

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

**March 18, 2021**

**Members Present:**

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

**Also Present:**

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

**Members Absent:**

Cynthia Hand  
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 7:31 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 Mrs. Lupinski, the Town of Goshen Planning Board moved to approve the March 4, 2021 minutes as modified. Approved unanimously.

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

**Public Hearings**

**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.

Andrew Fetherston reviewed a revised site plan.

Mr. Hoffman reviewed his report.

Whereupon, there was a discussion on impervious surface, gravel area back in 2008, inventory spaces always been in the front yard and side yard, comments that suggest the planning board provide a waiver, the waiver would be addressed in the resolution, water testing, maintenance records for the septic tank, well driller logs, looking for the depth of well, what type, the capacity of the well, do a dye

test on the existing septic. Inventory parking, turning radius, an environmental quality test of the water, waiver for bike path and sidewalk, bottled water is offered on site, lighting, and signage.

**VOTE BY PROPER MOTION**, made by Mr. Crawford, seconded by Mr. Holmes, the Town of Goshen Planning Board moved to open the Public Hearing for applicant Healey Lincoln. Approved unanimously.

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

No one was present for the Public Hearing.

**VOTE BY PROPER MOTION**, made by Mr. Dropkin, seconded by Mr. Crawford, the Town of Goshen Planning Board moved to close the Public hearing for applicant Healey Lincoln. Approved unanimously.

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

**VOTE BY PROPER MOTION**, made by Mrs. Lupinski, seconded by Mr. Holmes, 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	Mr. Leva	Aye
Mrs. Lupinski	Aye	Mr. Holmes	Aye

**Items for Discussion/Action**

**Serenity Acres -9-1-6.1:** Application for open space subdivision on 35.4 +/- acres along Broadleaf Road in the RU Zone with AQ-3, Scenic Road Corridor, Stream Corridor & Water Supply Watershed overlays. Conservation Analysis and Part 2 EAF

Larry Marshall was present for applicant.

Attorney Naughton reviewed the Conservation Analysis Finding Statement.

**VOTE BY PROPER MOTION**, made by Mr. Dropkin, seconded by Mrs. Lupinski, the Town of Goshen Planning Board moved to adopt the Conservation Analysis Finding Statement as presented. Approved unanimously.

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

Attorney Naughton reviewed the Part 2 EAF.

**VOTE BY PROPER MOTION**, made by Mr. Crawford, seconded by Mr. Holmes, the Town of Goshen Planning Board moved to approve the Part 2 EAF as prepared. Approved unanimously.

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

**VOTE BY PROPER MOTION**, made by Mrs. Lupinski, seconded by Mr. Crawford, 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	Mr. Leva	Aye
Mrs. Lupinski	Aye	Mr. Holmes	Aye

**LEGOLAND – Merlin Entertainments Group/LEGOLAND New York** – 11-1-46.2 and 49.22:  
Application for second amended phasing plan for a commercial recreational facility on 500.02 +/- acres (total holdings) along Harriman Drive, Arcadia Road and Conklingtown Road in the RU and HR Zones with AQ-3, Scenic Road Corridor, Floodplain & Ponding, Stream Corridor & Reservoir and Commercial Recreation overlays. Initial Presentation.

Whereupon, Mrs. Lupinski recused herself.

Present for applicant were Dominic Cordisco, Stephanie Johnson, Phil Grealy, Kristen O'Donnell, John O'Rourke and Rich D'Andrea.

Mr. Cordisco reviewed the plan. Requested the Board consider modifying the conditions to the prior approval to allow other areas of the park to open up as they are completed.

Stephanie Johnson reviewed the plan and described the timeframe for opening.

Whereupon, there was a discussion on the timeframe, conditions of the construction schedule, status of the hotel opening at the end of May beginning of June, emergency service access is in place, tree planting plan, and buffering of the park from the outside. The water system has been installed and approved and is completely operational. The parking lots were discussed. Lots A and B are complete and C is not planned on being paved at this time.

Phil Grealy, Maser Consulting, stated because of the pandemic the number of anticipated patrons in the park have decreased along with the necessary parking spots. They recalculated and they estimated under 1800 parking spaces would be the peak demand. Lots A and B would accommodate over 10,000 patrons. He reviewed the Transportation Management Plan, and stated shuttles have been arranged with local hotels.

Mr. Hoffman suggested to go through the resolution and identify the items that have been completed.

List the remaining outstanding conditions, come back and see when they can be completed. There were approximately eleven conditions not completed.

**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**

Whereupon, Mrs. Lupinski joins the Board.

Whereupon, the Board reviewed the report prepared by counsel and comments from the Environmental Review Board.

**VOTE BY PROPER MOTION**, made by Mrs. Lupinski, seconded by Mr. Leva, the Town of Goshen Planning Board moved to approve the report be provided to the Town Board. Approved unanimously.

Chairman Bergus	Aye	Mr. Crawford	Aye
Mr. Dropkin	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. Holmes, seconded by Mr. Leva, the Town of Goshen Planning Board moved to close the meeting. Approved unanimously.

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

Meeting adjourned at 9:38 pm