

**APPROVED MINUTES**  
**Town of Goshen Planning Board**  
**Town Hall**  
**41 Webster Avenue**  
**Goshen, New York**  
**November 19, 2015**

**Members Present:**

Reynell Andrews  
Dr. Kris Baker  
Lee Bergus, Chair  
Phil Dropkin  
David Gawronski  
John Lupinski  
Giovanni Pirraglia

**Also Present:**

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

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

The minutes of the meeting of November 5, 2015 were approved with corrections.

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

**AT&T 6-1/2 Station Rd.**

Mr. Bergus read a letter from the applicant seeking a six month extension of site plan approval, stating that construction has been delayed due to the need for a habitat survey and capital budget issues.

**VOTE BY PROPER MOTION**, made by Mr. Dropkin, seconded by Mr. Gawronski, The Town of Goshen Planning Board grants a six month extension, to May 19, 2016, of the site plan approval given to AT&T 6-1/2 Station Road. Approved unanimously.

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

**Reiger Homes/Young's Grove**

A letter from Steve Esposito was read asking for two 90 day extensions of the Conditional Preliminary Major Subdivision Approval and attaching a summary of activities completed in the last several months.

**VOTE BY PROPER MOTION**, made by Mr. Gawronski, seconded by Mr. Lupinski, The Town of Goshen Planning Board grants an extension, to June 16, 2016, of the Conditional Preliminary Major Subdivision Approval given to Reiger Homes/Young's Grove. Approved unanimously.

Mr. Andrews	Aye	Mr. Gawronski	Aye
Dr. Baker	Aye	Mr. Lupinski	Aye
Mr. Bergus	Aye	Mr. Pirraglia	Aye
Mr. Dropkin	Aye		

**Items for Discussion/Action**

**Amy's Kitchen, Inc. – 12-1-1.222, 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 & Ponding Area, Stream Corridor and Water Supply Watershed and Scenic Road Corridor overlays. Discuss schedule.

Representing the applicant: Graham Trelstad

Mr. Dropkin recused himself as he is a consultant for Amy's Kitchen, Inc. He was replaced by alternate Melissa Gallo.

In a progress update to the PB, Mr. Trelstad said that the water testing has been completed and on-site wastewater treatment is being designed. He said that he wants to build as much design information into the DEIS as possible and added that the site plan is almost ready for review.

Mr. Trelstad said that at a meeting of the NYSDEC and US Fish & Wildlife the presence on site of two species of bats was confirmed and that information will be included in the DEIS. He said that the US Army Corp of Engineers has been on site to confirm the boundary lines on several parcels. Mr. Trelstad said that once the amount of wetland disturbance is confirmed, it may be determined that a permit from the Army Corp. is not needed. He said that a revised traffic study has been submitted to the Department of Transportation.

Mr. Trelstad presented modifications to the SEQRA Schedule. He said that a draft site plan will be submitted to the consultants on December 17, and a complete DEIS on January 22. He said that the PB will have a month to spend on the completeness review and should be able to issue a determination of completeness on February 18 and schedule a public hearing on all of the actions by March 10, 2016. He said he hopes to submit a draft of the Final Environmental Impact Statement (FEIS) on April 15 with a Notice of Completeness on May 19 and SEQRA

Findings on May 30. Mr. Trelstad said that the applicant hopes to begin construction in the fall of 2016.

Mr. Golden said that the schedule is reasonable and Mr. Bergus said that the PB will do its best to accommodate the modified schedule.

**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. Consider draft resolution.

Representing the applicant: Dan Yanosh

Mr. Golden said that in the exercise of extreme caution and conservatism due to the fact that the Turi property is close to the Amy's Kitchen property, resulting in the possibility of a potential conflict, Mr. Dropkin is recusing himself and will be replaced by PB alternate Melissa Gallo.

Ms. Naughton read the proposed Findings in the draft Resolution of Conditional Preliminary & Final Approval for Al Turi Landfill, Inc. as follows:

"The Planning Board has determined that approval of this lot line adjustment will protect and promote public health, safety, comfort, convenience, and economy, as well as the natural, agricultural, and cultural resources, aesthetics, and the general welfare. Furthermore, the character of the land is such that it can be used safely for agricultural purposes without danger to health, or peril from fire, flood, or other menace. Streets are of such width, grade, and location as to appropriately accommodate present and anticipated future vehicular, bicycle, and pedestrian traffic and to facilitate fire protection, while minimizing disruption of the natural environment."

