

DEERPARK PLANNING BOARD - NOVEMBER 14, 2012 - PAGE

The Deerpark Planning Board met for their bi-monthly meeting on Wednesday, November 14, 2012 at 7:00 p.m at Deerpark Town Hall, 420 Route 209, Huguenot, N.Y. The following were present:

BOARD MEMBERS

Al Schock, Chairman	Theresa Santiago	Derek Wilson	Willard Schadt
Mike Hunter	Bob Vicaretti	Craig Wagner	

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. Kaijin Liang, P.E.-Dragon Springs Buddhist, Inc.	

THE PLEDGE OF ALLEGIANCE

NANCY GIBSON SITE PLAN - PUBLIC HEARING - #11-0301

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

Owner/ Applicant Nancy Gibson wishes a site plan, special use permit to create an animal sanctuary on 76 acres located at 200 Peenpack Trail, Huguenot, N.Y.

It is an RR Zone

Section -Block -Lot = 37 - 1 - 14.1

Application submitted June 27, 2012

SEE ATTACHED PUBLIC HEARING RECORD

After the public hearing, John Fuller acknowledged that there are several items that still need to be addressed and placed on the site plan, and he said that he will re-submit before the December 12, 2012 meeting.

DRAGON SPRINGS BUDDHIST, INC. - SIX MONTH EXTENSION - # 10-0401

Al Fusco said that his office did the inspection of this site, based on their request letter and also nothing that it was on tonight's agenda. He said that on November 2, 2012, the Town Building Inspector and himself inspected the facility and found that the construction to date, has been in accordance with the revised re-approved site plan for the physical construction of the facilities. He said that all inspections of the facilities were in order, although some siltation fencing must be installed and/ or replaced, in accordance with the stormwater pollution prevention plan that was dated October 21, 2012 and given to him, at his request. He said that the use however, is not in accordance with the revised site plan, and includes Fatung Academy of the Arts and Fatung College. He said that the applicants noted that in their request for a five year renewal, that schools are mainly in the rr building and the cafeteria building. He said that the terminology that he had for that building was a multi-use and cafeteria building, which was on the plans. He said that the terminology may be different, but the facilities were built in accordance with the New York State Building Code. He said that he recommends at this time that the applicant not be given a five year, but a one year renewal be considered, for a special use permit, at which time the Board and the consultants, that is, himself and the Boards' counsel, can review the actual use, terminology of the approved site plan, to determine future compliance. He said that because there are some issues, he and an associate had made a trip onto the site, along with Planning Board member Derek Wilson and there were some questions in this regard, so he did not think that a five year renewal would be appropriate.

Glen Plotsky said that he had a lengthy discussion with his Law partners, who were involved in the process and were knowledgeable about this application and had attended meetings, and it is his and their legal opinion that this Board should not grant any extension to this special use permit, because no where in any site plan that has ever been submitted to this Board, has there ever been reference to a school or a university. He said that therefore, as is recognized in the aforementioned engineering letter, that the use is not incorporated within a site plan, therefore, the special use permit is based upon a site plan, so how does the Planning Board grant a special use permit, whether it be for one year or five years, how does the Planning Board grant a special use permit, based upon a site plan that is not accurate. He said that it his Law partners and his own opinion that the Board cannot do so. He said that if the Board extends it for any period of time at all, he suggested extending it for 30 or 60 days, to give the applicant the opportunity to come back in and submit an accurate site plan, as to what the use and what the facilities are, because they may very well be a religious use, and the applicants have been declared to be, whatever they are, by the Town Assessors' office, but the fact of the matter is, that the Town Planning Board and the Town have the responsibility and the ability to regulate and insure that the proper use is used, in a manner that is consistent with the Deerpark Zoning Law and State Regulations. He said that clearly the applicants have met the State Regulations, relative to septic and sanitary and all of those things. He said that while they have represented that there were to be 100 people on the premises during the week, and another 100 people on the weekends, that has been the review performed to date by the Planning Board, there was never any reference to any schools. He said that there are potential issues involving parking, transportation, septic, water, just about everything that is considered in the SEQRA process, that are potentially directly impacted by this use, that the Board was not aware of, and but for the diligence of other agencies within the Town, who discovered websites referring to this operation. He said that it is his opinion that the applicant never would've disclosed the use. He said that the Board cannot grant the special use permit extension at all, but if the Board does, it should only be for a very short amount of time, to allow the applicant to come clean and file an appropriate application with the Planning Board.

