

TOWN OF DEERPARK PLANNING BOARD – OCTOBER 28, 2015

The Deerpark Planning Board met for their bi-monthly meeting on Wednesday, October 28, 2015 at 7:00 pm at the Deerpark Town Hall, 420 US Route 209, Huguenot, NY. The following were present:

BOARD MEMBERS:

Bob Vicaretti-Chairman
Theresa Santiago
Willard Schadt

Craig Wagner- Vice Chairman
Mike Hunter



APPROVED

BOARD MEMBERS ABSENT:

Tom Faggione

OTHERS PRESENT:

David Dean, Town Councilman
Al Schock, Town Councilman
Glen Plotsky, Town Attorney
Al Fusco III, Fusco Engineering for Town

Meeting brought to order at 7:03 pm.

Pledge of Allegiance

NEW LIFE MINISTRIES – Site Plan Review –

John Fuller - Engineer
Randy Coffill – Attorney

John Fuller explained the Applicant is going to be using the property as a Religious Retreat which is within use of the Zoning. Mr. Fuller further explained that there is existing driveways, but after talking to DOT there was no formal review done by previous owner, so a review by DOT for the driveways will have to be completed. Additionally a review from the Health Department of septic and wells on the property. John Fuller continued that all structures on the map are existing and will mainly be sleeping quarters. There is one building on the property that had been hit by a car and has been renovated with a building permit from the Town. Mr. Fuller also stated that he has reviewed the safety issues with crossing the road; the DOT has informally declared that the only solution is to have onsite personnel for crossing. He continued that a fence will be constructed on the front of the property to funnel the crossing traffic to certain places on the property. Chairman Vicaretti questioned if the comments from Town Engineer include the comments dated August 20, or if they were two (2) separate papers. Al Fusco III stated that they are two (2) separate comment reports. John Fuller acknowledged that the comments made by Fusco Engineering on August 20 were taken into consideration when making the new maps. Willard Schadt, Planning Board Member declared his concern for the road crossing issue needs to be solved and questioned if a reduction in speed could be made. John Fuller stated that the request needs to come from the Town Board and not the Applicant. John Fuller compared the traffic that will potentially be crossing Route 209 to the summers on Route 97 by the canoeing places, stating that there is people running back and forth across the road and there have not been any accidents. Mr. Fuller feels with the construction of the fence it will channel the people crossing the road to a certain area. Chairman Vicaretti questioned what kind of fence was being put in; Mr. Fuller answered a decorative one. Chairman questioned the zoning requirements for fence. Al Fusco III answered the maximum height for the fence could be 4 foot in front, 6 foot on sides.

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NEW LIFE MINISTRIES – Site Plan Review – continued –

Bob Vicaretti stated that it should be placed on the map. He further questioned building occupancy, Al Fusco stated that was part of the comments made; maximum occupancy needs to be known. John Fuller explained that the water usage is based on 100 people which is based off the amount of overnight sleeping accommodations. Chairman Vicaretti asked if during a holiday there would be more people, Mr. Fuller stated there is two different calculations; one for overnight and the other for a day event. Chairman further questioned about the turn radius for the driveways to accommodate food deliveries, Fire Trucks and buses. Chairman Vicaretti asked if the Fire Department would be needed to visit property. Town Attorney stated that it is up to the Fire Department to visit. John Fuller explained that the DOT has set of permitted driveways and they will give comments, he also stated that a stonewall would be constructed in front of the conference center due to safety concerns, because it had been hit by a car over the winter. Mr. Fuller continued that all structures are existing some are non-conforming, he went on to state that an addition is purposed for the conference center which is one of the existing non-conforming building. Glen Plotsky stated that a Zoning Variance will be needed and referral would be needed from the Planning Board. Town Engineer then went over comments from his office, he stated that a copy of survey would be needed, wetlands need to be established, some additional dumpsters needed to be in place, also ADA compliance sidewalks and any landscaping and buffering proposed along with proposed lightening needed to be on map. Chairman questioned if Lead Agency could be established tonight, Town Attorney stated that first the referral to ZBA should be made then after variance granted Lead Agency can be made. John Fuller explained without Lead Agency he cannot talk to DOT or Department of Health. Escrows were established at an earlier meeting, payment received already and form was signed by Town Engineer, Town Attorney and Representative for Applicant and copies given to all.

Motion to Declare Town of Deerpark Planning Board Lead Agency.

Motion made by Mike Hunter, 2ND by Theresa Santiago to declare Town of Deerpark Planning Board Lead Agency for SEQRA purposes.

Vote 5 Ayes: Theresa Santiago, Craig Wagner, Mike Hunter, Willard Schadt, Bob Vicaretti.

MOTION CARRIED

Motion to Refer New Life Ministries to Zoning Board of Appeals.

Motion made by Willard Schadt, 2ND by Mike Hunter to send a referral to Zoning Board for a variance for proposed addition.

Vote 5 Ayes: Theresa Santiago, Craig Wagner, Mike Hunter, Willard Schadt, Bob Vicaretti.

MOTION CARRIED

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HAWKS NEST CAFÉ – Ronald Babcock – Reapproval –

John Fuller – Engineer

John Fuller stated that because of the time that has expired that the Town Attorney suggested a reapproval be needed with any additional comments that the board had. Glen Plotsky stated that he recommended all fees be paid then the maps will be signed. Mr. Plotsky continued that two letters have been sent to Mr. Babcock regarding the amount of money owed to Attorney Escrow, and until it is paid the maps should not be signed. Chairman Vicaretti stated that he feels that until the fees are paid no motion to reapprove be made.

