

Village of Goshen  
Planning Board Meeting  
May 25, 2021

Members present via Zoom: Chairperson Elaine McClung  
Adam Boese  
Sal LaBruna  
Molly O'Donnell  
Mike Torelli

Also present via Zoom: Dave Donovan, Esq., PB Attorney  
Ted Lewis, Building Inspector  
Kristen O'Donnell, Village Planner, Lanc and Tully  
Meg Strobl, Village Clerk  
Art Tully, P.E., Lanc and Tully  
Scott Wohl, Village of Goshen Board Member  
Maria Darby, Clerk

Applicants and others via Zoom: Milan Amin  
Jacqueline Bart  
Chris Borncamp  
Steve Esposito, RLA  
S. Ginsberg  
Lawrence Gordon  
Jonathan Gross  
C. Harrison  
Joseph Herzog  
Ambalal Hiralal  
Mary Rice Israelski  
Jessica King  
M. Nogueira  
Scott Olson, Esq.  
Jay Pepper  
Brian Poitras  
Daniel Pultman  
Daniel Richmond  
L. Ronaldson  
David Schlosser  
Brian Tempio  
Joseph Trombley  
Bryce

Chairperson McClung called the Meeting to order at 7:30 pm via Zoom, and amended the agenda distributed to include the decision from OC Planning regarding the Verizon application.

#### **APPLICANTS BEFORE THE BOARD**

**Young Summer, LLC f/Verizon, 15 Matthews Street, #119-1-3, D-S, Small cell tower, Z.B.A. approval**

Representing the Applicant: Scott Olson, Esq., Young/Sommer LLC  
Chris Borncamp  
Mike Crosby

Chairperson McClung shared with the Planning Board members that the Orange County Department of Planning recommended local determination.

On a motion by Ms. O'Donnell, seconded by Mr. Boese, the Planning Board provided approval of the site plan. Motion carried 5 – 0.

**Sapphire Nursing and Rehabilitation at Goshen, application for subdivision approval, #128-1-3.1**

Representing the Applicant: Daniel Richmond  
David Schlosser

Mr. Schlosser provided an overview of the project and shared that there were not any physical changes being made, but instead two plots were being proposed for two owners. Ms. K. O'Donnell went over her comments, and asked how the Village would know of any changes in easements, and also included the need for a referral to the ZBA. Based on Ms. K. O'Donnell's comments, Chazen will amend the current site plans to comply with the provided comments. Ms. K. O'Donnell stated that the submitted EAF is acceptable.

Mr. Donovan asked about ownership of the two plots. Mr. Tully questioned the way water and sewer would be billed. Mr. Schlosser confirmed that the billing would remain as it is currently billed – one meter and one bill to Sapphire.

The applicant would like a referral to the ZBA for the following:

Lot 1: Lot Area, Side Yard and Rear Yard

Lot 2: Lot Area, Side Yard, Street Frontage and Front Yard

On a motion by Mr. Boese, seconded by Mr. LaBruna, the Planning Board referred the applicant to the ZBA. Motion carried 5 – 0.

**Goshen Stagecoach Properties, LLC, #107-2-39.2. R-1, previous application to be amended to subdivision approval for four (4) lots**

Representing the Applicant: Steve Esposito, RLA, Esposito & Associates

Mr. Esposito provided an overview of the planned project including the history of the previously approved application. Mr. Esposito showed the plan of the project which would now be a 4 lot subdivision rather than 5 lots. Mr. Esposito agreed with Ms. K. O'Donnell's comments that were provided. There were not any additional comments from the Planning Board members. In order to move the project forward, a new application will need to be submitted.

**GFI Partners a.k.a. Goshen Developer JV, LLC Amended Overall Plan, #117-1-1.22, IP Zone**

Representing the Applicant: Steve Esposito, RLA, Esposito & Associates

Joseph Herzog, Royal Wines  
Morty Herzog, Royal Wines  
Jacqueline Bart, GFI  
S. Goodman, GFI  
J. Gross, GFI  
M. Nogueira, Design Group  
L. Ronaldson, GFI  
J. Trombley, GFI

Mr. Esposito provided an overview and the history of the location for the project. Royal Wines Inc., a potential end user for the GFI property, is looking to expand their company as they continue to grow and would like to occupy the GFI property. Mr. M. Herzog provided a thorough presentation to the Planning Board on the history of Royal Wines Inc., a 9<sup>th</sup> generation family business.

