

**Town of Goshen Zoning Board Meeting
Town Hall
41 Webster Avenue
Goshen, NY 10924**

June 2, 2020

Members Present:

Edwin Garling, Chairman
Trino Canton
JoAnn Donovan
Robert Farfalla
Charles VanHaaster

Also Present:

Kelly Naughton, ZBA Attorney
Neal Halloran, Building Inspector

Pursuant to the Governor's Executive Order the meeting was recorded and posted on line.

The Zoning Board meeting was opened with the Pledge of Allegiance at 7:30 pm by Chairman Edwin Garling.

Approval of Minutes

VOTE BY PROPER MOTION, made by Mr. VanHaaster, seconded by Mrs. Donovan, the Town of Goshen Zoning Board moved to approve the April 21, 2020 minutes. Approved unanimously.

Chairman Garling	Aye	Mr. Canton	Aye
Mrs. Donovan	Aye	Mr. Farfalla	Aye
Mr. VanHaaster	Aye		

Public Hearings

The Farmhouse of Goshen – 2-1-21-2: The Applicant is appealing the interpretation of the Building Inspector with regard to the 1989 and 1996 use variances for the property located within the Town of Goshen. Said property consists of approximately 141.9 +/- acres and is located on New York State Route 207 in the Rural (RU) district and the AQ-6 Overlay district.

Mr. Esposito stated that this is an appeal to the interpretation made by the building inspector. Stated the primary use was a wellness center.

Mr. Parker gave a brief history of the property and what was discussed at the last meeting.

Chairman Garling made a motion to open the public hearing.

Chairman Garling	Aye	Mr. Canton	Aye
Mrs. Donovan	Aye	Mr. Farfalla	Aye
Mr. VanHaaster	Aye		

Chairman Garling asked if there were any comments from the public.

Mr. Pagliocca responded no comment.

Jim and Barbara Cassel responded no comment.

Erin Pasqual responded no comment.

Whereupon, there was a discussion on the history of the property, the variances that were issued in 1996, and the event area.

Mr. Halloran stated that many of the uses given by the variance have been discontinued and therefore expired, citing Town Code §97-31.

Chairman Garling asked if anyone from the public had a comment.

Mr. Pagliaocoa, Mr. & Mrs. Kassell, and Erin Pasqual responded no comment.

Susan Hito, applicant, in summary stated they are proposing to preserve the site and protect the building. She owns a farm across the street. She wants to make it a destination, a wellness center. A majority of the property will not be touched at all. Felt that the use variances ran with the land and do not expire as long as it's continuously used.

Attorney Naughton advised the Board.

Mr. Parker asked to address a few issues that were not addressed in the presentation. In summary, the language of the variance with respect to premises, the application for six businesses was applied for, the proposed uses are consistent with the application in 1996, believes the variance is alive, and asked the Board to grant the appeal.

There were no more comments by the public.

VOTE BY PROPER MOTION, made by Mr. Farfalla, seconded by Mr. Canton, the Town of Goshen Zoning Board moved to close the public hearing. Approved unanimously.

Chairman Garling	Aye	Mr. Canton	Aye
Mrs. Donovan	Aye	Mr. Farfalla	Aye
Mr. VanHaaster	Aye		

Attorney Naughton reviewed the specific requests of the applicant with the Board.

Whereupon, there was a discussion on the typographical issue, the use of the property, variance for six businesses, and event area. Also, to consider if the variance extends to the barn.

Mr. Parker addressed the word premises. Definition in the code, it's a legal question.

Whereupon, there was a discussion on the definition of "premises" in the code. Town Code §97-31 was reviewed and discussed.

Erin Pasqual, current owner, stated that a real estate business, Ver, Ltd.; event planning business; and catering business currently operate out of the principal structure.

VOTE BY PROPER MOTION, made by Mr. Farfalla, seconded by Mr. VanHaaster, the Town of Goshen Zoning Board moved to close the meeting. Approved unanimously.

Chairman Garling	Aye	Mr. Canton	Aye
Mrs. Donovan	Aye	Mr. Farfalla	Aye
Mr. VanHaaster	Aye		

Meeting adjourned at 9:14 pm