

DEERPARK PLANNING BOARD - APRIL 24, 2013 - PAGE #

The Deerpark Planning Board met for their bi-monthly meeting on Wednesday, April 24, 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 Mike Hunter Bob Vicaretti Craig Wagner Willard Schadt

OTHERS

Mr. Alfred A. Fusco, Jr., Town Engineer

Mr. Glen A. Plotsky, Town Attorney

Mr. David Dean, Town Board Liaison

Mr. Tim Gottlieb, Gottlieb Engineering

Mr. John Fuller, Civil Engineer

Mr. Doug Barthel, Applicant

THE PLEDGE OF ALLEGIANCEGARY BUTLER SUBDIVISION - PUBLIC HEARING - # 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

SEE ATTACHED PUBLIC HEARING RECORD

Mr. Gottlieb addressed the existing culvert by saying that when the driveway is put in, it'll improve the drainage along that side of the road, and any water that comes down along that driveway will be directed to the south, and he indicated on the map where part of the water would go, and cross Franke Road, and then the balance of the water would go down to the culvert to the northeast. He said that he has already been directed to put a new culvert in there by the town engineer. He said that any water that comes off of the driveway will sheet-flow down in the areas he indicated on the map, so that all of the water will not flow onto Franke Road. He said that moving the driveway is a very difficult task, because of the large boulder located there. He said that as far as the wet areas, he said that he can walk the property with the town engineer and the highway superintendent.

Al Fusco concurred that there will be a site walk.

Bob Vicaretti said that the town will provide the improvements to the right and to the left of the culvert pipe, there will have to be the ditch dug deeper to handle that.

Tim Gottlieb answered yes, and he has to do that improvement to increase the sight distance and will include some work in the culvert and the drainage ditches.

Al Schock said that there is plenty of distance between the well and septic.

Tim Gottlieb affirmed that.

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MOTION

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

The board decided that the applicant would come back after the site visit.

BURNETT TRUCKING - #12-0504

Represented by Mr. John Fuller, Civil Engineer, 856-1536

Owner/ Applicant Burnett Trucking is seeking a site plan and special use permit on property located off of Route 211, Cuddebackville, N.Y. Section – Block – Lot – 22 – 1 – 54

It is in the HMU zone.

Application received August 8, 2012.

John Fuller said that at the last meeting in January 2013 there was one pending issue, which the town engineer asked his client to address, and that was concerning the NYSDOT approval regarding the driveways. He said that NYSDOT really had to issues at all with the Route 211 driveway, but that they did have an issue with the Route 209 driveway, in that they wanted an adjustment of moving the driveway down a little bit, and to have a posted sign within 500 feet on both sides of Route 209, indicating a truck entrance.

Al Fusco reviewed his technical memo, dated April 24, 2013:

1. All my technical requirements have been completed;
2. NYSDOT has signed off;
3. A building permit and NYSDOT permit is required;
4. Board comments.

Al Fusco wished to note that the NYSDOT needs to issue a permit for the work in the right-of-way, however, they will not issue a permit, until the applicant gets approval from this board. He said that then a building permit will be issued for the improvements as well.

Willard Schadt asked if the town engineer is satisfied with the erosion control measures?

Al Fusco answered that the applicant has provided silt fence, some check dams and things of that nature which are standard, some siltation ponds, and he said that yes, he is satisfied.

Bob Vicaretti asked if there was a reference to setback or trees or something?

John Fuller answered that NYSDOT does not want any planting along the right-of-way, because it will obstruct the sight distance, and they actually made the applicant move the driveway down. He said that NYSDOT also requested that the driveway be moved farther away from the old firehouse property, as there are requirements that the driveway has to be a certain distance off of a property corner. He said that NYSDOT also requested wider radius' on the driveways, to improve the performance of the trucks when they exit and enter.

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Al Fusco agreed with John Fullers' assessment.

Bob Vicaretti said that one of the comments at the public hearing was the headlights shining into the homes that are located across Route 209.

John Fuller answered that it will be mitigated by the hours of operation, which will be controlled.

Al Fusco said that the hours of operation are listed on the map as 7 a.m. to 7 p.m. six days a week, Monday through Saturday.

Al Schock read the negative declaration: "In accordance with 6NYCRR Part 617 State Environmental Quality Review regulations, specifically 617.7 determining significance, the Planning Board of the Town of Deerpark has reviewed the projet application for the Burnett Trucking site plan. After thorough review of the application, plans, EAF, public comment, consultants comments, including review of the air quality, groundwater, stormwater, traffic, cultural resources, habitat, Town ordinance, Town Master Plan, impacts on energy, and impacts on the community, the Planning Board hereby proposes, by motion, that the above project will not result in any large or important impacts and therefore is one which will not have a significant impact on the environment. Therefore, we hereby issue a Negative Declaration for the above noted project."

