

TOWN OF GOSHEN PLANNING BOARD

**Town Hall
41 Webster Avenue
Goshen, New York
June 2, 2016**

Members Present:

Lee Bergus, Chair
Reynell Andrews
Giovanni Pirraglia
Phil Dropkin

Also Present:

Sean Hoffman, PB Engineer
Kelly Naughton, PB Attorney
Neal Halloran, Building Inspector

Members Absent:

Dave Gawronski
Dr. Kristopher Baker
John Lupinski

The Planning Board meeting was opened with the Pledge of Allegiance at 7:30 p.m. by Chair Lee Bergus.

Possible Extension or Abandonment of Applications pursuant to Town Code

Young's Grove/Rieger

Mr. Bergus read a letter dated June 2, 2016 by the applicant requesting two 90-day extensions of the conditional preliminary approval major subdivision.

VOTE BY PROPER MOTION, made by Mr. Dropkin, seconded by Mr. Andrews, The Town of Goshen Planning Board grants two 90-day extensions to December 15, 2016, to its approval of the application of Young's Grove/Rieger. Approved unanimously.

Mr. Dropkin	aye	Mr. Andrews	aye
Mr. Bergus	aye	Mr. Pirraglia	aye

Javelin

Mr. Bergus read a letter dated May 25, 2016 by the applicant's engineer requesting an additional six-month extension of preliminary approval.

VOTE BY PROPER MOTION, made by Mr. Andrews, seconded by Mr. Pirraglia, The Town of Goshen Planning Board grants a six-month extension to December 15, 2016 to its approval of the application of Javelin. Approved unanimously.

Mr. Dropkin	aye	Mr. Andrews	aye
Mr. Bergus	aye	Mr. Pirraglia	aye

TOWN OF GOSHEN PLANNING BOARD

Town Hall

41 Webster Avenue

Goshen, New York

June 2, 2016

Aurora Innovations – 24-1-100, 108.2, 112 & 113: Site plan and lot line adjustment application for a fertilizer and potting soil processing facility on 141.2 +/- acres on Pulaski Highway (Country Route 6) in the Agricultural-Industrial (AI) District with AQ-6 and Flood Plain and Ponding overlays. **SEQRA Part 2**

Ms. Naughton advised that she provided the board with a draft Part 2 of the EAF with arrows on the sides that are meant to indicate that small impact may occur rather than no.

Mr. Dropkin directed the board to page 4 of 10, item 6b and c about producing hazardous air pollutants. No or small impact may occur. He asked how does the board really know this.

Ms. Naughton stated she answered it that way based upon their Part 1 that was provided and confirmed that with the engineer.

Mr. Hoffman stated the reference notation to Part 1 and that the applicant advised they would not cross that threshold.

Mr. Dropkin asked if the same applied for item c, emissions rates.

Mr. Hoffman answered that the Part 2 is accurate.

Ms. Naughton stated that if the board found the Part 2 acceptable it can be finalized for the building department. Ms. Naughton stated she could draft a negative declaration for the board's review and when they do get additional information that could be included.

Mr. Dropkin asked Mr. Hoffman if the applicant explained to him about the location of the 25 parking spaces and how people get from the parking spaces to the building.

Mr. Hoffman stated one of his comments was to relocate the parking so that it was away from the applicant's operations.

No further action was taken at this time.

Battaglia – 18-2-9: Site plan application for a service business on 2.0047 +/- acres on Quarry Road (County Route 68) in the Highway Commercial (HC) Zone with AQ-3 and Scenic Road Corridor overlays. **Initial Presentation and Commence SEQRA**

Representing the applicant:

Brian Friedler, Lehman & Getz

TOWN OF GOSHEN PLANNING BOARD

Town Hall

41 Webster Avenue

Goshen, New York

June 2, 2016

Mr. Friedler stated the applicant is proposing to build an 80 x 100 metal building used for office space and storage of vehicles. Mr. Battaglia stated he wanted to store materials such as insulation, fiberglass, spray foam and waterproofing materials.

Mr. Friedler stated that currently the applicant uses the space as parking for his employees and some storage. The front of the property is blocked with trees and there is a fence in front of his property.

Mr. Bergus asked if there were any designs or renderings on the building at this point.

Mr. Friedler stated not yet, but the applicant is currently working with an architect.

Mr. Bergus asked if the parking was going to be asphalt or gravel.

Mr. Battaglia stated some asphalt and some gravel.

Mr. Bergus stated that should be shown on the plans, the limits of each.