Derek Wilson gave his opinion that this Board should not even extend it for 30 or 60 days, because the applicant is in violation of their existing site plan on this operation. He said that whether this applicant is a religious use or not, this Town has absolutely authority to review the site plan fundamentals for a school. He said that this Board cannot deny the use, but this Board can review it and make sure that it is safe and appropriate. He said that the applicant never told this Board that there was going to be one or two schools on the property. He said that when he went onto the property for a visit, there were two foot high letters on the front of the school buildings.

Glen Plotsky said that he was not allowed to go onto the property.

Derek Wilson said the schools were out in the open, and were not hidden to anyone who went onto the property. He said that he is in favor of not extending the special use permit, and sending the applicant a letter, telling them that they have to come back before this Board for site plan review for apparent uses that the Board was not aware of, that are up there.

Al Schock asked what does it mean, if this Board does not give this applicant any extension?

Glen Plotsky answered that basically it means that when their special use permit runs out, the special use permit expires, the Building Department will be authorized to issue the applicant a notice of violation and a notice to remedy, and the general rule is, in the application of this sort, in a use of this sort, it would be that they would be given 30, 60, 90 days to cure, and that would give them the ability to come in and file their application and seek approval. He said that at that point, where the applicant is actively pursuing the approval, as a general rule, he would not pursue court action, because the applicant is actively pursuing it and going toward compliance. He said that certain type of court action would be sought, if the applicant does not actively pursue to remedy the situation. He said that if the 30 or 60 or 90 days, or whatever amount of time the applicant was given, if that time period expires, and the applicant has still not actively pursued to remedy, then the Town has other options to get the applicant to comply. He said that those options are either local court, sanctions for violations, or supreme court, action for injunctive relief, that is up to the Town Board, the Building Department, the Code Enforcement officers to determine. He said that if nothing else, in his mind, first of all, it's legal, and second, it's just, and third, it will give the applicant perhaps the needed impetus to get him to do, exactly what this Board has been asking for in the last twelve years.

Kaijin Liang, asked if he could speak.

Al Schock, speaking for the Board said that he would have appreciated it, if the applicant had spoken about this a while back, because tonight the Board is just finding out that there is a university built on the property

Kaijin Liang said that the Board probably forgot that when his applicant had applied for special use permit, and the buildings, that the applicant said that their buildings and temples and shelters were for the refugees, Falun Gong persecuted practitioners from China and orphans, children who have lost their parents, so that they would have a place to stay. He said that the Board had said that that would be a burden to the local school district, and that those children could not go to school in the local school district. He said that his applicant did respect the Boards' comments and concern, so the applicant considered doing their own education, and did mention this at a prior meeting. He said that their c/o shows clearly a dancing studio, rehearsal hall, classrooms, and a music hall. He said that that facility can be used for a school. He said that they are doing schooling. He said that the permit does allow a university, because they have gotten accreditation from the government, and they are proud to put the large letters on the sides of the university buildings. He said that they do have their own education, so that the local school district will not be burdened. He said that the education is all within the temple, and everybody can share this building. He said that he goes to the library and he goes to the dining hall, and he goes to the music hall to enjoy the music, and he said that he also goes to the multi-purpose building to watch a movie. He said that everybody shares the same building. He said that it is just like in your home, where you can teach your children in the kitchen, you can teach your children in the bedroom. He said that in the beginning they did not have accreditation, but now they do. He said that the c/o shows the capacity of each room, and the specified use of each room. He said that the c/o says dancing studio, classroom, music hall, office, rehearsal hall, multi-purpose building.

Glen Plotsky asked Mr. Liang to show him anywhere on his site plan, where it says anything about schools or orphans, and he said that he will eat his words. He said that until that time, he is recommending to the Board that they deny an extension of the special use permit, because the site plan is inaccurate and disingenuous.

Kaijin Liang said that his applicant is not trying to hide anything, and that the letters are on the tops of the buildings, for everyone to see that they have a college.

Glen Plotsky asked, how many people, other than the Town Engineer, and some members of the Planning Board, up until a couple of weeks ago; how many non-participants of Falun Gong have been permitted onto the property?

Kaijin Liang answered that that is not relevant to this issue.

