

**VILLAGE OF GOSHEN
ZONING BOARD OF APPEALS
December 15, 2022**

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, December 15, 2022, at Village Hall.

Members present: Wayne Stahlmann, Chairman
Tom Nixon
Nick Pistone
John Strobl
Kerri Stroka

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

Chairman Stahlmann led those present in the Pledge of Allegiance.

APPLICANT
Goshen Plaza Diner
118 Clowes Avenue
114-5-14

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 December 15, 2022 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: (1) An area variance to permit a lot coverage of 71.6% where 65% is the maximum allowed lot coverage to permit the construction of 13 additional parking spaces and landscaping.
2. (b) Owner and Applicant: Goshen Kaz Realty Group LLC
118 Clowes Avenue
Goshen, New York 10924
3. (c) Premises Affected: Section 114, Block 5, Lot 14
118 Clowes Avenue
Goshen, New York 10924

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
November 21, 2022

BY ORDER OF THE ZONING BOARD OF APPEALS
OF THE VILLAGE OF GOSHEN
Wayne Stahlmann, Chairman

Representing the Applicant: Steve Esposito, RLA,
Engineering & Surveying Properties, PC

The public hearing was opened.

Chairman Stahlmann gave the floor to Mr. Esposito to explain the proposed project at the Goshen Plaza Diner. Mr. Esposito advised that he will be going before the Planning Board for amended site plan approval if they receive the relief requested of an area variance to permit a lot coverage of 71.6% where 65% is the maximum allowed lot coverage to permit the construction of 13 additional parking spaces and landscaping.

On a motion by Mr. Strobl, seconded by Ms. Stroka, the Public Hearing was closed at 7:36 p.m. The motion carried 4 – 0.

On a motion by Mr. Strobl, seconded by Ms. Stroka, the Board voted to grant the variance to permit a lot coverage of 71.6% where 65% is the maximum allowed lot coverage to permit the construction of 13 additional parking spaces and landscaping, which there was an understanding that a landscaping plan would be submitted to the Planning Board. The motion carried 4 – 0.

For the record, the mailing notices were received as required. The application was also sent to the Orange County Department of Planning more than 30 days ago and a response had not been received as of the meeting date.

APPLICANT

**Joe Fini Homes
182 Montgomery Street
SBL: 104-2-43**

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 December 15, 2002 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: The applicant seeks permission to subdivide the property hereinafter described into two (2) residential building lots. In order to accomplish this objective, the applicant requires the following relief: (1) An area variance permitting one building lot to have a bulk area of 12,500 square feet where 15,000 square feet is required; (2) An area variance permitting the other building lot to have a bulk area of 10,937.40 +/- square feet where 12,500 square feet is required; (3) An area variance permitting a lot width of 81.1 feet where 100 feet is required; and (4) An area variance permitting a street frontage of 76 feet where 100 feet is required.
2. (b) Owner and Applicant: Joe Fini Homes, LLC
P.O. Box 146
Goshen, NY 10924
3. (c) Premises Affected: 182 Montgomery Street
Goshen, NY 10924
Section 104, Block 2, Lot 43

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
November 21, 2022

BY ORDER OF THE ZONING BOARD OF APPEALS
OF THE VILLAGE OF GOSHEN
Wayne Stahlmann, Chairman

Representing the Applicant: Joe Fini
Joe Fini Homes
Steve Esposito, RLA,
Engineering & Surveying Properties, PC

The Public Hearing was opened.

Chairman Stahlmann asked Mr. Fini and Mr. Esposito to update the Board on the project he was seeking relief for. Mr. Esposito advised that he would like to subdivide the property hereinafter described into two (2) residential building lots. In order to accomplish this objective, the applicant requires the following relief: (1) An area variance permitting one building lot to have a bulk area of 12,500 square feet where 15,000 square feet is required; (2) An area variance permitting the other building lot to have a bulk area of 10,937.40 +/- square feet where 12,500 square feet is required; (3) An area variance permitting a lot width of 81.1 feet where 100 feet is required; and (4) An area variance permitting a street frontage of 76 feet where 100 feet is required. status of the project and discuss the relief the applicant is seeking, which includes three variances and an interpretation. Mr. Esposito went on record to state that Montgomery Street is accessible to fire and emergency vehicles maintained by the Village of Goshen.

