

The Deerpark Planning Board met for their bi-monthly meeting on Wednesday, August 13, 2014 at 7:00 p.m at Deerpark Town Hall, 420 Route 209, Huguenot, N.Y. The following were present:

BOARD MEMBERS

Bob Vicaretti, Co-chairman	Craig Wagner
Theresa Santiago	Mike Hunter

OTHERS

Mr. Glen A. Plotsky, Town Attorney	Mr. Al Fusco, III., Town Engineer
Mr. Gary Flieger, Applicant	Mr. Chris Kenyon, Orange County Land Trust
Mr. John Fuller, Civil Engineer	Mr. Dominick Alfieri, Applicant
Mr. Chad Martel, Applicant	

THE PLEDGE OF ALLEGIANCE

MARTEL SUBDIVISION - # 03-0501

Represented by Mr. Chad Martel

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

Six month extension granted on February 26, 2014.

MOTION

Santiago made a motion to grant a 6 month extension to the Martel Subdivision application. Hunter second. Roll call vote: Santiago, aye; Vicaretti aye; Wagner, aye; Hunter, aye. Motion carried.

For the record, the secretary handed Mr. Martel a copy of a bill, of money owed, to Fusco Engineering.

GARY FLIEGER - UPDATE - # 14-0102

Represented by himself 672-3533 and Mr. Chris Kenyon, Orange County Land Trust

Owners/ Applicants Gary & Judy Flieger wish to turn 73 acres over to the State of New York, located at 180 ShinHollow Rd., Town of Deerpark, Orange County, N.Y. Half of the property is located in the Town of Greenville, and Huckleberry Ridge State Park is the adjoining property. It is in the HMU Zone.

Section - Block - Lot = 50 - 1 - 50

Application submitted March 3, 2014.

Mr Plotsky said that Mr. Flieger already has conditional approval from this board, granted on June 11<sup>th</sup>, for a 60 day extension for submission of modified plans, and asked him if he has brought any additional site plans to this board this evening. He said that he still needs a metes and bounds description of the lot and a new deed.

Mr. Flieger said that his attorney Mr. Hoyt was supposed to be in touch with Mr. Plotsky, so that they could come to an agreement about the language to be put into the new deed.. He referred to a letter that Mr. Hoyt had written, dated August 11, 2014.

Mr. Plotsky said that he is in receipt of that letter, and that Mr Hoyt and himself had back and forth messages, but had not actually spoken. He said that the board and himself are amicable to have the additional note placed on the map stating that parcel 50-A is not for building purposes, unless or until the Planning Board or ZBA approves the same.

Mr. Kenyon clarified by saying that Mr. Hoyt is the attorney for the Orange County Land Trust, not the attorney for Mr. Flieger.

HAWKS NEST CAFÉ - #09-1202

Represented by John Fuller, Civil Engineer 856-1536

Owner/ Applicant Ron Babcock wishes to re-build the Hawks Nest Café, located on Route 97, Sparrowbush, N.Y.

It is in the Recreational River Corridor (RRC) zone. Section - Block - Lot = 33 - 1 - 1.1

Amended application submitted July 11, 2014.

Mr. Fuller said that this project has conditional final approval from this board in June 2013. He said that since then, the project has been re-designed to get approval from NYSDOT for the parking and curb design. He said that the footprint of the building has not changed however. He said that the ingress and egress onto Route 97 has been re-designed to the satisfaction of the NYSDOT.

Theresa Santiago asked if there is enough room for emergency vehicles?

John Fuller answered yes, emergency vehicles need approximately 12' to 15', and also this design has mountable curbs, where the tires can drive up onto the curbs.

Al Fusco had submitted his technical comments, dated August 12, 2014. Mr. Plotsky read the comment:

1. 12' aisle way seems tight to maneuver larger vehicles. No zoning law regulations, this is in the Town Zoning.

After a brief discussion, where Mr. Fuller stated that this application has already had three public

hearings, the board decided that another public hearing is not needed.

Mr. Plotsky said for the record, that the delay in this application was not any fault of this board.

Mr. Fuller agreed and said that the applicant was waiting for approval from the NYSDOT, which was the hold up.

MOTION

Hunter made a motion to approve the amended site plan for the Hawks Nest Cafe application, subject to payment of all fees. Santiago second. Roll call vote: Santiago, aye; Vicaretti aye; Wagner, aye; Hunter, aye. Motion carried.

For the record, the secretary handed Mr. Fuller a bill from Mr. Fusco, which he said that he will give to the applicant, Ron Babcock.

THE HUB 1 - AMENDED SITE PLAN - # 08-0602

Represented by John Fuller

Owner/ Applicant Dominick Alfieri (The Hub 1, LLC) wishes an amended site plan to remove existing overflow parking area and add a new area for overflow parking, on property located at 22 Route #6, Port Jervis, Orange County, New York.

It is in the Interchange Business (I.B.) Zone.

Section - Block - Lot = 57 - 2 - 14

Application submitted July 30, 2014

Mr. Fuller said that when this building was originally approved by this board in 2010, it was identified as a mix of retail and the applicants' general office type space. He said that when the applicant went for construction within the first few months, he had begun negotiations with Planet Fitness, as his prospective tenant. He said that the difficulty was that the original parking calculations, which were based on a general commercial building, wasn't necessarily tied to a fitness center. He said that the Deerpark Zoning was not specific as to the number of parking spaces allowed. He said that through the first few months of operation, he had followed the industry standard, and had come up with a parking calculation, which exceeded what the property could hold. He said that the applicant had maximized the footprint of the parking, including increasing the parking lot at the back of the property, which wasn't part of the original approval. He said that the parking was increased on site, and then as part of the application, the applicant had come to a lease agreement to utilize part of the Rizkallah property, next door, as an over flow parking. He said that for a couple of years now, the parking has somewhat stablized on the site, and the overflow is not as demanding as it once was. He said that the applicant has worked out an agreement, which is more favorable to him, to use State right-of-way land, in a use agreement with the State, to use their space for overflow parking.

