

NOV 14 2018

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TOWN OF AMENIA

4988 Route 22, AMENIA, NY 12501
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ZONING BOARD OF APPEALS MEETING MONDAY, AUGUST 20, 2018 PLANNING BOARD MEETING ROOM

PRESENT: Terry Metcalfe, Acting Chair
Dave Menegat
Paula Pelosi
Jim Wright
George Lithco, Attorney
Dave Everett, Attorney
John Andrews, Engineer

Allan Rappleyea, Attorney

The meeting was opened at 7:00 p.m. with the Pledge of Allegiance.

Discussion of appointing Acting Chair by the Board and Attorney Everett.

MOTION TO APPOINT TERRY METCALFE, ACTING CHAIR was made by Michael Chamberlin, seconded by Jim Wright

VOTE TAKEN - MOTION CARRIED UNANIMOUSLY

Alternate Member Jim Wright, sitting by designation on this appeal, was appointed by the Town Board, August 16, 2018, to fill the unexpired term of former member, Jeff Barnett-Winsby, and took his seat as a regular member of the Zoning Board of Appeals.

PUBLIC HEARING CONTINUED:

Highway Displays

Illegal Sign

**Route 22
Amenia, NY 12501**

MOTION TO OPEN THE CONTINUED PUBLIC HEARING FOR HIGHWAY DISPLAYS was made by Jim Wright, seconded by Dave Menegat

VOTE TAKEN - MOTION CARRIED UNANIMOUSLY

Mr. Kilduff gave a history of the sign to the Board and who they believe is owner of the property where the sign is located.

Dave Everett added

- Lease to be renewed in 2018? When?
- The ZBA does not have any jurisdiction over adverse possession.
- Survey revealed that sign was on Deep Hollow property near NYS ROW.
- Mr. Andrews did work on survey; D. Everett got information from Title Co.
- Deep Hollow Preserve does not want sign on their property.

John Andrews went over the multi-step process that he worked regarding this issue.

Dave Everett stated there are two decisions the Board must make:

- Appeal of the NOV-illegal billboard under the Code
- Sought Variance to allow the sign to remain in place to recoup investment-11 years extra already given
- Property owner does not consent to the Variance.

MOTION TO CONTINUE THE PUBLIC HEARING TO THE MEETING OF SEPTEMBER 17, 2018 FOR HIGHWAY DISPLAYS AND TO GIVE ANY FEEDBACK BY SEPTEMBER 10, 2018 was made by Jim Wright, seconded by Dave Menegat

VOTE TAKEN - MOTION CARRIED UNANIMOUSLY

REGULAR MEETING:

Dave Everett spoke to the Zoning Board of Appeals regarding Training on Wednesday, October 24, 2018 at 7:00 P.M. for the new SEQRA regulations that begin in January 2019. This will count towards the 4 education credits needed for the year. It will run about 1 ½ hours. It will be held in the Planning Board Meeting room.

The Board discussed deadlines and escrow accounts.

Chair Metcalfe stated that there was a Local Law filed on July 30, 2018, imposing a temporary town-wide moratorium prohibiting the installation of free standing or ground mounted solar energy systems and wind energy conversion systems for 180 days.

Kent Hollow Mine

Appeal

**341 South Amenia Road
Amenia, NY 12501**

George Lithco addressed the ZBA regarding possible consideration for setting a date for the Public Hearing on Kent Hollow Mine.

- Waiting for more information to be submitted
- One year since application submitted
- Invite Public Comments

Mr. Rappleyea commented

- Did not want to submit materials piecemeal
- Waiting for appraisal of property
- Richard Steiner to submit photographs of test holes
- Records establish test holes at time of purchase
- Will submit statement of facts

Mr. Lithco continued

- Concern for appraisal-describe amount of material and worth today

- The worth is not relevant to the ZBA meeting
Mr. Rappleyea - disagreed

Applicant will submit statement of facts, aerial photos with notes, tax returns and other information excluding the appraisal by September 7, 2018.

The ZBA agreed to have the Acting Chair to sign off on the Public Hearing Notice. Public Hearing Notice to be sent to ZBA Secretary by August 23, 2018 for publication.

MOTION TO SET THE PUBLIC HEARING FOR MONDAY, SEPTEMBER 17, 2018 was made by Jim Wright, seconded by Paula Pelosi

VOTE TAKEN:	Terry Metcalfe	-	Yes
	Paula Pelosi	-	Yes
	Jim Wright	-	Yes
	Michael Chamberlin	-	No

MOTION CARRIED

MOTION TO APPROVE THE MINUTES OF MAY 21, 2018 was made by Jim Wright, seconded by Paula Pelosi

VOTE TAKEN - MOTION CARRIED UNANIMOUSLY

MOTION TO APPROVE THE MINUTES OF JUNE 14, 2018 was made by Jim Wright, seconded by Paula Pelosi

VOTE TAKEN	Terry Metcalfe	-	Yes
	Paula Pelosi	-	Yes
	Jim Wright	-	Yes
	Michael Chamberlin	-	Absent

MOTION TO CLOSE THE ZBA MEETING was made by Paula Pelosi, seconded by Michael Chamberlin

Respectfully submitted,

Susan M. Metcalfe
ZBA Secretary

The foregoing are minutes taken from a meeting of the Zoning Board of Appeals held on August 20, 2018 and are not to be construed as the official minutes until approved.

Approved as read: 9/17/2018

Approved with: corrections, additions and deletions

