

The Deerpark Planning Board met for their bi-monthly meeting on Wednesday, June 23, 2010 at 7:00 p.m at Deerpark Town Hall, 420 Route 209, Huguenot, N.Y. The following were present:

BOARD MEMBERS

Willard (Skip) Wilson, Chairman
Derek Wilson

Theresa Santiago
Noel Malsberg

Mike Breitenfeld
Willard Schadt

OTHERS

Mr. Glen A. Plotsky, Town Attorney
Mr. Mike Hunter, Alternate Planning Board member
Mr. Peter Cirillo, Architect
Mr. Tom Markle, Summit Research

Mr. Alfred A. Fusco Jr., Town Engineer
Mr. Al Lipman, Esq.
Mr. Bill Greenlaw, Summit Research

THE PLEDGE OF ALLEGIANCE

PEENPACK MEADOWS SUBDIVISION

Represented by Mr. Al Lipman & Mr. Brad Cleverley, PE 291-8650
Owner/Applicant - Harbour Real Estate Management, LLC is creating an 18 lot subdivision on property located off of Peenpack Trail, Huguenot, N.Y.
It is within the HMU Zone.
Section 62, Block 1, Lots 6-11, 14; Section 62, Block 3, Lots 4-9;
Section 62, Block 4, Lots 4-19 and Section 62, Block 5, Lot 1;
Application received March 5, 2003

Mr. Lipman said that he has submitted to Mr. Plotsky, the various instruments that will be required to affect the dedication of the public road in the first section, and the drainage easement across one of the lots in section one, and the offers of dedication for each of those. He said that the developers agreement that he received from Mr. Plotskys' office was not the correct agreement.

Mr. Plotsky said that he will send Mr. Lipman the correct developers agreement within the next two to three days. He said that Mr. Lipman has provided his office with various proposed dedications and easements and related documentation, which he will double-check. He said that one condition of approval is a swap of properties between two homeowners, who already reside in the development and the developer. He said for the record, that one of his law partners is representing those two homeowners, with regard to the transfer, and he said that he will make sure that everything is cleared up, with regard to this matter.

Derek Wilson clarified that this project approval will be for three lots.
He asked that the larger parcel that is left over, if it receives preliminary approval, is there a time limit that the preliminary approval will expire?

Mr. Plotsky answered that he thinks it is a one year approval, and then the applicant can get a 6 month extension.

Mr. Lipman said that it is a 3 year approval, that is, three years from the time that his client files the first section. He said that when he was before this Board on May 12, 2010, he indicated at that time, that this would be for final approval of section one, and also some time of final approval for the other two sections.

Derek Wilson said that the project should somehow be flagged, so that when the three years are up, the Board

should get a progress report, to know the status of the application.

Mr. Plotsky said that when this project gets to the end, Mr. Lipman needs to clarify his intentions, with regard to bonding, building the road, in the first section. He said that there will also be an inspection escrow that will have to be established. He said that he will get an update to the Board when the developers agreement is approved by all parties.

Mr. Lipman and Mr. Plotsky agreed that there is no time clock running, with regard to the working of the process on this application.

Mr. Lipman acknowledged that the time on this application is unlimited at this point, until he says that it's over, and then he will give the Board 30 days to make a final decision.

Mr. Lipman said that he will call the secretary, to be put on an agenda, when they are ready to come back before the Board.

SUMMIT RESEARCH INC.

Represented by Bill Greenlaw & Tom Markle Applicants & Peter Cirillo, Architect 973-800-3798

Owner/ Applicant Summit Research wishes to build an addition of 25,000 square feet warehouse and replace one existing spray dryer, on property located on Big Pond Rd., Huguenot, N.Y.

It is an HMU Zone.

Section - Block - Lot = 38-1- 73 & 81.1

Application received June 21, 2010

ZBA granted variances on June 17, 2010

Mr. Cirillo said that he has prepared new drawings, which are still a work in progress. He said that there is still some missing information on this maps, such as updated topography, including contours and grading and landscaping. He said that the ZBA did grant variances for parking and the height of the dryer unit addition to an existing building last week. He said that during the ZBA public hearing, there were concerns from the public, so he said that he will be answering those technical questions, and Bill Greenlaw will be addressing the issues that came up in the public hearing, pertaining to the company, the companies' product and the process of what the company actually does. He said that the major portion of this project is to make an "in fill" between two existing buildings. He said that the, concerning the two story building, the lower level of that building will match the floor elevation of the warehouse that is closer to Grange Road; and the upper level of that building will match the floor elevation of the building to the left of the two story addition. He said that that building will also house a new 50' dryer unit. He said that since the Town Zoning Code specifies that maximum height is 35', the applicant did obtain a variance from that zoning section of the Law. He said that there is already some existing parking located near to where the proposed two story addition is planned, and that a new parking lot will also be created. He said that there is also a ramp coming from that parking lot to the warehouse (indicating it on the site plan for the Board). He said that the new entrance gate is moved over, so that it lines up with the aisle way of the new parking lot. He said that the existing sliding gate, off of Grange Road, will be re-located to in front of the proposed warehouse. He said that "swing gates" will still be located at their same location, because the box trucks will still be coming up to the loading docks. He said that there is now an existing 6,000 square foot warehouse, and a proposed loading dock for that building will be partially inside the building, and partially digging out grade outside, so that the tractor trailer can back into the dock and unload.

