

Village of Goshen
Planning Board Meeting
May 26, 2020

Member present at Village Hall: Elaine McClung, Chairperson

Members present via Zoom: Adam Boese
Sal LaBruna
Molly O'Donnell
Michael Torelli

Also present at Village Hall: Dave Donovan, Esq., PB Attorney
Art Tully, P.E., Lanc and Tully
Kristen O'Donnell, Village Planner, Lanc and Tully

Chairperson McClung called the Meeting to order at 7:30 p.m.

There are a few amendments to the agenda – adding Yidel, Southside and look at February PB Minutes.

APPLICANTS BEFORE THE BOARD

Burger King Site Plan, #33 Matthews Street, 2nd driveway, #119-1-1.1, D-S Zone

Mr. Donovan received K. O'Donnell's comments and reported that there are not any changes to the footprint of the building, and changes have already been made to the façade of the building. The Planning Board waived the public hearing, and based on the recommendation from the Planning Board, the application was referred to Orange County Department of Planning due to its close proximity to Matthews Street. A response has not been received as of yet. Mr. Donovan advised that the application is ready for action.

Mr. Torelli moved, and Mr. Boese seconded the amended site plan approval for an additional drive through lane and additional signage. Motion carried 5-0.

Goshen Plaza, Clowes Avenue, #114-5-15, D-S Zone and 3/26 submittal – WESCORP Goshen Plaza Narrative Summary-Site Plans-see 3/14/20 letter to Chairwoman McClung from K. O'Donnell

Representing the Applicant: Justin Dates, Maser Consulting

Mr. Donovan reported that there were minor amendments to the site plan that seemed to be more field changes rather than true site plan changes. Field changes include Orange & Rockland equipment plans which require a modification to the parking area, revised landscaping and lighting plans, additional ADA parking spaces to medical offices, and revision to storm water management ponds.

Ms. M. O'Donnell moved, and Mr. Torelli seconded the motion to adopt the previously issued negative declaration for this project and approve requested changes as field changes to approved site plan. Motion carried 5-0.

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

Representing the Applicant: Mark Siemers, P.E., Pietrzak & Pfau
Jay Myrow, Esq., Bluestein, Shapiro, Rich & Barone
Carter Sackman

Mr. Donovan let the record reflect that Mr. Tully and Ms. K. O'Donnell arrived at Village Hall and were present for the meeting.

Draft resolution and rendering was received by all Planning Board Members. Mr. Donovan read the specific 20 conditions.

Mr. Siemers commented regarding condition #8 in that you're only allowed to clear 11/1-3/31 in order to avoid summer roosting of the bats.

Mr. Donovan informed that an anticipated completion date is a code requirement in order to make the resolution complete. The project is expected to start within one year as Mr. Siemers advised that agency approvals were still pending. Mr. Siemers agreed to October 15, 2024 as a completion date.

Mr. Boese moved, and Mr. LaBruna seconded the motion to adopt the resolution of approval with a modification to the language of condition #8. Motion carried 5-0.

IL Limon Cella, Inc., 159 Main Street, #109-2-3, O-B/ADD/CPHD Zones

Representing the Applicant: Luigi Kapiti
Joe Irace, Irace Architecture

Ms. K. O'Donnell's letter is focused on process such as what form and procedures will need to be taken to get the applicant where they need to be. The project site is in an Office Building Zone, Architectural Design District and in the National Historic District. The applicant would like to change its use from 32 rental units upstairs to 30 hotel rooms, continue as a restaurant on the first floor, and expand of the Tap Room. The Tap Room is a 2 ½ story Tudor style building that is part of the restaurant, and proposed to have two additional stories added. Applicant went to ZBA in 2019 with a ruling that the proposed alterations do not create any additional zoning nonconforming uses allowed at the premises. The ZBA did not take a position on Site Plan approval.

Under Village Zoning Code, Site Plan requires approval for the enlargement of all buildings, as well as changes in use, when the Building Inspector (BI) believes the changes will result in an increase in the intensity of use on the site where the use will significantly affect the characteristics of the site. Determination is based on the BI's opinion, which has not been received as of date.

Mr. Irace went through the proposal for the board and shared the concern Wheldon Abt, Architectural Design Architect, pointed out of adding the additional level to the Tap Room Building as it is a fragile building and he would prefer they don't go 4 stories on that part of the building.

Mr. Donovan advised that because the building is in the Architectural Design District, the Planning Board needs to provide an architectural design district approval/permit which is done in conjunction with Wheldon Abt.

