

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

**March 21, 2019**

**Members Present:**

Lee Bergus, Chairman  
David Crawford  
Cynthia Hand  
Frank Leva  
Diana Lupinski  
Giovanni Pirraglia

**Also Present:**

Kelly Naughton, Esq.  
Sean Hoffman, PB Engineer  
Neal Halloran, Building Inspector

**Members Absent:**

Phil Dropkin

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

**Approval of Minutes -**

**VOTE BY PROPER MOTION**, made by Mr. Pirraglia, seconded by Mrs. Lupinski, the Town of Goshen Planning Board moved to approve the February 21, 2019 minutes as modified. Approved unanimously.

Mr. Bergus, Chairman	Aye	Mr. Crawford	Aye
Mrs. Hand	Aye	Mr. Leva	Aye
Mrs. Lupinski	Aye	Mr. Pirraglia	Aye

**VOTE BY PROPER MOTION**, made by Mr. Leva, seconded by Mr. Crawford, the Town of Goshen Planning Board moved to approve the March 7, 2019 minutes as modified. Approved unanimously.

Mr. Bergus, Chairman	Aye	Mr. Crawford	Aye
Mrs. Hand	Aye	Mr. Leva	Aye
Mrs. Lupinski	Aye	Mr. Pirraglia	Aye

**Possible Extension or Abandonment of Applications pursuant to Town Code-**

**Cavallaro**

**Items for Discussion/Action -**

**Orange & Rockland Utilities Training Facility Improvements -8-1-13:** Application for site plan and special permit for a training facility on 3.05 +/- acres on Old Chester Road in the RU District with AQ-6 and Scenic Road Corridor Overlays. Draft Resolution.

Mr. Lino Sciaretta, Esq, Mr. Amador Laput, Fellenzer Engineering, and Kevin Duggin, Orange & Rockland, appeared before the Board for the applicant Orange & Rockland.

Attorney Naughton reviewed the draft negative declaration with the Board.

**VOTE BY PROPER MOTION**, made by Mrs. Hand, seconded by Mrs. Lupinski, the Town of Goshen Planning Board moved to issue a negative declaration for applicant Orange & Rockland Utilities Training Facility Improvements.

Mr. Bergus, Chairman	Aye	Mr. Crawford	Aye
Mrs. Hand	Aye	Mr. Leva	Aye
Mrs. Lupinski	Aye	Mr. Pirraglia	Aye

Attorney Naughton reviewed the draft resolution with the Board.

Whereupon, there was a discussion on the trees and lighting. After discussion, it was decided there would be no restrictions on the lighting.

**VOTE BY PROPER MOTION**, made by Mrs. Hand, seconded by Mrs. Lupinski, the Town of Goshen Planning Board moved to approve the resolution of conditional approval special permit major site plan for Orange & Rockland Utilities Training Facility Improvements. Approved unanimously.

Mr. Bergus, Chairman	Aye	Mr. Crawford	Aye
Mrs. Hand	Aye	Mr. Leva	Aye
Mrs. Lupinski	Aye	Mr. Pirraglia	Aye

**CAVALLARO -24-1-32.2 & 51:** Application for lot line change along Big Island Road in the AI Zone with AQ-3, Floodplain & Ponding and Stream Corridor & Reservoir overlays. Amended Application and extension request.

R.J. Smith appeared before the Board for applicant Cavallaro. Reviewed the lot line change with the Board. In summary adding 7 acres to 2 acres to have all the buildings on one lot. The crop land would be on the remaining 22 acre lot. Received a conditional final approval, one of the conditions being a calculation for impervious area, ended up with 52% impervious on one lot and 79% on another. We now have 62% on the 9 acre lot and 100% on the other. The board has the ability to issue a special permit if the expansion of the nonconformity does not go beyond 50%. Asked to extend the approval the Board previously gave. Nothing is changing, correcting the encroachments.

**VOTE BY PROPER MOTION**, made by Mr. Pirraglia, seconded by Mrs. Lupinski, the Town of Goshen Planning Board moved to extend the conditional approval of the lot line adjustment to October 3, 2019. Approved unanimously.

Mr. Bergus, Chairman	Aye	Mr. Crawford	Aye
Mrs. Hand	Aye	Mr. Leva	Aye
Mrs. Lupinski	Aye	Mr. Pirraglia	Aye

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

Mr. Bergus, Chairman	Aye	Mr. Crawford	Aye
Mrs. Hand	Aye	Mr. Leva	Aye
Mrs. Lupinski	Aye	Mr. Pirraglia	Aye

**VOTE BY PROPER MOTION**, made by Mr. Pirraglia, seconded by Mrs. Lupinski, the Town of Goshen Planning Board moved to declare the project an unlisted action under SEQRA. Approved unanimously.

Mr. Bergus, Chairman	Aye	Mr. Crawford	Aye
Mrs. Hand	Aye	Mr. Leva	Aye
Mrs. Lupinski	Aye	Mr. Pirraglia	Aye

**VOTE BY PROPER MOTION**, made by Mr. Crawford, seconded by Mr. Leva, the Town of Goshen Planning Board moved to schedule a public hearing for applicant Cavallaro on April 18, 2019. Approved unanimously.

