

DEERPARK PLANNING BOARD - MARCH 13, 2013 - PAGE #
PUBLIC HEARING - QUALITY BUS CO.

The Deerpark Planning Board met for a public hearing on Wednesday, March 13, 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	Theresa Santiago	Mike Hunter	Bob Vicaretti
Willard Schadt	Craig Wagner	Derek Wilson	

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. George Eckes, Applicant	Mr. Ed Ridley, Citizen
Mr. John Brehm, Adjoiner	

The secretary read the public hearing notice: “Notice is hereby given of a Public Hearing to be held by the Planning Board of the Town of Deerpark, Orange County, New York, pursuant to Article 7 of the Town of Deerpark Zoning Law on the application of Quality Bus Service for a site plan approval. The application effects the following premises: Record Owner: DLE Holdings LLC; Tax Map Designation: Section 43, Block 2, Lot 2; Zone Designation: HMU. Located at 102 Main St., Sparrowbush, Town of Deerpark, Orange County, New York. Information on this application is on file with the Town Clerk, Town Hall, Route 209, Huguenot, New York. The Hearing shall take place at 7:00 o’clock P.M. on the 13th day of March, 2013 at Deerpark Town Hall, located on Route 209, Town of Deerpark, Orange County, New York, or as soon thereafter as practicable. All parties wishing to be heard shall be heard at that time.”

Al Schock: Okay, John.

John Fuller: Thank you, Good evening, I’m John Fuller, a civil engineer, representing the application for a public hearing before the board and public tonight. The applicant, DLE Holdings, LLC., which is the same as Quality Bus, is located in Sparrowbush, on Route 42 in service for the local school district. This parcel of land, is also, what most people are familiar with, was originally Scully’s Restaurant, and there were a couple of buildings there, which were demolished just a few years back, when Quality Bus bought the property. We represented this application previously, as part of a joint site plan, with the parcel of land, which they run their operation out of on Route 42, part of this operation before the board and public now, is to split off this particular lot, which was part of the original site plan application was being used for parking, tied to the facility on 42. The proposal is to build a new stand alone primary building, as a primary structure on this property, the building will be about 75 by 50 or just under 4,000 square feet. The scope of the building will be a garage with associated office, in order to operate part of their business out of there. The owner is here tonight, owner/ proprietor, Mr. George Eckes, if the public or the board has any questions tonight. Just before I forget, I just want to make note for the record that all certified public hearing notices were sent out to adjoiners for this public hearing here tonight. In essence, currently the lot has been graveled over, after the demolition of the Scully structures a couple of years ago. They had been parking buses there for the last couple of years. As part of this application, we are proposing to put a primary structure

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on this parcel of land. The lot as it's currently configured will satisfy all zoning requirements, so no variances are necessary. The garage we are proposing is a three bay garage, with associated office, and again the primary use is to repair buses that are on the property. All other requirements as far as sight needs and engineering have been addressed, relative to things like wells and septic, and other matters for site plan development. The property is currently fully fenced in, considerations given in the original application to screening, for the neighbors. And that's part of this application as well. With that introduction, I'll turn it back to the Chairman.

Al Schock: Al, would you like to go through yours?

Al Fusco: Absolutely, thank you Mr. Chairman. We had done a review, and basically the applicants' engineer had addressed most of our concerns. He had made mention of it, placed it on the map, but we still need, prior to final approval, that we actually received the septic and water well information, and estimate for improvements for bond and/or inspection fees. We had submitted under 239 of the General Municipal Law, to both Orange County Planning and the New York State Department of Transportation. That is because they are within 500 feet of a State highway. We did not get any response to our office, unless Barbara did from New York State DOT?

Secretary: No, nothing.

Al Fusco: However, we did get a notice from the Orange County Department of Planning, which we forwarded to the board, and you will see it attached. Basically, they recommended that the property should have a special use permit which had been planned and mentioned on the map. They had requested a three year special use permit, to be renewed two years thereafter, which would be appropriate, that's up to the board. The board can limit that, if they so wish. They had also mentioned a need for outdoor lighting, which was mentioned previously, and should be shielded, and that's been done. We did require that there be a landscape plan, which was submitted. The County had said that it possibly should be wider, but that's a board determination.

Derek Wilson: Can I ask a question? Now that strip that goes around, is that between the property and the barber shop?

Al Fusco: No, we're talking about the strip in the front.

Derek Wilson: But there's nothing across the front, but the fence.

Al Fusco: But that goes on the plan.

Derek Wilson: So, there's basically nothing there right now.

Al Fusco: They got a couple of the new plan, which is attached. And what they say is they appreciate the proposed vegetative buffer which is proposed along the southwest property line, as it helps to provide a visually clear entrance to this site. Because we left it low, as shrubbery,

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not trees. However, we recommend the buffer be deeper, if possible, as Section 4.1.7 of the Deerpark Zoning Law states that non-residential parking areas should contain a planting strip at least twenty feet in depth along the road. However, the board has the right to adjust that, wider as they so deem. So, we got what we had asked for, they're recommending more, but it's a board decision. But this is an adequate attempt to show landscaping on the property. That's all I have, other than, in relationship of where we go from here. We need to do SEQRA of course, and setting ourselves up as lead agency, and if the board so chooses, a site plan with conditional approval pending my comments, and special use, conditioned upon the items mentioned.

Al Schock: Al, do you know when we submitted to the New York State Department of Transportation?

Al Fusco: It was, it was at least thirty days ago.

