

UNAPPROVED MINUTES
Town of Goshen Planning Board
Town Hall
41 Webster Avenue
Goshen, New York
May 31, 2016

Members Present:

Lee Bergus, Chair
Reynell Andrews
Phil Dropkin
David Gawronski
John Lupinski
Giovanni Pirraglia

Also Present:

Sean Hoffman, P.E. PB Engineer
Kelly Naughton, Esq. PB Attorney
Neal Halloran, Building Inspector
Richard Golden, Esq. PB Attorney
David Crawford, Alternate Member
John Canning, PB Traffic Consultant
Ralph Huddleston, Environmental Specialist

Absent: Dr. Kris Baker

The Planning Board meeting was opened at 7:30 p.m. by Chairman Lee Bergus.

Amy's Kitchen, Inc.

Mr. Dropkin recused himself. David Crawford joins the Board. John Canning joins the Planning Board consultants.

Representing the applicant:

Graham Trelstad (AKRF); Larry Wolinsky, Esq.
(Jacobowitz & Gubits) and Mark Rudolph

Mr. Bergus stated that this public hearing is part of the SEQRA process, and from the scope the DEIS was developed. The DEIS was deemed adequate for public review by the Planning Board, and after the close of the public hearing, there will be 10 days to submit written comments to the Building Department. These can either be comments that people did not speak on this evening or thought about when you went home. After that is complete, the comments would be passed along to the Applicant to draft the FEIS. Once the FEIS responds to all of the comments that the Planning Board deems appropriate, then there will be a SEQRA Findings Statement.

Mr. Golden stated that for those individuals that are not used to the process, he just wanted to make it very clear: this is the public's big opportunity to comment on the environmental issues involved and the site plan for the Planning Board's consideration. Whatever comments are said tonight will be taken down verbatim and the Applicant will have to respond to all of those questions in the FEIS, the Final Environmental Impact Statement. There will be an answer in that document. If you have questions, rather than just comments, they will not be able to be answered tonight, because they may have to be looked into. If questions can be answered, and

the answers are readily available by the consultants, we will try to do so, but otherwise they will be answered in the FEIS.

Mr. Bergus introduces the Planning Board: John Lupinski, Giovanni Pirraglia, Reynell Andrews, David Gawronski, and David Crawford. Mr. Bergus introduced Neal Halloran, the building inspector; Rick Golden and Kelly Naughton, the attorneys; Sean Hoffman, the engineer; Ralph Huddleston, the environmental specialist; John Canning, the transportation expert; Douglas Bloomfield, the Town Supervisor; Ken Newbold, Town Board member; Phil Canterino, Orange County Legislator; Mark Kalish President of the Goshen Chamber of Commerce, and recognized representatives from Assemblyman James Skoufis and Senator Kirsten Gillibrand's offices.

Mr. Wolinsky stated his name, and that he is a land use attorney. We are here for the public hearing for Amy's Kitchen and Science of the Soul. We are going to do a very brief presentation, and as Rick Golden said we have a stenographer here who will take down the comments, and we are required to respond to them under SEQRA as part of the FEIS. Mr. Wolinsky introduced members of the project team: Mark Rudolph (CFO and VP of Development), Tom Richmond (SoS), Graham Trelstad and Ashley Ley (AKRF and primary authors of DEIS), Phil Grealey from Maser, John O'Rourke (Lanc & Tully).

Mr. Trelstad presented a summary of the project. Tom Richmond summarized the Science of the Soul operation. Mark Rudolph discussed Amy's Kitchen's and the economic benefits of the project.

Mr. Bergus opened the floor for comment from the County Executive.

Count Executive Steve Neuhaus stated that this project came in about a month or two after he took office. We do not see manufacturing jobs anymore. This is a family run company. Many people went out to CA to see the operation. This is a positive for Orange County. Look what's going on in southern Orange County. To have a big company coming in here and providing manufacturing jobs is a great benefit. I honestly think that this is a good company. What that property is generating today, compared to what it will be when they start building... I have seen people leave because the jobs aren't here. This is good for the community, and this is a positive. The Mayor of Middletown and Goshen are talking about developing the Heritage Trail. That's going to be a means for people to travel to work on; it's a positive development for the community and the County.

Mr. Bergus requested the consultants' comments.

