

The Deerpark Zoning Board of Appeals met for their monthly meeting on Thursday, June 17, 2021 at 7:30 pm at the Deerpark Town Hall, 420 US Route 209, Huguenot, NY. The following were present:

BOARD MEMBERS PRESENT:

Cheryl Greene-Chair
Michael Witt
Tanner Sexton

Robert Zeller-Vice-Chair
Philip Niosi

OTHERS PRESENT:

Glen Plotsky, Town Attorney

Meeting brought to order at 7:30 pm by Chair Cheryl Greene.

Pledge of Allegiance

APPROVAL OF May 20, 2021 MINUTES–

Motion to APPROVE Minutes.

Motion made by Robert Zeller, 2ND by Michael Witt to approve minutes for May 20, 2021.

Vote 5 Ayes: Robert Zeller, Philip Niosi, Michael Witt, Tanner Sexton, Cheryl Greene.

MOTION CARRIED

DEKAN – 370 US ROUTE 209 – FENCE VARIANCE – PUBLIC HEARING –

Troy-Representative from fencing company for Nina Dekan

Town Attorney explained that he has prepared a written resolution, he was not sure of the decision of the Board. He further stated that once the resolution is voted on it will be signed by the Chair and filed with the Town Clerk. The Representative for Ms. Dekan stated that this was a 6ft high fence in front and toward the back to keep out the deer, it will be a decorative aluminum fence. The Board then went through the resolution stating that a 33.33% variance is not substantial, the benefit to the Applicant outweighs the potential detriment, there will be no undesirable change to the character of the community, there will be no negative affect, there is not another method to obtain relief, it will not cause adverse impacts, it is the minimum possible and felt the variance should be granted.

Motion to approve.

Motion made by Philip Niosi, 2nd by Tanner Sexton, to grant the variance for Gaeterina Dekan fence.

Vote 5 Ayes: Robert Zeller, Philip Niosi, Michael Witt, Tanner Sexton, Cheryl Greene.

MOTION CARRIED

BELLMAN OUTDOORS – US ROUTE 6 – BILLBOARD – INTERPRETATION –

Town Attorney stated he did not get a chance to draft a resolution but will prepare something so there is confirmation in the file, but they have moved forward with the Planning Board.

109 MAIN STREET – MAIN STREET – AREA VARIANCES –

John Fuller-Representative for Applicant

The Board went through the resolution stating that a 79% variance is substantial, that Lot Width of 18.75% is not substantial, Lot Depth of 72.5% is substantial, Front Yard Setback of 96.6% is substantial, Read Yard Setback of 96.6% is substantial, Impervious Coverage of 9% is not substantial, Multi-Family Zoning for the pre-existing acreage only allow for 1 unit this will have 6 (4 are pre-existing) that is a 83.33% variance which is substantial, Multi-Family Zoning requires .11 acres of open space .03 acres are provided 72.7% is substantial, no recreational space is provided 100% is substantial, 50ft from roadway and 10 feet from parking area only 4ft and 4ft can be provided they are substantial, 11 parking spots provided 27% is not substantial, setback of 100ft from property line 99.8% is substantial, plantings is substantial.

ZONING BOARD OF APPEALS MEETING JUNE 17, 2021 continued –

109 MAIN STREET – MAIN STREET – AREA VARIANCES –

The Board continued that the benefit to the Applicant does not outweigh the detriment to the neighborhood, there will be an undesirable change to the character of the community, there will be adverse impacts, it will cause adverse impacts on the property, they are the minimum possible and the applicant did not demonstrate the ability to address the concerns to satisfaction of the Board. The Board felt that it should be denied as it is presented. Tanner Sexton acknowledged that if the Applicant put money to make it nicer, Michael Witt stated that it was testified at the public hearing that it is in shambles, Robert Zeller confirmed the public stated that it has hazards and would not be good for the neighborhood. He also stated that with a 6 family it would cause more traffic and that could be negative. Michael Witt asked if the Board was satisfied with what the Applicant provided.

Motion to deny.

Motion made by Robert Zeller, 2nd by Philip Niosi, to deny the variance for 109 Main St Multi-Family variance as the project was presented.

Vote 5 Ayes: Robert Zeller, Philip Niosi, Michael Witt, Tanner Sexton, Cheryl Greene.

MOTION CARRIED

Motion to cancel meeting.

Motion made by Michael Witt, 2nd by Cheryl Greene, to cancel August Meeting, due to no quorum.

Vote 5 Ayes: Robert Zeller, Philip Niosi, Michael Witt, Tanner Sexton, Cheryl Greene.

MOTION CARRIED

Motion to Adjourn Meeting.

Motion made by Cheryl Greene, 2ND by Philip Niosi, to Adjourn June 17, 2021 Meeting at 8:01 p.m.

Vote 5 Ayes: Robert Zeller, Philip Niosi, Michael Witt, Tanner Sexton, Cheryl Greene.

MOTION CARRIED

Respectfully Submitted By,



Amanda Gorr, Zoning Board of Appeals Secretary