

**VILLAGE OF GOSHEN  
PLANNING BOARD  
Work Session/Regular Meeting  
JULY 24, 2012**

The work session/regular meeting of the Village of Goshen Planning Board was called to order at 7:40 p.m. on Tuesday, July 24, 2012 by Chair Jerome O'Donnell.

**Present:** Augustine DeRosa  
Dominick Igneri  
Rebecca Lafargue  
Elaine McClung  
Jerome O'Donnell

**Also Present:** Art Tully, P.B. Engineer  
Mike Donnelly, Esq. PB Attorney

**The Knolls of Goshen Tax Map Designation 104-2-40, 41, R-R**

Representing the applicant: Travis Ewald, Pietrzak & Pfau

Mr. Ewald said the application is for a 13 lot subdivision, extending Middle Street and connecting with Montgomery Street. He said the plan is designed to have construction access from Harness Estates Road through proposed Lot #9 and to access the last lot, #13, from the regular roadway. The application received preliminary approval in 2007, Mr. Ewald said. The plans received NYS DEC approval for the sewer main extension in 2010. The application received Orange County Health Department approval in 2011. Mr. Ewald said he believes the plans are ready for a conditional final approval from the PB.

Mr. Tully said he reviewed the plan and met with the applicant and that most of his significant comments have been addressed. He told the PB that the applicant has agreed to widen both Middle Street and Montgomery Street to a minimum width of 20 ft. but said the plans should indicate where the widening will occur. Both streets will also be resurfaced by the applicant. Mr. Tully said he wants to see the new water line going in along Montgomery Street to be cross-connected to the existing four inch water main. The applicant has agreed to provide that cross-connection, he said.

Attorney Steve Reineke, who represents the PB in connection with the application, said the applicant's preliminary approval is expiring so the PB needs to take some type of action. He recommended that a time period be established for the applicant to comply with the conditions.

It was noted that a condition should be that the applicant demonstrate construction access, providing proof of access on Harness Road from Harness Estates. The PB discussed maintenance of the rain gardens and determined that it must be noted in the deeds so the homeowner is aware that they are responsible for the maintenance. It was pointed out that sidewalks will be constructed on the inside of the curb.

Mr. Reineke said that conditional final approval would include the eleven conditions referred to in Mr. Tully's letter to PB Chairman O'Donnell dated July 19, 2012 plus an additional three conditions including (12) submission of satisfactory proof of access over Harness Road (13) deed language to confirm that property owners acknowledge their responsibility in maintaining the drainage facilities and (14) adding a map note to that effect.

Mr. Ewald said he thought the conditions could be satisfied in about three months, or by the PB's October 23<sup>rd</sup> meeting. Mr. Ewald estimated it will take three years to complete construction.

**VOTE BY PROPER MOTION**, made by Ms. Lafargue, seconded by Mr. DeRosa, the Village of Goshen Planning Board grants conditional final approval on the application of The Knolls of Goshen. Passed unanimously.

**Greek Mountain Dairy, Dikeman Drive, Tax Map Designation 122-1-1.2, I-P zone.**

Representing the applicant: Peter Manouvelos, Lan Engineering

Mr. Manouvelos said that the applicant, Greek Mountain Dairy, is operating the old Sorrento cheese factory and proposes to build a 54,000 sq. ft. addition, as a separate entity, for storage. The addition would include a sprinkler system and would be a one-story masonry structure. He said his client wants the option to come back before the PB to make part of this storage area a production area but right now it is being designed strictly for storage. He said he is present to introduce the concept and get the feel of the PB.

Mr. Tully said this is very early in the review process and that more information will be coming. Ms. McClung said, "We are happy to see your business grown, as long as you follow code." Mr. Donnelly said that further along in the process the applicant will need to be referred to Orange County Planning and that the PB will need to decide whether to hold a public hearing on the application.

PB members said they agree with the concept.

**High Point Estates, North Church Street, R-R, Tax Map Designation 110-4-11.2**

Representing the applicant: Steve Esposito

Mr. Esposito summarized what had taken place so far and spoke about several of the alternative plans previously discussed for the site. He said that two possible access locations with adequate sight distance have been located, at the north and the south ends of the property. One of the sites will require off-site improvements, removal of a bank, a stump and a telephone pole, on the Village right-of way near Hilltop Drive in order to provide the adequate sight distance.

