

The Deerpark Planning Board met for their bi-monthly meeting on Wednesday, June 22 2011 at 7:00 p.m at Deerpark Town Hall, 420 Route 209, Huguenot, N.Y. The following were present:

BOARD MEMBERS

Derek Wilson, Acting Chairman Dan Loeb Theresa Santiago Mike Hunter Willard Schadt Bob Vicaretti (alternate)

OTHERS

Mr. Glen A. Plotsky, Town Attorney Mr. Alfred A. Fusco, III., Town Engineer Mr. David Dean, Town Board Liaison
Mr. Karl Brabene, Town Supervisor Mr. John Fuller, Civil Engineer

THE PLEDGE OF ALLEGIANCE

THE HUB - #08-0602

Represented by Mr. John Fuller, Civil Engineer 856-1536
Owner/Applicant Dominick Alfieri wishes to modify the site plan for property on Route 6, Town of Deerpark, Orange County, New York.
It is in the IB Zone. Section – Block – Lot = 57 – 2 - 14
New application submitted May 25, 2011

John Fuller said that he was not at the last meeting, but believes that the last discussion was with regard to the karate studio, and that it could satisfy Code for things like life saving features, which he said that he did, and he prepared new plans, submitting one to the Building Department and one to Fusco Engineering.

Glen Plotsky said that at the last meeting, there is no problem with adding the karate studio, but the Board does have a problem with opening that karate studio, until various Code requirements can be met, and prior to this Boards' approval.

John Fuller said that he did prepare new plans that reflect all of the Code and life safety issues which he submitted to Fusco Engineering for review. He said that that is where the application, relative to the karate studio, is right now.

Glen Plotsky said that at the last meeting, there was also a discussion, as to the status of the parking, and although Dominick Alfieri, the owner, had no firm documents, he had indicated that there was a resolution, between himself and adjoining owner, Mr. Rizkallah, which may be satisfactory to the Board.

John Fuller answered that he cannot speak to that document tonight, and then asked Mr. Rizkallah, who was in the audience, about that agreement.

Mr. Rizkallah answered that when the agreement was a month to month agreement, but now has to be revised, to indicate a longer period of time, rather than month to month.

Willard Schadt said that the Board was very clear at the last meeting, that the parking needs to be resolved, before the applicant can come back with the karate studio.

John Fuller said that he believes that the issue was, "until the applicant gets an amended site plan approval." He said that Mr. Alfieri and himself are now working on that parking issue, and part of the condition was Orange County Health Department approval. He said that he had met with the Health Department last week, and they acknowledged that the septic has already been constructed, and their recommendation was to meter the building, to get an accurate indication of how much water will be used. He said that Mr. Alfieri was to install that meter this week, and he said that he believes that that was done. He said that for this application to go forward, the metering system will measure the actual usage of the water for a minimum of thirty days, as suggested by the Health Department, which will give them an idea of how much water is being used by Planet Fitness. He said that the septic system installed is for 2,500 gallon per day. He said that there is plenty of water, that is not the issue, but it's how much water will end up in the septic, that is the Health Departments' concern., and their re-approval is going to be contingent upon that. He said that because he does not have hard data to present to the Health Department, they are willing to accept metering for thirty days, based upon the design basis. He said that the Health Department has no specific regulations pertaining to gyms or health clubs. He said that the septic system was designed for 2,500 gallons per day, plus 100% expansion, which was not installed underneath the parking lot. He said that there actually is area for 100% expansion of the 2,500 gallons per day.

John Fuller said, concerning the water quality issue, he did a Part 5 test, because it's considered a public water supply, and he said that there were some discrepancies in the results, because the samples had been taken by the well driller and the Health Department questioned the results, because the water was taken directly from the well, not from a faucet in the building. He said that the Health Departments' recommendation was that parts of that water test be re-done, because of the amount of sediment and turbidity and stuff. He said that the test really didn't fail, there are no toxins or chemicals in the water, it is just above the acceptable levels. He said that it is not an issue of failure, just an issue of treatment. He said that based on the results, the treatment would have to be like a back-wash, which has to go into the septic, which was not accounted for, in the original design. He then requested a public hearing date for this application.

