

VILLAGE OF GOSHEN
ZONING BOARD OF APPEALS
July 16, 2015

The regular meeting of the Zoning Board of Appeals of the Village of Goshen was called to order at 7:30 pm on July 16, 2015 in the Village Hall by Chairman Wayne Stahlmann.

Present: Garfield Clark
Molly O'Donnell
Wayne Stahlmann, Chairman
John Strobl
Kerri Stroka

Absent: David Donovan. Esq., ZBA Attorney

Chairman Mr. Stahlmann opened the meeting with the Pledge of Allegiance.

Application of Mr. Martin Schwartz; 1 Lincoln Avenue Goshen, New York 10924

Premises Affected: Section 108, Block 3, Lot 12;
1 Lincoln Avenue Goshen, New York 10924.

Relief Requested: An area variance to permit a 6 foot high fence to be placed in the front yard of the premises. The maximum allowed height for a fence in the front yard of a residential home is 4 feet.

Mailings were presented by the applicant.

Mr. Schwartz, owner of the premises explained to ZBA members that he is proposing a 6 foot tall attractive metal fence across his driveway, set back from the sidewalk, for the purpose of keeping out the deer. He said in the past, the deer have eaten his plants, shrubs and flowers, and feels it will prevent the deer from continuing to go on his property.

Chairman Stahlmann referred to the location copy of the map and asked Mr. Schwartz how far the fencing would be from the street. Mr. Schwartz stated approximately 20-25 feet from the sidewalk. He referred to a property located in the Village with similar fencing, that has an attractive appeal and design, which is similar to his proposal with more of a setback. Mr. Stahlmann asked if the fencing would have any effect on the drivers on the street. Mr. Schwartz stated no, because it will be setback from the sidewalk.

Chairman Stahlmann asked if there was any public comment.

Mr. McCoy of 8 Lincoln Avenue appeared before the board not in favor of the proposal for the variance being requested. Mr. McCoy said he has lived in the neighborhood for a long time, and the homes on the street do not have any fencing. He expressed his concern regarding the proposed fencing and feels once the fencing is complete it will only encourage the surrounding neighbors to seek fencing on their properties. He does not want to see that happen.

Mr. Esposito also a resident of Lincoln Avenue commented that he is aware of the deer, and feels the fencing would be within character of the neighborhood. Mr. Esposito said the property is well taken care of and he sees no problem with the relief being requested.

Chairman Stahlmann asked Mr. Schwartz to discuss the fencing location proposed for his property. Mr. Schwartz explained the fencing would go straight across the front of his yard right along the hedge. He addressed that the look of the fencing will be very tasteful and believes it will naturally enhance the look overall, as well as keep the deer away.

VOTE BY PROPER MOTION, made by Mr. Clark, seconded by Ms. O'Donnell, The Zoning Board of Appeals of The Village of Goshen closes the public hearing on the application of Mr. Martin Schwartz; 1 Lincoln Avenue Goshen, New York 10924. Motion approved unanimously. (Aye 5)

VOTE BY PROPER MOTION, made by Mr. Clark, seconded by Ms. Stroka, The Zoning Board of Appeals of The Village of Goshen grants the variances requested on the application of Mr. Martin Schwartz. Motion approved unanimously. (Aye 5)

**Continuation of Public Hearing on Application of AK Equities, LLC; (Goshen Car Wash)
289 West Main Street Goshen, New York 10924**

Premises Affected: Section 111, Block 19, Lot 1
285-289 West Main Street Goshen, New York 10924

Relief Requested: An area variance to permit two (2) thirty-seven (37) square foot well-mounted façade signs on the premises where fifteen (15) square feet is the maximum allowed square footage for signage.

Representing the applicant: Steven Esposito, Esposito & Associates

Mr. Esposito discussed with the board the site plan for the Goshen Car Wash. He said it has been recently improved and is currently under construction for the Automotive Repair Center. Mr. Esposito appeared before the board at the ZBA meeting of June 18, 2015 to discuss the proposed signage being requested. He explained the building is permitted to have a 40 square foot sign per facade, per frontage. Because this is on the corner lot the applicant is requesting two wall mounted signs with the relief for the variance of square footage.

Chairman Stahlmann noted for the record that we received two letters in response to the application of AK Equities, LLC; the first letter dated July 1, 2015 from Wheldon A. Abt, Architect, P.C, and his review and interpretation of the application (Goshen Car Wash) Architectural Design District (A.D.D) and the second letter received from Mr. Lewis, Building Inspector, dated July 13, 2015 in response to Mr. Abt's letter.

Mr. Esposito said the wall space would be reduced to about half the original proposed size, and that it would exceed the 15 square foot requirement with smaller lettering while maintaining one large sign.

Chairman Stahlmann confirmed with Mr. Esposito that the proposed sign is the front of the building. ZBA members discussed and agreed with the applicant's reduced sizing of the signage.

VOTE BY PROPER MOTION, made by Mr. Clark, seconded by Mr. Strobl, the Zoning Board of Appeals of the Village of Goshen closes the public hearing on the application of AK Equities, LLC; (Aye 5)

VOTE BY PROPER MOTION, made by Mr. Clark, and seconded by Mr. Strobl, The Zoning Board of Appeals of The Village of Goshen grants the variances requested on the application of AK Equities, LLC; for an area variance to permit two (2) thirty-seven (37) square foot wall-mounted facade signs on the premises where fifteen(15) square feet is the maximum allowed square footage for signage. (Decision Amended 24.5 square footage on William Street proposed sign)
(Aye 5)

APPROVAL OF MINUTES – The minutes of the June 18, 2015 Zoning Board of Appeals were approved.

ADJOURNMENT- Upon Motion made by Mr. Clark and seconded, The Village of Goshen Zoning Board of Appeals meeting adjourned at 8:00 p.m.

Wayne Stahlmann, Chairman
Notes prepared by Courtney Cancellieri