Al Schock: How long do we wait?

Al Fusco: Thirty days, and they have not responded, so you can move forward with it, as if they had responded.

John Fuller: Just for the record, they had commented on the original site plan, on this parcel, which is linked to the parcel on 42. All of their comments at that time were addressed as part of the 42 driveway.

Al Fusco: It was sent out on February 4th, so they've had more than adequate time.

Al Schock: Any board comments?

Derek Wilson: Is there anyone from the public that would like to comment?

Al Schock: I just wanted to ask the board first.

Bob Vicaretti: The map that we have here, is that the current map that you have up there? This is from about a month ago.

Derek Wilson: The one that I have doesn't show any vegetative buffer, but is that the one you have there?

John Fuller: Yeah, I have maps here.

Derek Wilson: So what you propose is less than 20 feet?

John Fuller: Yes.

Derek Wilson: What, ten foot? Because he's going to be losing this, out of this tremendously deep lot, he's going to be losing parking space I think the whole idea, was to be consistent, so

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you have similar parking along there, and they have a strip across the street. So, what you have proposed now, is part of the planting?

John Fuller: Yes, it's here.

Derek Wilson: There will be plantings on both sides of the fence, or you have to move the fence?

John Fuller: You have to move the fence.

Willard Schadt: In reality, it's what you plant, not how wide it is, you can have five foot plantings, it depends on the vegetation.

Derek Wilson: The deal there is that the cops, for security, they want to be able to see.

Al Schock: Okay, if there's no other board comments, we'll open it up for public comments at this time. Please state your name and come to the podium please, and confine your comments to four minutes. The board is not required to answer the questions, just to hear your comments.

John Brehm: My name is John Brehm and I live at 108 Main Street, and I'm in between the buses. I want to know what's the hours going to be for the lot?

George Eckes: 5 a.m to 5 p.m.

John Brehm: And what side is the office going in, on my side.

John Fuller: No, on the other side of the lot. Here is the lot, and here is the location of the building. We've placed it so that it's on this side, with the office, so it will not disturb your house.

Derek Wilson: And there's one handicapped spot on that side?

John Fuller: We can put it here, yes.

Al Schock: John, please address the board, and then we'll address them.

Derek Wilson: Just to be clear, you think it's advisable to put the office on his side, and make it a mirror opposite, and then maintain the same spacing, and put a handicapped on that side, to give it a little more buffer.

George Eckes: Well, we'll move the office over to this side, and parking here, and I ran privacy slats all the way up to here, so I can just finish the privacy slats this way. So, the office will be over here, instead of a garage door. The cars will just pull straight in and then just back out.

Glen Plotsky: So, you're not going to move the building, just the orientation?

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John Fuller: Yes, mirror the orientation of the building, no we're not going to move the building.

Glen Plotsky: So, the only question I have, is if I remember the explanation, this is not for buses to go in and out for the schools, this is simply for sales and service?

George Eckes: Yes, just for sales and service.

Glen Plotsky: Okay, how many sales are expected between 5 a.m. and 8 a.m.? But it seems like that's a pretty extreme start time.

George Eckes: The drivers are delivering buses generally between 5:30 a.m. and 7:00 a.m., but sometimes they don't get in there until 9 a.m. And generally I don't get out of there until around 6:00 p.m. Very little other traffic will be in and out of there. There will be five employees max, inside that building.

Derek Wilson: There will be no intermingling of employees at the other building, with the employees here?

George Eckes: Basically, I'm looking to split the company so to speak. Currently we do sales and service out of that place, and we operate the buses and we also sell. We're basically trying to fit ten pounds of stuff in a two pound bag.

Derek Wilson: The other thing too, you weren't at the last meeting, we discussed the existing site plan will have a note on it, cutting this lot.

John Fuller: We addressed that, it's a separate application. which just removes this from the site. Yes, there's a separate plan, breaking this off.

Al Schock: Any other comment:

Ed Ridley: Good evening. My name is Ed Ridley, I'm a resident of Sparrowbush. I went by there the other day, and there was a slight oily residue in the ditch out in front, and this is the first I've seen or heard about this. I don't know if it's going to be paved. I'd like to know what you're going to do about the oil, and the residue run off?

John Fuller: Currently there 's no specific regulations from the DEC to provide for oil separation for this type of facility. Obviously if any of the buses would have drips, it's the responsibility of the owner to put drip pans, or whatever to deal with that issue. I mean, Al could probably elaborate further, that there is no specific requirement that we have to provide, just because we're providing buses in a parking lot format. And George can attest to this, that all of the service work on the buses will be done inside the buildings, where it will be controlled.

Al Fusco: Mr. Chairman, just so that you do know, and the public does know, that if there is a problem, and there is a vehicle that does have a leak and it is impacting it, the DEC does have regulations concerning spills, so if there is an issue, and it has to be corrected and mediated, and will be referred to the Building Department and/ or the DEC.

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Al Shock: Thank you Al. Any other comments? If there's no other comment, I'll entertain a motion to close the public hearing at this time.

Derek Wilson: I'll make that motion.

Theresa Santiago: Second.

Al Schock: All in favor?

Theresa Santiago: Aye.

Bob Vicaretti: Aye.

Craig Wagner: Aye.

Willard Schadt: Aye.

Mike Hunter: Aye.

Derek Wilson: Aye.

Al Schock: Aye.

Public hearing adjourned at 7:26 p.m.

Respectfully submitted,

Barbara Brollier, Secretary