

**ZONING BOARD OF APPEALS  
TOWN OF GOSHEN, ORANGE COUNTY, NEW YORK**

**Minutes of the Meeting for  
June 24, 2003**

**Members Present:**

Donna Roe, Chairwoman  
Robert Farfalla  
Priscilla Gersbeck  
Dawn Santoro  
Michael Wilson

**Also Present:**

Brian Morgan, Esq.  
Neal Halloran, Bldg. Inspector



**I. Call to Order**

Chairwoman Roe called to order the June meeting of the Town of Goshen Zoning Board of Appeals at 7:30 p.m.

Chairwoman Roe stated that the July Zoning Board of Appeals work session will be at 7:30 p.m. on July 16, 2003; regular meeting on July 22, 2003 at 7:30 p.m.; and the filing deadline for applications would be Wednesday, July 9, 2003.

**II. Public Hearing - continued**

**A. Tremper - Area variance from Section 97-65 pertaining to side yard setback of 20 feet to 30 ft. to 26.2 ft., located on Murabito Place in an AR Zone: Tax Lot No. 14-27-11.1.**

John Tremper presented proof of certified mailings with return receipts to the Board. Chairwoman Roe believed that the Board had no further questions and asked if there was anyone in the audience who had any comments. Patrick Ierardi, who resides on 7 Goshen Trail, asked if there was any consideration of a privacy fence. Chairman Roe stated that Mr. Ierardi is entitled to do whatever he needs to do on his own property to make it more appealing, but must keep within the zoning regulations. Mrs. Ierardi stated that a letter was written and submitted to the Board voicing their concerns. Chairman Roe confirmed a letter was received and reviewed.

Chairwoman Roe asked if there were any further questions from the Board or the audience. There were none. Chairwoman Roe asked if there was a motion to close the Public Hearing. Mr. Wilson made a motion to close the Public Hearing. Mr. Farfalla seconded the motion. All in favor. Aye. Motion carried.

Mr. Wilson wanted to cover, again, the discussion that the semi-permanent car port is going to be

removed and that the tree-line between the properties would not be altered. Mr. Tremper agreed. On that note, Chairwoman Roe stated that she would be supportive of granting the variance based on the above conditions.

Chairwoman Roe asked if there was a motion for a Resolution in favor of this variance. Mr. Farfalla made a motion to approve the variance as requested, with the above noted conditions. Mr. Wilson seconded the motion. All in favor. Aye. Motion carried.

The matter is granted. Chairwomen Roe stated the formal Resolution would be ready to be picked-up in five days from the Building Department.

### **III. Public Hearing**

#### **B. Levendos- Area variance from Section 97-64 pertaining to rear yard setback from 40 ft. to 22 ft., located on Florican Lane Place in an SR 2.5 Zone: Tax Lot No. 7-9-10.**

Crawford McCloud was present and representing the application. Mr. McCloud presented the proof of certified mailings to the Board and apologized for missing last month's meeting. He went on to explain that the variance is for the addition of a room and a deck for a physically challenged son. In doing this, the rear yard setback would be encroached, from a 40 ft. to 22 ft. back yard to encompass a back room, bathroom and deck. Mr. McCloud presented plans to the Board.

Mr. Wilson stated that the application for the variances reads 40 ft. to 28 ft. Mr. McCloud stated that this must be typo, 22 ft. is the closest point on one side and 30 ft. on the other, as the back line runs at an angle.

Chairwoman Roe stated that at last month's meeting there were people in the audience who had comments, however, they were not present tonight. Although they had no opposition to the application, they were just curious as to what was going on. Mr. Levendos stated that they were approached by the parties in question and he filled them in on what was going on.

Mr. Wilson had one question just to clarify a point. The measurements of 22 ft. and 30.5 ft. are from the deck, not from the house. Mr. McCloud stated that was correct, the deck is what is encroaching on the setback. Mr. Wilson stated that visually the deck is lower than the room itself, so that the room is not going to be 22 ft. from the rear setback.

Ms. Santoro asked if the fencing in the back was on the Levendos's property. Mr. Levendos stated that it was his. Ms. Santoro asked if the neighbor in the back would be visually effected, Mrs. Levendos stated that their house was pretty far away, and by no means are the properties crowded.

Chairwoman Roe asked if there were any further questions from the Board or the audience. There were none. Chairwoman Roe asked if there was a motion to close the Public Hearing. Mr. Wilson made a motion to close the Public Hearing. Mr. Farfalla seconded the motion. All in favor. Aye.

Motion carried.

Chairwoman Roe asked if there was a motion for a Resolution in favor of this variance. Mrs. Gersbeck made a motion to approve the variance as requested. Ms. Santoro seconded the motion. All in favor. Aye. Motion carried.

The matter is granted. Chairwomen Roe stated the formal Resolution would be ready to be picked-up in five days from the Building Department.

#### **IV. Other Matters of Discussion**

Chairwoman Roe informed the Board there has been an alternate member appointed for the Board, Mr. Canton. Mr. Halloran was informed that Mr. Canton would be in need a code book.

#### **V. Adjournment**

Mrs. Gersbeck made a motion to adjourn the June 24, 2003 Zoning Board of Appeals meeting.

Mr. Wilson seconded the motion. All in favor. Aye. Motion carried.

Respectfully submitted,

Gloria J. Lloyd, Secretary

Date Approved: August 26, 2003