**VILLAGE OF GOSHEN**

**ZONING BOARD OF APPEALS**

**May 16, 2019**

The regular meeting of the Zoning Board of Appeals of the Village of Goshen was called to order at 7:30 p.m. on Thursday, May 16, 2019, in Goshen Village Hall by Board Member John Strobl.

Members present: Susan Cookingham

John Strobl

Kerri Stroka

Members absent: Wayne Stahlmann, Chairman

Nick Pistone

Also present: David Donovan, Esq., ZBA Attorney

Mr. Strobl opened the meeting with the Pledge of Allegiance.

**PUBLIC HEARING**

**Eastgate Offices VII, LLC, 3 Coates Drive, 123-1-6 IP Zone (Industrial Park)**

**Relief Requested:** A use variance permitting a stand-alone child day care facility to exist and operate in the IP Zone.

**Applicant:** Joe Matta, Principal, Eastgate Office Park

Mr. Matta addressed the Board with reasons for his request for a use variance.

There is a perspective tenant for Eastgate Corporate Park known as “The Behavior Place Therapy Service”, which provides services for handicapped and disabled children from toddlers to 5 year olds. This use is currently allowed in the IP zone. They are also requesting to provide daycare services to the families of children who utilize their therapy services, as well as a limited number of other children.

However, the application to the Board requested a use variance for the day care facility.

Attorney Donovan explained that four factors are involved in granting a use variance and that all four have to be demonstrated. He further explained that with only 3 members of the Board present, a vote would have to be unanimous.

Mr. Matta was given the option of continuing the Public Hearing to the June ZBA Meeting.

During discussion it was noted that the therapy service was actually the principal use, with day care an accessory use.

At Attorney Donovan’s request, Mr. Matta agreed to provide a more detailed narrative to clarify exactly what is being requested.

Ms. Stroka made a motion, which was seconded by Ms. Cookingham, to continue the Public Hearing to the June Zoning Board of Appeals Meeting.

Motion carried 3 – 0

Ms. Stroka made a motion, which was seconded by Ms. Cookingham, to adjourn the Meeting at 8:10 p.m.

Motion carried 3 – 0

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Notes by Meg Strobl John Strobl