Mr. Bergus, Chairman	Aye	Mr. Crawford	Aye
Mrs. Hand	Aye	Mr. Leva	Aye
Mrs. Lupinski	Aye	Mr. Pirraglia	Aye

**833 Pulaski Highway Goshen Solar** – 24-1-76.12 & 101: Application for site plan and special permit for a solar energy system on 73.438 +/- acres on Pulaski Highway/County Route 6 in the AI Zone with AQ-3 Overlay. SEQRA Lead Agency/Discuss Revised Plans

Lindsey McEntire, Project Developer and ReJean DeVaux, Civil Engineer appeared before the Board for applicant 833 Pulaski Highway Goshen Solar.

Mr. DeVaux reviewed the project with the Board. Stated they had met with the Town Board last week. He answered some general questions and gave an overview of the project.

Attorney Naughton stated they need a special permit from the Town Board.

Mr. Hoffman reviewed his report with the Board. He stated that access is the largest issue. Lawrence Lane was suggested as temporary construction access for construction vehicles. They took a second look, and it's not the most accessible. He asked the applicant to provide a profile of the driveway.

Whereupon, there was a discussion on the driveway and access to the site. It was discussed the possibility of the applicant bringing the road up to Town specs.

Mr. Hoffman stated the applicant gave a detailed analysis of the construction trucks. The applicant calculated 178 truck trips, he asked the applicant to clarify if that is round trip. Requested a visual cross section at the end of Lawrence Lane, a photo simulation shows proposed trees, need an existing photograph of the site and what they're proposing, should be the same as their landscaping plan.

Whereupon there was a discussion on the proposed fencing. The applicant has a 7 foot fence on the plan and the code calls for a fence at least 4 foot and no more than 6 foot.

Mr. DeVaux stated it wasn't a problem to take the fence down to 6 foot.

Mr. Hoffman stated they received a letter from Ag and Market. Need to determine whether they are an involved or interested agency. Mr. Hoffman and Attorney Naughton need to review the Ag and Markets law.

Attorney Naughton reviewed the EAF part 2 with the Board.

Whereupon the Board authorized Attorney Naughton to draft the negative declaration.

Attorney Naughton advised applicant to get the requested information in by April 4<sup>th</sup> to be on the meeting for April 18<sup>th</sup>.

**Glenmere Lake Solar** – 17-1-24.11: Application for site plan and special permit for a solar energy system on 129.2 +/- acres on Pulaski Highway/County Route 6 and Valley View Road in the RU Zone with AQ-6/AQ-3 and Floodplain & Ponding, Stream Corridor & Reservoir and Scenic Road Corridor Overlays. SEQRA determination of significance.

Ryan Irwin, Community Energy Solar, stated he was returning to discuss the landscaping design and visual aspects of the site. Applicant submitted updated renderings.

Whereupon, there was a discussion on the landscaping of the property. It was the consensus of the Board to have two rows of staggered trees.

Attorney Naughton advised the Board the public hearing was closed and they would have to take action by April 24<sup>th</sup>, which brings it to the April 18<sup>th</sup> meeting. Depending on a response from SHPO, the applicant may have to ask for an extension.

Attorney Naughton reviewed 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 authorize the drafting of a negative declaration. Approved unanimously.

Mr. Bergus, Chairman	Aye	Mr. Crawford	Aye
Mrs. Hand	Aye	Mr. Leva	Aye
Mrs. Lupinski	Aye	Mr. Pirraglia	Aye

**VOTE BY PROPER MOTION**, made by Mr. Pirraglia, seconded by Mr. Crawford, the Town of Goshen Planning Board moved to authorize the preparation of a draft conditional resolution of approval. Approved unanimously.

Mr. Bergus, Chairman	Aye	Mr. Crawford	Aye
----------------------	-----	--------------	-----

Mrs. Hand	Aye	Mr. Leva	Aye
Mrs. Lupinski	Aye	Mr. Pirraglia	Aye

Mr. Hoffman brought to the attention of the applicant and the Board that the project plan has a project limit line and there's a note on the project that says all trees within the fence area will be removed. The project limit line is approximately 200 feet east. He doesn't understand the purpose of the project limit. He asked if the applicant was clearing those trees.

Mr. Irwin responded the note needs to be updated. They will clear some trees for shading and along the access road.

Mr. Hoffman stated the purpose of the question was for the Board to have an understanding of what your intention was. The note will have to be changed and it could be a condition in the resolution. The other item pertained to the road. The plan shows a 15 foot wide road, you will need direction from the Building Inspector if that needs to be a 20 foot wide road under the fire code.

Whereupon, there was a discussion on a memo received from the Department of Agriculture and Markets, it contained guidelines for agricultural mitigation for solar energy projects.

**VOTE BY PROPER MOTION**, made by Mrs. Hand, seconded by Mrs. Lupinski, the Town of Goshen Planning Board moved to adjourn the meeting. Approved unanimously.

Mr. Bergus, Chairman	Aye	Mr. Crawford	Aye
Mrs. Hand	Aye	Mr. Leva	Aye
Mrs. Lupinski	Aye	Mr. Pirraglia	Aye

Meeting adjourned at 9:51 pm.