

**Town of Goshen Planning Board Meeting
Town Hall
41 Webster Avenue
Goshen, NY 10924**

February 18, 2021

Members Present:

Lee Bergus, Chairman
David Crawford
Phil Dropkin
Cynthia Hand
Frank Leva
Diana Lupinski
Martin Holmes (Alternate)

Also Present:

Kelly Naughton, PB Attorney
Sean Hoffman, Town Engineer
Neal Halloran, Building Inspector

Members Absent:

Giovanni Pirraglia

Pursuant to the Governor's Executive Order the meeting was recorded and posted on line.

The Planning Board meeting was opened with the Pledge of Allegiance at 7:30 pm by Chairman Lee Bergus.

Approval of Minutes

November 11, 2020 minutes were deferred to next meeting.

VOTE BY PROPER MOTION, made by Mr. Dropkin, seconded by Mr. Crawford, the Town of Goshen Planning Board moved to approve the February 4, 2021 minutes as modified. Approved unanimously.

Chairman Bergus	Aye	Mr. Crawford	Aye
Mr. Dropkin	Aye	Mrs. Hand	Aye
Mr. Leva	Aye	Mrs. Lupinski	Aye
Mr. Holmes	Aye		

Persoon Extension or Abandonment of Applications pursuant to Town Code

Persoon – Chairman Bergus read a letter dated February 16, 2021, requesting a 90 day extension of Final Approval signed by Nicholas Rugnetta, Engineer, Pietrzak & Pfau.

VOTE BY PROPER MOTION, made by Mr. Dropkin, seconded by Mrs. Lupinski, the Town of Goshen Planning Board moved to grant a 90 day extension of Final Approval to June 2, 2021. Approved unanimously.

Chairman Bergus	Aye	Mr. Crawford	Aye
Mr. Dropkin	Aye	Mrs. Hand	Aye
Mr. Leva	Aye	Mrs. Lupinski	Aye
Mr. Holmes	Aye		

Public Hearings

Hambletonian Park Section F -8-1-12.221: Application for Clearing Permit for a 38 lot residential subdivision on 20.427 +/- acres on Upper and Lower Magic Circle Drive and Rabbit Run in the HR Zone with AQ-6 overlay.

Continuation of the Public Hearing.

Mr. Hoffman reviewed his report.

Antony Felice was concerned about flooding and the dropping of trees would cause serious water in the basement. Concerned that the EIS is so old and things have changed in this area.

Brian Buckley had no comment.

Brian Gallo, in summary was concerned about the bad infrastructure, biggest complaint is the water, where is it going to go. When they clear the trees and flooding occurs, is the company going to take care of it? There's one house being built and there is a lot of water coming off the hill. There are wetlands back there. Asked for another EIS since it's been so long. Requested a little more time to review the project with the pandemic.

Dennis O'Sullivan stated he echoed Brian's concerns. He lives next to the house that is being built and it has flooded the street.

John Mungo, 22 Fleetwood Drive, stated he was an observer listening to the issues felt throughout the community. In summary, hoped the Town Board would make a betterment of the pipes with these new homes. Asked for another EIS and commended the folks for speaking tonight.

John and Allyson Graesser, no response.

Joe Bianchi, no response.

Paul Herasimchuk asked that the EIS be redone. On board with everyone else's comments.

Mark Pedrosa was concerned about the water issue. There's a lot of water in the backyards on Yankee Maid Lane. Asked if there was a spring back on the property.

Richard Deacon stated the EIS should be updated.

Richard Rodstrom, 37 Yankee Maid Lane, stated a neighbor told him there is a spring in the back and a pipe runs across the back of his property, a natural spring that runs all the time. Didn't see it listed on the document displayed. Stated he gets a lot of water coming down his property year round. Quality of water should be better and an updated EIS would be ideal as well.

Theresa Sager, 29 Yankee Maid Lane, stated she had a lot of water in her backyard. Stated there is a water issue and would like to see an updated EIS.

