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PUBLIC HEARING CONTINUED - ALEXANDER HOTEL

The Deerpark Planning Board met for a continuation of a public hearing on Wednesday, October 9, 2013 at 7:09 p.m. at Deerpark Town Hall, 420 Route 209, Huguenot, N.Y. The following were present:

BOARD MEMBERS

Al Schock, Chairman	Theresa Santiago	Craig Wagner
Bob Vicaretti	Derek Wilson	

OTHERS

Mr. Alfred A. Fusco, Jr., Town Engineer	Mr. Glen A. Plotsky, Town Attorney
Mr. David Dean, Town Board Liaison	Mr. John Fuller, Civil Engineer
Ms. Corrinne Tuncy, Adjoiner	Mr. Michael Tuncy, Adjoiner
Mr. Joe Obermyer, Adjoiner	Mrs. Rita Obermyer, Adjoiner
Ms. Tara Wheatly, Adjoiner	

Al Schock: John?

John Fuller: Good evening to the board and the public. As you know this is a continuation of the public hearing that was held a couple of weeks ago, with regard to the application. For the public that might have not been at the last meeting, I will just re-introduce the project briefly. The proposal is to renovate the existing, which is traditionally known as the Alexander Hotel into a 6 unit, one bedroom apartment building. All of the engineering has been addressed as far as the off street parking, wells and septic, all are in accordance required Ordinance. The project had previously been granted Zoning variances, and due to the fact that the building had been vacant for so long, it had lost its' grandfathering, relative to area variances, which we went before the Zoning Board and were granted those variances, in order to proceed with this project. And with that again, I will repeat, the proposal is to renovate the building into six one bedroom apartment dwellings, which will have off street parking to satisfy the limits, and the building will be sprinkled, and will follow all of the current building code requirements for buildings of this nature. And with that introduction, I will turn it back to the chairman.

Al Schock: Okay, thank you. If there is anybody here from the public that would like to state your name and ask any questions, please keep your comments to five minutes, about the Alexander Hotel?

Corrine Tuncy: How many of us would you like to come up there?

Al Schock: Just one at a time and just state your name and direct your questions to the board. The board and the applicant are not required to answer the public comments, and please limit it to five minutes.

Corrine Tuncy: My name is Corrine Tuncy and I am the owner of 128 Berme Road and I and I represent a large part of my community. We just received notice of this request of the renovation of the Alexander. We have a large community on the road that is against it. Number one, we weren't notified, but anything that is worth happening in our community, any type of increase in taxes, lowering of our cost of our homes. I think that it's important that we be notified, or the information shared. So, basically we have an entire road that is completely against this. So, if any of my fellow neighbors would like to comment, they can do so. But while I have my five minutes, can you please introduce yourselves, since this is the first time that quite a few of us have been here, and we have no idea who you are.

Theresa Santiago: I'm Theresa Santiago.

Corrine Tuncy: And Theresa, what is your status?

Theresa Santiago: I am a Planning Board member.

Glen Plotsky: Ma'am, we'll identify them by name, they are all Planning Board members.

Craig Wagner: Craig Wagner.

Derek Wilson: Derek Wilson.

Bob Vicaretti: Bob Vicaretti:

Corrine Tuncy: I'm going to have trouble with your last name.

Bob Vicaretti: It's in the phone book, but I'll spell it for you. V-I-C-A-R-E-T-T-I.

Al Schock Alan Schock. S-C-H-O-C-K. Are there any other comments from the public? Will you step up to the podium?

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Tara Wheatly: My name is Tara Wheatly, I reside at 125 Berme Road. I think the biggest concern of the residents there, is if you put another multi-family residence in the the area, we don't know what type of housing it's exactly going to be, aside from multi-family. But we've had issues of crime in the area of the existing Alexander Motel, and I understand that they are separate from each other. The concern is that there would be an increase of crime on the road, with the response time of the local police department, it's difficult to have the police respond in a timely manner, to address the issues, as they are occurring. We just don't want to see any more of our homes being decreased in value. It's a nice road, it's a quiet road, and I believe that the crime is the biggest issue for everybody. And I really hope that the board takes this into consideration. Thank you.

Michael Tuncy: Good evening, my name is Michael T. and I live at 128 Berme Road. Besides the crime, we have an existing motel, where people pull up in front of our house, people walk down the road, transactions are made and then they drive off. We've spoken to the police about it, and as far as things can be done, we just don't want that issue. There are kids in the neighborhood, it's a nice neighborhood. We just don't want anymore crime in the neighborhood. Thank you.

Al Schock: Are there any more comments?

