

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

March 4, 2021

Members Present:

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

Also Present:

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

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 Deputy Chairman Phil Dropkin.

Approval of Minutes

November 11, 2020 minutes were deferred to next meeting.

VOTE BY PROPER MOTION, made by Mrs. Lupinski, seconded by Mr. Leva, the Town of Goshen Planning Board moved to approve the February 18, 2021 minutes. Approved unanimously with one abstention.

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|-----------------|------------|---------------|-----|
| Chairman Bergus | Absent | Mr. Crawford | Aye |
| Mr. Dropkin | Aye | Mrs. Hand | Aye |
| Mr. Leva | Aye | Mrs. Lupinski | Aye |
| Mr. Pirraglia | Abstention | | |

Possible Extension or Abandonment of Applications pursuant to Town Code

Young's Grove/Reiger – Chairman Bergus read a letter dated February, 17, 2021, requesting two 90 day extensions of Conditional Preliminary Approval of Major Subdivision, signed by Steve Esposito, Esposito and Associates.

VOTE BY PROPER MOTION, made by Mr. Crawford, seconded by Mr. Pirraglia, the Town of Goshen Planning Board moved to grant two 90 day extensions of Conditional Preliminary Approval of Major Subdivision to September 2, 2021. Approved unanimously.

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|-----------------|-----|---------------|-----|
| Chairman Bergus | Aye | Mr. Crawford | Aye |
| Mr. Dropkin | Aye | Mrs. Hand | Aye |
| Mr. Leva | Aye | Mrs. Lupinski | Aye |
| Mr. Pirraglia | Aye | | |

Hambletonian Park Section F – Chairman Bergus read a letter dated February 22, 2021, requesting a six month extension of approval, signed by Jim Ullrich.

VOTE BY PROPER MOTION, made by Mr. Dropkin, seconded by Mrs. Lupinski, the Town of Goshen Planning Board moved to grant a six month extension to September 2, 2021. Approved unanimously.

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|-----------------|-----|---------------|-----|
| Chairman Bergus | Aye | Mr. Crawford | Aye |
| Mr. Dropkin | Aye | Mrs. Hand | Aye |
| Mr. Leva | Aye | Mrs. Lupinski | Aye |
| Mr. Pirraglia | Aye | | |

Items for Discussion/Action

Varano Solar Farm a/k/a Forefront Power LLC -19-1-47, 48.1 & 48.2: 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 overlays. Draft Negative Declaration and Draft Resolution

Genevieve Trigg, Esq. was present for applicant.

Attorney Naughton reviewed the draft amended negative declaration with the Board.

VOTE BY PROPER MOTION, made by Mr. Crawford, seconded by Mr. Leva, the Town of Goshen Planning Board moved to accept the Negative Declaration for Forefront Power, LLC. Approved unanimously.

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|-----------------|-----|---------------|-----|
| Chairman Bergus | Aye | Mr. Crawford | Aye |
| Mr. Dropkin | Aye | Mrs. Hand | Aye |
| Mr. Leva | Aye | Mrs. Lupinski | Aye |
| Mr. Pirraglia | Aye | | |

Attorney Naughton reviewed the Draft Resolution of Conditional Approval Major Site Plan for Forefront Power, LLC.

VOTE BY PROPER MOTION, made by Mr. Dropkin, seconded by Mr. Pirraglia, the Town of Goshen Planning Board moved to approve the Resolution of Conditional Approval Major Site Plan for Forefront Power, LLC. Approved unanimously.

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|-----------------|-----|---------------|-----|
| Chairman Bergus | Aye | Mr. Crawford | Aye |
| Mr. Dropkin | Aye | Mrs. Hand | Aye |
| Mr. Leva | Aye | Mrs. Lupinski | Aye |
| Mr. Pirraglia | Aye | | |

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. Draft Resolution

Jim Ullrich, Alpine Environmental, was present for applicant.

Mr. Hoffman reviewed his report.

Mr. Ullrich, reviewed the project and informed the Board the applicant is planning on hand clearing the trees. Applicant will complete a design for erosion control and review it with Mr. Hoffman.

Whereupon, there was a discussion, on the sequencing of the French drain and the swale. It was discussed that the applicant would need a license from the Town Board for a French drain. It was discussed these plans should be submitted to the Town Engineer prior to commencing the cutting of trees. It was further discussed by the Board that they were concerned about moving ahead without having a design in place and concerned about the existing conditions in Hambletonian Park. There was nothing offered by the applicant that would address the existing adverse conditions. It was discussed that a plan should be submitted before the trees come down.

