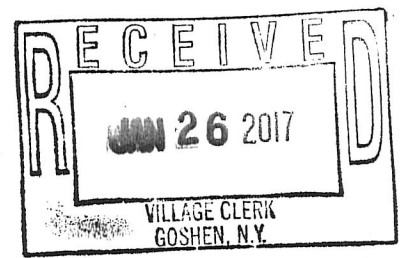


VILLAGE OF GOSHEN
PLANNING BOARD
December 20, 2016



The work session/regular meeting of the Village of Goshen Planning Board was called to order at 7:30 p.m. on December 20, 2016 in the Village Hall by Chair Scott Wohl.

Members present: Chair Scott Wohl
Adam Boese
Elaine McClung
Molly O'Donnell
Michael Torelli

Also present: Michael Donnelly, Esq., PB Attorney
Kristen O'Donnell, PB Engineer
Ted Lewis, Building Inspector

Mr. Wohl opened the meeting with the Pledge of Allegiance

PUBLIC HEARING

Murphy Lot Line Change, #124-2-2.13, R-1 Zone

Representing the applicant: Steve Esposito, PE

Mr. Esposito appeared with Mr. and Mrs. Matta. There are two existing parcels on the original Murphy subdivision. What is being proposed is to modify the line that divides Lots 3 and 4. Lot 3 will be modified to a .42-acre parcel and Lot 4 another .42-acre lot.

Mr. Boese asked to be reminded of the purpose of why the old line was no good. Mr. Esposito stated that the contract purchasers and the seller wanted more land.

Chair Wohl asked if there were any comments from the public this evening.

Elizabeth Tarven spoke in favor of the change. She lives next to the lots. She has some questions about where the driveway would be, how far back the house was going to be and if there was going to be any additional blasting. She said she heard they would like to set the house further back, which sounds good to her. She came up to view the plans.

Mr. Esposito showed the plans to Ms. Tarven.

Chair Wohl stated there was a letter from Lanc and Tully, the consultant, which was distributed.

VOTE BY PROPER MOTION made by Mr. Torelli, seconded by Ms. O'Donnell, the Village of Goshen Planning Board moved to close the public hearing. The motion was approved unanimously.

Mr. Donnelly stated this application was referred to the County Planning Department which has not reported back. The Planning Board issued a Negative Declaration for this application at its November meeting. The applicant needs to declare an anticipated completion date. Mr. Esposito asked for two years from today's date. Mr. Donnelly stated the anticipated completion date would be December 20, 2018. There are no other conditions and no requirement of a fee in lieu of parkland fees because both lots currently exist.

VOTE BY PROPER MOTION made by Ms. McClung, seconded by Ms. O'Donnell, the Village of Goshen Planning Board moved to approve the subdivision. The motion was approved unanimously.

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Vecchi Subdivision, R-1 Zone

Representing the applicant:

James Dillin, PE

Chair Wohl asked the board if there were any questions. Mr. Boese stated there was letter from the owner to a neighbor.

Chair Wohl asked Mr. Dillin if there was any response to the letter. Mr. Dillin stated Ms. Briggman was down in Florida and he didn't believe Ms. Vecchi got a response. Ms. Vecchi stated in the letter that they can only mutually agree anyway. It's the State's property.

Mr. Donnelly asked if there is any recorded common driveway easement or maintenance agreement of any kind. He asked how do they take care of it. Mr. Dillin responded that they just do it themselves. Mr. Donnelly stated if it was privately-owned land the board would be looking for a common driveway easement maintenance agreement to make sure it is recorded and enforceable. He said it's difficult to impose an obligation because it's the State's land.

Mr. Lewis asked if the owners did not take care of it, who enforces it. Mr. Donnelly stated it is not a Village issue. Mr. Donnelly stated it wouldn't hurt to have something recorded. It would benefit all three property owners.

Mr. Donnelly stated there is just no real way to record an easement that would restrict the State's lands. Mr. Lewis asked if there is any way to get something in writing so it can be enforceable. Mr. Donnelly stated they could create a letter agreement. Mr. Dillin stated he was not sure he could get cooperation. Mr. Donnelly stated it could be a one-sided undertaking stating his client will provide representation that she will provide her share in the cost of maintaining the driveway. Mr. Dillin stated he could do that.

Ms. McClung asked if the property was sold would it go with the deed. Mr. Donnelly stated it is not an encumbrance on the property. Mr. Lewis asked if it could be put in the deed. Mr. Donnelly stated if it is made a map note, it will bind any subsequent purchase. Mr. Dillin stated he could do that.

Mr. Boese asked about the saw cuts. He stated cutting it now loses options. Mr. Dillin stated he could put in a map note stating no open cutting and a permit from the State would be required for boring underneath.

VOTE BY PROPER MOTION made by Mr. Boese, seconded by Mr. Torelli, the Village of Goshen Planning Board moved to close the public hearing. The motion was approved unanimously.

Chair Wohl stated there was a declaration of lead agency, a referral to County Planning, and a Negative Declaration issued. Mr. Donnelly stated he received a local response from the County. It states a local determination.

Mr. Donnelly stated there will be two map notes. One map note is for the waterline boring stating DOT approval is required and the second is a maintenance obligation for the new lot owner.