Mr. Esposito said that he thought the cul-de-sac alternative worked the best and it minimizes access of North Church St. and keeps existing vegetation along North Church, but that there was prior discussion about clustering so the applicant wrote the Village Board asking for authority to cluster. He said the attorney for the Village Board replied that they won't authorize clustering until the applicant works out a plan with the PB.

Mr. Esposito introduced "Alternative 5" which showed a "cluster development" of 23 units, with no residences off North Church St., a road running along the ridge line and houses located on the gentle slopes of the site. In this plan there would be two areas for storm water management facilities, one 24,000 sq. ft and another 20,000 sq. ft. He said the lots would be similar in size to those in nearby neighborhoods.

Mr. Esposito referred to the Village Code which calls for a maximum cul-de-sac length of 400 ft. He said the applicant will be requesting a waiver from the cul-de-sac length and will also ask for a waiver from the number of lots allowed on a cul-de-sac.

Mr. Esposito also spoke about a "conventional plan" showing 25 lots, with two lots having access on North Church St. and the remaining 23 lots accessed by a loop road. There would be two access locations with the plan.

Mr. Tully said if the two access plan is used, it will only work if the off-site improvements are made. He said the developer would have to make those improvements. He said that the cluster plan has just one point of access so the off-site improvements

would not have to be made. He said a cul-de-sac will eliminate the need for the second intersection.

Mr. Donnelly defined “clustering” in the Village Code as “a development design technique that concentrates buildings in specific areas on a site to allow the remaining land to be used for recreation, common open space and preservation of environmentally sensitive areas.” Mr. Donnelly said the applicant would have to achieve all three objectives.

Mr. Esposito said that under Town law clustering is to preserve open space and to minimize infrastructure and reduce impervious surfaces, saying the more road that is constructed, the larger the retention basins have to be.

Mr. Tully said that the amount of impervious surface isn’t reduced, comparing the conventional and the cluster plans, and that the road length is about the same, saying that there is not a lot of road savings in terms of impervious area. Mr. Esposito said that the cluster plan would save approximately 10% of the impervious surface.

Mr. Esposito said that conservation easements could be placed on portions of the lots in the cluster plan, creating open space and restricting the use of a portion of the lots. Mr. Tully suggested that putting a conservation easement on the conventional plan would achieve the same thing.

Mr. Donnelly said that the Village of Goshen’s approach to clustering is that any cluster development shall be organized as a separate detached recreation district and that means that all of the common property shall be deeded to the recreation district so the common areas would not be owned by the property owners. Mr. Donnelly said it would be a taxable recreation district, taxed by the Village.

Mr. Donnelly said that clusters in villages are unusual and questioned how well the applicant’s project fits with clustering. The Village Board would have to authorize it first and they will have to recognize that if they authorize the cluster, they will have to create a municipally owned recreation district. If the site is done as a cluster development then the applicant will have to make sure the layout meets the three objectives, he said.

Mr. DeRosa said he doesn’t believe that making the changes to North Church St. by Hilltop is going to change the inadequate sight distance problem.

Ms. McClung said it is apparent to her that the applicant’s plan does not satisfy the Village’s definition of clustering and asked the applicant if they are abandoning the clustering idea. Mr. Esposito said he thinks the plan does meet one of the criteria, preserving the environmentally sensitive area, but not the other, and doesn’t think they’d want to attempt to create a taxable entity.

Mr. Tully said he doesn’t see the difference between the two plans in terms of any of the clustering criteria, that the amount of disturbance and the sensitive areas to be preserved are the same on both plans.

Mr. Tully suggested making a conventional plan around a cul-de-sac. He said that the major issue will be the number of lots on the cul-de-sac, that he would have a problem in dealing with more than 19 lots on the cul-de-sac, from the emergency services standpoint. He said he believes the access location is the best location for sight distance but said it will have to be checked. It appears to be adequate with improvements, he said. Mr. Tully said he sees two options, doing the conventional plan, either with a cul-de-sac or with a loop road.

Mr. DeRosa said he’d like to see a conventional plan with no lots coming out onto North Church St.

**MINUTES** - PB members approved the Minutes of its June 26, 2012 meeting.

**ADJOURNMENT** - The Village of Goshen Planning Board meeting adjourned at 9:07 p.m.

Jerome O'Donnell, Chair  
Notes prepared by Susan Varden