

**Town of Goshen  
Planning Board  
MINUTES OF THE  
WORK SESSION MEETING  
January 5, 2006**

**MEMBERS PRESENT**

Ralph Huddleston, Chairman  
Reynell Andrews  
Lee Bergus  
Mary Israelski  
John Lupinski  
Raymond Myruski

**ALSO PRESENT**

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

**ABSENT**

Susan Cleaver

**I. CALL TO ORDER**

Chairman Huddleston called the meeting of the Town of Goshen Planning Board to order at 7:30 pm. Mr. Myruski led the Pledge of Allegiance

**II. MINUTES**

The minutes of the December 15, 2005 meeting were approved as corrected upon motion made by Mr. Myruski, seconded by Mr. Bergus.

**III. PUBLIC HEARINGS**

**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. Heavy Equipment staging area.

Present for the applicant: Steve Esposito

Mr. Esposito explained that the applicant is applying for site plan approval and a special use permit. They plan to renovate the existing building on Pulaski Hwy. There will be 2100 sq. ft. of office space and the remainder will be storage. The new owners are electrical contractors and much of their work is for cell tower construction and they need a secure storage facility for their products. There will be storage bins cut into the slope in the rear. Pictures were submitted. They also wish to define the entrance with two landscaped berms along the highway. The code requires 22 parking spaces. The applicant plans to pave 10 spaces and 2 handicapped areas and hold 10 more in reserve as they do not feel they will need this many.

There will be a paved apron off Pulaski Highway and gravel and some paving around the building. They also hope to keep the existing structure in the rear for further storage. Two other sheds will be removed. They are showing a heavy equipment staging area, which will be used for some of their equipment when it is not needed on a particular job. It will not be a permanent storage area. The grade will screen the area and there will be evergreens planted.

The existing well will be used and a new septic system will be installed. Some overhead doors will be removed and windows will be added. Mr. Lupinski asked if there are plans for the remainder of the site. Mr. Esposito stated that much of the site has been disturbed and there are no plans for further use at this time. Mr. Myruski suggested that they reconsider the narrowing of the entrance. There will be tractor-trailer trucks using the entrance and they will need a wider turning area. He asked if the plan could be altered to allow for two cuts to allow separate ingress and egress. Mr. Esposito feels that the County DPW will not approve that idea. They will look into widening the area.

The Chairman asked for comments from the public. Ms. Kay Myruski asked for clarification on the zoning in the area. She reviewed the map with Mr. Halloran. Mr. Frank Pasquale asked about the heavy equipment area. He expressed concern regarding noise. Mr. Esposito explained that equipment would be stored there when not in use on a specific job. The site will have to conform to all codes.

Ms. Roth questioned the height of the storage bins. They will be approximately 4' high and the berms and building should screen them. She noted that they will need approval from the County for the entrance. Mr. Lupinski asked how much equipment would be stored. Mr. Esposito stated that it is a relatively small area, which would limit the amount of equipment.

Mr. Esposito noted that most of the traffic will be generated by employees. Most items are shipped to a specific job site, but there will be some items delivered for storage. Mr. Pasquale asked who the owners were and where they come from. Mr. Esposito noted that they are buying the building and are reputable contractors. The permit application lists an address in Carmel, NY.

Mr. Huddleston asked if the members are ready to close the hearing. Mr. Cappello noted that some of the mailings were returned with "insufficient address". He asked that Mr. Esposito look into this. The applicant also needs to modify the entrance. Lead Agency was declared on 12/1 and the project was listed as a Type I action. Therefore the applicant should prepare a long EAF. The Public Hearing will be continued to the February 16 meeting.

**OC Veterinary Hospital (Shanker)** - 11-1-25.1 - 4.0 acres, Located at 1761 Rte 17M in the HC zone with an AQ6 & scenic road corridor overlay. Special use permit & site plan

Present for the applicant: Amador Laput  
Mark Fellenzer  
Dr. Alan & Pam Shanker

Certificates of mailing were submitted. There are no members of the public present for this application. Applicant plans to construct a new facility with the entrance off of Route 17M. Parking will be on 2 sides of the building. The storm water management will be in the rear. There will be screening from the Hacienda and along the front. The septic system and well have been designed. The proposed swale to drain the leach field has been installed. There will be temporary staging areas outside for when the runs are being cleaned. The applicant is installing a high-pressure wash system that will clean the runs in a very short time - approximately 5 minutes. There will be 5 exam rooms and a very limited amount of retail. There should be no adverse impact on traffic flow.

Ms. Israelski asked that the applicant review the request of the County regarding installation of a sidewalk. Mr. Henry questioned the retail aspect of the business. It will be very minimal, and not advertised - similar to what they have now. Ms. Roth asked that they list the specific species and sizes of the trees on the landscape plan. She also suggested they reconfigure the parking lot. Mr. Huddleston stated that the applicant asked for this particular layout due to the nature of the business. Ms. Roth mentioned the moving of the dumpster further to the rear. Mr. Laput noted that the current location allows for the dumpster to be shielded from Route 17 by the trees.

