

Village of Goshen  
Planning Board Meeting  
January 26, 2021

Members present via Zoom: Chairperson Elaine McClung  
Adam Boese  
Sal LaBruna  
Molly O'Donnell  
Mike Torelli

Also present via Zoom: Ted Lewis, Building Inspector  
Dave Donovan, Esq., PB Attorney  
Kristen O'Donnell, Village Planner, Lanc and Tully  
Art Tully, P.E., Lanc and Tully

Applicants and others via Zoom: Ed Connor  
Benjamin Glick  
David Schlosser  
Sam Gershwin  
Steve Esposito  
Mark Siemers  
James Dillin  
Scott Olsen  
Brian Tempio  
Joe Suresky  
Scott Lurie  
Daniel Richmond  
Wendy Bynum Wade

Chairperson McClung called the Meeting to order at 7:30 p.m. and led the Pledge of Allegiance via Zoom.

**PUBLIC HEARING**

**Suresky Hyundai Exclusive Facility, Revised Site Plan, Revised EAF and ACOE Wetland Determination Letter; #2 Hatfield Lane, 126-1-3.1; I-P Zone**

Representing the Applicant: Steve Esposito, RLA, Esposito & Associates  
Joe Suresky, Suresky Hyundai  
Scott Lurie, Architect

The public hearing began at 7:34pm where Mr. Esposito explained he is seeking site plan approval and described the project in detail while referencing plans submitted. A new entrance is being proposed that would still be off Hatfield Lane but will go directly into the service area.

Mr. Esposito referenced the code regulating signage in the I-P Zone, which permits lots with two or more fronts to have two signs, which the applicant is proposing.

Discussion took place on the pylon sign, which will measure 29'10" in height and 9'7" wide for a total of 300 square feet including the base. The sign will include the Hyundai logo, and Mr. Esposito confirmed that the sign would be lit at night.

Public comments were received from Ed Connor. Regarding the sign, Mr. Connor asked if the sign was on Hatfield Lane and expressed concern of a sight clearance. Mr. Esposito provided information that the sign would be on Hatfield Lane and has a setback of 22' from the edge of the street. Mr. Connor also asked about the width of the sign, and Esposito advised that the sign is 9'7", where sight clearance was then further discussed. Mr. Esposito said that he will provide information on the sight clearance. Mr. Tully requested that Mr. Esposito provide an accurate description of the pylon sign which he agreed to and Mr. Esposito added that he would make sure the sign was safe.

Mr. Connor asked about parking with the new project and Mr. Esposito advised that there will be additional employee parking along with inventory.

Ms. K. O'Donnell referenced comments specific to the project that were submitted in December 2020 and January 2021. There are also many detailed comments from Superintendent Birney referenced in the letter. Mr. Esposito advised that he will be ready for the next meeting to address comments received from Lanc & Tully. The applicant needs to know if they need to go to the ZBA for a variance regarding the sign. A vehicle tower is also being proposed, which will have a lift and display a vehicle.

A GML has been received from Orange County and will be distributed to the applicant and Lanc & Tully. Mr. Tully asked about the total height of the new building, which Mr. Esposito confirmed that it would be 40' to the top of the roof. Mr. Connor asked if the sign would be illuminated 24 – 7. Mr. Esposito confirmed that it would be and was asked by Ms. K. O'Donnell to provide lighting plans.

Mr. Torelli moved, and Mr. Boese seconded, that the Planning Board of the Village of Goshen close the Public Hearing at 8:05 pm. Motion carried 5-0.

### **APPLICANTS BEFORE THE BOARD**

#### **Suresky Hyundai Exclusive Facility, Revised Site Plan, Revised EAF and ACOE Wetland Determination Letter; #2 Hatfield Lane, 126-1-3.1; I-P Zone**

Chairperson McClung advised that she would like the Suresky Hyundai Exclusive Facility project added as an agenda item.

Chairperson McClung asked Ms. K. O'Donnell to discuss the landscaping issue that the GML from Orange County brought up. Ms. K. O'Donnell reported that the landscaping plan is not consistent with the zoning, and that the vegetative strip on Hatfield Lane is not met.

Mr. Boese asked about the traffic study the County asked to be completed. Chairperson McClung shared that she spoke with the County earlier in the day and there seemed to be a bit of confusion as the County was already conducting a study in the next few months which will include that area.

