

**Town of Goshen
Planning Board
MINUTES OF THE
WORK SESSION MEETING
October 6, 2005**

MEMBERS PRESENT

Ralph Huddleston, Chairman
Reynell Andrews
Lee Bergus - late arrival
Susan Cleaver
Mary Israelski
John Lupinski
Raymond Myruski

ALSO PRESENT

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

I. CALL TO ORDER

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

II. MINUTES

The minutes of the September 15, 2005 meeting were approved as submitted upon motion made by Ms. Israelski, seconded by Ms. Cleaver. Mr. Bergus abstained.

III. PUBLIC HEARING

Goshen Self Storage - 12-2-37 - 6.57 acres, located on 17M in an I zone with an AQ6 overlay.

Present for the applicant: Joe Pfau
 Burt Dorfman, Attorney

Mr. Halloran reported that the landscape plan was approved at the last meeting with the condition that it be completed up to the construction entrance prior to the issuance of a building permit for this new building. The PB is waiting for comments from Mr. Andryshak regarding the dedication of Cannon Hill Dr.

Mr. Pfau stated that he has addressed the comments from Mr. Henry. Mr. Henry noted that he has spoken with Mr. Andryshak and he is agreeable to the road dedication providing it is brought up to spec. The top course has not been done yet and it will need to be inspected when it is completed. Also, there is still an open permit with the DOT. It is noted that the road goes just beyond the property line and Mr. Andryshak would like some type of "T" turn around. Mr. Pfau stated that there is an "L" turn around because they do not own the other portion of the road. Mr. Henry will pass this information on to Mr. Andryshak.

Mr. Golden reported that the PB has declared lead agency on this unlisted action and the County has responded to the 239m stating that they approve the action. Ms. Cleaver asked there would be a note on the plan regarding the type of top sealant to be used. This will be a condition of the approval.

There was no comment from the public.

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

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

VOTE By Proper MOTION, made by Ms. Israelski, seconded by Ms. Cleaver, the Planning Board of the Town of Goshen hereby declares that the Goshen Self-Storage will have no impact on the environment under NY SEQRA and as such warrants a negative declaration. Passed unanimously.

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

Mr. Golden read the conditions that would be applied to the approval. Discussion was held regarding the length of time required for the applicant to be responsible for the maintenance of the landscaping. Ms. Roth suggested that it should read "in perpetuity" rather than the standard 2 years. Mr. Golden pointed out that if this is an integral part of the approval, then the board must be consistent. Mr. Henry pointed out that this standard was applied to a previous storage facility application as the landscaping was considered part of the required screening.

Ms. Roth noted that if a planting dies the applicant would be in violation because they are no longer providing the screening required. She also pointed out that this need for screening was a condition of the variance granted by the ZBA. Mr. Huddleston polled the members for their opinion on the need for the condition regarding landscaping to be "in perpetuity"

Ms Israelski	yes
Mr. Andrews	yes
Mr. Myruski	No opinion
Ms. Cleaver	yes
Mr. Lupinski	yes

In regard to the dedication of the road, Mr. Henry asked what would happen if it was not accepted by the Town. Mr. Golden noted that as part of the ZBA decision there would have to be a maintenance agreement between Maaco and the applicant. The question of bonding was raised and it is noted that this issue would be handled by the Town Board. Mr. Dorfman pointed out that there is a bond in place. Mr. Golden stated that the TB would review the bond amount.

VOTE By Proper MOTION, made by Ms. Cleaver, seconded by Ms. Israelski, the Planning Board of the Town of Goshen hereby grants approval for a special use permit for Goshen Self-Storage as reflected in the following resolution prepared by Mr. Golden:

RESOLUTION OF APPROVAL
Second AMENDED SITE PLAN/special permit
For
GOSHEN SELF STORAGE

Application Summary

Applicant Portella Realty, LLC, One Cannon Hill Drive, Goshen, New York, submitted this Application for site plan and special permit approval, to amend a prior amended site plan wherein it was previously authorized to construct four 30' wide facilities and two 60' wide facilities. The present application proposes an additional storage facility of 22,230 s.f. As proposed, the new facility did not conform to the Town Zoning Code. The Applicant, therefore, obtained two area variances from the Town Zoning Board of Appeals on May 24, 2005, for a front yard set back area variance to 53 feet, and an impervious surface coverage area variance to 69.87%, making the application in conformance with the Zoning Code and permitting the Planning Board to act upon the Application.

