

**Town of Goshen Zoning Board Meeting
Town Hall
41 Webster Avenue
Goshen, New York 10924
November 15, 2022**

Members Present:

Robert Farfalla, Acting Chairman
James Barrett
Samuel Bergsohn (Alternate)
Thomas Burnham
Trino Canton

Also Present:

Rory Brady, Esq., ZBA Attorney
Frank Leva, Building Inspector

Members Absent:

Joanne Donovan

The meeting of the Town of Goshen Zoning Board of Appeals was opened with the Pledge of Allegiance at 7:30 pm.

Attorney Brady advised the Board that Chairman VanHaaster has resigned from the Zoning Board of Appeals. Mr. Farfalla will be Acting Chairman until appointment of a new Chair.

Attorney Brady advised there is an addition to the agenda, however no action will be taken on that application. Applicant present for informational purposes.

VOTE BY PROPER MOTION, made by Mr. Canton, seconded by Mr. Burnham, the Town of Goshen Zoning Board of Appeals accepted the amended agenda for November 15, 2022. Approved unanimously.

Acting Chairman Farfalla	Aye	Mr. Barrett	Aye
Mr. Burnham	Aye	Mr. Canton	Aye

New member, Samuel Bergsohn, joined the meeting.

Approval of Minutes

The minutes of the October 4, 2022 meeting were deferred.

Items for Discussion/Action

Al Turus Solar, LLC – Nexamp Solar, LLC – 12-1-17.122, 21.12 & 23.1: Application for site plan and special permit for a solar energy system on 111.0 +/- acres on NYS Route 17M and Hartley Road in the I Zone with AQ-3, AQ-6, Floodplain & Ponding and Stream Corridor & Water Supply Watershed overlays. Area Variance.

Ryan McCune, Business Development Manager present.

Mr. McCune gave a brief presentation of the project which is a community solar array to be built on top of the Al Turi landfill.

Applicant is requesting a setback variance for the parcel. Project site is divided into four (4) parcels. Area variance requested to build over internal lot lines at 100 percent.

Setback area variance also requested for external property line bordering Verhage property to place inverters in the setback area. Inverters may not be placed on the landfill cap due to fire sensitivity.

Setback area variance requested for ballasted fencing along access road to shield project site at river side.

Board requested proof that Department of Environmental Conservation will disallow inverters to be placed anywhere else on project site.

Applicant to return for December 20, 2022 meeting.

RDM Goshen 17M/2602 Route 17 Developers – 12-1-116: Application for site plan, special permit and subdivision for a warehouse and single-family dwelling on two (2) lots totaling 61.59 +/- acres on NYS Route 17M in the CO Zone with AQ-6 and Floodplain & Ponding Overlays. Area Variance and Interpretation.

Two-page document related to interpretation as to the emergency access road being considered a driveway was provided to Board before the meeting.

Attorney Melissa Cherubino presenting.

Also present Charlies Gottlieb, Justin Dates and Avi Pomerantz.

Attorney Cherubino read §97-3 O of the Code into the record. Applicant is requesting an interpretation that the emergency access road is not a driveway which would be subject to an area variance as designed.

Attorney Brady advised of project permitting schedule and the possible need for a special meeting of the Zoning Board of Appeals for December 13, 2022 for this application.

Adjournment

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

**Town of Goshen Zoning Board
November 15, 2022**

Acting Chairman Farfalla
Mr. Bergsohn
Mr. Canton

Aye
Aye
Aye

Mr. Barrett
Mr. Burnham

Aye
Aye

Meeting adjourned 8:40 pm