

**VILLAGE OF GOSHEN  
PLANNING BOARD  
Work Session/Regular Meeting  
SEPTEMBER 25, 2012**

The work session/regular meeting of the Village of Goshen Planning Board was called to order at 7:30 p.m. on Tuesday, September 25, 2012 by Chair Jerome O'Donnell.

**Present:** Augustine DeRosa  
Dominick Igneri  
Rebecca Lafargue  
Jerome O'Donnell

**Absent:** Elaine McClung

**Also Present:** John O'Rourke, P.B. Engineer  
Mike Donnelly, Esq. PB Attorney

**Eastgate Corporate Park, LLC, Route 17A, #123-1-7, I-P Zone, Proposed addition to Building #3 at Eastgate Corp. Park, Amendment to Amended Site Plan Approval granted 3/20/12.**

Representing the applicant: Steve Esposito

Mr. Esposito said that the applicant is proposing to add another 750 ft. in the rear of Building #3 and is seeking an amendment to the amended site plan approval granted in March. The addition was previously 970 sq. ft. Mr. Esposito said the required parking is 131 spaces and the applicant has 238 spaces. Development coverage can be 80% and this project is under 34%, he said.

Mr. O'Rourke said that drainage is not an issue.

Mr. Donnelly said the first amendment granted to the site plan had a completion date of March 20, 2014. He said it is a Type II action.

Mr. Esposito said the applicant will keep the same completion date.

**VOTE BY PROPER MOTION**, made by Mr. Igneri, seconded by Ms. Lafargue, the Village of Goshen Planning Board approves the Amendment to the Amended Site Plan Approval of Eastgate Corporate Park, LLC. Passed unanimously.

**Orange-Ulster BOCES Arden Hill Campus Revision to Approved Site Plan, #128-1-3.22 and #116-3-1.11**

Representing the applicant: Mark Fellenzer, Engineer  
Mark Coleman, Director of Operations  
Debra Heppes, Assistant Superintendent

Mr. Fellenzer said the project goes out to bids shortly and that the State Education Department is almost done with its reviews.

The applicant is proposing modifications, he said, including a new canopy at the main entrance, a canopy at the southeast entrance, a canopy at the loading dock and a canopy and entrance at the east wing. The existing retaining wall is going to be replaced, he said. Mr. Fellenzer said there was an abandoned fire lane and the applicant was going to put crash gates there for fire equipment access but that the current fire chief said they don't need that entrance for fire equipment. Instead, Mr. Fellenzer said, the applicant plans to take up the pavement and replant grass there. He said that they are asking permission not to open that area back up, since there is plenty of access. He presented a letter from Village Fire Chief, Daniel Caplicki stating he has no objections to the addition of the

canopies nor the area to be restored to grass lawn as shown on the site plan. Mr. O'Rourke said he has no objections to eliminating the emergency access. He said the application will require a 239 Referral because of its proximity to the state road.

Mr. O'Rourke said the plan, with its modifications, should be attached to the original site plan. He said the PB should see more detail in a lighting plan out of concern for the neighbors. Mr. Fellenzer said he will show detail and said that the lighting will be high efficiency, low wattage LED light fixtures, no glare outward but strictly down lighting.

The PB asked about the pedestrian sidewalk. Mr. Fellenzer said that Harriman Drive is controlled by the State and a sidewalk is not required. Mr. Donnelly said that the PB had wanted to see a cross walk at the intersection. Mr. Fellenzer said they made the crosswalk across South Street. Mr. Donnelly explained that the County Planning Department had a series of recommendations regarding pedestrian access that "we were trying to comply with to the extent that you could. You will have to flag that in the referral to the County Planning Department to see if they can live with your explanation." He told Mr. Fellenzer that the applicant should provide a letter explaining the discussions and negotiations which lead to the determination of where it plans to put the cross walk. Mr. DeRosa noted that it is now a cross walk going from grass to grass.

Mr. Donnelly told the applicant to get a letter stating that the negative declaration has been reaffirmed and then send the updated plans to the Orange County Planning Department. They will need 30 days to review it unless the applicant can make them move faster to give their recommendation, he said.

