

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

December 7, 2023

Planning Members Present:

Lee Bergus, Chairman
Phil Dropkin
Eric Fuentes
Neal Halloran, Alternate
Marty Holmes
Diana Lupinski
Giovanni Pirraglia, Alternate
Seamus Weir
Jeremy Zweig

Also Present:

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

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

Approval of Minutes –

The May 4, 2023 and November 16, 2023 meeting minutes were deferred.

VOTE BY PROPER MOTION, made by Mr. Dropkin, seconded by Mr. Weir, the Town of Goshen Planning Board approved the minutes of the November 2, 2023 meeting as modified. Approved with four ayes and three abstentions.

Chairman Bergus	Abstained	Mr. Dropkin	Aye
Mr. Fuentes	Abstained	Mr. Holmes	Aye
Mrs. Lupinski	Abstained	Mr. Weir	Aye
Mr. Zweig	Aye		

Possible Extension or Abandonment of Applications pursuant to Town Code –

Traskus – No representative present.

Chairman Bergus read Attorney Green’s November 22, 2023 correspondence into the record.

VOTE BY PROPER MOTION, made by Mr. Holmes, seconded by Mr. Fuentes, the Town of Goshen Planning Board granted a sixth-month extension of conditional final approval to June 6, 2024. Approved unanimously.

Chairman Bergus	Aye	Mr. Dropkin	Aye
Mr. Fuentes	Aye	Mr. Holmes	Aye

Mrs. Lupinski	Aye	Mr. Weir	Aye
Mr. Zweig	Aye		

Javelin Realty - No representative present.

Chairman Bergus read Engineer Higgins' November 20, 2023 correspondence into the record.

VOTE BY PROPER MOTION, made by Mr. Dropkin, seconded by Mr. Weir, the Town of Goshen Planning Board granted conditional final approval to June 6, 2024. Approved unanimously.

Chairman Bergus	Aye	Mr. Dropkin	Aye
Mr. Fuentes	Aye	Mr. Holmes	Aye
Mrs. Lupinski	Aye	Mr. Weir	Aye
Mr. Zweig	Aye		

Amy's Kitchen - No representative present.

Member Dropkin recused himself.

VOTE BY PROPER MOTION, made by Mrs. Lupinski, seconded by Mr. Weir, the Town of Goshen Planning Board granted an extension of third amended site plan approval to January 29, 2024. Approved unanimously.

Chairman Bergus	Aye	Mr. Fuentes	Aye
Mr. Holmes	Aye	Mrs. Lupinski	Aye
Mr. Pirraglia	Aye	Mr. Weir	Aye
Mr. Zweig	Aye		

Silhouette Farm – No representative present.

Chairman Bergus read Engineer Trochiano's December 7, 2023 correspondence into the record.

VOTE BY PROPER MOTION, made by Mrs. Lupinski, seconded by Mr. Holmes, the Town of Goshen Planning Board granted a 30-day extension of conditional final subdivision approval to January 4, 2024. Approved unanimously.

Chairman Bergus	Aye	Mr. Dropkin	Aye
Mr. Fuentes	Aye	Mr. Holmes	Aye
Mrs. Lupinski	Aye	Mr. Weir	Aye
Mr. Zweig	Aye		

Board requested a written project status update.

Milmar – No representative present.

Chairman Bergus read Engineer Higgins’ November 20, 2023 correspondence into the record.

VOTE BY PROPER MOTION, made by Mr. Dropkin, seconded by Mrs. Lupinski, the Town of Goshen Planning Board granted extension of conditional site plan and special permit approval to June 6, 2024. Approved unanimously.

Chairman Bergus	Aye	Mr. Dropkin	Aye
Mr. Fuentes	Aye	Mr. Holmes	Aye
Mrs. Lupinski	Aye	Mr. Weir	Aye
Mr. Zweig	Aye		

Items for Discussion/Action –

Ludo’s Thick and Thin Lumber Farm, LLC – 22-1-221: Application for site plan and special permit approval for sawmill on 2.924 +/- acres on Pumpkin Swamp Road/County Route 25 in the AI Zone with AQ-3, Floodplain & Ponding and Stream Corridor & Reservoir Watershed overlays. **Initial Presentation & Commence SEQRA**

Engineer DeJesus present.

