

**Town of Goshen  
Planning Board  
MINUTES OF THE MEETING  
April 6, 2006**

**MEMBERS PRESENT**

Ralph Huddleston, Chairman  
Lee Bergus  
Susan Cleaver  
Mary Israelski  
John Lupinski

**ALSO PRESENT**

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

**ABSENT:**

Reynell Andrews  
Ray Myruski

**I. CALL TO ORDER**

Chairman Huddleston called the meeting of the Town of Goshen Planning Board to order at 7:30 pm. The Chairman called for a Moment of Silence to Honor Lynda Newbold, wife of Councilman Ken Newbold who passed away suddenly on April 2.

**II. MINUTES**

The minutes of the March 16, 2006 meeting were approved as corrected upon motion made by Ms. Israelski, seconded by Mr. Bergus.

**III. PUBLIC HEARING**

**BMJB Enterprises, Inc. - 22-1-37.2, 17 acres**, located at 1033 Pulaski Hwy, in the AI zone with an AQ3 overlay & a scenic road corridor overlay.  
**Special use permit.**

Present for the applicant:     Raymond Korycki  
  Melissa Canfield  
  Albert Paccione, Esq.

Mr. Golden is acting as counsel to the PB for this application. Mr.Paccione presented the certificates of mailing. Mr. Halloran explained that Mr. Korycki is asking for a special permit for the use of the property, which he has owned for many years. Mr. Paccione stated that he received two items tonight – one a memo from Mr. Halloran dated March 20 and another a letter from Orange County dated March 24. These items note that there are certain outstanding issues. the applicant felt that all the issues had been resolved.

Mr. Halloran explained that the applicant appears to want to do all items that are permitted on this property, therefore the PB needs to review the application under the worst possible impacts unless the applicant delineates each possible use. Mr. Golden stated that he had expressed this concern to Mr. Lipman. He noted that there are a number of trailers on the property and he is concerned with the use of these trailers and buildings. The applicant states he will be using them for "every possible use" allowed in the zone and there are a number of varied uses allowed in this zone. The PB needs to look at all the potential uses, which would be very difficult.

Mr. Paccione stated that the applicant does not know who will rent the trailers and for what purpose. However, he will insure that the use will be within the code. Therefore, it is difficult to answer the PB's question as to use. Mr. Huddleston asked if there is a limitation on the number of trailers. He noted that the PB needs to review the application in light of the worst case scenario under the code. Mr. Golden suggested that the worst case would be a Fed Ex depot operating 24 hours/day with 400-500 trucks per day, which would be markedly different from an agricultural storage facility with a few trucks per day.

Ms. Roth stated that the site plan mentions unregistered vehicles, which would make this nearly a junkyard. Ms. Cleaver asked if there is a possibility of hazardous materials or chemicals coming in on these trailers. Yes, it is possible. She noted that there is a waterway beside this property. Mr. Lupinski noted that the subject property has been cleaned up recently. He understands that Mr. Korycki would not know exactly what uses, but perhaps he could delineate some percentage for each use.

Mr. Korycki explained that the area would be used for trailers and roll-off boxes that come in full, stay for a day or two and then are taken to other areas for disposal of the contents. Some trailers would be hauling produce, which would then be transported elsewhere. These trailers and roll off boxes would contain many different things. Ms. Canfield stated that the area for parking trailers and roll-off boxes is shown on the plan. The repair shop would be in the buildings. Mr. Huddleston noted that this is a typical trucking yard.

Mr. Golden noted that item #3 in Mr. Halloran's memo refers to the possibility of a repair garage. The applicant would have to have a separate lot devoted to that purpose only. Ms. Roth suggested that one building be devoted to equipment repair and the others for storage. Ms. Cleaver asked if any of this area is in the flood plain. Mr. Henry feels it is not, but he will check on this.

There were no comments from the public. Mr. Golden noted that one problem with having so many possible uses is the impact on traffic. Will they need to have

separate turning lanes. Therefore, they may wish to restrict the number of trailers. This would enable the PB to address traffic control devices. Mr. Halloran noted that the salvage yard on the adjoining property is for auto salvage only. Ms. Canfield noted that they are licensed as a junkyard and therefore they can accept any metal. Mr. Golden noted that they are permitted certain aspects of a junkyard under Article 136, but continual oversight is needed.

