

**VILLAGE OF GOSHEN
PLANNING BOARD
August 23, 2016**

The work session/regular meeting of the Village of Goshen Planning Board was called to order at 7:30 p.m. on Tuesday, August 23, 2016 in the Village Hall by Chair Scott Wohl.

Members present: Chair Scott Wohl
Adam Boese
Elaine McClung
Molly O'Donnell
Michael Torelli

Also present: Michael Donnelly, Esq., PB Attorney
Art Tully, PB Engineer
Ted Lewis, Building Inspector

Mr. Wohl opened the meeting with the Pledge of Allegiance

PUBLIC HEARING

**Robert Knebel, Approval of Site Plan, Market Street, Goshen Park, LLC,
#113-3-2, C-S/ADD.**

Representing the applicant: Douglas Jones, Esq.

Mr. Knebel stated at the previous meeting the board asked that the site plan reflect exactly what the building use was going to be. It's a three-story brick building. The first floor is a 96-seat restaurant. The second floor and third floors have two studio apartments and two one-bedroom apartments. The first-floor apartment was taken out of the plans due to loss of pre-existing non-conforming status and will instead be used for commercial space. Awnings have been added as requested.

The plans were sent to the engineer to see if he had any questions prior to the meeting. Mr. Tully stated he received an affidavit from the previous owner regarding the seats for parking calculations. Mr. Tully asked if architectural drawings were going to be submitted to the Planning Board to look at. Mr. Jones stated the building department has the drawings. Mr. Tully stated that the Planning Board did not.

Ms. McClung stated the Planning Board needed to see all submissions. Mr. Tully stated he raised the architectural issue because the applicant's engineer had volunteered to provide it. If the Board didn't think it was necessary, that is fine. Mr. Boese said he thought the only thing of interest to the Board would be the elevations. Ms. McClung asked the substance of the architect's comments.

Mr. Lewis stated the plans started with an apartment with a raised roof line to match the building. Mr. Torelli stated usually they look at new building elevations to see how they fit with the character of the existing area, but not usually existing buildings. This is a renovation.

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Mr. Donnelly stated that one of the issues is to make sure that the current proposed use is no greater in its intensity for the off-site impacts, particularly parking than what had been there before. He assumes that this 96-seat affidavit demonstrates that the use proposed on the ground floor of the building now is no greater in intensity than what was there before. He stated that is the building inspector's call.

Mr. Donnelly also stated that the applicant has requested and mailed all the adjoining notices, including the copy of notice of public hearing that had been prepared for all properties within 250 feet. Unfortunately, Mr. Donnelly's office did not publish the notice of public hearing and apologized for the oversight. The public hearing can be opened, but the notice will have to be published and the hearing can be closed at the next meeting.

Mr. Donnelly stated the Board will have to take action under SEQRA and there is an EAF to determine whether or not there are any significant adverse environmental impacts associated with this project. If there are none, the Board can issue a Negative Declaration.

VOTE BY PROPER MOTION made by Mr. Boese, seconded by Ms. McClung to declare the Village of Goshen Planning Board as Lead Agency for this project. The motion was approved unanimously.

VOTE BY PROPER MOTION made by Ms. McClung, seconded by Ms. O'Donnell to issue a Negative Declaration under SEQRA. The motion was approved unanimously.

Mr. Wohl opened the Public Hearing and asked the audience if anyone had any questions or comments regarding the site plan presentation. There were none.

The Public Hearing will be kept open until September 27, 2016 at 7:30 pm.

APPROVAL OF MINUTES

VOTE BY PROPER MOTION made by Mr. Torelli, seconded by Ms. O'Donnell to approve the minutes from the June 28, 2016 meeting. The motion was approved unanimously.

VOTE BY PROPER MOTION made by Mr. Torelli, seconded by Ms. O'Donnell to approve the minutes from the July 26, 2016 meeting. The motion was approved with three ayes and two abstentions (Boese and McClung abstaining).

APPLICANTS BEFORE THE BOARD

Scotchtown Office Park, LLC, #104-2-59.2, Requested Extension

Representing the Applicant:

James Dillin, PE

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Mr. Dillin stated that Peter Botti, Esq. submitted a letter requesting an extension in December of 2015 which brought the applicant through to March 2016. He omitted to do another extension and would like to bring everything up to date.

Mr. Donnelly asked if the applicant wanted both approvals extended to December 31, 2016. Mr. Dillin stated he would.

VOTE BY PROPER MOTION made by Ms. McClung, seconded by Mr. Torelli to extend all approvals for the project to December 31, 2016. The motion was approved unanimously.

