

**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, October 20, 2015.

Present: Adam Boese
Elaine McClung
Scott Wohl, Chair
Michael Torelli

Absent: Rebecca Lafargue

Also Present: Michael A. Donnelly, PB Attorney
Art Tully, PB Engineer
Ted Lewis, Village Building Inspector

Approval of Minutes

The Minutes of the Planning Board's August 25, 2015 meeting were approved with corrections.

Goshen Flex Space Center, Westgate Industrial Park, #121-1-1.32 V.O.G. I-P Zone, #13-1-5.11 & 70 T.O.G.

Representing the applicant: Mark Sanders, Pietrzak & Pfau

Mr. Sanders said the proposed project involves three separate parcels. The main parcel is 20.4 acres and is in the Village of Goshen with two bordering parcels in the Town of Goshen. He said that the project was previously before the PB in 2009, and at that time consisted of two large buildings totaling 145,000 sq. ft., surrounded by parking with loading bays in between. Mr. Sanders noted that this original project required a lot of earth removal and was placed on hold by the applicant so that the project could be scaled down to require less earth work.

Mr. Sanders said that he is present to re-introduce the project and discuss any zoning or other issues so that the applicant can begin moving into a design process.

The revised project proposes three separate buildings containing a total of 64,000 sq. ft. and consisting of a warehouse and office mix. The breakdown is 57,600 sq. ft. in warehouse space and 6,400 sq. ft. in office space, Mr. Sanders said. There will be 111 parking spaces and 57 truck loading bays. The revised proposal reduces the building and parking area by one-half and will require less grading and earth work and removal of material from the site.

Mr. Tully said that the environmental assessment will have to describe how much of the site will be disturbed, what is going to be removed and how it will be removed and any phasing of the project. Mr. Tully said that if it is done all at one time, it will have to be looked at as a quarry and then a site restoration and that the same issues will exist as they did in the original application. He said that there is a lot of information that has to be evaluated.

Mr. Sanders said it is a conceptual plan at this point and reiterated that the idea of revising the layout was so that the grading could be revised and the amount of earthwork limited. He said the applicant is not looking to get into the area of a quarry. "When we develop a grading plan and are able to do a cut fill analysis we will have more information as to how much material needs to be removed from the site," he said.

Mr. Donnelly said that the PB will need an EAF before it can issue a Notice of Intent to serve as lead agency. He said that the revised project will continue as the same application that came before the PB in 2009, rather than as a new application.

There was no action taken by the PB at this time.

Chino Site Plan Application, corner of Greenwich Avenue and Market Street, #111-13-3, C-S Zone.

Representing the applicant:

James A. Dillin

Mr. Dillin said the property is at the corner of Railroad, Greenwich and Market streets where there is an existing two-story building. The building has had several uses, he noted. The applicant wants to turn the second floor of the building into a two-bedroom apartment. There will be no physical changes to the outside of the building, he said.

Mr. Donnelly said that residential use above a commercial use is permitted in the CS zone. He said that the building appears to be a protected non-complying building within the meaning of Section 8.3.1 of the zoning code because the lot does not conform to the regulations for lot area and required off-street parking. To be certain of this, Mr. Donnelly said, the applicant must demonstrate that the building existed in its present state on March 9, 1998. Under Section 8.3.2 such a building may continue in existence despite its noncompliance with the build requirements of the code, he said. When a change in use, or a change to the structure itself, creates any new nonconformity regarding bulk requirements or increases the degree of the existing nonconformity, the non-complying protection is lost and the applicant must obtain an area variance for all items of noncompliance shown to exist. The applicant will have to find what uses existed on March 9, 1998 and establish the bulk requirements for each of those uses and look at the proposed uses and bulk requirements alongside those that existed on March 9, 1998 to determine if there is any increase in noncompliance with bulk requirements, Mr. Donnelly said.

Mr. Dillin said that he will explore the historic use of the building and show a comparison for the PB.

Horizon Land Development, #126-1-4.22 I-P Zone, Request for one year extension.

Representing the applicant:

Steve Esposito

Mr. Esposito said that the project on Hatfield Lane is shovel ready but the applicant first needs to get a tenant so he is seeking an extension on the site plan approval. Mr. Esposito said that with an extension, the new completion date would change to April 20, 2018.

UPON MOTION MADE by Mr. Boese and seconded by Mr. Torelli, the Village Planning Board grants a one year extension, to October 20, 2016, of the site plan approval previously granted Horizon Land Development. Approved unanimously.

Goshen Public Library Presentation

Matt Gomm, executive director of the Goshen Public Library appeared before the PB to introduce the proposal for a new library on property owned by the library and located in Salesian Park. There will be a referendum on December 2nd to approve the bond amount for the new construction, he said.

It was noted that this is not an application at this time. Mr. Donnelly said that he doesn't know at this point whether the project will require site plan approval if the referendum is passed. He did outline several actions that will need to be taken.

Mr. Tully recommended that library personnel may want to appear before Wheldon Abt of the Architectural Design District so that he can review the renderings before the referendum takes place.

The Village of Goshen Planning Board adjourned at 8:25 p.m.

Scott Wohl, Chair

Notes prepared by Susan Varden