

M E M O R A N D U M

TO: Ralph Huddleston, Jr. Chairman & Planning Board

FROM: Dennis G. Lindsay, PE, Town Engineer, &
Sean T. Hoffman, PE, Planning Board Consultant

SUBJECT: Goshen Sports Complex (formerly Matchpoint)/Rupshan, LLC
Special Permit & Amended Site Plan
File No. 11-1-25.22; Memo No. 83-12-012

DATE: April 17, 2012

CC: Neal Halloran, Building Inspector, Broderick Knoell, Highway Superintendent,
Richard Golden, Esq., Ed Garling, AICP, David Getz, PE (for Applicant)

The following are our comments on an amended site plan and special permit application for modifications to this existing sports facility on a 10.12 acre tract with frontage on New York State Route 17M and New York State Route 17 (future Interstate 86) in the Commercial-Office (CO) Zone within the Scenic Road Corridor (SR) and AQ-3 aquifer overlay districts.

General/Background – The existing site was originally approved in 2005 and is a functioning recreational business. The applicant is currently proposing to expand the existing site to include an indoor pool, exterior ball courts, signage, parking, and utilities. In November 2011 the applicant was granted variances for the front and side yard setbacks and subsequently returned to the Planning Board for site plan and special permit approval. During the January 19th and February 16, 2012 meetings you considered the previous conditional negative declaration in connection with SEQRA, determined the current proposal to be substantial and scheduled a public hearing. The public hearing was held during your March 15, 2012 meeting at which time you received comments regarding traffic and the existing driveway. The public hearing was closed and Attorney Golden distributed a draft resolution for your consideration. You must take action on this matter within 62 days from the close of the public hearing (May 16, 2012) or obtain an extension from the applicant.

A) Materials Reviewed

- Plans prepared by Lehman & Getz, P.C. Consulting Engineers for Goshen Sports Complex as follows:

Sheet No.	Description	Last Revised
1 of 7	Overall Site Plan	04/02/2012
2 of 7	Comparison Plan	04/02/2012
3 of 7	Grading & Utility Plan	04/02/2012
4 of 7	Erosion Control & Landscaping Plan	04/02/2012
5 of 7	Stormwater Pollution Prevention Plan	04/02/2012
6 of 7	Profiles & Construction Details	04/02/2012
7 of 7	Construction Details	04/02/2012

2. Pump Test Plan prepared by Lehman & Getz, P.C. Consulting Engineers for Goshen Sports Complex dated April 11, 2012.
3. Correspondence prepared by Lehman & Getz, P.C. Consulting Engineers dated April 10, 2012 detailing plan revisions.

B) Review of Submitted Materials

1. Zoning – The applicant submitted correspondence detailing the plan revisions which guided our review. Comments have been repeated from previous reports where applicable; new comments indicated with [**].
 - a) Use – The site is within the CO Zone and currently includes the main building, paved parking areas, water supply well, sewage disposal facilities, stormwater collection, conveyance and treatment, lighting and landscaping. The applicant is proposing a building expansion for an indoor pool, exterior ball courts, signage, parking and utility modifications. Recreational business uses require a special permit and site plan [§97-70] according to the Town of Goshen Use Table. (Informational).
 - b) Area Variance – The applicant was granted variances for the proposed 9.4 foot side yard setback (30-foot required) and proposed 122 foot front yard setback (150-foot required) from New York State Route 17 (future Interstate 86) for the proposed tennis courts¹ during the November 7, 2011 ZBA meeting. We recommend the applicant delete the +/- symbol from the plans to correspond with the approved variance.
 - c) Special Permit – In order to ensure the compatibility of uses with surrounding properties, the Town Code permits certain uses only upon the issuance of a special permit by the Planning Board. Prior to granting or denying a major project² special permit, you are required to make specific findings in accordance with the Town Code [§97-73]. (Informational).
 - d) Zoning/Bulk Compliance Issues – Development within the Commercial-Office Zone requires compliance with the design standards listed under §97-14D which may include compliance with architectural requirements for the building expansion. In addition, §97-14D includes landscaping requirements and restrictions on chain link fencing which may affect the application in conjunction with the ball courts and soccer field. This matter was discussed during the staff meeting and it was determined the 2005 approved site plan included fencing around the tennis courts³. We recommend any action include a condition for compliance with the applicable architectural and landscaping requirements of §97-14D.

¹ Although the proposed volleyball court and soccer field encroach into the side and front yards respectively, the Code [§97-40] requires only tennis courts comply with the setback requirements.

² Since the construction of the facility will alter 10,000 square feet of land the proposed development is a major project.

³ Construction Detail Sheet shows 10'-0" high, dark green or black PVC coated chain link fencing.

1. Parking – Your Code requires the number and layout of parking spaces for nonresidential uses be based on the need to protect public safety while minimizing the impact to environmental, historical and visual resources. Your Code requires one (1) parking stall per three (3) seats for places of public assembly (§97-48.A.(3)(a)[6]) and requires overflow parking areas be permeable (§97-48.A.(4)(b)). The applicant has provided parking calculations on the plan and is providing 65 stalls which is 5 more than needed for the expansion. The plan shows 24 of the new stalls to be permeable consisting of porous asphalt, stone filter and an underdrain.

The 2005 approved plan included a drawing note that the owner demonstrate bi-annually parking demand does not exceed supply. Since the construction of additional parking beyond that proposed will require disturbance of the previously identified disposal area, we are unsure of the appropriateness this requirement. However, if the Board determines this or a similar requirement should be continued, we recommend you make this a condition of the special permit rather than just a drawing note to facilitate compliance.

