

**Town of Goshen Zoning Board Meeting
Town Hall
41 Webster Avenue
Goshen, New York 10924
December 19, 2023**

Members Present:

Thomas Burnham, Chairman
Samuel Bergsohn
Robert Farfalla

Also Present:

Rory Brady, Esq., ZBA Attorney
Frank Leva, Building Inspector
Grace Avagnano, Planning & Zoning Clerk

Members Absent:

Kenneth Banghart, Alternate
James Barrett
Trino Canton

Approval of Minutes

The approval of the minutes of the December 5, 2023 meeting was deferred.

Possible Extension or Abandonment of Applications pursuant to Town Code –

New Leaf Energy (f/k/a Borrego Solar Systems) – 10-1-10.22: 111 Owens Rd

No one present for applicant.

Chairman Burnham read Attorney Gladd’s 11/20/2023 correspondence received via email on 12/19/2023 into the record.

Request an extension of the December 6, 2022 (signed October 3, 2023) area variance approvals for 111 Owens Road pursuant to Zoning Law §97-69H.

VOTE BY PROPER MOTION, made by Mr. Bergsohn, seconded by Mr. Farfalla, the Town of Goshen Zoning Board of Appeals granted a one-year extension of the area variance contingent on the dates not being precluded. Approved unanimously.

Chairman Burnham
Mr. Farfalla

Aye
Aye

Mr. Bergsohn

Aye

Items for Discussion/Action -

Renniw, LLC – 19-1-77: Applicant appealing Notice of Violation issued April 27, 2023 for the unpermitted use of an existing facility.

Attorney Cappello present for the applicant.

Attorney Cappello gave a brief narrative of the application. Applicant stated electrical equipment and trucks are stored on the property and there hasn't been any expansion. The gravel has been replaced and there is no work onsite.

Attorney Cappello believes the use is a similar or same operation and wishes to schedule meeting with the Building Inspector.

Building Inspector Leva stated the narrative provided is a Planning Board issue. The fact that there is no building permit or certificate of occupancy on what the applicant has on the property is for the Zoning Board of Appeals to consider.

VOTE BY PROPER MOTION, made by Mr. Bergsohn, seconded by Mr. Farfalla, the Town of Goshen Zoning Board of Appeals adjourned the application to a later date after a staff meeting with the Town Engineer and Attorney. Approved unanimously.

| | | | |
|------------------|-----|--------------|-----|
| Chairman Burnham | Aye | Mr. Bergsohn | Aye |
| Mr. Farfalla | Aye | | |

7 Vetri Road – 14-28-8: Applicant seeing variance for ground mounted solar, the proposed surface area size of array exceeds the maximum aggregate area of 750 square feet as per Town Code 97-55 C.(2)(b)[1]

Courtney Roberts, Empire Solar Solutions present for applicant.

Ms. Roberts stated applicant is seeking a one-tenth of an acre area variance for a ground-mounted solar array.

Building Inspector Leva read the code into the record.

Whereupon the Board discussed a potential interpretation of the code. Board requested applicant provide a letter to the Building Inspector detailing the unfeasibility of a roof-mounted solar array.

Pending a staff meeting with the applicant, the application will be adjourned until January 2, 2024.

New ZBA Applicant – John Tracy

Attorney Brady introduced Goshen resident, John Tracy, who sat in on the meeting and is interested in serving on one of the boards.

Adjournment

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

| | | | |
|------------------|-----|--------------|-----|
| Chairman Burnham | Aye | Mr. Bergsohn | Aye |
| Mr. Farfalla | Aye | | |

Meeting adjourned at 8:09 pm