Donnalyn Mason stated they need the EIS updated. Concerned about the water coming down.

Charna and John Jordan, in summary, have lived here 30 years and have seen a lot of issues with the neighborhood, such as watermain breaks, droughts, water issues, and is concerned this is a done deal. Concerned about road openings and increased traffic.

Rolland Peacock stated there has been 38 years with a major problem of infiltration. Felt the EIS should be updated because a lot has changed.

Scott Vacaro, 11 Upper Magic, in summary, worried about flooding, the flooding creating ice, the condition of the road unable to handle construction vehicles, the infrastructure needs to be repaired on that street, and the impact of the trucks will damage the pipes.

Pat Schwetje, asked the Board to look at a study that was done back in 2009 before they were hooked up to Heritage Estates, it might have an impact. Stated she agreed with everyone else.

Dan Matteo, in summary agreed with everyone. Asked to take another look at the EIS. Stated concern about Bridle Path.

Whereupon there was a discussion on the permit application for clearing trees.

Joseph Bianchi, in summary was concerned about the two ponds and water runoff. Stated he had flooding now. Wanted to know when the homeowner gets taken into account instead of the bats. Would like an updated EIS.

Jon Redeker, wanted to know the relationship between the Town Board and Planning Board. Asked that the Board take the issues of the current residents into consideration. Asked for water mitigation from the developer. Stated there were a lot of issues in the neighborhood. More time is needed to do it correctly.

VOTE BY PROPER MOTION, made by Mr. Crawford, seconded by Mr. Dropkin, the Town of Goshen Planning Board moved to close the Public Hearing. Approved unanimously.

Chairman Bergus	Aye	Mr. Crawford	Aye
Mr. Dropkin	Aye	Mrs. Hand	Aye
Mr. Leva	Aye	Mrs. Lupinski	Aye
Mr. Holmes	Aye		

Whereupon, there was a discussion on the 2008 EIS, stormwater, permits from the DEC, hand felling, temporary drains, ponds, hydraulic analysis, pedestrian path to Rabbit Run, connection to Arthur Place, the use of Bridle Path and seeding.

Items for Discussion/Action

Aller Subdivision – 2-1-5.2: Application for small-scale subdivision on 16.86 +/- acres along

Scotchtown Road (County Route 83) in the RU Zone with AQ-6 overlay. Draft Resolution

John Nosek was present for applicant.

Attorney Naughton reviewed the draft resolution.

VOTE BY PROPER MOTION, made by Mr. Dropkin, seconded by Mr. Crawford, the Town of Goshen Planning Board moved to approve the Resolution as modified. Approved unanimously.

Chairman Bergus	Aye	Mr. Crawford	Aye
Mr. Dropkin	Aye	Mrs. Hand	Aye
Mr. Leva	Aye	Mrs. Lupinski	Aye
Mr. Holmes	Aye		

Varano Solar Farm – 19-1-6.1: Application for site plan and special permit for a solar energy system on 127.7 +/- acres on Maple Avenue/County Route 37 in the RU and AI Zones with AQ-3 and Scenic Road Corridor overlay. SEQRA EAF Part 2

Daniel Farnan, Maser Consulting, and Genevieve Trigg, Esq. were present for applicant.

Attorney Naughton reviewed the Part 2 EAF.

VOTE BY PROPER MOTION, made by Mrs. Lupinski, seconded by Mrs. Hand, the Town of Goshen Planning Board moved to authorize the drafting of a negative declaration. Approved unanimously.

Chairman Bergus	Aye	Mr. Crawford	Aye
Mr. Dropkin	Aye	Mrs. Hand	Aye
Mr. Leva	Aye	Mrs. Lupinski	Aye
Mr. Holmes	Aye		

VOTE BY PROPER MOTION, made by Mr. Crawford, seconded by Mr. Holmes, the Town of Goshen Planning Board moved to waive a public hearing. Approved unanimously.

