

**VILLAGE OF GOSHEN
ZONING BOARD OF APPEALS
July 20, 2023**

The regular meeting of the Zoning Board of Appeals of the Village of Goshen was called to order by Chairman Stahlmann at 7:30 pm. on Thursday, July 20, 2023, at Village Hall.

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

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

APPLICANT

R.I. Suresky & Sons
P.O. Box 209
Goshen, NY 10924

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 20, 2023 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: (1) An interpretation of the zoning ordinance that the proposed number of free-standing signs is permitted; or, in the alternative, area variances for the maximum number of free-standing permitted; and (2) An area variance permitting a development coverage of 80% where 75% is the maximum permitted.
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

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 13, 2023

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

Representing the Applicant: Steve Esposito

The public hearing was opened at 7:30 pm.

Chairman Stahlmann asked Mr. Esposito to provide an overview of the project and the variances sought for his application. He started by sharing that the Hyundai building is currently under construction and the next phase is for a new Genesis dealership building.

Mr. Esposito explained the sign variance his applicant is seeking. Essentially, Suresky is looking to duplicate what was granted to Hyundai. Mr. Esposito also explained that his applicant is asking for a 5% variance for the development coverage where 75% is permitted. Chairman Stahlmann asked members if they had any questions regarding either of the requests.

On a motion by Ms. Stroka, seconded by Mr. Strobl, the Public Hearing was closed at 7:42 pm. The motion carried 5 – 0.

On a motion by Ms. Stroka, seconded by Mr. Strobl, the Board approved the variance for the additional signage as requested by the applicant. The motion carried 5 – 0.

On a motion by Mr. Pistone, seconded by Ms. Stroka, the Board voted to grant the variance permitting a development coverage of 80% where 75% is the maximum permitted. The motion carried 5 – 0.

For the record, the mailing notices were received as required.

APPLICANT

Patrick & Jan McCarthy
Goshen Main Street, LLC
224-218 Main Street
SBL: 109-5-37

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 20, 2023 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: A use variance permitting an extended stay residential use in the OB (Office Business) Zoning District where such use is not permitted.
2. (b) Owner and Applicant: Patrick McCarthy
Goshen Main Street, LLC
224-218 Main Street
Goshen, NY 10924
3. (c) Premises Affected: Section 109, Block 5, Lot 37
224-218 Main Street
Goshen, New York 10924

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, 2023

BY ORDER OF THE ZONING BOARD OF APPEALS

OF THE VILLAGE OF GOSHEN
Wayne Stahlmann, Chairman

Representing the Applicant: Patrick & Jan McCarthy

The Public Hearing was opened.

For the record, the mailing notices were received as required.

Chairman Stahlmann asked Mr. & Mrs. McCarthy to explain the relief requested and the current situation with the property. The applicants explained that the building is only 17% occupied, and they are proposing to change the use to a building for corporate housing.

ZBA members wanted to see a type of rendering to understand the project they were explaining. ZBA members further explained that there is a 4-step process to go through when deciding if a use variance can be granted, which every step must be proven.

1. A reasonable return can't be realized, which must be substantial and proved by "dollars and cents", has to be proved
2. The hardship is unique and does not apply to a substantial portion of the district/neighborhood
3. That the requested variance will not alter the essential character of the neighborhood
4. The alleged hardship is not self-created

All of the ZBA members felt that all of the steps could not be proven, and Attorney Donovan explained it would be very hard to prove with additional professionals involved, however, he did suggest they speak to a land attorney.

Chairman Stahlmann gave the applicants the option to keep the public hearing open, seek additional information, or close the public hearing and have the ZBA vote on their application.

Linda Clark, a realtor next door, was present at the meeting.

Chairman Stahlmann read two letters into the record that were received regarding the application. One letter was from Griffith Realtors and the other was from Paul Cammareri at 210 Main Street.

On a motion by Ms. Stroka, seconded by Mr. Strobl, the Public Hearing was closed at 8:07 pm. The motion carried 5 – 0.

On a motion by Mr. Pistone, seconded by Mr. Nixon, the Zoning Board of Appeals voted to deny the use variance sought from the applicant. The motion carried 5 – 0.

On a motion by Ms. Stroka, seconded by Mr. Strobl, the Meeting was adjourned at 8:08 pm. The motion carried 5 – 0.

Attorney Donovan went on record to thank Mr. Tom Nixon for his service to the ZBA, and all members agreed and applauded him for all his efforts.

Notes by Maria Darby

Wayne Stahlmann, Chairman