Ms. Roth asked what types of animals would be served. Dr. Shanker replied that they would only treat dogs and cats, no large animals on the premises. He does have one large animal client, but he goes to the farm. Mr. Bergus asked if the HVAC equipment will be on the roof. Yes, it will be screened. Mr. Laput also provided information regarding the signage.

VOTE By Proper MOTION, made by Mr. Andrews, seconded by Ms. Israelski, the Planning Board of the Town of Goshen hereby closes the Public Hearing in regard to the Orange County Veterinary Hospital application. Passed unanimously.

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

Mr. Henry has not seen the revised plans and soil tests need to be done. Ms. Roth asked if there is a working farm within 500', which would mean an Ag data statement needs to be submitted. The applicant will check the distance. New plans regarding the storm water management and landscaping are also needed. Mr. Cappello noted that they need to address the sidewalk issue raised by the County. Mr. Fellenzer asked about the need for this in this area. Ms. Israelski explained that with the new trail map they are trying to obtain easements from applicants in the hopes of connecting all these properties at a later date. They would only need an easement for a future sidewalk or trail. Discussion of the width of the easement required followed. Ten feet will probably be sufficient. Mr. Cappello emphasized that they need to set specs, so that they ask for the same distance from each applicant. The applicant and the consultants will co-ordinate on these details. Mr. Huddleston would like to see this application moved along, so they will be on the next agenda after the information is gathered.

#### IV. AGENDA ITEMS

**Goshen Meadows - 12-1-86.1** - Review status of project, including the intersection with Maple Ave. and proposed project road.

Present for the applicant: Steve Esposito

Mr. Halloran explained that this project has been in litigation for the past 2.5 years and has now been resolved. Mr. Esposito stated that one and a half years ago, the owners of the Meadows and Fieldstone and County Representatives met at the site and agreed that the entrance road for the Meadows was inadequate. They decided to move it 140' to the south and Fieldstone would use that road for an entrance. The applicant will now be coming in with revised plans. Mr. Esposito also noted that he is meeting with the clients to review the possibility of changing the layout somewhat. When the project was originally designed the Town was in a moratorium and was using interim 2-acre zoning. They may be able to create a better alternative layout using the current zoning, so they may be changing the approved plans.

Ms. Roth asked if they would have to start over if they do make changes. Mr. Cappello felt that would not need to go through a new SEIS. The PB may be able to re-grant preliminary approval.

**Persoon - 17-1-4 & 36**, 127 +/- acres total acres located on Maple Avenue, Winners Circle and Breezeway Lane. 66.5+/- acres in the RU Zone with an AQ3 and scenic Road corridor overlay. 60.4+/- acres in the AI zone with a scenic Road corridor & Flood Plain overlays.

Present for the applicant: Steve Kunis

This application was taken off the agenda because there were some outstanding items. At the applicant's request, Mr. Huddleston is granting the applicant to make a statement to the Board. Mr. Kunis explained that they were before the Board in November to address questions arising from the Public Hearing. The survey of the property across the street needed to be completed and the Town Engineer was to review that for the next meeting and the consultant was going to work on the neg dec resolution for that meeting. At the Nov. 3 meeting the applicant was given one change and that was accomplished and hand delivered. There was no further communication. When the applicant came to the staff meeting two weeks ago, he was given a list of 27 items. There had been no communication for nearly a month.

Mr. Kunis emphasized that he has always completed the changes requested of him and he expects the Town Engineer to fill his obligation also and review the work in a timely manner. They are losing time and money. Mr. Henry stated that there is still an extensive list of items to be completed, some of which date back to July. A meeting is scheduled for next week between the engineers. Mr. Huddleston asked that they call him immediately after the meeting so that he can be aware of what needs to be done and when. Mr. Cappello stated that he would need to see the information on the land across the street since they are using this property for their bulk requirements. Therefore, the PB needs to know the amount of the acreage being used for this application.

**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 use for a proposed retreat house.**

Present for the applicant:     Robert Dickover, Atty.  
  Dave Higgins, Lanc & Tully

Mr. Dickover explained that Fordham University has purchased a 9,000 sq. ft. house to be used for a retreat house for students on weekends. It is in the RU zone and is located on 10.6 acres. It is currently a residence being occupied by one caretaker. They expect to have 10-15 retreats per year lasting 2-3 days attended by no more than 20 students per retreat. The applicant understands that if the usage is extended by more than 20 students they will have to come back to the PB. Water, sewer and parking are the items of concern that the applicant has addressed in their narrative. There will be no change to the exterior.

Mr. Higgins stated that there is a septic system and they have conducted dye testing. They found no problem and there also was no problem with the draw on the well. They taxed the system for a few days and feel it is adequate. Mr.