Identification of Property & Zoning District

The property is a 10.3 acre parcel on Route 17M, and is identified as Town of Goshen Tax Map 12-2-37. The property is located in the Industrial Zoning District.

Plans and Other Materials Considered

Applicant submitted, and the Planning Board considered, the following plans and other materials:

1. Pietrzak & Pfau, "Goshen Self Storage Amended Site Plan (2)," Sheets 1 through 4, last revised September 22, 2005.
2. Pietrzak & Pfau letter to Planning Board Chairperson Huddleston, dated September 22, 2005, which, among other things attached calculations for the anti-seepage collar design utilized.

SEQRA

A Short Environmental Assessment Form was submitted by the Applicant. On August 18, 2005, the Planning Board assumed Lead Agency status and classified the action as unlisted. On October 6, 2005, the public hearing was closed and the Planning Board made a negative declaration as its SEQRA determination of significance.

Findings

The Planning Board has determined that approval of this Special Permit and second amended Site Plan will serve the public health, safety, welfare, comfort and convenience of the public in general, and of the residents of the immediate neighborhood in particular, and that the conditions and safeguards noted below required by the Planning Board, as authorized by the Town Code, furthers the expressed intent of Chapter 97 of the Town Code.

RESOLUTION

NOW, THEREFORE, BE IT RESOLVED that the Planning Board of the Town of Goshen hereby approves the Application of Goshen Self Storage for a Special Permit and Second Amended Site Plan as represented and identified by the Applicant in the Plans and other materials considered by the Planning Board as noted above, and

BE IT FURTHER RESOLVED, that such approval by the Planning Board is specifically conditioned upon the following, which conditions must be satisfied before a Certificate of Occupancy can be issued by the Building Inspector, unless otherwise specifically noted below:

1. That the Applicant shall submit proof of the recording of all drainage easements, either existing at the time of this Approval or subsequently obtained, sufficient to permit drainage of all surface waters from the Applicant's site in accordance with the drainage plans approved herein, in such form as is acceptable to the special counsel to the Planning Board on this application (or such other attorney designated by the Planning Board), and acceptable to the Town Engineer, so as to ensure the legally binding nature and functionality of the easements respectively.

2. That the landscaping plan previously approved for this site by the Planning Board but not yet installed, and the Landscaping Plan approved in connection with this present application, must be completed prior to the issuance of a building permit, except that the portion of such Landscaping Plan that, in the opinion of the Building Inspector, must be left unperformed in order to permit the construction of the additional storage facility approved herein, may be postponed until such construction is completed. However, the postponed portion of the Landscaping Plan must be fully completed prior to the issuance of the Certificate of Occupancy. All landscaping required by the prior and present landscaping plans are an integral part of this approval owing to the conditions of the variances obtained from the Town Zoning Board of Appeals and the screening that such landscaping provides. Consequently, all such landscaping for this site must continue in a living and healthy condition in perpetuity.

3. That the roadway identified on the Plans noted above as "Cannon Hill Drive," and which serves as the ingress and egress to the site from State Route 17M, must be offered for dedication to the Town of Goshen in sufficient time prior to the Applicant and/or owner applying for a Certificate of Occupancy to permit the Town Board to carefully consider such offer of dedication. If the Town Board agrees to accept such offer of dedication the Applicant and/or owner must comply with all conditions placed upon such acceptance by the Town Board, including, but not limited to, an increase in the amount of bonding required.

4. That on any roadways installed on this site the use of bituminous sealant on asphalt shall be prohibited, and all such sealants used must be approved in advance by the Building Inspector.

5. That there must be, prior to the issuance of the Certificate of Occupancy, compliance with all conditions previously set forth in the granting of the area variances for this site referenced above, including, but not limited to, the following:

"The Owner of the Property, as voluntarily agreed at the [ZBA] Hearing, shall file with the Orange County Clerk, in such form as is acceptable to the Board's attorney, an easement to the neighboring parcels, known as Tax Map Section 12, Block 2, Lots 26.1 and 24.1, granting such parcels the right of ingress and egress to the adjoining road now known as Cannon Hill Drive, with each party obligated to maintain and repair that portion of the road they utilize."

BE IT FURTHER RESOLVED, that if the Applicant does not comply with any of the above noted conditions, then this approval shall be of no force or effect, without any need for further action by the Planning Board.

