

The Deerpark Zoning Board of Appeals met for their monthly meeting on Thursday, July 21, 2022 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



Motion to open meeting.

Motion made by Michael Witt, 2ND by Tanner Sexton, to open July 21, 2022 meeting at 7:30 p.m.

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

MOTION CARRIED

Pledge of Allegiance

APPROVAL OF JUNE 16, 2022 MINUTES–

Motion to APPROVE Minutes.

Motion made by Michael Witt, 2ND by Philip Niosi, to approve minutes for June 16, 2022.

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

MOTION CARRIED

GUSHUE – WEST PEENPACK TRAIL – POLE BUILDING – AREA VARIANCE – PUBLIC HEARING –

John Gushue-Representative for his son

Motion to open public hearing.

Motion made by Tanner Sexton, 2ND by Philip Niosi, to open the public hearing for Gushue.

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

MOTION CARRIED

Secretary read public hearing notice into record.

Mr. Gushue stated that this is for a setback variance, for a 40x64 garage on his son's property. They were sent here because the accessory structure is over 1000sqft, the setback requires for 35ft. They do not want to put the garage behind the house because it will not line up with the driveway and they plan to put a pool in the rear yard. He continued that it would be a hardship for them to put the garage behind the home because they would have to continue the driveway and they want to put a pool in later on and the well is in the back yard. Bob Zeller acknowledged that they want to utilize their land to the fullest. Mr. Gushue stated that they went by the assumption that an accessory structure was 10ft setback but didn't know that because it was over 1000sqft that it had to meet the 35ft setback. Chair Greene asked who filled out the application, Mr. Gushue explained that his son is the applicant he is representing him because he works. Bob Zeller asked what the variance would be if granted, Mr. Gushue answered 15ft off the right rear corner. Bob Zeller asked if the size could be reduced, Mr. Gushue answered that was size that was needed. Chair asked if the notices were verified, Secretary stated that all that were on the list were notified.

Public Comment:

No Public Comment.

Motion to close public hearing.

Motion made by Cheryl Greene, 2ND by Robert Zeller, to close the public hearing for Gushue.

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

MOTION CARRIED

Motion to approve variance.

Motion made by Philip Niosi, 2ND by Robert Zeller, to approve the variance requested for John Gushue.

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

MOTION CARRIED

Secretary stated that Mr. Gushue could go back the Building Department and re-apply for the permit.

ZONING BOARD OF APPEALS MEETING JULY 21, 2022 continued –

BONSANTI – SHORE DR – ADDITION – AREA VARIANCE – PUBLIC HEARING –

Anthony Bonsanti-Applicant
Tina Marie Bonsanti-Applicant

Motion to open public hearing.

Motion made by Cheryl Greene, 2ND by Philip Niosi, to open the public hearing for Bonsanti.

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

MOTION CARRIED

Secretary read public hearing notice into record.

Mr. Bonsanti gave a brief description of the application that it is at 53 Shore Dr, they have owned the property for 30 years it was a bungalow and since they retired they have moved here, they have children coming and need an addition it is a small home. The addition will be 28x32. Bob Zeller asked if he had enough room in the back of the property, Mr. Bonsanti answered that he had 3 lots it would just be the side yard he would not be able to make. Bob Zeller then asked about the sheds that were being moved or demoed, Mr. Bonsanti stated that it is done one is gone and the other is moved. Mr. Bonsanti added that there would be no water in the addition just heat and electric. He also asked if he would have to increase the septic, Bob Zeller stated he would have to speak to the Building Department, Secretary asked what would be in the addition. Mrs. Bonsanti acknowledged it would be a bedroom and living room, Secretary advised them to call the Department of Health because septic is based off of number of bedrooms. Chair Greene asked if this would be a separate building or attached, Mr. Bonsanti stated it would be attached with a mud room. Chair asked about the shed that was moved off of the property line, Mr. Bonsanti answered that it is already moved. Chair asked if the notices were verified, Secretary stated that all that were on the list were notified.

Public Comment:

No Public Comment.

Motion to close public hearing.

Motion made by Michael Witt, 2ND by Tanner Sexton, to close the public hearing for Bonsanti.

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

MOTION CARRIED

Motion to approve variance.

Motion made by Philip Niosi, 2ND by Robert Zeller, to approve the variance requested for Anthony & Tina Bonsanti.

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

MOTION CARRIED

Motion to enter into executive session.

Motion made by Michael Witt, 2ND by Philip Niosi, to take a recess and when Town Attorney arrives to enter into executive session and invite in the Town Attorney, Glen Plotsky to discuss potential litigation.

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

MOTION CARRIED

Motion to exit executive session and reopen regular meeting.

Motion made by Michael Witt, 2ND by Tanner Sexton, to exit executive session and reopen the regular meeting.

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

MOTION CARRIED

TRAYNOR – MAPLE LANE – AREA VARIANCE – DISCUSSION –

Kate Traynor-Applicant
Justin Traynor-Applicant

Town Attorney stated that there was an email received relative to the application, this is why it was put on the agenda. The application was filed on October 2021, no one showed it was then put on for November a public hearing was scheduled for December 16 there was public comment, it was held over to January 20 and the public hearing was closed.

ZONING BOARD OF APPEALS MEETING JULY 21, 2022 continued –

TRAYNOR – MAPLE LANE – AREA VARIANCE – DISCUSSION – continued –

Board considered granting the variance if the applicant moved the shed and painted it and gave a time frame. He continued that information was submitted to the Zoning Board that conditions were not met and it was put on the agenda for June, it was put over to July meeting to allow for an inspection of the property by July 5. Then it was stated that the shed was moved and painted. He acknowledged that there is a time frame that an Article 78 could be filed but that time has passed, conditions are satisfied and Town Attorney suggested that the Board close the matter.

Motion made by Philip Niosi, 2ND by Philip Niosi, close the matter.

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

MOTION CARRIED

Motion to Adjourn Meeting.

Motion made by Philip Niosi, 2ND by Tanner Sexton, to Adjourn, July 21, 2022 Meeting at 8:06 p.m.

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

MOTION CARRIED

Respectfully Submitted By,



Amanda Gorr, Zoning Board of Appeals Secretary