

**VILLAGE OF GOSHEN
ZONING BOARD OF APPEALS
April 15, 2021**

The regular meeting of the Zoning Board of Appeals of the Village of Goshen was called to order by Chairman Stahlmann at 7:38 p.m. on Thursday, April 15, 2021, virtually, via Zoom.

Members present via Zoom: Wayne Stahlmann, Chairman
John Strobl
Kerri Stroka

Member absent: Nick Pistone

Also present via Zoom: David Donovan, Esq., ZBA Attorney
Village Clerk Strobl
Clerk Darby

Thomas & Elizabeth Golubinski, 6 Ludlum Drive; 112-9-10

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of Village Law, Section 7-712 et. seq. and the Village of Goshen Zoning Ordinance, Section 13.2.2 a public hearing will be held before the Village of Goshen Zoning Board of Appeals at 7:30 P.M. or as soon thereafter as the matter may be heard, on April 15, 2021, for the purpose of considering the application for a variance from the regulations imposed by the Revised Village of Goshen Zoning Ordinance; said application being hereinafter named and more fully described as follows:

1. (a) Relief Requested: (1) An area variance permitting a side yard setback of 9 feet, 4 inches where a minimum of 20 feet is required.
2. (b) Owner and Applicant: Thomas & Elizabeth Golubinski
6 Breezeway Lane
Goshen, NY 10924
3. (c) Premises Affected: Section 112, Block 9, Lot 10
6 Ludlum Drive
Goshen, New York 10924

PLEASE TAKE NOTICE that the Zoning Board of Appeals meeting scheduled for April 15, 2021 at the Village Hall, 276 Main Street, Goshen, New York 10924 will be conducted in accordance with the applicable Executive Orders heretofore issued by New York State Governor Andrew Cuomo suspending certain provisions of the New York State Open Meetings Law. Physical attendance at the meeting will not be permitted. The public may view the meeting live using the following link: <https://us02web.zoom.us/j/6219628673> and using meeting ID: #621 962 8673 or call in to 646 558 8656, 6219628673#

As permitted by Section 104 of the Public Officers Law and the Governor's Executive Orders, individual Zoning Board Members may participate from remote locations. Consistent with the aforementioned Executive Orders, physical attendance at said remote locations by members of the public shall not be permitted.

The said Board of Appeals will at the time and place aforesaid hear all persons in support of such matter or any objections thereto.

The application filed in connection with this matter is on file in the Office of the Zoning Board of Appeals and may be examined at said office by interested parties.

Dated: Goshen, New York March 19, 2021

BY ORDER OF THE ZONING BOARD OF APPEALS OF THE VILLAGE OF GOSHEN
Wayne Stahlmann, Chairman

Mr. Golubinski addressed the Board regarding the planned construction of a 9'4" by 33' two story addition to the house, which would require an Area Variance of 3'7" from the required setback of 20'.

Chairman Stahlmann polled the Board Members, neither of whom expressed questions or concerns.

Chairman Stahlmann opened the floor to neighbors. Comments were received from: Linda Clavelle, 4 Ludlum Drive; Sharon Nowak, 8 Ludlum Drive; Tom Maloney, 10 Ludlum Drive; Joan Jonke, 32 South Street; and Scott, 5 Ludlum Drive. Most comments were about past and current water drainage issues, with a concern about the possibility of exacerbating the problems.

Mr. Golubinski explained that LAN Engineering had studied the water drainage and made recommendations, based on a Hydrologist's review.

Following discussion, Chairman Stahlmann recommended leaving the Public Hearing open and having the applicant return next month with a water "plan" from LAN.

On a motion by Ms. Stroka, seconded by Mr. Strobl, the Public Hearing on the application of Thomas and Elizabeth Golubinski will remain open through the May 20, 2021 Zoning Board of Appeals meeting. The motion carried 3 – 0.

Attorney Donovan explained that although the Public Hearing would remain open, there would not be additional mailed notices.

Suresky Hyundai Exclusive Facility; 2 Hatfield Lane; 126-1-3.1; IP

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1. (a) Relief Requested: An interpretation of the zoning ordinance that the proposed signage and building height of a new car dealership are permitted; or, in the alternative, area variances for the maximum permitted signage and maximum permitted building height.
2. (b) Owner and Applicant: R.I. Suresky & Sons
P.O. Box 209
Goshen, NY 10924
3. (c) Premises Affected: Section 126, Block 1, Lot 3.1
2 Hatfield Lane
Goshen, New York 10924

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Chairman Stahlmann read the relief requested and turned the meeting over to Mr. Esposito.

Mr. Esposito described the project as construction of a new automobile dealership building of approximately 38,000 sf. The building will include a showroom, service area, parts department, parts storage, sales office, administration offices and a car wash. The project also includes parking lot expansion, lighting, utilities, stormwater management facilities, landscaping and signage.

Mr. Esposito showed plans for the project, and described the reliefs being sought for Building Height, Building Façade Signs, and Freestanding Signs.

Board Members asked questions, which were answered by Mr. Esposito.

There was no public comment.

On a motion by Mr. Strobl, seconded by Ms. Stroka, the Public Hearing was closed at 8:45 p.m. The motion carried 3 – 0.

On a motion by Ms. Stroka, seconded by Mr. Strobl, the Board voted to allow the variance from 35' to 40' in building height, to accommodate the car tower, and approved said request as outlined. The motion carried 3 – 0.

On a motion by Ms. Stroka, seconded by Mr. Strobl, the Board agreed that the building in question is multi-use, (service and sales), and therefore can have multiple signs. The motion carried 3 – 0.

On a motion by Ms. Stroka, seconded by Mr. Strobl, the Board agreed that section 7.6.2.1 of the Zoning Code is applicable to the proposed freestanding signs, and therefore no variance is required. The motion carried 3 – 0.

On a motion by Mr. Strobl, seconded by Ms. Stroka, the Public Hearing was closed at 8:50 p.m. The motion carried 3 – 0.

Notes by Meg Strobl

Wayne Stahlmann, Chairman