**R.J. Smith Realty Presentation Proton Therapy Center (former Goshen Executive Center) #1201-3.1, 3.3 and #123-1-1.11,2,3 Medical Missions for Children Proton Cancer Center.**

Representing the applicant:                    RJ Smith, Presenter  
   Patrick O'Malley, Director of Planning & Design  
   Eric Christenson, Design Architect  
   TK&A Architects of Cambridge Mass.  
   Vince Pietrzak, Engineer

Mr. Smith said he was speaking on behalf of MMC Development Co. and provided some history of the Goshen Executive Center stating that it was the subject of a GEIS (Generic Environmental Impact Statement) in 2005. At that time the project was for 700,000 sq. ft. of mixed use; office, medical, hospitality and research. The Findings Statement was adopted by the PB in 2006, he said. Mr. Smith said he was present to introduce the concept of the first phase of the open development plan that was the subject of the GEIS. MMC Development Co. is proposing a proton cancer treatment center, a \$90 million project. The treatment is the most advanced technology directly targeting the core of the tumor, he said. There are only a couple of facilities of its kind in the country. Because of the geographical location, it is an ideal place for this treatment facility, Mr. Smith said, and will be the first of its kind in New York State and will be affiliated with over 300 hospitals in the world. Mr. Smith said it will be especially important for pediatric care. The plan currently is to build the proton treatment center (approximately 50,000 to 60,000 sq. ft.) of the 700,000 sq. ft. build-out, and a 138 room hotel available for the use of those receiving treatment and the public. Ultimately, the rest of the site will be built out in phases, he said. The 122 acre parcel is accessed off Route 17A, through East Gate Corporate Park. The for-profit project is now entering the design phase. Mr. Smith said there will be a two-story building and another two treatment centers. This is a small portion of the total build-out, he explained.

Mr. O'Donnell said the plan shows an entrance coming in and a cul-de-sac and asked if that was as far as the project will go. Mr. Smith said it was.

Mr. Donnelly said that the Findings Statement adopted by the PB in 2006 contained a requirement that if the project didn't commence before 2010, then the applicant would deliver an updated traffic study. He said the PB will have to look at whether the EIS covers all of the impacts of this project and whether the Findings need to be amended or changed in relation to what the applicant is now proposing. He urged the applicant to review the Findings Statement and noted that it requires improvement to the intersection. Mr. Smith said the applicant will update the traffic study specifically targeting this phase and will amend the traffic study showing future phases.

Mr. O'Donnell asked to see a rendering at the applicant's next PB appearance.

**Discussion of letter from Peter Botti, Esq., re: Heritage Estates lighting. #112-5-4.2**

Representing the applicant: Peter Botti, Esq.

Mr. Botti said that Heritage Estates is a seven lot subdivision previously approved by the PB. The applicant had planned to put in six architecturally designed small light fixtures around the cul-de-sac but have been advised by the Village DPW that because of surfacing problems, they don't want the fixtures put in. Mr. Donnelly said the lights have been difficult and expensive to maintain.

Mr. Donnelly said that the PB has the authority to amend the lighting plan and release the requirement of the fixtures and put something else in its place.

Mr. Botti said the applicant proposes to put one of the lights at the entrance of the subdivision on the existing pole that is there and one at the end of the cul-de-sac. He said it should provide adequate lighting. He said that O&R will not allow them to move ahead until the lighting issue is resolved. Mr. O'Rourke said he has no objection to the proposal.

**VOTE BY PROPER MOTION**, made by Mr. Igneri, seconded by Mr. DeRosa, the Village of Goshen Planning Board amends the approval previously granted Heritage Estates, eliminating the six decorative lights in the subdivision and installing two O & R street light fixtures. Passed unanimously.

**MINUTES** - PB members approved the minutes of its August 21, 2012 meeting.

**ADJOURNMENT** - The Village of Goshen Planning Board meeting adjourned at 8:55 p.m.

Jerome O'Donnell, Chair  
Notes prepared by Susan Varden