Attorney Donovan advised that this application has also gone to the County Planning Board for their review and found it to be "Local Determination".

On a motion by Mr. Pistone, seconded by Ms. Stroka, the Public Hearing was closed at 7:51pm. The motion carried 4-0.

On a motion by Mr. Pistone, seconded by Ms. Stroka, the Zoning Board of Appeals voted to grant the variances sought: Subdivide the property hereinafter described into two (2) residential building lots. In order to accomplish this objective, the applicant requires the following relief: (1) An area variance permitting one building lot to have a bulk area of 12,500 square feet where 15,000 square feet is required; (2) An area variance permitting the other building lot to have a bulk area of 10,937.40 +/- square feet where 12,500 square feet is required; (3) An area variance permitting a lot width of 81.1 feet where 100 feet is required; and (4) An area variance permitting a street frontage of 76 feet where 100 feet is required. The motion carried 4 – 0.

APPLICANT
New Gen Construction
90 Greenwich Avenue
Section 111, Block 15, Lot 6

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 December 15, 2002 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: (1) An area variance permitting a side yard setback of 1.2 feet where 5 feet is required; (2) An area variance permitting lot area of 1,956 square feet where 5,000 square feet is required; (3) An area variance permitting a building coverage of 82.1% where 65% is the maximum coverage permitted; (4) An area variance permitting a development coverage of 100% where 85% is the maximum coverage permitted; and (5) An area variance permitting 0 parking spaces where 13 parking spaces are required.
2. (b) Owner and Applicant: New Gen Construction
12 Bella Vista Court
Campbell Hall, NY 10916
3. (c) Premises Affected: 90 Greenwich Avenue
Goshen, NY 10924
Section 111, Block 15, Lot 6

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
November 21, 2022

BY ORDER OF THE ZONING BOARD OF APPEALS
OF THE VILLAGE OF GOSHEN
Wayne Stahlmann, Chairman

Representing the Applicant: Steve Esposito, RLA,
Engineering & Surveying Properties, PC
Sal Fini, New Gen Construction

The Public Hearing was opened at 7:52 pm.

Mr. Esposito explained the proposed project at 90 Greenwich Avenue. The plan is for a partial demolition of the existing building, however, using the footprint of the existing building and building up. The project is of non-conforming use, and a variance is not required for height.

Mr. Donovan provided a history of the lot lines and payment in lieu of parking, which the law was repealed in 2004 or 2005.

On a motion by Ms. Stroka, seconded by Mr. Strobl, the Public Hearing was closed at 8:03 pm. The motion carried 4-0.

On a motion by Ms. Stroka, seconded by Mr. Pistone, the Zoning Board of Appeals voted to grant the requested variances: (1) An area variance permitting a side yard setback of 1.2 feet where 5 feet is required; (2) An area variance permitting lot area of 1,956 square feet where 5,000 square feet is required; (3) An area variance permitting a building coverage of 82.1% where 65% is the maximum coverage permitted; (4) An area variance permitting a development coverage of 100% where 85% is the maximum coverage permitted; and (5) An area variance permitting 0 parking spaces where 13 parking spaces are required. The motion carried 4 – 0.

OTHER BUSINESS

2023 Meeting Dates

Clerk Darby shared the proposed dates for the upcoming calendar year and explained the reason for changing the in-by dates. The change would allow applicants going before the Planning

Board an opportunity to submit a ZBA application after attending a Planning Board meeting where a referral to the ZBA was already known.

On a motion by Ms. Stroka, seconded by Mr. Strobl, the Zoning Board of Appeals accepted the 2023 ZBA meeting dates as presented. The motion carried 4 – 0.

On a motion by Ms. Stroka, seconded by Mr. Strobl, the Meeting was adjourned at 8:11 p.m. The motion carried 4 – 0.

Notes by Maria Darby

Wayne Stahlmann, Chairman