

**VILLAGE OF GOSHEN
PLANNING BOARD
Work Session/Regular Meeting**

The work session/regular meeting of the Village of Goshen Planning Board was called to order at 7:30 p.m. on Tuesday March 25, 2014 by Acting Chair Elaine McClung.

Present: Rebecca Lafargue
Elaine McClung, Acting Chair
Michael Torelli

Absent: Jerome O'Donnell, Chair
Augustine DeRosa

Also Present: Michael A. Donnelly, PB Attorney
Art Tully, PB Engineer

Public Hearing

Application of Jonah Mandelbaum (Northgate Manor) Site Plan, 101-105 Railroad Avenue C-S Zoning District. Tax Map Designation 111-10-21.

Representing the applicant: Nicholas Rugnetta, Jr. Engineer

Mr. Rugnetta said the project is construction of a 20 ft. x 30 ft. outdoor pavilion. He said that since last month the applicant has made provisions for the future relocation of the drainage if anything goes wrong with the culvert underneath. He said the applicant does not believe there will be any problem but has shown what they would propose, adding a catch basin and relocating the pipe, if there is a problem in the future. Mr. Tully said he is satisfied and that it is a reasonable alternative to replacing it now.

Ms. McClung opened the public hearing and asked for public comment.

Chester LaBaron of Goshen said he is concerned that it will interfere with the marathon runners coming from the Heritage Trail and into the parking lot. Mr. Tully said the route is not near the proposed pavilion.

There were no other comments from the public.

VOTE BY PROPER MOTION made by Mr. Torelli, seconded by Ms. Lafargue, the Village of Goshen Planning Board closes the public hearing on the application of Northgate Manor. Passed unanimously.

Mr. Donnelly said the application is a Type II Action under SEQRA. He said that as a condition of approval, the project must be started within one year from the date of this meeting and a completion date declared. Mr. Rugnetta declared March 25, 2015 as the completion date.

VOTE BY PROPER MOTION made by Ms. Lafargue, seconded by Mr. Torelli, the Village of Goshen Planning Board grants approval of the application of Northgate Manor. Passed unanimously.

T. Marrone, Site Plan 24 St. James Place, #112-2-9, C-S Zone.

Representing applicant: Mr. Marrone and James Clearwater, Engineer

Ms. McClung clarified that a public hearing on this application is not scheduled for tonight.

Mr. Clearwater said the project involves a 50 x 90 lot with an existing dilapidated building, most of which will be torn down. The applicant proposes to have commercial space on the first floor

and residential on the second floor. The plan presented shows the proposed building, lighting and parking.

Mr. Tully said his major concern is in regard to parking in the rear of the lot and its implication to storm drainage. He described the area as low lying and collecting water. The applicant proposes to construct a parking lot in the rear, paved with a pervious material. Mr. Tully said that there are usually studies of sub soils done when planning pervious pavement to see if pervious materials are suitable for the location. The studies have not been done, he said. If they show the soils to be suitable, then the applicant will have to address the design and maintenance of the pavement. More information is needed on the pervious pavement, its design and functionality, he said.

Mr. Tully said that it is difficult to do an accurate topography survey since the rear of the property is so over-grown. He said he wants the applicant to check the survey. He also said that the catch basin in the front of the property should be cleaned by the DPW.

Mr. Tully said that if parking is required the applicant will have to show a parking table on the plan.

Mr. Donnelly suggested that the applicant see if he can satisfy the parking requirements and if not, then see if the property falls under the protection of Section 8.3.2 of the Code. He said the applicant will have to look at what uses were in existence on the property on March 9, 1998 and said that if the uses of the building at that time didn't satisfy the requirements then those uses are permitted to continue and are exempt from the parking requirements. If the applicant can't supply the required parking, and the property doesn't fall within the protection of Section 8.3.2 then the applicant will have to apply to the ZBA for a variance, Mr. Donnelly said. He will provide the applicant with a letter outlining the process.

Mr. Donnelly said that this is a conditional use application and requires a public hearing.

VOTE BY PROPER MOTION made by Ms. Lafargue, seconded by Mr. Torelli, the Village of Goshen Planning Board sets a public hearing on the application of Marrone for April 22, 2014. Passed unanimously.

Discussion Request: Steve Esposito to discuss the status of Good Time Park.

Good Time Park was represented by Steve Esposito, owner Carter Sackman, Barbara George, and architect Jose Ferrar.

Mr. Esposito provided a history of the property. He said the original application was submitted in 1987 and was for a regional shopping center. The Village adopted a building moratorium and rezoned the site partially DS and partially R-3. The application for Good Time Park was submitted in 1992. An Environmental Impact Statement was prepared and a Final Environmental Impact Statement and Findings was filed in 2004. In 2005 the PB adopted a Resolution of Approval for Site Plan, Conditional Use Permit and Flood Plain Development Permit. The PB also issued Preliminary Subdivision Approval. Mr. Esposito said that outside agency permits and approvals were obtained but that the construction phase was put on hold when the recession hit in 2008.

Mr. Esposito said that now in 2014 the plan that was once approved, for town houses, may not be the alternative that the applicant wants to go forward with and that the applicant is re-evaluating what the end product will be. He said that now there is a major demand for rentals, work force housing and handicapped accessible housing. He said that a smaller development footprint is being considered, along with open market rentals.

Mr. Esposito said he is suggesting that a SEQRA Consistency Analysis be done, taking the original findings from the environmental review process and comparing the old thresholds with today's thresholds to see where additional analysis is needed.

Mr. Donnelly said the applicant should provide the PB with copies of the Findings. He said then the PB can determine if the impact statements need to be supplemented or not and whether there are any Findings that need to be changed based on the changes in the project.

Mr. Esposito said the applicant will come in with a new site plan and architectural drawings.

Mr. Tully said this will be considered as an amended site plan with an amended application.

QuickChek Traffic Study

Mr. Tully said the applicant has asked for a reduction in their performance bonds. He said the bonds were reduced, but not eliminated, leaving landscaping at about \$12,000 and project restoration at \$5,000.

Mr. Tully said the QuickChek project was approved with a caveat that after a year, traffic at the site would be evaluated. He said that the applicant did a traffic study re-evaluation which was reviewed by a traffic consultant hired by Mr. Tully's firm. The traffic consultant concluded that while there are some issues with traffic turning movements when coming out of the site, because the traffic light creates gaps in the traffic, that the wait time is within acceptable limits. The traffic consultant concluded that it is doing what it was predicted to do, he said.

Ms. McClung said that according to the Police Chief there have been five fender benders inside the site and five outside the site since July. The Police Chief said that the number is normal. Mr. Tully said he believes that if traffic becomes a problem and accidents increase the PB can ask them to make changes.

Ms. McClung said she will ask the Building Inspector to have QuickChek restore the pavement striping when it deteriorates.

The Planning Board approved the minutes of their February 2014 meeting with a correction.

The Planning Board adjourned at 8:45 p.m.

Elaine McClung, Acting Chairperson
Notes Prepared by Susan Varden