

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

December 5, 2019

Members Present:

Lee Bergus, Chairman
Phil Dropkin
Frank Leva
Cynthia Hand
David Crawford

Also Present:

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

Members Absent:

Giovanni Pirraglia
Diana Lupinski

The Town of Goshen 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 November 21, 2019 minutes as modified. Approved unanimously.

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

Possible Extension or Abandonment of Applications pursuant to Town Code

Pulaski Hwy Solar 1, LLC – Chairman Bergus read a letter dated November 25, 2019 from PV Engineers requesting a six-month extension, and signed by David Albrecht, P.E.

VOTE BY PROPER MOTION, made by Mr. Crawford, seconded by Mr. Leva, the Town of Goshen Planning Board moved to grant a six-month extension to June 4, 2020 for applicant Pulaski Hwy Solar 1, LLC. Approved unanimously.

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

Davis Solar, LLC – Chairman Bergus read a letter dated November 27, 2019 from Cypress Creeks Renewables requesting an extension for the Special Permit and Site Plan Approval, signed by Heather Rinaldi, Project Manager.

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

Goshen Planning Board moved to grant an extension of the Special Permit and Site Plan Approval for applicant Davis Solar, LLC to June 4, 2020. Approved unanimously.

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

Clifford Ryan Subdivision – Chairman Bergus read a letter from James Clearwater dated November 22, 2019 requesting a 90-day extension for the proposed project Clifford Ryan Subdivision.

VOTE BY PROPER MOTION, made by Mr. Leva, seconded by Mr. Crawford, the Town of Goshen Planning Board moved to grant a 90 extension to March 5, 2020 to applicant Clifford Ryan Subdivision. Approved unanimously.

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

Public Hearings

Southside Commerce Center – 13-1-5.11 & 70: Application for site plan for an access driveway on 1.70 +/- acres on Police Drive in the CO Zone with AQ-6 overlay.

Larry Torro, Civic Tech Engineering, and Ken Wortsted, traffic consultant, were present for applicant. Mr. Torro reviewed the project.

Mr. Hoffman reviewed his report with the Board.

Whereupon, there was a discussion with the Board on open space, width of the driveway, force main and water access, slope in the driveway, landscaping, signage, and retaining walls.

Mr. Halloran noted that this property has no access to any road within the Village, that's the reason they are coming out in the Town. They are not trying to avoid going into the Village.

VOTE BY PROPER MOTION, made by Mr. Crawford, seconded by Mr. Dropkin, the Town of Goshen Planning Board moved to open the Public Hearing for applicant Southside Commerce Center. Approved unanimously.

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

Chris Cockburn, 45 Police Drive, in summary, wanted to know what the town stands to gain, saw it as a negative, was concerned about noise, pollution, traffic, water, and the quality of life made worse. Concerned they were not going to be a good neighbor.

Diana Zygmunt, 43 Police Drive, in summary, was concerned about children, speeding trucks by the school bus stop, blasting, not all neighbors got notification, runoff, hours of operation, safety, and they're going to see the warehouse from backyard.

Joseph Doherty, 47 Police Drive, in summary was concerned about the hours of operation, what was being stored, and the construction trucks.

Whereupon, there was a discussion on truck trips and hours of operation.

Arthur Zygmunt, 43 Police Drive, in summary, was concerned about screening, run off, King Zak has a retention pond, which is a swamp. Problems with flooding, major rain storm continuous flooding, 41 Police the basement gets flooded.

Whereupon, there was a discussion on the frontage, hours of construction, and the potential for blasting.

Chris Cockburn was concerned about the decrease in property value, traffic, and stated there was no traffic enforcement on that road.

Robert Biagini, 20 Maple Avenue, in summary was concerned about the size of the building, the number of dock doors, traffic, and concerned that tractor trailers will park on his property. Worried about noise from diesel tractor trailers and pollution.

Clorinda Doherty was concerned about the hours of operation and quality of life.

Whereupon, there was a discussion on access to highway and alternate routes for the trucks to and from the warehouse, traffic control, weight limitations, zoning, and frontage.

Mr. Bloomfield, Goshen Town Supervisor, asked that the Village demonstrate to the Town there is no other entrance or exit to this warehouse.

Mr. Canterino noted there was nothing in it for the Town and Police Drive would need a lot of maintenance.

Mr. Lyons, Goshen Town Councilman, in summary was concerned about lawsuits, thought applicant should have gotten approval from Town first, and should have a developer's agreement.

Whereupon, there was a discussion on the trucks making a right-hand turn on Police Drive, concern about school buses on the road, it's narrow and there are no lights.

Mr. Torro stated the project has not been approved by the Village yet. No site plan approval.

Chairman Bergus asked if there were any more comments.

No response.

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 Southside Commerce Center. Approved unanimously.

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

Urbanski Solar Farm – 24-1-32.2: Application for site plan and special permit for a solar energy system on 96.7 +/- acres on Pulaski Highway/County Route 6, Big Island Road and Wisniewski Road in the AI Zone with AQ-3 Flood Plain & Ponding overlays.

