

The Deerpark Zoning Board of Appeals met for their monthly meeting on Thursday, December 16, 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

Robert Zeller-Vice-Chair

BOARD MEMBERS ABSENT: Philip Niosi, Tanner Sexton

OTHERS PRESENT:

Glen Plotsky, Town Attorney



APPROVED

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

Pledge of Allegiance

APPROVAL OF NOVEMBER 18, 2021 MINUTES—

Motion to APPROVE Minutes.

Motion made by Michael Witt, 2ND by Robert Zeller, to approve minutes for November 18, 2021.

Vote 3 Ayes: Robert Zeller, Cheryl Greene, Michael Witt.

MOTION CARRIED

KATE TRAYNOR – 4 MAPLE LANE – AREA VARIANCE – GARAGE – PUBLIC HEARING –

Justin Traynor-Applicant

Town Attorney explained to Mr. Traynor that there are 3 members present and he would need all 3 to approve application, he further stated that there were some written comments that were sent in and Secretary gave copies to him. Mr. Traynor asked to be recalled to review the written comment.

ABER – ROUTE 42 & 97 – NOTATION REMOVAL – PUBLIC HEARING –

Ann Walsh-Representative for Applicant

Motion to open public hearing.

Motion made by Michael Witt, 2ND by Robert Zeller, to open the public hearing for Aber Variance.

Vote 3 Ayes: Robert Zeller, Cheryl Greene, Michael Witt.

MOTION CARRIED

Secretary read the public hearing notice into record. Proof of mailings were verified. Ms. Walsh gave a brief description of the application stating that this is to remove a notation from a subdivision, it's been before the Planning Board and Town Board, it is currently in the HMU Zone which is residential and commercial and the owner would like to sell the property. Town Attorney stated that the County have received the packet and called and spoke with Secretary for an overview of the project but did not respond yet. He further stated that they can continue with the public hearing but will have to keep it open for written comment. Ms. Walsh asked if an approval could be given subject to County comments, she stated it was in a HMU Zone and the notation is inhibiting the sale of the parcel because it must remain vacant. Bob Zeller questioned if it is removed what were the plans, Ms. Walsh answered no idea. Michael Witt asked if the sale is contingent on the removal of the note, Ms. Walsh replied for this sale yes, potential buyer does not want to buy it if it has to stay vacant, the property is useless to the current owner. Chair Greene opened the floor for public comment: No Public Comment. Town Attorney acknowledged that the note was put on about 40 years ago. Bob Zeller asked if the Board could know the intended use of the property, Ms. Walsh answered they could ask the intended buyer.

Motion to leave public hearing open.

Motion made by Robert Zeller, 2ND by Cheryl Greene, to leave the public hearing open for written comment for Aber Variance.

Vote 3 Ayes: Robert Zeller, Cheryl Greene, Michael Witt.

MOTION CARRIED

ZONING BOARD OF APPEALS MEETING DECEMBER 16, 2021 continued –

KATE TRAYNOR – 4 MAPLE LANE – AREA VARIANCE – GARAGE – PUBLIC HEARING – RECALLED –

Motion to open public hearing.

Motion made by Michael Witt, 2ND by Robert Zeller, to open the public hearing for Traynor Variance.

Vote 3 Ayes: Robert Zeller, Cheryl Greene, Michael Witt.

MOTION CARRIED

Secretary read public hearing notice into record. Proof of mailings were verified. Mr. Traynor asked for an adjournment till next month to allow for his wife to review the letters submitted. Town Attorney stated that they could hold the public hearing tonight and leave open for written till next month. Chair open the floor for public comment:

Public Comment:

Michael Sullivan-10 Maple Lane- Mr. Sullivan stated he has lived there for 48 years and that the Traynor's neighbor; Mr. Beatini is very upset with this shed and has photos showing how close to the line it is. He also stated that Mr. Beatini told Mr. Traynor when the shed was being put up that it could not go there. Mr. Sullivan asked to show the photos, Bob Zeller acknowledged that the Board already received them. Mr. Sullivan continued that it is a fire hazard and an eye sore and a lot of people are upset with this. Bob Zeller stated that there was written comment regarding this application. Mr. Sullivan stated that there are other sheds in the neighborhood but they are in the backyard.

Justin Traynor-Applicant- Mr. Traynor acknowledged on the day the shed was delivered, Mr. Beatini stated that it was too close to the property line and he told Mr. Beatini he called that Building Department and that they did not need a permit for the shed but didn't know the shed had to be setback from the line. Bob Zeller asked if there was any other location that the shed could be placed. Mr. Traynor replied that there is a dilapidated shed in the backyard but the septic tank and leach field is in the backyard and they could not use a machine to move it and it would probably not be 10ft from the line either. Bob Zeller asked if there was any other alternative, Mr. Traynor answered he could move it to the other side but would still need a variance but definitely not in the backyard. Mr. Traynor asked to hold over to the January meeting, he further stated that whatever happens he will abide, he was not aware of the setbacks.

Motion to hold over public hearing.

Motion made by Robert Zeller, 2ND by Michael Witt, to hold open the public hearing for Aber Variance.

Vote 3 Ayes: Robert Zeller, Cheryl Greene, Michael Witt.

MOTION CARRIED

OTHER BUSINESS:

Michael Witt acknowledged that Member Philip Niosi was called in for a double and that is why he was unable to attend the meeting tonight.

Town Attorney stated that he had drafted the resolutions for Emerson and Chaplinski and if the Board feels they are accurate they can authorize the Chair to sign.

Motion to authorize Chair to sign resolution.

Motion made by Robert Zeller, 2ND by Michael Witt, to sign the resolution for Emerson Variance.

Vote 3 Ayes: Robert Zeller, Cheryl Greene, Michael Witt.

MOTION CARRIED

Motion to authorize Chair to sign resolution.

Motion made by Michael Witt, 2ND by Robert Zeller, to sign the resolution for Chaplinski Variance.

Vote 3 Ayes: Robert Zeller, Cheryl Greene, Michael Witt.

MOTION CARRIED

ZONING BOARD OF APPEALS MEETING DECEMBER 16, 2021 continued –

Motion to Adjourn Meeting.

Motion made by Michael Witt, 2ND by Robert Zeller, to Adjourn December 16, 2021 Meeting at 8:10 p.m.

Vote 3 Ayes: Robert Zeller, Cheryl Greene, Michael Witt.

MOTION CARRIED

Respectfully Submitted By,

A handwritten signature in blue ink, appearing to read "Amanda Gorr", is written over a faint, light blue grid background.

Amanda Gorr, Zoning Board of Appeals Secretary