

**DEERPARK ZONING BOARD OF APPEALS - JANUARY 16, 2014 - PAGE #**

The Deerpark Zoning Board of Appeals met for their monthly meeting on Thursday, January 16, 2014 at 7:30 p.m. at Deerpark Town Hall. The following were present:

ZBA Members

Dan Witt, Chairman          Jane Lord          Jim Harrington          Lee Cornell          Christa Hoovler

OTHERS

Mr. Glen A. Plotsky, Town Attorney          Mr. John Fuller, Civil Engineer

THE PLEDGE OF ALLEGIANCEAPPROVAL OF MINUTES FOR DECEMBER 19, 2013 MEETING

Lord made a motion to approve the minutes from the December 19, 2013 meeting. Harrington second. Roll call vote: Harrington, aye; Witt, aye; Lord, aye; Cornell, aye; Hoovler, abstain. Motion carried.

SSS REALTY LLC (ALEXANDER HOTEL) – PUBLIC HEARING - # 13-0707

Represented by John Fuller, Civil Engineer 856-1536

Owner/ Applicant SSS Realty LLC is seeking an area variance for property located at #6 Main St., Sparrowbush, N.Y.

It is in the HMU zone.

Section - Block - Lot = 47 – 3 - 4.2

Application received December 5, 2013

SEE ATTACHED PUBLIC HEARING RECORD

Mr. Plotsky asked the board members if they all had the Zoning in front of them, pertaining to the two sections involved in this decision. He said that basically this is an interpretation as to whether this is a standard application, which would then suggest that it's HMU, slightly over 2 ½ acres, 2 permissible units, and the applicant is asking for 6 units. He said that this is an area variance. He said that the alternative to that is that under 230-26-O it talks about the conversion of motels, being treated as a subdivision. He said that under 230-26, that's where it kicks in to the possibility of the enhancement, the 300% density bonus. He said that that is the first determination that the board has to make. He said that the second determination that the board has to make, is that if the board goes with the 230-26, then the board would have to determine if variances should be granted with regard to the underground electric, versus the overhead electric, which is currently existing; and the buffer, or the screening. He said that he does not believe that section 230-27 has such specific requirements, so the board would not have to issue a variance with regards to the electric or the buffer. He said that under 230-27, Mr. Fuller already came before this ZBA board, and got the variances he needed, because it was really a matter of the road frontage.

John Fuller stated that the total square footage of the building is over 6,000 square feet, making each one-bedroom apartment approximately 1,000 square feet. He said that a section of the downstairs will be kept for a recreational area.

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Mr. Plotsky said that first the board has to decide whether section 26 or section 27 of the Zoning, the applicant will be operating under. He said that that is the interpretation. He said that it is interpretation first, and then second, the variances which will be granted, or not.

**MOTION**

Harrington made a motion to table this application to be discussed at the February 20, 2014 meeting. Lord second. Hoover, aye; Cornell, aye; Harrington, aye; Lord, aye; Witt, aye. Motion carried.

**ADJOURNMENT**

Harrington made a motion to adjourn. Lord second. Roll call vote: Harrington, aye; Witt, aye; Lord, aye; Cornell aye; Hoovler, aye. Motion carried.

Meeting adjourned at 8:30 p.m.

Respectfully submitted,

Barbara Brollier, ZBA secretary