

**VILLAGE OF GOSHEN
ZONING BOARD OF APPEALS
NOVEMBER 12, 2008**

The regular meeting of the Zoning Board of Appeals of the Village of Goshen was called to order at 7:30 pm on Wednesday, November 12, 2008 in the Village Hall by Chair Wayne Stahlman.

Present: Garfield Clark
Neal Frishberg
Wayne Stahlman, Chair
John Strobl

David Donovan, Attorney

Absent: Michael Nutt

ZBA Chair Wayne Stahlman opened the meeting with the Pledge of Allegiance.

PUBLIC HEARING

**LEBARON ENTERPRISES, Corner of West Main St and High St. Section 111,
Block 16, Lot 12**

Relief Requested: Grant of a variance from the screening requirement of Section 6.1.4.2 of the Village of Goshen Zoning Ordinance to permit premises to be used as a parking lot.

Present for the applicant: Chester LaBaron & Jim Dillin, Jr.

Mr. Dillin presented the proof of mailings. He said the application was referred to the ZBA by the Village Planning Board. The application is for a parking lot located in the Central Shopping District, across the street from a Residential zone. The Planning Board sent the applicant to the ZBA because there is a screening requirement that if a parking lot is located across from a Residential zone, it requires a 20 ft. setback from the road. If the applicant were to screen 20 ft. from the road, he would lose two of the seven parking spaces being proposed, he said. The lot is only 16 ft. wide at that end where the screening would be required. The stockade fence will remain.

Mr. Stahlman wanted to clarify what was being asked of the Board. Mr. Donovan said the sole purpose of the ZBA in this application is to consider granting relief from the landscaping/screening requirement.

It was noted that the parking lot will be private and will service the pizza restaurant across West Main Street.

Parking spaces #1 & 2 are for employees, Mr. Dillin said, and the others are one-hour parking and are not for the public at large. Mr. Stahlman pointed out that if the parking spaces were not available, the people who can park there would be parking on the street and taking those parking spaces away from the public.

ZBA members agreed that there clearly is a shortage of parking in the downtown area and that the proposed lot will improve the neighborhood because it will get some cars off the street.

Mr. Stahlman asked for public comment. There was no one in the audience to speak on the application.

VOTE BY PROPER MOTION, made by Mr. Frishberg, seconded by Mr. Strobl, the Zoning Board of Appeals of the Village of Goshen hereby closes the public hearing on the application of LeBaron Enterprises. Passed unanimously.

VOTE BY PROPER MOTION, made by Mr. Frishberg, seconded by Mr. Strobl, the Zoning Board of Appeals of the Village of Goshen hereby grants the variance requested by the applicant LeBaron Enterprises. Passed unanimously.

MINUTES

The ZBA reviewed the minutes of the October, 2008 meeting. Mr. Donovan said that by custom most Boards approve minutes, but there is no requirement that they do so. Mr. Stahlman said that the Board will not take the formal action of approving minutes since it is not required and that from now on if a Board member sees something in the minutes that he thinks is a mistake or misrepresentation, then it should be mentioned and talked about. Mr. Donovan said that in that case, the correction will go in the next month's minutes.

ADJOURNMENT

VOTE BY PROPER MOTION, made by Mr. Strobl, seconded by Mr. Clark, the Zoning Board of Appeals of the Village of Goshen adjourned at 7:48 p.m. Passed unanimously.

Notes Prepared by Susan Varden