MOTION

Schadt made a motion for negative declaration. Vicaretti second. Roll call vote: Hunter, aye; Wagner, aye; Vicaretti, aye; Schadt, aye; Schock, aye. Motion carried.

Willard Schadt asked about a note on the map concerning existing black top and improvements? He asked if this is an enforceable issue, in lieu of the problem with the dust?

Al Fusco answered yes, it is enforceable.

John Fuller clarified, by saying that a large part of that, will be addressed by a highway permit from the NYSDOT which is going to be required to replace that broken blacktop.

MOTION

Hunter made a motion for conditional final approval subject to payment of all fees. Vicaretti second. Roll call vote: Hunter, aye; Wagner, aye; Vicaretti, aye; Schadt, aye; Schock, aye. Motion carried.

MOTION

Vicaretti made a motion for approval of a special use permit for two years. Hunter second. Roll call vote: Hunter, aye; Wagner, aye; Vicaretti, aye; Schadt, aye; Schock, aye. Motion carried.

WINOGRAD SUBDIVISION - PRE-APPLICATION CONFERENCE

Represented by John Fuller, Civil Engineer 856-1536

Owner/ Applicant Marius Winograd wishes a 2 lot subdivision on property located at 1237 Route 42, Sparrowbush, N.Y.

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It is in the RR Zone.

Section - Block - Lot = 12 - 1 -

2

John Fuller said the applicants' driveway entrance is just south of the Rio Dam Road, and he has 46 plus acres, with a house and a barn and pastures in the back. He said that the applicant wants to give a piece of property to his ex-wife and her children. He said that Mr. Winograd wishes to give ten plus acres to her and he would retain the rest. He said that a well defined road meanders back through the property, and it is very steep in the back. He said that the proposed driveway off of Route 42 would meet with the well-defined road on the property. He said that the owner does not want a shared driveway with his ex-wife, so that is the reason for the proposed second driveway.

Al Fusco asked if there was good sight distance there?

John Fuller answered yes.

Al Fusco asked Mr. Fuller to show the sight distance and said that there would be a joint inspection in the future, and asked that the well be put farther away, than is indicated on this sketch plan.

Glen Plotsky gave his opinion that there should be some kind of demarcation, so that the new owners just don't think that they can access the second parcel through the original driveway.

The board agreed with Mr. Plotsky, and that a note should be put on the site plan, with the driveway issue.

Al Fusco told Mr. Fuller that his escrow for town engineering fees will be \$1,200 and that the town attorney escrow will be \$650.

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

Doug Barthel said that he cannot get NYSDOT approval until he gets this Planning Boards' approval.

Mr. Plotsky said that Mr. Barthel can however, present to the board that he has made application to NYSDOT.

Al Fusco said that he has to show the board that he meets the NYSDOT requirements. He said that the three signs that Mr. Barthel wishes to put up, the NYSDOT requires the signs to be 650

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feet apart, plus all of their other requirements, and Mr. Barthel needs to create the site plan according to their standards, because their standards have been adopted by the Town of Deerpark.

He said that Mr. Barthel needs to get these plans to him as quickly as possible, since he has to send them out to other interested agencies, such as Orange County Planning, NYSDOT, the town of Montague, New Jersey etc., according to State Law 239 GML, and a 30 day waiting period is required to hear back from those agencies. He also said that the town regulations says that the town has reserved up to 5% of the sign per year, at no charge to the town, to use for public service announcements, such as "I-84 is down to one lane," "Delaware River is washed out," amber alerts, etc.

Al Fusco referred to his technical review, dated April 10, 2013. Comments:

1. We need:
 - a. 24" X 30" stamped and signed drawings including survey, detail, structural plans, and specifications including calculations, wind load, seismic, etc.
 - b. A copy of NYSDOT permit application and approval of all requirements.
 - c. ZBA approval letter and add to site plan drawings.
 - d. Explanation of the digital format including frequency, light, etc.
 - e. Commitment for public service messaging.

2. Board comments.

Mr. Barthel thanked the board.

COMMUNICATION FROM THE TOWN BOARD LIAISON

Dave Dean told the board that Al Fusco has finished the new zoning law, and the books are being printed.

Al Fusco said that 25 copies will be given to various board members of the town, and 10 to the town clerk to sell to the public.

APPROVAL OF MINUTES - APRIL 10, 2013

Hunter made a motion to approve the minutes from the April 10, 2013 meeting. Wagner second.

Roll call vote: Hunter, aye; Wagner, aye; Vicaretti, aye; Schadt, aye; Schock, aye.

Motion carried

ADJOURNMENT

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

Meeting adjourned at 8:05 p.m.

Respectfully submitted,

Barbara Broliier, secretary