

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

September 15, 2022

Members Present:

Lee Bergus, Chairman
Phil Dropkin (7:36 arrival)
Cynthia Hand
Marty Holmes
Diana Lupinski
Jeremy Zweig

Also Present:

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

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

A moment of silence was observed in memory of David Crawford.

Approval of Minutes –

The minutes of the July 7, 2022 meeting were deferred.

VOTE BY PROPER MOTION, made by Mrs. Lupinski, seconded by Mr. Holmes, the Town of Goshen Planning Board approved the minutes of the August 18, 2022 meeting as modified. Approved unanimously.

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|-----------------|-----|---------------|-----|
| Chairman Bergus | Aye | Mrs. Hand | Aye |
| Mr. Holmes | Aye | Mrs. Lupinski | Aye |
| Mr. Zweig | Aye | | |

Possible Extension or Abandonment of Applications pursuant to Town Code –

Hambletonian Park Section F – Planner Kristin O’Donnell present. Chairman Bergus read applicant’s August 25, 2022 correspondence from Attorney John Capello into the record.

VOTE BY PROPER MOTION, made by Mr. Holmes, seconded by Mr. Zweig, the Town of Goshen Planning Board granted extension of Conditional Preliminary Approval until March 2, 2023. Approved four ayes and one abstention.

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| Chairman Bergus | Aye | Mrs. Hand | Abstained |
| Mr. Holmes | Aye | Mrs. Lupinski | Aye |
| Mr. Zweig | Aye | | |

Yoon K. Ha – Engineer Brad Cleverly present. Chairman Bergus read applicant’s August 26, 2022 correspondence into the record.

VOTE BY PROPER MOTION, made by Mrs. Hand, seconded by Mrs. Lupinski, the Town of Goshen Planning Board granted extension of Resolution of Conditional Approval of Major Site Plan until March 2, 2023. Approved unanimously.

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| Chairman Bergus | Aye | Mrs. Hand | Aye |
| Mr. Holmes | Aye | Mrs. Lupinski | Aye |
| Mr. Zweig | Aye | | |

Owens Road Solar – Project Developer Terrance Nolan Present. Chairman Bergus read applicant’s September 9, 2022 correspondence into the record. Attorney Naughton advised this is an extension of the time required for the Board to act.

VOTE BY PROPER MOTION, made by Mr. Holmes, seconded by Mrs. Lupinski, the Town of Goshen Planning Board granted extension until November 17, 2023. Approved unanimously.

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| Chairman Bergus | Aye | Mr. Dropkin | Aye |
| Mrs. Hand | Aye | Mr. Holmes | Aye |
| Mrs. Lupinski | Aye | Mr. Zweig | Aye |

Public Hearings –

Broadlea Road and Vivian Lane Solar – 9-1-4 & 6.2: Application for site plan and special permit for solar energy system along 297.2 +/- acres on Broadlea Road in the RU Zone with AQ-3, Scenic Road Corridor, Floodplain & Ponding and Stream Corridor & Water Supply Watershed overlays. **Public Hearing & SEQRA Negative Declaration**

Project Developer Terrence Nolan and Engineer Travis Rosencranse present. Present also were several of the Sisters of St. Dominic and Kyle Sandusky of the Orange County Land Trust.

Project Developer Nolan gave a brief presentation of the application.

The Planning Board commented and questioned the following:

- Phasing and confirmation both arrays will be under the same ownership
- Verification primary and construction access will be from Broadlea Road
- Tree mitigation including process to cut and remove trees from the site
- Effect of tree removal on greenhouse gases
- A potential condition regarding maintaining plantings in a healthy and vibrant state
- Benefits and drawbacks of bare root plantings
- Submission of a more detailed landscaping plan addressing Board’s concerns

- The need to spray apple trees
- Additional simulations and trees along the Heritage Trail
- Use of a berm to elevate proposed trees
- Possible reduction in array size adjacent to Heritage Trail
- Provide revised glare analysis

Applicant confirmed they would be open to additional plantings within the proposed conservation easement and/or an offsite location.

