

DEERPARK PLANNING BOARD - APRIL 10, 2013 - PAGE #

The Deerpark Planning Board met for their bi-monthly meeting on Wednesday, April 10, 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
Willard Schadt

Theresa Santiago
Craig Wagner

Bob Vicaretti
Derek Wilson

OTHERS

Mr. Alfred A. Fusco, Jr., Town Engineer
Mr. David Dean, Town Board Liaison
Mrs. Mervi Stack, Applicant

Mr. Glen A. Plotsky, Town Attorney
Mr. Alan Lipman, Esq.
Mr. Victor Roussos, Applicant

THE PLEDGE OF ALLEGIANCEPEENPACK MEADOWS SUBDIVISION - # 03-0802

Represented by Mr. Alan Lipman, Esq. 294-7944

Owner/ Applicant is seeking a subdivision on property located off of Peenpack Trail, Huguenot, N.Y.

It is in the HMU zone.

Section – Block – Lot = 62 – 1 – 11 & 14

Applicant is seeking a 6 month extension

Alan Lipman said that one of the conditions of the approval was that the owners of the subdivision, Mr. & Mrs. Buzzelli and Mr. & Mrs. Burns, are to close the titles, and he said that the project is moving forward, because the titles will be closed this month. He said that the board gave preliminary approval of section one, and an overall approval of the entire project.

MOTION

Wilson made a motion for the board to extend the preliminary approval of section one, and the overall concept plan, previously filed with the board, for a period of 6 months, that date being October 9, 2013, with the understanding that the applicant can return for additional extensions, due to current economic circumstances and the economic climate, and if the applicant so chooses, he may request such extensions, as they seem appropriate, by correspondence, versus the need for the applicant to appear before this board. Santiago second. Roll call vote: Santiago, aye; Wagner, aye; Wilson, aye; Schadt, aye; Vicaretti, aye; Schock, aye. Motion carried.

Mr Lipman thanked the board.

VICTOR & YANA ROUSSOS - # 12-0602

Represented by Victor Roussos

Owners/ Applicants Victor & Yana Roussos located on Galley Hill Road, Cuddebackville, N.Y.

It is in the RR (Rural Residential) Zone.

Section –Block –Lot = 31 - 1 – 48.22

Application submitted March 25, 2013

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Mr. Roussos said that he had received a variance from the ZBA, and said that it is a five acre parcel, and he wishes to split off a two acre parcel.

Al Fusco referred to his technical memo, dated April 2, 2013: Comments:

1. Please provide a copy of the ZBA approved variance regarding lot #2 minimum road frontage. Also place note on map of variance received.

The secretary gave a copy of the zba resolution to the town engineer this evening.

2. Deep pit and percolation witnessed tests required for lot #1.
3. Design of sanitary system based on witnessed soils tests.
4. Location of new and existing septic and wells with separation distances.
5. Verification of dates for previous subdivision of the present lot; over 5 must go to Orange County Department of Health.
6. Site plan for lot #1 with topo, layout, setbacks, well, septic and house location.
7. Erosion control and drainage plan.
8. Bulk table.
9. Wetland delineation.
10. Board comments.

The board directed Mr. Roussos to have his engineer make these changes, and come back, so that the board can schedule a public hearing.

ROCK CITY MEDIA - # 12-0503

Represented by Mr. Doug Barthel 679-6441

Owner/ Mervi Stack; Applicant/ Rock City Media wishes to erect a digital sign on property located at 83, 85 S. Maple Ave., Town of Deerpark, Orange County, N.Y.

It is in the IB zone.

Section - Block - Lot = 57 - 3 - 3.1 & 4.2

Application received May 15, 2012

Applicant received a variance on February 21, 2013

Applicant did telephone that he would not be able to appear this evening, and is re-scheduled for the April 24, 2013 meeting.

MERVI STACK - # 13-0202

Represented by herself

Owner/ Applicant Mrs. Stack wishes to re-open a restaurant, located at 87 S. Maple Ave., Town of Deerpark, Orange County, New York.