Mr. LaBruna referenced the 239 letter from Orange County about the wetlands impacted by the project. Mr. Tully shared that the regulations were developed by the DEC, not the County and that everything proposed by the DEC will be addressed.

Mr. Torelli stated that he liked the project plan and was glad the applicant had the property to do this. Ms. M. O'Donnell stated that she didn't have any issues and looked forward to what would be presented next month.

Mr. Esposito told the board that he would like to go to the ZBA for the pylon sign. Mr. Lewis advised that the dimensions for all the signs should be gathered and discussed at one time with himself, the applicant and Lanc & Tully.

Mr. Suresky added that the requirements of the sign come directly from Hyundai. Mr. Lurie, architect for the project, explained that lighting on the sign is internally on each individual letter. Mr. Donovan advised that he's not sure whether there will be a height issue as he doesn't refer to the display as a sign, however, a height variance may be needed. Mr. Boese added that he feels that the sign is more of a structure rather than an actual sign.

Chairperson McClung wrapped up the agenda item by stating that Mr. Esposito should pull together all the information on the sign and meet with Mr. Lewis to determine next steps.

**Limoncello, Orange Inn, 159 Main Street, #109-2-3 O-B A.D.D. – (see copy of letter to W.A. Abt from T. Lewis enclosing copy of S. Esposito's letter and plan)**

Representing the Applicant: Steve Esposito, RLA, Esposito & Associates  
Joseph Irace, AIA LEED AP, Irace Architecture P.C.

Mr. Esposito updated the Planning Board that he has worked with Wheldon Abt and appeared before the ZBA twice. The plan is to reconstruct the center portion of the building. The façade on Main Street will have the appearance of a 3-story building, where the rear of the building will go back to the originally planned fourth floor. Mr. Abt wrote an opinion letter where he stated that the plan was approvable. Mr. Esposito shared that demolition is currently taking place at the project site. The structural engineer evaluated foundations, soils and framing. Mr. Irace concurred with Mr. Esposito that the foundation is in good shape, however, the framing is being replaced. Compression tests are also being done on the soils, and Mr. Irace will put together a full report and provide it to Mr. Abt.

Ms. K. O'Donnell addressed all comments and had nothing further to add. Mr. Donovan felt that it was appropriate to move the project along, and Mr. Lewis was also in agreement.

The Building Inspector will sign off on the structural integrity of the building after receipt of a letter from Mr. Irace with the Advance Testing results.

On a motion by Ms. M. O'Donnell, seconded by Mr. Torelli, the Planning Board declares that no significant environmental impacts are identified with this application. Motion carried 5 – 0.

On a motion by Mr. LaBruna, seconded by Mr. Boese, the Planning Board grants Architectural Design District approval for the application as submitted. Motion carried 5 – 0.

### **Village Place Amenities**

Representing the Applicant: Steve Esposito, RLA, Esposito & Associates  
Mark Siemers, P.E., Pietrzak & Pfau  
Sam Gershwin, Squiretown Properties LLC

Mr. Esposito updated the Board on the proposed landscape improvements including a dog park on the westerly corner of the site, and that the applicant would like to expand the amenities on the corner of West Main Street. The expansion includes extending the retaining wall to flatten the site, which will expand the area for residents, and add a pickle ball court, picnic tables and barbeques. Currently a seating area exists from the original plan.

Mr. Siemers advised that the wall in the proposed improvements averages about 4' to 4'6". Concerns were raised for area residents if additional lighting was part of the proposed project. Mr. Gershwin confirmed that there would not be any additional lighting for the pickle ball court.

Mr. Boese sought clarification for the purpose of being on the agenda, which was to be referred to the ZBA and then brought back to the Planning Board for approval.

Discussion took place about the need for applicants to submit four hard copies of their applications, and that the Building Department provides a copy of each to Lanc & Tully and Mr. Donovan.

Ms. K. O'Donnell advised that the project would need a GML and needs to be sent to the County, which Mr. Donovan will do once he receives a paper copy and EAF from Mr. Siemers or Mr. Esposito.

On a motion by Mr. Boese, seconded by Ms. M. O'Donnell, the Planning Board referred the project to the ZBA for an area variance. Motion carried 5 – 0.

