

APPROVED MINUTES
Town of Goshen Planning Board
Town Hall
41 Webster Avenue
Goshen, NY 10924
FEBRUARY 21, 2013

Members Present:

Reynell Andrews
Lee Bergus
Susan Cleaver
John Lupinski
Giovanni Pirragalia

Absent:

Ralph Huddleston
David Gawronski

Also Present:

Neil Halloran, Building Inspector
Sean Hoffman, PB Engineer
Kelly Naughton, PB Attorney

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

Orange & Rockland - Possible revision of a condition for approval to indicate the need for Public Service Commission approval; bond authorization.

PB Attorney Kelly Naughton told PB members that there have been two changes to the Resolution of Conditional Approval adopted by the PB at its December, 2012 meeting; one change was in Specific Condition #14 which she had distributed to PB members and the other was in Condition #5 which was re-worded to indicate the need for Public Service Commission approval. Ms. Naughton read the new wording of Condition #5 as follows:

“ Conditioned upon the approval of the Public Service Commission (“PSC”), the applicant shall place a Conservation Easement over 28.74 acres, enforceable by the Town, which shall be drafted to the reasonable satisfaction of the Town Attorney as to form, including ongoing maintenance standards that will be enforceable by the Town against an owner of open space land to ensure that the owner does not use or authorize the use of the open space land for storage or dumping of refuse, junk or other offensive or hazardous materials.”

VOTE BY PROPER MOTION, made by Ms. Cleaver, seconded by Mr. Andrews, the Town of Goshen Planning Board accepts the amended resolution of Conditional Approval Major Site Plan and Special Permit for Orange & Rockland Utilities, Inc. Passed unanimously.

Mr. Andrews	Aye	Mr. Lupinski	Aye
Mr. Bergus	Aye	Mr. Pirragalia	Aye
Ms. Cleaver	Aye		

Mr. Hoffman discussed the landscaping bond as required by Condition #9. He proposed a bond amount of \$37,100 to ensure that the trees planted live for at least two seasons.

VOTE BY PROPER MOTION, made by Ms. Cleaver, seconded by Mr. Andrews, the Town of Goshen Planning Board accepts the bond amount for landscaping on the Orange & Rockland application of \$37,100 as suggested by the PB engineers. Passed unanimously.

Mr. Andrews	Aye	Mr. Lupinski	Aye
Mr. Bergus	Aye	Mr. Pirragalia	Aye
Ms. Cleaver	Aye		

Woodland Estates 17-4-20 - Schedule public hearing for amending subdivision plat to relocate drainage easement.

Ms. Naughton said the application is to remove drainage from one lot, Lot #20, to Lot #6, both owned by the developer. It will require a public hearing, she said.

VOTE BY PROPER MOTION, made by Mr. Andrews, seconded by Mr. Pirragalia, the Town of Goshen Planning Board sets a public hearing on the application of Woodland Estates for March 21, 2013. Passed unanimously.

Mr. Andrews	Aye	Mr. Lupinski	Aye
Mr. Bergus	Aye	Mr. Pirragalia	Aye
Ms. Cleaver	Aye		

Orange County Turf – 21-1-93 & 94 23.9 +/- acres located off Pulaski Highway & Pumpkin Swamp Road in an Agricultural zone. Special use permit, site plan approval, lot merger.

Ms. Naughton said that the 62-day waiver provided by the applicant’s engineer expires today. The applicant wrote a letter to the PB asking for a three month waiver. The applicant is trying to work out access to the property with other property owners.

VOTE BY PROPER MOTION, made by Mr. Lupinski, seconded by Mr. Pirragalia, the Town of Goshen Planning Board provides an additional 90 days on the waiver of Orange County Turf to May 16, 2013. Passed unanimously.

Mr. Andrews	Aye	Mr. Lupinski	Aye
Mr. Bergus	Aye	Mr. Pirragalia	Aye
Ms. Cleaver	Aye		

A & L Acres – Amendment to resolution

Ms. Naughton said there are proposed amendments to the Resolution of Conditional Final Approval for a Major Subdivision for A&L Acres. She said that the two pieces being dedicated to the Daughters of the American Revolution will not be covered by the Conservation Easement, at the request of the DAR, so the acreage amount to be dedicated changes. She said that the landscaped islands within the cul-de-sac will be removed.