Goshen Diner, 118 Clowes Avenue, #114-5-14, C-S Zone, Amended Site Plan

Representing the Applicant:

Steven Esposito, PE

Mr. Esposito stated the applicant is proposing a 450-foot addition onto the dining room, modifications to the handicap access ramp and the construction of 13 additional parking spaces. The application was 3% over on lot coverage and was referred to the ZBA which granted a variance. The parking island requirements were interpreted to not be necessary due to the loading zone area of the handicap access did not constitute a parking space.

Mr. Tully stated there were six items to discuss. The first one has to do with the easements that may or may not exist between the property and the Goshen Plaza. Previously Mr. Tully was told there wasn't an access agreement between the two properties and now he is told that there is as well as for utilities, as they crisscross through the properties.

Mr. Tully's first comment, therefore, is that information should be provided to the Planning Board in regard to the demonstration of the existing easements for ingress and egress as well as for utilities.

Mr. Donnelly stated the deed clearly showed ingress and egress but doesn't have documentation to the other areas of water, sewer and drainage facilities. Mr. Tully advised the applicant to make reference to the two-lot subdivision on the site plan that shows the easements for the utilities.

Mr. Tully's next comment had to do with seating to confirm the number of seats to calculate how much parking is required. The applicant is requesting that this information be provided to the building inspector so he can confirm that the parking is acceptable. Mr. Lewis stated he would provide a letter to the Planning Board.

Comment number three has to do with lighting. Mr. Esposito stated the hours of operation were from dusk to dawn. The existing light goes on when it gets dark and goes off when it gets light. The applicant is only adding one other fixture. Mr.

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Tully stated there a little conflict between the details and specs and asked the applicant to clarify and straighten that out.

The fourth comment had to do with concerns regarding storm drainage. The need for the landscaping is to preserve some areas to mitigate storm runoff and impacts to storm drainage. Mr. Tully stated that this is an existing parking lot and area already paved. What the applicant is proposing is not increasing the runoff from what exists there now. He is comfortable with leaving it the way that it is.

The next comment has to do with the handicap ramp. Mr. Tully stated that it appears that there is not a landing at the base of it as he saw it. Mr. Esposito stated there is 4 x 4 landing. Mr. Tully asked that a blowup detail be provided to demonstrate that the landing is there.

Mr. Tully stated comment six was minor and could be taken off.

Mr. Donnelly stated SEQRA has been done. Orange County Department of Planning has issued a local determination and the public hearing was waived on the earlier application in December. The Board needs to decide whether or not to waive the public hearing.

Mr. Esposito stated he did the adjainer notices and a public hearing was held at the ZBA which no one from the public attended.

VOTE BY PROPER MOTION made by Ms. McClung, seconded by Mr. Boese to waive the public hearing for this application. The motion was approved unanimously.

Mr. Donnelly stated that if the Board was inclined to issue a conditional approval, a resolution of approval with conditions would be as follows:

- A signoff letter from Mr. Tully that the issues outstanding in his August 22, 2016 memo have been addressed.
- A letter from Mr. Lewis that the parking calculations are appropriate.
- Construction must begin within two years and the applicant must declare an anticipated completion date.
- The applicant has to continue to comply with the supplemental regulations and performance standards of the code.
- A letter from the attorney stating the outstanding issues have been satisfied.

VOTE BY PROPER MOTION made by Mr. Boese, seconded by Mr. Torelli to grant conditional approval subject to the conditions set forth by Mr. Donnelly. The motion was approved unanimously.

Goshen Public Library and Historical Society, Route 207, #105-1-2.12, R-R Zone, Sketch Plan

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Representing the Applicant:

Jay Samuelson, PE
Paul Mays, Registered
Architect

Mr. Samuelson stated he was here tonight to give an initial presentation to describe the project and introduce it to the Board. What is being proposed is a 21,000 square foot two-story public library on a five-acre lot located on Route 207. It is adjacent to the Salesian Town Park.

In the R-R zone the use is other educational institution. Access will be provided from Route 207 utilizing the existing drive that is planned to be widened to two-way access. Upon coming into the site there will be a boulevard-type entrance that will be landscaped to separate the traffic which will come to a three-way stopped intersection. To the right will be main library parking or continue straight into the park area in the rear.

There is sufficient sight distance on Route 207. There a couple of trees which are within the New York State right-of-way that will be cut down to enhance sight distance along Route 207 for the increased use.

Mr. Samuelson stated there is no defined use of library in the Village Code. There is no defined use of other educational institution in the parking requirements. So the applicant looked at other town and village codes and spoke to the architects about library standards throughout the nation and came up with what is generally used. The findings indicate one space for every 300 square feet. The sketch provides for 74 spaces which equates to one per 280-290 square feet.