Joe Obermyer: My name is Joe Obermyer and I live at 129 Berme Road, and I hadn't heard about any plans for the Alexander Hotel, but I thought I'd stop here tonight, to find out what's going on. When I first heard about it, I was concerned about this big building, how many units will be in there, and in my mind I was thinking fifteen, but tonight I hear that there is only going to be six. But my concern, is like all of my neighbors, which is, it may diminish the quality of the neighborhood, our quality of life. The Alexander Motel has been an ongoing problem. And if you will consider our neighborhood, as you make your decisions. I have a question for John. What did you do on the septic system, you said it's been evaluated, and it's deemed acceptable. Are you going to re-use the septic system that is there?

John Fuller: Yes.

Joe Obermyer: What about the leech field? Because if I recall, when the motel was built, everything tied into the Hotel, and there's that underneath Berme Road and up on top of the hill. And the parcels are separated now, and what is going to go on with that?

John Fuller: There was a septic system that was installed in the past decade, which is up above, and behind the hotel. We did a dye test, evaluated the tanks, the size of the tanks, and all of the issues concerned with it, and it's been satisfied and up to Code.

Joe Obermyer: The septic structure used to be across the street, what's going to happen with that?

John Fuller: It's not part of the property we're talking about, and it was abandoned sometime in the past. The current line is, the tank is adjacent to the building, in the back and up behind the building.

Joe Obermyer: Thank you for letting me speak again, and I'm not sure what ramifications these renovations are going to have on the neighborhood. Thank you.

Rita Obermyer: Hi, I'm Rita Obermyer,, Joe is my husband, and I'm really nervous about what is going to happen with the Alexander Hotel. I would like to tell you about a few things that have changed at our house. We go to bed at night with the front and back porch lights on. We had the garage door kicked in, and they've broken into our cars twice. I now have a huge barking dog, which my husband hates, because I'm afraid of what goes on. The police are not around at night. Just about a month ago, my son and I were outside with a flashlight and a huge wrench, trying to find the person who broke into my car, and I don't want to have anymore crime in the area. That's all I have to say.

Al Schock: Thank you. Any other comments from the public. You have about two minutes left.

Glen Plotsky: Can I just ask a question? With regard to the crime issues that you folks have raised. That's a separate property from the one that's being talked about tonight, correct. Now, to Mr. Fuller, different owners?

John Fuller: Completely different owners.

Corrine Tuncy: Do they know one another?

Glen Plotsky: I know Mr. Dean, that doesn't mean much of anything, but I understand the question. I just wanted the record to be clear, with regard to what facility we're talking about, and whether the owners are in common. I assume that, to the extent, that they are corporations, the owner, or maybe you know, and maybe you don't, but whether the principles of the owners of the motel are in common with the principles of the owner of the hotel.

John Fuller: My understanding is that they are totally separate entities, and they are not in common at all.

Rita Obermyer: It has been brought to my attention that the person that handles the motel, is also going to be in charge of the hotel.

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Al Scheck: How is that exactly?

Rita Obermyer: I can't tell you that, my source.

Glen Plotsky: No, in what capacity, not who told you, but in what capacity? In other words, is the superintendent from the motel supposed to be the superintendent of the hotel?

Rita Obermyer: That is what I had heard.

Glen Plotsky: That's fair that you tell us that, because now we can ask, and perhaps restrict that, if that's a concern that the board shared.

Rita Obermyer: I just wanted to bring that up. Thank you.

Corrine Tuncy: I have a question for the board.

Al Scheck: Please come to the microphone.

Corrine Tuncy: Trust me, I have a voice, you will hear it.

Al Scheck: You have to speak up, because we are recording this, so you have to speak up.

Corrine Tuncy: My question is actually for the board. Are you making your final decision today? Only because the reason why a lot of us have come out, is that we are under the assumption that the final decision will be made today. A lot of additional homeowners in the area of Berme Road did not come out today, but if I can share with them that this is not the final decision, you will see more and more residents of Berme Road attending board meetings.

Al Scheck: You have to understand something that this is zoned for this, so this person has a right to do this.

Corrine Tuncy: Correct.

Al Scheck: And we as a board, understand our neighbors here, and we want to protect you too. So, that's why we're here for the public, to address your issues or comments that will affect you. But, the property owner still has a right to do this, it's in the zoning, he's doing everything proper. So, we will address your comments, and as Mr. Plotsky said, that's a separate issue, that's enforcement. We don't do enforcement, we don't restrict a man's right to do what he wants, that is legitimately okay with his property.

Corrine Tuncy: When did he purchase the property and when were things of this nature made? Because the for sale sign is still on the property.

Al Scheck: This application started July 17th. When an application like this comes before us, protocol is that the applicant is required to notify everyone within the property lines within 200 feet.

Glen Plotsky: 400 feet.

