

Village of Goshen
Planning Board Meeting
July 28, 2020

Members present at Village Hall: Elaine McClung, Chairperson
Molly O'Donnell
Michael Torelli

Members present via Zoom: Sal LaBruna

Also present at Village Hall: Dave Donovan, 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.

Chairperson McClung led those present in the Pledge of Allegiance.

APPLICANTS BEFORE THE BOARD

Parkway Goshen, Inc., Emily and David Collado, RE: 26-28 Parkway, #109-9-14, Proposed Bed & Breakfast, R-1 Zone

Representing the Applicant: Emily and David Collado

Mr. & Mrs. Collado purchased the 2.1 acre property in 2017 that consists of stables that have been transformed into living space and a large house structure, that they would like to restore to its original Queen Anne Victorian mansion. After much research they have only been able to go back to 1854. They would like to propose a Bed and Breakfast where they can create a hospitable place for families to visit Legoland and show the beauty of the area.

Mr. Donovan explained options to the Collado's as the Planning Board is not able to approve plans for a Bed and Breakfast. As Bed and Breakfasts are currently not allowed in the Village, the Village proposed legislation to allow Bed and Breakfasts and the item got sidetracked. As a result of the pandemic, legislation has been delayed that would allow short term rentals and Bed and Breakfast lodging. Mr. Donovan suggested writing to the Village Board to ask that they continue to push the legislation through. Ms. K. O'Donnell advised that the Village of Goshen Board is moving forward with the recommendation of the legislation, and Ms. K. O'Donnell shared that what the Collado's are trying to do is included in the current recommendation.

L. Torro, P.E. f/Southside Commerce Center, #121-1-1.32 Village of Goshen, #13-1-5.11, Town of Goshen

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

Mr. Torro presented the status of the project to the Planning Board. Following public hearings and presenting at Town of Goshen Board meetings, the Town of Goshen is drafting a Resolution of Approval for the Southside Commerce Center project. Mr. Torro explained to the Planning Board that there have not been any changes to the layout or square footage of the project.

Ms. K. O'Donnell's 7/24/2020 letter was discussed including retaining wall plans, landscaping plans, and the sanitary sewer pump station design. Mr. Torro shared that the warehouse will have separate sections and there is not an end user yet.

Mr. Donovan questioned the responsible party for the storm water facility maintenance and Mr. Torro said that the owner would be responsible for that, which will need to be recorded properly.

Mr. Donovan raised a question regarding water as the location uses Village water, and the County water main. Approval from the County will be required for the water main. Mr. Donovan confirmed that the Town of Goshen is preparing a Resolution of Conditional Approval, which Mr. Torro is asking for from the Village Planning Board for the August meeting.

All board members were in agreement with preparing a Resolution of Conditional Approval.

Fellenzer Engineering f/South Street, Zone Change Request, #120-1-2

Representing the Applicant: Amador Laput
Fellenzer Engineering LLP
Ofer Avgush, property owner
Eli Ram, property owner

Mr. Laput reviewed the zoning map where the proposed project would be located. He advised that instead of the medical office building that was originally approved in 2009 that the new owners would like a zoning change to build a boutique motel. Square footage and number of rooms are not known at this time as Mr. Laput explained the applicant would like to get through the zoning change before moving forward with the project plans.

Ms. K. O'Donnell referenced her 7/24/2020 letter. Mr. Donovan explained that the Village Code requires review of the following five factors:

1. Are the uses permitted by the proposed change appropriate in the area concerned?
 - a. Mr. Donovan asked the Planning Board to consider ALL of the uses listed in the code
2. Are there adequate school facilities and public services to serve the needs of any additional residencies constructed as a result of the change?
3. Is the proposed change in accordance with existing or proposed plans?
4. The effect of the amendment upon the Village's growth.
5. Whether the amendment would result in an increase or decrease in the residential capacity of the Village.

Mr. Donovan explained the steps required from the applicant to move forward with the zoning change. The applicant would provide a request in writing to the Village Board, if the Village Board chose to move forward then a public hearing would be held at which time a determination would then be made regarding the project.

Comments from the Planning Board members were received. Mr. Torelli felt that the zoning change would be beneficial to the Village and it is in a good location for the motel. Chairperson McClung advised that the project area is surrounded by a residential area. Mr. LaBruna agreed that the motel could be of benefit to the Village, however, he has concerns with other "uses" in the DS Zone, not necessarily the motel. Ms. M. O'Donnell also agreed with Mr. LaBruna and Mr. Torelli.

Mr. Donovan advised that he will prepare a draft letter to present to the Village Board based on the Planning Board's comments which will be given to Chairperson McClung for review and feedback from the other Planning Board members.

CORRESPONDENCE

Note: Release of Landscape Bond Request – Horizon Land Development – Village of Goshen Board Meeting – 6/22/2020

Chairperson McClung noted the correspondence.

**Notice of Intent – Copy RE: King Zak - #122-1-11 Village of Goshen, #13-1-71
Town of Goshen**

Chairperson McClung noted the correspondence.

Approval of Minutes

The Minutes of the June 23, 2020 Planning Board Meeting were accepted.

Review of Village Code Section 15.4 Architectural consultant's responsibilities

Planning Board members had agreed to review all references to ADD in the Village Code during the June 23, 2020 Planning Board meeting and discuss any possible changes they felt were needed at the July 28, 2020 meeting. Discussion took place regarding the recent application of Il Limoncello and the consultant's responsibilities. Mr. Torelli discussed that a working session would be helpful for discussing future proposed projects that required it. Chairperson McClung would like to invite Mr. Wheldon Abt to one of the next Planning Board meetings and the Planning Board members agreed that this was a good idea. Mr. LaBruna shared that he does not believe anything in the code needs to be changed, and would like to discuss the consultant's responsibilities further with Mr. Abt.

Meeting Adjournment

On a motion by Mr. Torelli, seconded by Ms. M. O'Donnell, the Meeting was adjourned at 9:05 pm. Motion carried 4–0.

Elaine McClung, Chair

Notes prepared by Maria Darby