

TOWN OF GOSHEN
TOWN BOARD SPECIAL MEETING
February 14, 2006

A Special Meeting of the Town Board of the Town of Goshen was held on the 14th day of February, 2006 at 4:30 pm in the Town Hall located at 41 Webster Avenue, Village of Goshen, County of Orange, State of New York.

Present:	Douglas Bloomfield	Supervisor
	Philip Canterino	Councilman
	Louis Cappella	Councilman
	George Lyons	Councilman
	Kenneth Newbold	Councilman

Also Present: John Cappello, Attorney
Ron Gainer & Joseph Henry - Dufresne & Henry
Graham Trelstad & Susan Roth - AKRF
Neal Halloran, Building Inspector

A. Call to Order

Supervisor Bloomfield called the special meeting of the Town Board of the Town of Goshen to order at 4:40 pm.

B. Zoning Code & Comprehensive Plan

Supervisor Bloomfield welcomed the public to this special meeting, which has been called to discuss the current Zoning Code and Comprehensive Plan. He explained that while campaigning last fall two issues were very much on the mind of the public - taxes and traffic. The congestion at intersections with Route 207 and Scotchtown Ave., Craigville Rd. and Sarah Wells Trail were of major concern. He has called this meeting to discuss with the planners what needs to be developed to remedy this congestion. His major concern is that when full build out of the Town is completed there will be approximately 2500 new units, which he feels will greatly exacerbate this congestion. He stated that he is not against growth, but not at the expense of public safety and welfare.

The Supervisor emphasized that throughout the moratorium and planning stages he requested a traffic study. At one point he was told that it would be prepared free from the County. This document was submitted late in the process. As part of the County's recommendation, it was stated that the Town "adopt the recommended residential densities within the Goshen Town-wide Potable Water Study as a means of preserving the capacity and overall functionality of the existing roadway network in the Town of Goshen." The County also promoted "the creation of hamlet mixed-use and residential zones to decrease the number

and length of vehicular trips and, in doing, reduce the overall impact to critical intersections in Goshen."

The TB hired Joel Russell to prepare our zoning and coding. Water protocols and hydrology studies were also completed to keep from outbuilding our water resources.

Supervisor Bloomfield stated that he has also reviewed the traffic study submitted by Hambletonian Park, Heritage Estates and Maplewood. He feels that it is inadequate. According to this study, the involved intersections had scores of C, which is considered adequate. However, the County study showed some of the intersections scoring E & F, which is not acceptable. These scores reflect current conditions. What will happen when the homes planned for this area are built. It seems apparent that several of these intersections will need upgrading. The Supervisor cited the example of Saratoga Springs. That city requires that the developer mitigate any intersection that falls below a C back up to that level. He emphasized that we established water protocols etc. but failed to set any protocols for traffic. He noted that the intersection of Craigville & Route 207 is an F today and a hamlet of 200+ homes is proposed for this area. There is the possibility that a total of 379+/- more homes will be built on Craigville and he asks how school buses will travel through the intersection. There is also concern about emergency vehicle response time. Supervisor Bloomfield noted that the public is starting to become involved in these issues and he feels that the TB and their consultants need to put together some type of traffic protocol.

Councilman Lyons concurs with the Supervisor as he was also out campaigning this fall and found the same concerns. In his review of the County plan he questioned how they could say that after the proposed hamlet development is completed an E/F intersection could rise to a C. Therefore, he feels this needs further review and/or modification. He also expressed concern regarding the density bonuses that are being offered. In general, he stated that the Hamlet zones "scare me."

Councilman Canterino noted that he has reviewed the Master Plan and he acknowledged that those who prepared it worked hard and did a good job. He views this Master Plan as a "living document" and it should be a guide. The Hamlet zones also "scare me". He noted that last week the TB received a proposal to create a sewer district. He noted that the Town does not have a sewer system and this particular property was not contiguous to the Village. The original Master Plan, called for regional sewers and he feels this is the answer.

This new Comprehensive Plan seems to be counting on bringing all sewer districts into the new Village Treatment Plan. He feels that these density bonuses will create a demand that we do not have the facilities to meet. This will be detrimental to the existing residents. He also expressed concern regarding the transfer of development rights from RU districts to other areas. Councilman Canterino also stated that he is much against the fact that "if a developer makes a financial contribution they can have the density".

He further expressed concern that in the hamlets the Town road specs can be waived. He asks "what about our existing 14,000 residents"? The concept of cluster housing needs to be reviewed with specific environmental controls. Councilman Canterino stated that the PB can waive these environmental control formulas if they see fit. He feels this is a serious problem and the planning consultants need to look closely at this.

Councilman Newbold stated that he has been involved with the TB and the PB for 8 years. The Town has spent in excess of \$200,000 to put together this Master Plan. "Yes, traffic needs to be reviewed, because where you have growth you will have increased traffic." We have been aware that development was coming for a long time. The TB has finally given the PB a document, which they can work with and he feels that it would be counterproductive to change that document before they have given it an opportunity to work.

