

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

July 6, 2023

Planning Members Present:

Lee Bergus, Chairman
Diana Lupinski
Neal Halloran, Alternate
Seamus Weir
Jeremy Zweig

Also Present:

Sean Hoffman, Planning Board Engineer
Kelly Naughton, Planning Board Attorney
Frank Leva, Building Inspector

Planning Members Absent:

Phil Dropkin
Eric Fuentes
Marty Holmes
Giovanni Pirraglia, Alternate

The Planning Board meeting was opened with the Pledge of Allegiance at 7:30 pm.

Approval of Minutes –

The minutes of the April 3, April 20, and May 4, 2023 meetings were deferred.

VOTE BY PROPER MOTION, made by Mr. Halloran, seconded by Mr. Weir, the Town of Goshen Planning Board approved the minutes of the June 15, 2023 meeting as modified. Approved with four ayes and one abstention.

Chairman Bergus	Aye	Mrs. Lupinski	Abstained
Mr. Halloran	Aye	Mr. Weir	Aye
Mr. Zweig	Aye		

Possible Extension or Abandonment of Applications pursuant to Town Code –

Maplewood Village (aka ADC Orange, Inc.) –

Chairman Bergus read Developer Gueron’s June 19, 2023 correspondence into the record.

VOTE BY PROPER MOTION, made by Mrs. Lupinski, seconded by Mr. Weir, the Town of Goshen Planning Board granted an extension of Conditional Preliminary Approval until January 4, 2024. Approved with four ayes and one abstention.

Chairman Bergus	Aye	Mrs. Lupinski	Aye
Mr. Halloran	Abstained	Mr. Weir	Aye
Mr. Zweig	Aye		

Public Hearings –

Nutra Gummy LLC/Gummy Corp/842 Pulaski Highway – 24-1-63.2: Application for amended site plan approval for light manufacturing and office along Pulaski Highway/County Route 6 and Big Island Road in the AI Zone with AQ-3 overlay. **Draft Resolution**

Architects McGovern and Eitneir with Vicki and Brazos Minshew present.

Architect McGovern submitted proof of certified mailings to Building Inspector Leva and then provided a summary of the application.

Architect McGovern indicated the applicant estimates their water usage to be 53 gallons per day and will not discharge any process waters to the existing onsite sewage disposal area.

An Owner’s Endorsement was previously provided. Architect McGovern indicated the applicant will lease the property. Attorney Naughton recommended a resolution condition requiring the applicant to submit an Owner’s Endorsement from the property owner.

Whereupon the Board discussed pilot versus full-scale production numbers, possibly limiting approval to prototype development, impact to water supply wells, dedication of 25-foot strip of land for highway purposes, vegetables used in production, organic ingredients, and an installation of a flow/production meter to compare water use to anticipated water demand.

VOTE BY PROPER MOTION, made by Mr. Halloran, seconded by Mrs. Lupinski, the Town of Goshen Planning Board opened the public hearing. Approved unanimously.

Chairman Bergus	Aye	Mrs. Lupinski	Aye
Mr. Halloran	Aye	Mr. Weir	Aye
Mr. Zweig	Aye		

No public comments were received.

VOTE BY PROPER MOTION, made by Mrs. Lupinski, seconded by Mr. Weir, the Town of Goshen Planning Board closed the public hearing. Approved unanimously.

Chairman Bergus	Aye	Mrs. Lupinski	Aye
Mr. Halloran	Aye	Mr. Weir	Aye
Mr. Zweig	Aye		

Attorney Naughton reviewed the Draft Resolution of Conditional Site Plan Approval with the Board.

VOTE BY PROPER MOTION, made by Mr. Zweig, seconded by Mr. Weir, the Town of Goshen Planning Board adopted the Resolution of Conditional Site Plan Approval as modified. Approved unanimously.

Chairman Bergus	Aye	Mrs. Lupinski	Aye
Mr. Halloran	Aye	Mr. Weir	Aye
Mr. Zweig	Aye		

Items for Discussion/Action –

TAM Enterprises, LLC – 12-1-2.3: Application for amended site plan approval for storage warehouse on 31.2 +/- acres along Hartley Road in the HC and CO Zone with AQ-6 Floodplain & Ponding and Stream Corridor & Water Supply Watershed overlays. **Negative Declaration & Draft Resolution**

Engineer O'Rourke present.

