

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

June 6, 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
John Canning, Traffic Consultant
Steve Verdibello, Hydrogeologist

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. Dropkin, seconded by Mr. Leva, the Town of Goshen Planning Board moved to approve the May 16, 2019 minutes as modified. Approved unanimously with two abstentions.

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

Possible Extension or Abandonment of Applications pursuant to Town Code

Chairman Bergus read a letter received from Ross Winglovitz, Engineering & Surveying Properties, dated May 30, requesting an extension for conditional site plan approval for Jessup Switch Warehouse.

Attorney Naughton stated that 6 months would take them to December 5, and there would be no more extensions.

VOTE BY PROPER MOTION, made by Mr. Pirraglia, seconded by Mr. Crawford, the Town of Goshen Planning Board moved to grant a six month extension to December 5, 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

Foxfire LaColina, LLC – 12-1-45.222: Application for special permit and site plan for a bed & breakfast, restaurant and catering facility on 46.1 +/- acres on NYS Route 17M in the RU & HC Zones with AQ-3 & AQ-6 overlays. Schedule a Public Hearing.

Jay Myrow, Esq., appeared for the applicant. Requested June 20, 2019 for a public hearing.

VOTE BY PROPER MOTION, made by Mr. Crawford, seconded by Mrs. Lupinski, the Town of Goshen Planning Board moved to set a public hearing for Foxfire LaColina, LLC on June 20, 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		

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. Draft Resolution and negative declaration.

Attorney Naughton reviewed the negative declaration with the Board.

VOTE BY PROPER MOTION, made by Mr. Dropkin, seconded by Mr. Pirraglia, the Town of Goshen Planning Board moved to declare the Board's intent to be lead agency on this project. Approved unanimously.

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

VOTE BY PROPER MOTION, made by Mr. Crawford, seconded by Mrs. Hand, the Town of Goshen Planning Board moved to accept the negative declaration 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		

Attorney Naughton reviewed the draft resolution.

VOTE BY PROPER MOTION, made by Mrs. Lupinski, seconded by Mr. Pirraglia, the Town of Goshen Planning Board moved to approve the resolution of conditional approval lot merger and major site plan for 833 Pulaski Highway Solar project as modified.

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

Mr. Albrecht expressed his appreciation for the professionalism of the Board and thanked everyone.

Davis Solar -10-1-97: Application for site plan and special permit for a solar energy system on an 84.88 +/- acres on Owens Road in the RU Zone with AQ-6 and Scenic Road Corridor Overlays. Draft Resolution.

Attorney Naughton reviewed the draft amended resolution.

VOTE BY PROPER MOTION, made by Mr. Leva, seconded by Mr. Crawford, the Town of Goshen Planning Board moved to reaffirm the negative declaration for the modification. Approved unanimously.

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

VOTE BY PROPER MOTION, made by Mr. Dropkin, seconded by Mrs. Lupinski, the Town of Goshen Planning Board moved to approve the amended resolution of conditional approval as modified this evening. Approved unanimously.

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

South Goshen Solar – 13-1-10.12: Application for site plan and special permit for a solar energy system on 87.10 +/- acres on NYS Route 17A in the RU & CO Zones with AQ-3 and Floodplain & Ponding, and Scenic Road Corridor Overlays. Initial Presentation & Commence SEQRA

Ryan Irwin, Community Energy Solar appeared for applicant. In summary, the project was presented to the Town Board in February. He reviewed the project with the Board. They submitted an application for 4.5 megawatt solar farm. They are working on revised plans to design it up to 5 megawatt. Mr. Irwin stated that it doesn't change the foot print, the inverter sizing will change. This is the 7th project in NYS and 6th in Orange County. The project will take roughly 25 to 30 acres. Access will be off 17A. In summary, there will be 2 pad locations, eastern and western array, avoiding the floodplain, not disturbing wetland, agricultural style fence, and avoiding the 15% slopes that are in purple. The Army Corps has visited the site to review the wetlands and it is currently at their office for review. They've been working with FEMA, Neal and Sean to address the floodplain.

Eric Boe, Lan Associates, stated that the property has two different zones and a split in the middle. The

middle is in the commercial office mixed use, and the outside is the RU. It also has a scenic corridor the first 800 feet, which is going to be avoided. Mr. Boe reviewed the aerial view of the project. The closest residence is 1000 feet away.

