

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

**August 18, 2020**

**Members Present:**

Edwin Garling, Chairman  
JoAnn Donovan  
Charles VanHaaster

**Also Present:**

Kelly Naughton, ZBA Attorney  
Neal Halloran, Building Inspector

**Members Absent:**

Trino Canton  
Robert Farfalla

Pursuant to the Governor's Executive Order the meeting was recorded and posted on line.

Chairman Garling opened the meeting at 7:37 pm.

**Approval of Minutes**

**VOTE BY PROPER MOTION**, made by Mrs. Donovan, seconded by Mr. VanHaaster, the Town of Goshen Zoning Board moved to approve the July 21, 2020 minutes. Approved unanimously.

Chairman Garling	Aye	Mrs. Donovan	Aye
Mr. VanHaaster	Aye		

**VOTE BY PROPER MOTION**, made by Mr. VanHaaster, seconded by Mrs. Donovan, the Town of Goshen Zoning Board moved to approve the August 4, 2020 minutes. Approved unanimously.

Chairman Garling	Aye	Mrs. Donovan	Aye
Mr. VanHaaster	Aye		

**Action Items**

**Varano Solar Farm** – 19-1-47 & 48.1: Application for certain variances for a solar energy system on 127.7 +/- acres on Maple Avenue/County route 37 in the RU and AI Zones with AQ-3 and Scenic Road Corridor overlays. Set a Public Hearing.

**VOTE BY PROPER MOTION**, made by Mr. VanHaaster, seconded by Mrs. Donovan, the Town of Goshen Zoning Board moved to schedule a Public Hearing on September 1, 2020, for applicant Varano Solar Farm. Approved unanimously.

Chairman Garling	Aye	Mrs. Donovan	Aye
Mr. VanHaaster	Aye		

**Public Hearing**

**Mansfield Property – 15-1-25.1:** Application for an area variance for a fence on property located along Conklingtown Road in the RU Zone with AQ-3 overlay.

**VOTE BY PROPER MOTION,** made by Mrs. Donovan, seconded by Mr. VanHaaster, the Town of Goshen Zoning Board moved to open the Public Hearing for applicant Mansfield Property. Approved unanimously.

Chairman Garling	Aye	Mrs. Donovan	Aye
Mr. VanHaaster	Aye		

Elizabeth Mansfield the applicant was present and reviewed the project with the Board.

No response from the public.

Whereupon, there was a discussion on why the fence was not setback from the road. The applicant responded there are gardens around the property. The sight distance was discussed.

**VOTE BY PROPER MOTION,** made by Mrs. Donovan, seconded by Mr. VanHaaster, the Town of Goshen Zoning Board moved to close the Public Hearing for applicant Mansfield Property. Approved unanimously.

Chairman Garling	Aye	Mrs. Donovan	Aye
Mr. VanHaaster	Aye		

**10 61/2 Station Road, LLC – 12-8-13:** Application for area variances in connection with an existing structure to warehouse on 4.4 +/- acres on 6 ½ Station Road in the HC Zone with AQ-6 and Floodplain & Ponding Overlays.

**VOTE BY PROPER MOTION,** made by Mrs. Donovan, seconded by Mr. VanHaaster, the Town of Goshen Zoning Board moved to open the Public Hearing for applicant 10 6 ½ Station Road, LLC. Approved unanimously.

Chairman Garling	Aye	Mrs. Donovan	Aye
Mr. VanHaaster	Aye		

David Higgins, Lanc and Tully, was present for applicant. Mr. Higgins reviewed the project with the Board.

Whereupon, there was a discussion on the proposed access drive.

No comment from the public.

Whereupon, there was a discussion on the turning radius, thru traffic, and sight distance for the driveway.

**VOTE BY PROPER MOTION**, made by Mr. VanHaaster, seconded by Mrs. Donovan, the Town of Goshen Zoning Board moved to close the Public Hearing for applicant 10 6 ½ Station Road, LLC. Approved unanimously.

Chairman Garling	Aye	Mrs. Donovan	Aye
Mr. VanHaaster	Aye		

**The Farmhouse of Goshen -2-1-21.2:** The applicant is appealing the interpretation of the Building Inspector with regard to the 1989 and 1996 use variances for the property located within the Town of Goshen. Said property consists of approximately 141.9 +/- acres and is located on New York State Route 207 in the Rural (RU) district and the AQ-6 Overlay District. Continuation of Public Hearing.

Steve Esposito, Esposito and Associates, was present for applicant. Applicant requested a two-week adjournment as the applicant's attorney was called away on an emergency.

**VOTE BY PROPER MOTION**, made by Mr. VanHaaster, seconded by Mrs. Donovan, the Town of Goshen Zoning Board moved to adjourn the continuation of the public hearing for applicant The Farmhouse of Goshen to September 1, 2020. Approved unanimously.

Chairman Garling	Aye	Mrs. Donovan	Aye
Mr. VanHaaster	Aye		

**10 6 1/2 Station Road, LLC – 12-8-13:** Application for area variances in connection with an existing structure to warehouse on 4.4 +/- acres on 6 ½ Station Road in the HC Zone with AQ-6 and Floodplain & Ponding Overlays.

Whereupon, Attorney Naughton went through the five-part test for applicant 10 6 ½ Station Road.

**VOTE BY PROPER MOTION**, made by Mrs. Donovan, seconded by Mr. VanHaaster, the Town of Goshen Zoning Board moved to declare their intent to be lead agency for this project. Approved unanimously.

Chairman Garling	Aye	Mrs. Donovan	Aye
Mr. VanHaaster	Aye		

**VOTE BY PROPER MOTION**, made by Mrs. Donovan, seconded by Mr. VanHaaster, the Town of Goshen Zoning Board moved to type this action as unlisted. Approved unanimously.

Chairman Garling	Aye	Mrs. Donovan	Aye
Mr. VanHaaster	Aye		

**VOTE BY PROPER MOTION**, made by Mrs. Donovan, seconded by Chairman Garling, the Town of Goshen Zoning Board moved to issue a negative declaration for this project. Approved unanimously.

Chairman Garling	Aye	Mrs. Donovan	Aye
Mr. VanHaaster	Aye		

**VOTE BY PROPER MOTION**, made by Mr. VanHaaster, seconded by Mrs. Donovan, the Town of Goshen Zoning Board moved to authorize counsel to draft a decision consistent with the discussion. Approved unanimously.

Chairman Garling	Aye	Mrs. Donovan	Aye
Mr. VanHaaster	Aye		

Mr. Halloran noted that the new driveway was at the request of the Planning Board for safety reasons.

**VOTE BY PROPER MOTION**, made by Mr. VanHaaster, seconded by Mrs. Donovan, the Town of Goshen Zoning Board moved to close the meeting. Approved unanimously.

Chairman Garling	Aye	Mrs. Donovan	Aye
Mr. VanHaaster	Aye		

Meeting adjourned at 8:33 pm.