VOTE BY PROPER MOTION, made by Mr. Halloran, seconded by Mrs. Lupinski, the Town of Goshen Planning Board assumed Lead Agency Status under SEQRA. Approved unanimously.

Chairman Bergus	Aye	Mrs. Lupinski	Aye
Mr. Halloran	Aye	Mr. Weir	Aye
Mr. Zweig	Aye		

Attorney Naughton reviewed the draft Negative Declaration with the Board.

VOTE BY PROPER MOTION, made by Mrs. Lupinski, seconded by Mr. Weir, the Town of Goshen Planning Board approved the Negative Declaration as modified. Approved unanimously.

Chairman Bergus	Aye	Mrs. Lupinski	Aye
Mr. Halloran	Aye	Mr. Weir	Aye
Mr. Zweig	Aye		

Attorney Naughton reviewed the draft Resolution of Amended Site Plan with the Board.

Whereupon the Board discussed encroachment into the rear yard setback, Orange County Department of Health determination that this will be considered a public water supply, definition of hazardous material, filling in the floodplain, and installation of culverts and road in the floodplain.

VOTE BY PROPER MOTION, made by Mr. Halloran, seconded by Mr. Weir, the Town of Goshen Planning Board approved the Draft Resolution of Amended Site Plan Approval as modified. Approved unanimously.

Chairman Bergus	Aye	Mrs. Lupinski	Aye
Mr. Halloran	Aye	Mr. Weir	Aye
Mr. Zweig	Aye		

Varano Accessory Garage & Guest House – 19-1-48.1: Application for site plan approval for multiple residences on 24.62 +/- acres along Maple Avenue/County Route 37 in the RU Zone with AQ-3 and Scenic Road Corridor overlays. **Initial Presentation & Commence SEQRA**

Architect Collins and Owner, Andrea Varano Della Vergiliana present.

Applicant stated the structure will be a second residence on the property. A two-bedroom guest house with garage below is proposed. Guest house is intended for family, not renters.

Engineer Hoffman reviewed his report with the Board.

Whereupon the Board discussed multiple dwellings on the lot, inconsistencies in the second engineering sheet, and a possible additional well if the lot were to ever be subdivided.

Attorney Naughton advised this is a Type 2 SEQRA Action and is exempt from General Municipal Law review under the County and Town’s Intermunicipal Agreement.

VOTE BY PROPER MOTION, made by Mr. Halloran, seconded by Mr. Zweig, the Town of Goshen Planning Board classified this a Type 2 Action under SEQRA. Approved unanimously.

Chairman Bergus	Aye	Mrs. Lupinski	Aye
Mr. Halloran	Aye	Mr. Weir	Aye
Mr. Zweig	Aye		

Attorney Naughton requested the applicant submit a site plan and agricultural data statement.

VOTE BY PROPER MOTION, made by Mr. Weir, seconded by Mr. Zweig, the Town of Goshen Planning Board waived the public hearing. Approved with four ayes and one no.

Chairman Bergus	Aye	Mrs. Lupinski	No
Mr. Halloran	Aye	Mr. Weir	Aye
Mr. Zweig	Aye		

VOTE BY PROPER MOTION, made by Mr. Zweig, seconded by Mr. Halloran, the Town of Goshen Planning Board authorized the drafting of a resolution. Approved unanimously.

Chairman Bergus	Aye	Mrs. Lupinski	Aye
Mr. Halloran	Aye	Mr. Weir	Aye
Mr. Zweig	Aye		

Future Agenda Items

Engineer Hoffman reviewed the agenda for the next regularly scheduled meeting July 20, 2023.

Adjournment

VOTE BY PROPER MOTION, made by Mr. Halloran, seconded by Mrs. Lupinski, the Town of Goshen Planning Board moved to close the meeting. Approved unanimously.

Chairman Bergus	Aye	Mrs. Lupinski	Aye
Mr. Halloran	Aye	Mr. Weir	Aye
Mr. Zweig	Aye		

Meeting adjourned at 8:47 pm.