

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

**March 2, 2023**

**Planning Members Present:**

Lee Bergus, Chairman  
Eric Fuentes  
Neal Halloran, Alternate  
Marty Holmes  
Diana Lupinski  
Jeremy Zweig

**Also Present:**

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

**Planning Members Absent:**

Phil Dropkin  
Seamus Weir

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

**Approval of Minutes –**

**VOTE BY PROPER MOTION**, made by Mrs. Lupinski, seconded by Mr. Holmes, the Town of Goshen Planning Board approved the minutes of the February 16, 2023 meeting as modified. Approved unanimously.

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

**Possible Extension or Abandonment of Applications pursuant to Town Code -**

**Hambletonian Park Section F-** Chairman Bergus read Planner O’Donnell’s February 14, 2023 correspondence into the record.

**VOTE BY PROPER MOTION**, made by Mr. Holmes, seconded by Mr. Fuentes, the Town of Goshen Planning Board extended Conditional Preliminary Approval until September 7, 2023. Approved with five ayes and one recusal.

Chairman Bergus	Aye	Mr. Fuentes	Aye
Mr. Halloran	Recused	Mr. Holmes	Aye
Mrs. Lupinski	Aye	Mr. Zweig	Aye

**Yoon K Ha** – Chairman Bergus read Engineer Cleverly’s February 20, 2023 correspondence into the record. This is the last allowable extension.

**VOTE BY PROPER MOTION**, made by Mr. Fuentes, seconded by Mrs. Lupinski, the Town of Goshen Planning Board extended Conditional Site Plan Approval until August 17, 2023. Approved with five ayes and one recusal.

Chairman Bergus	Aye	Mr. Fuentes	Aye
Mr. Halloran	Recused	Mr. Holmes	Aye
Mrs. Lupinski	Aye	Mr. Zweig	Aye

**Persoon Subdivision** – Chairman Bergus read Engineer Rugnetta’s February 7, 2023 correspondence into the record.

**VOTE BY PROPER MOTION**, made by Mrs. Lupinski, seconded by Mr. Zweig, the Town of Goshen Planning Board extended Conditional Site Plan Approval until June 1, 2023. Approved with five ayes and one recusal.

Chairman Bergus	Aye	Mr. Fuentes	Aye
Mr. Halloran	Recused	Mr. Holmes	Aye
Mrs. Lupinski	Aye	Mr. Zweig	Aye

**Items for Discussion/Action -**

**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. **Draft Resolution**

County Attorney Golden and Orange County Department of Public Works Deputy Commissioner Ewald present.

Attorney Naughton reviewed the draft resolution with Board.

Whereupon the Board confirmed application is only for subdivision approval.

Board questioned the reference to the County of Monroe and discussed whether mining on the existing County land could be considered a legally existing pre-existing non-conforming condition.

Deputy Commissioner Ewald confirmed the use of offset monumentation along the proposed property line adjacent to the quarry limits.

**VOTE BY PROPER MOTION**, made by Mrs. Lupinski, seconded by Mr. Halloran, the Town of Goshen Planning Board adopted the Resolution of Conditional Preliminary and Final Approval for Minor Subdivision. Approved unanimously.

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

**Owens Road Solar – 11-1-10.22:** Application for subdivision, site plan and special permit for a solar energy system on 126.3 +/- acres along Owens Road in the RU Zone with AQ-6 and AQ-3, Scenic Road Corridor, Floodplain & Ponding and Stream Corridor & Water Supply Watershed overlays. **Discussion**

Alternate member Halloran recused himself and left the dais.

Engineer Rosencranse, Project Developer Nolan, and Attorney Gladd present.

At the applicant's request, the Board discussed specific conditions regarding the landscaping plan and specifically the height of the proposed evergreen species.

Engineer Hoffman reviewed his report with the Board.

Whereupon the Board discussed the two driveway vantage points, Viewpoints 2 and 5.

Attorney Naughton confirmed this will be an amended approval.

**VOTE BY PROPER MOTION**, made by Mr. Holmes, seconded by Mrs. Lupinski, the Town of Goshen Planning Board reaffirmed the original SEQRA Negative Declaration. Approved with five ayes and one recusal.

Chairman Bergus	Aye	Mr. Fuentes	Aye
Mr. Halloran	Recused	Mr. Holmes	Aye
Mrs. Lupinski	Aye	Mr. Zweig	Aye

**VOTE BY PROPER MOTION**, made by Mrs. Lupinski, seconded by Mr. Fuentes, the Town of Goshen Planning Board waived the public hearing. Approved with five ayes and one recusal.

Chairman Bergus	Aye	Mr. Fuentes	Aye
Mr. Halloran	Recused	Mr. Holmes	Aye
Mrs. Lupinski	Aye	Mr. Zweig	Aye

Attorney Naughton reviewed the modified specific conditions with the Board.

**VOTE BY PROPER MOTION**, made by Mr. Fuentes, seconded by Mr. Zweig, the Town of Goshen Planning Board approved the Resolution as modified. Approved with five ayes and one recusal.

Chairman Bergus	Aye	Mr. Fuentes	Aye
Mr. Halloran	Recused	Mr. Holmes	Aye
Mrs. Lupinski	Aye	Mr. Zweig	Aye

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

Alternate member Halloran recused.

Engineer Rosencranse, Project Developer Nolan, and Attorney Gladd present.

Attorney Naughton reviewed the draft resolutions of Conditional Approval with the Board and read the specific conditions into the record.

Whereupon the acreage of the conservation easement was discussed.

**VOTE BY PROPER MOTION**, made by Mr. Holmes, seconded by Mr. Fuentes, the Town of Goshen Planning Board approved the Resolution of Conditional Approval Major Site Plan for New Leaf Energy also known as Broadlea Road Solar formerly known as Borrego as modified. Approved with five ayes and one recusal.

Chairman Bergus	Aye	Mr. Fuentes	Aye
Mr. Halloran	Recused	Mr. Holmes	Aye
Mrs. Lupinski	Aye	Mr. Zweig	Aye

**VOTE BY PROPER MOTION**, made by Chairman Bergus, seconded by Mr. Zweig, the Town of Goshen Planning Board approved the Resolution of Conditional Approval Major Site Plan for New Leaf Energy also known as Vivian Lane Solar formerly known as Borrego as modified. Approved with five ayes and one recusal.

Chairman Bergus	Aye	Mr. Fuentes	Aye
Mr. Halloran	Recused	Mr. Holmes	Aye
Mrs. Lupinski	Aye	Mr. Zweig	Aye

Member Halloran thanked the Sisters of St. Dominic for the donation of the conservation easement.

**Future Agenda Items**

Engineer Hoffman reviewed the agenda for the next regularly scheduled meeting which will take place on March 16, 2023.

**Adjournment**

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

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

Meeting adjourned at 8:36 pm.