

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

**MINUTES OF THE MEETING FOR
SEPTEMBER 24, 2002**

Members Present:

Donna Roe, Chairwoman
Malcolm Booth
Robert Farfalla
Michael Wilson

Also Present:

Brian Morgan, Esq.
Neal Halloran, Bldg. Inspector



I. Call to Order

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

Chairwoman Roe announced that the next Zoning Board of Appeals work session will be at 7:30 p.m. on October 16, 2002, its regular meeting on October 22, 2002 at 7:30 p.m., and the filing deadline for applications would be Friday, October 11, 2002.

II. Public Hearing

A. Glen Marez - Area variance from Section 97-64 pertaining to front yard setback from 50 feet to 28 feet, located on Axworthy Lane in an AR-.5 Zoning District: Tax Lot No. 5-1-15.11.

Mr. Marez presented the certified mailing receipts to the Board.

Mr. Marez summarized the application for the Board. He stated that his house is a old farmhouse, which is grandfathered in with respect to it being 35 ft. from the property line. Mr. Marez is proposing a small addition in the front of the house, which measures 13 ft. by 4 ft. It is Mr. Marez's contention that this would not be a major obstruction to the neighborhood, since it is an old farm property and a barn structure across the street is just 3 ft. from the property line, and a neighbor's house is just 20 ft. from the road.

Mr. Marez presented the Board with a revised drawing of the footprint for the addition, noting that the one presented at the work session was incorrect, however, it did not effect the true interpretation of the application which is the issue of the property line. Also presented to the Board were vertical drawings of the side of the house representing the house as it exists now and hope it would appear after the addition.

Chairwoman Roe asked what was the purpose of the addition, and Mr. Marez stated that his wife had purchased an old harvest table at an antique sale. The table is 8 ft. long and does not fit well

into the dining room, therefore, if they could extend the addition across the front of the dining room then the table could be set back.

Mr. Wilson wanted to clarify that the proposed addition does not go beyond what is already there in terms of the existing structure. Mr. Marez stated that was correct and presented the Board with pictures.

Mr. Farfalla asked who would be doing the construction and Mr. Marez stated that he would be doing it himself. Mr. Farfalla stated that it was commendable that Mr. Marez came before the Board for a variance and did not plan it as a weekend project. Mr. Farfalla asked how long did Mr. Marez own the property and was stated since 1995.

Chairwoman Roe asked where the existing well and sewage disposal system was and if the addition would impact the sewage disposal system in any way. Mr. Marez pointed it out on the drawing, and that it would not impact the SDS.

Chairwoman Roe asked if there were comments from the audience. There were none. Mr. Halloran was asked if he had questions or comments, he had none.

Chairwoman Roe asked if there was a motion to close the Public Hearing.

Mr. Farfalla made a motion to close the Public Hearing.

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

Mr. Morgan read the Resolution into record.

Chairwoman Roe asked the Board to vote to accept the Resolution for the area variance.

All in were favor. Motion carried

B. Scott and Regina Eisenbacher - Area variance from Section 97-64 pertaining to front yard setback from 50 ft. to 35.5 ft., and rear yard setbacks from 40 ft. to 29 ft., located on Goodtime Court in an SR-2.5 Zoning District: Tax Lot No. 6-1-11.

Mrs. Eisenbacher stated that she would be representing the application and presented the certified mailing receipts to the Board. She wanted to note that the mailing to the County of Orange was returned as the address was incorrect. Mrs. Eisenbacher stated that was the address she received for the County was from the Assessor's office.

After a brief discussion by the Board as to the purpose for the requested variance which was the allowance of a portico on the front of the house and deck from rear of the house to the pool. It was determined that the deck was not to be enclosed and all side rails were to be in conformance with the Town Code.

Chairwoman Roe asked if there were any comments or questions. 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. Morgan read the Resolution into record.

Chairwoman Roe asked the Board to vote to accept the Resolution for the area variance.

All in were favor. Motion carried.

III. Adjournment

Mr. Wilson made a motion to adjourn the September 24, 2002 Zoning Board of Appeals meeting.

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

Respectfully submitted,

Gloria J. Lloyd
Secretary

Date Approved: January 21, 2003