MOTION

Loeb made a motion to schedule a public hearing for the Hub application, for Wednesday, August 10, 2011. Santiago second. Roll call vote: Santiago, aye; Loeb, aye; Hunter, aye; Vicaretti, aye; Schadt, aye; D. Wilson, aye. Motion carried.

Willard Schadt asked for the parking arrangement to be submitted to the Board before the public hearing, so it will be clearly understood.

John Fuller answered that he will do that.

VINCENT GALLIGAN SUBDIVISION - #11-0204

Represented by John Fuller, Civil Engineer
 Owner/ Applicant Vincent Galligan wishes a 2 lot subdivision on property located at
 227 Oakland Valley Road, Cuddebackville, N.Y.
 It is in the RR Zone. Section - Block - Lot = 20-1- 64.14
 Application received February 23, 2011

John Fuller reviewed by saying that the last outstanding issue that the Board needed, was a joint soil inspection by the Town Engineers' firm and himself. He said that there was one failed perc, and then the system was revamped, and the perc did pass the second time.

MOTION

Hunter made a motion to grant conditional final approval for the Galligan Subdivision, subject to payment of all fees. Vicaretti second. Roll call vote: Santiago, aye; Loeb, aye; Hunter, aye; Vicaretti, aye; Schadt, aye; D. Wilson, aye. Motion carried.

COMMUNICATION FROM THE CHAIR

Derek Wilson asked about the status of the choosing of the Chairman for this Board, and did say that Planning Board member Al Schock was voted by the Town Board to be vice-chairman.

Mr. Plotsky said that the Law is that the Town Board appoints the Chairman. He said that the Planning Board members can make a recommendation, if they wish to do so. He said that Al Schock said that he will run the meetings until a Chairman is appointed.

Karl Brabenec said that the Town Board was going to appoint a temporary Chairman, but they couldn't contact Derek Wilson, so they did not appoint anyone yet.

Glen Plotsky said that if the Vice-Chairman is not at the meeting, and/ or the Town Board has not appointed a Chairman, then the Planning Board can select a Chair for that evenings' meeting, which, he said is what happened this evening.

Derek Wilson instructed the secretary to get the previous Chairmans' record book, which had each application listed, and pertinent information for each one.

The secretary answered that she will do that.

Derek Wilson asked the secretary to find out the status of old applications, and a letter should be written to those who have been inactive for a period of time.

Glen Plotsky said that the time period should be 6 months, and a letter written to all of those applicants who haven't been before this Board for the last 6 months, telling them that their application will be denied, if they do not contact the secretary within thirty days. He said that the application fee should be forfeited, and the application process will have to be started all over again, if the applicant does not contact this Board.

The secretary said that she will do that.

COMMUNICATION FROM THE TOWN BOARD LIAISON

David Dean, representing the Town Board, congratulated Mike Hunter on becoming a Planning Board member, and Bob Vicaretti on becoming an alternate Planning Board member, and said that they both will prove to be valuable assets to this Board, and look forward to them serving for a long time.

Willard Schadt asked if the Town Board will recognize the previous Chairman, Willard (Skip) Wilson, who served this Board faithfully for over ten years?

Dave Dean answered that at the Town Board meeting, held on June 20th, they did give him a verbal recognition, and the Town Board can come up with some kind of certificate.

Bob Vicaretti asked the secretary if Planning Board members get copies of site plans from the applicants?

The secretary answered yes, and that paper copies of plans are placed in each Planning Board members boxes in the Building Inspectors' office.

Karl Brabenec said that mailboxes will be set up in the fax room, so the members can get their maps and other mail whenever they're in the building.

Bob Vicaretti asked if he could get pdf files of the applicants' site plans?

Al Fusco answered that he can send those to him.

ADJOURNMENT

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

Meeting adjourned at 7:40 p.m.

Respectfully submitted,

Barbara Broliier, Secretary