

**VILLAGE OF GOSHEN  
ZONING BOARD OF APPEALS  
May 20, 2021**

The regular meeting of the Zoning Board of Appeals of the Village of Goshen was called to order by Chairman Stahlmann at 7:30 p.m. on Thursday, May 20, 2021, virtually, via Zoom.

Members present via Zoom: Wayne Stahlmann, Chairman  
Tom Nixon  
Nick Pistone  
John Strobl

Member absent: Kerri Stroka

Also present via Zoom: David Donovan, Esq., ZBA Attorney  
Village Clerk Strobl  
Clerk Darby

**Thomas & Elizabeth Golubinski, 6 Ludlum Drive; 112-9-10**

Chairman Stahlmann noted that the Public Hearing for the Golubinski application had been kept open from the April Meeting to allow the applicant to address concerns expressed by neighbors regarding drainage issues. He also welcomed Tom Nixon to the Board, and verified with Attorney Donovan that Mr. Nixon would be able to participate in the Meeting.

Chairman Stahlmann read the following letter from the applicant's Engineer, Erik E. Boe, PE, Asst. Vice President of LAN Associates:

April 30, 2021

Village of Goshen Zoning Board of Appeals  
Village Hall  
276 Main Street  
Goshen, NY 10924

Attention: Mr. Wayne Stahlmann

Subject: Stormwater Design for  
Proposed Building Improvements  
for  
Tom and Liz Golubinski  
6 Ludlum Place  
Goshen, NY 10924  
LAN Ref. #4.1548.01

Dear Mr. Stahlmann:

LAN has prepared the plans for the improvements to Mr. & Mrs. Golubinski's dwelling. It is our understanding that at the last meeting of the Zoning Board of Appeals, there were some concerns expressed by some neighbors regarding stormwater from the proposed addition.

As part of the design of the Golubinski's addition, we sought guidance from Village Engineer John O'Rourke, who explained that there are no village requirements for stormwater improvements for residential projects unless the project involves more than one acre of disturbance. Given that this project does not include disturbance exceeding one acre, no mitigating stormwater improvements are proposed.

However, in an effort to assuage the concerns of the downhill neighbors, we've modified the design of the roof leaders. Instead of having downspouts land on splash blocks immediately adjacent to the house, the applicants are now proposing to install underground roof leader piping leading to "pop-up" storm drains in the front and rear yards. This piping will direct water towards the front and rear of the property instead of concentrating roof stormwater flow right at the house. The rear roof leader pipe would extend 6' from the rear of the house towards the rear property line,

and the front roof leader pipe would extend towards the road to a point 3' in front of the sidewalk. We expect that this improvement will improve the stormwater drainage conditions adjacent to the downhill neighbor's house.

Feel free to contact the undersigned if you have any questions.

Respectfully submitted,

LAN Associates, Engineering, Planning,  
Architecture, Surveying, LLP (LAN)



Erik E. Boe, PE  
Asst. Vice President

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cc: File #4.1195-LP20-130, w/att.

Chairman Stahlmann polled the Board Members, none of whom had further questions for the applicants.

Chairman Stahlmann opened the meeting to the public. Comments were received from: Marty Howell, Sharon Nowak, Linda Clavelle, Tom Maloney, Scott Skelly, and Joan Jonke.

Mr. Strobl thanked everyone for their comments, noting that if drainage problems persist residents should contact the Village.

Mr. Pistone said that the applicants have gone above and beyond with the Engineer's stormwater design.

Mr. Nixon noted that the additional footing provided by the basement under the proposed addition should help with the water issues.

On a motion by Mr. Strobl, seconded by Mr. Pistone, the Public Hearing was closed at 7:54 p.m. The motion carried 4 – 0.

On a motion by Mr. Strobl, seconded by Mr. Pistone, the Zoning Board of Appeals approved the side yard variance allowing a reduction by 3'6" to permit a side yard of 16'6", subject to the remediation set forth in the LAN Associates correspondence of April 30, 2021. The motion carried 4 – 0.

