

TOWN OF DEERPARK ZONING BOARD OF APPEALS – NOVEMBER 17, 2016 -

The Deerpark Zoning Board of Appeals met for their monthly meeting on Thursday, November 17, 2016 at 7:30 pm at the Deerpark Town Hall, 420 US Route 209, Huguenot, NY. The following were present:

BOARD MEMBERS PRESENT:

Daniel Witt-Chairman
Cheryl Greene
Lee Cornell

James Harrington- Vice Chairman
Jane Lord

OTHERS PRESENT:

Glen Plotsky, Town Attorney

Meeting brought to order at 7:30 pm.

Pledge of Allegiance

APPROVAL OF AUGUST 18, 2016 MINUTES –

Motion to Approve August 18, 2016 Minutes.

Motion made by James Harrington, 2ND by Jane Lord to Approve August 18, 2016 Minutes.

Vote 4 Ayes: Cheryl Greene, James Harrington, Daniel Witt, Jane Lord. Lee Cornell abstained he was not present at August 18 Meeting.

MOTION CARRIED

DRAGON SPRINGS – Area Variance – Appeal Number 16-002 –

Ashley Torre – Representative for Applicant from Burke, Miele & Golden, LLP

Johnathan Lee – Applicant

EXECUTIVE SESSION –

Motion to enter Executive Session.

Motion made by Lee Cornell, 2ND by Jane Lord to close Regular Session and enter into Executive Session.

Vote 5 Ayes: Cheryl Greene James Harrington, Daniel Witt, Lee Cornell, Jane Lord.

MOTION CARRIED

Motion to exit Executive Session.

Motion made by Lee Cornell, 2ND by Jane Lord to close Executive Session and Re-enter Regular Session.

Vote 5 Ayes: Cheryl Greene James Harrington, Daniel Witt, Lee Cornell, Jane Lord.

MOTION CARRIED

Town Attorney, Glen Plotsky asked Mr. Cornell due to his absence from the August 18 Meeting, did he receive all transcripts and Exhibits to review, Mr. Plotsky further asked Lee Cornell if he was familiar with the application to vote on the variances. Lee Cornell replied Yes.

Town Attorney then asked Mrs. Greene due to her absence from the July 21 Meeting, did she receive all transcripts and Exhibits to review; he further asked Cheryl Greene if she was familiar with the application to vote on the variances. Cheryl Greene replied Yes.

Glen Plotsky further asked Dr. Lord, Chairman Witt, and Vice-Chairman Harrington if they received all transcripts and Exhibits to review, Mr. Plotsky continued by asking if they were familiar with the application to deliberate on the variances. Dr. Jane Lord, Chairman Daniel Witt and Vice-Chairman James Harrington replied Yes.

Town Attorney then asked Dragon Springs Representative and Applicant if Thursday, December 1, 2016, Tuesday, December 20, 2016 and Thursday, January 5, 2017 at 7:00 p.m. were good to hold special meetings to deliberate further on this application, they replied it was fine.

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DRAGON SPRINGS – Area Variance – Appeal Number 16-002 – continued –
Ashley Torre – Representative for Applicant from Burke, Miele & Golden, LLP
Johnathan Lee – Applicant

Town Attorney suggested to the Chairman to direct the Secretary to post notice of the special meetings. He continued by saying that the information already received is what the Board is going to use to deliberate, he urged the Board not to speak to anyone about the deliberations and also urged the residents of the Town to not question the Zoning Board Members regarding the variances. He continued that the meetings will be open to the public to observe, there will be no further submissions from the public regarding this application. He further stated that the resolution will be read into record, voted on and if approved will be on file in the Town Clerk’s Office. Chairman Witt added that all transcripts are available in the Town Clerk’s Office; Town Attorney also stated that all information that will be used in deliberations is on file with the Town Clerk and can be obtained by filling out a FOIL request. Chairman Witt further stated that a stenographer will also be at the special meetings; Town Attorney acknowledged that is why the Board is holding off on deliberating until a stenographer is present.

Motion to Adjourn Meeting.

Motion made by Jane Lord, 2ND by James Harrington, to Adjourn Meeting at 8:25 p.m.

Vote 5 Ayes: Cheryl Greene James Harrington, Daniel Witt, Lee Cornell, Jane Lord.

MOTION CARRIED

Respectfully Submitted By,



Amanda Gorr, Zoning Board of Appeals Secretary