

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

August 18, 2022

Members Present:

Lee Bergus, Chairman
David Crawford
Cynthia Hand
Marty Holmes
Diana Lupinski
Jeremy Zweig

Also Present:

Kelly Naughton, Planning Board Attorney
Sean Hoffman, Planning Board Engineer
Frank Leva, Building Inspector
Neal Halloran, Building Inspector
John Canning, Traffic Consultant

Members Absent:

Phil Dropkin
Ken Tschan

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 Mrs. Lupinski, seconded by Mr. Crawford, the Town of Goshen Planning Board approved the minutes of the August 4, 2022 meeting as modified. Approved with five ayes and one abstention.

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

Possible Extension or Abandonment of Applications pursuant to Town Code –

Yoon K. Ha – Applicant advised on August 5, 2022 via electronic correspondence of expiration date of August 18, 2002 from Engineer Hoffman.

VOTE BY PROPER MOTION, made by Mrs. Lupinski, seconded by Mr. Holmes, the Town of Goshen Planning Board granted extension of project until September 15, 2022. Approved unanimously.

| | | | |
|-----------------|-----|--------------|-----|
| Chairman Bergus | Aye | Mr. Crawford | Aye |
| Mrs. Hand | Aye | Mr. Holmes | Aye |

Mrs. Lupinski Aye Mr. Zweig Aye

Young's Grove/Reiger – Chairman Bergus read applicant's August 16, 2022 correspondence and Project Status Report No. 17 for the record.

VOTE BY PROPER MOTION, made by Mr. Crawford, seconded by Mrs. Hand, the Town of Goshen Planning Board granted extension of Conditional Preliminary Approval Major Subdivision until February 22, 2023. Approved unanimously.

Chairman Bergus Aye Mr. Crawford 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 EAF Part 2**

Due to lack of quorum of the Town of Goshen Town Board, the Planning Board will reschedule the joint public hearing for September 15, 2022. The public hearing will be renoticed.

VOTE BY PROPER MOTION, made by Mr. Holmes, seconded by Mrs. Lupinski, the Town of Goshen Planning Board adjourned the public hearing until September 15, 2022. Approved unanimously.

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

All in Audio – 11 Gurda Lane – 9-1-124.1: Application for site plan and special permit for conversion of existing agricultural warehouses to non-agricultural warehouses on 43.2 +/- acres on Cedar Swamp Road in the AI Zone with AQ-3, Floodplain & Ponding and Stream Corridor & Water Supply Watershed overlays. **Public Hearing & SEQRA EAF Part 2**

Engineers Ross Winglovitz and James Martinez present with John Lavelle.

Engineer Winglovitz provided a brief presentation and acknowledged receipt of Town consultant comments.

Due to Orange County Department of Health’s determination that the proposed use is a non-community water system, Engineer Winglovitz requested an interpretation regarding the applicability of the Town’s water testing protocols.

Additionally, Engineer Winglovitz requested an interpretation regarding the setback requirements.

Engineer Hoffman reviewed his comments with the Board.

Building Inspector Leva requested additional information regarding the proposed storage. Building Inspector Halloran indicated farm worker housing is limited to workers within the Town of Goshen.

Traffic Consultant Canning discussed sight distances, utilization of the 85th percentile for speed and possible prohibition of left turns exiting the site, traffic circulation, and loading docks. Discussion of Cedar Swamp Road including road condition, school bus stops, and ability to accommodate proposed traffic.

Whereupon there was a discussion regarding Building 5A and 5B loading docks, worker shifts, occupation of Building 6, tenants for Building 5 unknown at this time, utilization of signs, building identification numbers, and required fire department access.

VOTE BY PROPER MOTION, made by Mr. Holmes, seconded by Mr. Crawford, the Town of Goshen Planning Board opened the public hearing for All in Audio. Approved unanimously.

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

Building Inspector Leva made comments regarding the needs of the length of Building 6B and building heights to determine fire access requirements, need for more information regarding engraving to confirm accessory use, discussion of principal versus accessory use, recommended guardrail adjacent to existing pond, and necessary permits and information on oil tank removal.

No public comments were received.

VOTE BY PROPER MOTION, made by Mrs. Lupinski, seconded by Mr. Holmes, the Town of Goshen Planning Board closed the public hearing for All in Audio. Approved unanimously.

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

Application may require variances depending on requested interpretations. Applicant waived 62-day timeframe for Board action.

Items for Discussion/Action –

6 Murabito Place - 14-27-1: Application for site plan approval for a single-family dwelling on 2.4 +/- acres on Murabito Place in the RU Zone with AQ-3 and Stream Corridor & Reservoir Watershed overlays. **Initial Presentation and Commence SEQRA**

Applicant Shia Wertzberger present.

Mr. Wertzberger gave a brief narrative of the application. Application is to tear down existing structure to build a new single-family dwelling.

Engineer Hoffman reviewed his report with the Board.

Attorney Naughton indicated property appears to be owned by Lucky Builders and additional information indicating Mr. Wertzberger represents Lucky Builders is required.

Whereupon there was a discussion regarding impervious surface calculations, driveway crossing, well and septic system offsets, incorrect plan notes pertaining to project, erosion and sediment control plan, well abandonment, distance to Village of Goshen reservoir, and potential hazardous materials in existing structure demolition.

VOTE BY PROPER MOTION, made by Mrs. Lupinski, seconded by Mr. Crawford, the Town of Goshen Planning Board declared 6 Murabito Place application a Type 2 Action under SEQRA. Approved unanimously.

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

VOTE BY PROPER MOTION, made by Mr. Crawford, seconded by Mr. Holmes, the Town of Goshen Planning Board set a public hearing for 6 Murabito Place application for October 6, 2022. Approved unanimously.

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

Application will be referred to the Village of Goshen as a courtesy.

Future Agenda Items

Mr. Hoffman reviewed the agenda for the next meeting which will be held on September 1, 2022.

Adjournment

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

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

Meeting adjourned at 8:40 pm.