It is in the IB zone.

Section - Block - Lot = 57 - 3 - 4.1

Application received December 5, 2012

Al Fusco reviewed his technical memo, dated April 10, 2013: Comments:

1. We have received a survey from a New York surveyor, approximately 1/3 of the building and 1/4 of the lot is in Deerpark.
2. Town Planning Board Attorney to decide with both Deerpark and Montague, N.J., who will be the lead on this project.

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3. If Deerpark is lead, we need the following from a licensed engineer:
 - a. Site plan.
 - b. Bulk Table
 - c. Parking calculations
 - d. Septic certification including capacity
 - e. Well certification and test results
 - f. Erosion control
 - g. Sight distance
- 4.. Board comments.

Glen Plotsky said that the main issue is, which state is the well and septic in. He said if they are in New York, then this board would take the lead agency, with regard to those issues. He said that if they are in New Jersey, then they would take the lead agency. He said that the Montague Land Use Board are not enamored with the concept of just kind of following this Planning Boards' lead. He said that they are definitely involved with the parking, because that is entirely in the state of New Jersey, and they will be involved in the highway access, and the applicant will have to abide by their regulations.

Willard Schadt in reviewing the site plan, stated that the well and septic, look to be located in New York.

Mrs. Stack said that yes, the well is in New York, and since the existing septic is in New Jersey, a new septic will be dug in New York, and the old septic will just be filled in. She indicated on the map where the new septic will be built.

Bob Vicaretti asked about the width of the leech field, as it is narrow at that location.

Al Fusco answered that the engineer will be able to figure out where to locate it, as there is enough land.

Glen Plotsky said that the applicant can only get a liquor license from New York State.

Al Schock commented that she should get New Jerseys' regulations, concerning her patrons taking liquor from her establishment, which will be located in New York, into New Jersey, and find out if she will be liable for an illegal action, that is, a customer of hers, takes the liquor over the state line.

The board recommended that she get something in writing from Montague, New Jersey that the liquor, taken over state lines, would be allowable.

Glen Plotsky said that he will write a letter to the attorney of the Montague Land Use Board, and get verbiage, as to which board is doing what, and also during this time, Mrs. Stack can contact New Jersey and see what kind of verification she can get, concerning the serving issue, between the two states.

Mrs. Stack thanked the board, and said she will get back to the board.

COMMUNICATION FROM TOWN ATTORNEY
GARY BUTLER SUBDIVISION

Glen Plotsky said that the board had directed that this applicant prepare a cross access and maintenance agreement, prior to his approval, and the applicant had come to his office and asked that his firm do it. He asked the board if they do not have a conflict, his firm will prepare these documents for Mr. Butler.

The board indicated that they had no conflict.

DEERPARK VILLAGE

Willard Schadt asked if the board members have to keep all of the documents that they have received over the years.

Mr. Plotsky answered no.

Al Fusco said that the applicants' engineer, Mr. Nat Parish, had contacted him, and asked if Mr. Fusco would file his plans for him, and offered to pay additional escrow for that function. He said that he attempted to file the plans, but the plans were not file-able because the County wants no contour lines on the plans to go through any letters or numbers, for example; and after a few back and forths, the actual document is being filed tomorrow with the County Clerk, and take that filing, and file it with the Town Clerk.

COMMUNICATION FROM THE TOWN BOARD LIAISON

Dave Dean said that the new Zoning Law books will be printed next week.

Al Fusco said that the new zoning will be filed in Albany, so the town will still be working under the old zoning, until he contacts the board, when they can start using the new zoning.

APPROVAL OF MINUTES - MARCH 27, 2013

Wilson made a motion to approve the minutes for the March 27, 2013 meeting. Santiago second. Roll call vote: Santiago, aye; Wilson, abstain; Wagner, aye; Schadt, abstain; Vicaretti, aye; Schock, aye. Motion carried.

ADJOURNMENT

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

Meeting adjourned at 8:48 p.m.

Respectfully submitted,

Barbara Broliier, secretary