2. Impervious Coverage - The maximum impervious coverage permitted is 70% [§97-14.A]. Impervious surfaces are defined as those that substantially reduce or prevent absorption of stormwater into the ground [§97-84]. In addition, the Code [§97-14.B] requires 30% of site area be maintained as open or undeveloped green space. The applicant has graphically depicted the undeveloped space and calculated the area to be 3.1 acres. This calculation excludes the proposed porous pavement and satisfies the minimum required area (30%) (Informational).

2. Site Plan –

- a) Site Access – The plan shows a 20-foot wide unpaved access drive around a portion of the building. This should be reviewed with Emergency Services to determine if it is adequate and discuss the surface course and maintenance standards (i.e. plowing). We understand the applicant is proposing to relocate the existing swale along the southerly portion of the site to facilitate access to the existing garage door. This will also improve access around the building for emergency services.
- b) Grading – Spot elevations have been added to the plan to depict runoff draining toward the edges of the tennis court; the plans should show how runoff will be collected and conveyed to the pond to avoid erosion.

A low retaining wall has been added along the easterly corner of the soccer field to provide a mowable slope of 3:1 (informational).

The previously proposed grading adjacent to the water supply well has been eliminated in conjunction with the Department of Health's request to remove parking from this area (informational).

c) Utilities –

1. Water –The site is the in the AQ3 Overlay District. Your Code requires (97-43.B; §97-27C & D) that non-residential uses be evaluated on a case-by-case basis for impact on groundwater supply and quality. The applicant has previously advised the water system is a Non-Community Public Water System regulated by the Orange County Department of Health and provided information regarding recent water use.

During your February 16, 2012 meeting, you considered the recommendations of the Town's hydrogeological consultant, Bill Canavan, for modified well testing in conjunction with the previous (2005) SEQRA conditional negative declaration. In preliminary discussions with the applicant and Town Highway Superintendent, we have discussed monitoring of local water supply wells during testing including at least one (1) well within the Arcadia Hills subdivision. The applicant prepared a well test plan for your approval, however after subsequent conversations with the applicant, we understand they are considering retaining a hydrogeologist to coordinate testing. We further understand the applicant's hydrogeologist will revise the test plan and include information from your Code to confirm a common understanding of test procedures. We recommend your action include a condition addressing well testing and suggest you consider compliance timeframes (i.e. prior to plat signing, building permits, other) and reviewing authority (Planning Board, Town Engineer, other). [**]

In accordance with prior discussions, the applicant has consented to filling the proposed pool by means other than the existing onsite well (likely bulk water delivery.) In addition to the Drawing Note on Sheet No. 1, we recommend you make this a condition of your approval and suggest the applicant incorporate supply piping or wall penetrations into the design of the building expansion to facilitate bulk water delivery.

2. Wastewater Disposal – The existing onsite sewage disposal system is covered under a SDPES Discharge Permit. The applicant has provided a copy of the permit and advises modification to the treatment system is unnecessary.

In response to concerns regarding the discharge of pool filter backwash to the onsite sewage disposal system, the applicant will provide cartridge filters which eliminate the need for backwash and potential impacts to the sewage disposal system. We recommend you make the use of cartridge filters a condition of your action.

The plans have been revised to avoid disturbance through the sewage disposal system expansion area as recommended (Informational).

3. Stormwater – The applicant is proposing soil disturbance of 3 acres which exceeds the one (1) acre threshold under the NYS DEC SPDES General Permit for Construction Activities requiring they obtain coverage. The permit requires the preparation of a Stormwater Pollution Prevention Plan (SWPPP) in accordance with the most recent DEC Design Manual (Informational).

The elliptical concrete pipe between STMH #104 and #105 should be raised to the greatest extent practical. It appears this pipeline could be installed immediately below the existing 24” HDPE and the depth of STMH #104 reduced by approximately eighteen (18) inches.

A drawing note has been added indicating the proposed large diameter bypass culvert will include removable grating at the headwalls to restrict entry of debris and wildlife. (Informational).

- d) Lighting – The applicant should confirm they intend to install only one additional pole mounted light in the expanded parking lot (no wall packs). We recommend any action of the Board prohibit offsite glare and prohibit lighting of the tennis courts, volleyball court, and soccer field to correspond with General Note No. 10 on Sheet No. 1
- e) Landscaping – The applicant has submitted a detailed landscaping plan and we understand Ed Garling will review and comment on this.
- f) Miscellaneous –
 1. Signs – The plan shows the relocation of the existing sign outside the right-of-way. The applicant has provided information on the proposed signs, lettering, dimensions, colors and materials for your review.
 2. Wetlands – A wetland delineation was performed in June 2011 and no DEC wetlands were found on the site. (Informational).
 3. Owner Endorsement – The applicant should provide an owner’s endorsement for the Building Department files unless they have already done so.
 4. Dumpster Enclosure – The applicant has added a dumpster enclosure with a gate and depressed curb to correspond with site aesthetics and facilitate waste collection.

5. Orange County GML 239 – This application was forwarded to the County Planning Department who determined it has no significant intermunicipal or countywide impacts and indicated it is to be a local determination. The Planning Department provided two (2) advisory comments regarding the preparation of a landscaping plan, which the applicant has now submitted, and a path for a possible connection to Heritage Trail.

C) **Referrals Required**

1. Town of Goshen ERB
2. Emergency Service Organizations