Board discussed SEQRA Negative Declaration. Attorney Naughton advised the applicant needs to submit additional photographs and renderings for the Board’s review. Negative Declaration may not be adopted at this time.

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

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| Chairman Bergus | Aye | Mr. Dropkin | Aye |
| Mrs. Hand | Aye | Mr. Holmes | Aye |
| Mrs. Lupinski | Aye | Mr. Zweig | Aye |

Kyle Sandusky, Orange County Land Trust – In support of the application. Mr. Sandusky discussed the public access easements and conservation easements.

Sister Ellen Rita, Sisters of St. Dominic – stated the solar project subsidizes the conservation easement. The two go hand-in-hand.

Board requested Mr. Sandusky submit a copy of the map referenced in his discussion to the Building Department.

Building Inspector Leva questioned the ability of the property owner to cull diseased trees and possible benefits of bare root plantings.

VOTE BY PROPER MOTION, made by Mr. Dropkin, seconded by Mrs. Lupinski, the Town of Goshen Planning Board adjourned the public hearing until October 20, 2022 with November 3, 2022 as a back-up date. Approved unanimously.

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| Chairman Bergus | Aye | Mr. Dropkin | Aye |
| Mrs. Hand | Aye | Mr. Holmes | Aye |
| Mrs. Lupinski | Aye | Mr. Zweig | Aye |

Items for Discussion/Action –

Milmar Food Group/Upstate Estates Corp. – 12-1-13.1 & 13.2: Application for site plan and special permit for expansion of the existing food production facility on 6 ½ Station Road and NYS Route 17M in the CO District with AQ-6 Floodplain & Ponding, Stream Corridor & Reservoir overlays. **Draft Resolution**

Owner Martin Hoffman and Engineer Dave Higgins present.

Whereupon there was a discussion of discrepancy between application for site plan approval submitted to the Town indicating no change in number of employees and the Orange County Industrial Development Agency application indicating approximately 50 additional employees within three years.

Applicant requested to submit an engineer’s report describing the anticipated additional employees, work-shift distribution, and impacts to water, sewer, and parking.

Dunkin Donuts (LAM Electric Site) – 12-1-48.12: Application for site plan to convert a former retail use to a new retail or restaurant with drive-up window on 2.2 +/- acres on NYS Route 17M and Gate Schoolhouse Road in the HC Zone with AQ-6 overlay. **Assume SEQRA Lead Agency, Part 2 EAF & Revised Plans**

Engineer Ross Winglovitz present.

Whereupon there was a discussion regarding Building Inspector interpretations and if they were rendered.

Attorney Naughton reviewed the SEQRA Part 2 EAF with the Board.

VOTE BY PROPER MOTION, made by Mrs. Hand, seconded by Mrs. Lupinski, the Town of Goshen Planning Board accepted the SEQRA Part 2 EAF. Approved unanimously.

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| Chairman Bergus | Aye | Mr. Dropkin | Aye |
| Mrs. Hand | Aye | Mr. Holmes | Aye |
| Mrs. Lupinski | Aye | Mr. Zweig | Aye |

Application will require an Expanded Part 3 EAF.

Future Agenda Items

Mr. Hoffman reviewed the agenda for the next meeting which will be a special meeting held on September 29, 2022 for review of Goshen Hospitality.

VOTE BY PROPER MOTION, made by Mr. Dropkin, seconded by Mrs. Lupinski, the Town of Goshen Planning Board scheduled a special meeting for September 29, 2022 for Goshen Hospitality. Approved unanimously.

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| Chairman Bergus | Aye | Mr. Dropkin | Aye |
| Mrs. Hand | Aye | Mr. Holmes | Aye |
| Mrs. Lupinski | Aye | Mr. Zweig | Aye |

Mr. Hoffman also reviewed agenda for the next regularly scheduled meeting which will take place on October 6, 2022.

Adjournment

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

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| Chairman Bergus | Aye | Mr. Crawford | Aye |
| Mrs. Hand | Aye | Mr. Holmes | Aye |
| Mrs. Lupinski | Aye | Mr. Zweig | Aye |

Meeting adjourned at 9:55 pm.