

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

July 19, 2022

Members Present:

Charles VanHaaster, Chairman
Thomas Burnham
Joanne Donovan
Robert Farfalla

Also Present:

Rory Brady, Esq., ZBA Attorney
Neal Halloran, Building Inspector
Frank Leva, Building Inspector
Tanya McPhee, Recording Secretary

Members Absent:

Trino Canton

VOTE BY PROPER MOTION, made by Chairman VanHaaster, seconded by Mrs. Donovan, the Town of Goshen Zoning Board of Appeals opened the meeting at 7:30 with the Pledge of Allegiance. Approved unanimously.

Chairman VanHaaster	Aye	Mr. Burnham	Aye
Mrs. Donovan	Aye	Mr. Farfalla	Aye

Approval of Minutes

VOTE BY PROPER MOTION, made by Chairman VanHaaster, seconded by Mr. Burnham, the Town of Goshen Zoning Board of Appeals approved the minutes of the June 21, 2022 meeting as presented. Approved unanimously.

Chairman VanHaaster	Aye	Mr. Burnham	Aye
Mrs. Donovan	Aye	Mr. Farfalla	Aye

Public Hearing:

Goshen Hospitality, LLC – 10-1-56.2 & 56.4: Applicant is requesting a height area variance for a site plan and special permit for a proposed construction of three hotels. The hotels are part of a restaurant and office complex located in the Town of Goshen on 63.3 +/- acres along Cheechunk and 6 1/2 Station Roads within the Commercial/Office Mixed-Use (CO) district, and within AQ-6, Scenic Road Corridor (SR), Stream Corridor and Reservoir Watershed (SC), and Floodplain and Ponding Area Overlay Districts. **Public Hearing**

Attorney John Furst and Engineer Jane Samuelson present.

Applicant requesting three area variances for building height. Two area variances requesting 50 feet where 35 feet is allowed and one area variance requesting 55 feet where 35 feet is allowed.

Engineer Samuelson gave a visual presentation of the site plan including landscaping renderings. A visual presentation discussing differences between requested plan versus code-compliant plan was conducted. Disturbance, open space, impervious surface, and earthwork were discussed.

VOTE BY PROPER MOTION, made by Mr. Burnham, seconded by Mr. Farfalla, the Town of Goshen Zoning Board opened the public hearing for Goshen Hospitality, LLC. Approved unanimously.

Chairman VanHaaster	Aye	Mr. Burnham	Aye
Mrs. Donovan	Aye	Mr. Farfalla	Aye

Tim Conway, 45 Old Minisink Trail –

- Questioned what guidance and policies are used to grant a height variance
- Stated it is a very big project for a previously vacant lot and will change the character of the Town
- Questioned if the house on the corner of Cheechunk Road will be demolished
- Questioned if the cottages were still on the plan
- Inquired as to why there is a need for so many hotels in the area
- Stated he believes the hotels will be visible as they are sited on the hill

In response, Attorney Brady explained the code and five-factor test, stated the house on the corner is a different parcel of land and not part of this project and stated that the public hearing is only in reference to the height variance and there will be a Planning Board public hearing to discuss any other portions of the project.

In response, Engineer Samuelson stated the cottages were no longer on the plan and explained calculations used to determine the need for additional hotel rooms in the area.

In response, Attorney Furst explained the tourism needs currently in Orange County.

Nick DeMatteo, owner of the house on the corner of Cheechunk Road –

- Thought there had to be a hardship to get a variance
- Asked how a three-story versus four-story building will affect the ground water.

In response, Building Inspector Halloran explained groundwater recharge.

Connor Eckert, Orange County Partnership –

- Expressed support for the project
- The Partnership’s tourism initiatives need additional hotel accommodations

Neal Halloran, Building Inspector –

- Stated a code-compliant plan would still be well below maximum impervious surface calculations
- Questioned why a code-compliant plan is not the preferred plan
- Questioned why the three-story, T-shaped building is a negative
- Stated there is no proposed use of the open space on the plan and questioned whether it would be used for further development in the future
- Questioned if the requested variance plan was for monetary reasons or environmental reasons

In response, Engineer Samuelson explained there is no future proposed development of open space and there are three conservation easements planned, with two proposed to be dedicated to the Town.

VOTE BY PROPER MOTION, made by Mr. Farfalla, seconded by Mrs. Donovan, the Town of Goshen Zoning Board closed the public hearing for Goshen Hospitality, LLC. Approved unanimously.

Chairman VanHaaster	Aye	Mr. Burnham	Aye
Mrs. Donovan	Aye	Mr. Farfalla	Aye

Attorney Brady offered legal counsel to the Board that the public hearing should be left open.

VOTE BY PROPER MOTION, made by Chairman VanHaaster, seconded by Mrs. Donovan, the Town of Goshen Zoning Board rescinded the prior motion closing the public hearing for Goshen Hospitality, LLC and will leave it open upon advice from Attorney Brady. Approved unanimously.

Chairman VanHaaster	Aye	Mr. Burnham	Aye
Mrs. Donovan	Aye	Mr. Farfalla	Aye

Attorney Brady stated that the public hearing would be left open at this time.

Attorney Furst requested of the Board comments or guidance.

The Board members offered the following comments:

- The requested variances do not have a uniqueness to the project
- There is plenty of space to make the buildings code compliant
- A code compliant plan from an environmental standpoint is not even close to the maximum allowed for impervious surface
- The proposed buildings are massive structures
- Questioned the night views of the lighting over the height of the surrounding trees
- The proposed buildings urbanize the property
- Historically the Zoning Board of Appeals has attempted to keep building heights within the allowable code

Adjournment

VOTE BY PROPER MOTION, made by Mr. Burnham, seconded by Mrs. Donovan, the Town of Goshen Zoning Board of Appeals moved to adjourn the meeting. Approved unanimously.

Chairman VanHaaster	Aye	Mr. Burnham	Aye
Mrs. Donovan	Aye	Mr. Farfalla	Aye

Meeting adjourned 8:41 pm