

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

June 7, 2022

Members Present:

Charles VanHaaster, Chairman
Thomas Burnham
Trino Canton
Robert Farfalla

Also Present:

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

Members Absent:

Joanne Donovan

Chairman VanHaaster opened the meeting at 7:30 with the Pledge of Allegiance.

Approval of Minutes

VOTE BY PROPER MOTION, made by Mr. Burnham, seconded by Mr. Canton, the Town of Goshen Zoning Board of Appeals approved the minutes of the May 17, 2022 meeting as presented. Approved unanimously.

Chairman VanHaaster	Aye	Mr. Burnham	Aye
Mr. Canton	Aye	Mr. Farfalla	Aye

Public Hearing-

18 Abbe Rd – 17-4-14: Application for site variance for a proposed 40 x 40 detached garage on 2 +/- acres on Abbe Road in the RU Zone with AQ-3 and Scenic Road Corridor overlays. **Public Hearing**

Applicant Mike Pierron present.

Mr. Pierron presented a brief narrative of his application and indicated the public hearing notices were provided to the building inspector.

Attorney Brady reviewed the five-part test with the Board.

VOTE BY PROPER MOTION, made by Mr. Burnham, seconded by Mr. Canton, the Town of Goshen Zoning Board moved to open the Public Hearing for applicant. Approved unanimously.

Chairman VanHaaster	Aye	Mr. Burnham	Aye
Mr. Canton	Aye	Mr. Farfalla	Aye

No one from the public appeared for the public hearing.

Building Inspector Halloran questioned the applicant on why the garage could not be located on the other side of the property. It was answered due to the septic, driveway, and leach field.

Whereupon the Board questioned a door on the back of the garage. Applicant stated there is no plan for such a door.

VOTE BY PROPER MOTION, made by Mr. Burnham, seconded by Mr. Canton, the Town of Goshen Zoning Board moved to close the Public Hearing for applicant. Approved unanimously.

Chairman VanHaaster	Aye	Mr. Burnham	Aye
Mr. Canton	Aye	Mr. Farfalla	Aye

Whereupon, the Board discussed the garage use to only allow residential vehicle storage, no home-based business usage, and no physical driveway to be installed behind the garage.

VOTE BY PROPER MOTION, made by Mr. Farfalla, seconded by Mr. Canton, the Town of Goshen Zoning Board authorized the attorney to draft a resolution for applicant. Approved unanimously.

Chairman VanHaaster	Aye	Mr. Burnham	Aye
Mr. Canton	Aye	Mr. Farfalla	Aye

Vivian Lane Solar – 9-1-4: Application for site plan and special permit for a solar energy system on 281.8 +/- acres on Broadlea Road in the RU Zone with AQ-3 Scenic Road Corridor, Floodplain & Ponding and Stream Corridor & Water Supply Watershed overlays. **Public Hearing**

Project Developer Terrence Nolan, Project Engineer ReJean DeVaux, and Attorney Alicia Legland present.

Developer Nolan and Engineer DeVaux presented a brief narrative of the application and indicated the public hearing notices were provided to the building inspector.

Attorney Brady reviewed the five-part test with the Board and read mitigations provided by Attorney Legland into the record.

Conditions were reviewed with the Board that included limiting access to emergency and utility access only, dismantling of project the same way it was built and the area variance running with the project.

VOTE BY PROPER MOTION, made by Mr. Farfalla, seconded by Mr. Canton, the Town of Goshen Zoning Board moved to open the Public Hearing for applicant. Approved unanimously.

Chairman VanHaaster	Aye	Mr. Burnham	Aye
Mr. Canton	Aye	Mr. Farfalla	Aye

No one from the public appeared for the public hearing.

VOTE BY PROPER MOTION, made by Mr. Farfalla, seconded by Mr. Canton, the Town of Goshen Zoning Board moved to close the Public Hearing for applicant conditional upon confirmation of receipt of notifications. Approved unanimously.

Chairman VanHaaster	Aye	Mr. Burnham	Aye
Mr. Canton	Aye	Mr. Farfalla	Aye

Applicant will come back once SEQRA is complete with the Planning Board.

Items for Discussion/Action

Goshen Hospitality, LLC – 10-1-56.2 & 56.4: Application for three site area variances for site plan and special permit for hotel, restaurant, and office complex on 63.3 +/- acres (total holdings) along Cheechunk and 6 ½ Station Roads in the CO District with AQ-6, Scenic Road, Floodplain & Ponding and Stream Corridor & Reservoir Overlay Districts. **Discuss Interpretation & Consider Scheduling Public Hearing**

Attorney John Furst and Engineer Keith Woodruff present.

Applicant was granted an interpretation for landscaping within parking lots at the April meeting.

Applicant seeking interpretation for parking areas in front of buildings and presented the Board with additional viewpoint submissions.

Whereupon, there was a discussion regarding height of plantings at time of initial planting, benefits of different specimens of plantings, existing vegetation versus planting for screening at viewpoints 2 and 3, proposed distance between trees, and guiderails.

Building Inspector Halloran stated the selection of trees is critical to this application and to consider as a condition of the interpretation to spell out the criteria for the Planning Board.

Attorney Brady reviewed the interpretation request with the Board and read the applicable Code into the record.

VOTE BY PROPER MOTION, made by Chairman VanHaaster, seconded by Mr. Canton, the Town of Goshen Zoning Board determined an area variance is not needed as it relates to the front of building parking as depicted in renderings provided by Engineering & Surveying Properties dated 5/19/2022. Approved unanimously.

Chairman VanHaaster	Aye	Mr. Burnham	Aye
Mr. Canton	Aye	Mr. Farfalla	Aye

Attorney Brady reviewed the requested height area variances with the Board.

VOTE BY PROPER MOTION, made by Mr. Burnham, seconded by Mr. Farfalla, the Town of Goshen Zoning Board moved to schedule a Public Hearing for applicant on July 19, 2022. Approved unanimously.

Chairman VanHaaster	Aye	Mr. Burnham	Aye
Mr. Canton	Aye	Mr. Farfalla	Aye

Chairman VanHaaster read a notice into the record regarding Owens Road Solar scheduled for a public hearing before the Planning Board on July 21, 2022. The Planning Board has invited the ZBA to schedule a special meeting for the same night to coordinate the public hearing across all involved boards.

VOTE BY PROPER MOTION, made by Mr. Farfalla, seconded by Mr. Canton, the Town of Goshen Zoning Board moved to schedule a special meeting on July 21, 2022 of the Zoning Board of Appeals for the sole purpose of the Owens Road Solar application. Approved unanimously.

Chairman VanHaaster	Aye	Mr. Burnham	Aye
Mr. Canton	Aye	Mr. Farfalla	Aye

Adjournment

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

Chairman VanHaaster	Aye	Mr. Burnham	Aye
Mr. Canton	Aye	Mr. Farfalla	Aye

Meeting adjourned 9:33 pm