

**Town of Goshen Planning Board Meeting**

**Town Hall**

**41 Webster Avenue**

**Goshen, New York 10924**

**January 21, 2021**

Lee Bergus, Chairman

David Crawford

Phil Dropkin

Cynthia Hand

Frank Leva

Diana Lupinski

Giovanni Pirraglia

Martin Holmes (Alternate)

Kelly Naughton, PB Attorney

Sean Hoffman, Town Engineer

John Canning, Traffic Consultant

Pursuant to the Governor's Executive Order the meeting was recorded and posted on line.

The Planning Board meeting was opened with the Pledge of Allegiance at 7:40 pm by Chairman Lee Bergus.

**Approval of Minutes**

November 11, 2020 minutes were deferred to next meeting.

**VOTE BY PROPER MOTION**, made by Mr. Leva, seconded by Mrs. Lupinski, the Town of Goshen Planning Board moved to approve the January 7, 2021 minutes as modified. Approved unanimously.

Chairman Bergus

Aye

Mr. Crawford

Aye

Mr. Dropkin

Aye

Mrs. Hand

Aye

Mr. Leva

Aye

Mrs. Lupinski

Aye

Mr. Pirraglia

Aye

**Public Hearing**

**Hambletonian Park Section F -8-1-12.221:** Application for Clearing & Grading Permit for a 38 lot residential subdivision on 20.427 +/- acres on Upper and Lower Magic Circle Drive and Rabbit Run in the HR Zone with AQ-6 overlay

Jim Ullrich, Alpine Environmental, was present for applicant. Mr. Ullrich provided a brief background regarding the application for the benefit of the public. Gave a brief status that the project has conditional preliminary approval, SEQRA review has been completed, finding statement on file, and there were a few outstanding mitigating issues. This application is strictly for the clearing.

Mr. Hoffman reviewed his report.

Whereupon, there was a discussion on the trees being hand felled or mechanically taken down. Work would be done between 7:30 am and 7:00 pm. Fencing for the pond, discussion on the disturbance caused by the trees, and weight of the trucks on the road.

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

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

Anthony Felice, 43 Lower Magic Circle Drive, lived there for 10 years, he wanted to know when construction will commence and how long it will last. Indicated there are existing water and sewer problems to be addressed.

Mr. Ullrich responded there was no time frame yet.

Jonathan Redeker, 41 Lower Magic Circle Drive, submitted a letter to the Planning Board. In summary was concerned about the major water problems. Concerned about the retention pond, flooding in the basements, and destruction of the roads and infrastructure. He would like the Town to hold the developers responsible. Asked they not cut down a single tree until the water problem is fixed. This was approved 12 years ago and needs to be revisited. A lot has changed. Asked that it be put on a hard pause.

Constance Christian, 16 Yankee Maid Lane, had no comment.

Dennis O'Sullivan, 7 Upper Magic Circle Drive, indicated Upper Magic Circle is in poor condition and could be worsened if used to access the site.

Mr. Ullrich responded they would enter from Lower Magic Circle.

Eddie McGrath, 19 Yankee Maid Lane, questioned the number of proposed lots, 37 or 38.

Mr. Ullrich responded 37.

Jeff Forrester, 10 Knapp Terrace, questioned whether the developer would create a new connection to Craigville Road.

Attorney Naughton responded didn't believe there was.

John Graesser, 35 Yankee Maid Lane, agreed with Mr. Redeker regarding water coming down the hill. Questioned how the project could proceed with environmental studies from 2009 and indicated the Town Board promised Bridle Path would not be converted into a through road.

Joseph Bianchi, 42 Lower Magic Circle Drive, was concerned about flooding. If you take all the trees down there's no end in sight, the stormwater is going to come down to my house even more. Believed the Fire Department and Police Department recommended in 2008 the subdivision not be constructed. Indicated current deficient water pressure and water discoloration. Concerned about the wells and water issues.

Kim and John Estler, 12 Arthur Place, questioned the age of the environmental studies and notice requirements for public hearings. They had received the notice less than a week ago.

Attorney Naughton advised that the notice requirement is 5 days prior to the public hearing.

Lesia Lilitka, 2 Florican Lane, stated all comments had been addressed.

