

DEERPARK PLANNING BOARD - MARCH 27, 2013 - PAGE #

The Deerpark Planning Board met for their bi-monthly meeting on Wednesday, March 27, 2013 at 7:00 p.m at Deerpark Town Hall, 420 Route 209, Huguenot, N.Y.
The following were present:

BOARD MEMBERS

Al Schock, Chairman Theresa Santiago Mike Hunter Bob Vicaretti Craig Wagner

OTHERS

Mr. Alfred A. Fusco, Jr., Town Engineer Mr. Glen A. Plotsky, Town Attorney
Mr. David Dean, Town Board Liaison Mr. Harold Butler, Applicant
Ms. Lana Han, Esq. - Dragon Springs Buddhist, Inc. Mr. Tim Gottlieb, Gottlieb Engineering

THE PLEDGE OF ALLEGIANCEHAROLD BUTLER - PRE-APPLICATION CONFERENCE

Represented by himself 856-4310

Owner/ Applicant Harold Butler is seeking a lot line change with next door parcels owned by his father and brother, on property located at 24, 30 and 34 Delaware Dr., Sparrowbush, N.Y.

It is in the HMU zone.

Section – Block – Lots= 60 – 1 – 51.1 & 51.2 & 52

Mr. Butler presented a survey of the property and explained the lots, and showed where it would be advantageous to combine them, as the entrance to the middle lot goes back to a part of the third lot, and if that middle lot were sold, there would be no entry to that third lot. He showed the existing lot lines and said that he is starting with four lots and will end up with three.

Glen Plotsky said that this would be a lot consolidation.

Al Fusco said that because there are three different owners, all of their names have to either appear on the application, or an affidavit asserting the correct property owners. He also said a current survey will be needed and a metes and bounds description.

Al Fusco said that the escrow account for town engineering fees would be \$1,200, and town attorney escrow fees would be \$750.

Mr. Butler thanked the board.

GARY BUTLER SUBDIVISION - # 07-0501

Represented by Mr. Timothy Gottlieb, Gottlieb Engineering 794-5506

Owner/ Applicant Gary Butler wishes a 2 lot subdivision on property located on Franke Rd., Huguenot, N.Y.

It is in the RS zone.

Section – Block – Lot = 27 – 1 – 16.22

Application received April 30, 2007

Mr. Gottlieb said that this is a continuation of an application from 2007, and back then there was a hiatus and now the applicant is back for another public hearing.

DEERPARK PLANNING BOARD - MARCH 27, 2013 - PAGE #

Al Fusco referred to his technical memo, dated March 13, 2013, It read:

1. Provide driveway maintenance agreement and show cross easement agreements. The agreements are to be suitable to the Town Planning Board Attorney.
2. Note to be added-Highway Superintendent to be notified prior to any work in the right-of-way.

Al Fusco said that there are some sight distance issues here.

3. Board comments.

MOTION

Hunter made a motion for lead agency. Vicaretti second. Roll call vote: Santiago, aye; Hunter, aye; Wagner, aye; Vicaretti, aye; Schock, aye. Motion carried.

MOTION

Santiago made a motion to schedule a public hearing for Wednesday, April 24, 2013 at 7:00 p.m.. Hunter second. Roll call vote: Santiago, aye; Hunter, aye; Wagner, aye; Vicaretti, aye; Schock, aye. Motion carried.

MARTEL SUBDIVISION - # 03-0501

Represented by Mr. Timothy Gottlieb, Gottlieb Engineering 794-5506

Owner/ Applicant Chad Martel is seeking an extension for the conditional final approval for an 8 lot subdivision on property located off of Wilson Rd., Sparrowbush, N.Y.

It is in the RRC zone.

Section – Block – Lot = 23 – 1 – 62.32

Application received October 11, 2007.

Mr. Gottlieb said that conditional final approval was received in October 2012, and the applicant is asking for another 6 month extension.

Al Fusco referred to his technical memo, dated March 27, 2013, It read:

1. The project has received extensions before, the NYS Governor's office had informed us during the recent recession, that projects could receive additional extensions due to the difficult economical climate.

2. Board comments.

MOTION

Vicaretti made a motion to extend the Martel conditional final approval to September 25, 2013.

Wagner second. Roll call vote: Santiago, aye; Hunter, aye; Wagner, aye; Vicaretti, aye;

Schock, aye. Motion carried.

DEERPARK PLANNING BOARD - MARCH 27, 2013 - PAGE #DRAGON SPRINGS BUDDHIST INC. - # 10-0401

Represented by Ms. Lana Han Esq. 754-7400

Owner/ Applicant Dragon Springs Buddhist Inc. is submitting a new site plan,, so they can obtain their special use permit, on property located at 140 Galley Hill Rd., Cuddebackville, N.Y.