Mr. Huddleston stated that he had a number of comments, but a number of the comments were editorial, so he would like to get into the technical aspects for the Board. Basically, the DEIS states that there are three potential areas of wetland impacts along utility lines along Heritage Trail. The Applicant was going to delineate those when they were building it, but it should be done prior to final design so the potential for impact or avoidance can be assessed. The final design of the Wallkill River Bridge drainage has not been completed. There were

several methods for how the Applicant was going to handle the run off for that. The Planning Board would benefit from seeing a complete design of the bridge. The DEIS states that no Federal wetlands were impacted by the access road, but the drawings show one. The Applicant spoke with the DEC about the wetlands, but there are small pond-like systems that are being impacted by this. He thinks the Planning Board may want the Applicant to look at these ponds to see the impacts during the breeding season for amphibians. The DEIS states that the data for vegetation and wildlife was collected mostly during May and June. That is not how the Planning Board has handled the review in the past, and the Board might want the Applicant to do the inventories as the review process goes on. This would include the other seasons, and there could be a solid baseline. Also there was a comment in the DEIS that the reptiles and amphibians would be caught and relocated. Mr. Huddleston would like to see the methodology. The DEIS should discuss some species whose habitat will be removed, such as deer and raccoon. Cultural resources – the Applicant is doing a good job, but Mr. Huddleston requests that the Applicant notify the Town Board when the programs have been completed, to confirm completion and where and when that information would be available to the public and to the Board. Under “Construction”, Mr. Huddleston requested that “construction activities” be defined – does it include warm-up of vehicles, etc. The Planning Board had discussed maintenance and repair to Hartley Road, but now the Applicant is not going to do anything to that road. Mr. Huddleston wants to make sure that is acceptable. Lastly, the DEIS does not address the loss of existing and future wildlife associated with construction activities and habitat loss in the “Unavoidable Adverse Environmental Impacts” section.

Mr. Canning stated that, as you know Route 17M is a busy corridor. The traffic impact study was thorough and detailed. Mr. Canning has distilled the study down for the Planning Board in his report. The Applicant has proposed a substantial number of mitigation measures, including the relocating of the driveways, the installation of the traffic light, turn lanes, stop signs, yield signs, etc. Mr. Canning’s recommendations to the Planning Board are that the Applicant examine and explain the optimal time for shift changes, because there is a lot that happens on Route 17M in the afternoon. The Applicant should see how they can best get the work schedule to coincide with the traffic patterns. Mr. Canning requested that a back up plan for Science of the Soul be included. The DEIS states that 40% of attendees will be brought by busses, but in the event that this is not successful, the Applicant should see if they can secure parking locations from which people can be bussed to the site.

Mr. Hoffman stated that he reviewed the DEIS and looked at earthwork, stormwater, etc. He has filed a 10-page memorandum with the Building Department and the Planning Board. Building off of the parking raised by Mr. Canning, he looked at use of Strong Farm for extra parking, but there could be a deficit of 1,160 spaces. The Planning Board needs to see how those cars will be handled on the site, and how will the volunteers be getting from the Strong Farm to the site. He had a few items on phasing, and Mr. Hoffman stated that he understands that there are two phases proposed for the manufacturing plant. His understanding of the project timeline is that Phase 1 of Amy’s Kitchen will be completed in 18 months, but Science of the Soul may take longer. The Applicant should consider a phasing plan, so that Amy’s Kitchen can be operational while Science of the Soul is still being constructed. He would also like to see

the impact of the height of the water tanks that may be necessary. Stormwater is regulated by the Town and DEC requirements. The DEC permits a waiver if the discharge is to a fifth order stream. Mr. Hoffman's recommendation is to consider the downstream impacts prior to granting a waiver out of hand.

Mr. Huddleston stated that in the "Agriculture" section, the DEIS stated that the Strong Farm will remain as active farmland. The Board may want to consider asking for a dedication or easement stating that the property remain as farmland.

Mr. Golden stated that his office has nothing at this time.

Mr. Bergus asked the Planning Board if they had any additional comments that have not been made already throughout this process.

Mr. Lupinski stated that he had a couple of concerns. The "Agriculture" section should contain a little more detail about the vegetables that are being included and the tests that were done. A number of growers out there have expressed a concern about the labor problem. Labor is in short supply. Farmers pay more than minimum wage because they have to. The growers are very concerned that the laborers are going to go somewhere else. Could the Applicant please deal with that issue?

Mr. Bergus instructed the public that the Town will pass around the microphone; please introduce yourself and state your name.

Bill Fioravanti, Director of Business Attraction for the Orange County Partnership stated that he has been working on this project for about 2.5 years. This will bring over 700 jobs to Orange County, but he would rather focus on what an outstanding company this is. A local contingent got to go out to CA and got to know the owners and the operation there. His first observation was that this was an outstanding employer. You could see the pride in the workers and the management. The rapport that the owners had with the staff – it was a mutual admiration and respect. We got to see the health clinic that is there for the employees and their families for \$5. The people are outstanding. We were invited to the Berliners' home, which was an incredibly modest home that they have lived there for 40 years. This has not been the simplest process, but Amy's Kitchen has kept their word throughout the process. We asked Amy's to pledge that the manufacturing center would be built before Science of the Soul, and they have honored that. They want to do whatever they can to help the community.

