



TOWN OF AMENIA

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Zoning Board of Appeals Minutes 2/16/15

Present:

Leo Blackman-Chairman
David Menegat
Kevin Cassone
Paula Pelosi

Absent:

Terry Metcalfe

Consultant:

Julie Mangarillo

Motion to open meeting 7:02- all in favor

Amenia Drive in public hearing

Prior to the opening of the public hearing, board member K. Cassone referred back to section 1D of the resolution for the approval of sign variances for the Four Brothers Drive In. He commented that he would like to see a verbiage change that would allow a sign to be changed without returning to the board if that sign is the same square footage or less and if it is compliant with the code. He suggested it be an issue for the CEO to decide only.

Chairman Blackman read in Section 1D of the resolution.

Julie Mangarillo Town Engineer explained that the signage is all on a site plan which is subject to site plan approval. Once signage is changed it negates the approved site plan. It then becomes a complication for the planning board.

A motion to vote on changing the verbiage in resolution to allow interchangeable signs as long as it is consistent with the allowed square footage and, applies to the code with an inspection through the CEO was taken.

Voted to change verbiage:

Paula Pelosi – no

David Menegat-no

Leo Blackman-no

Kevin Cassone-yes.

Resolution for the approval of sign variances section 1D will remain unchanged.

Open Public Hearing 7:13pm

Chairman Blackman asked audience for comments.

Mr. Werner commented positively on the applicant.

Ms. Hitselberger commented on the interchangeable now showing sign letters that will reflect the movies that are being shown. Will they also need to go through the approval process.

Chairman Blackman will have the resolution reflect that the interchangeable letters in the sign does not reflect a change in the square footage.

The Dutchess County Department of Planning and Development referral was discussed. Comments returned were –Matter of local concern with comments. Not necessary for the supermajority to override county decision but did supply comments for consideration.

Resolution of the Negative Declaration was read in by Chairman Blackman.

All in Favor-yes. Signed by board.

Chairman Blackman read in resolution approving sign variances. (Note that we are speaking of sign and not the interchangeable letters on the sign.)

All in favor-yes. Signed by board

Comment for the record made by K. Cassone. He felt that there should be another category that are not signs but could be identified as art.

Public Hearing Closed 7:26pm

Allen Smith Mobile Home –Use Variance

Informational had been given to the board via John Fentons letter and Attorney Dave Everett's emails.

Allen and Ann Marie Smith represented themselves. Chairman Blackman verbally reviewed his understanding of the application.

The Smiths stated that the property is set up for the trailer. The slab and utilities were replaced. Mr. Smith stated that calls were made to the town and he stopped by the town prior to purchasing property and home. Property was bought in November 2014. He began to buy it August 2014.

What is the difference between a modular and a mobile? Board member D. Menegat touched upon the difference by stating the mobile comes on a trailer with wheels and modular is transported on a truck bed, then it is craned off.

Julie Mangariilo then read in the definition for a mobile home from the zoning code.

Mr. Smith stated that the town gave him misinformation. The Code Enforcement officer's letter was referenced.

Attorney Everett was not present. Chairman Blackman stated that this information will need to be reviewed by the town attorney.

A reference to the zoning law was made stating that a mobile home cannot be located outside of a mobile home park. An existing mobile home not in compliance with the Code can only be replaced within the 12months allowable.

A question was posed if the trailer could be returned? The answer was yes. Mr. Smith stated that the property, however was not returnable.

Chairman Blackman stated that the board will request that both John Fenton and Dave Everett attend the next meeting. A request from the board was put forth for a special meeting to expedite the process. Chairman Blackman reiterated that John Fenton and Dave Everett will need to attend so their schedules will need to be considered. Secretary L. DeLango will approach the CEO and Attorney for available dates.

Upcoming applicants- Bulfamante application, Cumberland Farms.

Approval of minutes- K. Cassone stated that he would like his name referenced to the topic of the definition of what is a sign and what is art. Minutes approved with those additions.

Meeting closed 7:52pm