Ms. Naughton read Condition #6 and #7 with the changes as follows:

#6. “Prior to signing of the plat, wetlands and any required buffers are to be marked on the plat, identifying such individual lots affected. The applicant must use proper Environmentally Sensitive Area (“ESA”) signage where applicable and have such signage in place prior to the issuance of the fifth building permit.”

#7. “Prior to signing the plat the applicant shall place a Conservation Easement over a minimum of 50% of the property, in accordance with Section 97-20(G) and Section 97-21 of the Town Code, enforceable by the Town, which shall be drafted to the satisfaction of the Town Attorney as to form, including ongoing maintenance standards that will be enforceable by the Town against an owner of open space land to ensure that the open space land is not used for storage or dumping of refuse, junk, or other offensive or hazardous materials. This conservation easement shall provide that the State of New York may take such portions of Lot 5 located within the conservation easement as necessary for use by the State for the expansion of Route 17A, or for use by the Town for such purpose should the State so permit.”

VOTE BY PROPER MOTION, made by Ms. Cleaver, seconded by Mr. Pirragalia, the Town of Goshen Planning Board accepts the Fourth Amended Resolution of Conditional Final Approval Major Subdivision for A&L Acres with the changes as read. Passed unanimously.

Mr. Andrews	Aye	Mr. Lupinski	Aye
Mr. Bergus	Aye	Mr. Pirragalia	Aye
Ms. Cleaver	Aye		

Al Turi Landfill Inc. – 12-1-7.2, 19, 1.2 and 12-1-21.1 – 113.9531 +/- acres
Subdivision located at 73 Hartley Road in the I District in the flood plain and stream overlay. Amend approved lot line adjustment.

Mr. Halloran said this project was originally taking six lots and creating three, but that two of those lots should not have been included. He said it is now taking four lots and creating three.

Mr. Hoffman said this was an amendment to the previous lot line adjustment approved by the PB and that the applicant is merging lots by taking four lots and making three.

Ms. Naughton said that the PB reviews a lot line adjustment as to its dimensional compliance. She said that this is not considered an action under SEQRA so the PB should reaffirm its determination that this lot line is not an action as defined under SEQRA and is therefore not subject to SEQRA and no further SEQRA review is necessary. On the original application the PB determined that a public hearing and county referral is not necessary.

VOTE BY PROPER MOTION, made by Mr. Lupinski, seconded by Mr. Andrews, the Town of Goshen Planning Board finds that no further SEQRA review is required and that no public hearing is necessary on the application of Al Turi Landfill, Inc.

Mr. Andrews	Aye	Mr. Lupinski	Aye
Mr. Bergus	Aye	Mr. Pirragalia	Aye
Ms. Cleaver	Aye		

Ms. Naughton read the four Specific Conditions of Approval 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 21.22 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 plan in accordance with the comments included in the Town Engineer's February 15, 2013 memorandum.

VOTE BY PROPER MOTION, made by Mr. Pirragalia, seconded by Mr. Lupinski, the Town of Goshen Planning Board approves the Amended Resolution of Conditional Preliminary & Final Approval Lot Line Adjustment for Al Turi Landfill, Inc.

Mr. Andrews	Aye	Mr. Lupinski	Aye
Mr. Bergus	Aye	Mr. Pirragalia	Aye
Ms. Cleaver	Aye		

RVH Mulch – 54.60 +/-1 acres - site plan and special use permit for light industry/wholesale mulching in the I zone with a flood plain and stream overlay.

Representing the applicant: Tom Depuy

Mr. Depuy said that the plat now shows the flood plain as based on the latest FEMA mapping. The applicant re-did the site plan and removed all of the mulching operation out of the flood plain, and now shows easements allowing for the monitoring of wells, he said. Mr. Depuy said that information on the dyes used in the mulch has been submitted. He said that water will be trucked in for the mulch operation and that they will work off the tanker that is there.

Ms. Cleaver asked for clarification, questioning if there will be any leaves, grass or yard waste used on site and asked if a tub grinder will be used, which she said research shows requires a lot of water. The applicant said his grinder does not use water and that he will use brush, but no grass or leaves. The applicant said that seven months is the turnaround time for the mulch. Mr. Halloran said that if mulch sits around too long, it becomes compost and then becomes a violation situation.

