

**Town of Goshen Planning Board Meeting
Orange County Emergency Services Center
22 Wells Farm Road
Goshen, New York 10924**

May 2, 2019

Members Present:

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

Also Present:

Kelly Naughton, PB Attorney
Sean Hoffman, PB Engineer
Neal Halloran, Building Inspector
Carlito Holt, P.E., Traffic Engineer

The Planning Board meeting was opened with the Pledge of Allegiance at 7:45 pm by Chairman Lee Bergus.

Approval of Minutes

VOTE BY PROPER MOTION, made by Mrs. Lupinski, seconded by Mr. Pirraglia, the Town of Goshen Planning Board moved to approve the April 18, 2019 minutes as modified. Approved unanimously with one abstention.

Mr. Bergus, Chairman	Aye	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 April 25, from Steve Esposito. Requesting two 90 day extensions.

Attorney Naughton stated that what they provided is not responsive to the Board's request. She asked Mr. Esposito if he had any status on the conditions of the resolution.

Steve Esposito appeared before the Board for the applicant. Stated what they needed was outside agency approvals, applicant looked at alternatives for wastewater, between 2014 and 2015 a lot of analysis was going on between the applicant and the Town Board, looked at alternatives, teamed up with Natural Systems Utilities, looked at domestic water systems for functionality, some maintenance issue, and operational issues. Getting outside agency permits. Amend the preliminary approval. Revisions to the water system.

VOTE BY PROPER MOTION, made by Mr. Dropkin, seconded by Mr. Crawford, the Town of

Goshen Planning Board moved to grant two 90 day extension to applicant Youngs Grove/Reiger bringing it to October 17, 2019. Approved unanimously.

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

Items for Discussion/Action

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. Draft Resolution and Draft Negative Declaration.

Attorney Naughton reviewed the project with the Board.

VOTE BY PROPER MOTION, made by Mr. Pirraglia, seconded by Mrs. Lupinski, the Town of Goshen Planning Board moved that the special permit application for Cavallaro will not have a significant adverse impact on the environment. Approved unanimously.

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

Attorney Naughton reviewed the Resolution with the Board.

VOTE BY PROPER MOTION, made by Mrs. Lupinski, seconded by Mr. Pirraglia, the Town of Goshen Planning Board moved to accept the Resolution of Conditional Approval for Special Permit for Cavallaro as prepared. Approved unanimously.

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

SLK Ranch, LLC Lot Line Adjustment – 22-1-13.1 & 14.2: Application for lot line change along Maloney Lane in the AI Zone with AQ-3 and Floodplain & Ponding Overlays. Discuss Revised Plans

Nick Rugnetta, and Lou Myruski of SLK Ranch, appeared before the Board. Mr. Rugnetta gave a review of the project. Stated they had received two variances from the Zoning Board. One for road frontage and one for impervious coverage.

Whereupon, after a discussion with the Board it was agreed that a public hearing be waived.

VOTE BY PROPER MOTION, made by Mrs. Lupinski, seconded by Mr. Dropkin, the Town of

Goshen Planning Board moved to authorize the drafting of a resolution. Approved unanimously.

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

Foxfire La Colina, LLC -12-1-45.222: Application for special permit and site plan for a bed & breakfast, catering facility on 46.1 +/- acres on NYS Route 17M in the RU & HC Districts with AQ-3 & AQ-6 overlays. Discuss Revised Plans

Steve Esposito appeared before the Board for applicant. He submitted a revised set of plans and a revised narrative. In summary, the scale of the project was reduced. The restaurant was eliminated, went from 8 rooms to 5 rooms in the bed and breakfast. Reduced significantly the number of employees. The catering will be done by outside caterers. The plans addressed comments regarding vehicular access, parking, and vehicular circulation.

Whereupon, there was a discussion with the Board on the plans submitted. In summary, discussed the operation of the bed and breakfast, common area, driveway, handicap parking spaces, width of gravel driveway, turnaround radius, looking at asphalt and/or pavers, 150 guest maximum per event, tent coming down one day less than 6 months, mobile rest rooms, leach fields, well test, dye test, retaining walls, pull offs on the driveway, and visibility of parking area from neighbors. The applicant is proposing a 100 foot buffer.

Mr. Hoffman stated because of the tent, the building code would require inspections on the tent and the applicant would have to provide plans on how the functions would be situated in terms of tables and chairs, where DJ is, and access points, things like that. As part of the building permit, if it gets to that point, they would be required to submit a building permit application that goes to a lot of these items.

Whereupon, there was a discussion on the parking spaces and the contracting of a shuttle service. Mr. Trojian informed the Board there is a contract signed prior to the event with the shuttle service. An employee keeps count of cars coming onto the property.