Voting in Favor of the Resolution: Ralph Huddleston, Jr., Chairperson
 Ray Myruski
 Mary Israelski
 Reynell Andrews
 John Lupinski
 Susan Cleaver

Voting Against the Resolution: 0
Abstaining from the Vote: 0
Absent: Lee Bergus

Dated: October 6, 2005
 Goshen, New York

Ralph Huddleston, Jr., Chairperson

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. Halloran reported that the PB has declared lead agency and has reviewed the scoping documents. They have now opened the scoping session for public input. Ms. Samuelson gave a brief presentation of the project. The applicant is proposing a PAC consisting of 168 units and an area with 7 single-family residences on a 90-acre parcel. There will be a portion as open space and community water and sewer.

Mr. Andrews asked about the status of obtaining municipal water and sewer. Ms. Samuelson replied that they will be connecting to the Village sewer and they are in the process of drafting an IMA between the Village and the Town. Mr. Andrews asked if the applicant has spoken with the entire board or just the Mayor. He also asked if there is any record of these conversations. Ms. Samuelson stated that there is some record and her conversations have been with the Mayor. Ms. Roth suggested that the applicant solicit a letter from the VB to the PB Chair documenting this exchange. If there is any conversation between the Village and Town leaders this should also be documented for the PB files. Ms. Samuelson noted that all of this will have to be in the DEIS as well as an alternative, if an agreement cannot be reached with the Village. Mr. Henry also noted that the applicant will need to demonstrate that a connection with the Village sewer plant is the best alternative.

Mr. Huddleston explained to the members of the public that we are only at the point of letting the applicant know what needs to be studied. There will be a review process after this information is put together and the public will be notified of hearings. The Chairman opened the meeting for public comment.

Ms. Judy New asked if the existing house near the project would remain and would the wetlands areas remain. Ms. Samuelson noted that the house is not part of this application and the wetlands will remain as is. Ms. New asked about the visual affect of 2/3 story buildings. Mr. Huddleston replied that the applicant has worked with the consultants and with the topography. Their plan uses the topo as it is. A rendering was shown and discussed.

Ms. New asked about the number of entrances. There will be two entrances on Cheechunk Rd. She also noted that this project abuts the jail and originally they had problems with water and sewer. It is noted that since that time, the DEC is requiring that the Village expand their sewer plant and the applicant plans to install a community water system using existing wells. Mr. Huddleston also noted that the applicant has to prove they can support themselves. Ms. New asked

if there is some sort of guarantee that it will remain only for Seniors. Ms. Samuelson noted that the special use permit is required in order to have senior housing.

Mr. Golden asked to correct the record regarding the jail's water and sewer issues. At the time, there was enough water on the site and enough sewer capacity in the Village. However, the Village did not want to supply the services. Ms. New stated that when those wells were being pumped surrounding smaller wells were affected. What guarantees are there that there will be enough given the fact that there are more homes in the area. She emphasized that she is not against the project, but wants to be sure that the infrastructure is adequate. Mr. Huddleston stated that the applicant will have to do extensive testing to prove they have enough water and there will be no affect on others. Ms. Israelski asked if VOC's were included in the water testing. Yes, they were. Ms. Samuelson noted that she waited to add the changes discussed at the last meeting before finalizing the document.

VOTE By Proper MOTION, made by Mr. Andrews, seconded by Ms. Israelski, the Planning Board of the Town of Goshen hereby closes the Public Scoping Session on the Hendler application. Passed unanimously.

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

VOTE By Proper MOTION, made by Mr. Andrews, seconded by Ms. Israelski, the Planning Board of the Town of Goshen hereby accepts the Scoping Document with the changes noted at the last meeting on the Hendler application. Passed unanimously.

Mr. Andrews	Aye	Ms. Israelski	Aye
Mr. Bergus	Absent	Mr. Myruski	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 overlay.

Present for the applicant: Joe Pfau

Mr. Halloran reported that a 2-lot subdivision was completed approximately 2 years ago. This proposal is for a subdivision of the remainder parcel. Mr. Pfau explained that the property consists of `4 acres at the corner of Hasbrouck and Ridge Rds. Lot #2 remains identical to the map, and proposed lot #1 will be broken off.

Ms. Israelski asked for clarification regarding an unfinished building located in the area. Mr. Halloran noted that this is an agricultural building and they have 18 months to complete it. The applicant needs to show this structure on the map.

