

The Deerpark Planning Board met for their bi-monthly meeting on Wednesday, November 12, 2014 at 7:00 p.m at Deerpark Town Hall, 420 Route 209, Huguenot, N.Y. The following were present:

BOARD MEMBERS

Al Schock, Chairman	Craig Wagner	Steve Weiner	Mike Hunter
Willard Schadt	Theresa Santiago	Bob Vicaretti	

OTHERS

Mr. Al Fusco, III., Town Engineer	Mr. Glen A. Plotsky, Town Attorney
Mr. Dave Dean, Town Board Liaison	Mr. Octavio Anaya, Applicant
Mr. Keith Woodruff, P. E.	Mr. Dominick Alfieri, Applicant
Mr. Raymond Raische, Esq.	

THE PLEDGE OF ALLEGIANCE

OCTAVIO ANAYA - PRE-APPLICATION CONFERENCE

Represented by himself 718-775-6109

Owner/ Applicant Mr. Octavio Anaya wishes to subdivide 8.20 acres, located at 336 Neversink Dr., Town of Deerpark, Orange County, New York.

It is in the Hamlet Mixed Use (HMY) Zone.

Section - Block - Lot = 53 - 1 - 52.23

Applicant was referred by the Building Department.

Mr. Anaya told the board that his parents own the property, and want to subdivide off a lot, to build a house. He said that he is not sure how much the acreage is.

Al Fusco said that the applicant needs at least one acre of land to create a lot, and that the front yard setback is 35', rear yard setback is 35' and side yard setback is 35', and the home to be built has to be more than 1,000 square feet. He told Mr. Anaya that he will have to hire an engineer to create a complete site plan, which will show the entire lot, and it will show the boundary lines, and the line cutting off the lot that his father wishes to give to him. He said that then, the lot to be subdivided off will have details, and the applicants' engineer will show the location of the proposed house, the location of the driveway, well, septic location and design.

Mr. Anaya asked for a list of recommended surveyors, or professional engineers?

Al Fusco answered that individual professionals are not usually recommended, but Mr. Anaya could look in the yellow pages, or speak to the Building Inspector when he goes to the Building Department.

Al Schock suggested that Mr. Anaya, before incurring many charges, can go to the Town Tax Assessors' office, and look at the tax maps there.

Bob Vicaretti said that road frontage is very important too.

Al Schock said that the town now does allow for a citizen to make flag lots, where an applicant does not have much road frontage. . He explained that a flag lot, looks like a pole, at the road, then goes back and then widens at the back of the property, to simulate a flag.

Mr. Anaya thanked the board.

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

Represented by Mr. Dominick Alfieri, applicant, and Mr. Raymond Raische, Esq.

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. Raische said that preliminary conditional approval was given at their last meeting, provided that the applicant submits new maps. He said that that has been done. He said that there is also a letter from the town engineer stating that under the current Zoning Code, 113 parking spaces are required, and currently there are 166 parking spaces on this new site plan.

Al Schock asked, what is different about this latest submitted map?

Mr. Raische answered that the overflow lot has been removed. He said that under the old Zoning Code, 160 spaces were on the map, but now that amount of spaces is not needed, according to the new Zoning Code.

Al Fusco stated that in looking at this latest map, it looks good, and his department has run the calculations, and it matches the new Zoning Law, and he is satisfied with this submission.

Willard Schadt said that if this board approves this latest plan, then there is no required overflow parking with the State, that is, the applicant can do the extra parking with the State, but this board is not requiring it, it is not a condition of this approval.

Mr. Raische asked, does Mr. Alfieri have to come back before this board, if he so chooses to put in an overflow parking lot with the State?

Mr. Plotsky answered that he would only have to get approval from the Town Building Department. He said because first of all, it's only a parking lot, and second, the property is owned by the State, and the State doesn't have to come before the Planning Board. He said that the applicant can submit a courtesy letter to the Planning Board, telling the board what he is doing, in terms of his dealing with the State.

Willard Schadt asked Mr. Alfieri if he will plow and maintain any parking areas?

Mr. Alfieri answered yes.

Willard Schadt asked,, how about the parking on the State land?

Mr. Alfieri answered that yes, he will maintain it, because if he does not take care of it, it adds to his liability, and he is responsible to maintain it, and everything else.

Mr. Plotsky said that he will have to retract his previous statement, because looking in the Zoning Code, under Schedule of Uses, Schedule District Regulations, he read "...parking lots without principle use, is a special use." Mr. Plotsky said that this is exactly what the applicant is dealing with here, and he stated that yes, according to this statement, then Mr. Alfieri will have to come back before this Board, when he decides to put in the parking lot. He said that as long as the applicant has something in writing signed by somebody from the State, that says that he can use the property for a parking lot, then that is enough to have the States' consent, and then he can make an application with this board.

Mr. Raische said that Mr. Alfieri does not have a lease with the State, just a month to month tenancy agreement.

Mr. Plotsky said that as long as the State gave Mr. Alfieri permission to do a parking lot, then this board can deem that as consent, to make an application before the Planning Board. He said that if Mr. Alfieri wants to make that investment, he will have to make another application with the Planning Board, because it's a special use. He said that this is basically a gratuitous thing, that Mr. Alfieri is providing to the tenants of his building.

