

**VILLAGE OF GOSHEN
PLANNING BOARD
Work Session/Regular Meeting
July 21, 2009**

The work session/regular meeting of the Village of Goshen Planning Board was called to order at 7:35 p.m. on Tuesday, July 21, 2009 by Chairman Jerome O'Donnell.

Present: Dominick Igneri
Elaine McClung
Jerome O'Donnell
Arthur Walsh

Absent: Roger Pikul

Also Present: Art Tully of Lanc & Tully, PB Engineers
Mike Donnelly, PB Attorney
Ted Lewis, Building Inspector

WORK SESSION REQUEST

Arthur Ahr, 28 St. James Place, #112-2-10, C-S/ADD

Site Plan of proposed coffee shop/upstairs apartment, previously approved, re-submitted for review for completeness

Present for the applicant: **Arthur Ahr, Applicant**

Mr. Donnelly said that the applicant received a variance in 2004 and received site plan approval on February 22, 2005, but that the site plan approval has expired. Mr. Ahr said he wants to know what he has to do to get a building permit.

Mr. Ahr showed an architectural rendering of what his building is expected to look like when it is completed.

Mr. O'Donnell asked if there have been any changes to the site plan. Certain things have been added to the site plan, Mr. Ahr said. There was a discussion of what appeared on the original drawing and what is new. Mr. Donnelly called it an amended site plan since there are changes to it.

Mr. Donnelly said that whether it is the same application being re-submitted or an amended site plan application, in either case the applicant has to make application and the PB has to make sure it complies.

Mr. O'Donnell told the applicant to get on the agenda for a regular meeting of the Planning Board and to provide his site plans to Mr. Tully for review. Mr. Tully suggested that he would meet with Mr. Ahr's architect to go over the plans, if Mr. Ahr will arrange the meeting.

CORRESPONDENCE

Mr. O'Donnell said he met with the Mayor, Village Attorney and Village Engineer regarding PB work sessions and the cost to the Village. He said that the work session fee charged to the applicant is to pay for the administrative costs of the Village and does not cover the cost/expense of the professional services. Work sessions have ended up costing the Village money, he said. He was asked to bring back comments from PB members on whether the work sessions should be dissolved or if not, how to solve the financial cost to the Village.

The PB talked at length about the pros and cons of work sessions. At the conclusion it was suggested that the Village Board consider requiring that an escrow be deposited by the applicant at the time of an informal work session appearance in an amount dependent on the apparent level of review needed so that the Village would not be harmed in terms of incurring expenses and yet applicants will still have the opportunity to get some direction of the PB and its consultants relatively inexpensively.

Mr. Donnelly noted that Mr. Foley of **Goshen Plaza** has satisfied all of the conditions of approval and that the subdivision map has been signed. Mr. Foley has 60 days to file the map, he said.

In reference to his letter of 6-29-09 to the Building Inspector, Art Tully told the PB that during a site inspection of construction project of **Real Estate Solutions**, he determined that the applicant's site plan didn't show where the air conditioning and condenser units were and the applicant had located them next to the building where there was suppose to be landscaping. Mr. Tully said the applicant agreed that they will come back to the PB with an amended landscaping plan to show how they are going to handle the landscaping around the area of the air conditioning units. Mr. Tully said that also their site plan contained an error, they thought they had a 50 ft. strip that they acquired from the Village, but it turned out to be only 33 ft. so the applicant had less to work with and the retaining wall that was suppose to be 15 ft. off the property line was now 2 ft. off the property line. In addition, all of the landscaping they put in on the other side of the retaining wall was on the neighbor's property. Since the neighbor now has the benefit of the landscaping, the neighbor agreed to provide the applicant with a "letter of use" to let the landscaping remain on their property. The applicant had also planted some trees on the Village's sewer easement and Mr. Tully instructed that the trees be removed. Mr. Tully said he asked the applicant to return to the PB to discuss the changes that were made. It was agreed that Mr. Tully will write the applicant telling him that the PB expects him at a PB meeting in the near future.

MINUTES

VOTE BY PROPER MOTION, made by Ms. McClung, seconded by Mr. Igneri, the minutes of the Village Planning Board meeting of May 26, 2009 were accepted. Passed unanimously.

ADJOURNMENT

The Village of Goshen Planning Board meeting adjourned at 8:47 pm.

Jerome O'Donnell, Chair
Notes prepared by Susan Varden