

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

February 2, 2023

Members Present:

Lee Bergus, Chairman
Phil Dropkin
Eric Fuentes
Neal Halloran, Alternate
Diana Lupinski
Jeremy Zweig

Also Present:

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

Members Absent:

Marty Holmes

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

Approval of Minutes –

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

VOTE BY PROPER MOTION, made by Mr. Fuentes, seconded by Mr. Dropkin, the Town of Goshen Planning Board approved the minutes of the January 19, 2023 meeting as presented. Approved with five ayes and one abstention.

Chairman Bergus	Aye	Mr. Dropkin	Aye
Mr. Fuentes	Aye	Mr. Halloran	Abstained
Mrs. Lupinski	Aye	Mr. Zweig	Aye

Possible Extension or Abandonment of Applications pursuant to Town Code –

Handy Equip Material Handling – Chairman Bergus read applicant’s January 25, 2023 correspondence into the record.

VOTE BY PROPER MOTION, made by Mrs. Lupinski, seconded by Mr. Fuentes, the Town of Goshen Planning Board granted an extension of Conditional Special Permit and Site Plan Approval until May 18, 2023. Approved with five ayes and one abstention.

Chairman Bergus	Aye	Mr. Dropkin	Aye
Mr. Fuentes	Aye	Mr. Halloran	Abstained
Mrs. Lupinski	Aye	Mr. Zweig	Aye

Young's Grove/Rieger – Engineer Hoffman advised the Board the application is not due to expire until after the next Planning Board meeting. The applicant has not yet submitted an extension request.

VOTE BY PROPER MOTION, made by Mr. Dropkin, seconded by Mr. Zweig, the Town of Goshen Planning Board granted an extension until August 17, 2023. Approved with five ayes and one abstention.

Chairman Bergus	Aye	Mr. Dropkin	Aye
Mr. Fuentes	Aye	Mr. Halloran	Abstained
Mrs. Lupinski	Aye	Mr. Zweig	Aye

Items for Discussion/Action -

Verizon Wireless – Owens Road – 5-1-1.11: Application for site plan and special permit for minor wireless communications facility on 2.7 +/- acres along Philipsburg Road in the RU Zone with AQ-6 overlay. **Draft Resolution**

Attorney Brennan present.

Attorney Naughton reviewed Federal laws pertaining to application and confirmed referral to New York State Historic Preservation Office is not required.

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

Chairman Bergus	Aye	Mr. Dropkin	Aye
Mr. Fuentes	Aye	Mr. Halloran	Aye
Mrs. Lupinski	Aye	Mr. Zweig	Aye

Attorney Naughton reviewed draft Negative Declaration with the Board.

VOTE BY PROPER MOTION, made by Mr. Dropkin, seconded by Mr. Fuentes, the Town of Goshen Planning Board adopted the Negative Declaration as modified. Approved unanimously.

Chairman Bergus	Aye	Mr. Dropkin	Aye
Mr. Fuentes	Aye	Mr. Halloran	Aye
Mrs. Lupinski	Aye	Mr. Zweig	Aye

Attorney Naughton advised Building Department located a Certificate of Occupancy from 1982. Therefore, the tower is considered an existing facility and no special permit or public hearing is needed.

Attorney Naughton reviewed draft Resolution of Conditional Approval with the Board.

VOTE BY PROPER MOTION, made by Mr. Dropkin, seconded by Mrs. Lupinski, the Town of Goshen Planning Board adopted the Resolution of Conditional Approval as modified. Approved unanimously.

Chairman Bergus	Aye	Mr. Dropkin	Aye
Mr. Fuentes	Aye	Mr. Halloran	Aye
Mrs. Lupinski	Aye	Mr. Zweig	Aye

Quarry Road Subdivision – 20-1-10.21: Application for minor subdivision on 169.4 +/- acres along Quarry Road (County Route 68) in the CO Zone with AQ-3, Scenic Road Corridor and Soil Mining overlays. **Initial Presentation & Commence SEQRA**

Orange County Department of Public Works Deputy Commissioner Ewald present.

The applicant proposed a subdivision of County-owned property north of Quarry Road/County Route 68 since the County Legislature has determined a portion of the property no longer serves a public purpose.

The County will sell one parcel. Applicant is applying for subdivision approval and has shown a single-family dwelling to demonstrate the lot may support at least one permitted use. The ultimate use is unknown.

Engineer Hoffman reviewed his report with the Board.

Attorney Naughton advised the County is an involved agency since a driveway permit will be required. A public hearing is required.

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

Chairman Bergus	Aye	Mr. Dropkin	Aye
Mr. Fuentes	Aye	Mr. Halloran	Aye
Mrs. Lupinski	Aye	Mr. Zweig	Aye

VOTE BY PROPER MOTION, made by Mr. Fuentes, seconded by Mr. Zweig the Town of Goshen Planning Board classified the project as an Unlisted Action. Approved unanimously.

Chairman Bergus	Aye	Mr. Dropkin	Aye
Mr. Fuentes	Aye	Mr. Halloran	Aye
Mrs. Lupinski	Aye	Mr. Zweig	Aye

VOTE BY PROPER MOTION, made by Mrs. Lupinski, seconded by Mr. Halloran, the Town of Goshen Planning Board scheduled a public hearing for February 16, 2023. Approved unanimously.

Chairman Bergus	Aye	Mr. Dropkin	Aye
Mr. Fuentes	Aye	Mr. Halloran	Aye
Mrs. Lupinski	Aye	Mr. Zweig	Aye

VOTE BY PROPER MOTION, made by Mr. Halloran, seconded by Mrs. Lupinski, the Town of Goshen Planning Board authorized the attorney to draft a Resolution of Conditional Approval. Approved unanimously.

Chairman Bergus	Aye	Mr. Dropkin	Aye
Mr. Fuentes	Aye	Mr. Halloran	Aye
Mrs. Lupinski	Aye	Mr. Zweig	Aye

RDM Goshen 17m/2602 Route 17 Developers – 12-1-116: Application for clearing and grading permit to clear 8.8 acres on 60.99 +/- acres on NYS Route 17M in the CO Zone with AQ-6 and Floodplain & Ponding Overlays. **Initial Presentation**

Alternate member Halloran recused himself and left the dais.

Architect Dates and Operations Manager Pomerantz present.

The applicant proposes hand felling 8.8 acres of trees that lie within the 21-acre limit of disturbance. No mechanical felling or processing of downed trees is proposed. The clearing permit is to comply with the New York State Department of Environmental Conservation restrictions related to the protection of bat species.

Engineer Hoffman reviewed his report with the Board.

Whereupon there was discussion regarding SEQRA mitigation for the applicant to identify trees along the edge of the limits of disturbance to be preserved.

Attorney Naughton advised referral under General Municipal Law is not required. A public hearing is required.

VOTE BY PROPER MOTION, made by Mr. Dropkin, seconded by Mr. Fuentes, the Town of Goshen Planning Board reaffirmed the SEQRA Findings Statement. Approved with five ayes and one recusal.

Chairman Bergus	Aye	Mr. Dropkin	Aye
Mr. Fuentes	Aye	Mr. Halloran	Recused