Councilman Cappella stated that he has been on the TB for only 2 years. He came in at the conclusion of this Master Plan process. He noted that when this plan was passed the TB told the public that they would be open to change. They asked the public to spend the money for open space in order to stop growth. He stated that when you look at the hamlet plan, you see 200+ homes on 50 - 60 acres when you would have seen 20-30 homes under the previous zoning. The Village is our hamlet. He noted that possibly we have made a mistake with this plan and should be looking at this hamlet concept very carefully.

Supervisor Bloomfield stated that, while we have competent departments to run the town, we do not have this experience in planning. There have been three iterations of this Comprehensive Plan. We have had a great deal of community input, but the members of the public are not professional planners. He feels that problems are coming and while we cannot fix everything, we need to develop an appropriate traffic protocol. We have a finite period of time in which to work on this issues and we should review the document one more time.

Mr. Trelstad explained that his firm has been involved for approximately 2.5 years. They were brought in by Joel Russell in the middle of the process. He

emphasized that the Zoning Code and Comprehensive Plan created by Mr. Russell are "state of the art". Mr. Russell is one of the premiere planners (and also an Attorney) in the country. The "bones of the zoning" are the right approach. He stated that wholesale changes are not really necessary and he feels that these documents are not a mistake. The Hamlet zone, TDR's and PDR's were created to facilitate saving open space. The Master Plan directs growth where there is infrastructure to support it. Much of the Plan is based on water availability, some is based on wastewater facilities and some is based on traffic. As planners, we did recognize the Village as the Center, and therefore the hamlets should be in

close proximity to the Village. It is important to build upon what already exists. The only hamlet zone not near the Village of Goshen is near the Village of Florida. The whole idea is to allow people to walk rather than drive everywhere. The plan is to encourage interconnections between developments so you are not forced out to the major roads. Therefore interior connecting roads are necessary. He feels that most of the plan is correct and he welcomes further discussion to explain his stance.

Mr. Trelstad also explained that as each project came before the PB, the applicants were found to be using the Zoning Code as we had planned. We have let the land and water supply dictate what can be developed here. We have to look globally. Due to the water and wetlands restrictions, the numbers keep coming down. Developers are lowering their projections when they cannot supply the requisite water needs. At this time, none of the density bonuses have been granted. There has also been no increase over what could have been built under the old zoning.

Mr. Trelstad noted that if you look at the entire Town the amount of development would decrease while there may be an increase in some of the hamlets, but not overall. Hamlets provide the possibility of bringing neighborhoods together. The concept of "clustering" was brought about to battle "sprawl" and to allow us to have a pattern of growth similar to what we grew up with. He feels the town has a flexible, good Comprehensive Plan and Zoning Code. It is progressive and "state of the art", but still requires that we keep reviewing it with a critical eye. He agrees that we can address the traffic, but we need to concentrate on how to make improvements happen. The Town, the developers or a combination of both can be held responsible for mitigation.

Councilman Canterino noted that many have worked very hard on this plan, but he does not see many people walking to work. He feels that the basic problem is the ability to provide water and sewer. He is asking for an objective review. Supervisor Bloomfield asked Mr. Cappello what can the Town do to bring about any changes they deem necessary. Mr. Cappello responded that they need to

concentrate on why and how the rules are changed. The Town needs to let it be known that they are studying the code and then they have to have support for any changes. It can not be changed just because the Town doesn't want to see houses where they said they could be built.

Mr. Cappello stated that traffic is the core issue and there are many studies available. These need to be coalesced into one whole in order to establish potential mitigation. The TB needs to give their consultants permission to proceed to bring these studies together and to establish mitigation measures. It may be appropriate to bring in a few of the larger developers to come in and work on this problem. A real plan needs to be established that the PB can use as a tool. They need to be able to tell a developer that certain mitigation is needed and advise them that they can do it alone or together with others. The County can then possibly help out if they see that others are working toward these measures also. We need to continue the dialogue to establish a rationale. He further stated that in the long run there will be less density overall under the current code. The TB needs to weigh the entire picture. He advised Supervisor Bloomfield to coalesce these traffic studies into a real traffic plan, so the PB can go to the developers and tell them what is needed. The issues and the improvements required need to be identified.

Supervisor Bloomfield also mentioned the plans for Goshen Executive Park, which is before the Village Planning Board. This could bring 2000 more employees into the area. He also noted that all of the schools are in one area of the Village and this can cause a public safety and transportation issue. He stated that dialogue is needed between all the Boards. Ms. Roth suggested that since the location of the schools has been noted, it might be worthwhile to involve the School Board in these discussions. They need to be aware of the possibility of this increase in growth and of the TB's concerns. Mr. Trelstad noted that these two boards are very separate entities and Mr. Gainer noted that they have met with the School Board, but this needs to be revisited. Ms. Roth suggested that when DEIS documents etc. are circulated, possibly the School Board should be included on the list just as the Fire & Police Departments are. It would be better to receive their input now rather than later. Councilman Lyons noted that the school has a committee working on growth. Mr. Huddleston pointed out that this committee does not have any representation from the Town or the Planning Board. Supervisor Bloomfield also noted that we have been remiss in communicating with the Village. He feels it is time to explain these issues to the entities involved and the public.