Ms. Mary Beth Murphy asked for an explanation of the term “scenic road overlay”. Mr. Halloran replied that this term gives the PB the authority to review the aesthetic impact of a project. Mr. Lupinski asked how far the homes are set back from the road. Mr. Pfau replied that they are approximately 80-90’ from the r.o.w. Ms. Israelski asked if they could have the setbacks consistent on all three lots. Mr. Halloran noted that the applicant does not own one of the lots. Mr. Pfau will look at the possibility of moving the homes back, but he does not want to move them so far that the back yards will become unusable. Ms. Israelski asked if the septic system could be put in the front. This would not be practical as a pump system would be needed and it will be difficult to get the appropriate separation between well and septic.

Ms. Sarah Brownell, a neighbor, asked if these lots would stay as shown forever. Mr. Halloran responded that no further subdivision would be allowed but other accessory structures could be allowed. However, the applicant would have to come back to the PB for any accessory structure. Ms. Cleaver asked if ESA signs could be placed to protect the wetlands. There were no further comments.

VOTE By Proper MOTION, made by Mr. Myruski, seconded by Mr. Andrews, the Planning Board of the Town of Goshen hereby closes the Public Hearing in regard to the Dally subdivision application. Passed unanimously.

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

VOTE By Proper MOTION, made by Ms. Cleaver, seconded by Mr. Myruski, the Planning Board of the Town of Goshen hereby declares that the Dally subdivision will not have an impact on the environment under NY SEQRA and therefore warrants a negative declaration. Passed unanimously.

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

VOTE Planning Board of the Town of Goshen hereby grants preliminary approval to the Dally subdivision conditioned upon the soils testing being witnessed to the satisfaction of the Town Engineer. Passed unanimously.

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

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.

Present for the applicant: Steve Esposito

Mr. Esposito explained that this is a request to break off a 9.2-acre parcel from the total of 92.9 acres. The applicant intends to preserve 6.5 acres of the smaller parcel for open space. No further subdivision would be allowed for this parcel on which the existing home is located. The applicant must prove that the remainder is buildable, so one house is shown on that parcel. Mr. Henry noted that he just received the latest plans yesterday, so he has not reviewed them and the soils still need to be done.

Ms. Israelski asked what would be the access for lot #2. Mr. Esposito replied that there is an existing 50' r.o.w. off Dunmore Lane. He also noted that they will be using an existing old road bed and they will not continue on to route 17A. Ms. Kathleen Grillo stated that a portion of this old road bed is her driveway and she has been maintaining it as such for years. This is a town r.o.w. and Ms. Grillo was told she could not purchase it, but she could maintain it. Mr. Esposito stated that they are not proposing to use this section. The larger parcel will have access from Gibson Rd. Mr. Huddleston noted that this needs to be resolved, but it is not part of this application.

Mr. Joseph McLaren asked if they would be removing trees along Dunmore Lane. Mr. Esposito stated that they would be keeping existing vegetation as part of the constraints analysis. Ms. Kim Wiley asked if there are plans for future development. Mr. Esposito replied that there would be 86.3 acres remaining. Mr. Cappello stated that there would be a separate application for this larger piece. The PB has allowed the applicant the opportunity to cut off the 9-acre parcel so they can sell it. Mr. Esposito pointed out the areas that will remain open when and if the larger parcel is developed. When the application for the larger parcel is presented, the neighbors will be notified. Mr. Huddleston stated that he does not want the public to be misled, there are other units planned for this area. The applicant is only required to put the one home on the plan so that he can show that he is not creating an unbuildable lot.

Ms. Dawn Pawlizek asked if this will affect the flooding problem occurring on her property. This application should not have any affect. She asked if she could alter the drainage and was advised to speak to Mr. Halloran as there are some wetlands in the area. Mrs. McLaren asked if there is a minimum lot size. Mr. Cappello replied that there is no minimum lot size. Clustering is allowed in order to leave more open space. Ms. Cleaver asked for ESA signs to identify the wetlands.

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 Dickerson subdivision. Passed unanimously.

