

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

The regular meeting of the Zoning Board of Appeals of the Village of Goshen was called to order by Chairman Stahlmann at 7:30 p.m. on Thursday, July 15, 2021, at Village Hall and virtually, via Zoom.

Members present: Wayne Stahlmann, Chairman
Tom Nixon
Nick Pistone
John Strobl
Kerri Stroka

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

**Sapphire Nursing and Rehabilitation at Goshen
46 Harriman Drive Real Estate, LLC
128-1-3.1**

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 July 15, 2021 at the Village Hall, Maplewood, 276 Main Street, Goshen, New York, 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: Area variances with regard to lot size, side yard, combined side yard, rear yard and parking for proposed Lot #1 of the contemplated subdivision of the Premises and area variances with regard to lot size, lot width, front yard, side yard, street frontage and parking for proposed Lot 32 of the contemplated subdivision.
2. (b) Owner & Applicant: 46 Harriman Drive Real Estate LLC
6085 Strickland Avenue
Brooklyn, NY 11234
3. (c) Premises Affected: Section 128, Block 1, Lot 3.1
46 Harriman Drive
Goshen, New York 10924

PLEASE TAKE NOTICE that the Zoning Board of Appeals meeting scheduled for July 15, 2021 at the Village Hall, 276 Main Street, Goshen, New York 10924 will also be available via Zoom 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#

A transcript will be posted on the Village's website at a later date.

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

June 14, 2021

BY ORDER OF THE ZONING BOARD OF APPEALS OF THE VILLAGE OF GOSHEN

Wayne Stahlmann, Chairman

Chairman Stahlmann called the Meeting to order at 7:30 p.m., and led those present in the Pledge of Allegiance. He then welcomed those present, and welcomed Board Member Tom Nixon to his first “in person” ZBA Meeting.

Representing the applicant: Daniel Richmond, Esq.
Dave Schlosser, AIA
Jay Pepper, LNHA, Sapphire Care Group

Attorney Donovan explained that no action could be taken at this Meeting as Orange County Planning Department had not yet responded to the referral.

Mr. Richmond provided the following overview: *The subject Property has for many years hosted two distinct operations that operate pursuant to separate State licenses: a skilled nursing facility operated by the Sapphire Group, known as the Sapphire at Goshen, and an adult assisted living facility, operated by the W Group, and known as the W Senior Living Center.*

The Sapphire Care Group has owned the Property since 2015, at which time the Adult Care Facility had already been independently operated by the W Group for several years, paying rent to the Property’s previous owners. The two distinct facilities residents are completely separate, and their respective staffs do not overlap in any way. The facilities do not share any amenities or egresses/entrances, parking facilities, or outdoor amenities.

Chairman Stahlmann turned the floor to Board Members for their questions. Ms. Stroka asked what the reason was for the application.

Mr. Richmond explained that they are separate entities and the idea is that each entity could then own its own building.

Mark Coleman, of Orange/Ulster BOCES, (an adjoining property) asked if there would be any effect to the current access easement for ingress and egress over BOCES property to Harriman Drive. He was told there would not.

It was noted that the building is situated on a 10-acre lot, although the minimum for that type of facility is 20 acres. At this time, the history of the original construction is not known. Concern was expressed that with two buildings, the minimum lot size should now be 40 acres.

On a motion by Mr. Strobl, seconded by Ms. Stroka, the Public Hearing will be held open to the August 19, 2021 Zoning Board Meeting. The motion carried 5 – 0.

On a motion by Mr. Strobl, seconded by Ms. Stroka, the Meeting was adjourned at 8:25 p.m. The motion carried 5 – 0.

Notes by Meg Strobl

Wayne Stahlmann, Chairman