

Village of Goshen Planning Board

Work Session/Regular Meeting Minutes

January 22, 2019

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

Absent: None

Also Present: Kristen O'Donnell, Village of Goshen Planner
James Farr, P.E., Special Planning Board Engineer [Yidel Realty]
Michael H. Donnelly, Planning Board Attorney

APPLICANTS BEFORE THE BOARD

1. Yidel Realty Warehouse, Route 17M, #117-1-1, 2 & 3, I

The public hearing was opened with a presentation by the applicant's representative, Steven Esposito. Mr. Esposito summarized the history of this land including the earlier approval granted to the Kikkerfrosch Brewery. Mr. Esposito also reported that the applicant has now received required variances. Only one member of the public spoke. Edward Connor expressed concern about the ability of trucks to turn out of the project during periods of heavy traffic. Upon motion second and majority vote, the public hearing was closed.

James Farr, P.E., the village's special traffic consultant reported that no new plans had been submitted to him. He is awaiting the receipt of a cut and fill analysis for the site. A side discussion regarding the conveyance of a portion of the property to the village for snow and leaf stockpiling was discussed. Any approval of this site plan will be conditioned upon that subdivision and conveyance.

A discussion then took place regarding confusion with the status of a report from the Orange County Planning Department. Although a referral for report has been sent to that department twice, a telephone call received by the chair requested delivery of more information. The board directed the planning board attorney to correspond with the Orange County Planning Department and to explain that that department has been sent everything in the planning board file and directing its representatives that, if they wish to report, they do so by the cutoff date for submission of documents for the February, 2019 meeting.

The board members discussed the traffic implications of the project and the need for New York State Department of Transportation approval. It was noted that the

project proposes a full turning movement intersection. A question arose regarding the recitation within the SEQRA consistency resolution regarding traffic impacts. James Farr, P.E. explained that, while the traffic impacts may be different in character, the impacts do not exceed in intensity those that would have flowed had the Kikkerfrosch project been built.

The planning board directed the planning board attorney to prepare a draft resolution (with conditions) for review at the February meeting.

2. **Southside Commerce Center, Police Drive, #121-1-1.32, IP**

Larry Toro, P.E. appeared on behalf of the applicant and updated the planning board on the status of the project. Mr. Toro asked the planning board for a recommendation as to when the applicant should apply to the Town of Goshen for its review. Kristen O'Donnell, the village planning board planner, recommended that the submission be made as soon as possible.

Kristen O'Donnell then reviewed her comment memo, noting that most comments relate to minor and technical details. Of significance, the water main tapped for this project is owned and controlled by the county. Therefore, county approval will be needed to access that water main. The water, itself, is from the village and approval from the village will also be needed.

Ms. O'Donnell suggested the need for certain changes to the SEQRA Environmental Assessment Form. As soon as that form is revised to her satisfaction, the planning board will be in a position to issue a declaration of significance.

Overriding these discussions, the board noted, is the need for this applicant to coordinate this project with the King Zak project and the One Police Drive project. Most significantly, various cross easements and maintenance agreements relating to drainage and utilities will need to be in place before any of the projects will be approved.

The planning board directed the planning board attorney to refer this matter to the Orange County Planning Department for a report under General Municipal Law 239-m.

3. **Goshen Shopping Center, 84-116 Clowes Avenue, #114-5-15**

Neal DeLuca appeared on this initial-appearance application along with a team of design professionals. After introducing the team and providing an overview of the proposal, a presentation was made:

Ron Hoina, R.A.: Mr. Hoina presented a rendering of the proposed new shopping center as seen from a Matthews Street perspective. While there will be public access from both Matthews Street and Clowes Avenue, the primary access point will be from Matthews Street, thus realigning the existing shopping center to face that street rather than Clowes Avenue. This follows how Matthews Street has developed as a restaurant, retail and office stretch. Proposed is a supermarket, a stand-alone drugstore, several

pad sites (possibly slated for restaurant use) and an L-shaped *flex* building adjoining the supermarket. Separate service and delivery entrances will be provided on both Mathews Street and Clowes Avenue.

Andrew Featherstone, P.E.: Mr. Featherstone presented a base engineering plan, promising a more detailed submission at a future meeting. The access points to both roadways were shown on that plan. Shared access with the Goshen Diner is a possibility but not a certainty.

Mr. Featherstone explained that the first phase of the development would be the demolition of the eastern wing of the existing strip mall. Following this would be construction of the new stand-alone CVS drugstore, the footprint of which will occupy some of the space occupied by the eastern wing of the strip mall. In this fashion, CVS can continue to operate in its existing space until the new, stand-alone building is completed. While that construction is ongoing, the western wing of the existing strip mall will be demolished. In phase three, CVS will move into its new building and construction of the supermarket, pad sites and the L-shaped flex building will follow, along with demolition of the space occupied by CVS.

