

**APPROVED MINUTES**  
**Town of Goshen Planning Board**  
**Town Hall**  
**41 Webster Avenue**  
**Goshen, New York**  
**October 15, 2015**

**Members Present:**

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

**Also Present:**

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

**Absent:** Dr. Kris Baker  
Phil Dropkin

The PB meeting was opened at 7:30 p.m. by Chair Lee Bergus.

The minutes of the meeting of September 3, 2015 were approved.

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

**Traskus**

A letter dated October 15, 2015 was received from KDJ Realty requesting an extension of the approval granted by the PB. It was noted that since appearing before the PB in 2014, the buyer and seller are still negotiating. Contract issues and soil testing issues are to be resolved.

**VOTE BY PROPER MOTION**, made by Mr. Pirraglia, seconded by Mr. Gawronski, The Town of Goshen Planning Board grants two 90-day extensions on the application of Traskus to April 7, 2016. Approved unanimously.

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

**5 Spoke Creamery**

Ms. Naughton said that the applicant is seeking a six-month extension of its conditional final approval.

**VOTE BY PROPER MOTION**, made by Mr. Andrews, seconded by Mr. Gawronski, The Town of Goshen Planning Board grants an extension of the conditional final approval given to 5 Spoke Creamery to April 7, 2016. Approved unanimously.

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

**Persoon**

A letter was received requesting two 90-day extensions on the final approval granted to Persoon. The applicant hopes to begin construction in the spring of 2016.

**VOTE BY PROPER MOTION**, made by Mr. Lupinski, seconded by Mr. Gawronski, The Town of Goshen Planning Board grants two 90-day extensions on the application of Persoon to April 7, 2016. Approved unanimously.

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

**Cannon Hill Flex Building**

A letter was received from the applicant asking for a six month extension on its conditional approval stating that the intention is to begin construction next year, if the market allows.

**VOTE BY PROPER MOTION**, made by Mr. Andrews, seconded by Mr. Pirraglia, The Town of Goshen Planning Board grants an extension on the application of Cannon Hill Flex Building to April 21, 2016. Approved unanimously.

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

**Kolk**

A letter was received containing a summary of activities on the project for the past several months and asking for an extension of its conditional final approval.

**VOTE BY PROPER MOTION**, made by Mr. Pirraglia, seconded by Mr. Lupinski, The Town of Goshen Planning Board grants an extension on the application of Kolk to April 21, 2016. Approved unanimously.

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

**Heritage Estates**

Mr. Hoffman said he received an e-mail from the applicant today summarizing the items completed during the past several months and asking for an extension on its approval which is due to expire on November 5, 2015.

**VOTE BY PROPER MOTION**, made by Mr. Pirraglia, seconded by Mr. Andrews, The Town of Goshen Planning Board grants an extension on the application of Heritage Estates to April 21, 2016. Approved unanimously.

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

**Items for Discussion/Action**

**Amy's Kitchen, Inc. – 1-1-1.222, 1.41. 19.2, 23.2, 24.2 and 10-1-11.2:** Site plan, special permit and subdivision for a manufacturing and conference center on 395 +/- acres (total holdings) NYS Route 17M, Echo Lake Road and Owens Road in the CO, RU and I Districts with AQ-3/AQ-6 Floodplain and Ponding area, Stream Corridor and Water Supply Watershed and Scenic Road Corridor Overlays. DEIS Completeness

Representing the applicant: Graham Trelstad

Mr. Trelstad said that he had submitted three chapters, on geology and soils, storm water and topography, in his fifth submission of the DEIS.

Mr. Hoffman and PB members discussed portions of the submission.

Mr. Trelstad said that he would like to alter the schedule for DEIS chapter submissions and will return to the PB with a revised schedule for discussion. Mr. Trelstad listed several of the federal and state agencies the applicant is having discussions with including the U.S. Army Corp of Engineers, The U.S. Fish & Wildlife Services, N.Y.S. Department of Conservation and N.Y.S. Department of Transportation.

**Al Turi Landfill, Inc. – 12-1-17.1 & 17.2:** Application for lot line modification on Hartley Road and NYS Route 17A in the I District with AQ-3/AQ-6 overlays. Initial presentation and SEQRA.

Representing the applicant: Dan Yanish, Surveyor

Mr. Yanish said that the application is a lot line change involving two parcels. The applicant proposes to transfer 14.8 acres from Lot # 17.2 to Lot # 17.1 so that all portions of the landfill

will be on a single lot and so that the other lot (Lot # 17.2) will be available to be developed for other purposes. If approved, Lot # 17.1 will consist of 23.5 acres and Lot #17.2 will be 26 acres. Mr. Yanish remarked that the pond on the property was used for surface water runoff and nothing else.

Mr. Hoffman called the application a lot line adjustment. He said that the landfill will be contained entirely on one lot so that the other lot will be available to be developed.

Ms. Naughton said that the PB attorney will need the deeds for the properties which will reveal lot access and restrictions, if any. She said that the PB does not need to take any SEQRA action nor make a 239 Referral to the County. A public hearing is not required, she said, but is in the discretion of the PB.