As there are no public comments, Mr. Paccione requested that the Public Hearing be closed. The applicant will review the engineering aspects and the other questions and asks to be on the May 18 agenda.

VOTE By Proper MOTION, made by Mr. Lupinski, seconded by Mr. Bergus, the Planning Board of the Town of Goshen hereby closes the Public Hearing in regard to BMJB. Passed unanimously.

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

**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. **Site & grading plan**

Present for the applicant: Steve Esposito

Mr. Halloran stated that the only issue left to address is the location of the septic system. Comments have been received from the Orange County DPW. The Public Hearing was for the special use and was left open. Revised plans have been presented as well as a storm water management plan. Mr. Henry stated that there a few questions on the storm water plan and the soil testing needs to be witnessed. This can all be accomplished when the soils are sampled. Mr. Lupinski asked what would be done with the building in the rear. Mr. Esposito responded that they plan to clean it up and use it for storage.

VOTE By Proper MOTION, made by Mr. Bergus, seconded by Ms. Cleaver, the Planning Board of the Town of Goshen hereby closes the Public Hearing for the Special Use Permit for Crystal Development.

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

**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 extension of existing cell tower.**

Mr. Halloran stated that the applicant has asked to be rescheduled to May 4.

**V. Items for Planning Board to act on**

**Maplewood ( Salesian Village) 8-1-48 - 94 acres**, Hamlet residential and open space subdivision in the HR & RU zone with an AQ6, scenic road, and stream corridor overlay, **Lanc & Tully letter requesting that the public scoping session scheduled for 4/20 be rescheduled for 5/18/06.**

Ms. Cleaver is recusing herself from this discussion due to a conflict of interest. The consultants have submitted their comments for the members to review. Ms. Israelski has submitted hers via e-mail. A meeting is scheduled with Joel Russell, so the members should be sure to have any changes back to the staff within the next week. The Public Scoping will be held at the May 18 meeting.

**Prospect Hill 20-1-58** proposed subdivision special use permit in the RU & HR district with a AQ3 and scenic road overlay on route 17A. DEIS visual simulations.

Mr. Golden is acting as counsel to the PB for this application. Six potential views of the project site from critical receptor locations were presented. The Board agrees that the applicant should provide visual simulations from five of the six. Number 4 is the only one they do not feel is necessary. Mr. Henry also noted that he has heard from Mr. Brown and they cannot obtain the capacity they need from the Village of Florida for their sewage treatment plant so they will need to consider on-site treatment. They will also be looking for an on-site water source.

Ms. Cleaver noted that there is a portion of Town Code that states the PB must review the adequacy of the receiving stream for the treatment plant. Mr. Henry feels that the requirements are usually set up by the DEC. Counsel will review the appropriate section of the code.

**V. AGENDA ITEMS**

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

Present for the applicant: Amadur LaPut

Revised drawings were submitted at the staff meeting. Mr. Henry noted that some revisions to the storm water pollution plan are needed and the applicant is aware of this.

VOTE By Proper MOTION, made by Mr. Bergus, seconded by Ms. Israelski, the Planning Board of the Town of Goshen hereby grants conditional approval to the Orange County Veterinary Hospital site plan conditioned upon the engineering consultant advising the Chairman that the Storm Water Pollution Prevention Plan has been approved to DEC standards. Passed unanimously.

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

Mr. Cappello advised the Board that the applicant has sent a letter to the file stating that if a sidewalk district is formed to install a sidewalk throughout they would give an easement to the Town for that purpose. Ms. Israelski asked for further details. Mr. Henry noted that any easement would not be transferable to another property owner.

Mr. Huddleston asked the members if they were satisfied with this letter. The members were polled as follows:

|               |                    |
|---------------|--------------------|
| Mr. Bergus    | accept the letter  |
| Ms. Israelski | abstained          |
| Ms. Cleaver   | accept the letter  |
| Mr. Lupinski  | accept the letter. |

**Gerick Associates** - 21-1-108 - 131.5 +/- acres, located on Celery Ave in the AI zone with a flood plain and stream & reservoir overlays. Non residential - 2 lot subdivision for agricultural use.