Mr. Hoffman said that the flood maps are at variance with what the applicant has done and said the PB will have to make a finding that it concurs with what the applicant is doing.

Ms. Naughton said they reviewed the deeds for all the properties and that those deeds restrict the installation of any well on site for potable water.

Mr. Hoffman said his firm reviewed the dye that will be used in the process. One of the conditions will be that sand vermiculite will be on site in case there is any spill, to clean it up, he said.

VOTE BY PROPER MOTION, made by Mr. Andrews, seconded by Mr. Pirragalia, the Town of Goshen Planning Board issues a negative declaration on the application of RVH Mulch stating that the application will not have a significant impact on the environment. Passed unanimously.

Mr. Andrews	Aye	Mr. Lupinski	Aye
Mr. Bergus	Aye	Mr. Pirragalia	Aye
Ms. Cleaver	Aye		

Ms. Naughton read the first Finding in the resolution as follows:

“In accordance with the requirements for the Stream Corridor and Reservoir Watershed Overlay District, the Planning Board finds that this project will not result in the degradation of scenic character; will be aesthetically compatible with its surroundings and will not result in erosion or surface water pollution from surface or subsurface runoff.”

VOTE BY PROPER MOTION, made by Mr. Andrews, seconded by Mr. Pirragalia, the Town of Goshen Planning Board accepts the Finding as read by legal counsel on the application of RVH Mulch. Passed unanimously.

Mr. Andrews	Aye	Mr. Lupinski	Aye
Mr. Bergus	Aye	Mr. Pirragalia	Aye
Ms. Cleaver	Aye		

Ms. Naughton read the Finding regarding the flood plain as follows:

“In accordance with Section 97-25, prohibiting certain activities within the Flood Plain & Ponding Area Overlay District, the Planning Board finds that the operation of that portion of the proposed mulching facility as shown on the plans will not result in excessive off-premises noise, dust, odors, solid waste, or glare and will not create any public or private nuisances. The proper provisions have been made for storm water management and other related needed improvements and utilities. The Planning Board recognizes that no provisions have been made for potable water supply or wastewater collection and treatment, as none were necessary for this project. The Town Highway Department has confirmed that the streets accessing the property are of such width, grade, condition and location as to accommodate the present and anticipated future vehicular traffic and to facilitate fire, police, and other emergency protection. No new roadways are proposed. The project will not cause significant traffic congestion, impair pedestrian safety, or overload existing roads. Furthermore, the Planning Board determined that this project would not materially degrade any watercourse or other natural resource or ecosystem or degrade the water quality or quantity of an aquifer. This project is suitable for the property on which it is proposed, and is subject to conditions on operation and design. It avoids strip commercial development, does not adversely affect the availability of affordable housing in the Town, and complies with site plan criteria in Section 97-75(D). This site is laid out in a manner that reflects and complements the natural, historic and scenic resources of the Town. Additionally, the Planning Board finds that the area proposed for disturbance is safe from flooding or ponding, and there is adequate means of vehicular access to the area from an existing street, which is safe from flooding. The applicant has submitted evidence that surface drainage facilities are adequate to service the intended use. No evidence was submitted in connection with the adequacy of the sewage disposal and water supply facilities for the intended use, as none was necessary.”

VOTE BY PROPER MOTION, made by Mr. Pirragalia, seconded by Mr. Andrews, the Town of Goshen Planning Board accepts the Finding regarding the flood plain as read by legal counsel on the application of RVH Mulch. Passed unanimously.

Mr. Andrews	Aye	Mr. Lupinski	Aye
Mr. Bergus	Aye	Mr. Pirragalia	Aye
Ms. Cleaver	Aye		

Ms. Naughton read the final Finding as follows:

“The Planning Board has determined that the following elements of the site plan application are not necessary and are hereby waived: Section 97-75(B)(7) and (8), relating to lighting and signage, as neither is proposed for this project.”

VOTE BY PROPER MOTION, made by Mr. Andrews, seconded by Ms. Cleaver, the Town of Goshen Planning Board accepts the Finding as read by legal counsel on the application of RVH Mulch. Passed unanimously.

