

**Town of Goshen Planning Board
Town of Goshen, Orange County, New York
MINUTES**

July 6, 2006

PRESENT

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

ABSENT

ALSO PRESENT

John C. Cappello, Esq.
Neil Halloran / Building Inspector
Joseph Henry / Engineer
Susan Roth / Planner

THIS IS NOT A VERBATIM REPORT

Call to Order

Chairman Bergus called to order the July 6, 2006 meeting of the Town of Goshen Planning Board at 7:35 p.m.

Items awaiting Board decision

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. **Special use permit for an extension of existing cell tower.**

Chairman Bergus opens – anyone to speak / anyone from public / no response

Chair – Motion to adjourn until August 3. R. Myruski, Second by S. Cleaver.

Houston – 17-1-5.24 – Request for a 6- month extension on the preliminary approval due to expire August 18, 2006.

Chair-motion to approve/ R. Andrews/second S. Cleaver. All in favor / ay, unanimous.

Hambletonian –8-1-12.221-23.4=-/ acres, 38 lot subdivision located on Magic Circle Terrace in HR zone with an AQ6 overlay. (EP) (RG) **Set public hearing on July 20, 2006 for Scooping Document.**

Chair/ motion to approve/R. Andrews/second by R. Myruski. All in favor, ay, unanimous.

Public Hearing

Heritage Estates – 8-1-9.22 – 249.76+/- acres, 92 dwelling units located on Old Chester Road & Brookside Drive in the HR & RU zone with an AQ6, AQ3, scenic road and stream and reservoir overlays. **EIS & Preliminary subdivision approval (SE)**

Chair Bergus opens floor to the public.

Chair briefly explains the protocol . state your name, address and concern, speak slowly/ all questions are noted but will not be answered in this forum.

Attorney Sweeney introduces himself and explains function of this meeting also introduces stenographer. Brief overview of project is given at this time

- **At this time Heritage Estates documents all concerns verbatim. Attached, please find 40 +/- page transcript entered as record. Provided by James G. Sweeney Esq. and as documented by Robert J. Cummings, court reporter.**

Chair closes the floor at approximately 8:45 / any concerns/ no response/ thanks the audience/ to be continued in 2 weeks.

Agenda Items

Mahoney's at Goshen-11-1-28 & 11-1-30.1 –3.65+/- acres, special use permit located on Rte 17M in the RU zone with an AQ6 7 scenic road corridor overlays. **New site plan (Hodosh)**

Neil Halloran – applicant will be using a different architect and may not need Board approvals.

Concerns are raised by audience regarding the number of seats.

Chair motions to carry until August meeting, motion to postpone R. Andrews, second unanimous, all in favor, ay.

Old Tobias Farmhouse – 5-2-11-Located on Phillipsburg Rd. – regarding e-mail letter from J. Distelburger (L&T)

Overview of original project given with recap of previously obtained local governmental approvals from May 2005.

Tobias, owner currently has a potential buyer and would need subdivision approvals.

Board is advised of current plan to go to Health Department, for approvals. With the intention of locating new, clean quality well. It is also indicated that time is of the essence; Tobias does not want to lose potential buyer.

Chair questions the reasoning why this property remained unsold.

Response speaks of issues in the past regarding contamination of well waters and documentation from the DEC will speak to these issues prior to any future approvals.

John Capello Esq. offers recommendation to Board regarding Town protection and inferred guarantees to DEC Health Department approvals must be given in order to proceed.

Chair and Board try to recall specifics of original approvals.

Board determines that the process will run concurrently with the Health Department. A Public Hearing needs to be scheduled for subdivision approvals. John Capello Esq. Advises Board to proceed carefully with proposed subdivision.

BMJB Enterprises, Inc.- 22-1-37.2, 17 acres, located on Pulaski Hwy, in the AI zone with an AQ3 overlay and scenic road corridor overlay. **Special use permit & site plan approval –(need updated site plans) (L&T)**

Chair asks for new site plans. Neil Halloran responds that applicant documentation was not offered until last minute, it was not prepared to present / he apologizes for timing issues, site plan will be reviewed at next meeting.

Attorney Capello broaches subject of Jonas Estates / Jonas Estates is not on the agenda however; they need a 90 day extension contingent upon conditional approvals regarding subdivision.

Chair motion to approve/S. Cleaver, second by R. Myruski. All in favor, ay, unanimous.

- Open Board discussion regarding correspondence as provided by Neil Halloran, from the Village of Goshen regarding the Executive Park.

Chair Bergus/any other items/ motion to adjourn/R.Andrews, seconds. S. Cleaver. All in favor, ay, unanimous.