**The Knolls of Goshen, #104-2-40, 41; Request for 90-day extension of conditional final approval**

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

Mr. Siemers provided an update on actions taken since the last appearance at the Planning Board. Harness Road has not yet been dedicated to the Village, and Mr. Siemers is working on getting information regarding access to Harness Road.

Mr. Tully provided information, including comments from John Russo, P.E. Mr. Tully advised that there have been discussions with the DPW and Mayor Nuzzolese, and many questions remain. Mr. Tully added that Mr. Siemers is working on details and has made a lot of progress lately.

Mr. Siemers discussed they are determining whether to process rock on site or have it trucked off. Mr. Tully advised that the DPW wants testing completed of the rock for its quality of use. Mr. Siemers stated that the rock will be removed. Questions arose regarding the storm water plan, and the facility on lot #7, and whose responsibility was it for the maintenance. Mr. Donovan will have a conversation with the Village Board regarding same.

On a motion by Mr. Torelli, seconded by Mr. Boese, the Planning Board approved a 90-day site plan approval extension. Motion carried 5 – 0.

**Verizon Wireless of The East LP d/b/a – Verizon Wireless, #15 Matthews Street, #119-1-3, D-S Zone**

Representing the Applicant: Scott Olson, Esq., Young/Sommer LLC  
Brian Tempio, NB&C

Mr. Olson presented on the proposed project for a micro-small wireless cell tower measuring 49 ½' tall to increase cellular coverage at 15 Matthews Street. As the location is in a DS zone, the project will require a use variance from the ZBA. The applicant has a lease agreement with Prag Holding. Mr. Boese questioned why the applicant wouldn't use the roof of the building rather than an actual pole. Mr. Olson advised the Planning Board that he will obtain a more detailed plan from the radio frequency engineer.

Mr. Donovan confirmed that a use variance is needed and that will have to come from the Building Inspector.

Ms. K. O'Donnell expressed the need to talk about zoning and bulk requirements. Mr. Tully asked about the existing antenna near the area, and the Planning Board stated that was for AT&T. Mr. Tully thought that an RF Engineer should be brought in for the project.

Regarding the process for the use variance change, Mr. Lewis would issue a denial and then the project would go before the ZBA for the use variance.

Mr. Olson wanted to address the questions posed during the meeting regarding any other options for placement of the cell tower. Mr. Donovan advised that the next steps would be for Mr. Lewis to issue a denial and then the applicant would need to get on the ZBA agenda.

**Scotchtown Adult Community, revised Subdivision and Site Plan, #104-2-59.2, R-3 Zone**

Representing the Applicant: James A. Dillin, PLS

Mr. Dillin updated the Planning Board on the progress since his last appearance before the Planning Board. He is requesting a revised site plan approval. The community will now be 12 units rather than the originally proposed 20 units, and a public hearing will be required as a result of this change. Mr. Dillin expressed concern over the new law that limited the number of attached units to five, and the project now has two sets of six units. Mr. Donovan advised that this law would not apply to this project.

Mr. Dillin shared the updated plans with the Planning Board and was seeking comments from the board. Mr. Donovan advised that a new Public Hearing would need to be scheduled, as the open Public Hearing from 2019 is not able to be continued. Mr. Dillin would prefer to hold off on scheduling the Public Hearing and continue working on replies to Lanc & Tully.

**Sapphire Nursing and Rehabilitation at Goshen, 46 Harriman Drive, Proposed Subdivision, #128-1-3.1, OBH**

Representing the Applicant: Daniel M. Richmond, Esq.,  
Zarin & Steinmetz  
David Schlosser

Mr. Richmond originally presented to the Planning Board about the proposed project in June 2020. Mr. Schlosser discussed the project further and explained that the plan was to have two separate buildings. Ms. K. O'Donnell addressed comments from her review letter, and Mr. Tully advised that for a full review to be done, all information needs to be put together.

The applicants advised that they will be back in February with additional information.

**APPROVAL OF MINUTES**

The Minutes of the November 17, 2020 Planning Board Meeting were accepted.

**MEETING DATES**

Planning Board meeting dates for 2021 had been distributed to members previously.

**MEETING ADJOURNMENT**

On a motion by Mr. Torelli, seconded by Ms. O'Donnell, the Meeting was adjourned at 10:50 pm. Motion carried 5-0.

Elaine McClung, Chair

Notes prepared by Maria Darby