Mr. Andrews	Aye	Mr. Lupinski	Aye
Mr. Bergus	Aye	Mr. Pirragalia	Aye
Ms. Cleaver	Aye		

Ms. Naughton read thirteen Specific Conditions as follows:

1. Prior to the signing of the plan, the applicant shall provide proof to the Building Department that the previously approved plat in connection with the Al Turi Landfill, Inc. lot line adjustment has been filed with the Orange County Clerk’s Office, and that this parcel has been assigned a new tax identification number.
2. No composting is approved as part of this application. If the applicant desires to compost on this site, the applicant shall be required to return to the appropriate municipal board for any required approvals. This approval shall not authorize the acceptance of any leaves, grass or other yard waste on site for mulching.
3. Prior to the issuance of a Certificate of Occupancy, the applicant shall pave the driveway entrance at Hartley Road from the edge of the travel lane to the right-of-way line or for a minimum distance of 25 feet to limit the tracking of sediment onto Town roads.
4. Prior to the signing of the plan, the applicant shall revise the plan to indicate the proposed driveway extension will consist of a four (4) inch minimum stone thickness. The proposed driveway extension shall be stone as shown on the plan unless the Building Inspector determines the stone surface creates unanticipated nuisance conditions (dust, ponding, excessive maintenance, etc.) at which time the applicant will be required to pave the driveway to the satisfaction of the Town Engineer.

5. Prior to the issuance of a Certificate of Occupancy, the applicant shall trim and maintain any roadside vegetation adjacent to the driveway to improve sight distance along Hartley Road in the southerly direction to the satisfaction of the Town Engineer.
6. Within 30 days from the approval of this Conditional Resolution by the Planning Board, the applicant shall solicit comments from the Fire Department as to whether the access and layout is acceptable to the Department. If no comments are received within 30 days from the date comments were solicited, the access and layout shall be revised accordingly, subject to the review of the Town Engineer and Highway Superintendent, in consultation with the Building Inspector.
7. Any water used in connection with the project shall be bulk water trucked in from offsite only. No utilization of onsite water supply is being approved as part of this application. Should a water supply well or river water withdrawal become necessary, or desired, the applicant shall return to the Planning Board to evaluate the impact of such use(s).
8. The applicant shall provide an onsite portable restroom and maintain said facility in a sanitary condition while the site is in operation.
9. Prior to the signing of the plan, the applicant shall provide confirming calculations and additional details to demonstrate compliance with the New York State Storm Water Management Design Manual to the satisfaction of the Town Engineer.
10. The applicant shall maintain sufficient quantities of inert absorbents, such as sand or vermiculite, onsite during dyeing to collect any spilled materials.
11. Prior to the signing of the plans, the applicant shall comply with the memorandum of the Town Engineer, dated February 15, 2013, to the satisfaction of the Town Engineer.
12. Prior to the issuance of a Certificate of Occupancy, the applicant shall delineate the FEMA flood plain area within 100 feet of the limits of disturbance using stakes. The stakes shall be no more than 100 feet from each other. These stakes may be removed upon receipt by the Building Department of a Letter of Map Amendments (“LOMA”) from FEMA.
13. The applicant and any future applicants are advised that the Planning Board received the “General Municipal Law Section 239-1, -m or -n Report” from the Orange County Planning Department dated January 10, 2013. The Orange County Planning Department commented that the proposed action should be a local determination because there is no evidence that there would be significant county-wide or inter-municipal impacts that would result from its approval, but included the following advisory comment: ‘While the submitted site plan depicts the proposed business acres away from the County’s property, future expansion could locate operations closer to our proposed recreational trail. To avoid future nuisance complaints and to maintain the tranquility of the County’s prized

Heritage Trail, we request a 200’ buffer along the applicant’s property near the Trail.’

VOTE BY PROPER MOTION, made by Mr. Pirragalia, seconded by Mr. Andrews, the Town of Goshen Planning Board approves the Resolution of Conditional Approval as read for RVH Mulch Supply, LLC. Passed unanimously.

Mr. Andrews	Aye	Mr. Lupinski	Aye
Mr. Bergus	Aye	Mr. Pirragalia	Aye
Ms. Cleaver	Aye		

Land Worx – 18-1-17.2 1.9+/- located at 4239 State Route 94 in the RU District with an AQ3 overlay. Change in use of the existing building to add apartment above the building.

