

**VILLAGE OF GOSHEN
ZONING BOARD OF APPEALS
December 20, 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, December 20, 2018 in Goshen Village Hall by Chair Wayne Stahlmann.

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

Also present: David Donovan, Esq., ZBA Attorney

Chairman Stahlmann opened the meeting with the Pledge of Allegiance.

PUBLIC HEARING

Jacqueline Demers, 5 Oakcrest Drive, 110-3-11

Relief Requested: 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: Jacqueline Demers, owner and Chris Petrollese

Mr. Stahlmann questioned the applicant about their plans for the property. The applicant provided a survey indicating that because of the way the road curves, there were technically two front yards. The relief requested was simply for a fence that would run along the northeast portion of the property, which the applicant considers her side yard. The proposed fence would be located more than 60 feet from the curve in the road.

Upon questioning from the members the applicant testified the location of the fence would in no way create a visual hazard for cars coming around the curve.

Mr. Strobl indicated that he had visited the property and confirmed that the location of the proposed fence would not be a hazard for drivers and pedestrians. Mr. Pistone stated that he has no concerns at this time. Ms. Cookingham and Ms. Stroka both indicated that they had visited the property and based upon the survey had no issues with the location of the fence.

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

Bill Eustance, an Engineer residing at 7 Oakcrest Drive said he reviewed the plans and has no objections.

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 5-0.

Vote by proper motion made by Mr. Strobl, seconded by Ms. Stroka, the Zoning Board of Appeals moved to approve the variance as requested and as depicted on the survey. Motion carried 5-0.

Jeffrey L. Abraham, 23 Gregory Drive, 124-1-5

Relief Requested: An area variance to permit an accessory structure to be located 3.5 feet from the property line where a minimum of 5 feet is required.

Representing Applicant: Jeffrey L. Abraham

Mr. Stahlmann questioned the applicant. It was revealed that the accessory structure has already been built. Mr. Abraham believed that the structure was 3.5 feet from the property line. Since 5 feet is the minimum required, the applicant did not feel moving the structure 1.5 feet would make a significant difference. Mr. Stahlmann asked the applicant if he had a survey present to confirm his measurements. He did not.

All members indicated they had visited the site and participated in the questioning of the applicant.

Mr. Stahmann asked the public present at the hearing for comments.

Ray Colgan, son of Mrs. Marie Colgan, questioned whether we really knew how far the structure was from the sideline since no real survey was done.

Marie Colgan of 21 Gregory Drive objected to the structure indicating it had been put up without proper permits and without proper measurements.

Ryan Alders, grandson of Marie Colgan, strongly objected to the location of the structure in support of his grandmother.

Tom Alders strongly objected to the structure in support of his mother-in-law, Marie Colgan.

The Board members and all parties agreed that no determination could be made as to the application without a proper location survey.

Vote by proper motion made by Mr. Strobl, seconded by Ms. Stroka, the Zoning Board of Appeals moved to extend the Public Hearing through the January meeting. Motion carried 5-0.

The Meeting concluded at 8:15 p.m.

Wayne Stahlmann, Chair