Mr. Hoffman discussed the application originally came in as a warehouse. A warehouse in this zone is a special permit with somewhat of a higher standard. After discussions with the applicant, it is understood that he intends to store materials in connection with the business. Mr. Halloran was of the opinion that the proposed application is a service business, which is a different use, and permitted by site plan approval. So currently it is an application for site plan approval.

Mr. Hoffman stated he reviewed the application within the zoning requirements. He stated there is a little bit of interplay with the dimensional requirements and the design standards. The dimensional requirements have a maximum building height of 45 feet. The applicant intends to comply and indicated such on the plan. The design standards require 8 on 12 roof. He stated that if the building is 80 x 100, it gets to that height very quickly. It was recommended to the applicant if they wish to comply and not seek a variance they develop an architectural elevation to make sure that they can do what they want to do without needing a variance. The dimensional requirements are at variance with the design standards a little bit.

Mr. Hoffman stated that in order to comply the applicant might have to make the building a little bit smaller or longer in one dimension.

Mr. Hoffman stated the other design standard discussed with the applicant was the need for a bike path. He also mentioned there is a design standard regarding curb cuts. There is a spacing requirement limitation. Curb cuts can only be 600 feet from each other. In this instance there are two lots that are 200-foot frontage for each lot. Mr. Hoffman stated it is almost impossible to comply. He recommends the applicant get counsel's advice on that issue whether a variance is required or if it's considered an existing non-conforming issue.

TOWN OF GOSHEN PLANNING BOARD

Town Hall

41 Webster Avenue

Goshen, New York

June 2, 2016

Ms. Naughton stated the code provides that if the board makes a finding that it is impossible to satisfy a design standard, a variance is not needed.

Mr. Hoffman stated there is an existing access and the applicant is to provide the site distance measurements. He stated he did not think there were any proposed improvements for upgrading the driveway, but in his experience the County will require the applicant to pave a portion of the apron and may require some drainage improvements and some other improvements. That is under the County's jurisdiction. Mr. Hoffman stated this board was requesting some information on the site distances to see if any clearing could increase site distances, particularly looking to the east, 17A, which is 350 feet.

Mr. Hoffman stated he had some other comments regarding paving and gravel surfaces. Depending on the vehicles, including delivery vehicles, sometimes crushed stone works well and other times it ruts and causes problems. It should be a consideration.

Mr. Hoffman stated the preliminary designs included a septic system and on-site sewer disposal system. He had comments on that and is looking for some additional detail.

Mr. Bergus asked if there was going to be any on-site disposal such as dumpsters. Mr. Battaglia stated that everything is taken to the dump and there are no dumpsters.

Mr. Dropkin asked if there was any information on the color of the building or architectural requirements.

Ms. Naughton stated the applicant will need to provide architectural designs that comply with the code.

Ms. Naughton also mentioned she had an issue that the road frontage is required to be 300 feet and as it has been stated it is approximately 200 feet, so she would look to Mr. Halloran to see if that is a pre-existing non-conforming legal condition.

Mr. Halloran stated he is sure that was all created awhile back. He would look into it.

Ms. Naughton stated that as far as SEQRA goes the board can declare its intent to be lead agency. Possible other involved agencies would be potentially the ZBA if the applicant chooses to get a variance, but also SHIPPO which can be typed as unlisted. She asked that the applicant provide 6 copies so that referrals could be sent out as well as lead agency notices. A public hearing is required, but the application is not there yet. The application does require GML referral.

VOTE BY PROPER MOTION, made by Mr. Pirraglia, seconded by Mr. Dropkin, The Town of Goshen Planning Board moved to type this application as an unlisted action. Approved unanimously.

Mr. Dropkin

aye

Mr. Andrews

aye

TOWN OF GOSHEN PLANNING BOARD

Town Hall

41 Webster Avenue

Goshen, New York

June 2, 2016

Mr. Bergus aye Mr. Pirraglia aye

VOTE BY PROPER MOTION, made by Mr. Andrews, seconded by Mr. Pirraglia, The Town of Goshen Planning Board declared its intent to be lead agency on this project. Approved unanimously.

Mr. Dropkin aye Mr. Andrews aye
Mr. Bergus aye Mr. Pirraglia aye

VOTE BY PROPER MOTION, made by Mr. Dropkin, seconded by Mr. Pirraglia, The Town of Goshen Planning Board moved to close the meeting. Unanimously approved.

Mr. Dropkin aye Mr. Andrews aye
Mr. Bergus aye Mr. Pirraglia aye

Adjournment – The Town of Goshen Planning Board adjourned at 8:10 p.m.

Lee Bergus – Chair

Notes respectfully prepared by Tanya McPhee