

**VILLAGE OF GOSHEN
PLANNING BOARD
Work Session/Regular Meeting
November 17, 2009**

The work session/regular meeting of the Village of Goshen Planning Board was called to order at 7:30 p.m. on Tuesday, November 17, 2009 by Chairman Jerome O'Donnell.

Present: Dominick Igneri
Elaine McClung
Jerome O'Donnell
Roger Pikul

Absent: Arthur Walsh

Also Present: John O'Rourke, Lanc & Tully, PB Engineers
Mike Donnelly, PB Attorney
Ted Lewis, Building Inspector

Duso Properties Site Plan, 144 South Street, #120-1-2, O-B Zoning District

Representing the applicant: John Szarowski, P.E.

Mr. Szarowski said he had received written technical comments from the PB engineer at the September PB meeting. The engineer had been concerned about ground water on the site and the applicant's geo-technical engineer recommends installing footing drains around the building and lining the sand filter to protect it from infiltration from ground water, he said. The PB engineer had also been concerned that footings will be set on unconsolidated fill but the applicant recommends that the unconsolidated fill be removed from under the building and replaced with consolidated fill. Mr. Szarowski said most of the issues have been addressed. He said that revised plans have been re-submitted to the DOT and that the applicant, at the DOT's recommendation, has moved the light out of the right-of-way. He said the applicant is pursuing a permit to install the sanitary sewer. He said that the front sidewalk can be made 5-1/4 ft. wide by sliding the guardrail back, upon approval by the DOT. He said that "it is a sidewalk from nowhere to nowhere" but that the applicant is willing to install a sidewalk if the PB wants it. He said the retaining walls had been close to the property lines so the applicant has brought them in closer towards the parking lot so that there is now 3 ft. between the wall and the property line. He said he believes that will avoid the need for easements. He said that additional information on the detail of the retaining wall has been added to the plans and concluded that "We think we are in good shape."

Mr. O'Rourke said that the latest comments his firm issued were dated November 2 and that the PB has a copy of them. He said his office received the geo-technical comments back from the applicant on November 16th and are waiting for their geo-technical engineer's review of the applicant's response. He said that the DOT should provide a letter stating that they preliminarily approve the concept layout but that hasn't been received yet. Mr. O'Rourke said that the Village Police Chief has requested the sidewalks and that if the PB wants sidewalks, that they should be the required minimum width of 5-1/4 ft.

Mr. Szarowski said the applicant hasn't heard from the DOT.

All PB members indicated that they want the sidewalk which is shown on the site plan at 5-1/4 feet wide, with the guardrail re-located as recommended by the DOT.

Mr. Donnelly said that there will be a draft resolution for the PB to consider at its next meeting in the event the engineering issues are worked out. He said that because the County Planning Department had recommended that Harriman Drive remain open for

possible future road extension, the PB will have to overrule the County's report which will require a vote of the PB of a majority plus one.

Mr. Pikul asked if the PB has heard recently from the County Planning Department. Mr. Donnelly said he wrote the County in June asking them to re-consider its recommendation on Harriman Drive in view of the traffic study that was done, but that there has been no reply. He said he has interpreted their "no response" to mean that they still want the Village PB to leave Harriman Drive open for potential future extension. Mr. Pikul asked Mr. Donnelly to write to the County again and to bring the original response or any recent response to the next PB meeting when the PB is asked to consider a resolution.

Application of Edward & Anne McBride, Lot Line Change, #109-9-8 & 13, R-1 Zone.

Representing the applicant: Travis Ewald, Pietrzak & Pfau

Mr. Ewald said that the applicant owns two existing adjacent lots along Parkway between Arthur and South Church streets. Lot #13 has an existing dwelling and garage and Lot #8 is a vacant lot. The applicant wants to move the common lot line in a southwesterly direction toward Lot #13 to improve the lot area conditions on existing Lot #8. Currently Lot #8 does not conform to the zoning requirements in regard to lot area. By moving the existing lot line 20 ft., there will be adequate lot area for both lots, Mr. Travis said. The proposed lot line will run through part of the existing driveway and so the driveway will be re-located.

Mr. O'Rourke said that the application is for a simple lot line change that will make a non-conforming lot conform to the zoning. He said the new lots meet all of the bulk requirements and suggested adding a note on the plan as to which lot will be responsible for the driveway removal and when that will occur.

Mr. Donnelly said that he has been assured that it will meet lot width and does not need to be referred for a variance. He suggested adding a condition to the approval that the applicant include a map note that sets when the existing driveway needs to be removed.

Mr. Travis said that the driveway is on Lot #13 and that he will add a note on the site plan stating that it is the obligation of Lot #8 at the time of construction of that lot, to have a driveway installed for the parcel, prior to issuance of a Certificate of Occupancy.

Mr. Donnelly said that the application should be typed as an Unlisted Action under SEQRA and that it should cause no negative impact on the environment. He said that the conditions of approval will include a note on the plan setting forth when the existing driveway needs to be removed and a note stating that there are no buried utilities in the lot area that will result in encroachments or violations of regulatory agency requirements.

VOTE BY PROPER MOTION, upon motion made by Mr. Pikul, seconded by Ms. McClung, the Village of Goshen Planning Board declares that the application of Edward & Anne McBride for a lot line change is an Unlisted Action and will have no negative impact on the environment. Approved unanimously.

VOTE BY PROPER MOTION, upon motion made by Mr. Pikul, seconded by Ms. McClung, the Village of Goshen Planning Board approves the application for a lot line change of Edward & Anne McBride. Approved unanimously.

OTHER BUSINESS

VOTE BY PROPER MOTION, upon motion made by Ms. McClung, seconded by Mr. Igneri, the Village of Goshen Planning Board approves their 2010 meeting schedule as follows. (Approved unanimously)

Planning Board Schedule for 2010:

Tuesday, January 26, 2010
Tuesday, February 23, 2010
Tuesday, March 23, 2010
Tuesday, April 20, 2010
Tuesday, May 25, 2010
Tuesday, June 22, 2010
Tuesday, July 20, 2010
Tuesday, August 24, 2010
Tuesday, September 21, 2010
Tuesday, October 26, 2010
Tuesday, November 16, 2010
Tuesday, December 14, 2010

MINUTES

The PB approved the minutes of its October 20, 2009 meeting.

ADJOURNMENT

The Village of Goshen Planning Board meeting adjourned at 8:45 p.m.

Jerome O'Donnell, Chair
Notes prepared by Susan Varden