Present for the applicant: Rick Minkus

Mr. Golden is acting as counsel to the PB for this application. This application is for a subdivision in the black dirt area for a landing strip. The property will be owned by a group of growers. Mr. Manesus stated that the soils are not good for growing and the area will never be used for residences. A Public Hearing needs to be set.

VOTE By Proper MOTION, made by Ms. Israelski, seconded by Ms. Cleaver, the Planning Board of the Town of Goshen hereby sets a Public Hearing for the Gerick subdivision application for April 20, 2006. Passed unanimously.

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

**Taylor, 20-2-17, 2.134** acres located on Industrial Dr. in a CO zone with an AQ3 overlay.

Mr. Halloran reported that when they approved this project the roof was supposed to be 8 on 12 pitch. The existing building is 4 on 12 as are the others in the area. The PB can exempt this as it does match the other buildings.

VOTE By Proper MOTION, made by Ms. Israelski, seconded by Ms. Cleaver the Planning Board of the Town of Goshen approves the pitch for the roof to be 4 on 12 and waives any requirement for the difference. Passed unanimously.

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

**Dally, 4-1-64.2** 14 acres, 2-lot small scale subdivision located on Ridge Rd. and Hasbrouck Rd., in the RU zone with an AQ6 and scenic road corridor overlay.

Present for the applicant: Keith Woodruff  
Jerome Dally

Mr. Henry noted that there were two minor items to be corrected on the plans. A 30' set back is listed in the bulk table, but is not shown on the plans and the metes and bounds description needs to state that 200' road frontage is provided. Mr. Halloran noted that the applicant has a permit for a barn structure and they have 18 months to build this. This barn should be shown on the site plan.

Ms. Israelski asked if the homes should be in line with the others on the road or skewed to present a more pleasing streetscape. Mr. Dally stated that he had originally planned to skew them, but he is not building the homes. They are approximately 90' off the road and in a line. Mr. Cappello noted that there is no requirement in the code that could be used to enforce this. Ms. Roth suggested that the PB could consider this if they required PB approval of the architectural design of the house.

Mr. Lupinski noted that he could understand the concern, however for two house it does not appear to be warranted. Upon polling the members they all agree that this is not necessary.

VOTE By Proper MOTION, made by Mr. Bergus, seconded by Ms. Cleaver, the Planning Board of the Town of Goshen hereby grants conditional final approval to the Dally site plan with the following conditions:

- 1) Approval of the Conservation Easement.
- 2) Compliance with the engineers comments.
- 3) Payment of all fees
- 4) The Board finds the need for land for recreation and no suitable land can be provided, therefore payment of recreations fees is required for mitigation.

Passed unanimously.

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

**VI. 239F Department of Public Works responses received for these applications**

**Maplewood  
Owens & Phillipsburg  
Goshen Christian  
BMJB Enterprises (Korycki)  
The Hambletonian Group  
Prospect Hill  
Persoon**

**VII. Correspondence**

- March 3, 2006 letter from Steve Esposito & Associates regarding e-mail from Douglas Mackey concerning SEQRA review at the New York State Department of Parks, Recreation and Historic Preservation.
- March 8, 2006 letter from Orange County DPW - regarding Water & Sewer Service for Goshen Residential Center.
- March 14, 2006 letter from DOH regarding Tobias (lot 8)

**VIII. Upcoming Meetings**

April 13, 2006 - Staff meeting

April 20, 2006 - Planning Board meeting - \*\*\* at the Senior Center \*\*\*

**IX. Upcoming Public Hearing scheduled for April 20, 2006**

**Hambletonian - 8-1-12.221 - 23.4 +/- acres, 38 lot subdivision, located on Upper Magic Circle in the HR zone with an AQ6 overlay.  
Road cut and Architectural issues. (EP)(RG)**

Adjournment: The meeting adjourned at 9:15 pm upon motion made by Ms. Cleaver, seconded by Mr. Lupinski.

Ralph Huddleston  
Chairman

Notes prepared by Linda P. Doolittle