

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

**September 6, 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  
Joe Betro, Supervisor  
Tanya McPhee, Recording Secretary

**Members Absent:**

Joanne Donovan

The meeting of the Town of Goshen Zoning Board of Appeals was opened with the Pledge of Allegiance at 7:33 pm.

**Approval of Minutes**

**VOTE BY PROPER MOTION**, made by Mr. Farfalla, seconded by Mr. Burnham, the Town of Goshen Zoning Board of Appeals approved the minutes of the August 16, 2022 meeting as presented. Approved unanimously.

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

**Items for Discussion/Action**

**111 Owens Road Solar** - 10-1-10.22: Application for side yard setback variances for large-scale ground-mounted solar photovoltaic energy generating facility consisting of two (2) five-megawatt AC solar system array on approximately 53.9+/- acre site. The proposed project site is located along the northern side of Owens Road, between Echo Lake Road and Phillipsburg Road, in the RU Zone with AQ-6 overlay. **Side Yard Setback Variances**

Engineer ReJean DeVaux and Project Manager Terrance Nolan present.

Attorney Brady stated the Building Inspector and Board were in receipt of correspondence from Alicia Legland as of 11:30 am on the day of the meeting. The correspondence was a supplemental response to counsel.

Due to the limited time to review said correspondence, Attorney Brady advised the Board to adjourn review of this application until the next scheduled meeting on September 20, 2022.

Engineer DeVaux gave a brief presentation explaining the internally created self-imposed lot lines and how the subdivision lines must meet the code-required setbacks.

**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**

Project Engineer Andrew Fetherston and Managing Partner Isaac Neuman present.

**VOTE BY PROPER MOTION**, made by Chairman VanHaaster, seconded by Mr. Canton, the Town of Goshen Zoning Board of Appeals moved to enter executive session at 7:47 pm for purpose of attorney/client discussion. Approved unanimously.

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

**VOTE BY PROPER MOTION**, made by Chairman VanHaaster, seconded by Mr. Farfalla, the Town of Goshen Zoning Board of Appeals moved to come out of executive session at 8:05 pm. Approved unanimously.

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

Engineer Fetherston prepared responses to Board’s previous questions on requested variances.

In response to requested height variance for 48 feet where 35 feet is allowed by code and requested variance from building size for 300,000 square feet where 200,000 square feet is allowed by code Board questioned the total volume of proposed building.

Engineer Fetherston and Managing Partner Neuman outlined the maximization of the site and its constraints due to topography and design for intended tenancy.

Applicant was able to reduce requested lighting variances due to new manufacturer lighting options and motion sensors.

Attorney Brady read §97-14 D (6) Curb Cuts into the record. Applicant requesting interpretation that the proposed gated access for emergency vehicles is not a driveway.

Board requested signage for emergency vehicles only and that the gate is far back enough from the road that a fire apparatus would be able to clear 17M between gate and roadway.

Attorney Brady read §97-14 Dimensional Regulations Maximum Footprint into the record. Applicant requesting variance from building size for 300,000 square feet where 200,000 square feet is allowed.

Applicant stated dividing into smaller building is not an option for desired tenancy. Applicant provided visual renderings and stated vegetative limits.

In response to §97-14 D (2) (e) Large Buildings, applicant stated it is not feasible to break up the façade of the building.

Attorney Brady read §97-14 D (2) (b) Architecture Peaked Roofs with and Flat Roof hidden by raised cornice into the record. Applicant requesting relief from raised cornice requirement.

Building Inspector stated snow loads will increase with raised cornice. Applicant stated roof-top solar could be an option and verified there will be no refrigeration condensers on roof.

Supplemental landscaping was discussed.

**VOTE BY PROPER MOTION**, made by Chairman VanHaaster, seconded by Mr. Canton, the Town of Goshen Zoning Board of Appeals scheduled a public hearing for RDM Goshen 17M/2602 Route 17 Developers for September 20, 2022. Approved unanimously.

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

**Adjournment**

**VOTE BY PROPER MOTION**, made by Chairman VanHaaster, seconded by Mr. Burnham, 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 8:54 pm