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

VOTE By Proper MOTION, made by Ms. Israelski, seconded by Ms. Cleaver, the Planning Board of the Town of Goshen hereby declares that the Dickerson subdivision will have no impact on the environment under NY SEQRA and therefore warrants a negative declaration. Mr. Cappello has prepared a formal neg dec, which will become part of the file, to show that segmentation is not an issue on this subdivision. Passed unanimously

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

VOTE By Proper MOTION, made by Ms. Israelski, seconded by Ms. Cleaver, the Planning Board of the Town of Goshen hereby grants preliminary approval to the Dickerson 2 lot subdivision conditioned upon the satisfactory review of the soils testing and the review of recently revised documents by the Town Engineer.

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

"The Alamo" - 22-1-150.31 - .92+/- acres, an addition to existing health care Facility located on Pulaski Hwy in the AI zone with and AQ3 overlay.

Present for the applicant: Al Fusco
Todd Maurizzio

Mr. Halloran noted that the 239m has been received from the County. They have no problem with the application and suggest that they retain the shared driveway. The staff has looked at the adequacy of the driveway. It is agreed that it is not a sight distance issue, but the vegetation needs to be trimmed and maintained. The property owners should address the vegetation problem even though it is on a County highway. Mr. Fusco explained that they have looked at the sight distance situation and there is not a real problem. They agree that the vegetation needs to be trimmed and they will do so.

Mr. Henry noted that the septic system location was of concern, but there will be no vehicular access in that area. The applicant has addressed most of the items, but there are still some minor items. Ms. Israelski questioned the landscaping, but since this is a rural area, the current landscaping is acceptable and should not be formalized. Ms. McManus, for the applicant, thanked the Board for their suggestions and they will comply with them.

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

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

VOTE By Proper MOTION, made by Ms. Cleaver, seconded by Mr. Lupinski, the Planning Board of the Town of Goshen hereby declares that “The Alamo” application will not have an impact on the environment under NY SEQRA and therefore warrants a negative declaration. Passed unanimously.

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

VOTE By Proper MOTION, made by Mr. Bergus, seconded by Mr. Myruski, the Planning Board of the Town of Goshen hereby grants a special use permit allowing the expansion of an existing non-conforming use for the healthcare facility known as “The Alamo” and grants site plan approval for this addition conditioned upon the following: North arrow to be added to the plan; the owner of record is to be noted on the plan; landscaping to be trimmed and maintained. Passed unanimously.

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

III. AGENDA ITEMS

Yankee Propane - 20-2-12 - 3.14 acres, located on Industrial Dr off Rte17A, in the CO zone with an AQ3 overlay.

Present for the applicant: Roger Lupino
Mr. Keller

Mr. Halloran explained that this application is for the addition of a storage building, however the applicant will be coming in shortly to add another tank. The applicant stated that he needs approval of the storage building before winter. Mr. Lupino stated that they have been to the ZBA for a larger storage building and were refused. They have reduced the size. Mr. Cappello noted that since they need a special use permit, the State requires a Public Hearing. He advised the applicant that if they are planning another tank they should put this into this application for the purposes of SEQRA. Mr. Cappello explained that the Board could grant a special use permit for the proposed storage/office facility by the next meeting, then if they want to add to the building they can submit an amended site plan.

Mr. Halloran noted that the staff has visited the site and they are satisfied that it is adequate for this plan. The applicant is also advised to amend the EAF to allow for further increases. Mr. Keller noted that in the five years they have been here, they have been treated fairly by this Board and they appreciate their efforts to assist them in their plans.

Atlantic Fiber Optic Corp - 18-2-10 - 2 +/- acres, located on Orange Farm Rd (Co Tt. #68) in an HC zone with an AQ3 and scenic road corridor overlay.

Present for the applicant: Matthew Comas
Jeremy Valentine

Mr. Halloran reported that the 239m has been accepted by the County and the septic plans are acceptable. There are no outstanding issues.

Mr. Henry has a number of minor notes that need to be addressed.

1. Sheet 1 needs to state that it is not valid unless accompanied by Sheet 2.
2. Detail of the seepage pits needs to be provided and the one under the driveway may need to be relocated.
3. All wells and septics need to be identified
4. An indication that the engineer and/or surveyor are to stake out the system
5. More specific topo on the subsurface disposal system needs to be provided

Mr. Bergus added the following items:

6. The top lateral on the first page needs to be clarified.
7. On the second page there is a schematic showing a field-force main. The plan does not have a pump system.

Mr. Valentine noted that the building height is shown as 22' when it is actually 34'. This change would be #8.

The Chairman polled the members on whether to grant this approval conditioned upon completion of the preceding items or to wait.

