

APPROVED MINUTES
Town of Goshen Planning Board
Town Hall
41 Webster Avenue
Goshen, NY 10924
November 21, 2013

Members Present:

Reynell Andrews
Lee Bergus, Chair
Susan Cleaver
Phil Dropkin
David Gawronski
John Lupinski
Giovanni Pirraglia

Also Present:

Richard Golden, Esq. PB Attorney
Kelly Naughton, Esq. PB Attorney
Sean Hoffman, PB Engineer
Neal Halloran, Building Inspector

The PB meeting was opened at 7:30 p.m. by Chair Lee Bergus.

The minutes of the meeting of October 17, 2013 were approved with corrections.

Possible Extension or Abandonment of Application pursuant to Town Code

Traskus

It was noted that the conditional final approval of the Traskus application expires today and no letter was received from the applicant seeking an extension. Mr. Golden reminded members that they cannot make the finding that the application was abandoned at this time.

VOTE BY PROPER MOTION, made by Mr. Andrews, seconded by Mr. Gawronski, the Town of Goshen Planning Board approves a one month extension on the application of Traskus and directs that a letter be sent to the applicant notifying him of the issue. Approved unanimously.

Mr. Andrews	Aye	Mr. Gawronski	Aye
Mr. Bergus	Aye	Mr. Lupinski	Aye
Ms. Cleaver	Aye	Mr. Pirraglia	Aye
Mr. Dropkin	Aye		

Public Hearings:

Atlantic Fiber Optic – 18-2-10 – 2+/- acres located on Quarry Rd. in the HC District for site plan approval.

Representing the applicant:

Brian Friedler

Mr. Friedler said the proposal is to construct a 60 sq. ft. by 60 sq. ft. metal building consisting of two floors with the second floor to be used as a small office and a two-bedroom apartment and the first floor for storage.

Mr. Hoffman said the PB needs to consider the architectural design standards with respect to the building windows and also address the grading and the issue of providing a sidewalk or bike path.

Mr. Golden said the Town Code requires the applicants of new developments to provide bike paths and sidewalks. The PB cannot grant a waiver so the applicant will have to either comply with the code or seek an area variance from the Zoning Board of Appeals, he said. Mr. Friedler said that while he believes the applicant will proceed with the sidewalk, he must talk first with his client.

Mr. Bergus asked for public comment. There was none.

VOTE BY PROPER MOTION, made by Mr. Lupinski, seconded by Ms. Cleaver, the Town of Goshen Planning Board closes the public hearing on the application of Atlantic Fiber Optic. Approved unanimously.

Mr. Andrews	Aye	Mr. Gawronski	Aye
Mr. Bergus	Aye	Mr. Lupinski	Aye
Ms. Cleaver	Aye	Mr. Pirraglia	Aye
Mr. Dropkin	Aye		

Mr. Golden suggested that the application be put on the agenda for the next meeting.

TAM Enterprises – 12-1-2.3 – 31.19 +/- acres located on Hartley Road in the CO District with flood plain, stream corridor and AQ6 overlay for site plan approval for two structures.

Representing the applicant: Chris Guddemi of Lan Associates

Mr. Guddemi showed the PB detailed plans for construction of two structures on 31.19 acres on Hartley Rd. Both structures will be pole barn construction, one 8,000 sq. ft. used as a garage, the other a combined office/warehouse and garage space, with the warehouse/garage consisting of 8,000 sq. ft. and the office space 2,400 sq. ft. Mr. Guddemi said there will be paving, grading, a septic system serving 35 employees and proposed (not to be constructed at this time) overflow parking for 28 cars. He said the applicant does not propose any disturbance below a 100 yr. flood elevation. An easement

for egress/ingress will be needed from Orange and Rockland Utilities, he said. Mr. Guddemi said an alternate plan has also been proposed if the easement is not granted. Mr. Guddemi said he doesn't think the site distances will be an issue. He said the lighting plan has been updated and the applicant is proposing landscaping along the entrance to serve as a buffer from the Heritage Trail and landscaping on the interior of the site to buffer the buildings from view from Hartley Rd. The applicant said he would be willing to plant green trees to buffer the Trail. Mr. Guddemi said its soil erosion sedimentation control plan will be submitted to the NYS Department of Environmental Conservation (DEC) for a general permit along with its SWPPP application. Mr. Guddemi presented architectural plans showing the appearance of the proposed brick red buildings.