It is in the RR Zone.

Section –Block –Lot = 31 - 1 - 21.22

Application submitted January 2, 2013.

Ms. Han said that her client is submitting the re-prints of their prior submissions. She said that from the last meeting, she understood that the Planning Board would like to schedule another public hearing, so they are here tonight.

Al Fusco referred to his technical memo, dated March 27, 2013, It read:

1. We have checked and a new application has been received with fees. The application was for special use permit, the form should be amended to include site plan re-approval. No additional fee would be required.
2. The applicants' representative has informed me they are prepared to move forward with site plan re-approval and public hearing.
3. We require that the applicant submit a new site plan that includes the current submittal and also the other site plan items including, but not limited to parking, lake expansion improvements, erosion control Stormwater Pollution Prevention Plan (SWPPP) and certifications.

Al Fusco said that this packet (#3 above) needs to be sent to the County, under General Municipal Law, 239.

4. Board comments.

Al Fusco asked the owner to allow his office to change the new application to read “site plan re-approval and special use permit.”

The owner answered yes.

MOTION

Santiago made a motion for lead agency. Wagner second. Roll call vote: Santiago, aye; Hunter, aye; Wagner, aye; Vicaretti, aye; Schock, aye. Motion carried.

MOTION

Hunter made a motion to schedule a public hearing for Wednesday, May 8, 2013. Vicaretti second. Roll call vote: Santiago, aye; Hunter, aye; Wagner, aye; Vicaretti, aye; Schock, aye. Motion carried.

APPROVAL OF MINUTES - MARCH 13, 2013

Santiago made a motion to approve the minutes from the March 13, 2013 minutes. Wagner second. Roll call vote: Santiago, aye; Hunter, aye; Wagner, aye; Vicaretti, aye; Schock, aye. Motion carried.

DEERPARK PLANNING BOARD - MARCH 27, 2013 - PAGE #

COMMUNICATION FROM THE TOWN ATTORNEY

Glen Plotsky said, concerning the Eddy Farm, True Warriors Ministries application, that it's no particular secret that Kittatiny Canoe is in negotiations to get a signed contract, so that they will be the livery to get that access, and he would like to disclose that his office has been attorneys for Kittatiny Canoes for over twenty years, so John Fuller, the applicants' engineer, has requested of his office to do the easements, and Mr. Plotsky asked if any Planning Board member has a problem with that.

The board members said that it is okay.

COMMUNICATION FROM THE TOWN BOARD LIAISON

David Dean told the Board that the Town Board, on Monday evening, March 25, 2013, had approved the new Town Zoning Law, and there are a number of special uses that are now permitted uses, which gives citizens an easier process. He said that the board will receive copies, when it is all put together. He said that if something is a continual problem with any part of the Law, then the Town Board can always go back and alter the wording, and make it easier for the citizens.

Glen Plotsky said that for a period of time the board will be basically working with two Town Laws, until such time that the new Law becomes effective. He said that once the final copies are generated, given to the Town Clerk and filed with the State, then it will become Law.

Al Fusco said that it will take approximately two months. He said that on old applications, if SEQRA was done, or an applicant has preliminary approval, then the applicant is still under the old law.

Bob Vicaretti asked if an applicant had started under the old zoning, and then finding that he is less restrictive under the new zoning, can he come back with a new application under the new zoning?

Al Fusco answered yes.

Dave Dean said that at the Dragon Springs public hearing, the applicants should get a number to the board. He said that if they require a mass gathering permit, it would be helpful for the town to know, so they can be prepared for emergencies.

Glen Plotsky said that if the applicants are going to have a mass gathering, they would have to get special permission, whether it be from the Planning Board or the Town Board.

Al Fusco said that he will draft up a resolution for this applicants' special use permit.

Dave Dean said that for a mass gathering permit, there may be a cost to the town by the applicants, for the preparations and emergency accommodations.

Glen Plotsky said that the town already has a mass gathering Law, and the Town Board is just trying to re-vise it, to make it more current.

DEERPARK PLANNING BOARD - MARCH 27, 2013 - PAGE #

ADJOURNMENT

Santiago made a motion to adjourn. Hunter second. Roll call vote: Santiago, aye; Hunter, aye; Wagner, aye; Vicaretti, aye; Schock, aye. Motion carried.

Meeting adjourned at 8:48 p.m.

Respectfully submitted,

Barbara Brollier, secretary