Jerry Boss stated that his interest is in the Strong Farm. We talk about raising crops and agriculture on the farm, but then it is going to be used for parking of 1,000 cars during various events. Mr. Huddleston made a good point of keeping the farm a farm. Does this interfere with the various events Science of the Soul will have?

A. Zuckerman from Chester stated that his family built the industrial park. Regarding Amy's Kitchen, the philosophy of the company is one that the Planning Board should consider for

approval. Part of the Comprehensive Plan for the County concerns farmland, and it is one section of the plan that is being working on. We are discussing raising farmers. Orange County has 43 milking farms, and a decent amount of milk product. We also have a company that is a producer of dairy product. Amy's Kitchen has gone out of its way to minimize impacts, which is very important. The water and sewer is being provided by Middletown. The Heritage Trail is adjacent to the utility lines, and this does not encroach on anyone's land. We are looking to support local farms.

Supervisor Bloomfield stated that this company is owned and run by the Berliners. Mr. Bloomfield worked for DuPont. Andy Berliner was at a meeting and explained the operation of the company. They do not have a Board of Directors; they are not owned by anyone. They do what they think is right for the employees. Almost all the employees that they started with are still there. That does not happen for big businesses, like DuPont. As the Town Supervisor, Mr. Bloomfield does not think that the Town could find a better group of people to work with.

Chris Pennings stated that he was born and raised here. He is a third generation farmer. Most of his family is in agriculture. He was approached by Amy's Kitchen, and he went out to CA and had a unique glimpse at how they treat their workers – the nurturing of their employees and the laid back aspect. This is a company that makes food; the Town cannot turn its back on these kinds of opportunities. The impact is going to bring inner city challenged communities hope. This will bring our two major cities back. This is one of our better chances to get Middletown and Newburgh back to prosperous cities.

Lynne Cione, the Executive Director of the Orange County Chamber of Commerce, stated that she lives in Goshen. Amy's Kitchen has been gracious to us. We have heard of the amount of taxes that will be paid, and the economic impact of this project. We have pressures on us that no other community in Orange County has due to the County, Town and Village buildings. As a taxpayer, this is a great opportunity in the Town. Amy's Kitchen has come in and has hired people from this community already, and has sought to be a neighbor and to integrate itself with the community. The respect that this community has for its history has been respected by Amy's Kitchen. As the President of the Orange County Chamber, I see a lot of people come in and want to be part of Orange County. This is a good project and will help us recapture part of our tax base, and I think this is a wonderful project.

Betsy Dunlevy stated that she is curious about the farm aspect, which she thinks is wonderful. There are very few organic farmers in our area and in our County. The certification process for organic is costly. Is Amy's Kitchen planning on helping local farmers become organic so they can be utilized by Amy's Kitchen? She would rather eat something that has not been treated by pesticides. It would be wonderful if Amy's Kitchen would help farms become organic, and that the Strong Farm crops will be organic. Isn't there a garbage transfer station on Hartley Road and will it have an impact on Amy's Kitchen?

Mark Rudolph stated that Amy’s Kitchen is working with the Rodale Institute, which is providing grant money to the local farmers to learn how to convert to organic farmers and along to convert to organic farms.

Mr. Golden stated that if there is no one else to speak, the Planning Board will be closing the public hearing.

Mr. Bergus stated that if you do not have comments for us, we will be closing the public hearing. The public will have ten days – until June 10 – to submit written comments to Building Department as well.

VOTE BY PROPER MOTION, by Mr. Pirraglia, seconded by Mr. Lupinski, to close the public hearing. Unanimously approved.

Mr. Andrews	Aye	Mr. Gawronski	Aye
Mr. Bergus	Aye	Mr. Lupinski	Aye
Mr. Crawford	Aye	Mr. Pirraglia	Aye

Mr. Bergus thanked the public for joining the Board and contributing in the process.

VOTE BY PROPER MOTION, by Mr. Andrews, seconded by Mr. Pirraglia, to adjourn the meeting. Unanimously approved.

Mr. Andrews	Aye	Mr. Gawronski	Aye
Mr. Bergus	Aye	Mr. Lupinski	Aye
Mr. Crawford	Aye	Mr. Pirraglia	Aye

ADJOURNMENT – The Town of Goshen Planning Board adjourned at 8:50pm.