Jim Comaselli: Mr. Comaselli will be the construction manager for the construction and spoke briefly about the construction phasing.

John Cappello: Mr. Cappello reported that, as presented, no variances will be required. However, parking adequacy may need to be revisited depending upon the final mix of uses. If restaurant uses are proposed, the *by-the-book* parking requirements may not be satisfied although provision is made in the zoning chapter for relaxation of those parking requirements if complimentary uses are proposed. It is estimated that the project will be completed within two years of approval.

Mr. Cappello asked the planning board to issue a lead agency notice of intent, to authorize the distribution of adjoining notices and for a referral of the application to the Orange County Planning Department under GML 239-m. The board directed that each step be taken.

Peter Ruscillo, P.E.: Mr. Ruscillo reported that traffic counts were completed this past June. All surrounding intersections will, after construction, operate at levels of service of C or better, except for the left turn out of Clowes Avenue onto Route 207. This movement operates at level of service D and will degrade to a level of service E upon completion of the proposed shopping mall. Mr. Ruscillo recommends that that intersection and that left turn traffic movement be monitored after construction to see if DOT *warrants* are met that might allow a traffic signal to control that intersection. The details of the full traffic study will follow.

4. **Monroe Woodbury Jewish Community Center, #106-1-16, R-2**

Ben Ostrer and James Dillin appeared on behalf of this applicant. Plans were presented for the first time showing the existing building and the proposed parking layout. Mr. Ostrer reported that the second floor of the existing building will not be used except possibly for visiting clergy members to reside on a temporary basis. Mr. Ostrer was asked to return with a full narrative detailing the hours of operation, the particulars of the use and the number of attendees at the services planned to be held. Mr. Ostrer reported that they do not anticipate having over 15 to 20 people for Friday night services.

The board resolved to authorize the mailing of adjoiner notices and the schedule of a public hearing for February 26, 2019 at 7:30 p.m.

5. **Scotchtown Adult Community, Harness Road, #104-2-59.2, R-3**

James Dillin appeared on behalf of the applicant and reported that a project meeting with representatives of Lanc & Tully has been held as a result of which the access issues discussed at the planning board's previous meeting have been resolved. The applicant now proposes a return to a full shared accessway with the earlier approved adjoining office project.

Mr. Dillin presented more details for the walkways shown on the plan and reported that the dumpster has now been located to a more satisfactory location. The HOA lot is now designated as Lot 21 as requested by the planning board. An updated landscape plan was presented that includes screening of the rear side of the buildings alongside Harness Road. This will provide privacy for those residing in the project and present a more suitable appearance to those traveling on Harness Road. An architectural rendering of the elevation (rear) facing Harness Road was shown and found to be satisfactory. That rendering showed the combined visual appearance of the building and the proposed landscaping as seen from Harness Road.

A lighting plan was presented and, following discussion with Kristen O'Donnell, Village of Goshen Planner, will be adjusted in terms of its intensity at the entrance location. All fixtures are proposed to match those in Harness Estates.

Mr. Dillin indicated that they propose to install an additional fire hydrant to serve the project but will need review and approval by the fire commissioners as to adequacy of fire protection. All residential units will have individual water meters and, as requested by the Village DPW, a master meter will monitor any discrepancy between individual meter totals and total water delivered on site.

The applicant must provide the village with copies of proposed by-laws and rules and regulations. These must include adequate protection for enforcement of the age-restriction provisions of the PAC and provide a rule prohibiting parking on sidewalks within the development.

A full stormwater pollution prevention plan will need to be presented before SEQRA can be closed out.

6. **#4 New Street, LLC; 4 New Street, 111-15-10-11**

This applicant appeared before the board for the first time. The applicant proposes to rebuild a building damaged by fire. The presentation was made by Steven Esposito. Besides site plan approval, an Architectural Design District permit will be required. Wheldon Abt, the village's architectural consultant, has viewed the site and the architectural plans and has suggested various changes to Mr. Esposito and Brian Terach, R.A., the project's architect. In addition to site plan and ADD approval, a Flood Plain Development permit will be required.

The construction proposes parking *under* the building. Thus, the first floor will not be occupied (except for parking) but the three stories above will be used for residential purposes.

Brian Terach, R.A., presented architectural elevations and has agreed to the changes proposed by Mr. Abt.

The project will likely require variances for the number of stories and for parking adequacy. Until more specific plans are presented, the actual variances required and the extent of those variances cannot be determined. Thus the board elects to wait on a variance referral, and on a referral to the Orange County Planning Department and the mailing of adjainer notices.

7. **Approval of Minutes**

The minutes of the December 18, 2018 meeting were approved as presented.

8. **Adjournment**

The meeting was adjourned at 9:45 pm by motion, second and unanimous vote.

Elaine McClung, Chairperson



Notes prepared by Michael H. Donnelly

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