**VOTE BY PROPER MOTION**, made by Mr. Pirraglia, seconded by Mr. Andrews, The Town of Goshen Planning Board waives a public hearing on the application of Al Turi Landfill, Inc. Approved 4 to 1.

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

**VOTE BY PROPER MOTION**, made by Mr. Pirraglia, seconded by Mr. Gawronski, The Town of Goshen Planning Board authorizes the PB's legal counsel to prepare a draft resolution on the application of Al Turi Landfill, Inc. Approved unanimously.

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

**Orange County Gospel Church – 11.1-100.2:** Site plan and special permit application for a religious use on 7.12 +/- acres on Duck Cedar and Old Chester Roads in the RU District with AQ-6, Floodplain & Ponding Area, Stream Corridor and Water Supply Watershed and Scenic Road Corridor Overlay Districts. SEQRA Determination of Significance.

Representing the applicant:

Jay Myrow, Esq.  
Anthony Trochino (Pietrzak & Pfau)

Mr. Myrow said that at the last meeting with the PB there was agreement that an area variance was required because of the impervious surface coverage. He said that an application has now been filed with the Zoning Board of Appeals (ZBA). Mr. Myrow said that the ZBA has been advised by Ms. Naughton that this is a coordinated review under SEQRA and that the ZBA

public hearing, scheduled for November 22, is conditioned upon the PB issuing a Negative Declaration under SEQRA. Mr. Myrow said he is appearing tonight to ask for a Negative Declaration from the PB.

Ms. Naughton said she provided the PB with a draft Part II EAF. She noted that several responses were given a “yes” as having some impact and three are listed as having moderate to large impacts on flooding, aesthetic resources and transportation.

Mr. Hoffman spoke about most of these concluding that he needed additional information from the applicant before he will be in a position to advise the PB on possible impacts on traffic, the visual aesthetic and the flood plain. Moderate impacts can be adjusted with mediation but larger impacts can be either irreversible or challenging, he said.

PB members discussed at length traffic impacts, the building’s appearance, its uses and its location on the lot and the overall visual impact on the rural landscape.

Mr. Hoffman said that in order to issue a Negative Declaration, either a Storm Water Pollution Prevention Plan (SWPPP) or some equivalent, needs to be presented to demonstrate the environmental impact on the Otterkill.

Ms. Naughton said that if there are any moderate to large impacts, they need to be addressed in a Part III or a limited scope EIS and that it will be up to the PB to determine which avenue will be pursued.

Mr. Halloran commented that the visual impact of a building this size (14,000 sq. ft.) needs to be looked at and noted that Old Chester Road is in a Scenic Road Corridor.

Mr. Myrow said that the applicant will attempt to return with the additional information requested at the next PB meeting.

**The Estates at Rolling Ridge (aka Fieldstone Farm) – 12-1-70.211:** Application for a 22 lot residential subdivision on 67.8 +/- acres on Maple Avenue (County Route 31) in the RU & HC Districts with AQ-3/AQ-6 overlays. Discuss sketch plan.

Representing the applicant:

Michael Sandor, MJS Engineering

Mr. Sandor presented a sketch plan for review by the PB. He said he intends to submit a long-form EAF after the layout is determined. He said that the applicant has calculated a maximum of 15 units based on the overlay districts and 24 units based on the constraints analysis. He said he will be providing a full hydrological analysis.

The layout presented showed 22 lots with 21 lots on a cul-de-sac and one lot on Maple Avenue where the existing house is located. Mr. Sandor said the plan stays away from the Army Corp wetlands and the pond. He said that stone walls and tree lines are being utilized as much as possible and showed their location on the sketch plan. The layout centers the project in the fields up on the top of the hills, Mr. Sandor said, avoiding the wetland areas and the pond and providing an open space area representing fifty percent of the property. The smallest lots are one acre. The houses are set back 50 feet from the right-of-way and at the setback, the lots will be 130 to 145 feet in width, he said. The road pattern, Mr. Sandor said, is a cul-de-sac ending in a temporary dead-end with a future connection to the north. The property will be served by on-site wells and septic and the applicant will do a full SWPPP.

Mr. Hoffman said the PB should consider the layout and make sure the applicant has incorporated what they want from the Conservation Findings. He noted that Lots 1- 6 are located along the periphery of the wooded area in the western portion of the property and that two lots appear to possibly impact steep slope areas. A tree survey was discussed.

The PB discussed issues related to running the road out to Maple Ave. and running the road back to Howard Court, currently a private road that hasn't been dedicated to the Town. There was a lengthy discussion about access. Mr. Hoffman recommended that the applicant provide additional information on connections to Maple Avenue and Howard Court so the PB can determine if these may be developed without impacting natural features. After the discussion, Mr. Sandor said he will show an alternative that will bring it back to Howard Court. It was decided that the highway superintendent, fire, ambulance and police should look at the plan as soon as possible and that the PB will revisit the issue after these agencies have had an opportunity to comment on it.

**Adjournment** – The Town of Goshen Planning Board adjourned at 10:25 p.m.

Lee Bergus, Chair  
Notes prepared by Sue Varden