

**VILLAGE OF GOSHEN
PLANNING BOARD
Work Session/Regular Meeting
March 26, 2013**

The work session/regular meeting of the Village of Goshen Planning Board was called to order at 7:30 p.m. on Tuesday, March 26, 2013 by Chair Jerome O'Donnell.

Present: Augustine DeRosa
Rebecca Lafargue
Elaine McClung
Jerome O'Donnell, Chair

Absent: Dominick Igneri

Also Present: Art Tully, PE, Planning Board Engineer
Michael H. Donnelly, Esq. Planning Board Attorney

Highpoint Subdivision, 20 lots, #110-4-11.2, R-R Zone, North Church St.

Representing the applicant: Steve Esposito

Mr. Esposito said the application had been before the PB on several occasions, with October, 2012 being the most recent. He is present, he said, to present the final sketch plan. He said the applicant has incorporated comments of the PB and has refined the sketch plan with more uniform configuration of the lots around the cul-de-sac and reducing the entrance to one off of North Church St. He said the applicant has reviewed the sketch plan with the fire chief. He said each lot has been analyzed for its gross and net acreage and that the lots range from one-half acre to two acres. Mr. Esposito said the applicant seeks two waivers: one for cul-de-sac length (the maximum length is 400 ft.), the other is for the number of the lots on a cul-de-sac. There are 20 lots in this application, Mr. Esposito said, and the code requires that 20 or more lots have two means of access. The final sketch plan shows one means of access.

Mr. Tully said that his plan doesn't contain the chart with the lot computations and requested a copy of it. He pointed out that the island has been removed from the center of the cul-de-sac, at the request of the fire chief.

Mr. Tully said that 19 lots is the maximum allowed on a cul-de-sac. He said the applicant has demonstrated that they can have 19 lots on the cul-de-sac with one lot on North Church St. He said he thinks it is a better plan to take that one driveway off North Church St. and bring it onto the cul-de-sac. While it is a waiver, Mr. Tully said he believes it is a waiver at the request of the PB. He said the record should reflect that this was done at the request of the PB because of the driveway configurations coming out of North Church St. and only because of this instance.

Mr. Donnelly agreed and said he will include in the resolution that the rationale was the PB's desire to get the driveway from that lot off North Church St. and onto the cul-de-sac.

Mr. Donnelly told the PB that subdivision regulation provisions can be waived by the PB.

Mr. Tully reminded the PB that this is the conceptual plan, that there has been no engineering or surveying done yet.

Mr. Tully recommended that the PB consider the request to waive the cul-de-sac length, saying that he believes there is a conflict in the zoning between the length of the cul-de-sac and the number of lots allowed in the cul-de-sac.

VOTE BY PROPER MOTION, made by DeRosa, seconded by Ms. Lafargue, the Village of Goshen Planning Board moves to accept the sketch plan of Highpoint Subdivision and to waive the number of lots allowed on a cul-de-sac with only one means of access and the length of the cul-de-sac in the application of Highpoint Subdivision. Passed unanimously.

Harness Estates Phase II #127-2-82 & 83, #127-3-1-3 & 35 and #127-4-1,2,5 & 6. R-R Zone.

Representing the applicant:

Thomas Olley, P.E.
Joe Passalacqua, Project Manager

Mr. Olley said the applicant has submitted the final plans for Phase II, stating there are 17 new lots and four re-located lots for a total of 21 lots. There are no public improvements in Phase II. The applicant is seeking final approval of the plan so they can proceed with the construction of the Phase II homes. The plan has received County Health Department approval, he said.

Mr. Tully said the plan is in conformance with the plan that was given preliminary approval. He said the applicant is looking for final approval of the plan with a number of conditions.

Mr. Tully talked about changing the lighting, the Village DPW has concerns about the period lighting as it is costly and difficult to maintain, but the concrete base for the lighting has already been installed, wired, sized and spaced. The concrete bases and the underground electric would have to be re-done in order to change the lighting, he said, and concluded that the project needs to continue on with the period lights. Mr. Tully said the applicant has suggested maintaining every other light base along Harness Rd, (nine instead 18) and said that it is something they'd like to take up with the Village Board. Planning Board members agreed.

The PB discussed the condition of Maiden Lane and the applicant agreed it will be passable for emergency vehicles until spring and then it will either be paved or will be paved after the applicant has gotten its sixth Certificate of Occupancy.

Mr. Donnelly read a list of conditions which will be a part of any resolution of approval. The list included:

1. The plans shall not be signed until receipt of a letter from the Planning Board Engineer certifying that the plans have been modified in accordance with his memo of February 28, 2013.
2. All conditions attached to the original grant of subdivision approval, as well as issuance of building permits and certificates of occupancy shall be governed by those earlier documents as well as by the resolution of approval.
3. No more than six certificates of occupancy for any home in Phase II will be issued until that section of Maiden Lane shown on the plans as to be completed is completed to the satisfaction of the Village engineer. The roadway section must be completed by May 1, 2014 and kept passable by emergency vehicles during all seasons until completed.
4. The applicant shall deliver to the village a conservation easement covering that area of the plat depicted as being subject to the easement. The conservation easement shall authorize the village to enter onto the lands of the applicant in order to enforce the terms of the easement but shall not require such enforcement.
5. The subdivision shall have an anticipated completion date of December 31, 2016.
6. The applicant has executed a Public Improvement Security Agreement with the Village of Goshen and the agreement is incorporated into the resolution by reference. The agreement shall be modified as required by the Village Board before the plans are signed.

7. As part of the Public Improvement Security Agreement the applicant shall post a performance security with the Village Clerk as fixed by the Village Board.
8. The applicant shall complete all improvements required by the terms of the Public Improvement Security Agreement and all requirements of Village ordinances.
9. The applicant shall comply with the soil erosion and sedimentation control plan approved by the Village engineer.
10. Construction equipment shall use mufflers.
11. The applicant shall comply with performance standards of Article IX of the Code.
12. The applicant shall deliver payment in the amount of \$1,500 per lot in lieu of the dedication of required parklands to the Village before any site work begins or building permits are issued.

VOTE BY PROPER MOTION, made by Ms. Lafargue, seconded by Ms. McClung, the Village of Goshen Planning Board grants Final Approval of Phase II of Harness Estates, with conditions. Passed unanimously.

Beverage Plus #112-12-6, C-S/ADD, 151 Greenwich Avenue

Representing the applicant: Steve Esposito

Mr. Esposito said he was before the PB to request a minor modification to the approved site plan. He said the building in the rear of the property is currently being renovated and will be completed in approximately a month. The original approval kept the Bagel Place portion of the front building and demolished the rest but now the applicant is looking at doing the opposite, demolishing that end of the building and keeping the rest, resulting in nearly double the space, a building of 2,000 sq. ft. The modification actually picks up one parking space, he said. The applicant also desires to extend the completion date to November 15, 2013.

Parking was discussed.

VOTE BY PROPER MOTION, made by Ms. Lafargue, seconded by Mr. DeRosa, the Village of Goshen Planning Board approves the modification based on the previous comments made by Wheldon Abt on the application of Beverage Plus. Passed unanimously.

APPROVAL OF MINUTES – The minutes of the Planning Board meetings of January, 2013 and February, 2013 were approved.

ADJOURNMENT - The Village of Goshen Planning Board meeting adjourned at 8:50 p.m.

Jerome O'Donnell, Chair
Notes prepared by Susan Varden