Glen Plotsky answered that it is absolutely relevant, because you are saying that you are not hiding anything.

Kaijin Liang answered that the applicant did invite the Planning Board members to come up onto the property to see.

DEERPARK PLANNING BOARD - NOVEMBER 14, 2012 - PAGE #

Derek Wilson said that this Board wants to make sure that what is up on the property now, is properly reviewed, and documented and the way to do that, is for the applicant to come back before this Board and get an amended site plan. He expressed his opinion as one member of this Board, that he does not want to extend the special use permit for even 30 or 90 days, for something that this Board did not approve. He said that when this applicant brought up the issue of bringing persecuted monks over here from China, twelve years ago when the project was first started, the Board was sympathetic and gave site plan approval, and now, he said that he does not believe that one monk has been brought onto the property from China yet. He expressed his opinion that he finds it hard to believe their credibility. He said that he has never heard the word "orphan" until tonight. He said that he was on the property, he did see school age children, and a lot of them were not Asian, so they wouldn't have come over from China, and a lot of them were older than your typical school age student.

MOTION

Wilson made a motion to deny an extension of the special use permit for the Dragon Springs Buddhist, Inc. because of the existence of an academy and college that is on the premises, which is not on their existing site plan. Hunter second. Roll call vote: Santiago, aye; Hunter, aye; Schadt, aye; Wilson, aye; Vicaretti, aye; Wagner, aye; Schock, aye. Motion carried.

Derek Wilson said that legally this Board cannot extend the special use permit, because the present site plan does not accurately reflect what is on the property, and it would leave the Town wide open to lawsuits, if something were to happen on the property, and this Board extends the existing special use permit tonight.

DEERPARK VILLAGE - DISCUSSION

Al Fusco said that at the last Board meeting, the Board had asked him to provide them with additional information about the 900 unit alternate plan, which he said that he had handed out tonight. The alternate plan is written as follows:

The FEIS established the comparisons to the applicants' Development Plan of 1,518 units versus the 900 unit alternative. The following shows the mitigation of the 900 units versus the 1,518 units.

ALTERNATE PLAN

The Planning Board in a resolution adopted on December 9, 2009 requested that the FEIS include an Alternative Development Plan for a project of 900 residential dwelling units, and a 50,000 square foot neighborhood retail and services building.

This Alternative Development Plan is shown in the attached map, which is titled "Alternative Development Plan, 900 Dwelling Units."

The resolution also requested inclusion of a table which would compare certain specified quantitative impacts, with those of the 1,518 unit development Plan, presented in the FEIS. The comparison table follows:

SDEIS 1,518 Unit Project Compared to 900 Unit Alternative (Both include 50,000 square foot retail.

1. AM and PM PEAK HOUR TRAFFIC GENERATION

<u>SDEIS PLAN</u>		<u>ALTERNATE PLAN</u>
Number of Vehicles		Number of Vehicles/ % of Original
AM	393	274 / 70%
PM	745	603 / 81%

2. DAILY DOMESTIC WATER CONSUMPTION

<u>SDEIS PLAN</u>	<u>ALTERNATE PLAN</u>
Gallons per day	Gallons per day / % of Original
272,190 gpd	163,400gpd / 60%

3. ACREAGE OF IMPERVIOUS SURFACES (ROADS, PARKING AREAS, & BUILDING FOOTPRINTS)

	<u>SDEIS PLAN</u>	<u>ALTERNATE PLAN</u>
	Area	Area / % of Original
Roads & Parking Areas	35 Acres	27 Acres / 77%
Building Footprints	30 Acres	18 Acres / 60%
Total Impervious Surfaces	65 Acres	45 Acres / 69%

4. PERMANENT OPEN SPACE (PERMANENT AND LANDSCAPED)

	<u>SDEIS PLAN</u>	<u>ALTERNATE PLAN</u>
	area	area /% of Original
Natural Open Space (Undisturbed)	110 Acres	136 Acres
Landscaped Open Space	67 Acres	60 Acres
Total Permanent Open Space	177 Acres	196 Acres (11%)

5. ESTIMATED POPULATION

<u>SDEIS PLAN</u>	<u>ALTERNATE PLAN</u>
Population	Population/ % of Original
2,657	1,575 / 59%

