

**Town of Goshen
Planning Board
MINUTES OF THE
REGULAR MEETING
February 16, 2006**

MEMBERS PRESENT

Ralph Huddleston, Chairman
Reynell Andrews
Lee Bergus
Susan Cleaver
John Lupinski
Ray Myruski

ALSO PRESENT

John Cappello, Attorney
Richard Golden, Attorney
John Cappello, Attorney
Neal Halloran, Bldg. Insp
Joe Henry, Engineer
Graham Trelstad, Planner

ABSENT

Mary Israelski

I. CALL TO ORDER

Chairman Huddleston called the regular meeting of the Town of Goshen Planning Board to order at 7:30 pm.

II. APPROVAL OF MINUTES

The minutes of the February 2, 2006 meeting were accepted as corrected upon motion made by Mr. Andrews, seconded by Mr. Bergus.

III. PUBLIC HEARINGS

Foley - 10-1-10.21 - 10.123 +/- acres, 2 lot subdivision, located on Owens Rd in the RU zone with an AQ6 overlay.

Present for the applicant: James Dillin

Mr. Dillin explained that the property lies on the Northwest boundary of Owens Rd. There is one existing house on the 10+ acres. It is in the RU zone – AQ6 district. The applicant has prepared a Conservation Analysis, which was approved by the PB. There are wetlands in the central portion bounded by rock walls, which will be preserved. An excess of 50% of the property can be left in a conservation easement. There is a private road to the northeast. This is the Old Trolley Road and it will be used for access to this portion.

Mr. Henry stated that he has to witness the soils tests and then the application will be complete. Ms. Roth asked if the entrance to Owens Rd is going to be improved. Mr. Dillin stated that they would pave the entrance area. He explained

it is not on the plans yet as they are waiting to finish the soils tests before completing the final drawings. Mr. Bergus asked Mr. Henry if they have looked at a replacement design septic system for the existing home. Yes, the area where it could be placed will be shown on the final map.

Ms. Donna Venditto, a neighbor, asked if the applicant would be installing other roads off of Owens Rd. Mr. Dillin replied that they would not, as the new zoning encourages the use of existing roads. She also asked if the existing home would remain. Yes, it will. Mr. Rosen, neighbor, commented that it is nice to see local young people living on local land.

Mr. Cappello advised the Board that they are at a point where they could close the Public Hearing if the applicant will waive the 62-day time period if needed to facilitate the soils testing. After that is completed, the PB will be in a position to grant preliminary and final approval. He also asked that the applicant obtain a copy of the r.o.w. for the file.

VOTE By Proper MOTION, made by Mr. Andrews, seconded by Mr. Lupinski, the Planning Board of the Town of Goshen hereby closes the Public Hearing for the Foley application. The applicant will complete the soils testing and if necessary waive the 62-day time requirement in order to complete this task. Passed unanimously.

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

IV. AGENDA ITEMS

Crystal Development - 21-1-89 - 5.0 acres, located at 907 Pulaski Highway in the AI zone with an AQ3 & flood plain overlay. Existing building 9000+/- Sq. Ft. - 2100 +/- to be used for office & 6900+/- to be used for warehouse space.
Department of public works letter 2/1/06.

Present for the applicant: Chad Wade

Mr. Wade explained that he is present tonight to explain that the applicant is not ready to continue at this time. They are working on the soils testing. They have received the DPW comments and are addressing them. Mr. Huddleston asked if the applicant could estimate when they would be ready to continue. Mr. Brown replied that the DPW comments are being worked out and he is not sure when the soils tests will be done.

Rather than close the Public Hearing and then have to re-notice it, Mr. Cappello suggested that they continue it to the April 6 meeting. If the applicant finds that they do not have the information by the 3/16 meeting, they should advise the Board so they can push the hearing to the last meeting in April. This is acceptable to the applicant and the members.

Heritage Estates - 8-1-9.22 - 256 acres locate on Old Chester Rd & Brookside Rd in the HR & RU zone with an AQ6 & AQ3 overlay with a scenic road and stream & Reservoir overlay. **DEIS completeness**

Present for the applicant: Joseph Pfau

Mr. Pfau is present to collect the comments on the DEIS. Mr. Cappello explained that two letters have been submitted - one from the Planners and one from the Engineer stating the reasons why the document is incomplete. The letters are quite comprehensive. Mr. Huddleston has reviewed the letters (the members have not reviewed them yet) and states that he is comfortable with the comments. Mr. Trelstad emphasized that this is not the last opportunity to comment. Mr. Huddleston would like to be able to release these letters to the applicant so he can begin to work on the document. The members should review the letters and add any additional comments for the applicant within the next two weeks. The applicant should understand that there may be additional comments, but they will be supplied within two weeks.

