

**VILLAGE OF GOSHEN
ZONING BOARD OF APPEALS
October 18, 2018**

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, October 18, 2018 in the Village Hall by Chair Wayne Stahlmann.

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

Members Absent: Kerri Stroka

Also present: David Donovan, Esq., ZBA Attorney

Mr. Stahlmann opened the meeting with the Pledge of Allegiance

CONTINUED PUBLIC HEARING

Application of Miguel Avila, 18 Maiden Lane, 127-2-57

Relief Requested: (1) An area variance to permit the installation of an inground pool in a front yard.

(2) An area variance to permit a fence to be six feet in height where four feet is the maximum height allowed for fences in front yards.

Representing Applicant: Miguel Avila, Owner

Mr. Avila produced the mailings of public hearing to the board. He also produced a rendering of where the fence and pool will be located. A survey was presented to the board. The type of fencing will be black aluminum and see-through in nature. Mr. Avila stated the fence will not block any views or the school bus stop on the corner.

Chairman Stahlmann explained that the shape of the applicant's property creates two front yards, thus the need for the requested variances.

Chairman Stahlmann polled the board for questions and comments.

Mr. Strobl stated initially he was concerned with how close the fence would be to the intersection, but after reviewing the site plan/survey he no longer has this concern.

Mr. Pistone stated he has no concerns or comments at this time. He stated the detail of the survey helped.

Ms. Cookingham stated that upon visiting the property where the pool and fence are going, it appears to be what would be considered a back yard.

Chairman Stahlmann asked the public present at the hearing for comments.

James Hughes, the swimming pool builder stated the pool is going to look pretty and his client has good taste.

There were no other comments at the hearing.

**VILLAGE OF GOSHEN
ZONING BOARD OF APPEALS
October 18, 2018**

VOTE BY PROPER MOTION made by Ms. Cookingham, seconded by Mr. Pistone the Zoning Board of Appeals moved to close the public hearing. Motion carried 4-0.

Mr. Donovan stated the Resolution of Approval should indicate as depicted upon the site plan prepared by Richard Iuele dated August 2, 2018.

VOTE BY PROPER MOTION made by Mr. Strobl, seconded by Ms. Cookingham the Zoning Board of Appeals moved to approve the variance as requested and as depicted on the aforementioned site plan. Motion carried 4-0.

PUBLIC HEARING

Application of **David J. O'Connor, 399 Main St., 102-5-2**

Relief Requested: (1) An area variance to permit the construction of a covered porch allowing a front-yard setback of 19.5 feet where 30 feet is required in an R-1 Zone.

Representing Applicant: David O'Connor, Owner

Mr. O'Connor provided the board with the necessary mailings. Mr. O'Connor stated he would like to build a porch on the front of the house. He presented the board with photographs of how the house exists currently. The proposed porch will be eight (8) feet out from the front surface of the house and 24 feet wide. It will be covered with a roof. Inside the porch will contain a mudroom, entrance door and bench. Mr. O'Connor stated a porch will provide an airlock for the house. As it now stands when the front door is opened you are directly in the driveway and exposed to the elements. The porch will be built on a cement slab and will have gutters and downspouts that will also help mitigate water runoff into the basement.

Chairman Stahlmann asked for a survey of the property. Mr. O'Connor stated the building inspector has the survey. He provided a plan of the porch and photographs. Chairman Stahlmann stated what the board is being asked to do is question how close the porch is to the street and is that in line with the surrounding neighbors and streetscape.

Chairman Stahlmann polled the board for questions and comments.

Mr. Strobl stated he visited the house and all the houses in that area are close to the road. This house is actually further back. The homeowner was kind enough to give him a tour of the entire house and property. He believes the porch will improve the home and the entrance to Goshen. He is very impressed with the plans.

Ms. Cookingham stated the other houses in the area are all close to the road and believes a porch on this home will be very nice.

Mr. Pistone stated he is fine with the application.

Chairman Stahlmann asked the public present at the hearing for comments.

Diane Miller, 395 Main Street – Ms. Miller gave a brief background of the home. She believes a porch will help the property look nicer and is in favor of the proposed work. She believes the work will make the house look 100 percent better and turn it into a home.

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October 18, 2018

Chairman Stahlmann stated his only issue is that he doesn't have a survey to work with. The applicant asked if he could briefly run to his car as he may have a copy out there. The applicant's wife was able to produce a survey for the board along with the building department documents.

VOTE BY PROPER MOTION made by Ms. Cookingham, seconded by Mr. Strobl the Zoning Board of Appeals moved to close the public hearing. Motion carried 4-0.

VOTE BY PROPER MOTION made by Mr. Pistone, seconded by Mr. Strobl the Zoning Board of Appeals moved to grant the variance as requested. Motion carried 4-0.

ADJOURNMENT

VOTE BY PROPER MOTION made by Mr. Strobl, seconded by Ms. Cookingham to adjourn the meeting. Motion carried 4-0.

The next scheduled meeting of the Zoning Board of Appeals is November 15, 2018.

The meeting concluded at 7:57 p.m.

Wayne Stahlmann, Chair
Notes prepared by Tanya McPhee