**Brian Caplicki; 107 Murray Avenue; 106-1-3.16; R-1**

### NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of Village Law, Section 7-712 et. seq. and the Village of Goshen Zoning Ordinance, Section 13.2.2 a public hearing will be held before the Village of Goshen Zoning Board of Appeals at 7:30 P.M. or as soon thereafter as the matter may be heard, on May 20, 2021 at the Village Hall, Maplewood, 276 Main Street, Goshen, New York, for the purpose of considering the application for a variance from the regulations imposed by the Revised Village of Goshen Zoning Ordinance; said application being hereinafter named and more fully described as follows:

1. (a) Relief Requested: A variance permitting a two-family dwelling to be located in the R-1 Zoning District where only single-family dwellings are permitted.
2. (b) Applicant: Brian Caplicki  
141 Montgomery Street  
Goshen, NY 10924

3. (c) Owner: Lippincott Funeral Chapel Inc  
107 Murray Ave  
Goshen, NY 10924
4. (d) Premises Affected: Section 106, Block 1, Lot 16  
107 Murray Avenue  
Goshen, New York 10924

PLEASE TAKE NOTICE that the Zoning Board of Appeals meeting scheduled for May 20, 2021 at the Village Hall, 276 Main Street, Goshen, New York 10924 will be conducted in accordance with the applicable Executive Orders heretofore issued by New York State Governor Andrew Cuomo suspending certain provisions of the New York State Open Meetings Law. Physical attendance at the meeting will not be permitted. The public may view the meeting live using the following link: <https://us02web.zoom.us/j/6219628673> and using meeting ID: #621 962 8673 or call in to 646 558 8656, 6219628673#

As permitted by Section 104 of the Public Officers Law and the Governor's Executive Orders, individual Zoning Board Members may participate from remote locations. Consistent with the aforementioned Executive Orders, physical attendance at said remote locations by members of the public shall not be permitted.

A transcript will be posted on the Village's website at a later date.

The said Board of Appeals will at the time and place aforesaid hear all persons in support of such matter or any objections thereto.

The application filed in connection with this matter is on file in the Office of the Zoning Board of Appeals and may be examined at said office by interested parties.

Dated: Goshen, New York

BY ORDER OF THE ZONING BOARD OF APPEALS OF THE  
VILLAGE OF GOSHEN

May 6, 2021

Wayne Stahlmann, Chairman

Mr. Caplicki described the subject dwelling, which is currently operating as a funeral chapel with an additional 3-bedroom apartment, as a nonconforming use in the R-1 Zoning District.

It was noted that the area is very diverse in uses, and that the Village Code allows the change to a new use provided it is of the same, or a more restricted nature.

At the Chairman's request, Attorney Donovan, (a neighbor of the subject property), described various neighboring 2-family residences on Murray Avenue.

Chairman Stahlmann polled Board Members, all of whom expressed agreement that the proposal would be a positive change for the Village.

Public comment was received from Catherine Greulich, who identified herself as Mr. Caplicki's mother-in-law, and said she is looking forward to moving to Goshen, and residing at 107 Murray Avenue.

Speaking as a neighbor, Attorney Donovan stated that he would like to see this happen, as it would be a real positive for the neighborhood.

Public comment was received from Sharon Nowak, who called the plan a great idea.

On a motion by Mr. Strobl, seconded by Mr. Pistone, the Public Hearing was closed at 8:10 p.m. The motion carried 4 – 0.

On a motion by Mr. Strobl, seconded by Mr. Pistone, the Zoning Board of Appeals granted the variance to convert the property from one nonconforming use to a more restricted nonconforming use. The motion carried 4 – 0.

On a motion by Mr. Pistone, seconded by Mr. Nixon, the Meeting was adjourned at 8:13 p.m. The motion carried 4 – 0.

Notes by Meg Strobl

Wayne Stahlmann, Chairman