The Board requested a visual analysis and cross section from Coach House Lane and Peachtree Lane.

Mr. Hoffman suggested the Board should look at the site from 17A also.

Whereupon, there was a discussion with the Board. The property is mostly hay currently, they will need a special permit from the Town Board, the land is leased 30 to 45 years maximum, and the Board would like to see a rendering from 17A.

Mr. Hoffman stated there was a requirement for a tree survey and a glare study.

Mr. Irwin stated they will submit the tree survey in the next package.

Mr. Hoffman stated there should be a determination if the hay production on this land is an agricultural use. He also noted if the FEMA maps change, so will the zoning. If the applicants get an unfavorable determination from FEMA it will severely impact the site plan.

VOTE BY PROPER MOTION, made by Mr. Pirraglia, seconded by Mr. Crawford, the Town of Goshen Planning Board moved to declare the Board's intent to be lead agency on this project. Approved unanimously.

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

VOTE BY PROPER MOTION, made by Mr. Pirraglia, seconded by Mrs. Hand, the Town of Goshen Planning Board moved to type this project as a type 1 action under SEQRA. Approved unanimously.

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

Maplewood Village (aka ADC Orange, Inc.) -8-1-1.1 & 48: Application for a residential subdivision for 68 single family units on 95.4 +/- acres on Coleman and Craigville Roads (County Route 66) in the RU Zone with AQ-6, Scenic Road Corridor and Stream Corridor overlays. Discussion on FEIS

Attorney Naughton informed the Board the applicant had previously submitted a FEIS. The Board had comments on the first FEIS that was submitted, the applicant requested another opportunity to revise the FEIS.

Mr. Canning reviewed his report with the Board. In summary, sidewalk on Craigville Road, sightlines,

emergency access roads, access for fire trucks, pedestrian pathways, and stop signs.

Mr. Verdibello reviewed his report with the Board. In summary, the camera testing for the well, the well is in tact, the integrity was still good, water sampling, check the well yield, and check the draw down. The last well test was done in 2006.

Mr. Hoffman recommended that water quality would be tested before site plan signing. The reason being there will be water treatment involved. The water treatment plan should be part of the approved site plan.

Mr. Verdibello reviewed road salt and deicing. He stated he would still like to see some calculation or analysis on the road salt and deicing.

Whereupon, there was a discussion on off-site well testing. The camera test is to show that there was no change in the 12 years, since the last test. The current well testing has very specific requirements. The testing was compliant at the time 12 years ago. It was discussed that the hydrogeologist should compare the two camera studies.

Attorney Naughton requested the applicant provide the CD of the camera testing for the well.

Mr. Hoffman reviewed his report with the Board. Stated what he looked for is that the applicant in the FEIS addresses the substantial comments and those comments are addressed accurately. In some instances repeated some comments, and stated the applicant made an attempt to address them. The applicant is willing to part with the FEIS and the applicant is willing to let the consultants make their comments.

Mr. Gilchrist, attorney for Maplewood, stated the applicant is willing to do that.

Mr. Hoffman reviewed the zoning setbacks for the adjacent Veteran's Cemetery. One or two lots on the plan do not comply. The applicant in the FEIS indicates they believe the stipulation overrides the zoning requirement. This is something to go over with Counsel. Mr. Hoffman reviewed the agricultural data statement and zoning setbacks for the farm on Coleman Road. Mr. Hoffman would like to see the truck routes in case it needs mitigation.

Whereupon, there was a discussion and it was determined that comments would be submitted in writing by the Board.

Attorney Naughton stated she appreciated the applicant turning over the FEIS. There is a lot of language in there that needs to be changed. She will coordinate with consultants and any written comments from the Board. Board comments will be redlined on the copy. Stated she would provide a copy to the applicant with the redlined changes.

Mr. Gilchrist stated in reference to the 2 affordable housing units, the applicant takes the position of proposing to keep it despite the change in the local code, consistent with the provisions of the stipulation.

Whereupon, there was a review of upcoming meetings.

VOTE BY PROPER MOTION, made by Mr. Pirraglia, 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. Leva	Aye	Mrs. Lupinski	Aye
Mr. Pirraglia	Aye		

Meeting adjourned at 10:05 pm