

**Town of Goshen
Planning Board
MINUTES OF THE
REGULAR MEETING
October 20, 2005**

MEMBERS PRESENT

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

ALSO PRESENT

John Cappello, Attorney
Neal Halloran, Bldg. Insp
Joe Henry, Engineer
Susan Roth, Planner

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

October 6, 2005 – The minutes will be reviewed at the next meeting.

III. PUBLIC HEARINGS

Wholesale Storage - 12-1-18, 5 acres, special use permit for the selling of wholesale landscaping materials, located on Hartley Road, in a CO zone with an AQ6 overlay.

Present for the applicant: Kirk Rother

Mr. Rother explained that the applicant is proposing a wholesale storage and sales facility for firewood, mulch, stone and topsoil. There will be a 5000 sq. ft. building to house and maintain the necessary equipment. The soils tests have been witnessed and the wetlands have been delineated. A split rail fence will be installed to prevent disturbance of the wetlands.

Mr. Huddleston advised the applicant (and all other applicants tonight) that the DEC has changed their attitude regarding unmapped wetlands over 12.4 acres. Regardless of whether or not they are shown on the official maps, the DEC is taking jurisdiction. He suggested that the applicant review their wetlands to be sure they are not part of a larger core system.

Ms. Cleaver asked that a note be placed on the map regarding the use of non-coal tar sealants on the asphalt areas. She presented a list of acceptable materials. Mr. Henry stated that they have just received the revised site plan and the storm water pollution prevention plan. He also has some questions regarding the septic

system. He would like to see the fence located at least 20' away from the wetlands.

Mr. Huddleston stated that since the storm water pollution prevention plan review needs to be completed they will hold the hearing open until the next meeting. Mr. Henry should get his comments to Mr. Rother quickly, so Mr. Rother can respond by Nov. 3 in order to be on the 11/17 agenda. If the information is not complete, the hearing will be held over to the December meeting.

Kerr & Wendland 12-1-2 - 72.6 +/- acres, 2 lot subdivision and special use permit for light industrial building located on Hartley Rd in a CO zone with an AQ6 and stream & reservoir overlay.

Present for the applicant: James Dillin, Jr.

Mr. Halloran noted that the soils tests were done yesterday, but there were some problems with the percs. Mr. Dillin explained that the property is approximately 40 acres in the CO zone. The applicant wishes to subdivide 5 acres from the main parcel for a workshop for the fabrication of metals for racecars. The building will be 50' x 100' with its own septic and well. The federal wetlands have been delineated. Mr. Huddleston advised this applicant to be sure to review the wetlands maps and be sure their wetlands are not part of a larger core system

Mr. Bergus had several questions regarding the layout of the septic system.

- 1) The outlet off the septic tank should be at a 90degree angle
- 2) There should be a 3" separation between the invert and outlet.
- 3) One sheet states it will be a 1000 gal tank and sheet 4 states it will be 1250.
- 4) On Sheet 4 the layout does not match sheet 2 in orientation.
- 5) The size of the field is different from one sheet to another.

Mr. Dillin will consult with the engineer regarding these errors. Ms. Israelski asked if the applicant has considered the view from the railroad bed as this may become part of the trail system. It was determined that the distance is nearly 1/3 of a mile and screening will not be an issue. Ms. Israelski also asked that VOC testing be done on the well due to the proximity to the Al Turi Landfill. Should the results of these tests be a condition of the CO? Mr. Henry stated that the applicant needs to provide potable water. Mr. Huddleston suggested that they drill the well first and perform the necessary testing prior to the issuance of a building permit to save the applicant unnecessary expense. Mr. Dillin agreed.

Mr. Henry noted that there were problems with the perc when the soils were tested. Mr. Dillin stated that the testing was stopped and he feels some of the problem was caused by the heavy rains of the last week. There were no questions from the public. The hearing will be held open for the results of the perc tests. If the information is provided by 11/3, they can be on the 11/17 agenda – if not, the hearing will be held over until December. The list of certified mailings were

submitted by the applicant. Mr. Cappello asked that an affidavit of regularity be completed.

Yankee Propane - 20-2-12 - 3.14 +/- acres, located on Industrial Dr off Rte 17A, in the CO zone with an AQ3 overlay. Seeking special use permit for warehouse, one additional propane tank, and an addition to the office.

Present for the applicant: Roger Lupino

Mr. Lupino noted that at the last meeting it was agreed that the applicant would re-submit the application to encompass the new structure, tanks and office building addition. Proof of mailings was submitted and Mr. Cappello asked that an affidavit of regularity be completed.

Mr. Lupino explained that their business has increased in the last 12 years and they need to expand. Mr. Myruski asked if this is the final number of tanks they will need. Mr. Lupino replied that they do not have room for more than four. There were no comments from the public.

Mr. Henry noted that there are requirements in the code that need to be on the map and some other items that need to be clarified. If any lighting is planned, that also needs to be on the maps. Ms. Israelski asked if there would be a need for more landscaping to screen the area from any future trail development. Mr. Lupino stated that the area of the property closest to the railroad bed/trail is used for storage of empty tanks. The Board needs to see more detail of this storage area on the map. Mr. Lupino submitted some photos of the property. The railroad r.o.w. is 100' and the trail will only be approximately 20' wide, so there should be enough vegetation to buffer itself. Mr. Huddleston noted that there are some sparse areas and suggested that the applicant show the addition of some evergreens on the inside of the chain link fence that surrounds the property.