6. ESTIMATED ANNUAL TAX PROCEEDS TO VARIOUS GOVERNMENTAL ENTITIES

	SDEIS PLAN Dollars	ALTERNATE PLAN Dollars/ % of Original
Town:		
General	\$ 263,500	\$ 158,900
Highway	\$ 399,300	\$ 240,800
Sparrowbush Fire District	\$ 439,300	\$ 264,900
Port Jervis School District	\$5,902,200	\$3,559,500
County	\$ 982,400	\$ 592,500
TOTAL:	\$7,986,700	\$4,816,600 / 60%

In Section I.B. (Project Description, Page 1-9), year by year estimates of annual tax revenues for the 1,518 unit plan are summarized. As noted in Section I.B., it is impractical in the current economy to predict when total build-out could occur. The Planning Board's Review Consultant, Fusco Engineering and Land Surveying, P.C., has suggested that, for a practical approach to estimating how these annual tax revenues will grow, a 2-year approval/ financial period should be assumed and a total 10-year period to full build-out. The annual tax revenues from the 900 unit Alternate Plan project are projected as follows:

<u>YEAR</u>	<u>LOCAL NON-SCHOOL PROPERTY TAXES</u>	<u>SCHOOL PROPERTY TAXES</u>	<u>TOTAL PROPERTY TAXES</u>
2012	\$141,700	\$401,100	\$542,800
2013	281,100	795,900	1,077,000
2014	420,500	1,190,700	1,611,200
2015	559,900	1,585,500	2,145,400
2016	699,400	1,980,200	2,679,600
2017	838,800	2,375,000	3,213,800
2018	978,200	2,769,800	3,748,000
2019	1,117,600	3,164,600	4,282,200
2020	1,257,100	3,559,500	4,816,600

The applicants' planning consultant, Parish & Weiner, Inc., has noted that such estimates will vary based on the original and national economy; also that the impacts to be generated will be similarly experienced in stages.

7. DAILY SANITARY SEWAGE GENERATION

SDEIS PLAN	ALTERNATE PLAN
Gallons Per Day	Gallons Per Day/% of Original
370,200gpd	222,000 gpd / 60%

We also show the following staging of project generated traffic:

<u>STAGING OF PROJECT GENERATED TRAFFIC</u>			
<u>AM PEAK HOURS</u>			
SDEIS PROJECT	UNITS	# OF VEHICLES	%
	1,518	393	100%
Alternate	900	274	70%
Stages 1-4	700	213	54%
Stages 1-3	500	152	38%
Stages 1-2	300	90	22%
Stage 1	200	60	15%
<u>PM PEAK HOURS</u>			
SDEIS PROJECT	UNITS	# OF VEHICLES	%
	1,518	745	100%
Alternate	900	603	81%
Stages 1-4	700	469	62%
Stages 1-3	500	335	45%
Stages 1-2	300	201	26%
Stage 1	200	134	18%

This includes pro-rated traffic for 50,000 square feet commercial as appropriate.

We've also enclosed the 1,518 unit staging plan for the 1,518 units and the alternate plan for 900 units.

DEERPARK PLANNING BOARD - NOVEMBER 14, 2012 - PAGE #

Al Fusco referred to the material handed out to the Board members, and said that it published the comparisons, to the applicants' development plan of 1,518 units versus the 900 unit alternative. He referred to the mitigation of the 900 versus the 1518, that was written down, and he showed that the alternate plan was included, the 900 dwelling units, and it also included a 500 square foot neighborhood retail building, and the alternative plan had a map that stated that it was the development of the alternative. He said that basically the first one shows the traffic, and the morning versus the evening difference, and the alternate has 70% and 81% respectively of the projected traffic generated. He said that the domestic water used for the 900 unit would be 40% less or 60% of what was set forth. He said that likewise, pertaining to the impervious roads, surfaces, parking areas and buildings, it was somewhere between 69% to 77% less than the 1500 to 1800 unit proposal. He said that pertaining to open space, it was about an 11% increase in open space. He said pertaining to population, it would be 59% of the requested population, under the 900 unit. He said that there is also a chart of the proposed taxes, and what would be paid to the various agencies. He said that this is all in the FEIS and is not new information. He said that he's going over it tonight, because the Board members had asked for that to be expanded upon. He said that the sewage is 40% less or 60% of the suggested. He said that the percentage of vehicles for every stage is shown in this document. He said that as the traffic is increased, it gets to the 100% which was in the FEIS, and it shows the various different stages. He said that this shows a staged plan, with the 1,518 units and the second plan shows the alternate of 900 units. He said that the general layout is the same, and the density is just a lot less. He said that this together with the executive summary which was handed out to the Board members, should give them an idea of what is being proposed. He said that the next time the Board will start pursuing working with him and Mr. Plotsky, to work toward a findings statement.

