

The Town of Deerpark Planning Board met for their bi-monthly meeting on WEDNESDAY, APRIL 25, 2018 at the Deerpark Town Hall, 420 US Route 209, Huguenot, NY. The following were present:

BOARD MEMBERS PRESENT:

Bob Vicaretti-Chairman
Rob Whitney
Willard Schadt

Craig Wagner-Vice Chairman
Theresa Santiago

BOARD MEMBER ABSENT: Mike Hunter



APPROVED

OTHERS PRESENT:

Town Attorney-Glen Plotsky
Town Engineer-Alfred A. Fusco III
David Dean-Town Councilman
Al Schock-Town Councilman

Pledge of Allegiance

Meeting was brought to order at 7:02 p.m.

THE SENTINEL AT PORT JERVIS-ASSISTED LIVING FACILITY-PUBLIC HEARING –

Eric Newhouse-Applicant

Mr. Newhouse stated that this was a modification to the already approved Site Plan for an addition to the building for common area, he further stated he received the copy of the letter from the county and the Town Engineer.

Secretary read public notice into record.

No public comment.

Town Attorney acknowledged that a City of Port Jervis Councilman made Anti-semitic comments on Social Media about the project and asked who will be able to stay at the facility. Mr. Newhouse answered that it is for the public at large, it is not built for any race or creed.

Motion to close public hearing.

Motion made by Theresa Santiago, 2nd by Rob Whitney to close the public hearing for The Sentinel at Port Jervis.

Vote 5 Ayes: Theresa Santiago, Craig Wagner, Rob Whitney, Willard Schadt, Bob Vicaretti.

MOTION CARRIED

Motion to declare a Negative Declaration.

Motion made by Craig Wagner, 2nd by Theresa Santiago to declare a negative declaration for SEQRA purposes.

Vote 5 Ayes: Theresa Santiago, Craig Wagner, Rob Whitney, Willard Schadt, Bob Vicaretti.

MOTION CARRIED

Motion to approve the application.

Motion made by Theresa Santiago, 2nd by Craig Wagner to approve the amended site plan for The Sentinel at Port Jervis contingent on approval from Department of Health and all fees paid.

Vote 5 Ayes: Theresa Santiago, Craig Wagner, Rob Whitney, Willard Schadt, Bob Vicaretti.

MOTION CARRIED

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KERRY HUGHSON-357 NEVERSINK DRIVE-PRE-APPLICATION –

Kerry Hughson-Applicant

Mr. Hughson stated that this was property located at 357 Neversink Dr, he added that he was not sure if this was a subdivision or a lot line change. He further stated that the property is about 8 acres and he would like to split it in half, he will own both and there is road frontage on both. Chairman suggested Mr. Hughson get a new cleaned up map. Willard Schadt added to show setbacks of structures on the property. Chairman added to submit a formal application, Town Engineer also stated to have soil tests done on the proposed vacant lot. