

DEERPARK PLANNING BOARD - JULY 24, 2013 - PAGE #

The Deerpark Planning Board met for their bi-monthly meeting on Wednesday, July 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	Craig Wagner
Willard Schadt	Derek Wilson	Theresa Santiago

OTHERS

Mr. Alfred A. Fusco, Jr, Town Engineer	Mr. Glen A. Plotsky, Town Attorney
Mr. David Dean, Town Board Liaison	Mr. John Fuller, Civil Engineer
Mr. Victor Roussos, Applicant	Mr. Bernard Flanagan, Applicant

THE PLEDGE OF ALLEGIANCEBERNARD FLANAGAN & TRACY STEIN - PUBLIC HEARING - # 13-0505

Represented by Bernard Flanagan & Tracy Stein

Owners/ Applicants Bernard Flanagan & Tracy Stein wish to create a Sportsman Shop in their garage on property located at 72 Third St., Godeffroy, N.Y.

It is in the Neighborhood Residential (NR) zone Section - Block - Lot = 30 - 5 - 1.1

Application received May 22, 2013

SEE ATTACHED PUBLIC HEARING RECORD

Al Fusco stated that he has no issues with this application.

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 project application for the Flanagan/Stein sportsman shop application. 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

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

MOTION

Wilson made a motion for conditional final approval, based on the placement of exterior lighting and payment of all fees. Hunter second. Roll call vote: Santiago, aye; Hunter, aye; Wagner, aye; Wilson, aye; Schadt, aye; Schock, aye. Motion carried.

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Dave Dean stated that these applicants' have been very patient, and had been made to take too long of a time to get their project done.

BULLIS, JOHN & JANICE - PUBLIC HEARING -# 13- 0506

Represented by John Fuller, Civil Engineer 856-1536

Owners/ Applicants John & Janice Bullis wish a lot line change on property located at #60 & 68 & 74 Martins Rd., Huguenot, N.Y.

It is in the HMU Zone.

Section - Block - Lots- 49 - 1 - 16 & 17 & 18.1

Application received June 13, 2013

SEE ATTACHED PUBLIC HEARING RECORD

Willard Schadt stated that this application is terrific, and wishes that all lots could be improved in this way and other lots in the town could be cleaned up.

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 project application for the Bullis lot line change. 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 a negative declaration. Wagner second. Roll call vote: Santiago, aye; Hunter, aye; Wagner, aye; Wilson, aye; Schadt, aye; Schock, aye. Motion carried.

MOTION

Santiago made a motion for conditional final approval, based on payment of all fees. Hunter second. Roll call vote: Santiago, aye; Hunter, aye; Wagner, aye; Wilson, aye; Schadt, aye; Schock, aye. Motion carried.

ALEXANDER HOTEL - #13-0707

Represented by Mr. John Fuller, Civil Engineer

Owner/ Applicant / A. R. Realty Holdings wishes to covert the hotel into multi-family housing units, located at #1 Main St., Sparrowbush, N.Y.

It is an HMU Zone.

Section - Block - Lot = 47 - 3 - 4.2

Application received July 17, 2013

John Fuller said that currently there is an existing well and septic, which need to be tested, and confirm that they are going to be adequate for the proposed use, which will be six one-bedroom apartments within the building. He said that in order to accommodate it, under the special use parking, which would be provided, it involves cutting into the existing slope, and establishing a retaining wall, so that adequate parking can be demonstrated on the property. He said that there would be the necessary parking to accommodate the six apartments, as well as a retaining wall, and there is some proposed landscaping. He said that he is open to the boards' suggestions, as to landscaping. He said that most of the renovations would be to the building itself. He said that the original well is within the footprint of the building, and the septic was found and identified, and is documented in the town building department, and was put in approximately 15 years ago. He said that the well would have to be tested to accommodate the needs of this proposal.

Al Fusco referred to his technical memo, dated July 24, 2013:

1. Need notice as per GML239 (General Municipal Law 239);
2. Board to review landscape plan for acceptability and required buffer in front and sides;
3. Water tests and septic test to verify acceptability and certification of both by Engineer licensed in New York State.
4. The building is to be 10 feet from parking area;
5. The existing building has variances as to front and side yard by ZBA;
6. Parking calls for 2 spaces per unit, and 1 for sales; that's 13 and only 12 are shown;
7. Need fence on wall detail;
8. Need a letter from licensed engineer/architect as to the existing soundness and proposed conversion;
9. Building Code must be complied to;
10. Maintenance responsibilities are to be identified; also on site superintendence;
11. Stamped survey required;
12. Steep slopes are to be identified; area calculated over 15% to be noted;
13. Board comments.

Derek Wilson asked if there would be a common area for the six families?

John Fuller answered that there are currently decks, associated with the original structure. One is

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on the back, which is accessible from the second floor, and one is in the front, which is accessible from the second floor also.

Derek Wilson asked that a common area be created, especially for children. He expressed a concern about the parking also.

John Fuller answered that no parking will be in the front, because it is in the right-of-way. He said that a barrier can be placed in the front, so no one will park there. He also said that he can push the retaining wall back and pick up an extra parking spot. He said that a lot of structural work will have to be done.

Al Fusco asked about creating two bedroom apartments?

John Fuller answered that there is a problem with parking with two bedroom apartments. He said that the owner wants to have two one-bedroom apartments per floor, thus creating six apartments.

WINOGRAD SUBDIVISION = # 13-0503

Represented by John Fuller, Civil Engineer 856-1536

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

It is in the Rural Residential (RR) Zone.

Section - Block - Lot = 12 - 1 - 2

Application submitted May 1, 2013

John Fuller said that he has heard from NYSDOT, and has addressed their comments. He said that they have identified that the proposed driveway can be created at the proposed location,

Al Fusco said that he has reviewed the NYSDOT comments and Mr. Fullers' changes and he is satisfied.

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 project application for the Winograd subdivision. 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

Wilson made a motion for a negative declaration. Hunter second. Roll call vote: Santiago,

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aye; Hunter, aye; Wagner, aye; Wilson, aye; Schadt, aye; Schock, aye. Motion carried.

MOTION

Wilson made a motion for conditional final approval, based on the obtaining of a NYSDOT permit and payment of all fees. Schadt second. Roll call vote: Santiago, aye; Hunter, aye; Wagner, aye; Wilson, aye; Schadt, aye; Schock, aye. Motion carried.

VICTOR & YANA ROUSSOS – # 12-0602

Represented by themselves

Owners/ Applicants Victor & Yana Roussos

on property located at Galley Hill Road and Laviclin Lane, Cuddebackville, N.Y.

It is in the RR (Rural Residential) Zone.

Section –Block –Lot = 31 - 1 – 48.22

Application submitted

Al Fusco stated that he only received the second page, of what is supposed to be a two page map. After a little confusion, he was handed page #1.

Al Fusco referred to his technical memo, dated July 24, 2013:

1. The soils tests must be witnessed;
2. I need to see page 1 of 2, most of our previous comments have not been answered; we could be missing a page;
3. Board comments.

Al Fusco, in looking at the map, said that he is fine with this new map, except that the shallow percs still have to be witnessed before the public hearing.

Al Schock asked if the Planning Board could waive a public hearing, since the applicant already had one before the Zoning Board of Appeals?

Glen Plotsky answered that in according with the Ordinance, public hearings are only waived on lot line changes, and subdivisions must have public hearings before this board.

MOTION

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

MOTION

Wilson made a motion to schedule a public hearing for Wednesday, August 28, 2013. Santiago second. Roll call vote: Santiago, aye; Hunter, aye; Wagner, aye; Wilson, aye; Schadt, aye; Schock, aye. Motion carried.

Victor Roussos said that he will have his engineer contact Al Fusco.

The secretary said that she will get the public hearing notice to Mr. Roussos.

APPROVAL OF MINUTES - JULY 10, 2013

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Wilson made a motion to approve the minutes from the July 10, 2013 meeting. Wagner second. Roll call vote: Santiago, abstain; Hunter, aye; Wagner, aye; Wilson, aye; Schadt, aye; Schock, aye. Motion carried.

COMMUNICATION FROM THE TOWN BOARD LIAISON
ALEXANDER HOTEL APPLICATION

Dave Dean said that if there will be 6 one bedroom apartments, there has to be an occupancy maximum. He said that one bedroom, to him, means two people, and not a lot of people. He asked if legally, can the board impose an occupancy maximum?

Glen Plotsky said that that would be based on the State Building Code and the square footage.

Derek Wilson said that that would be based on the usage too.

Willard Schadt said that that would be an enforcement issue.

Dave Dean said that if it is legal and do-able, he would like to see the board impose an occupancy maximum. He also said that there is plenty of room up at the top of the property, to upgrade the septic.

Glen Plotsky said that the board can ask for a note to be placed on the map, based on the square footage, because there is an occupancy load that's calculated that way.

Craig Wagner asked if the board can request the developer to put in an amount.

Al Schock asked if it's calculated by square footage or amount of bedrooms?

Al Fusco answered that there are State minimum housing standards, which Deerpark has not adopted however. He said that it all revolves around the number of bedrooms. He said that with the size of the apartments, having only one bedroom, he does not believe that the State Code would benefit here however.

Derek Wilson stated that he believes that it needs to be enforced by the building owner also.

Dave Dean said that this is a golden opportunity to make a nice impression, of this "welcome to Sparrowbush" location.

Theresa Santiago asked, what is the law concerning the amount of time that citizens can live in the Alexander Motel?

Al Fusco answered that he will check into that.

DRAGON SPRINGS BUDDHIST INC.

Willard Schadt asked if Mr. Plotsky and Mr. Fusco had met with Dragon Springs representatives?

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They both answered no.

ADJOURNMENT

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

Meeting adjourned at 8:27 p.m.

Respectfully submitted,

Barbara Broliier, secretary