Representing the applicant: Anthony Trochiano, Pietrzak & Pfau

Mr. Trochiano responded to the written comments of the Town’s Environmental Review Board.

Mr. Hoffman said that the applicant will reuse an existing well and had the well test done showing 5 gallons per minute. He said the PB needs to make sure that what the applicant has is sufficient to meet their needs. He said the applicant also needs to document the sight distances and the protection of the sewage disposal system.

Ms. Naughton read proposed Findings #1 & #2 as follows:

“The Planning Board has determined, in consultation with the Building Inspector and the Planning Board consultants, that the use variance granted in 1981 for this property by the Town Zoning Board of Appeals included the reservation of the northeastern corner of the property for a building extension and/or additional waste disposal. Therefore, the outdoor storage of materials in that location was contemplated and approved by that variance.

“The Building Inspector determined that the impervious surface coverage on this property was previously approved as part of the 1981 Zoning Board of Appeals Decision, and is a pre-existing condition. Therefore, the Planning Board finds that compliance with the requirement in Section 97-19c is not required.”

VOTE BY PROPER MOTION, made by Ms. Cleaver, seconded by Mr. Pirragalia, the Town of Goshen Planning Board accepts the two Findings as read by counsel on the application of Land Worx. Passed unanimously.

Mr. Andrews	Aye	Mr. Lupinski	Aye
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Mr. Bergus	Aye	Mr. Pirragalia	Aye
Ms. Cleaver	Aye		

Ms. Naughton read the proposed Finding pertaining to outdoor storage as follows:

“The Planning Board hereby finds that the landscaping as proposed adequately screens the proposed storage of small equipment from adjoining properties and public roads.”

VOTE BY PROPER MOTION, made by Mr. Pirragalia, seconded by Ms. Cleaver, the Town of Goshen Planning Board accepts the proposed Finding regarding outdoor storage as read by counsel on the application of Land Worx. Passed unanimously.

Mr. Andrews	Aye	Mr. Lupinski	Aye
Mr. Bergus	Aye	Mr. Pirragalia	Aye
Ms. Cleaver	Aye		

Ms. Naughton read the proposed Finding pertaining to signage as follows:

“The Planning Board hereby finds that both of the proposed freestanding stone signs and the wall-mounted fence sign have special aesthetic merit and therefore finds that a 30% sign area bonus is appropriate.”

VOTE BY PROPER MOTION, made by Ms. Cleaver, seconded by Mr. Pirragalia, the Town of Goshen Planning Board accepts the proposed Finding regarding signage as read by counsel on the application of Land Worx. Passed unanimously.

Mr. Andrews	Aye	Mr. Lupinski	Aye
Mr. Bergus	Aye	Mr. Pirragalia	Aye
Ms. Cleaver	Aye		

Ms. Naughton read the proposed six Specific Conditions of approval as follows:

1. The proposed employee and truck parking shall be gravel as shown on the plan unless the Building Inspector determines the gravel surface creates unanticipated nuisance conditions (dust, ponding, excessive maintenance, etc.) at which time the applicant will be required to pave these parking areas to the satisfaction of the Town Engineer.
2. Prior to the signing of the plans, the applicant shall comply with the memorandum of the Town Engineer dated February 15, 2013, to the satisfaction of the Town Engineer.

3. Prior to the signing of the plans, the applicant shall revise the plans to graphically depict the setbacks and the existing storage containers shall be relocated accordingly.
4. Prior to obtaining a building permit, the applicant shall furnish to the Chester Fire Department the key (or access code if digital lock) for the proposed entrance gate.
5. Prior to the signing of the plans, the applicant shall revise the plans to include a note that the size of the proposed pond with waterfall shall not exceed 200 square feet. See Town Code Section 97-40(A).
6. Prior to the signing of the plans, the applicant shall revise the plans to show all well and septic facilities within 300 feet of the property line.

VOTE BY PROPER MOTION, made by Mr. Lupinski, seconded by Ms. Cleaver, the Town of Goshen Planning Board approves the Resolution of Conditional Approval Special Permit and Major Site Plan for Landworx of New York, Inc. Passed unanimously.

