

**VILLAGE OF GOSHEN
PLANNING BOARD
Work Session/Regular Meeting
January 17, 2012**

The work session/regular meeting of the Village of Goshen Planning Board was called to order at 7:30 p.m. on Tuesday, January 17, 2012 by Acting Chair Elaine McClung.

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

Absent: Jerome O'Donnell

Also Present: Art Tully, PB Engineer

Evelyn White – 84 Prospect Avenue

Applicant Evelyn White said she lives at 84 Prospect Ave. in a house built in 1973 that she purchased from her parents. In 1975 her parents put in an apartment downstairs with the Building Inspector's approval. Tenants lived in it for 20 years. Ms. White bought the house in 1996 as a two-family and it is designated a two-family on the tax rolls, she said. She removed the apartment eight years ago but now would like to put the apartment back in. When Ms. White spoke with the current Building Inspector, he said there was no record in the Building Inspector's office of it being a legal two-family residence. She seeks permission to change the designation in the BI's office to a two-family residence.

Mr. Tully said that a two-family house is permitted in the zone. He said if it is converted to a two-family, the code calls for a minimum of 1,000 sq. ft. of the area to be devoted to the primary residence and a minimum of 600 sq. ft. to the secondary residence. The code also requires three off-street parking spaces. He said that if the applicant cannot satisfy those conditions she would need a variance from the Zoning Board of Appeals. He said a survey indicating where the parking is on the lot and a floor plan of the house showing the primary and secondary residences would be needed.

The PB could approve it conditioned upon the applicant providing the information to the PB Engineer and the Building Inspector, Mr. Tully said.

Mr. DeRosa said there appears to be 1824 total square footage, with 1164 on the first floor, and 600+ sq. ft on the second floor.

Ms. White said she has a double wide driveway that can hold up to four cars.

VOTE BY PROPER MOTION made by Mr. DeRosa, seconded by Mr. Igneri, the Village of Goshen Planning Board approves the conversion from a one-family to a two-family designation on the applicant's property located at 84 Prospect Avenue provided the applicant meets the conditions set forth in the code and provides evidence to the Building Inspector that she does meet the conditions. Passed unanimously.

Quick Chek – Site Plan 142-145 Matthews Street, Tax Map Designation #115-1-4 & #119-2-1 & 2. D-S Zone, proposed retail store and gas station.

Representing the applicant: Dennis Caplicki, Esq.
Keith Cahill, Bohler Engineering

Applicant's attorney Dennis Caplicki said he thinks all of the engineering issues have been addressed, that the applicant is waiting for D.O.T. and FEMA approvals and that they need to move forward because the applicant wants to break ground in April.

Mr. Cahill said the wetlands permit from the DEC has been obtained and that the applicant expects final approval from FEMA in late February and a permit from the DOT also in late February. He said he believes the PB could act on a conditional final approval.

Mr. Tully said that he and the PB's traffic consultant asked the applicant to move the driveway to give it a longer length distance between the road and the parking lot and allow for the stacking of cars coming in and out of the site. Mr. Tully said however, that there would be an expense involved, as well as the time it would take to either modify the current approvals or get new approvals for the relocation of the driveway, and that the applicant is reluctant to take that extra time. An option, Mr. Tully said, would be to leave the driveway location where it is shown and request that Quick Chek do a traffic study for a certain length of time after the project is open to see how well the location is functioning. "If there is in fact a problem there is a series of steps that could be taken from either eliminating one of the gas pumps at the island to actually moving the driveway location over. Quick Chek has agreed to do that," Mr. Tully said. He said the PB's traffic engineer could monitor the traffic analysis.

Mr. Cahill said the applicant believes that making any changes to the driveway would add another 12 months to the approval process with the DOT.

Mr. Tully said that his concern is that there are conflicting traffic movements where the driveway location is proposed to be, but that it would be more of a concern to Quick Chek because it won't necessarily happen on the Connector Rd. but more likely on the site. He said that if it is a problem, the applicant would be motivated to fix it and if the Village sees that it is backing out onto the Connector Rd. then it can pursue a solution more aggressively.

Mr. DeRosa said that if it is easily doable, he'd rather see it done before Quick Chek is open for business. Mr. Tully said that the site encroaches on the 100 ft. buffer for the wetlands on both sides and that any widening and they would be more in the buffer and that is why the DEC would have to come back and take another look at it.

Mr. Tully said he believes a conditional final site plan approval is warranted. He said the traffic study should be one of the conditions.

The PB discussed whether a public hearing is necessary. It is not required. Mr. Tully pointed out that the application has been before the PB for the past three or four months.

VOTE BY PROPER MOTION made by Mr. Igneri, seconded by Mr. DeRosa, the Village of Goshen Planning Board determines that no public hearing on the application of Quick Chek is necessary. Passed unanimously.

Mr. Tully asked the PB what it wants to do about requiring sidewalks. Ms. McClung said that sidewalks have been discussed and that the DOT objects to sidewalks but that the Village has had general discussions about the connectivity of sidewalks in the village and is working on a plan to ask applicants to contribute (fee) to a sidewalk plan in general. Mr. Tully said the Village is in the early stages of determining how this would be done.

It was noted that Mr. Donnelly is preparing a draft of a conditional approval which will be ready for the PB to decide upon next month.

Knolls of Goshen

Mr. Tully said that the applicant's attorney has been told that the road design doesn't meet Village standards and that the first house in the project is not a functional lot but the applicant's attorney has said "too bad" as the site plan has already received preliminary approval. Mr. Tully said he has asked attorney Steve Reineke, who represents the PB in

regard to the application, to write a letter to the applicant's attorney suggesting that a meeting be held to try to work out the issues.

MINUTES - The PB members approved the minutes of its December 20, 2011 meeting.

ADJOURNMENT - The Village of Goshen Planning Board meeting adjourned at 8:30 p.m.

Elaine McClung, Acting Chair
Notes prepared by Susan Varden