

VILLAGE OF GOSHEN
ZONING BOARD OF APPEALS
March 16, 2017

The regular meeting of the Zoning Board of Appeals of the Village of Goshen was called to order at 7:30 p.m. on Thursday, January 19, 2017 in the Village Hall by Chair Wayne Stahlmann.

Members present: John Strobl
Chair Wayne Stahlmann
Susan Cookingham
Nick Pistone

Member absent: Kerri Stroka

Also present: David Donovan, Esq., ZBA Attorney

Application of Fiddlers Green at Good Time Park, 115-1-15

Relief Requested: An interpretation and/or variance with regard to permitted length of parking garages.

An area variance to allow a building height of 47.8 feet and 4 stories where a maximum building height of 35 feet and 2.5 stories is permitted.

Representing

Applicant: Steven T. Esposito, RLA
Jay Myrow, Esq.
Jose Carballo, RA

Mr. Stahlmann stated that this is a referral from the Planning Board.

Mr. Donovan stated for the public that this application is not for an approval of the project. The project has made an initial appearance to the Planning Board and requires variances. If the variances are granted, it does not mean the project is approved. It still requires site plan approval from the Planning Board.

Mr. Donovan stated it is also important to note that the Planning Board is the lead agency for the environmental review. Until the environmental review is complete, the ZBA cannot issue a decision.

Mr. Myrow stated this project had been previously approved for townhouses and did not go forward due to an economic recession. The project has been reworked to provide for open-market apartments. All units are one-bedroom with a den. While the project is before the Planning Board, two variances are required.

Mr. Esposito stated he would like to give the public a brief history of the project. The project was originally approved in 2007 for 116 townhouses. The economy fell and the client pulled the plug on the project. The project has been redesigned for open-end rentals. The target market is the “bookends” -- millennials and retirees. Each unit is one bedroom with a den/office. There are 178 total units. The water usage has been scaled back from the original project.

The main entrance is off North Connector Road with a secondary entrance on Green Street. There are 357 parking spaces in total. The applicant is proposing 174 underground garage spaces and 123 surface parking spaces and asking the Planning Board for another 60 spaces. There are 6 proposed buildings with 30 units per building with 10 units per floor.

Mr. Esposito stated that the large white oak on the property will be maintained and remain. There will be a connection to Finan’s Pond, a connection to the Heritage Trail, a proposed boardwalk around Finan’s Pond and a sidewalk to Green Street.

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Mr. Esposito stated that the request for an interpretation comes from the underground parking garage. The garage is the length of two buildings and is under the space between buildings. The applicant is asking for an interpretation of what the parking garage is considered. If considered a building, it will require a variance.

Mr. Donovan stated the issue is the Village Code definition of building. It is defined as any structure or extension thereof or addition thereto having a roof supported by things such as columns, posts, piers, or walls and intended for shelter, business, housing or enclosing of persons, animals or property. The length of the garage is 325 feet. The question is does the parking garage fall within the definition of a building. If it is determined to be a building, a variance will be required to allow 325 feet from 160 allowable feet.

Mr. Esposito stated the proposed design has a pitched roof. This was chosen for aesthetics to fit in with the village, but adds height. Also, having to build 5 feet above existing grade because of the flood plain adds height. The applicant is requesting a variance.

Chairman Stahlmann polled the board for comments and questions.

Mr. Strobl asked if this is the entirety of proposed buildings and there would be no additional phases. Mr. Esposito confirmed.

Mr. Pistone stated he liked the design. Ms. Cookingham stated she had no questions.

Chairman Stahlmann opened the meeting to public comment.

Joe Finan of Finan's Pond asked how many units per building. Mr. Esposito stated 30 units per building. Mr. Finan asked if village water would be provided. This was confirmed. He then asked about the maintenance. Mr. Esposito stated all the amenities such as lawn, landscaping and roadways will be privately maintained.

Bernard Luck asked about traffic. Mr. Esposito stated the project is before the Planning Board and is required to work out traffic details. A study is being done under existing conditions and potential future conditions as well. Mr. Luck is concerned with potential Legoland traffic. Mr. Esposito stated all this was being looked at.

Mr. Luck also stated he was concerned with the proposed building height. He stated South Street is a beautiful street with historic homes that will now look at tall buildings. Mr. Esposito stated the homes are higher up than the proposed buildings and there is existing vegetation along the trail that will help screen the view. He stated the Planning Board will look at mitigating visual impacts.

Mr. Finan asked what the intended rental prices will be. It was answered between \$1900 to \$2200 a month approximately.

Zack George stated he was interested in the height of the building, but he understands why the height is proposed the way it is.

Mr. Esposito stated he believed the design with the underground parking provides a much better and more pleasing design than having a much larger parking lot of cars visible to the surrounding area. He also stated it was a more expensive option, but the project was being driven by aesthetics and not cost cutting.

Mr. Carballo stated the garage is fully non-combustible and it's a fire-suppressed building with a sprinkler system. Site distances and visuals will also be done from the Heritage Trail.

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Mr. Finan asked how close the buildings will be to the Heritage Trail. Mr. Esposito stated buildings 1 and 6 are approximately 100 feet from the trail.

Mr. Strobl mentioned to the public that he is on the Orange Pathways Committee and Mr. Esposito is the former engineer of Orange Pathways. He stated that Mr. Esposito really knows about the bike trails and the trail would not exist the way it does today if not for people like Mr. Esposito. Mr. Esposito stated he uses it every day.

Mr. Donovan stated there will be no determination until the Planning Board finishes SEQRA. He stated there will be another public hearing at the Planning Board level. Mr. Esposito would like to come back next month with answers to issues brought up at this meeting and get a feel for how the ZBA feels going forward.

VOTE BY PROPER MOTION made by Mr. Strobl, seconded by Ms. Cookingham, the Village of Goshen Zoning Board of Appeals moved to leave the public hearing open until the April 20, 2017 meeting. The motion was approved unanimously.

VOTE BY PROPER MOTION made by Mr. Strobl, seconded by Ms. Cookingham to adjourn the meeting. The motion was approved unanimously.

The meeting concluded at 8:22 p.m.

Wayne Stahlmann, Chair

Notes prepared by Tanya McPhee