Mark and Tara Pedrosa, 22 Yankee Maid Lane, questioned whether Rabbit Run would be converted to a through road.

Mr. Ullrich responded no.

Mark Pedrosa asked what type of housing is proposed and whether it would be for Section 8.

Mr. Ullrich responded no and it would be a mix of 3 and 4 bedroom single family homes.

Michele Kaplan, 3 Florican Lane, no response.

Mike Rodrigues, 15 Upper Magic Circle Drive, asked whether Upper and Lower Magic Circle would be connected by this project.

Mr. Ullrich responded it would be completed at the end of construction.

Richard Rodstrom, 37 Yankee Maid Lane, in summary stated that one of the ponds butt up to his pool. Is concerned about the substantial amount of stormwater that currently runs off the site. Questioned who will own and maintain the ponds. Stated water is an issue and he used bottled water for drinking.

Robert Rettberg, 9 Knapp Terrace, indicated the subdivision currently has problems with drinking water and questioned whether the walking path to Arthur Place would be eventually converted to a vehicular access.

Thomas Murphy, 7 Good Time Court, indicated the subdivision has constant water main collapses and this project will be a disaster when adding more houses. Felt it was a recipe for disaster.

Welkin Henriquez, 3 Yankee Maid Lane, stated he had the same concerns as his neighbors.

Laurie Heitezman Palmieri, 23 Marie Terrace, had no comment or questions at this time.

Sheila Keenan, 39 Lower Magic Circle Drive, stated there was flooding currently and a catch basin needs to be installed.

John Jordan, 32 Yankee Maid Lane, had the same concerns already been stated. He does not want the road opened to Old Chester Road. He has flooding in his basement already. Concerned about the adequacy of the water supply and broken pipes.

Marie Rettberg, 9 Knapp Terrace, stated she had no comment everything has been addressed.

Scott Vaccaro, 11 Upper Magic Circle Drive, lives next door to the water tower in the back. Described sewer manhole collapse during removal of the decommissioned water tank. Asked about paving Upper Magic Circle Drive and stated it needed infrastructure repairs to that road. He is worried about the frailty of the infrastructure.

Brian Buckley, 14 Yankee Maid Lane, concerned about the time line for the trees laying on the ground. Worried if they halt the project what becomes with the property that's cleared. It could be an eye sore. Is there a guarantee this project is completed?

Attorney Naughton stated she can't give a guarantee in anything. The developer has every intent to complete the project. There are bonds with the Town in place.

Brian and Terry Sager, 29 Yankee Maid Lane, asked whether a clearing buffer would be provided.

Mr. Ullrich stated there was a conservation easement on the original plan.

Mr. Redeker was concerned that felling the trees without creating ponds would doom the houses to more flooding. He asked if the developer was accountable for any damage caused by the felling. He asked that a pause be put on the project and fix the water problems.

Attorney Naughton replied that under Town Code there would be bonds and insurance that the developer would have to have in place.

**VOTE BY PROPER MOTION**, made by Mr. Dropkin, seconded by Mr. Crawford, the Town of Goshen Planning Board moved to adjourn the Public Hearing to February 18, 2021. Approved unanimously.

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

Attorney Naughton noted there wouldn't be another mailing or publication. Information will be posted on the Town Website.

**Items for Discussion/Action**

**Goshen Hospitality, LLC** -10-1-56.2 & 56.4: Application for site plan and special permit for hotel, restaurant and office complex on 63.3 +/- acres (total holdings) along Cheechunk and 6 ½ Station Roads in the CO District with AQ-6, Scenic Road, Floodplain & Ponding and Stream Corridor & Reservoir Overlay Districts. SEQRA EIS Completeness

Mr. Hoffman reviewed his report.

Jane Samuelson, Engineering & Surveying Properties, was present for applicant. Ms. Samuelson gave a brief review of the project.

Whereupon, the Board reviewed and discussed the DEIS for completeness. Board provided comments to the applicant and requested the DEIS be revised to address comments discussed this evening. John Canning reviewed the traffic report. Mr. Canning stated the DEIS and Traffic Study did not match and asked that the errors be remedied.

Mr. Hoffman reviewed the agenda for February 4.

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

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

Meeting adjourned at 9:55 pm.