

**VILLAGE OF GOSHEN
PLANNING BOARD
Work Session/Regular Meeting
September 21, 2010**

The work session/regular meeting of the Village of Goshen Planning Board was called to order at 7:30 p.m. on Tuesday, September 21, 2010 by Acting Chair Elaine McClung.

Present: Augustine DeRosa
Dominick Igneri
Rebecca Lafargue
Elaine McClung, Acting Chair

Absent: Jerome O'Donnell

Also Present: Mike Donnelly, PB Attorney
Art Tully, PB Engineer

Elaine McClung introduced and welcomed new PB member Rebecca Lafargue.

Joint Recreation – Proposed Bathroom in Salesian Park, #105-1-3.1, R-R/ADD zone

Representing the applicant: Kevin Armistead of Joint Parks
& Recreation Commission

Mr. Armistead said the proposal is to build a handicapped accessible men's and women's bathroom at Salesian Park located on the pathway off the main entrance at the corner of Craigville Rd. and Route 208, approximately 250 feet on the right side. The bathroom will be served by Village water and sewer. Mr. Armistead said that the Joint Recreation Commission received a \$15,000 grant from the County of Orange which will be matched. He said there currently are no bathroom facilities in the park. The proposal calls for 12 fixtures, including sinks. The building will be concrete block with a decorative cover block on the outside. The bathrooms will be open seven days a week, during daytime hours, unless there is a special event. The windowless building will be 26ft. x 22ft. Mr. Armistead showed the PB the foundation plans.

Mr. Tully said the project was discussed at a recent TAC meeting, that there were no engineering issues and that the biggest issue was the architectural facade.

Ms. McClung said the building needs to be aesthetically pleasing and fit into the area and noted that the park is in the Architectural Design District. The PB discussed what the concrete block building will be covered with and talked about their preference for a field stone look for the building.

Mr. DeRosa said he is concerned with safety issues and the PB discussed security and safety concerns. Mr. Armistead said the location closer to the street was selected for safety reasons giving it visibility from the road so Village Police can see it. He said he has discussed the location with the police. It will be lit and police will have access to the building, he said. It will be closed three months a year.

Mr. Igneri said the PB wants approval of the finish work on the building and Mr. Donnelly said the exterior treatment will have to be approved by the PB. Mr. Armistead said he will discuss it with his board and will bring back its recommendations and samples for the PB to see.

Mr. Donnelly said that the PB can waive site plan approval in this circumstance, due to a Court of Appeals decision. He said if site plan approval is waived, the application will not go to the Orange County Planning Department for review.

Mr. Armistead said he would like to get the project completed by the start of winter. He said he can bring the samples of the finishes to the PB's November 16th meeting.

Mr. Donnelly said the PB can waive the site plan process by taking into account the nature and scope of the instrumentality seeking immunity, the kind and function of the land use involved, the extent of the public interest to be served, the effect local land use regulations would have upon the enterprise concerned and the impact of the legitimate public interest, weighing the same against the public health, safety and welfare and the convenience of the public in general and the residents of the immediate neighborhood in particular, and determining that the public interest will be duly served by permitting the application.

VOTE BY PROPER MOTION made by Mr. DeRosa, seconded by Mr. Ignneri, the Village of Goshen Planning Board determines that the public interest will be duly served by permitting the project and resolves to grant immunity from the requirements of site plan approval for the project as depicted and resolves to require the applicant to return to the PB to obtain ADD approval before any exterior treatment is placed on the building. Passed unanimously.

Scotchtown Avenue Office Park #104-1-59.2, O-B Zone

Representing the applicant: Steve Esposito

Mr. Esposito said the site, a 3.47 acre parcel, is located across from the County building parking lot at the intersection of Scotchtown Ave. and Harness Road. He gave a brief history of the project and said it received site plan and subdivision approval for Phase I in June, 2007. The anticipated completion date for Phase I expired and there is no building on the site.

Mr. Esposito said the applicant now proposes three individual two-story 5,000 sq. ft. commercial buildings. He said the site will tie into the Harness Estates water line and sewer. He said Mr. Tully had recommended, and he agrees, that instead of having a private water line running in the front of the buildings, it will be better to have three individual water services for each building. He said there will be one main access shared with the originally approved Phase I building. The main access will be off Harness Rd. with parking in the rear.

Mr. Esposito said there was a TAC meeting on the application in July 2010. He told the PB that this is an application for approval of a subdivision of three lots and site plan approval for the three buildings. It is also an application for a flood plain development permit, he said.

Mr. Esposito said the PB declared itself to be the lead agency in May, 2007 and granted a negative declaration on Phase I in June, 2007.

Mr. Donnelly said the PB will have to decide if there are any environmental issues on this particular plan. He said it will have to be referred to the County Planning Department for review and that it will need adjoiner notices. The subdivision will need a public hearing but first the PB will need to insure there are no environmental issues and will need a review from Mr. Tully before it can schedule a public hearing.

Mr. Esposito said the applicant revised the original EAF to just evaluate this particular site.

It was noted that the Village owns the Harness Road property but that Harness Estates is required to improve it by building a road and putting in the utilities. They have insured the work by posting a bond. Mr. Esposito said that the drainage, utilities and curbs are all in, that only the asphalt needs to be put on the road surface to complete it.

Mr. Tully said he will do a SEQRA review, adding there are wetlands, a flood plain and traffic to consider. He has not yet reviewed it in detail.

The PB discussed the parking lot as access to the site and also the need for construction phasing and asked the applicant to bring something back on those issues to the PB. Mr. Esposito said he will also develop some architectural guidelines for the PB's review.

It was stated that the PB will take up the issue of a negative declaration at its October meeting.

Discussion/Comments Regarding Proposed Local Laws 1 & 2

PB members discussed proposed Local Law #1, having to do with places of worship and Local Law #2 designating a new OBH district.

Following a lengthy discussion, it was determined that the PB will ask Mr. Donnelly to write a letter to the Village Board stating that it is in favor of the recommendations of Local Law #1 but does not support the enactment of Local Law #1 until the Greenwich Avenue zoning is complete and properly dovetails with the Religious Land Use Law. The PB agreed not to issue a factor to factor report.

Mr. Donnelly recused himself from the discussion of Local Law #2 creating the OBH District. The PB asked Mr. Tully to write a letter on its behalf stating it favors the recommendations of Local Law #2.

MINUTES

The Minutes of the PB Meeting of July 20, 2010 were approved.

ADJOURNMENT

The Village of Goshen Planning Board meeting adjourned at 9:15 p.m.

Elaine McClung, Acting Chair
Notes prepared by Susan Varden