Mr. Andrews	Aye	Mr. Lupinski	Aye
Mr. Bergus	Aye	Mr. Pirragalia	Aye
Ms. Cleaver	Aye		

Kaprielian-Craigville – 4-1-9.122 & 14.1 206.56 +/- acres subdivision located on Craigville Rd. in the RU zone with AQ3 and AQ6 overlay. Conservation findings based on the site visit.

Representing the applicant: Steve Esposito

Some of the PB members conducted a site walk and commented on the site features that contribute to conservation valuation.

Ms. Cleaver said they saw a lot of huge, beautiful trees throughout the property and that unfortunately many are marked to be cut down. She also located some stone walls that were not represented on the map and spoke about the steep slopes.

Mr. Hoffman said the applicant has asked to have the conservation analysis done first, in order to figure out where the development is going to go, before they are required to do a tree survey for that area. They don't intend to develop the entire site, he said. Ms. Cleaver expressed concern with identifying the trees later in the process.

Ms. Naughton said she will prepare a draft conservation analysis finding based on the PB comments. Mr. Halloran stated that the ERB's comments were answered in writing by way of a letter from the applicant dated January 22.

5 Sisters Properties – 2-1-25 8.4+/- acres located on Greencrest Rd. and NYS Route 207 in the RU, AQ3 and AQ6 overlay. 3- lot minor subdivision. Water test results and possibly set public hearing.

Representing the applicant: Steve Esposito

Mr. Hoffman said the PB approved the water testing protocol in August and the applicant did the testing in December and submitted a well testing report showing 8-1/2 gallons per minute. They extended the testing to 95 hours on their own, he said. Town Hydrologist William Canavan had some comments which Mr. Hoffman gave to the applicant. He said there were some changes made from what was originally proposed, in terms of water usage, and what was submitted, and that they are looking for some of the back-up data that is required by Code. There are also some questions on the raw data submitted and that they are looking for the applicant to describe it or provide additional calculations.

VOTE BY PROPER MOTION, made by Ms. Cleaver, seconded by Mr. Lupinski, the Town of Goshen Planning Board sets the public hearing on the application of 5 Sisters Properties for March 21, 2013. Passed unanimously.

Mr. Andrews	Aye	Mr. Lupinski	Aye
Mr. Bergus	Aye	Mr. Pirragalia	Aye
Ms. Cleaver	Aye		

Tortilleria/Northern Bear – 20-1-39 3.58 +/- acres located at 1722-1724 St. Route 17A, Florida, NY in the CO with AQ3 overlay. Possibly set a public hearing.

Representing the applicant: Anthony Trochiano, Pietrzak & Pfau

Mr. Trochiano said that this was submitted to the PB under the name Northern Bear and the proposal was to have three retail uses and a service business in the rear of the building. It received Conditional Final Approval and the conditions are still being worked on. The Conditional Approval expires in June. Since that time the owner of property is proposing to take one of the vacant retail uses and change it to a restaurant use and the applicant is proposing a Mexican style restaurant, he said. The proposal is for a 16 seat restaurant in a 1,000 sq. ft. space. Mr. Trochiano calculates there will be a need for two additional parking spaces. Mr. Trochiano said that the site plan will be revised. The applicant said he considers opening the restaurant as a take out service first.

Ms. Naughton said this will be an amended major site plan and a public hearing is required if the PB determines that the change in use proposed from retail to restaurant is a substantial change.

VOTE BY PROPER MOTION, made by Mr. Pirragalia, seconded by Ms. Cleaver, the Town of Goshen Planning Board declares its intent to be lead agency on the application of Tortilleria/Northern Bear and types the action as an “Unlisted Action.” Passed unanimously.

Mr. Andrews	Aye	Mr. Lupinski	Aye
Mr. Bergus	Aye	Mr. Pirragalia	Aye
Ms. Cleaver	Aye		

VOTE BY PROPER MOTION, made by Mr. Pirragalia, seconded by Mr. Lupinski, the Town of Goshen Planning Board determines that a public hearing is necessary on the application of Tortilleria/Northern Bear because the change in use is a substantial change and requires a public hearing. Passed 4 to 1.

Mr. Andrews	Nay	Mr. Lupinski	Aye
Mr. Bergus	Aye	Mr. Pirragalia	Aye
Ms. Cleaver	Aye		

ADJOURNMENT – The Planning Board adjourned at 9:30 p.m.

Lee Bergus, Acting Chair
Notes Prepared by Susan Varden