VOTE BY PROPER MOTION made by Mr. Boese seconded by Mr. Torelli, the Village of Goshen Planning Board moved to approve the subdivision as modified with two map notes. The motion was approved unanimously.

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APPLICANTS BEFORE THE BOARD

Scotchtown Office Park, LLC, #104-2-59.2, O-B Zone, Extension of all previous approvals

Representing the Applicant:

James Dillin, PE

VOTE BY PROPER MOTION made by Mr. Torelli, seconded by Mr. Boese, the Village of Goshen Planning Board moved to extend all approvals for the project to June 30, 2017. The motion was approved unanimously.

Goshen Public Library, #105-1-2.12, R-R Zone

Representing the Applicant:

Jay Samuelson, PE

Mr. Samuelson stated last month there were a few discussions that lead to a revision of the plan. There were a few site visits.

Regarding sewer, a site visit was held with Mr. Tully, a member of the Joint Rec, and a trustee from the Village Board. During a walkthrough of Salesian Park a route for the sewer was designed. Mr. Tully asked Mr. Samuelson to come up with a few other options. A response letter was then drafted which included going across 207, west and behind the apartment building. Reasons were given for why this was not the best option.

Mr. Tully also requested that Mr. Samuelson look going east up to the intersection of Sarah Wells Trail, down Pond Avenue to Hambletonian. There were also reasons given why this is not the best option either.

What was determined to be best is to come out the side of the building, come up along the right-of-way and have a manhole and then run parallel to the property line. An area of pavers may be crossed. Mr. Samuelson stated they would need to get easements from the Town through the park.

Regarding access during construction, post-construction has been solved by defining an easement that goes through to the park. There is a preliminary acceptance with the Haight's next door that their driveway can be used during construction. It is not finalized yet, but during construction the driveway next door can be utilized, coming in behind the old nuns' course and join in the back. The Haight's have asked for some indemnifications.

Mr. Donnelly asked if the easement is for the public to access the park. This was confirmed.

Mr. Lewis stated there is an application to demolish the original building which is filled with asbestos. It is now before the Village Board to have the fees waived and tabled at the last meeting.

Mr. Samuelson asked the Board to set a public hearing for January's meeting.

Mr. Donnelly stated that Lanc and Tully's memo reflects that a negative declaration would be appropriate at this time. A public hearing makes sense to have at the January meeting.

Mr. Donnelly stated that fire flows and the possible need for storage tanks needs to be answered. Mr. Samuelson stated they are proposing to do their own underground tank with fire pumps. It is shown on the plans.

Mr. Torelli stated he had a few comments. He stated regarding the sewer, in his interpretation he feels it is still better to go across the street. He would not hold up granting an approval, but he

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believes it would be in the better of the Village to go on the other side of 207 and connect to the system instead of going through the park. Ms. McClung stated she agreed it was better planning, but acknowledged it was cost prohibitive.

Mr. Samuelson stated the issue is there is a private-land owner that would require an easement to be given back to the Village or the library for that sewer. It is not readily available. The land owner was looking for relief from his assessment specifically on the sewer bill.

Mr. Samuelson stated the way he is planning to do it, there will an easement and it will continue across the library's property out to the right-of-way so in the future if the Village does decide to extend sewer, they will be able to connect into that sewer main and take it over if they foresee the need to do that in the future.

Mr. Torelli also asked about sidewalks. Mr. Samuelson stated there will be a sidewalk from the driveway entrance, all the way down to where the pavers come in, to the slate sidewalk. There will be sidewalk connection from the library down to the intersection to the crosswalk.

Mr. Torelli also stated his last comment is he wants the applicants to look at all the impacts, not just environmental impacts. He would like to see an economic impact statement prepared for the public hearing. He thinks the average homeowner should know what library tax to expect and that impact should be known.

VOTE BY PROPER MOTION made by Ms. McClung, seconded by Ms. O'Donnell, the Village of Goshen Planning Board moved to issue a Negative Declaration. The motion was approved 4-1-0 with Mr. Torelli abstaining.

VOTE BY PROPER MOTION made by Ms. O'Donnell, seconded by Ms. McClung, the Village of Goshen Planning Board moved to set a public hearing for this project on January 24, 2017 at 7:30 p.m. at Village Hall. The motion was approved unanimously.

APPROVAL OF 2017 SCHEDULE OF MEETINGS

VOTE BY PROPER MOTION made by Mr. Boese, seconded by Ms. O'Donnell, the Village of Goshen Planning Board moved to approve the 2017 Schedule of Meetings as presented. The motion was approved unanimously.

APPROVAL OF MINUTES

VOTE BY PROPER MOTION made by Mr. Boese, seconded by Ms. O'Donnell, the Village of Goshen Planning Board moved to approve the minutes as presented from the November 15, 2016 meeting. The motion was approved unanimously.

The next regularly scheduled Planning Board meeting is January 24, 2017 at 7:30 p.m.

VOTE BY PROPER MOTION made by Mr. Torelli, seconded by Mr. Boese, the Village of Goshen Planning Board moved to adjourn the meeting. The motion was approved unanimously.

ADJOURNMENT - The meeting concluded at 8:24 p.m.

Scott Wohl, Chair

Notes prepared by Tanya McPhee