Chairman Bergus	Aye	Mr. Crawford	Aye
Mr. Dropkin	Aye	Mrs. Hand	Aye
Mr. Leva	Aye	Mrs. Lupinski	Aye
Mr. Holmes	Aye		

VOTE BY PROPER MOTION, made by Mr. Dropkin, seconded by Mrs. Lupinski, the Town of Goshen Planning Board moved to authorize the drafting of a resolution. Approved unanimously.

Chairman Bergus	Aye	Mr. Crawford	Aye
Mr. Dropkin	Aye	Mrs. Hand	Aye
Mr. Leva	Aye	Mrs. Lupinski	Aye
Mr. Holmes	Aye		

Serenity Acres – 9-1-6.1: Application for open space subdivision on 35.4 +/- acres along Broadlea Road in the RU Zone with AQ-3, Scenic Road Corridor, Stream Corridor & Water Supply Watershed overlays. Conservation Analysis

Mr. Hoffman reviewed his report.

Larry Marshall was present for the applicant.

Whereupon, there was a discussion on the tree survey, shifting the house on lot 5 back, septic system on lot 7, the disturbance, slopes, no trees to be removed in the wetland area, and the scenic road corridor.

Mr. Halloran stated the stone wall is in an area that might have to be removed. It would be up to the discretion of the highway department.

Attorney Naughton asked the applicant to keep the flagging up on the site for the planning board members to visit. Requested a submission of the super imposed homes on the site plan by March 4.

VOTE BY PROPER MOTION, made by Mr. Holmes, seconded by Mr. Leva, the Town of Goshen Planning Board moved to authorize the drafting of a conservation analysis finding statement. Approved unanimously.

Chairman Bergus	Aye	Mr. Crawford	Aye
Mr. Dropkin	Aye	Mrs. Hand	Aye
Mr. Leva	Aye	Mrs. Lupinski	Aye
Mr. Holmes	Aye		

Healey Lincoln -12-1-8.11: Application for site plan and special permit for site modifications associated with rebranding existing automobile dealership on 5.2 +/- acres along NYS Route 17M and 6 ½ Station Road in the HC District with AQ-6 and Floodplain & Ponding Overlay Districts. Initial Presentation & Commence SEQRA

Andrew Fetherston, Maser Consulting, reviewed the project with the Board.

Raymond VanVoorhis, AIA, reviewed the proposed rendering of the exterior.

John Koerner was present for applicant.

Mr. Hoffman reviewed his report.

Mr. Fetherston requested to waive the sidewalk requirement.

VOTE BY PROPER MOTION, made by Mr. Dropkin, seconded by Mr. Crawford, the Town of Goshen Planning Board moved to declare this project as a type 2 action under SEQRA. Approved unanimously.

Chairman Bergus	Aye	Mr. Crawford	Aye
Mr. Dropkin	Aye	Mrs. Hand	Aye
Mr. Leva	Aye	Mrs. Lupinski	Aye
Mr. Holmes	Aye		

VOTE BY PROPER MOTION, made by Mr. Leva, seconded by Mr. Holmes, the Town of Goshen Planning Board moved to schedule a public hearing on March 18, 2021. Approved unanimously.

Chairman Bergus	Aye	Mr. Crawford	Aye
Mr. Dropkin	Aye	Mrs. Hand	Aye
Mr. Leva	Aye	Mrs. Lupinski	Aye
Mr. Holmes	Aye		

Mr. Hoffman reviewed the agenda for the next meeting.

VOTE BY PROPER MOTION, made by Mr. Dropkin, seconded by Mr. Crawford, the Town of Goshen Planning Board moved to close the meeting. Approved unanimously.

Chairman Bergus	Aye	Mr. Crawford	Aye
Mr. Dropkin	Aye	Mrs. Hand	Aye
Mr. Leva	Aye	Mrs. Lupinski	Aye
Mr. Holmes	Aye		

Meeting adjourned at 10:38 pm.