

ZONING BOARD OF APPEALS
Town of Goshen, Orange County, New York
MINUTES

June 13, 2006

PRESENT

Dawn Santoro, Chairwoman
Trino Canton
Robert D. Farfalla
Priscilla Gersbeck
Phil Dropkin

ABSENT

ALSO PRESENT

Neil Halloran, Building Inspector

THIS IS NOT A VERBATIM REPORT

Call to Order

Chairwoman Santoro called to order the June meeting of the Town of Goshen Zoning Board of Appeals at 7:35 p.m. Motion to approve the minutes of 5/23/06. Board reviews minutes individually and Chair inquires about changes to minutes, no changes noted. Notice to accept, second by Robert Farfalla. All in favor, ay unanimous.

Public Hearing

Marks-3-1-6.5+/- acres, located on Route 207, in the RU zone with an AQ6 overlay. Seeking variance from 97-40A (1) (e) & 97 – 19C. Seeking reduction of rear yard setback from 50 feet to 12 feet and the side yard setback from 30 feet to 10 feet. **Above ground pool and gazebo.**

Chairwoman Santoro tells homeowner Marks that the Board is in possession of the 239; findings are unremarkable, with no documented concerns.

Chair – Board concerns? T. Canton responds in negative.

Chair-Any questions? Simultaneously P. Dropkin apologizes for missing lasts months meeting and asks for summary, comments from neighbors? Landscape concerns?

R. Farfalla responds, no. Chair also responds, no.

N. Halloran comments that the lots on either side of Marks will not be affected by the installation of the pool.

P. Dropkin inquires about the future use of Harness Estate property. N. Halloran responds - that there has been no discussion at this time

Chair-any questions? No response.

Chair- Motion to approve. P. Dropkin-so moved. T. Canton, seconds. Chair-All in favor, Ay, unanimous.

N. Halloran requests that the Board vocalize for the record the specifics of the approval, the determining factors.

Board response- there is an unusual lot shape, the end visual effect is not significant and there is no impact on neighbors. Chair- it is not a permanent fixture and can be removed almost immediately.

Public Hearing

Kropp- 1-5-4-.5 +/- acres, located from Fran Rd. in RU zone with an AQ6 overlay. Seeking variance from 97-19C & 97-36A. Seeking a reduction of side yard setback from 20 feet to 16 feet 10 inches. **Addition to existing home.**

Chairwoman Santoro requests documented landscape buffer. Chair – state your name. Chris Kropp.

Kropp presents the documentation and the Board reviews the documents as presented.

Board questions collectively the documentation.

Chair questions growth rate of trees.

R. Farfalla inquires about the origin of the documentation.

Kropp responds Home Depo and Hudson Valley Nursery

Chair wants shrubbery to be more mature, inquires about height

Kropp responds that Junipers can be purchased to 6 feet.

P. Dropkin asks why recommendation was for Junipers

Kropp responds that the height was a factor.

Side discussions between audience and applicant are becoming disruptive to meeting.

Karen Kropp (wife) wants to know what happens if neighbors tree kills the new plantings.

P. Dropkin reminds the Kropps why they are present, to seek a variance.

Chair reminds all that the reason for approval is to within limitation, guarantee a quality of life acceptable to all involved.

Joan Schweikart asks if she can speak.

Chair reminds audience that the floor is closed.

Kropp inquires about fencing

Chair responds, what the board is looking for may not be achieved by height.

R. Farfalla does not believe that a 6-foot high fence is the correct resolve; it will take away quality for neighbor.

Joan Schweikart asks to speak.

Chair reminds audience that no additional comments are allowed and that the Board is very clear regarding previously voiced concerns.

Board discusses collectively what they want as a buffer.

Shrubbery not a fence.

6 evergreens at 6 feet rather than 4 feet planted in the middle of the property line.

P. Dropkin asks that there be an obligation regarding the maintenance of the shrubs.

Chair requests that Kropp look elsewhere for a more knowledgeable opinion prior to installation and for choices.

Chair wants a substantial screening and feels that the request is not unreasonable.

Chair, any questions? recommendations?

Joan Schweikart asks if a letter can be entered into the record regarding her position.

Chair accepts the letter as presented and it is reviewed by the Board and applicants.

Chair and R. Farfalla remind J. Schwekart that Kropp does have the ability to erect his addition without Board approval if he changes the dimensions.

Simultaneous multiple discussions continue regarding placement of plantings etc. combative demeanor by both the Kropps and Schwekart.

Chair, R. Farfalla and P. Dropkin request that all comments be addressed to the Board only.

Chair, conditions to approve vote? Satisfied? Comments?

Board finds that 5 trees are reasonable, planted to obscure view of line of newly constructed wall, appropriate for conditions of property. Place 2 or 3 shrubs on the corner where the extension begins.

Chair vote? 5 trees minimum 5 feet high that meet the conditions of the house. Buffer to be installed within 6 months of completed construction with an expectation of reasonable maintenance. 1-year replacement mandatory.

R. Farfalla creates the shape of the buffer on paper.

Chair, motion to approve? P. Gersbeck, T. Canton, second. All in favor, ay, unanimous.

Chair, motion to close meeting? R. Farfalla, P. Gersbeck, second. All in favor, ay, unanimous.

