identification of the location and size of proposed structures.”

22. Section 6(b): The Applicant has suggested removing the impacts on the Moodna Creek from the fifth bullet point, as the Moodna does not enter the Town of Goshen.

23. Section 7(a): The Town Engineer has suggested revising the first bullet point for clarification purposes as follows: “Existing available utilities will be described, including stormwater collection and conveyance system, domestic sewer treatment, and available utilities (electric, gas, phone, cable). [All available site utilities will be described utilizing information from original DEIS (ground water section will be referenced) of possible impacts from pump station(s) should be included for noise and odor; also chemical usage and delivery for odor control if required.]

24. Section 9(a): The Town Planner has suggested removing the studies of the first, seventh and eighth bullets (Bridle Path, Route 17 ramps), and adding the intersection of Craigville Road and Knoell Road, and Knoell Road and Route 17M.

25. Section 9(a): The intersection of Old Chester Road and Bridle Path should be removed.

26. Section 9(a): The second to last bullet should be revised to state “South Street/Old Chester Road and South Church Street”.

27. Section 9(a): The second bullet point should not include the language “on-street parking”, as that is not permitted within the Town.

28. Section 9(c): The Applicant has suggested the following language to replace the first bullet point: “Mitigations directly related to development on this site as recommended in the Goshen Area Traffic Impact Study (October 2005) and/or in the previous DEIS for this site will be evaluated to determine if, and to what extent any are still appropriate given the reduction of traffic volume anticipated.”

29. Section 10(a): The sentence beginning “The potential impacts of noise levels anticipated...” should be removed. It is already contained in Section 7(b), and was incorrectly also placed in this section.

30. Section 11(b): The Applicant has requested that the scope of the Fiscal Analysis be based upon a full build-out of the project, rather than to analyze the fiscal impacts of discrete phases. The rationale for this request is that given the number of units in each potential phase it would be difficult to fine-tune an estimated fiscal impact to the community to that level of fiscal detail. This is a valid point, and one that the Planning Board should consider. One suggestion is to allow the fiscal impact to be studied on the full build-out, with a direction that the Applicant adjust the analysis to the extent, if any, that the delay of any particular phase is anticipated to be so significant as to have an impact on the analysis.

Ms. Naughton read the October 21, 2010 memorandum of 11 items which supplemented the October 19th memorandum as follows:

1. Item No. 6 should be removed.
2. Item No. 8: The environmental consultant has suggested that the Applicant use the “New York Rare Plant Status Lists” (updated June 2010) in combination with the State List of endangered, threatened, rare and exploitably vulnerable species (6 NYCRR Part 193).
3. Item No. 8: The environmental consultant has suggested that the Applicant use the NYS Comprehensive Wildlife Conservation Strategy Plan (“CWCS”), which can be found at <http://www.dec.ny.gov/animals/30483.html>, specifically those pages of the study providing the list of species to be provided to the Applicant by the Town environmental consultant. The CWCS list can also directly be found at: <http://www.dec.ny.gov/animals/9406.html>.
4. Item No. 10: The language “special concern species” should be replaced with “species of conservation concern.”
5. Item No. 12: “Fee” should be replaced with “feet”.
6. Item No. 23: “. . . of possible . . . if required” should be removed, as it is addressed in Section 7(b).

7. Item No. 24: The Town Planner has indicated that Knoell Road and Old Chester Road do not intersect. The intersection of Old Chester Road and Route 17M should be studied. Section 3(a): The environmental consultant has suggested that the fourth bullet point be revised to state “Identify invasive species onsite, both pre- and post-construction.”

9. Section 3(b): The environmental consultant has suggested that the second bullet point be revised to state “Discuss the project’s potential impacts to habitats and the species of conservation concern that use them (as identified in part ‘a’ above). Information from original DEIS species evaluation may be used as a starting point, with the addition of species of conservation concern and habitats as described in section a. above. This will include discussion of any onsite or downstream water quality or temperature impacts on animals and plants.”

10. Section 4(a): The environmental consultant has suggested that the second bullet point be revised to state “Identify any connections between onsite and offsite water resources (*i.e.*, wetlands and streams); also identify any offsite wetlands with buffers that extend onto the project site. Discuss compliance with Town Code § 83-15(B)(1).”

11. Section 4(b): The environmental consultant has suggested that the first bullet point be revised to state “Identify and discuss all wetland and/or buffer encroachments and the reason for such encroachments.”

The PB discussed each item and suggested changes in both memos and also discussed the 24 written comments from the Town’s Environmental Review Board dated October 13, 2010.

Following the two hour discussion, Mr. Golden said that based upon comments received at the meeting and notes taken by himself and Ms. Naughton that his office can finalize the scoping document and send a clean copy of the revised document to PB members prior to the November 4th meeting so that a finalized scoping document can be adopted.

ADJOURNMENT: A motion to adjourn the meeting at 10:35 p.m. was made, seconded and approved unanimously.

Lee Bergus, Acting Chair
Notes Prepared by Susan Varden