Mr. Hoffman said the applicant is required to test according to the Town's water testing protocols. He said the applicant submitted a water test plan that was reviewed by Town Hydrologist Bill Canavan who has suggested 24 hour testing and additional sample sites.

Mr. Golden said the Town's consultants were originally unaware that part of the project will require DEC approval and so the PB can't assume lead agency status but needs to notice the DEC as an involved agency. A new Notice of Intent to be lead agency must be mailed to the DEC and if they do not object within 30 days, the PB can assume lead agency status.

Mr. Guddemi said the applicant is proposing a few above ground fuel storage tanks. He said they will need to maintain a 100 ft. setback.

The applicant plans to leave the vegetation along the northerly property line and the northwesterly boundary line and the bulk of the green space will be situated near the creek, Mr. Guddemi said.

Ms. Cleaver said there may be an aquifer beneath the site and said she would like to see more pavement to protect the aquifer. She wants to do a "site walk" to view the wetlands.

Mr. Golden asked the applicant to review the ERB comments and be ready to respond to them at the next meeting.

Mr. Bergus asked for public comment:

Jeff Richardson of 112 Hartley Road said he thinks the project will be a good use of the property and welcomes the applicant.

There were no other comments.

Mr. Bergus polled the PB on whether or not to close the public hearing. All members agreed to close the public hearing.

VOTE BY PROPER MOTION, made by Ms. Cleaver, seconded by Mr. Dropkin, the Town of Goshen Planning Board rescinds its prior motion to be lead agency on the application of TAM Enterprises and instead send out its notice of intent to become lead agency and mail the notice to the DEC. Approved unanimously.

Mr. Andrews	Aye	Mr. Gawronski	Aye
Mr. Bergus	Aye	Mr. Lupinski	Aye
Ms. Cleaver	Aye	Mr. Pirraglia	Aye
Mr. Dropkin	Aye		

VOTE BY PROPER MOTION, made by Mr. Dropkin, seconded by Ms. Cleaver, the Town of Goshen Planning Board approves the water testing protocols of applicant TAM Enterprises as modified by Town Hydrologist Bill Canavan and including the testing for arsenic. Approved unanimously.

Mr. Andrews	Aye	Mr. Gawronski	Aye
Mr. Bergus	Aye	Mr. Lupinski	Aye
Ms. Cleaver	Aye	Mr. Pirraglia	Aye
Mr. Dropkin	Aye		

Young's Grove/Reiger – 9-1-8.452 384 +/- acres, located on Craigville Rd. at the end of Broadlea Road in the RU district with an AQ3, AQ6, with Scenic Rd. and flood plain overlay. Adoption of the amended SEQRA findings.

Representing the applicant: Steve Esposito

It was noted that the PB had received the amended SEQRA Findings Statement from PB Attorney Kelly Naughton. The PB discussed the amended statement and made some minor changes.

VOTE BY PROPER MOTION, made by Mr. Dropkin, seconded by Mr. Gawronski, the Town of Goshen Planning Board approves the amended SEQRA Findings as modified tonight on the application of Young's Grove/Reiger. Approved unanimously.

Mr. Andrews	Aye	Mr. Gawronski	Aye
Mr. Bergus	Aye	Mr. Lupinski	Aye
Ms. Cleaver	Aye	Mr. Pirraglia	Aye
Mr. Dropkin	Aye		

ADJOURNMENT - The Planning Board adjourned at 9:20 p.m.

Lee Bergus, Chair
Notes Prepared by Susan Varden