MARIA YU TAI – New Application Commercial Building –

John Fuller – Engineer

John Fuller explained that this was a preapplication a while back and a referral was suggested to go to ZBA for interpretation of clarification of the mixed use of the property. Zoning Board declared that a strict usage of the property for parking regulations, and that the mixed use of the property was indeed within Zoning. The project will have a commercial use and residential component with 2-4 story buildings. Commercial property on ground level and the residential above, also a central well and sewer system will be needed. Chairman Vicaretti stated that this rendering is the same as what was presented back in 2014; John Fuller declared that it is a scaled back version. Mr. Fuller explained that it would have 30 apartments 2-3 bedrooms for the residential and the commercial use would be retail shops and 2 restaurants are proposed. Chairman Vicaretti stated that floor plans for the apartments are going to be needed for Fire Department review. He further questioned about the wetlands, John Fuller answered that they were Federal. Town Engineer went over the comments from Fusco Engineering which a copy will be placed in file. Glen Plotsky stated that Escrows needed to be established Town Attorney \$750, Engineer \$2000, form was signed by Town Engineer, Town Attorney and Representative for Applicant and copies given to all. John Fuller stated that again without establishment of Lead Agency he could not go any further with DOT and Health Department.

Motion to Declare Town of Deerpark Planning Board Lead Agency.

Motion made by Craig Wagner, 2ND by Theresa Santiago to declare Town of Deerpark Planning Board Lead Agency for SEQRA purposes.

Vote 5 Ayes: Theresa Santiago, Craig Wagner, Mike Hunter, Willard Schadt, Bob Vicaretti.

DATANG DEVELOPMENT – Subdivision – Lot Line Change –

Dave Zigler – Land Surveyor

Mr. Zigler explained that this is just moving of lot lines. Town Attorney acknowledged that there are 4 lots at start and the end result is 4. Dave Zigler stated yes just moving lot lines to make the lots more sensible. Town Attorney questioned how big the smallest lot will be, Mr. Zigler answered that the largest is 65 acres and the smallest is 16 acres.

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DATANG DEVELOPMENT – Subdivision – Lot Line Change – continued –

Willard Schadt asked if there were any improvements on the lots, Dave Zigler stated that there was a small house on one of the lots. Glen Plotsky questioned if the building is non-conforming, Mr. Zigler answered that the non-conformity would be eliminated if approved.

Town Attorney suggested that the Board make a motion to start GML 239, also declare Lead Agency and schedule a Public Hearing. Escrows were established at an earlier meeting, payment received already and form was signed by Town Engineer, Town Attorney and Representative for Applicant and copies given to all.

Motion to Declare Town of Deerpark Planning Board Lead Agency.

Motion made by Theresa Santiago, 2ND Craig Wagner by to declare Town of Deerpark Planning Board Lead Agency for SEQRA purposes.

Vote 5 Ayes: Theresa Santiago, Craig Wagner, Mike Hunter, Willard Schadt, Bob Vicaretti.

MOTION CARRIED

Motion to start the GML 239 process.

Motion made by Craig Wagner, 2ND by, Mike Hunter to start the GML 239 process.

Vote 5 Ayes: Theresa Santiago, Craig Wagner, Mike Hunter, Willard Schadt, Bob Vicaretti.

MOTION CARRIED

Motion to Schedule a Public Hearing.

Motion made by Mike Hunter, 2ND Craig Wagner by to schedule a Public Hearing for December 9, 2015 for DaTang Development LLC.

Vote 5 Ayes: Theresa Santiago, Craig Wagner, Mike Hunter, Willard Schadt, Bob Vicaretti.

MOTION CARRIED

APPROVAL OF OCTOBER 28, 2015 MINUTES –

Motion to Approve October 28, 2015 Minutes.

Motion made by Theresa Santiago, 2ND Mike Hunter by to Approve October 28, 2015 Minutes.

Vote 5 Ayes: Theresa Santiago, Craig Wagner, Mike Hunter, Willard Schadt, Bob Vicaretti.

MOTION CARRIED

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OTHER BUSINESS –

Chairman Vicaretti stated that Secretary, Amanda Gorr looked into the Messiah Chai Maps issue and there is no signed Maps or Mylar for that Applicant, and suggested that Town Attorney get with her to get maps to sign as long as all fees are paid.

Glen Plotsky stated that the next Planning Board meeting is scheduled for Wednesday, November 11 which is Veteran's Day so that can either be rescheduled or not held and also traditionally the Wednesday before Thanksgiving there is no meeting. Chairman Vicaretti declared that there will be no meetings for the month of November, all Planning Board Members agreed.

Motion to Adjourn Meeting.

Motion made by Theresa Santiago, 2ND Mike Hunter, to Adjourn Meeting at 8:19 p.m.

Vote 5 Ayes: Theresa Santiago, Craig Wagner, Mike Hunter, Willard Schadt, Bob Vicaretti.

MOTION CARRIED

Respectfully Submitted By,

A handwritten signature in cursive script that reads "Amanda Gorr". The signature is written in dark ink and is positioned above the typed name of the signatory.

Amanda Gorr, Planning Board Secretary