Mr. Plotsky said that all proposals and additions should be put on the new site plan, so that it is accurate and reflects what is on the ground, and there will be no issues, just in case someone complains.

Al Fusco went over his technical review, dated June 24, 2010. He said that there is a side yard that exists and is non-conforming, and he is fine with it, because it's not really changing. He said that since removing the curb cut, a sight distance needs to be shown on the map. He said that landscaping, such as showing trees and shrubs, needs to be put on the plans. He said that the lighting plan should show some isometrics. He said that the ZBA

variances that the applicants received, need to be put on the map. He said that some pre-cast curbing is shown on the map.

Mr. Cirillo answered that those are just parking bumpers.

Al Fusco asked about the design of the parking "islands."

Mr. Cirillo answered that they will be painted. He also said that concerning the islands, they will be asphalt in the middle, spread out to grass on the ends.

Al Fusco said that there is additional impervious area, that needs to be handled for the stormwater, and the applicant needs to indicate how they will deal with that, for example, by a rain garden or a buffer garden, dry wells, etc.

The Board determined that the property is located within 500' of State Highway 209, so Al Fusco said that he will send additional plans, that the applicant will provide him, to both the NYSDOT and Orange County Planning. He said that as soon as Mr. Cirillo gets the updated plans to him, he will then send them to the two above agencies, and the 30 day clock will start, for their comments.

Al Fusco asked that Mr. Cirillo put a little location insert on the new plans, as the County will ask to see that little map.

Willard Schadt asked about the retaining walls that will be removed?

Mr. Cirillo said that basically the wall of the building, will be the retaining wall. He indicated on the map a retaining wall, which he said is an old wall.

Willard Schadt read from the plan... "existing retaining wall to be removed." He also asked, is this wall 1', or 10', or what?

Mr. Cirillo answered that that is actually an old retaining wall, but there is a different retaining wall there now. He said that in either case, when the existing retaining wall is removed, the earth will be re-graded and the building will be used to retain the earth. He said that he is not sure if there will be no necessity for any additional retaining wall, but will get that information to the Board, when he himself, gets that information from the surveyor.

MOTION

Derek Wilson made a motion to schedule a public hearing for the Summit Research Lab site plan application for Wednesday, August 11, 2010. Theresa Santiago second. Roll call vote: Santiago, aye; D.Wilson, aye; Breitenfeld, aye; Malsberg, aye; Schadt, aye; W. Wilson, aye. Motion carried.

COMMUNICATION FROM THE CHAIR

Skip Wilson acknowledged alternate Planning Board member Mike Hunter, who was in the audience.

Derek Wilson asked Mr. Plotsky about training for the Planning Board members.

Mr. Plotsky answered that it will be done, but a date has not yet been set.

DEERPARK VILLAGE - DISCUSSION

Al Fusco said that his office did a review of the draft FEIS, making a dozen changes. He said that this letter from Parish & Weiner (the applicants' engineering firm), dated June 21, 2010, is a letter, in response to his dozen or so changes. He said that the applicants' engineer did outright agree to approximately four of these changes, and approximately another four were modified with a word or two, and the approximately another four of Al's changes were contested. He said that Mr. Parish did present a chart, in reference to what the Planning Board had asked for. He said that he still has to totally review that chart. He said that now the Planning Board must review the applicants' comments here in this letter, and a workshop has to be scheduled.

The Board agreed to schedule a workshop for this application on Wednesday, July 21, 2010 at 7:00 p.m. at Deerpark Town Hall. The secretary said that she will call the Town Clerk to obtain the meeting room for that evening.

Glen Plotsky said that he will contact the applicants' legal counsel, Mr. Sachs, about a time extension.

Al Fusco said the he will contact the applicants' engineer, Mr. Parish, about a time extension.

ADJOURNMENT

Willard Schadt made a motion to adjourn. Derek Wilson second. Roll call vote: Santiago, aye; D. Wilson, aye; Breitenfeld, aye; Malsberg, aye; Schadt, aye; W. Wilson, aye. Motion carried.

Meeting adjourned at 8:10 p.m.

Respectfully submitted,

Barbara Brollier, Secretary