Glen Plotsky said that the applicants' counsel has provided language that if the Board approves perhaps a development plan of 1,518 units, \$1,000 per unit would be placed into a dedicated fund utilized solely for road repairs for Wilson Road. He said that this is a way to protect the town, and it is at the applicants suggestion that it comes with deed restrictions. He said that prior to the applicant getting a certificate of occupancy from the town Building Department, the payment will have to be made to the town.

Al Fusco said that the Board needs time to review this information tonight, and suggested a special workshop be scheduled for discussion.

MOTION

Vicaretti made a motion to schedule a special workshop for the discussion of this application for Wednesday, November 28, 2012 at 7:00 p.m. at Deerpark Town Hall. Santiago second. Roll call vote: Santiago, aye; Hunter, aye; Schadt, aye; Wilson, abstain; Vicaretti, aye; Wagner, aye; Schock, aye. Motion carried.

The secretary was instructed to post the workshop on the Town Hall bulletin board, and to contact the Town Clerk, to post it in the Times Herald Record newspaper.

APPROVAL OF MINUTES - OCTOBER 24, 2012

Schock made a motion to approve the minutes from the October 24, 2012 meeting. Vicaretti second. Roll call vote: Santiago, aye; Hunter, abstain; Schadt, aye; Wilson, abstain; Vicaretti, aye; Wagner, aye; Schock, aye. Motion carried.

DEERPARK KOA SITE PLAN - #12-0402

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

Owner/ Applicant Riverrush Resort RV & Campground, LLC is seeking a site plan for property located at 108 Guymard Turnpike, Cuddebackville, N.Y.

It is an RR Zone.

Section -Block -Lot = 28 - 1 - 49

Application received April 13, 2012

John Fuller said that at the last meeting, the Board had asked for additional information. He presented an evacuation route schematic for members of the Board, and briefly explained the route that would be taken, in the event of a flood. He said that all campers would receive this hand-out when they come.

Derek Wilson asked, who makes the decision to evacuate during a huge rain event?

John Fuller answered that the KOA management is responsible for notifying the campers.

Derek Wilson said that the fire department should be told immediately, and they should make decisions.

John Fuller said that he would think that the town emergency committee would make the very first decision and get proper emergency services personnel into the area to evacuate.

Dave Dean agreed that he believes that the fire companies would be the first responders, and send personnel into the area.

Derek Wilson said that the campers should be made aware, that they are camping in a flood way.

Bob Vicaretti suggested that signs pointed out the evacuation route should be posted throughout the campground.

John Fuller said that he will include those signs on the final site plan.

Al Fusco said that the Town of Deerpark has an excellent emergency preparedness system, and during hurricane Sandy there were many personnel here at town hall, police, fire, emergency responders, etc., tuned into the latest developments. He said that levels were continuously being taken of the Neversink River. He said that the Town Supervisor and the Town Board have applied for a "code red" system grant, through different private funding, that would also notify people on their cell phones, and/or other electronic equipment, when a disaster is declared, and there's to be an evacuation of Myers Grove, Cora Rose Lane, or whatever area is appropriate. He said that it will be a government decision if it will be a suggested evacuation, or a mandatory evacuation. He said that he has reviewed the evacuation plan for the KOA, and has suggested that a note be included in their evacuation agreement with their campers, that it would be mandatory that if an evacuation is called, everyone will have to leave. He said that that would be the law.

Al Fusco referred to his technical memo, dated November 14, 2012:

1. The evacuation plan should be noted on the plan and also the plan should be altered to eliminate any guests who refuse to leave a mandatory evacuation. The owner should include in the check-in, that mandatory evacuation is just that... MANDATORY.
2. The drainage easement with the Town to be given prior to signature of the site plan.
3. The future playground is to have guiderails on both Guymard Turnpike and the private street, to be built when the playground is built.
4. The sign is to have wide loads, etc. and a foundation design. The engineer is to sign off on the installation.
5. Engineer to certify backflow device installation.
6. Board comments.