Attorney Naughton requested to see a template of the applicant's contract with their clients.

Mr. Trojian stated an owner will be living on the property 24/7.

Signage was discussed. It was determined it will be a free standing sign under a separate permit from the building department. It was not designed yet.

Mr. Hoffman stated that if the applicant intends to reduce the residential appearance, the Board would like to see the changes. Discussed the increase of the road, the additional disturbance is greater than an acre, therefore the applicant is required to post storm water control which needs to be shown on the plans. Wastewater, jurisdiction is questionable, the first one was residential and can go to the department of health, not sure with the bed and breakfast if it's department of health or local authority. Mr. Hoffman stated he would like to be part of the dye test and see a set of plans for the septic area.

Site circulation, the applicant put a turning plan on the site plan and stated it should be a fire truck that gets analyzed in this site. The fire truck stays on the pavement all the time. Also requested the applicant provide a noise study. It was suggested they utilize the DEC guide for the study.

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

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

Attorney Naughton suggested the Board hold off on reviewing the EAF part 2, as it may change some after the discussion tonight. The Board agreed.

LEGOLAND – Merlin Entertainments Group/LEGOLAND New York -11-1-46.22, 49.23, 49.24 & 15-1-59.4: Application for amended site plan for a commercial recreational facility on 513.3 +/- 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. Discuss New Information Regarding Top Soil.

Whereupon, Frank Leva and Diana Lupinski recused themselves and left the dais at 8:51.

John O'Rourke, Lanc & Tully, appeared before the Board for the applicant. He discussed hauling off some excess top soil and some trench material. He explained how there was over 18 inches of topsoil in areas where they believed there was 6 inches. Stated applicant was before the Board to discuss and clarify that yes they can haul off some of that material. Phil Grealey is present and submitted a limited review under SEQRA mitigation basically saying where the trucks are going, what it's going to generate. It was noted that the Town's traffic consultant had reviewed it.

In summary, head south to quick way, some to Newburgh, and they have an agreement with BOCES which requested 20,000 cubic feet of topsoil for their facility on Gibson Road. There is no charge for the material to BOCES. He stated they had eliminated some internal walls in the park and regraded. The actual area of disturbance has decreased some.

Mr. Hoffman stated the applicant was here to review the new information, and determine if it was consistent with the original SEQRA review and site plan. Mr. Hoffman reviewed his report with Board.

Carlito Holt reviewed his report with the Board.

Mr. Halloran stated that since so much material is being moved on a weekly basis, modifications to the SWPPP would be necessary. Two more ponds have been added to the site. It will be evaluated before they move it, and he goes up to the site to evaluate.

Mr. O'Rourke stated they had modified the SWPPP with conjunction with Neal. That they were on the

5th one now.

Whereupon, there was a discussion on how the work would be spread over a period of time. Weather being a factor on the ability to move the soil along with construction ongoing at the site.

Discussed the topsoil going to BOCES. The traffic management plan was discussed. Mr. Grealey reviewed the traffic plan with the Board. Mr. Holt agreed that the layout needs a more definitive timeframe for the duration of the hauling of the materials.

Mr. Grealey stated they can limit the amount of trucks going to BOCES in a one hour period.

Mr. Hoffman stated that BOCES was added after the April 17th letter, and would ask the applicant to update the analysis and study the intersections of concern.

Mr. Grealey agreed to update the information.

Mr. O'Rourke stated they would coordinate with BOCES and update the traffic management plan. He requested that they could continue with the plan and haul to everywhere else other than BOCES until the traffic consultant can review the updated report concerning BOCES specifically.

Whereupon, there was a discussion on the condition of the roads involved, Harriman Drive, South St. and 17M intersection and Harriman Drive intersection with South St. It was noted that cash and bonds have been posted with the DOT for the roads.

VOTE BY PROPER MOTION, made by Mrs. Hand, seconded by Mr. Crawford, the Town of Goshen Planning Board moved to make a finding on the information presented to be consistent with the FEIS finding statement that the Board previously studied with the exception of BOCES. Approved unanimously.

Mr. Bergus, Chairman	Aye	Mr. Crawford	Aye
Mr. Dropkin	Aye	Mrs. Hand	Aye
Mr. Pirraglia	Aye		

Whereupon, Mr. Leva and Mrs. Lupinski returned to the dais at 9:47 pm.

Mr. Hoffman reviewed the agenda for the next meeting.

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

Mr. Bergus, Chairman	Aye	Mr. Crawford	Aye
Mr. Dropkin	Aye	Mrs. Hand	Aye
Mr. Pirraglia	Aye		

Meeting adjourned at 10:00 pm.