Al Scheck: It used to be 200 feet, now it's 400 feet. Now just because you live on Berme Road, if you're not 400 feet within the property line, you're not required to be notified. But everyone who is located within 400 feet of the property line is notified about this application.

Derek Wilson: By registered mail, and there's a public notice in the newspaper, and it's also posted at town hall.

Glen Plotsky: In answer to your question, it is likely that the public hearing will be closed this evening, at which point, there will be no further input. The determination, the board has up to 60 days to render a determination, put whatever conditions they deem appropriate, etc., if they grant an approval. If they don't within that 60 day period, then by default, the applicant gets whatever he wants. I don't think that that has ever happened, at least not with this board. So, I think that addresses those two issues. And for the boards' edification, since the whole reason that the matter was put over to this evening, was a concern with regard to the publication,. At this juncture, there was one individual who was on the mailing list, and just for purposes of disclosure, and I've told Mr. Fuller, happens to work for me. Although it appeared that notice was sent to her, she indicated that she did not receive it, when the last hearing was open. Because of that information, coupled with the fact that she indicated that she would like to speak tonight, which she has done, I asked and suggested to the board that the hearing be held open. It's been held open, she was given the opportunity to come, she actually spoke, and many of her neighbors, as you see, have come. I have no issues with regard to the publication, at this

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juncture, which would necessitate holding the hearing open. I just wanted the board to be aware of that, and hopefully that answers some of this young lady's questions with regards to the procedures and when things might happen.

Corrine Tuncy: Just a question. Can the owner limit the type of individuals that he can rent out to?

Glen Plotsky: That's called a Constitutional question, and no.

Corrine Tuncy: I'm inquiring only because, it's a motel..

Al Schock: Ma'am we understand your concerns, we live here, this was one of our biggest concerns, I drive by the Alexander, and I understand, I know it's a problem, and we all looked at this concern. We don't want this to be a problem like there is next door. And it's good that you came, and we didn't know that that was a big problem. This is a different thing, this is an apartment complex, which we have at Tudor Gardens. This is going to be a six family apartments.

Glen Plotsky: This will be a multi-family residence, it's not a motel, it's not a boardinghouse, and subject to who the owner contracts with, in terms of who he rents to, unless he repeatedly rents to people who pay for a month, and then stops paying, that would really only be the only way that you would get a whole lot of transition at that location. So, I wouldn't expect a whole lot of transients. It's not going to be a motel, it's not going to be a boardinghouse, it's basically going to be a six single bedroom apartments, that happen to be in a building, that, by the way, has been there longer than you've been alive, I've been alive, well, there might be a few people in the room who might be a little older than the building, but no more than that.

Al Schock: We understand your concerns, and we're trying to do it, with the best of our means. But like I said, the applicant does have a right to do it, and we're trying to make it work. We have to make it work for him, and also to do what is best for you. We have no right to say that he can't do it.

Corrine Tuncy: I'm trying to get as much information as possible, so that I can make a decision, in terms of my property.

Derek Wilson: Basically, aside from whatever is done with the property, the owner is now bringing the building up to Code, and he has to essentially, has to build a brand new six unit apartment building. He has to adhere to the fire code, has an emergency generating system, a septic system, everything, so it's not going to be in his best interests to rent this to anybody, who he is not going to get a maximum return from. The chairman was saying to, we have Zoning, and what he is proposed, he is allowed to do in this zone.

Corrine Tuncy: And in terms of the individual, that he will be hiring, is all insured and things of that nature, the board has taken a look into that? This is my first time at a town meeting, so I'm not sure..

Al Schock: We look at zoning here. And if and when this is approved, you'll have to talk to the police or the building department for issues that arise out of people who are not adhering to the rules.

Derek Wilson: From everything I've heard, the problem is with the motel, and you would have to talk to the town councilman, there's one of them right there, and they have to put pressure on, and let the police know.

Al Schock: These three board members are from your side of town, so they have an interest in this too. And we have laws that we have to abide by, and we're trying to do the best for the residents that are there. This man has a right to do what he wants with property, within zoning. Are there anymore comments from the public?

Bob Vicaretti: Were there any written comments?

Secretary: No, no written comments.

Derek Wilson: Is there anything you want to say on the record?

John Fuller: I don't know if the board wants me to respond to the public comments tonight or not?

Derek Wilson: I would suggest that we close the public hearing, so we don't get into a back and forth, so I'll make a motion that we close the public hearing

Bob Vicaretti: I'll second that.

Al Schock: All in favor?

Theresa Santiago: Aye.

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Craig Wagner: Aye.

Derek Wilson: Aye.

Bob Vicaretti: Aye.

Al Schock: Aye.

Motion carried.

Public hearing closed at 7:37 p.m.

Respectfully submitted,

Barbara Brollier, Secretary