Prospect Hill - 20-1-58 - 110 +/- acres, proposed subdivision (approximately 210 units) located on Route 17A, in the RU & HR district with a AQ3 and scenic road corridor overlay

Present for the applicant: Nick Brown
Jennifer Van Tyle

Mr. Golden is acting as counsel to the PB for this project. Mr. Brown presented their revised and improved site plan. They have tried to adhere to the TND principles. He states that the Town is unique in its rural character and they have tried to reflect that rural atmosphere in their design. They are also trying to create an efficient site layout mixing with the open space requirements. He noted that more than 70% is open space.

The entrance will be a boulevard style off of Route 17A. They are planning to preserve and relocate the existing barn and that will be incorporated into the entrance statement. The next feature is a large pond that will release water down to an intermediate pond and then to a gristmill, which will recycle the water. Next is the Village green area. It is larger than originally designed and pushed

further back into the center of the community. It is surrounded by active structures. There is the clubhouse, which is broken up into 3 parts with a pool. There are also 3 manor homes of 10 units each in this area. They will be 3 stories high, with flats on the first floor and stacked duplexes on the top 2. They have rear loaded garages and porches overlooking the green.

He pointed out changes to the road network and they have increased the connectivity throughout to create a more pedestrian friendly area. The garages are in the rear through the entire complex and there are sidewalks connecting the various areas. There is also a pedestrian path to the rear.

There are several product types in the development - Manor Homes, Town Homes; Villas and Carriage Homes. Mr. Huddleston acknowledged that the applicant has taken into consideration many of the PB's comments. He asked for a description of the distances between the sections. Mr. Brown replied that they were all within walking distance.

Mr. Trelstad presented a comment letter from Joel Russell. Mr. Russell points out that a certain lack of connectivity may require a decrease in density. He also asked that they extend access to the North in order to provide an opportunity for future connections. He recommends that the applicant incorporate Mr. Russell's comments and continue work on the DEIS.

Mr. Halloran stated that the members of the public have asked for a definition of TND. Mr. Trelstad replied that it stands for Traditional Neighborhood Design. The older code focuses on single large homes on large lots. A TND makes use of Hamlet Zones, which allows for greater ability to protect open spaces. In this instance 70% of the property will remain open. This design also allows multi-family housing and brings all the housing into a more dense pattern, thereby creating a better community feeling.

Ms. Cleaver asked if the existing zoning line between HR and RU would remain. If it does remain she asks if the storm water pond shown in the HR should be used to drain water in that zone rather than the other zone. It also appears that some of the storm water ponds are infringing on the wetlands buffer. Mr. Trelstad stated that they have to look at how the water flows. If there are infringements into the wetlands, they will be evaluated in the DEIS. Ms. Cleaver asked if the pond could be moved up. Mr. Brown replied that they have a wetlands consultant working on this and they will try to keep it out of the buffer. Mr. Huddleston suggested that they create wet basins. He has found that the DEC will be receptive to this even if they have to encroach on the buffer. Mr. Brown reminded the Board that this is a conceptual plan.

Ms. Roth asked if the current density is dependent on the zoning line being moved. Mr. Brown stated that it might determine the number of TDR's and how they are applied. Ms. Roth asked if the line could stay as is. Yes, it could.

Mr. Golden noted that Mr. Russell raised one scoping issue. The current plan has limited access with only one entrance. Internal circulation and the need for emergency access dictate that there should be more access points. As a scoping issue this should be specifically addressed in the DEIS. Mr. Brown stated that they are looking at access for emergency vehicles. They could extend access to the South, but that would be toward a commercial area (Industrial Dr), which is generally not desirable. They are also looking at the possibility of a northern connection. Mr. Huddleston reminded the applicant that they were told in the beginning that the Town is in need of helicopter access. Mr. Brown stated they would explore this possibility.

Mr. Henry advised the applicant to supply as many access points as possible even though nothing is planned for the properties to the north at this time. It would also be advisable to look at access to the commercial area for emergency purposes. Ms. Roth noted that Industrial Dr. is mostly offices at this time, but it may change and an access to this new community may even encourage re-development in this commercial zone. Mr. Trelstad advised the applicant to look to Industrial Dr. in the south, review of the current entrance drive and look for a connection in the north. Ms. Jennifer Van Tyle stated that they will include this issue in the scope. Mr. Golden noted that the scope does address the issue and therefore it is not necessary to amend that document.