Ms. O'Donnell needs clarification on additional square footage so it can be determined if SEQR is required, and advised that the structural engineer needs to address, in writing, the 1/14/20 memo.

Ms. K. O'Donnell will contact Steve Esposito to advise what is needed. The Building Inspector will be asked to give his opinion on whether a site plan is needed for the project. Applicant should get on the agenda for next month with a revised plan.

Horizon Land Development, #126-1-4.22, IP Zone

Representing the Applicant: Steve Esposito, RLA, Esposito & Associates

Ms. O'Donnell summarized that the applicant would like to expand and pave part of the parking lot, add additional parking and new signage at the existing medical office site on Hatfield Lane. Mr. Tully had concerns regarding grading and there were no other

issues. Mr. Esposito reported that the project will cut the number of parking spaces by one. The application requires a referral to ZBA because the sign requires two variances; square footage and zoning. A revised site plan is needed before it goes to Orange County Planning.

Mr. Boese moved, and Mr. LaBruna seconded the motion to refer the applicant to the ZBA. Motion carried 5-0.

FEJJ, LLC Conditional Use Permit, 160 Greenwich Avenue, #111-16-5 (previously withdrawn from 2/25/20 PB Agenda)

Mr. Donovan recused himself prior to the agenda item being discussed.

Ms. K. O'Donnell reported that the applicants would like to put additional apartments in the existing building being used for commercial use only. The site location is in the CS Zone and Architectural Design District Overlay.

Ms. K. O'Donnell reported that a memo was sent to David Crawford and spoke to Jim Dillin, and they're both aware that there are outstanding materials. It is up to them to resubmit to the Planning Board.

Letter of request Re: The Knolls of Goshen, #104-2-40, 41 for a ninety (90) day extension of conditional final approval

Representing the Applicant: Mark Siemers, P.E., Pietrzak & Pfau

Mr. Siemers provided an update of the project and advised that there are new buyers, Ed Biagini and his son Paul Biagini, with the closing hopefully taking place in the next couple of weeks.

Chairperson McClung asked Mr. Siemers that the Planning Board meet the new owners and find out their intentions once the closing has taken place.

Mr. Boese moved, and Mr. Torelli seconded the motion to approve the 90 day extension of the Conditional Final Approval. Motion carried 5-0.

Request for a lot-line change, #117-1-1, 22 NYS Route 17M, I-P Zoning District

Mr. Donovan described the lot-line change coming off of the Yidel property. The owners have agreed to give the Village a different piece of property as a new leaf pile site that has been approved by the Mayor, the Board and the DPW Superintendent, and surveyed by Lanc & Tully.

Ms. M. O'Donnell moved, and Mr. Boese seconded the motion to approve the Village taking the title to a new leaf pile site, whereas the public hearing is waived, a negative declaration is issued, and authorize the Chair to sign the subdivision plat. Motion carried 5-0.

Copy of 3/24/20 letter from DPW RE: Yidel Realty Warehouse Development, Route 17M, #117-1-1.22

Representing the Applicant: Steve Esposito, RLA, Esposito & Associates

Asking for a resolution to extend the date for site plan approval and add a year to the completion date.

Mr. Torelli moved, and Mr. Boese seconded the motion to approve a one year extension for site plan approval and completion date. Motion carried 5-0.

**Resolution RE: Southside Commerce Center, #121-1-3.2
(faxed to Attorney Myrow for the client at attorney's request)**

The applicant submitted a revised Site Plan and Ms. K. O'Donnell conducted a review and is waiting for a response from the applicant. Ms. K. O'Donnell will send the information again for review. A Public Hearing in the Town of Goshen took place; however, the application has not yet been approved in the Town. The Planning Board is not holding up the applicant.

CORRESPONDENCE

Copy of letter dated 3/10/20 from Mayor Nuzzolese addressed to Rabbi Meir Borenstein

Mayor Nuzzolese sent a letter to Rabbi Borenstein that prior to any project starting, he will have to come before the Planning Board as there is a change in use from the library.

Approval of Minutes

The Minutes of the February 25, 2020 Planning Board Meeting were accepted.

Meeting Adjournment

On a motion by Mr. Boese, seconded by Ms. M. O'Donnell, the Meeting was adjourned at 9:03 pm. Motion carried 5-0.

Elaine McClung, Chair

Notes prepared by Maria Darby