

**Town of Goshen Zoning Board of Appeals  
Town Hall  
41 Webster Avenue  
Goshen, New York  
June 19, 2018**

**Members Present:**

Edwin Garling, Acting Chairman  
Robert Farfalla  
Trino Canton  
Philip Canterino  
Richard Florio

**Also Present:**

Kelly M. Naughton, Esq.  
Ashley Torre, Esq.  
Neal Halloran, Building Inspector

The ZBA meeting was opened at 7:30 p.m. by Acting Chairman Edwin Garling.

The Board asks Ms. Naughton to speak with the Town Board about appointing a Chairman.

Mr. Florio arrives at 7:33 p.m.

**Sackey-El 5-1-92 on 1.80 +/- acres** located on Fairway Drive in the Rural (RU) district and within the AQ-6 Aquifer Overlay district. The Applicant is requesting a variance from the rear yard setback requirement of Section 97-19(C).

Representing Applicant: Gene Monteith, Stone Works Plus, Inc.

Mr. Monteith introduced himself as the stone mason for the project and gave a brief presentation on the variance the Applicant is requesting. A minimum rear yard setback of 50 feet is required and the Applicant is requesting a setback of 35 feet for a swimming pool. Mr. Monteith explains that behind the house is Silent Farm, 86 acres of farmland. There is no other location for the pool because the septic tank is in the only other spot where he'd put it. The septic is located 25 feet to the left and he cannot encroach on or move the septic. Mr. Monteith confirms that the proposed location complies with the side yard setbacks.

Ms. Naughton notes that there may be a requirement for the distance of separation between the pool and the house. Mr. Halloran advises that there is no issue with the distance proposed because the standard is 10 feet from the foundation and he is 28 feet from the house. Mr. Monteith clarifies that the notation on the drawing indicating the pool will be 20 feet from the house is the distance measured from the steps and confirms it will be 28 feet from the house.

Mr. Monteith states that no one will be able to see the pool because of the layout and landscaping. He explains that he is working with the natural grade and is proposing this layout because of an existing berm on the property. The pool will blend in with the natural terrain.

Ms. Naughton advises that a public hearing is required and this is a Type II action under SEQRA.

Mr. Halloran advises that referral to the Orange County Department of Planning under General Municipal Law is not required.

**VOTE BY PROPER MOTION**, made by Mr. Canterino, seconded by Mr. Florio, the Town of Goshen Zoning Board of Appeals moved to set a public hearing date on this application for July 3, 2018 at 7:30 p.m. in Town Hall or as soon thereafter as the matter can be heard. Unanimously approved.

Mr. Garling	Aye	Mr. Farfalla	Aye
Mr. Canton	Aye	Mr. Canterino	Aye
Mr. Florio	Aye		

Ms. Naughton advises Mr. Monteith that the Applicant is responsible for mailing the public hearing notices and that he should contact the Building Department in this regard.

**Goshen Christian Reformed Church 13-1-11.32-1 and 11.32-2 on 9.8 +/- acres** located on New York State Route 17A in the Rural (RU) District and within the AQ-3 Aquifer, Floodplain and Ponding Area and Scenic Road Corridor Overlay Overlay Districts. The Applicant is seeking a variance from the roof pitch requirement of Section 97-14(D)(2)(b).

The Applicant is not present at the meeting. Ms. Naughton advises that the Board should not proceed and it is best to hold off discussions until the Applicant is present.

Mr. Halloran gives a brief discussion about roof pitch. The Applicant is seeking to construct a facility with a roof slope of 6:12 where 8:12 is required. Mr. Canterino asks whether the pitch requirement in the Code is for safety reasons. Mr. Halloran responds in the negative and explains that the 8:12 requirement was put in the Code in 2004 for aesthetics.

**VOTE BY PROPER MOTION**, made by Mr. Canterino, seconded by Mr. Farfalla, the Town of Goshen Zoning Board of Appeals adjourned the meeting at 7:48 p.m. Unanimously approved.

Mr. Garling	Aye	Mr. Farfalla	Aye
Mr. Canton	Aye	Mr. Canterino	Aye
Mr. Florio	Aye		