Mr. Huddleston advised the applicant that the Town Board is taking a hard look at traffic and it may be necessary to provide more input on this topic. Mr. Brown stated that they have been working with Mr. Greeley on traffic issues. Mr. Myruski asked if they have had their consultants look at a total bedroom count and how that relates to traffic increase in the future. Mr. Brown noted that a large percentage of the units are 2-bedroom. Mr. Myruski also advised the applicant that this particular area is prone to very severe thunderstorms in late summer. This property is on a path for violent storms and they should be aware of this. Mr. Bergus expressed concern regarding access to the upper section and also suggested that they consider breaking up the island in the boulevard entrance way to aid in moving traffic in an emergency. There also seems to be a great deal of on-street parking. Will emergency vehicles be able to get through?

Hambletonian - 8-1-12.221 - 23.4 +/- acres, 35 lot subdivision with 42 dwellings, located on Upper Magic Circle in the HR zone with an AQ6 overlay. Road access decision & possibly set public hearing.

Mr. Halloran explained that the applicant is here tonight to present updated plans and to discuss road access. Mr. Huddleston noted that the Town Board is beginning to take a hard look at traffic and the matter of road access is important. The current code promotes as many open accesses as possible, therefore the Board would like to see an analysis of all possible openings. The applicant should show Arthur Place as both 1-way and 2-way access and Bridle Path should be shown as 2-way. The Board needs to see all three alternatives, so they can address all the potential impacts. Any one of these alternatives, can always be removed if they prove inappropriate. He stated that this is the approach that must be taken under the current code.

Mr. Trelstad noted that the applicant has contributed to a combined traffic study that shows the impact with and without certain connections. Bridle Path is shown, but Arthur Pl. is only shown as a pedestrian way. Mr. McDermott asked if this means that the PB wants him to draw up another set of plans showing Arthur Pl. open. He was under the impression from the December 15 meeting, that he would be told which access the PB wanted to have open. Mr. Golden stated that there was no commitment made to do that. The Board needs to see all options before they can determine which is the best access. Mr. Huddleston concurred and emphasized the PB needs to see the actual layouts with all the alternatives.

Mr. McDermott stated he did not think it appropriate to do design work on lands owned by others, i.e., Bridle Path, and his engineer has already stated that he would not sign off on a design to have Arthur Pl. open. Mr. Trelstad stated that we are not here to determine if the alternatives can be engineered. The decision was that the PB wanted to see that connection so the potential layouts could be presented to the public.

Mr. McDermott asked if this means that the PB would hold a Public Hearing before declaring significance for the project. Mr. Golden explained that he has met with Mr. Cappello and the PB usually conducts the Public Hearing prior to determining significance. They are only being consistent. Mr. Huddleston stated that the Board needs to see the potential impacts and then hold a Public Hearing prior to determination of significance. He asked the members if they agree with this statement. They all replied in the affirmative.

Mr. McDermott asked that they not set the Public Hearing tonight. He is scheduled to meet with the consultants on 2/23. Mr. Golden noted that since the next step is to schedule a Public Hearing and the applicant has asked them not to, then the application would be in hiatus. This is acceptable if it is only for a month or two. Mr. Trelstad asked what would be accomplished at the 2/23 meeting. Mr. McDermott stated that he wants to be sure that the sketch plan is together and that

all involved are "on the same page." He emphasized that this has been a very long process and he has done all that has been asked of him, including the joint traffic study and they truly expected to be given some direction tonight. Mr. Golden stated that the PB is now stating that they want to see all options. This can be reviewed at the 2/23 staff meeting and then the applicant can be on the 3/2 meeting as an agenda item.

Nextel Communications - 11-1-45 - 18.1+/- acres located at 338 Harriman Drive in the RU zone with an AQ6, AQ3, and stream & reservoir overlays. **Co-location on existing tower.**

Mr. Huddleston asked if our consultants have replied. Yes, and he has rejected it. There are structural issues and the application does not show that they need to go higher. There has been no response from Telecommunications Committee.

V. **Correspondence**

Letter dated 2/8/06 from Department of Health regarding Station office plaza 10-1-56.1

Upcoming Continued Public Hearing scheduled for March 2, 2006

Fordham University / Wood Rd - 5-1-58 - 10.6 +/- acres - located at 3 Wood Rd, in the RU zone with an AQ6 overlay, for religious/charitable and education

Adjournment: The meeting adjourned at 8:50pm upon motion made by Mr. Andrews, seconded by Ms. Cleaver.

Ralph Huddleston, Chairman

Notes prepared by Linda P. Doolittle