Concerning storm water, the site currently drains to a small low area in the center where the parking is proposed and then sheet flows onto the town park area. The applicant is only proposing to curb in front of the building where the parking is, the access road and the boulevard island. Everything else will sheet flow off into the grass islands to promote infiltration.

As far as other utilities, there is a water main that crosses in front of the site on 207 which will be connect to for domestic and fire protection services. The closest sewer connection is at the intersection of Craigville Road and 207. A main will need to be run from the site, down the NYS right-of-way to connect in. Mr. Samuelson stated he believed there was enough of an elevation change to get there by gravity.

Mr. Donnelly asked if it was going to be a main or a service line. Mr. Samuelson stated he wasn't sure yet. Mr. Donnelly said he would like some detail on that and the size of the pipe going down that way and the potential for picking up other users in the area.

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Mr. Tully stated one of his first comments had to do with water service. The main is located just outside the property along the fence line. Where it is being proposed might interfere or even take down the fence. There is also a slate sidewalk in the area as well. Mr. Samuelson said there are some issues with flow in the water main. He believes it is a 6-inch pipe that may need to have some improvements done to it.

Mr. Tully stated a comment he had is regarding access. Vehicular access to the park is through this property. Short term planning has to be done for what happens during construction. Long term, will vehicular access be through the library to get in and out of the park and do the hours of operation for the library coincide with the park. Easements need to be discussed as well as looking at secondary means of ingress and egress through the park.

Mr. Tully asked for storm drainage and lighting and landscaping reports from the engineer.

Mr. Tully also stated he didn't see any significant environmental issues in regard to this application. The main things are access, water supply and sanitary/sewer.

Mr. Samuelson said he did contact a certified arborist who is the arborist for Orange County who did an assessment of all the trees on the property about which trees to save on the property. He stated he has a report the arborist wrote and distributed 10 copies to the Board.

Mr. Boese asked if the old chimney on the site is going to stay and Mr. Samuelson confirmed it is going to stay.

Paul Mays, the architect for the project, made a presentation to the board. He said this fall he would like to meet with the building inspector to review the code compliance checklist. Mr. Mays stated they would maintain all development to the west of the drive and the lawn to the east would remain. The trees on the inside of the fence will be maintained. There is a boulevard entry to separate traffic and slow it down. There will be a temporary removal of the fence for the construction access. The chimney on the site is a historic feature and will be built up to retain and stabilize it. Archeological work was done to document where all the original greenhouse buildings and construction was on the site. The building has been pulled back from 207 to maintain the lawn areas.

The building itself in floor plan is 10,000 square feet per floor. There is a lobby area and meeting room that seats 100 persons. There is no café, but kitchenette. The restrooms and large meeting room are accessible even if the main library doors are locked. The meeting room can then be used for the community outside of library hours. The staff levels currently in place will continue in the new building. Efficient design will allow appropriate supervision without an increase in staffing. There is a porch that wraps around the building as well as a plaza area that faces out to the balance of the park. Handicapped parked is at the curb at the library

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edge. Mobility challenged individuals do not have to cross a lane of traffic to enter the building.

The second floor has elevator access. A wing is dedicated to the Historical Society. There is a small meeting room upstairs as well. The children's library is on the second floor.

The building architecturally blends and is consistent with the historic character of the Village of Goshen. The building has fish scale roof shingles, a turret, and covered porches. Many windows allow natural light into the building. The mechanical units for the building are hidden by the mansards in the roof line.

Ms. McClung asked about sidewalks on the site. She said it absolutely needed to be walkable.

Mr. Donnelly stated in speaking to the library's attorney, the library did its uncoordinated SEQRA review with EAF and a Negative Declaration already. They agreed that the Village could now do its uncoordinated SEQRA review. A problem may be that a sewer main extension would require a DEC approval and/or Health Department approval. The Board stated they had received the library's completed SEQRA submission.

No additional action was taken at this time.

Knolls of Goshen, #104-2-40, 41, 90-day Extension of Conditional Final Approval

Pietrzak & Pfau, engineer for the applicant sent in a letter of request dated August 17, 2016 for a 90-day extension of conditional final approval until November 15, 2016.

VOTE BY PROPER MOTION made by Mr. Torelli, seconded by Mr. Boese to grant a 90-day extension of conditional final approval for the above referenced project until November 15, 2016. The motion was approved unanimously.

The next regularly scheduled Planning Board meeting is September 27, 2016 at 7:30 p.m.

VOTE BY PROPER MOTION made by Mr. Torelli, seconded by Mr. Boese to adjourn the meeting. The motion was approved unanimously.

ADJOURNMENT - The meeting concluded 8:33 p.m.

Scott Wohl, Chair

Notes prepared by Tanya McPhee