

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

**February 1, 2018**

**Members Present:**

Lee Bergus, Chairman  
David Crawford  
Frank Leva  
Diana Lupinski  
Giovanni Pirraglia

**Also Present:**

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

**Members Absent:**

Phil Dropkin  
Cynthia Hand

The Planning Board meeting was opened with the Pledge of Allegiance at 7:35 pm by Chairman Lee Bergus.

**Approval of Minutes**

January 18, 2018 minutes were reviewed.

**VOTE BY PROPER MOTION**, made by Mr. Pirraglia, seconded by Mrs. Lupinski, the Town of Goshen Planning Board moved to approve the January 18, 2018 minutes as modified. Approved unanimously.

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

**Possible Extension or Abandonment of Applications pursuant to Town Code -**

**Persoon** – Chairman Bergus read a letter submitted by Engineers Pietrzak and Pfau requesting a 180 day extension.

Whereupon there was discussion about some logging on that site. Mr. Halloran stated he would look into it.

**VOTE BY PROPER MOTION**, made by Mrs. Lupinski, seconded by Mr. Crawford, the Town of Goshen Planning Board moved to grant the applicant Persoon an extension to July 19, 2018. Approved unanimously

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

**Young's Grove** – Chairman Bergus read a letter from Esposito and Associates requesting two 90 day extensions for the conditional preliminary approval major subdivision for the referenced project.

**VOTE BY PROPER MOTION**, made by Mr. Pirraglia, seconded by Mr. Leva, the Town of Goshen Planning Board moved to grant the applicant Young's Grove an extension to August 16, 2018. Approved unanimously.

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

**Traskus** – Chairman Bergus read a letter from KDJ Realty requesting an extension.

**VOTE BY PROPER MOTION**, made by Mrs. Lupinski, seconded by Mr. Crawford, the Town of Goshen Planning Board moved to grant the applicant Traskus an extension to July 19, 2018. Approved unanimously.

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

**Hudson Valley Welding** – Mr. Hoffman informed the Board they had a conditional site plan approval they submitted everything recently and was still under review. It was due to expire on the 18<sup>th</sup> and advised it was appropriate to grant an extension for several months to get the review completed.

Attorney Naughton stated they could be granted a six month extension, after that they wouldn't get anymore extensions.

**VOTE BY PROPER MOTION**, made by Mr. Pirraglia, seconded by Mrs. Lupinski, the Town of Goshen Planning Board moved to grant the applicant Hudson Valley Welding an extension to July 19, 2018. Approved unanimously.

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

**Items for Discussion/Action -**

**Esem Sales** – 19-1-87: Application for site plan and special permit for a trucking terminal on 7.62 +/- acres along Celery Avenue in the AI District with AQ-3 and Flood Plain & Ponding Area Overlay Districts. Consider Draft Resolution and Negative Declaration.

Brian Friedler, Lehman and Getz appeared before the Board. He stated since the last meeting he had submitted a dye testing protocol and met with highway superintendent to discuss the driveway and parking.

There were no comments on the Negative Declaration as prepared dated February 2018.

**VOTE BY PROPER MOTION**, made by Mr. Crawford, seconded by Mr. Pirraglia, the Town of Goshen Planning Board moved to accept the Negative Declaration as prepared dated February 1, 2018. Approved unanimously.

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

Whereupon Attorney Naughton reviewed the Draft Resolution with the Board.

**VOTE BY PROPER MOTION**, made by Mr. Pirraglia, seconded by Mr. Crawford, the Town of Goshen Planning Board moved to approve the Draft Resolution of Conditional Approval Special Permit Major Site Plan for Esem Sales. Approved unanimously.

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

**Nywening** – 10-1-22.3 & 27.1: Application for lot line adjustment along Philipsburg Road and NYS Route 17 in the RU District with AQ-6 overlay. Initial Presentation.

Craig Nywening, appeared before the Board. Stated he wanted to square up the back of his property. Stated he owns both lots.

**VOTE BY PROPER MOTION**, made by Mr. Pirraglia, seconded by Mrs. Lupinski, the Town of Goshen Planning Board moved to waive the public hearing for the applicant Nywening. Approved unanimously.

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

**VOTE BY PROPER MOTION**, made by Mr. Leva, seconded by Mr. Crawford, the Town of Goshen Planning Board moved to authorize counsel to prepare a Resolution of Conditional Approval. Approved unanimously.

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

**Peaceful Paws/Atlantic Fiber Optic Corp.** - 18-2-10: Application for amended site plan and special permit for a service business on 2.002 +/- acres on Quarry Road (County Route 68) in the Highway Commercial (HC) Zone with AQ-3 and Scenic Road Corridor overlays. Initial Presentation and Commence SEQRA

Brian Friedler, Lehman & Getz, appeared for the applicant. Mr. Friedler reviewed the project with the Board. The project would require the installation of crematorium equipment and refrigeration.

Matt Comas, the owner, appeared before the Board, stated he owns a demolition and excavation business there now and wanted a new business.

Mr. Hoffman advised the Board this was approved in 2013. The applicant is converting a portion of the warehouse use to a crematorium business which appears to meet the service business definition under the code. A public hearing would be required. Requested some additional information on permits the applicant may require from the DEC.

Attorney Naughton advised the Board they could declare their intent to be lead agency and classify the action under SEQRA as unlisted.

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

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

**VOTE BY PROPER MOTION**, made by Mr. Pirraglia, seconded by Mrs. Lupinski, the Town of Goshen Planning Board moved to declare this project an unlisted action under SEQRA. Approved unanimously.

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

Whereupon Chairman Bergus opened it up to the Board for discussion.

Attorney Naughton stated she would be preparing a Part 2 EAF for the Board's review.

**VOTE BY PROPER MOTION**, made by Mrs. Lupinski, seconded by Mr. Crawford, the Town of Goshen Planning Board moved to set a public hearing for March 15, 2018. Approved unanimously.

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

**Javelin Realty – 11-1-4.1 & 7:** Application for an 8 lot residential subdivision on 39.667 +/- acres on Butler Drive in the RU with AQ-6 and Flood Plain and Ponding overlays. Discuss Revised Plans

David Higgins, Lanc and Tully Engineering, appeared before the Board. Mr. Higgins reviewed the project with the Board. Stated they got preliminary approval in 2008. FEMA had changed the flood

plain mapping in 2009 and as a result the density calculations had to be updated. Net lot count went from nine down to eight.

Attorney Naughton stated that SEQRA was completed on April 3, 2008, nothing had changed the Board could reaffirm the Negative Declaration. If the Board finds this is substantially the same as the preliminary approval they can authorize the drafting of a conditional resolution of final approval, and a public hearing would not be necessary.

Mr. Hoffman stated he had reviewed both set of plans and issued an opinion they were substantially the same.

Whereupon there was a discussion and review of the plans by the Board, the applicant and the consultants. The Board requested the applicant provide a visual of the landscape plans.

**VOTE BY PROPER MOTION**, made by Mr. Crawford, seconded by Mrs. Lupinski, the Town of Goshen Planning Board moved to authorize counsel to prepare a Conditional Resolution of Approval to include the issues raised today as well as raised in 2008. Approved unanimously.

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

Attorney Naughton requested the applicant bring a planting plan to the next meeting .

**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.

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

Meeting Adjourned at 9:24 pm.