

**VILLAGE OF GOSHEN  
PLANNING BOARD  
Work Session/Regular Meeting  
October 21, 2008**

The work session/regular meeting of the Village of Goshen Planning Board was called to order at 7:30 p.m. on Tuesday, October 21, 2008 by Chairman Jerome O'Donnell.

**Present:** Ed Connor  
Elaine McClung  
Roger Pikul  
Jerome O'Donnell  
Arthur Walsh

Art Tully, Planning Consultant  
Mike Donnelly, PB Attorney  
Ted Lewis, Building Inspector

**CONTINUATION OF PUBLIC HEARING**

**Duso Properties, Inc., S. Stoltz, 144 South Street, #120-1-2, OB District.**

Present for the applicant: John Szarowski, PE

Mr. Szarowski said he wanted to review some project changes made as the result of public comment. Regarding the Harriman Drive road alignment Mr. Szarowski said he sent the surveyor out and said the entrance drive will align with Harriman Drive, but won't be perfectly aligned, saying he has corrected what was shown on the original plan. Other changes he said include landscaping in the buffer area, after modifying the storm water area by changing the design of the bio-filtration area to make it wider. He said pine trees can now be planted in the area. He put the storage chambers under the pavement and added shade trees and bushes. He also said he removed the retaining wall. He said you now see the front of the building from Harriman Drive.

Mr. Szarowski said that after revising the drawing, the front door elevation is actually 6 ft. above the pavement, or six inches below the top of the curb, so it is essentially flat. He said the front entrance will be an emergency access for the building. The sidewalk is about a two percent grade coming out. He said he tried to cover as much of the Village landscape consultant's comments as possible. He said he can work with her to address the sign. He has re-located it by the entrance, the DOT didn't like the original location of it, he said. Bushes can be planted around the sign and there will be in-direct lighting on it. The project's lighting plan meets the Village Code, he said.

Mr. Szarowski said the proposed building's foundation is below the original grade of the site, and with a basement underneath this, the footings will be into the original soil. He called it all clean fill, but said he hasn't been able thus far to get the tipping records for what was dumped there.

Mr. O'Donnell opened the public hearing to comment.

Steve Bogart, 156 South St., said he takes an exception to the way Mr. Szarowski said that the driveway almost aligns. Mr. Bogart said it is off by at least one-half the width of the road. He said he wants to point out that now it could be a safety hazard because it is off by at least one-half a lane so the cars have to go down, over and up. Mr. Bogart said that the applicant says the building is 10,750 sq. ft. and the map shows the building is 82 sq. ft. x 60 sq. ft., equaling 10,000 sq. ft. Mr. Szarowski said he will look at it.

Mr. Bogart said he has made his opinions known about the buffer; he thinks it should be 100 ft. while the project shows an 85 ft. buffer.

Mr. Donnelly said that the PB will handle whether it will grant a waiver of the buffer size as part of its resolution. He said the minutes of previous meetings were checked and the PB did not vote on a motion about the buffer.

Mr. Bogart said he doesn't see any screening at the back of the property and believes the code says that any parking area needs to be screened from residential areas. Mr. Bogart said there is a large piece of residential zoned property that runs parallel to this property. Mr. Szarowski disputed that there is any residential property parallel to the project.

Rennie Andrews, 145 South St., referred to the geo-technical report requested by Village consultant, Jim Ullrich and said that the developer stating that they were down to the original soils is untrue. He said the property was 20 ft. below street level and has been filled over the years at numerous times. He said that at the rear of the property you can see the original lay of the land and the depth. The whole parcel has been filled in by 25 or 30 ft. of fill at certain points, Mr. Andrews said. He suggested that the PB have its professionals go out to observe the parcel to see if what the applicant is saying is correct and said that a geo-technical report would be in the best interest of the community.

Mr. Tully said it would be prudent for the applicant to do some testing to determine the bearing capacity of the soil and said that if he was building a building he would want to know if he was building it on fill or not and he would verify that through soil testing. He said he will have to look at it further.

Mr. Tully read a letter from SHIPPO requesting that a Phase 1 archeological study be done but commenting that if there has been any substantial ground disturbance prior, if it can be documented, a SHIPPO study should not be needed.

It was noted that the Village engineer has not yet reviewed the redesigned storm water management plan.

Mr. Andrews said that the landscaping report done by the Village consultant was extensive and detailed and that the Village professionals should review the report to see how it fits into the project and should check the level of fulfillment of the report. He said he is concerned that along the street by his residence, he will be able to see the parking lot, saying that the Village Code stipulates that the parking lot should not be visible from the street, year around. He believes that the Village professionals need to address that this will be the fact when the project is completed. Mr. Andrews asked that the public hearing be continued until Mr. Tully has had an opportunity to thoroughly examine the plan to see that everything is correct, especially the geo-technical report and the landscaping.

Mr. Pikul inquired about the new road through the property that the County wants built and asked the applicant if he will request a variance from the ZBA. Owner Stan Stolz responded by saying that 18 months ago when he first started the project, he heard the rumor that the Village was attempting to see if it was possible to put a road through the property. Mr. Stolz said that on his own, he went to the owners of the adjoining property and asked if he could purchase a piece of property from them in order to make his parcel larger so that he could move his proposed building, leaving enough room for a road along Route 17, without losing any building square footage. He drew up a plan to show the owners and explained why he wanted additional property. He twice spoke to the property owners and twice was told that they weren't interested. "I did everything I possibility could without anyone asking, I tried to make room for a road and I tried to purchase additional property so there would be room, I don't know what more I can do," Mr. Stolz said.

Mr. Tully said it appears that the intersections are offset and that the result is that there will be conflicting turning movements. He said the Village will have to look at the traffic as well.

**VOTE BY PROPER MOTION**, made by Mr. Pikul, seconded by Ms. McClung, the Village of Goshen Planning Board continues the Public Hearing on the application of Duso Properties, Inc. to November 18, 2008 at 7:30 pm. Passed unanimously.

**South Side Commerce Center (Markowitz), Police Drive, mixed commercial development – 34,000 sq. ft. office, 140,000 sq. ft. warehouse, #121-1-3.2 V.O.G. #13-1-5.1 & 70 T.O.G., I-P Zone.**

Present for the Applicant: Travis Ewald

Mr. Ewald said the project consists of two buildings, a warehouse and office building 90 x 750 sq. ft and 90 x 800 sq. ft. serviced by central water and sewer. He said that a Part III is being prepared by the applicant and he is present to find out if the PB has any comments that the applicant should consider before finalizing Part III. Mr. Ewald said a traffic study was done and will be part of the Part III. He said the wetlands have been delineated and the storm water detention area moved in a northeasterly direction because of the wetlands.

Mr. O'Donnell said the PB just received the updated plans and needs some time to review them. Mr. Tully said he hasn't seen the storm water management plan. Mr. O'Donnell said that any information forwarded to the Village PB must be also forwarded to the Town PB since part of the project is located in the Town. Mr. O'Donnell asked Mr. Ewald to verify that the project has been before the Town PB.

## MINUTES

**VOTE BY PROPER MOTION**, made by Mr. Connor, seconded by Mr. Walsh, the Village of Goshen Planning Board approves the minutes of the meeting of September 23, 2008. Passed unanimously.

## ADJOURNMENT

**VOTE BY PROPER MOTION**, made by Mr. Walsh, seconded by Mr. Connor, the Village of Goshen Planning Board meeting adjourned at 8:15 pm.

Jerome O'Donnell, Chair  
Notes prepared by Susan Varden