

Village of Goshen  
Planning Board Meeting  
February 25, 2020

Members present: Elaine McClung, Chairperson  
Adam Boese  
Sal LaBruna  
Molly O'Donnell  
Michael Torelli

Also present: Robert Dickover, Esq., PB Attorney  
Ted Lewis, Building Inspector  
Kristen O'Donnell, Village Planner, Lanc and Tully

Chairperson McClung called the Meeting to order at 7:30 p.m. and led those present in the Pledge of Allegiance.

#### APPLICANTS BEFORE THE BOARD

#### **Fiddler's Green at Goodtime Park, #115-1-5, Site Plan, Multi-Family Residential - R-3**

Representing the Applicant: Steve Esposito, RLA, Esposito & Associates  
Mark Siemers, P.E.  
Pietrzak & Pfau  
Jay Myrow, Esq.  
Bluestein, Shapiro, Rich & Barone

The Public Hearing was opened on the application of **Fiddler's Green at Goodtime Park, #115-1-5, Site Plan, Multi-Family Residential - R-3.**

Mr. Esposito provided a description and the history of the project that will consist of six buildings where buildings 1-4 have garage under parking, where buildings 5 and 6 will have surface parking. The units will be one bedroom apartments and those with a work area, and the end units will be more luxurious units.

Public comments were received from Mark Gargiulo and Ed Connor.

Concerns were discussed regarding the height of the buildings, where the balloon test was being measured from, and on its completeness. Mr. Esposito explained that the balloon test had been completed and provided detail that the test was done as part of the environmental review process which took about 18 months. During SEQR process, a number of thresholds were evaluated, including visual impacts, where most of the time was spent. Mr. Esposito explained that there is not an obligation to notify the public when tasks are going to take place, however, the information is public knowledge and is being shared at the Public Hearing. Mr. Esposito explained that the balloon test is used to dial in elevations and accurately prepare visual simulations.

The applicant complied with the ZBA requests of the balloon test and the task of staking every building within the project in every corner to visually see how high the buildings would be.

Buildings 1-4 have garage under parking. The buildings have been lowered as much as possible considering the flood elevation. Buildings 5 and 6 are on slabs because they could not get those buildings low enough for the Planning Board so the garage under parking was removed and the slab was lowered in an effort to reduce the overall height

of the buildings while minimizing visual impact. From the front door of the trail side the height from the building to the ridge is 45', which is 35' above the trail.

Mr. Siemers described the front door of the unit is about 6' lower than the trail, with the building height being 35' above the trail.

Concerns expressed included traffic and the width of the road from Green Street, which will be the secondary access point to Fiddler's Green. Mr. Esposito stated that the main entrance would be off of North Connector Road. Mr. Esposito explained that the width of the road is 24' curb to curb with two way traffic throughout and parallel parking. Mr. Esposito stated that the distance from South Street to North Connector Road from the entrance is 300'-350'.

A question arose regarding the difficult turn onto Green Street. Mr. Esposito responded that there's a detail for the intersection and improvements including pedestrian access to the trail traffic that the developer is going to make and has been evaluated by the Villages traffic consultant.

Mr. Esposito was questioned on the anticipated start of construction. He responded by stating that once they are completed with the Planning Board, the applicant has to go back to the health department for approval, along with DEC for approval, then back to the State for the wetlands permit and DOT approval. The initial start of the project for updating the waterline is hoped to happen in spring while the rest of the project is subject to regulatory approvals.

The main water line that services the Village of Goshen runs through the project site, which is where the 16" line broke last year. The project will be upgrading by tying into the water line on South Street and loop it through the site and reconnect to Green Street, which will be a benefit to water flow and water pressure. The Village asked the builders to upgrade to a 12" iron line and run it to the intersection and crossover North Connector Road to the loop, and put a hydrant there for future development.

Questions about signage came up and Mr. Esposito stated that some of the elements have been discussed; however, signage itself has not been designed yet.

Mr. Torelli moved and Mr. Boese seconded, that the Planning Board of the Village of Goshen closed the Public Hearing at 7:58 pm. Motion carried 5-0.

Ms. K. O'Donnell provided a technical review of the project. The applicants have gone through SEQR, they are at the point of technical engineering and design studies being reviewed.

Mr. Esposito asked for conditional approval from the Planning Board. Chairperson McClung summarized the expectations including the lighting plan needed for the Planning Board attorney to prepare a resolution with conditions for Mr. Esposito to adhere to when he will present again at the April Planning Board Meeting.

**Southside Commerce Center Site Plan, #121-1-1.32, V.O.G. and #13-1-5.11, T.O.G., Revised Plan set, Sanitary Sewer pump station design.**

Representing the Applicant: Jay Myrow, Esq.  
Bluestein, Shapiro, Rich & Barone  
Larry Torro, P.E.  
Civil Tec Engineering and Surveying

Ms. K. O'Donnell discussed the issue at hand with the applicant to clear trees to protect the Indiana bats, which protects mature trees where bats may be roosting. The law prohibits the cutting down of any trees from 3/31 through 10/31. Discussion took place among the Planning Board members and those representing the applicant.

Mr. Dickover stated an oral resolution to address what was discussed during the meeting:

A resolution by the Village Planning Board authorizing the applicant to cut the trees on the subject property as identified on the plans within the disturbance area subject to receipt by the Planning Board of a letter of commitment from the applicant acceptable to the attorney for the Planning Board as well as the engineer, setting forth the applicant's agreement that they will not disturb any areas outside of disturbance area. The trees will be cut by hand and using no heavy equipment. The trees will stay in place with no stumping or cutting. The applicant is to identify in the field the property boundaries of the Village and Town as well as the disturbance area. The applicant is to post a restoration bond for an amount satisfactory to the engineer and attorney for this Board suitable to restore the fallen trees and that bond to be callable within a period of time, suggest three years from this date, in the event the building permit is not issued within that period of time. There is to be no grading as part of this approval and the Chairperson will be authorized to sign the resolution upon receipt of confirmation from the Planning Board attorney and engineer stating that the applicant has complied with the conditions stated. Indemnification and hold harmless agreement from the applicant running to the Village of Goshen for activities, personnel, employees, or agents that may be on the premises as part of the approval process.

Ms. K. O'Donnell advised the applicants that the cover letter needs to be more specific to say there will not be erosion disruption, and how the site will be accessed.

Mr. Boese moved and Mr. Torelli seconded, that the Planning Board of the Village of Goshen accept the Resolution set forth by Mr. Dickover. Motion carried 4-1. Mr. LaBruna opposed said Resolution.

### **Approval of Minutes**

The Minutes of the January 28, 2020 Planning Board Meeting were accepted.

### **Meeting Adjournment**

On a motion by Mr. Boese, seconded by Mr. LaBruna, the Meeting was adjourned at 8:49 pm. Motion carried 5-0.

Elaine McClung, Chair

Notes prepared by Maria Darby