Mr. Alfieri briefly explained that this agreement with the State would save him money, and he is legally trying to get out of his lease with Rizkallah. He said that after this boards' approval, he will just switch the parking lot over.

Al Fusco reviewed his technical comments, dated August 12, 2014. They read:

1. One-way signs should be installed.

Al Fusco said that a one way sign is needed for less confusion, and the parking should be angled.

2. Survey of new parcel required.

3. Provide parking calculation on the plan, as per Article 4, Section 230-16 of the Town of Deerpark Zoning Code.

4. Section 230-16 directs no more than 12 parking spaces in a row, without landscaping interruption.

John Fuller said that the parking lot is gravel, and will not be striped.

Bob Vicaretti said that planters should be placed every 12 spaces, so that the people will park diagonally.

Al Fusco said that the new Zoning Law says that every 12' the parking should be interrupted by some type of landscaping. He said that that would be every 12 parking spaces, and small railroad tie type plantings would be acceptable. He also said that the boundaries of the new parking are not on the map.

John Fuller said that he will delineate that, because the State has actually accepted his applicants' proposal and has put the wording in the lease with Mr. Alfieri.

Al Fusco asked that the parking calculations be updated for this new plan.

5. Verify that the topography meets all applicable standards.

John Fuller said that the topo is not sloped, and will refer to the original topo from the original site plan, and it will be placed on new site plan.

6. Section 230-16F requires a planting strip, in accordance with Section 230-55. Board to discuss applicability to U.S. Route 6 and Interstate 84.

Al Fusco said that concerning a planting strip, one of the issues that comes up, is that if you have an adjoining parcel, and parking on that site, the Zoning says that the applicant has to be at least 20' away, and plant some kind of a buffer. He said that beings that this is the exit ramp for I-84, he wanted to know how this will be addressed.

Mr. Alfieri answered that the curbing will be rounded in.

John Fuller said that this will be addressed.

Al Fusco asked about lighting?

John Fuller answered that the existing lighting will be placed on the revision, as there are three pole lights along the entire length, which are designed to cover at least 25' and 30' in the one direction and easily covers the parking area.

7. Address pathway to building. Is this to be paved and striped, as shown on the gravel parking?

John Fuller answered that it can be striped, and is currently paved, and he will delineated it on the revised map,.

8. Provide specifications on road/ parking surface, sizing, and any filter fabric.

Al Fusco asked about the gravel, will it be 1 1/2 inches?

John Fuller answered that he had indicated 6 inches of gravel, and he will modify it, so that it does not impact the drainage.

9. Provide specifications on road/ parking surface, sizing, and any filter fabric.

Al Fusco asked about drainage, will a little bit of impervious area be added?

John Fuller said that he will create a filter strip or an infiltration trench, and that way, any water that runs off of the site will go off and away from the site.

Bob Vicaretti asked about the existing overflow parking lot, that the gravel drive into that lot, should be taken out.

Al Fusco said that that is already on the site plan, that it will be removed.

John Fuller agreed and said that it will somehow be closed off.

#### MOTION

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

Mr. Plotsky said that 239-GML review will be conducted for this application.

#### MOTION

Wagner made a motion to schedule a public hearing for the Hub 1 amended site plan application for September 24, 2014. Hunter second. Roll call vote: Santiago, aye; Vicaretti aye; Wagner, aye; Hunter, aye. Motion carried.

For the record, the secretary handed bills, money owed to Al Fusco, to Mr. Alfieri.

#### APPROVAL OF MINUTES - JULY 9, 2014.

Santiago made a motion to approve the minutes from the July 9, 2014 meeting. Hunter second.

Roll call vote: Santiago, aye; Vicaretti aye; Wagner, abstain; Hunter, aye. Motion not carried.

The secretary said that the approval of these minutes will be placed on the next agenda.

COMMUNICATION FROM BOARD MEMBER THERESA SANTIAGO

Theresa. Santiago said that she, as a Planning Board member, has been approached by several citizens, who have expressed concerns that the Alexander Hotel will be a residence for pedophiles.

Mr. Plotsky advised her to tell anyone asking questions of this nature, that they should call the police, if they believe that to be true. He said that sex offenders are registered with the police department. He also said that there is a cell phone app which gives addresses of where any sex offenders are living.

COMMUNICATION FROM BOARD MEMBER MIKE HUNTER

Mike Hunter said that the KOA Campground owners have changed hands, and are talking about putting a new road in.

Mr. Plotsky said that they are granting a drainage easement to the Town, so that they can run water away from the neighboring properties, that are complaining about flooding.

Al Fusco said that the KOA has approached the Town Building Department about it, and they were told that they have to go before the Planning Board. He said that there is an old stone wall with an opening that was a driveway sixty years ago, and they want to open that back up. He said that since the new owners have taken over the KOA, there has only been one complaint about the campground, and that was about fireworks.

COMMUNICATION FROM BOARD MEMBER BOB VICARETTI

Bob Vicaretti asked about New Hope Farms, if it had been sold?

Mr. Plotsky answered that he hasn't heard of any sale, and that in fact, the Town had just given the property a tax break.

ADJOURNMENT

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

Meeting adjourned at 8:00 p.m.

Respectfully submitted,

Barbara A. Brollier, secretary

