

TOWN OF GOSHEN
Zoning Board of Appeals
August 2, 2016

Members Present:

Frank Leva, Chairman
Cynthia Hand
Bob Farfalla
Ed Garling

Also Present:

Kelly Naughton, ZBA Attorney
Neal Halloran, Building Inspector

Absent: Trino Canton

The ZBA meeting was opened at 7:30 p.m. by Chairman Frank Leva.

Orchard at Towner Farm, LLC 12-1-103 – 3.42 +/- acres located on Musket Court and St. Rt. 17 M in the I zone. Requesting an area variance from 97-14d 2(b), 3(a) and 4.

Representing applicant:

John Petroccione, PE

Mr. Petroccione stated since he was last before this board he had been before the Planning Board.

Ms. Naughton stated the Planning Board had issued a negative declaration which was not a conditional negative declaration. It was not to be mailed out until the SHIPPO letter was received.

Mr. Petroccione stated he received the SHIPPO letter today. He stated the only changes to the plans since the ZBA last saw them were the addition of two trees to extend the row to just behind the existing sign and added in a five-foot wide planting strip to put the wildflower mix in.

Ms. Naughton stated she sent a draft decision for the board to review. SEQRA is complete and the 239 report has been received.

Chairman Leva asked the board to review the nine items that were part of the draft decision. He read into the record:

“As a consequence of the Board’s discussions the Zoning Board of Appeals hereby grants the applicant’s request for three variances subject to the following conditions noted above.

1. The welding supply facility, the bleach storage structure and storage building are required to remain earth tones.
2. Applicant shall not disturb the triangular portion of its property on the other side of Musket Court. It shall be responsible to continually maintain that portion in a clean and neat appearance and safe condition.

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3. The applicant shall plant approximately seven to eight tall evergreen trees along Musket Court and supplemental plantings as deemed necessary by the Planning Board all which must be maintained in a good and healthy condition.
4. The applicant shall plant seven-to-eight-foot evergreen trees 15 feet on center for the entire 170-foot distance along Rt. 17M.
5. The Planning Board shall determine the distance away from Rt. 17 M that these trees are planted. It shall be a sufficient distance so as not to be destroyed by salt from the plowing of the roadway.
6. There shall be a minimum of 12 trees subject to any supplemental plantings required by the Planning Board.
7. There shall be an additional two trees planted closer to the existing sign for the property for a total of 14 trees subject to additional plantings required by the Planning Board.
8. The applicant shall maintain the screening where the lower branches of the trees dies off or thin out by planting wildflowers or perennials underneath those trees.
9. All of these required plantings must be maintained in a good and healthy condition.

The Board hereby finds that the variances as granted are the minimum variances necessary to preserve and protect the character of the neighborhood.”

Chairman Leva polled the Board for questions and comments.

Mr. Garling said he was satisfied and everything was addressed.

Ms. Hand stated she agreed.

Mr. Farfalla also agreed.

VOTE BY PROPER MOTION, made by Mr. Garling, seconded by Mr. Farfalla, The Town of Goshen Zoning Board of Appeals moved to adopt the decision as drafted. Approved unanimously.

VOTE BY PROPER MOTION, made by Mr. Leva, seconded by Ms. Hand, The Town of Goshen Zoning Board of Appeals adjourned the meeting at 7:35 p.m. Approved unanimously.

Frank Leva, Chairman
Notes prepared by Tanya McPhee