Mr. Trelstad noted that there are many entities involved and no one group has the money to do all that is needed. They need to come up with creative ways to work together. He also reminded the Board that there are limitations to what can be

asked for – they need to be careful. Supervisor Bloomfield emphasized the need to consider public safety and welfare. Councilman Canterino noted that if alternative routes from one area to another are being considered, we must be careful of the existing citizens. He is very concerned about the affect of thru roads on existing quiet developments.

Councilman Lyons asked that one other issue be considered regarding the forming of sewer districts. The means by which sewage is transported to the new plant needs to be carefully studied. There are serious problems with the existing Village infrastructure.

The Supervisor thanked the professionals and the audience for attending and expressed the desire to have more of these types of discussions.

C. Police Department Grant

Supervisor Bloomfield reported that he has received a letter from the NYS Div. of Criminal Justice Services regarding the acceptance of the Grant Award obtained by Senator Larkin for the Police Dept. This grant first came before the Board during the budget hearings last fall. The letter requires signature of the Supervisor by February 28, 2006 if it is going to be accepted. Since Councilman Canterino is leaving for vacation, Supervisor Bloomfield wished to have this issue addressed at this special meeting.

The Supervisor stated that the grant award is for \$93,000 to be used for improvements to the Goshen PD for narcotics control. The various improvements will include training of personnel for off road patrols. It will also include the purchase of a Chevy Tahoe, 2 ATV's, 2 snowmobiles and the necessary trailers and equipment. The grant appears to focus on the deterring of criminal drug activities in remote areas. Supervisor Bloomfield interprets this to mean State Parks and other remote areas and therefore it does not apply to the Town of Goshen. He feels that when you have ATV's and snowmobiles, you have to have the land to use them on. They would not be allowed to travel across private farmlands without incurring liability issues.

Councilman Newbold noted that Chief Marsh is away until 2/17 and he would like to obtain his input. He stated that when the grant was presented in the fall, he did not remember any mention of narcotics. He thought it would be used for the proposed trails. Councilman Lyons asked if this was a "member item". If it is, possibly the use can be changed. Supervisor Bloomfield noted that the State and County have the units to control narcotics activity.

Councilman Canterino stated that there is very little drug incidence in Goshen itself and he does not feel that the State should use their money in this way as it

ultimately comes from the taxpayer. Therefore, he does not want to accept this money if it cannot be used for something germane to Goshen.

Councilman Cappella stated that when this was reviewed in the fall, it was put in the budget with the understanding that it would be reviewed later. He also emphasized that he did not want to put his name on something that will put an officer at risk on an ATV crossing rough terrain. He would not like to see an incident similar to the one that occurred in Chester recently. It also appears that we would have to create a drug unit and then there would be the question of the cost of maintaining the unit.

Councilman Lyons stated that he would like to see if the grant could be modified and he would like to have input from Chief Marsh. He noted that the Chief did write a memo stating the need for this equipment. He would like to afford him the opportunity to discuss this with the members. Councilman Newbold stated that the Board did ask if the grant could be modified and they were informed that it could not.

Mr. Petraglia noted that he would hope that if Goshen does not use this money, it would be available to use more effectively elsewhere in the State. He also noted that if and when there is a drug problem in Goshen, the Sheriff and State Police have the units to deal with the issue.

The Supervisor polled the members for their opinion:

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| Councilman Cappello | Do not accept the grant. He feels we should not accept the grant if we find that we cannot use it for other matters. There is also the issue of putting an officer at risk by accepting this type of equipment. |
| Councilman Newbold | Requests more information from Chief Marsh and how this fits into his plans. Out of respect for the Chief we should give him an opportunity to respond. |
| Councilman Canterino | Do not accept the grant. |
| Councilman Lyons | Need more information from the Chief. |
| Supervisor Bloomfield | Do not accept the grant |

Supervisor Bloomfield requested that a motion be made to return this grant contingent upon receiving more information from Chief Marsh. It should be noted that this appears to be in an area of law enforcement that does not apply to the Town of Goshen. The Supervisor called the motion.

VOTE By Proper MOTION, made by Supervisor Bloomfield, seconded by Councilman Cappella. The Town Board of the Town of Goshen hereby determines that the Proposed Grant Award Between the Division of Criminal Justices Services and the Town of Goshen should not be accepted by the Town contingent upon receiving further rationale from the Chief of the Goshen Police Department.

Supervisor Bloomfield	Aye	Councilman Lyons	Nay
Councilman Canterino	Aye	Councilman Newbold	Nay
Councilman Cappella	Aye		

Passed by a vote of 3 ayes to 2 nays.

Supervisor Bloomfield noted that the TB also needs to determine what they see as the mission of the Police Department. He feels that there is a lack of communication between the Department and the Board.

Adjournment: The meeting adjourned at 6:40 pm upon motion made by Councilman Lyons, seconded by Councilman Cappella.

Linda P. Doolittle
Deputy Town Clerk