MOTION.

Schadt made a motion to grant final conditional approval to the Hub Amended Site Plan #1, conditioned upon, it is not a requirement for the applicant to have overflow parking, and payment of all fees. Vicaretti second. Roll call vote: Santiago, aye; Weiner aye; Wagner, aye; Vicaretti, aye; Hunter, aye; Schadt, aye; Schock, aye. Motion carried.

BLUE RILL LLC. – # 14-0603

Represented by Mr. Keith Woodruff, P.E. 457-7727

Owner/ Applicant Blue Rill LLC wishes to rehab several existing on-site structures for a bed and breakfast and accessory uses, on property located at 1106 Route 42, Sparrowbush, N.Y.

It is in the RR Zone.

Section - Block -Lot = 12 - 1 - 3 & 4.3

Application submitted on June 24, 2014

New maps were submitted on October 30, 2014

Mr. Woodruff said that numerous changes were made on these new maps, since the last meeting, as per the Town Engineers' comments. He said that the driveway to the tenant house, or the smaller lot, has been widened; the dumpster enclosure is more detailed on the plan now, and he said that a plan will be submitted to the NYSDOT, after the SEQRA process is started with this board. He said that he sent a new map to the town engineering office, to have them ask for a formal review, from NYSDOT, once the SEQRA process is started. He said that the existing landscaping on the front of the property shows the extent of the existing trees on the property. He said that he has also removed the trail which connects across to the other side of the lake, that is, across the dam. He said that that trail will be provided at a future date, on an additional plan, to ensure that the dam meets current safety codes.

Steve Weiner asked if the dam /bridge is not passable at the moment?

Mr. Woodruff answered no, not right now. He said that it used to have a super-structure on two piers with some rails that ran across it, and people could actually physically walk across it, but the wooden planking on top of those steel rails has rotted away, so now it's just those steel rails. He said that the ability for someone to try to traverse it, is still there, but it's not highly sought after. He said that it was never intended to promote any kind of vehicular access, but was strictly to get to the other side, to access the remaining portion of the property.

Al Fusco referred to his technical memo, dated November 4, 2014:

1. Driveway location #4 should have an "enter only" sign also. Driveway location #1

should have a stop sign and it appears to need a culvert.

2. Provide the area of disturbance on the site plan.
3. Provide a legend on the C-1 of the site plan.
4. Revise the legend on Sheet O-1, a lot of the items listed in the legend is not found on this page.
5. Point #5 is omitted.
6. The applicant should provide to the board, an engineers' report on the structural integrity of the existing dam.
7. Provide a lighting plan. Sidewalks, parking areas and entrances to buildings should be illuminated.
8. The engineer has indicated the amount of disturbance to be over one acre, this will require a Stormwater Pollution Prevention Plan, which should be submitted to the board for review.
9. The applicants' engineer had indicated that there will be food service in the Conference Hall, If there will be cooking on site, then a grease trap should be provided.
10. Provide a note stating that no federal or state wetlands shall be disturbed.
11. The alarm panel for the pump station is normally mounted on the outside of the building, so that if the alarm sounds, and no one is in the building, then maybe a person that is on the grounds will actually see that there is an alarm issue.
12. The Orange County Department of Health will be reviewing the septic system design and the Transient Non-Community Water Supply. We would recommend that this process is started as soon as possible. We want to witness any testing by the Orange County Health Department.

Mr. Plotsky asked if these latest submitted plans are sufficient, to distribute for a 239-GML review?

Mr. Fusco answered yes, they are sufficient. He said that only a Stormwater Pollution Plan is still needed by the applicant.

#### MOTION

Santiago made a motion to schedule a public hearing for Wednesday, January 14, 2015 Weiner second. Roll call vote: Santiago, aye; Weiner aye; Wagner, aye; Vicaretti, aye; Hunter, aye; Schadt, aye; Schock, aye. Motion carried.

MOTION

Vicaretti made a motion for the board to direct the Town Engineer to submit the documents for the 239-GML review. Hunter second. Roll call vote: Santiago, aye; Weiner aye; Wagner, aye; Vicaretti, aye; Hunter, aye; Schadt, aye; Schock, aye. Motion carried.

MOTION

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

APPROVAL OF MINUTES - OCTOBER 22, 2014

Santiago made a motion to approve the minutes from the October 22, 2014 meeting. Vicaretti second. Roll call vote: Santiago, aye; Weiner aye; Wagner, aye; Vicaretti, aye; Hunter, aye; Schadt, abstain; Schock, aye. Motion carried.

COMMUNICATION FROM THE TOWN ATTORNEY

Mr. Plotsky told the board that if they miss a meeting, especially a meeting where there was a public hearing, that they get in touch with the Planning Board secretary and make arrangements to listen to the audio tape of that particular meeting, before any votes are taken on that application. He said that if, for some reason, the boards' actions are challenged, then all members have heard the meeting, and also no board member will be precluded from a vote.

ADJOURNMENT

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

Meeting adjourned at 8:50 p.m.

Respectfully submitted,

Barbara Brollier, secretary