Halloran noted that their narrative mentions that they may open the facility up to other groups. Mr. Bergus asked about the size of the septic tank. It is difficult to ascertain the exact size. Mr. Higgins stated that they did calculate 950 gpd and therefore believe it is a 1500-gallon tank, which would be adequate for the proposed use. They will try to obtain more exact tank measurements. Mr. Cappello stated that they would need a special use permit for a religious facility and the Board may have to condition that on the amount of usage in regard to the septic system.

Mr. Higgins also noted that they have demonstrated that there are more parking spaces available if needed. Normally, the students will be come in by van and there would be approximately 5-6 vehicles at a time. Mr. Myruski asked if the applicant would consider compensation back to the Town since this property will likely become tax-exempt. Mr. Dickover replied that there is a letter in the file stating that the applicant is not proposing to make any type of PILOT arrangement at this time. This is not part of the project and therefore is not something the PB should be considering at this time.

Mr. Lupinski asked how often they anticipate having other groups use the facility. The applicant expects that this will be on an occasional basis. Mr. Lupinski noted that it would be good for the community if they could offer it for groups in the Town. Mr. Cappello stated that they will have to determine the actual uses. He also noted that it appears there are future plans for more use. The PB needs to address these in SEQRA and may have to state that there will be segmentation and note the reasons for this. The impact on the community needs to be examined. The exact amount of dollars they are losing from the community tax rolls needs to be reviewed. The PB cannot examine this in a vacuum.

Mr. Higgins noted that in this instance, the facility is already in existence. Mr. Cappello stated that the special use permit would have to be very detailed. Mr. Dickover stated that they would provide a clearer narrative. Mr. Huddleston noted that Phase I activities will have to be very clear and then if there is any expansion of use the applicant will have to come back to the PB. Mr. Bergus reminded them that they may become a public water supply in Phase 2. They also may have to consider SPDES, and traffic impact as well as other studies.

Due to the issue of the septic system, the applicant needs to consider some type of communication with Mr. Halloran for enforcement issues. Mr. Halloran suggested that they install a water meter, which can be checked periodically. Mr. Dickover agreed that they could install a water meter before it is occupied and submit readings on a periodic basis. Mr. Bergus also suggested that they review the location of the well on the neighbor's property and any affect that this septic system may have on that well.

VOTE By Proper MOTION, made by Mr. Bergus, seconded by Ms. Israelski, the Planning Board of the Town of Goshen hereby sets a Public Hearing for the Fordham University application for February 2, 2006. Passed unanimously.

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

The applicant agrees that they need to provide a more detailed narrative, a detailed study of the septic tank and a long form EAF with some discussion of the future expansion impacts.

**Hendler - 10-1-56.2 & 56.3 & 56.4** - 91.1 acres located on 6 1/2 Station Road and Cheechunk Road, in an RU& CO zone with an AQ6 and scenic road overlay, for a Planned Adult Community and 8-lot residential subdivision.

Present for the applicant: Jane Samuelson

Mr. Golden is acting as counsel to the PB for this application. Ms. Samuelson explained that they have submitted a revised site plan due to the fact that the DEC is expanding their wetlands regulations. They have re-designed the plan to accommodate the 100' buffer that they anticipate the DEC will now require. The access has been re-located. The boulevard style entrance will remain and they will have walking trails and sidewalks throughout. They have decreased the number of units from 167 to 154.

The applicant has met with the staff regarding how to address these issues since they are in the middle of preparing their DEIS and do not want to start over. It is being suggested that they base the text on this new plan and present the first plan as an alternative. The traffic and other studies have been done based on the first plan. Mr. Golden stated that this really depends on whether the applicant is hoping to have the old plan accepted by the DEC. Which one will be their real plan? Ms. Samuelson feels the DEC will push for the second plan, and since the Scoping Document is based on the old plan, they don't know how to proceed.

Mr. Huddleston noted that the water, septic and traffic studies are based on numbers, but everything else will need to be based on the plan they really want to use. He also stated that the Scoping Document is just a list of the items that need to be addressed and these items will not change. The plan also needs to be reviewed by Schoor dePalma. Mr. Huddleston suggested that they write the document based on the new plan. He also noted that the DEC has realized that their change has caused some problems and they are being reasonable in their demands on the developers.

**Hambletonian Park.** 8-1-12.221 – 23.4 +/- acres, located on Upper Magic Circle in the HR zone with an AQ6 overlay.

Mr. Halloran noted that the consultants and the applicant have met with members of the County Planning Department and the County is still asking that Arthur Pl. become a thru road. Representatives from the County are planning to attend the staff meeting next week.

Adjournment: The meeting adjourned at 9:45pm upon motion made by Mr. Andrews, seconded by Mr. Lupinski.

Ralph Huddleston, Chairman

Notes Prepared by Linda P. Doolittle