

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

December 6, 2018

Member Present:

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

Also Present:

Kelly Naughton, Esq., PB Attorney
Sean Hoffman, PB Engineer
Neal Halloran, Building Inspector
Richard Golden, Esq.
John Canning, Traffic Consultant
Steven Verdibello, Hydrogeologist

Member Absent:

Diana Lupinski

The Planning Board meeting was opened with the Pledge of Allegiance at 7:31 pm by Chairman Lee Bergus.

Approval of Minutes -

VOTE BY PROPER MOTION, made by Mr. Pirraglia, seconded by Mr. Leva, the Town of Goshen Planning Board moved to approve the minutes from November 1, 2018. Approved unanimously with one abstention

Lee Bergus, Chairman	Aye	David Crawford	Aye
Phil Dropkin	Abstention	Cynthia Hand	Aye
Frank Leva	Aye	Giovanni Pirraglia	Aye

Possible Extension or Abandonment of Applications pursuant to Town Code-

Howell's Lawn Service, Inc., - the Planning Board acknowledged receipt of the outstanding escrow and granted an extension of the application until December 20, 2018 meeting for the Board's consideration pending a letter from applicant with a course of action.

VOTE BY PROPER MOTION, made by Mr. Crawford, seconded by Mr. Pirraglia, the Town of Goshen Planning Board granted a two week extension to applicant Howell's Lawn Service, Inc., to December 20, 2018. Approved unanimously.

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

LEGOLAND – Merlin Entertainment Group/LEGOLAND New York - Chairman Bergus read a letter dated November 13, 2018 requesting an extension of the special use permit issued for LEGOLAND New York, signed by Dominic Cordisco.

VOTE BY PROPER MOTION, made by Mr. Dropkin, seconded by Mr. Pirraglia, the Town of Goshen Planning Board granted a one year extension to October 17, 2019, for the special use permit to LEGOLAND New York. Approved unanimously.

Lee Bergus, Chairman	Aye	David Crawford	Aye
Phil Dropkin	Aye	Cynthia Hand	Aye
Frank Leva	Aye	Giovanni 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, restaurant and catering facility on 46.1 +/- acres on NYS Route 17M in the RU & HC Districts with AQ-3 & AQ-6 overlays. Initial Presentation and Commence SEQRA

Present for the applicant was Steve Esposito, Esposito and Associates, and Tim Trojian, one of the principals. In summary the project was presented as an 8 bedroom bed-and-breakfast, 4200 square feet, 30 seat restaurant, seasonal event area with an outdoor tent 2,800 sq feet. There would be 30 spaces for parking. Under Town Code project is a small scale business development and meets the criteria to do that under the code.

Whereupon, there was a discussion on the water supply, parking, seasonal tent, and driveway.

Mr. Hoffman reviewed his report with the Board. It was noted the property is in the RU District which permits bed-and-breakfast uses by special permit issued by the Planning Board. It was discussed that the applicant should provide a legal parking agreement to handle parking at catering events.

Whereupon, there was a discussion on water usage, sewer, portable toilets on the site, parking and access to the venue, turning analysis, loading zones, pedestrian walkways, lights, gravel road, pool, deliveries and the slope up to the tent area.

Mr. Halloran suggested that the Board take a visit to the site.

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

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

VOTE BY PROPER MOTION, made by Mr. Pirraglia, seconded by Mrs. Hand, the Town of Goshen Planning Board moved to type unlisted action. Approved unanimously

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

Attorney Naughton stated a 239 referral would be done as well as notifying GOVAC and the Goshen Fire Department.

Whereupon, Mr. Halloran left the meeting at 8:15 pm.

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 District with AQ-6, Scenic Road Corridor and Stream Corridor overlays. Discussion on FEIS.

Attorney Naughton stated the Board received a copy of the FEIS and comments from the consultants. The consultants would give their summary, and she asked that the Board provide their comments in writing to revise the FEIS. It was agreed that the FEIS was deficient and the Board would not be adopting the FEIS.

Attorney Golden, discussed a letter received from Attorney Gilchrist. He clarified some miscommunication with the applicant. Specifically that the Board be proactive in the role of their review, not in the preparation of the FEIS. It was noted that the Planning Board may edit the responses proposed by the applicant. Attorney Golden advised that the Board allow the applicant one more shot to put the document into the form they would accept. It was also discussed the fees charged to the applicant and the appeal process, if necessary.

Andrew Gilchrist, Esq., appeared before the Board for the applicant. He stated he would hear the comments of the Board and he had received the written review of the consultants. Attorney Gilchrist requested that the applicant have another pass through of the FEIS for review. He stated the applicant would request a meeting to review the fees so far, rather than a formal appeal.

John Canning, Kimley Horn, provided written comments to the Board. Stated he did note a number of inconsistencies that required resolution. He suggested the applicant contact the NYSDOT to discuss the impact on Route 207.

Whereupon there was a discussion and review of the traffic report provided by Mr. Canning.

Mr. Hoffman stated he had reviewed the FEIS and submitted a written report to the Board. Whereupon, there was a discussion with the Board on protection and regulation of agricultural land and buffers; the setback requirements for the Cemetery; and the connection to the Hambletonian Park water/sewer district.

Mr. Verdibello, Hydro Environmental Solutions, Inc., reviewed his report with the Board. In summary he stated a few groundwater issues needed to be addressed. Questioned what excess water will be provided to Hambletonian Park water supply. Suggested that they make sure the wells are still viable, sample the wells and suggested they use well number three.

The Board members advised the applicant they will submit their comments in writing to Attorney Naughton.

Whereupon, there was a discussion with Attorney Gilchrist on the Town's policy on creating a drainage district.

Attorney Naughton requested that all written comments by the Board be submitted by Friday, December 14th.

Whereupon, there was further discussion on the connection to the Hambletonian water district, the entrance on Coleman Road impacting the livestock farm located on Coleman Road.

The 2019 schedule for meetings was reviewed. It was discussed to move the July 4th meeting to June 27th, if needed.

VOTE BY PROPER MOTION, made by Mr. Crawford, seconded by Mr. Leva, the Town of Goshen Planning Board moved to approve the 2019 Meeting Schedule as amended. Approved unanimously.

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

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

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

Meeting adjourned at 9:15 pm.