VOTE BY PROPER MOTION, made by Mr. Lyons, seconded by Mr. VanDerMolen, the Town of Goshen Board moved to open the Public Hearing for applicant Urbanski Solar Farm. Approved unanimously.

Mr. Bloomfield, Supervisor	Aye	Mr. Lyons	Aye
Mr. VanDerMolen	Aye		

VOTE BY PROPER MOTION, made by Mrs. Hand, second by Mr. Crawford, the Town of Goshen Planning Board moved to open the Public Hearing for applicant Urbanski Solar Farm. Approved unanimously.

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

Daniel Farman, Maser Consulting, went over a brief overview of the project.

Mr. Hoffman reviewed his report and the glare study. Noted that the Northeasterly side of Wisniewski Road needs to be looked at.

Whereupon, there was a discussion on the glare report, landscaping, impact of flooding, habitat study, decommissioning bond, batteries, noise control, noise analysis, width of the access road, fencing, battery storage, and access road maintenance during the winter.

Whereupon, Chairman Bergus opened the meeting to the public.

William and Karen Babcock, 3 Pearl Lane, stated Mr. Farman had put their concerns to rest. Concerned about the landscaping, and didn't want to look at a barb wire fence.

Whereupon, there was a discussion on the decommissioning bond, the fencing, landscaping, and battery storage.

VOTE BY PROPER MOTION, made by Mr. Dropkin, seconded by Mr. Leva, the Town of Goshen Planning Board moved to close the Public Hearing for applicant Urbanski Solar Farm. Approved

unanimously.

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

VOTE BY PROPER MOTION, made by Mr. VanDerMolen, seconded by Mr. Lyons, the Town of Goshen Town Board moved to close the Public Hearing for applicant Urbanski Solar Farm. Approved unanimously.

Mr. Bloomfield, Supervisor	Aye	Mr. VanDerMolen	Aye
Mr. Lyons	Aye		

Attorney Naughton noted she was waiting for the DEC letter from the applicant and any response, the SHPO letter, and a narrative regarding the waiver request from slope requirements.

Items for Discussion/Action

Authentic Antique Lumber, LLC – 18-2-5: Application for site plan and special permit for custom wood furniture fabrication facility on 2.752 +/- acres on NYS Route 17A in the HC Zone with AQ-3, Scenic Road Corridor overlays. Consider Resolution of Conditional Approval

Karen Emmerich, Lehman & Getz, was present for applicant.

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

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

Attorney Naughton reviewed the Resolution of Approval. Requested a landscape plan be submitted. Whereupon, there was a discussion on parking.

VOTE BY PROPER MOTION, made by Mrs. Hand, seconded by Mr. Crawford, the Town of Goshen Planning Board moved to approve the Resolution of Conditional Approval, Special Permit and Major Site Plan for Authentic Antique Lumber, LLC as modified. Approved unanimously.

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

Mansfield Lot Line Adjustment – 15-1-25.1 & 25.2: Application for lot line change along Conklingtown Road in the RU Zone with AQ-3 overlay. Consider Resolution of Conditional Approval

No one was present for applicant.

VOTE BY PROPER MOTION, made by Mr. Leva, seconded by Mrs. Hand, the Town of Goshen Planning Board moved to adopt the Resolution of Conditional Preliminary Final Lot Line Adjustment for Mansfield Lot Line as modified. Approved unanimously.

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

31 Gate Schoolhouse Road – 12-1-85.1: Application for subdivision and site plan for one warehouse on 14.58 +/- acres on Gate Schoolhouse Road and NYS Route 17M in the HC and CO Zones with AQ-6/AQ-3 overlays. Discuss Revised Plans

Jane Samuelson, Engineering & Surveying Properties, reviewed the project.

Mr. Hoffman reviewed his report with the Board.

VOTE BY PROPER MOTION, made by Mr. Dropkin, 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. Dropkin	Aye
Mr. Leva	Aye	Mrs. Hand	Aye
Mr. Crawford	Aye		

Orange & Rockland Utilities – Consider a modification of Specific Condition No. 9 of Amended Resolution of Conditional Approval, Special Permit and Major Site Plan adopted during the November 7, 2019 meeting.

Kevin Duggin, appeared before the Board for applicant Orange & Rockland Utilities. Stated they were having difficulty getting a response from the fire department.

Whereupon, there was a discussion with the Board on how to proceed. Attorney Naughton read a proposed condition to the Board subject to the applicant's approval. It was discussed if the applicant adopted the condition, it would change the resolution but reopening of SEQRA would not be required. The applicant would then submit a plan that complies with this condition. Mr. Hoffman would then send a revised letter to the Chairman that he could sign the plan.

Attorney Naughton stated if it's acceptable they can change out the one fire department condition and would consider that date as October 17 and include this additional condition.

VOTE BY PROPER MOTION, made by Mr. Crawford, seconded by Mr. Dropkin, the Town of Goshen Planning Board moved to adopt the amended resolution. Approved unanimously.

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

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

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

Meeting adjourned at 10:42 pm.