Ms. K. O'Donnell referred to her comments on the project and stated that she'd like to get moving with the SEQR analysis, where the Planning Board will be the lead agency. Mr. Tully asked about water/sewer needs.

Mr. Esposito asked the following from the Planning Board:

1. Would like to start SEQR process
2. Referral to ZBA for the following:
  - a. Relief from Section 5.5.1 regarding direct access; interpretation of heights of accessory structures, specific to the storage tanks on the side of the building, building height; and parking in the IP Zone

Ms. M. O'Donnell inquired about the 60' storage tanks. An in-depth discussion took place regarding same. Mr. Boese also raised questions concerning both building and storage height.

Chairperson McClung requested that the applicant complete an analysis of the project, where Mr. Esposito advised that he would be sure the analysis is completed prior to going before the ZBA.

Mr. Esposito has been working with the DOT on the previous YIDEL project, and they have been advised that there will be an amendment to the previously approved plan, and will have less tractor trailer traffic than the previous proposed project. Ms. K. O'Donnell will contact Phil Grealy, of Colliers Engineering & Design who initially did the review for Kikkerfrosh and the revised analysis for the Yidel warehouse, on behalf of the Planning Board so that he can be informed when a meeting has been set up with the DOT.

On a motion by Mr. Torelli, seconded by Mr. Boese, in an effort to move the project forward, the Planning Board made a conditional referral to the ZBA for 4 (four) generic variances with the condition that there are outstanding issues of the Planning Board. Motion carried 5 – 0.

The Planning Board will be able to review and provide comments at the June Planning Board meeting to the ZBA for their July meeting.

On a motion by Ms. M. O'Donnell, seconded by Mr. Torelli, the Planning Board will be the lead agency on the SEQR application. Motion carried 5 – 0.

## **DISCUSSION**

Items referred to the Planning Board for review, and according to Municipal Code 17.2, the following items must be covered in Planning Board member discussion:

1. Whether such change is consistent with the aims and principles embodied in the ordinance as to the particular districts concerned;
2. Which areas, land uses, buildings and establishments in the village will be directly affected by such change and in what way they will be affected;
3. The indirect implications of such change in its effect on other regulations; and
4. Whether such proposed amendment is consistent with the aims of the comprehensive development plan of the village.

### **Village Board appearance of Milan Amin, MD and M.R. Israelski to request a zone change from OB to permitted uses in C-S Zone**

A thorough discussion took place among Planning Board members where they are not only considering changes to the OB zone from the applicant, but all OB zones in the Village of Goshen. Chairperson McClung raised concerns about how changing the permitted uses would affect the economic success of the area and would like to ask the Village Board to allocate funds for an analysis of the proposed zone change from OB to permitted uses in the C-S Zone to see the businesses that would be impacted. She does feel that the Village needs to modernize the OB district, however, believes this

would impact the character of the Village and the existing businesses if more commercial businesses were allowed in the Village. Mr. LaBruna is open to changes of the OB Zone and feels the current, approved OB Zone is outdated and needs flexibility with the current climate. Mr. Torelli and Ms. M. O'Donnell concurred with Mr. LaBruna, and would also like to have a proper review and analysis of the current approved uses.

**Local Law to permit 'Bed and Breakfast' within the Village of Goshen – referred to PB from Village Board**

**Short term rentals in the V.O.G. / permits, regulations permitted in R-2 and R-3 zones / referred to PB from Village Board**

Discussion took place among Planning Board members about the Bed and Breakfast and short-term rental laws. Chairperson McClung asked Mr. Donovan to include in his letter to the Village Board a change from 5 rooms to 9 rooms for the Bed & Breakfast local law.

With regards to short-term rentals, the Planning Board members questioned if the R-1 zone should also be included in the short term rental review. Mr. Donovan explained that the Village Board expressed concerns of including R-1 zones where people buy homes not to live in, but instead rent for business purposes. Mr. LaBruna felt that those concerns could be eliminated as short-term rentals are to be owner occupied.

The Planning Board conveyed that they would like Mr. Donovan to include in his letter to the Village Board regarding short term rentals the following information: 1) suggest increasing the number of permits per year, 2) simplifying the process to obtain a permit, 3) modifying the number of parking spaces permitted per rental, 4) discussion of including R-1 zone in short term rentals, and 5) include bulk regulations.

**APPROVAL OF MINUTES**

The Minutes of the April 27, 2021 Planning Board Meeting were accepted as circulated.

**MEETING ADJOURNMENT**

The Meeting was adjourned at 10:12 pm.

Elaine McClung, Chair

Notes prepared by Maria Darby