**VOTE BY PROPER MOTION,** made by Mr. Pirraglia, seconded by Dr. Baker, The Town of Goshen Planning Board approves the Findings on the application of Al Turi Landfill, Inc. as read by legal counsel. Approved unanimously.

Mr. Andrews	Aye	Mr. Gawronski	Aye
Dr. Baker	Aye	Mr. Lupinski	Aye
Mr. Bergus	Aye	Mr. Pirraglia	Aye
Ms. Melissa Gallo	Aye		

Ms. Naughton read the specific conditions as follows:

1. Notwithstanding this Conditional Approval, the properties involved herein will continue to be subject to any applicable State or Federal restrictions or regulations. Also this Conditional Approval does not alter or otherwise affect the existing deed/covenant restrictions on the properties.
2. This lot line adjustment is not meant to be an approval of, and does not authorize, any use that is not in accordance and in conformity with the Town Code.
3. Prior to the signing of the plat, the applicant shall provide to the Building Department proof of filing with the Orange County Clerk's office of an easement in favor of Section 12, Block 1, Lot 17.1 for purposes of access to Hartley Road. Said easement shall be in a form acceptable to the Town Attorney and such access easement shall be shown on the plat.
4. Prior to the signing of the plat, the applicant shall revise the plat in accordance with the comments included in the Town Engineer's October 9, 2015 memorandum.
5. Prior to the signing of the plat, the applicant shall drain the existing pond. After the pond has been drained, the applicant shall backfill the area to prevent accumulation of additional runoff to the satisfaction of the Building Inspector.

**VOTE BY PROPER MOTION**, made by Mr. Pirraglia, seconded by Dr. Baker, The Town of Goshen Planning Board approves the Resolution of Conditional Preliminary & Final Approval Lot Line Adjustment on the application of Al Turi Landfill, Inc. as prepared by legal counsel. Approved unanimously.

Mr. Andrews	Aye	Mr. Gawronski	Aye
Dr. Baker	Aye	Mr. Lupinski	Aye
Mr. Bergus	Aye	Mr. Pirraglia	Aye
Ms. Melissa Gallo	Aye		

**Chaffee Pools:** Site plan application for retail and apartment with accessory warehouse and office on 24.9 +/- acres on NYS Route 17M and NYS Highway 17 in the CO District with AQ-6 and Scenic Road Corridor overlays. SEQRA Determination of Significance.

Mr. Golden said he researched the DEC's current Environmental Assessment Form and its recently revised guidance documents regarding visual impact triggers. He said it is clear that the PB has to look at the Heritage Trail and Route 17M from the Village line to Chester since the road itself is designated as a Scenic Road, and ask if the project, as fully developed out, would be in sharp contrast to the surrounding land uses as seen from these scenic resources. A lengthy discussion followed.

Mr. Golden reminded PB members that what the PB does sets a precedent for similarly situated circumstances going forward.

When Mr. Golden posed the question, “Is the proposed development on this parcel in sharp contrast to the land uses and structures that are in, or can be seen from, 17M or the Heritage Trail”, a straw poll of PB members resulted in four affirmative votes and three negative votes. It was noted that the applicant will have to address visual impacts and discuss mitigation to screen those impacts. PB members determined that they want the applicant to produce an expanded Part III, showing mitigation, of the impacts on ground water also.

Mr. Golden said that his office will write a letter to the applicant asking for additional information on ground water, visual, historic and archeological impacts.

**VOTE BY PROPER MOTION**, made by Mr. Gawronski, seconded by Mr. Andrews, The Town of Goshen Planning Board declares itself to be the lead agency in terms of SEQRA on the application of Chaffee Pools Approved unanimously.

Mr. Andrews	Aye	Mr. Gawronski	Aye
Dr. Baker	Aye	Mr. Lupinski	Aye
Mr. Bergus	Aye	Mr. Pirraglia	Aye
Mr. Dropkin	Aye		

**Adjournment** – The Town of Goshen Planning Board adjourned at 9:15 pm

Lee Bergus, Chair  
Notes prepared by Sue Varden