Mr. Henry will meet with Mr. Lupino to go over what needs to be added to the plans to meet code. The applicant also needs to notify the fire department of their plans.

VOTE By Proper MOTION, made by Ms. Israelski, seconded by Mr. Myruski, the Planning Board of the Town of Goshen hereby closes the Public Hearing in regard to the Yankee Propane application. Passed unanimously.

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|----------------|-----|---------------|-----|
| Mr. Andrews | Aye | Ms. Israelski | Aye |
| Mr. Bergus | Aye | Mr. Lupinski | Aye |
| Ms. Cleaver | Aye | Mr. Myruski | Aye |
| Mr. Huddleston | Aye | | |

Items for Planning Board to act on

Persoon - 17-1-4 & 36, 67.50 acres located on Maple Avenue, Winners Circle and Breezeway Lane in the RU Zone with an AQ3 & scenic overlays.

Present for the applicant: Steve Esposito

Mr. Halloran noted that there are a few minor changes to be made and the project will be ready for a public hearing. Mr. Esposito stated that they will have the constraints analysis and the overall plan with both sides of the road available for the public.

VOTE By Proper MOTION, made by Mr. Bergus, seconded by Mr. Andrews, the Planning Board of the Town of Goshen hereby sets a Public Hearing on the Persoon project for the November 3, 2005 meeting for 7:30 pm. Passed unanimously.

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|----------------|-----|---------------|-----|
| Mr. Andrews | Aye | Ms. Israelski | Aye |
| Mr. Bergus | Aye | Mr. Lupinski | Aye |
| Ms. Cleaver | Aye | Mr. Myruski | Aye |
| Mr. Huddleston | Aye | | |

IV. AGENDA ITEMS

Zalunski 20-1-8 - 74.8 +/- acres, located on Pulaski Highway and Cross Roads in the RU zone with an AQ3 overlay, scenic road and stream & reservoir overlay.

Present for the applicant: Steve Esposito

Mr. Esposito explained that 20 lots are proposed for this 72 acre parcel. Pulaski Highway runs through the middle. They will be leaving approximately 42 acres as open space. It is presented as a cluster plan. The large open area will be preserved and may be used for a small farm. The homes are situated to meet the 100' buffer from the neighboring agricultural properties.

The EAF (parts 1 & 2) was reviewed. Mr. Esposito stated that there are three areas where they will cross the thresholds: 1) impact on land, there will be some construction work in areas over 15% slopes; 2) In some areas, the water table may be less than 3' and 3) the construction will take more than one year.

Mr. Huddleston advised the applicant of the new DEC wetlands changes mentioned previously. A detailed review of Part 2 ensued. Mr. Esposito stated that page 9 #10 should be checked "yes" as they will be converting a portion from Ag to residential. Mr. Cappello asked that impact on Recreation be checked "yes" as the project will generate the need for recreation areas and none is available, therefore fees in lieu of recreation will be required.

Mr. Henry noted that on page 8, #5 the 8th bullet should also be “yes” as siltation will be an issue. The 10th bullet should also be marked “yes” as individual wells and septic systems will be involved. Mr. Esposito stated that the existing well for the barn will remain but there will be a new well for the proposed dwelling on this portion of the project. Mr. Lupinski asked how close the existing well is to the previous gas tanks that were removed. Ms. Cleaver emphasized that even though it will be for barn use only, it should be tested. On page 8 #3 bullet 1, there are some wetlands and they will need to be protected. Mr. Esposito stated that they will address these issues and continue developing the plans.

239M responses received for these applications

Dickerson - 13-1-69 - 92.90 acres, 2 lot subdivision located on Dunmore Lane in the RU zone with an AQ3, AQ6 and scenic road corridor overlay.

151 Greenwich Corp. - 12-1-43.23, located on Route 17M, in the HC zone, with an AQ3 overlay

Kerr & Wendland 12-1-2 - 72.6 +/- acres, 2 lot subdivision and special use permit for light industrial building located on Hartley Rd in a CO zone with an AQ6 and stream & reservoir overlay.

Mr. Halloran stated that they all of the above are considered to be local actions by the County Planning Department.

V. CORRESPONDENCE

Letter from DOT regarding Lands of Finnegan's Corner

Mr. Halloran noted that the DOT has proposed that the above project share a drive with Lands of Giza. Mr. Cappello stated that this will be a change in the plans and should be reviewed by the PB

Letter from Schoor DePalma regarding Heritage Estates

Mr. Esposito explained that some changes have been suggested regarding the well testing protocols. These will have to be reviewed by Mr. Henry.

V. Other Business

Mr. Halloran reported that the meeting with the DOT last week was very productive. At that meeting it was agreed that the Town Police Chief should be receiving copies of proposed plans for his review. The DOT feels that these reviews are up to the local level. When an applicant goes to the DOT he should have the recommendations from the PB and their staff.

The DOT should be informed that if an applicant has a conditional approval it is not final until the DOT grants their approval. Mr. Cappello stressed that we should be in touch with the DOT prior to issuing approvals. Mr. Halloran submitted a memo covering the topics addressed in this meeting.

Adjournment: The meeting adjourned at 9:00 pm upon motion made by Ms. Cleaver, seconded by Mr. Andrews.

Ralph Huddleston, Chairman

Notes Prepared by Linda P. Doolittle