Engineer DeJesus provided a narrative of the application as light manufacturing on a preexisting non-conforming lot which is entirely in the flood plain. He requested the Board classify this matter under SEQRA and authorize referrals to outside agencies.

Attorney Naughton confirmed the Planning Board does not have the authority to waive any of the dimensional requirements and this will require a variance from the ZBA.

Engineer Hoffman reviewed his report with the Board.

Whereupon the Board discussed impervious surface coverage, truck traffic, noise, adjacent residential area, use of the two buildings, invasive species, electricity needs or power alternatives, water demand, bathrooms in the building, wood storage, flood plain confirmation, and floodway fill.

Board noted the EAF narrative portions are incomplete and there appears to be several inconsistencies.

Board requested the applicant to review, revise, and resubmit the EAF Part 1, submit a narrative discussing the proposed operations, and submit an agricultural data statement.

Whereupon the Board discussed the Code requirements for construction within a floodway. Building Inspector Leva indicated the 2013 variances have expired and a new variance for lot area will be required. Additionally, Building Inspector Leva indicated the site was used for material processing and a stop work order was issued by the Building Department.

VOTE BY PROPER MOTION, made by Mr. Dropkin, seconded by Mr. Holmes, the Town of Goshen Planning Board declared its intent to serve as Lead Agency under SEQRA. Approved unanimously.

Chairman Bergus	Aye	Mr. Dropkin	Aye
Mr. Fuentes	Aye	Mr. Holmes	Aye
Mrs. Lupinski	Aye	Mr. Weir	Aye
Mr. Zweig	Aye		

VOTE BY PROPER MOTION, made by Mrs. Lupinski, seconded by Mr. Fuentes, the Town of Goshen Planning Board classified this application as an Unlisted Action under SEQRA. Approved unanimously.

Chairman Bergus	Aye	Mr. Dropkin	Aye
Mr. Fuentes	Aye	Mr. Holmes	Aye
Mrs. Lupinski	Aye	Mr. Weir	Aye
Mr. Zweig	Aye		

Marte Holding Group, LLC – 15-1-71.4: Application for site plan approval for three (3) single family dwellings on 9.854 +/- acres on Reservoir Road and Lower Reservoir Road in the RU Zone with AQ-3 and Stream Corridor & Reservoir Watershed overlays. **Initial Presentation & Commence SEQRA**

Engineer DeJesus and property owners present.

Engineer Dejesus provided a narrative of the application and indicated the curb cut has already been permitted and confirmed and there is no intention for a future subdivision.

The owners described the proposed use including construction of one dwelling unit for themselves and potentially two additional dwelling units for family members. Mr. Marte indicated modular construction is anticipated.

Engineer Hoffman reviewed his report with the Board.

Whereupon the Board discussed several plan inconsistencies and requested that future plan submissions be reviewed prior to submission, potential preservation of existing trees, phasing, and requirements of the NYS Fire Code relative to turnouts and turnarounds.

VOTE BY PROPER MOTION, made by Mrs. Lupinski, seconded by Mr. Fuentes, the Town of Goshen Planning Board classified this application as Type 2 Action under SEQRA. Approved unanimously.

Chairman Bergus	Aye	Mr. Dropkin	Aye
Mr. Fuentes	Aye	Mr. Holmes	Aye
Mrs. Lupinski	Aye	Mr. Weir	Aye
Mr. Zweig	Aye		

VOTE BY PROPER MOTION, made by Mr. Dropkin, seconded by Mr. Weir, the Town of Goshen Planning Board scheduled a public hearing for January 4, 2024. Approved unanimously.

Chairman Bergus	Aye	Mr. Dropkin	Aye
Mr. Fuentes	Aye	Mr. Holmes	Aye
Mrs. Lupinski	Aye	Mr. Weir	Aye
Mr. Zweig	Aye		

Attorney Naughton requested no additional submissions prior to the public hearing; however, renderings of the proposed dwellings should be brought to the public hearing in anticipation of potential questions.