VOTE BY PROPER MOTION, made by Mr. Pirraglia, seconded by Mr. Bergus, the Town of Goshen Planning Board moved to reaffirm the May 15, 2008 SEQRA finding related solely to clearing. Motion failed.

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|-----------------|-----|---------------|-----|
| Mr. Crawford | Nay | Mr. Dropkin | Nay |
| Mrs. Hand | Nay | Mr. Leva | Aye |
| Mrs. Lupinski | Nay | Mr. Pirraglia | Aye |
| Chairman Bergus | Nay | | |

RDM Goshen 17M/2602 Route 17 Developers – 12-1-116: Application for site plan, special permit and subdivision for a warehouse and single-family dwelling on two (2) lots totaling 61.59 +/- acres on NYS Route 17M in the CO Zone with AQ-6 and Floodplain & Ponding Overlays. Discuss Revised Plans & Part 2 EAF

Charlie Gottlieb, Andrew Fetherston, and Isaac Neuman were present for applicant.

Mr. Gottlieb, Whiteman Osterman & Hanna LLP, reviewed the project.

Mr. Fetherston, Maser Consulting, reviewed the project.

Jason Anderson, Anderson Design Group reviewed the site.

Mr. Hoffman reviewed his report with the Board.

VOTE BY PROPER MOTION, made by Mr. Crawford, seconded by Mr. Leva, the Town of Goshen Planning Board moved to assume lead agency. Approved unanimously.

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| Chairman Bergus | Aye | Mr. Crawford | Aye |
| Mr. Dropkin | Aye | Mrs. Hand | Aye |

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|---------------|-----|---------------|-----|
| Mr. Leva | Aye | Mrs. Lupinski | Aye |
| Mr. Pirraglia | Aye | | |

Attorney Naughton reviewed the EAF Part 2 with the Board.

VOTE BY PROPER MOTION, made by Mrs. Lupinski, seconded by Mr. Pirraglia, the Town of Goshen Planning Board moved to approve the draft positive declaration as prepared. Approved unanimously.

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|-----------------|-----|---------------|-----|
| Chairman Bergus | Aye | Mr. Crawford | Aye |
| Mr. Dropkin | Aye | Mrs. Hand | Aye |
| Mr. Leva | Aye | Mrs. Lupinski | Aye |
| Mr. Pirraglia | Aye | | |

Kamp Subdivision – 4-1-10.1: Application for small-scale subdivision and site plan on 16.25 +/- acres along Craigville Road (County Route 66) in the RU Zone with AQ-3 and Scenic Road Corridor overlays. Initial Presentation & Commence SEQRA

James Dillin was present for applicant. He reviewed the project.

Mr. Hoffman reviewed his report.

VOTE BY PROPER MOTION, made by Mr. Crawford, seconded by Mr. Pirraglia, the Town of Goshen Planning Board moved to declare their intent to be lead agency and type this project as an unlisted action under SEQRA. Approved unanimously.

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|-----------------|-----|---------------|-----|
| Chairman Bergus | Aye | Mr. Crawford | Aye |
| Mr. Dropkin | Aye | Mrs. Hand | Aye |
| Mr. Leva | Aye | Mrs. Lupinski | Aye |
| Mr. Pirraglia | Aye | | |

Whereupon, there was a discussion on the EAF, the road frontage, driveways, and well testing.

VOTE BY PROPER MOTION, made by Mr. Crawford, seconded by Mr. Dropkin, the Town of Goshen Planning moved to schedule a Public Hearing for April 15, 2021. Approved unanimously.

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| Chairman Bergus | Aye | Mr. Crawford | Aye |
| Mr. Dropkin | Aye | Mrs. Hand | Aye |
| Mr. Leva | Aye | Mrs. Lupinski | Aye |
| Mr. Pirraglia | Aye | | |

Introductory Local Law No. 1, A local Law Creating a Battery Energy Storage System Overlay Zoning District and Provide Regulations for Batter Energy Storage Systems. Discuss Planning Board Report.

Attorney Naughton reviewed the law.

Whereupon, there was a discussion and the Board will submit comments and questions in writing.

Attorney Naughton will summarize in a report for further discussion.

Mr. Hoffman reviewed the agenda for next meeting.

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

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| Chairman Bergus | Aye | Mr. Crawford | Aye |
| Mr. Dropkin | Aye | Mrs. Hand | Aye |
| Mr. Leva | Aye | Mrs. Lupinski | Aye |
| Mr. Pirraglia | Aye | | |

Meeting adjourned at 10:18 pm.