Mr. Andrews	wait	Ms. Israelski	grant w/ conditions
Mr. Bergus	grant w/conditions	Mr. Myruski	grant w/conditions
Ms. Cleaver	grant w/conditions	Mr. Lupinski	wait

VOTE By Proper MOTION, made by Ms. Cleaver, seconded by Ms. Israelski, the Planning Board of the Town of Goshen hereby declares that the Atlantic Fiber Optic Corp. application will not have a significant impact on the environment under NY SEQRA. Passed unanimously.

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

VOTE By Proper MOTION, made by Mr. Myruski, seconded by Ms. Cleaver, the Planning Board hereby grants site plan approval for the 60 x 80' storage building for Atlantic Fiber Optic Corp. conditioned upon the completion of the eight items listed above to the satisfaction of the engineer. Passed unanimously.

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

Prochaska - 22-1-61 - 17.2 acres, Minor 4 lot subdivision located on McNamara Lane in the AI zone with an AQ3 overlay.

Present for the applicant: James Ramus

Mr. Halloran stated that the Public Hearing was closed at the last meeting. Mr. Ramus explained that the applicant received a memo today that the location of one house should be changed to meet the 100' requirement from property line. Mr. Ramus has made the necessary changes and is presenting that revised plan. He has moved the house and reduced the size on Lot 1. The houses on Lots 2 & 3

were moved forward. The driveway on Lot # 2 is changed and Lots 1 & 3 share the same driveway.

Ms. Israelski questioned the removal of a hedgerow. Mr. Ramus explained that the large existing building will be removed and he will have to get equipment in to do this, therefore he may have to disturb some of the hedgerow. Ms. Israelski asked if some of it could be replaced in order to keep this as a buffer from the agricultural area. Mr. Ramus noted that there is still a large tree line and he will disturb as little as possible. He also noted that they have moved the house on Lot #2, and they will have to remove some of the vegetation in order to get that equipment in. They are not proposing to remove everything in the limits of disturbance. Mr. Huddleston suggested that they add some additional landscaping if necessary to meet with the approval of the Building Inspector.

Mr. Henry asked that the roadway to be dedicated to the Town be clearly identified. He also noted that there is a structure on Lot 1 that is in the r.o.w. and it will have to be removed.

Ms. Cleaver asked if the zoning change to preserve the black dirt needed a Public Hearing. Mr. Cappello explained that this was not a zoning change, but a clustering change. Mr. Lupinski noted that there are sheds on Lot 1 that appear to extend on to the neighboring property. Mr. Ramus noted that the owner wanted to keep these sheds. Mr. Cappello suggested that the note stating "that existing sheds will remain" be removed from the plan and then, if possible, the applicant should move these sheds so that there are on the appropriate lots.

VOTE By Proper MOTION, made by Mr. Bergus, seconded by Mr. Andrews, the Planning Board hereby grants final approval to the Prochaska subdivision conditioned upon the following:

- 1) Provide detail of the invert on the septic tank
- 2) LSE for dwellings on lots 2 & 3 be noted.
- 3) Remove the barn from the r.o.w. for town road dedication
- 4) Move sheds from the neighbors property
- 5) Provide a note on the plan showing the buildings to be removed on each lot prior to the issuance of a CO.
- 6) Restrictive covenant be placed on the map and filed separately prior to the issuance of any building permits.
- 7) Payment of all recreation fees (\$3000 per lot) as this project will generate the need for recreational area.

Passed unanimously

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

IV. Correspondence

NYS - DOT letter regarding Glenview Hills subdivision
239M response for "The Alamo"
239M response for "Yankee Propane"

Upcoming Meetings

October 13, 2005 - 10 AM - Planning board meeting with DOT regarding Traffic
October 13, 2005 - Staff meeting
October 20, 2005 - Planning board

Upcoming Public Hearings

10/20 Kerr & Wendland - 12-1-2 - 72.6 acres, located on Hartley Rd in a CO zone with an AQ6 and stream & reservoir overlay. **2 lot subdivision & special use permit for light industry building**

10/20 Wholesale Storage - 12-1-18, 5 acres, located on Hartley Road, in a CO zone with an AQ6 overlay.

Adjournment: The meeting adjourned at 10:20 pm upon motion made by Ms. Israelski, seconded by Ms. Cleaver.

Ralph Huddleston, Chairman

Notes prepared by Linda P. Doolittle