Healey Ford – 12-1-8.11: Application for site plan for site modifications associated with customer drive thru-drop-off at existing automobile dealership on 5.2 +/- acres along NYS Route 17M and 6 ½ Station Road in the HC District with AQ-6 and Floodplain & Ponding Overlay Districts. **Initial Presentation & Commence SEQRA**

Engineer Dates, Attorney Jacobowitz, and Contractor Tompkins present.

Engineer Dates presented the application as an addition to the east side of the Ford dealership drive through/drop off to improve customer service. It is a proposed two-lane drop off addition. A side yard setback area variance of 9.9 feet will be sought. The Code requires additional parking of 175 spaces. Proposal to convert inventory spaces to employee/customer parking. No additional paving is proposed. Electricity will be repolled via overhead service for adjacent property and will be underground for Healy. No additional employees are proposed.

Engineer Hoffman reviewed his report with the Board.

Building Inspector Leva noted the applicant currently parks vehicles on the lawn which is a violation of the site plan. Applicant will likely relocate the proposed parking in front of the Ford dealership to elsewhere onsite to eliminate the need for a variance.

Whereupon the Board discussed drainage, dock height, snow removal and storage, sign table, and impervious coverage.

VOTE BY PROPER MOTION, made by Mr. Weir, seconded by Mrs. Lupinski, the Town of Goshen Planning Board declared its intent to serve as Lead Agency under SEQRA. Approved unanimously.

Chairman Bergus	Aye	Mr. Dropkin	Aye
Mr. Fuentes	Aye	Mr. Holmes	Aye
Mrs. Lupinski	Aye	Mr. Weir	Aye
Mr. Zweig	Aye		

VOTE BY PROPER MOTION, made by Mr. Holmes, seconded by Mr. Fuentes, the Town of Goshen Planning Board classified this application as an Unlisted Action under SEQRA. Approved unanimously.

Chairman Bergus	Aye	Mr. Dropkin	Aye
Mr. Fuentes	Aye	Mr. Holmes	Aye
Mrs. Lupinski	Aye	Mr. Weir	Aye
Mr. Zweig	Aye		

Attorney Naughton confirmed her office will distribute the outside agency referrals.

Approve 2024 Meeting Calendar –

Whereupon the Board discussed rescheduling the July 4, 2023 meeting at a later date.

VOTE BY PROPER MOTION, made by Mr. Dropkin, seconded by Mrs. Lupinski, the Town of Goshen Planning Board adopted the proposed 2024 meeting calendar as modified. Approved unanimously.

Chairman Bergus	Aye	Mr. Dropkin	Aye
Mr. Fuentes	Aye	Mr. Holmes	Aye
Mrs. Lupinski	Aye	Mr. Weir	Aye
Mr. Zweig	Aye		

Introductory Local Law No. 6 of 2023, A Local Law Amending the Town of Goshen Zoning Code Article III, Chapter 14 Maximum Building Height in the HC, CO, and I Districts. **Discuss Planning Board Report**

Whereupon the Board discussed the Local Law.

VOTE BY PROPER MOTION, made by Mrs. Lupinski, seconded by Mr. Dropkin, the Town of Goshen Planning Board authorized the attorney to present the Town Board with a report consistent with tonight's discussion. Approved unanimously.

Chairman Bergus	Aye	Mr. Dropkin	Aye
Mr. Fuentes	Aye	Mr. Holmes	Aye
Mrs. Lupinski	Aye	Mr. Weir	Aye
Mr. Zweig	Aye		

Future Agenda Items

Engineer Hoffman reviewed the agenda for the next regularly scheduled meeting on December 21, 2023.

Adjournment

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

Chairman Bergus	Aye	Mr. Dropkin	Aye
Mr. Fuentes	Aye	Mr. Holmes	Aye
Mrs. Lupinski	Aye	Mr. Weir	Aye
Mr. Zweig	Aye		

Meeting adjourned at 10:01 pm.