

The Deerpark Zoning Board of Appeals met for their monthly meeting on Thursday, OCTOBER 17, 2019 at 7:30 pm at the Deerpark Town Hall, 420 US Route 209, Huguenot, NY. The following were present:

BOARD MEMBERS PRESENT:

Lee Cornell -Chairman
Jane Lord

Michael Witt
Cheryl Greene



APPROVED

BOARD MEMBER NOT PRESENT: Robert Zeller

OTHERS PRESENT:

Glen Plotsky, Town Attorney

Meeting brought to order at 7:30 pm.

Pledge of Allegiance

APPROVAL OF SEPTEMBER 19, 2019 MINUTES–

Motion to APPROVE minutes.

Motion made by Jane Lord, 2ND by Cheryl Greene to approve minutes for September 19, 2019.

Vote 4 Ayes: Cheryl Greene, Lee Cornell, Michael Witt, Jane Lord.

MOTION CARRIED

TRI-STATE TRANSMISSION – 6 ROUTE 97 & 42 – DIGITAL SIGN – PUBLIC HEARING –

John Fuller-Representative for Applicant

John Goldschnieder-Applicant

Motion to open public hearing.

Motion made by Michael Witt, 2ND by Cheryl Greene to open public hearing for Tri-State Transmission.

Vote 4 Ayes: Cheryl Greene, Lee Cornell, Michael Witt, Jane Lord.

MOTION CARRIED

Secretary read public hearing notice into record.

John Fuller gave a brief presentation stating that this was a request for a variance for a digital sign, he presented a picture of the sign to the Board. He continued that there has always been a sign but have replaced it with a digital component, the sign measures 15x54 inches. He went on to say that the Planning Board requested to get the variance, their approval is conditional on the granted variance or the applicant would have to demo the sign. Mr. Goldschnieder added that when he bought the sign and installed it, he didn't want all the animation but he has had the company come back and show him how to turn it off and adjust the brightness and scrolling. Mr. Fuller also stated that it can be adjusted, the ordinance states no oscillating; it does not move, no neon; this is not neon and no flashing; this is a digital scrolling sign. Cheryl Greene stated that if it can be toned down that could be acceptable, but it has the ability to flash and the words flip, it is a distraction. Mr. Goldschnieder stated that was not what he wanted when he purchased the sign.

Public Comment-

No Public Comment.

Town Attorney asked if this was an area variance, Mr. Fuller answered yes. Cheryl Greene asked where the house and business were located, Mr. Fuller showed her on the map, he also added that all adjoining were notified, Secretary confirmed all adjoining were notified.

Zoning Board of Appeals Meeting Minutes October 17, 2019 continued:

Motion to close public hearing.

Motion made by Michael Witt, 2ND by Cheryl Greene to close public hearing for Tri-State Transmission.

Vote 4 Ayes: Cheryl Greene, Lee Cornell, Michael Witt, Jane Lord.

MOTION CARRIED

Town Attorney stated that the variance could be approved conditional on it not being too bright and no animation. Mr. Goldschneider confirmed there will not be animation. Chairman Cornell acknowledged no animation but scrolling permitted.

Motion to approve variance.

Motion made by Jane Lord, 2ND by Michael Witt to approve area variance for Tri-State Transmission for a digital sign conditional on it not being too bright, no animation and slow scrolling permitted.

Vote 4 Ayes: Cheryl Greene, Lee Cornell, Michael Witt, Jane Lord.

MOTION CARRIED

FWB INC – 14 CANAL ROAD – HORSE FARM –

Applicant not present.

Town Attorney acknowledged that she showed up at the Planning Board meeting, he believes this is just an interpretation. He stated that 10 acres is needed for a horse farm she wants to take an acre for the house and the 9 remaining acres for a barn for the horses. He continued the question is; does the 10 acres count as a whole or does it get separated. Cheryl Greene asked who determines, Town Attorney answered that ZBA. Town Attorney added there were two options to send another letter or to dismiss without prejudice, Chairman Cornell stated he felt that it should be dismissed.

Motion to dismiss application.

Motion made by Jane Lord, 2ND by Cheryl Greene to dismiss application without prejudice.

Vote 4 Ayes: Cheryl Greene, Lee Cornell, Michael Witt, Jane Lord.

MOTION CARRIED

DANIEL FROLO – 65 BRANDT ROAD – SECOND DRIVEWAY –

Daniel Frolo-Applicant

Mr. Frolo stated he purchased a shell of a house at 65 Brandt Rd a couple of years ago, there was already a driveway on the property but is it very steep; drivers cannot get up to deliver materials. He continued he would like to put in a horseshoe driveway, he applied with the Highway Superintendent and was told he needed to go to the ZBA for a variance. He added that Mr. Hughson will write a letter of recommendation to add the second driveway. Town Attorney went over the application with the applicant.

Motion to schedule a public hearing.

Motion made by Jane Lord, 2ND by Michael Witt to schedule a public hearing for Daniel Frolo for Thursday, November 21, 2019.

Vote 4 Ayes: Cheryl Greene, Lee Cornell, Michael Witt, Jane Lord.

MOTION CARRIED

Zoning Board of Appeals Meeting Minutes October 17, 2019 continued:

OTHER BUSINESS –

Chairman Cornell asked that an approval for Tri-State Transmission was given for their variance but what about the other businesses with digital signs. Town Attorney answered that the Building Department gives out notices of violation, the reason Tri-State Transmission had to come, Planning Board stated their approval was conditional on the variance. Cheryl Greene asked about the sign at the schools, Town Attorney stated there should be a permit but they are municipal so they don't have to. Chairman Cornell acknowledged a list of signs and addressed needs to be established and sent to the Building Department.

Motion to Adjourn Meeting.

Motion made by Cheryl Greene, 2ND by Michael Witt, to Adjourn October 17, 2019 Regular Meeting at 8:06 p.m.

Vote 4 Ayes: Cheryl Greene, Lee Cornell, Michael Witt, Jane Lord.

MOTION CARRIED

Respectfully Submitted By,



Amanda Gorr, Zoning Board of Appeals Secretary