Derek Wilson said that in the past, under a previous owner, there was an approval for 300 sites, which were never built. He said that now this new owner comes in, and 200 sites were proposed, but now it says in some literature 243 sites?

John Fuller answered by re-capping that no, his client is not proposing 300 sites. He said that originally when the campground was first created in the 1970's, the Department of Health has an approval in their records, which allowed for up to 300 sites on the property. He said that that was part of a 1970's approval for the campground. He said that that is still on record with the Health Department, for sanitation purposes. He said that the site plan as presented to the Board, in its current state, is what his client is proposing.

Derek Wilson asked, does the 243 sites include the tent sites?

John Fuller answered yes, it includes everything, it's all the delineated sites on the map. He said that when it was first presented, there were 200 identifiable sites, which was mentioned during the pre-application phase, and now the plan shows what his client is aspiring to.

Derek Wilson said that concerning the pa system, the client wants to make the case that a pa system is grandfathered. He said that it is the Planning Board who should make the decision, what the applicant is trying to do with the movie theater, because they can make the case that that is or isn't a pa system. He expressed his opinion that the pa system should just not be on the site plan, and if the applicant uses the pa system, and if it becomes a problem, then it will be an enforcement issue with the Building Inspector, and he will have to look at whatever existing Ordinance is, concerning campgrounds.

Bob Vicaretti expressed his opinion that overall, the pa system is a pretty big part of the whole complex.

Derek Wilson countered that the applicant is not proposing a pa system.

John Fuller said that the term pa is used as an address system, and they use a microphone for announcements and a musician would use a microphone. He said that the applicant does not currently utilize something that blasts from telephone poles. He said that the applicant does not utilize the old pa system that was installed forty years ago. He said that the issue of the pa system is for events, such as a movie night, or a band night, that's really where the conversation revolved around the concept of the pa system. He said that the site plan does not identify the pa system, but there was a complaint issue about it from the public. He said that it becomes an enforcement issue, because it is not on the site plan.

Derek Wilson said that concerning the trailers needing wheels under them, because as a campground, they need to move the units around, so that they don't turn into permanent structures. He said that the applicant has units that are on skids, and do they need to be put on wheels?

Al Fusco said that the terminology "movable" doesn't necessarily mean that they have to be moved off site. He said that they still are not permanent structures, and as part of the Town Code, the Building Department would make inspections along the way, and make sure that they are not violating the intent of the Ordinance, which is to keep people from living there full time, other than those that were authorized to do so, by the Zoning Board of Appeals. He said that the ZBA in their variance, had approved certain things, such

DEERPARK PLANNING BOARD - NOVEMBER 14, 2012 - PAGE #

as winter camping, but they did not approve year round occupancy, except for the specific items, which are listed on the new site plan. He said that there is nothing in the variance, about units on skids.

Derek Wilson said that if somebody complains about the trailers, as the Building Inspector, will you make the people move them?

Al Fusco answered that they will not be allowed to use those trailers year round, because they are not permanent structures.

Willard Schadt asked about noise?

John Fuller answered that the Ordinance concerning noise is referenced on the site plan, but specific language is not noted, relative to the noise and other criteria.

Al Fusco said that the Building Inspector is the enforcement agency, but if the police department would get a call about noise, an officer will show up with a noise meter

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 Deerpark KOA 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 Deerpark KOA site plan."

MOTION

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

MOTION

Wagner made a motion for conditional approval subject to the the conditions of the Town Engineers comments of November 14, 2012, and payment of all fees. Santiago second. Roll call vote: Santiago, aye; Hunter, aye; Schadt, aye; Wilson, aye; Vicaretti, aye; Wagner, aye; Schock, aye. Motion carried.

Derek Wilson stated that the list of the evacuation plan should also be included on the final plan.

MOTION

Wagner made a motion to approve a special use permit for the Deerpark KOA site plan for one year. Santiago second. Roll call vote: Santiago, aye; Hunter, aye; Schadt, aye; Wilson, aye; Vicaretti, aye; Wagner, aye; Schock, aye. Motion carried.

ADJOURNMENT

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

Meeting adjourned at 8:30 p.m.

Respectively submitted,

Barbara Brollier, Secretary