

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

July 18, 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

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 June 20, 2019 minutes as modified. Approved unanimously with one abstention.

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

VOTE BY PROPER MOTION, made by Mr. Leva, seconded by Mrs. Lupinski, the Town of Goshen Planning Board moved to approve the June 27, 2019 minutes as modified. Approved unanimously with one abstention.

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

Items for Discussion/Action

Foxfire La Colina, LLC – 12-1-45.222: Application for special permit and site plan for a bed & breakfast and service business on 46.1 +/- acres on NYS Route 17M in the RU & HC Zones with AQ-3 & AQ-6 overlays. Discuss revised plans.

Jay Myrow, Esq. and Steve Esposito, Esposito & Associates, appeared before the Board for applicant Foxfire La Colina, LLC.

Attorney Myrow stated applicant had supplied all the relevant data they were asked to supply on the revised plans.

Mr. Crawford entered at 7:40 pm

Attorney Myrow requested that the Board consider instructing Attorney Naughton to prepare a draft resolution and negative declaration for the August 1 meeting.

Mr. Esposito reviewed the revisions to the plans. In summary, reviewed the construction of the infiltration basin, ability to clear trees, and no habitat for Indiana Bat, and got approved to clear trees. Mr. Esposito stated he had submitted photographs requested by the Board. He submitted floor plans highlighting the available area for a B&B and an area highlighting the event area.

Whereupon there was a discussion with the Board on the floor plan submitted.

Mr. Hoffman reviewed his report with the Board. Stated there is a question regarding use, and would take Mr. Halloran's interpretation that it's a service use. Requested the applicant provide pictures of the residential appearance with the chair lift. Mr. Esposito responded he would provide a cut sheet, since the chair lift isn't there yet. Received well test results. The applicant did a 43 hour test. Sampled 9 wells surrounding the property. Upon review it was in conformance with the plan approved, and will be submitted to the Town's hydrogeologist. Applicant will need to provide the permit from the DOT for the new driveway submitted. Suggested the applicant do an as-built survey and run the turning analysis through the as-built survey. Mr. Esposito responded they've done it and will submit it. The noise study reviewed is mostly quantifying the anticipated noise generated. Recommend the applicant submit a more detailed noise analysis indicating compliance with both the Town requirements and NYSDEC's recommendations.

Whereupon, there was a discussion on Town Code and amplification of music in an outside space. It was discussed whether the tent is considered a structure.

Mr. Halloran stated the tent is a structure.

Attorney Naughton stated that Mr. Halloran can put his interpretation in writing.

Mr. Hoffman stated that the noise analysis should be revised to calculate a combined noise level of all potential sources such as music, crowd noise and generators. Anything on site should be considered.

Whereupon, there was a discussion on the parking for the caterers, service people and band.

Attorney Myrow stated there would be no live music.

Mr. Hoffman stated some grading was required on the driveway and needed a fire truck test.

Whereupon, there was a discussion where the bathroom will go, parking lot, lighting on the B&B, maintaining emergency access during an event, striping and signage, how to monitor electrical compliance, there's power in the sheds and power to the tent. Retaining walls, pool, the pool is locked

during the event.

Attorney Myrow stated the applicant is going to use the facility as Mr. Halloran interprets the code to allow them. They will comply with the zoning law.

Whereupon, there was a discussion on negative comments made about Mt. Tremper. Attorney Myrow responded his clients deny there are issues up there and it is run properly.

Attorney Naughton reviewed the EAF part 2 with the Board. Requesting more information on the noise study. Follow up on the agricultural question on the EAF.

Attorney Myrow stated the music stops at 10 and disbands at 11. That can be put in as a condition.

VOTE BY PROPER MOTION, made by Mr. Leva, seconded by Mr. Crawford, the Town of Goshen Planning Board moved to authorize the drafting of a negative declaration subject to the information requested. 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 Myrow requested that the Board authorize the attorney to draft a resolution of conditional approval be prepared for the next meeting August 1.

VOTE BY PROPER MOTION, made by Mr. Dropkin, seconded by Mr. Leva, the Town of Goshen Planning Board moved to authorize counsel to prepare a draft conditional resolution of approval.

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

Whereupon, there was discussion and all materials requested must be submitted no later than next Thursday, July 25, close of business.

Minkus Family Farm/Gerick Associates, LLC – 19-1-76 Application for amended site plan for an addition to an existing warehouse/produce processing facility on 12.3 +/- acres on Maple Avenue (County Route 37) in the AI Zone with AQ-3 Floodplain & Ponding and Scenic Road Corridor overlays. Initial presentation and commence SEQRA.

Steve Esposito, Esposito and Associates, and Rick Minkus, the owner, was present before the Board. Mr. Esposito reviewed the project with the Board. In summary, the existing building received conditional site plan approval in 2014. The applicant proposed a 30,500 square foot addition which includes a 28,000 square foot warehouse addition, a 1,800 square foot employee lunch room and a 700 square foot equipment storage area. No wetlands noticed on site. No significant habitat. No increase

in water usage, sanitary waste, and no additional employees. The applicant has an elevation certification. Applicant is in the floodplain and under the code they have to do compensatory storage to balance it out. Applicant has run out of space at this site, but owns a lot of land in the same floodplain.

Whereupon, there was a discussion that more information is needed on the location of the additional land located in the floodplain.

Mr. Hoffman reviewed his report with the Board. In summary, parking is sufficient for the plan, needs to resubmit the EAF and SHPO. Needs more information on the floodplain and information on the other property.

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

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

Whereupon, the agenda for the next meeting was discussed.

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

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

Meeting adjourned at 9:43.