

TOWN OF DEERPARK ZONING BOARD OF APPEALS – JANUARY 19, 2017 -

The Deerpark Zoning Board of Appeals met for their monthly meeting on Thursday, January 19, 2017 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  
Jane Lord

James Harrington- Vice Chairman  
Lee Cornell

BOARD MEMBER ABSENT: Cheryl Greene

OTHERS PRESENT:

Glen Plotsky, Town Attorney  
Chanel Rice-O’Neal, Stenographer

Meeting brought to order at 7:31 pm.

Pledge of Allegiance

APPROVAL OF DECEMBER 15, 2016 REGULAR MEETING & JANUARY 5, 2017 SPECIAL MEETING MINUTES-

**Motion to Approve December 15, 2016 Minutes.**

Motion made by Lee Cornell, 2<sup>ND</sup> by Jane Lord to Approve December 15, 2016 Regular Meeting Minutes.

**Vote 4 Ayes:** James Harrington, Daniel Witt, Lee Cornell, Jane Lord.

**MOTION CARRIED**

**Motion to Approve January 5, 2017 Special Meeting Minutes.**

Motion made by Jane Lord, 2<sup>ND</sup> by James Harrington to Approve January 5, 2017 Special Meeting Minutes.

**Vote 3 Ayes:** James Harrington, Daniel Witt, Jane Lord. Lee Cornell abstained from voting because he was not present at meeting.

**MOTION CARRIED**

William Rohner – 207 Route 209 – Area Variance –  
Cesare Rotundo – Engineer for Applicant  
William Rohner – Applicant

Mr. Rotundo explained that they are requesting two area variances for Lot Area and Lot Width. Chairman Witt asked if the property was located at 207 Route 209, Mr. Rotundo answered yes. Chairman Witt also asked if Soil Classification was done and Mr. Rotundo answered yes. Town Attorney explained the Public Hearing Process to Mr. Rotundo and Mr. Rohner.

**Motion to Schedule a Public Hearing.**

Motion made by Jane Lord, 2<sup>ND</sup> by James Harrington to schedule a Public Hearing Thursday, February 16, 2017 at 7:30 PM for William Rohner.

**Vote 4 Ayes:** James Harrington, Daniel Witt, Lee Cornell, Jane Lord.

**MOTION CARRIED**

EXECUTIVE SESSION –

**Motion to enter Executive Session.**

Motion made by James Harrington, 2<sup>ND</sup> by Jane Lord to close Regular Session and enter into Executive Session and invite Town Counsel, Glen Plotsky.

**Vote 4 Ayes:** James Harrington, Daniel Witt, Lee Cornell, Jane Lord.

**MOTION CARRIED**

**Zoning Board of Appeals Meeting Minutes January 19, 2017**

**Motion to exit Executive Session.**

Motion made by James Harrington, 2<sup>ND</sup> by Jane Lord to close Executive Session and Re-enter Regular Session.

**Vote 4 Ayes:** James Harrington, Daniel Witt, Lee Cornell, Jane Lord.

**MOTION CARRIED**

DRAGON SPRINGS – Area Variance – Appeal Number 16-002 – Discussion –  
Rick Golden – Representative for Applicant from Burke, Miele & Golden, LLP

Town Attorney questioned what the last exhibit number was, Stenographer, Chanel Rice-O’Neal answered Exhibit #35 was the last received. Town Attorney explained that the Public Hearing is closed even for written submissions as of August 18, 2016; but within last week Chairman Witt received a letter from the DEC sent to Town Engineer on December 30, 2016.

Exhibit #36 – Letter from DEC from Fusco Engineering, Dated December 30, 2016.

Town Attorney also provided a copy to Mr. Golden.

Mr. Golden stated that based on discussions from the Board he feels that lesser variances requests could be done and he would like to be able to review the application and see if it can be modified and reduce the variances. Town Attorney asked for a time frame, Mr. Golden stated 2 weeks. Town Attorney stated that if they get the submission by February 2, 2017 it would be available for review to the public and any written comments can be made before February 15, 2017. Town Attorney suggested the Board make a motion to adjourn for further deliberation after the Rohner Public Hearing at the February 16, 2017 Meeting. Mr. Golden asked if they could get the comments before the meeting to review, Town Attorney stated that they could be made available at the end of day February 15, 2017.

**Motion for further deliberation.**

Motion made by Jane Lord, 2<sup>ND</sup> by Lee Cornell to allow for public to have written comment until February 15, 2017 on any new submissions made by Dragon Springs received by February 2, 2017, and to continue further deliberation at the next meeting on February 16, 2017 after the Scheduled Public Hearing.

**Vote 4 Ayes:** James Harrington, Daniel Witt, Lee Cornell, Jane Lord.

**MOTION CARRIED**

**Motion to Adjourn Meeting.**

Motion made by James Harrington, 2<sup>ND</sup> by Jane Lord, to Adjourn January 19, 2017 Regular Meeting at 8:20 p.m.

**Vote 4 Ayes:** James Harrington, Daniel Witt, Lee Cornell, Jane Lord.

**MOTION CARRIED**

Respectfully Submitted By,

Amanda Gorr, Zoning Board of Appeals Secretary