

**Town of Goshen Zoning Board of Appeals
Town Hall
41 Webster Avenue
Goshen, New York 10924**

February 5, 2019

Members Present:

Edwin Garling, Chairman
Trino Canton
Philip Canterino
Robert Farfalla
Richard Florio

Also Present:

Ashley Torre, Esq.
Neal Halloran, Building Inspector

The Zoning Board meeting was opened with the Pledge of Allegiance at 7:30 pm by Chairman Edwin Garling.

APPROVAL OF MINUTES

VOTE BY PROPER MOTION, made by Mr. Canterino, seconded by Mr. Farfalla, the Town of Goshen Zoning Board moved to approve the January 15, 2019 minutes. Approved unanimously.

Chairman Garling	Aye	Mr. Canton	Aye
Mr. Canterino	Aye	Mr. Farfalla	Aye
Mr. Florio	Aye		

AGENDA ITEMS

SLK Ranch 12-1-13.1 & 22-1-14.2 on 6.95 +/- acres located on Maloney Lane in AI districts. The Applicant is requesting an area variance for road frontage Section 97-13 F(1)(b).

Nick Rugnetta, Pietrzak and Pfau Engineering & Surveying, PLLC, and Louis Myruski, owner of SLK Ranch, appeared before the Board. Mr. Rugnetta gave an overview of the lot line change. In summary, move 2.1 acres from lot 14.2 over to lot 13.1, they cannot satisfy the impervious surface due to floodplains, and existing parcel 13.1 does not have frontage on Maloney Lane thus increasing the nonconformity.

Whereupon, there was a discussion and review of the plans. It was suggested applicant may want to see if an easement does exist for the property. It was also suggested that applicant merge with lot 12.2 and that would take care of the access problem.

Mr. Halloran stated the lot would be a preexisting nonconforming lot in regards to road frontage.

Attorney Torre informed applicant they would need a variance for increasing the size of the lot. It would also change the application.

Chairman Garling told applicant to come back with the change next meeting and they could schedule a public hearing.

Houses Auto Body 19-1-77 on 2 +/- acres located on Maple Avenue in AI district, the Applicant is requesting area variance of 3 acres reduced to 2.8 acres and minimum road frontage from 200 feet to 164.39. Section 97-13 C (7) & F (1) (b).

Rodrigo Hernandez appeared before the Board for the applicant. He provided the revised plans requested at last meeting.

Attorney Torre stated that the applicant would need a special permit from the Planning Board. Under SEQRA not allowed to segment an action. Applicant should have reviews coordinated with both boards and have input from each other. The applicant was advised to apply to the Planning Board at the same time.

Mr. Hernandez informed the Board the applicant had not purchased the property yet and only wanted to get the variance before finalizing the sale.

Whereupon, there was a discussion with Mr. Hernandez explaining the procedure for the variance with the Zoning Board and the special permit with the Planning Board.

Mr. Halloran asked the applicant to get back to him when he decides how to proceed.

Attorney Torre informed applicant they need the owner's endorsement.

31 Gate Schoolhouse Road -12-1-85.1 on 14.58 +/- acres - located on Gate Schoolhouse Road and NYS Rte 17M in the HC & CO districts. The applicant is requesting three area variances. One from design standards. Two from the requirement to situate the parking lot behind the face of the building. Three Section 97-14 D (6) curb cuts.

Dominic Cordisco, Drake Loeb, and Jay Samuelson, Engineering Properties appeared before the Board. Isacc Newman and Dave Robbins on behalf of the applicant was also present. Mr. Cordisco gave background on the project. He stated the project was before the Planning Board. The applicant has removed one of the buildings from the site plan due to traffic concerns along Gate Schoolhouse Road. The applicant requires certain variances for the project to move forward.

- 1 – Design standards to make the facade of the building to look broken up
- 2 – Parking behind the face of the building
- 3 - Curb cut along 17M, which is an existing access, but too close to the neighboring curb cut.

Whereupon, there was a discussion on access to the warehouse, it was discussed for safety reasons access should be off of 17M. There was a discussion on the flat roof, and raised cornices.

Mr. Cordisco stated he would give additional information regarding the views from property lines.

Chairman Garling asked the Board for their opinion if a variance was needed for the flat roof.

The Board agreed no variance was needed for the flat roof.

Chairman Garling addressed the issue with access to route 17M being within 600 feet of other driveways. He addressed the Board in making a determination if a variance was needed, or if this was the only option for access to the property.

The Board agreed that this was the only option.

Attorney Torre asked the Building Inspector to shed light on how in the past when this provision came up as to how it was handled. She thought the Board would go through the process and do the variance just for the ease of future application.

Mr. Halloran, stated just to memorialize it.

Mr. Cordisco stated they were requesting variances for the facade, the design elements for the facade as well as the location of the parking lot.

Mr. Cordisco stated he would anticipate the Planning Board set thresholds as far as potential impacts, and type of use.

Whereupon, there was a discussion on the parking lot being seen from Gate Schoolhouse Road. It was determined it would not be seen.

Mr. Halloran noted the applicant has the option for asking for the variance or showing it won't be seen from the road.

It was determined that the applicant would seek a variance for the location of the parking lot.

Chairman Garling would like to see what they are going to approve in terms of the windows. The cornice could be subject to the Planning Board's site plan review, because the building is pretty well screened and hidden.

Mr. Halloran expressed concern that the cornices on the roof increases the snow load. The taller the cornice, the more snow load you get.

Chairman Garling stated he would like to know what the elevations are, the height of the building.

Mr. Samuelson replied they're only allowed 35 feet for the building. The elevation of where the building pad is will end up roughly being 455, which is the current elevation of Route 17M. From Gate Schoolhouse Road, they will be looking up over the top of the building.

Attorney Torre suggested the Board request getting some additional information so they know what they're approving.

Mr. Halloran stated if the applicant is not going to put a foot path on Gate Schoolhouse Road, they will need a variance. The code requires a sidewalk or bike path.

Mr. Cordisco stated it might be helpful for the Board if the applicant submitted some additional

drawings that show cross sections from vantage points. He stated they don't have architectural renderings at this point. They can show elements that could be included in the design, so you could see the windows and the cornices. He requested that the Board make the referral to the County Planning Department.

Chairman Garling stated the application has to go to the County for all the variances, he requested that the applicant submit a new narrative that would indicate the variances they need.

VOTE BY PROPER MOTION, made by Mr. Canterino, seconded by Mr. Canton, the Town of Goshen Zoning Board moved to consent to the Town of Goshen Planning Board acting as lead agency for this action. Approved unanimously.

Chairman Garling	Aye	Mr. Canton	Aye
Mr. Canterino	Aye	Mr. Farfalla	Aye
Mr. Florio	Aye		

VOTE BY PROPER MOTION, made by Mr. Canterino, seconded by Mr. Florio, the Town of Goshen Zoning Board moved to adjourn. Approved unanimously.

Chairman Garling	Aye	Mr. Canton	Aye
Mr. Canterino	Aye	Mr. Farfalla	Aye
Mr. Florio	Aye		

Meeting adjourned at 8:45 pm.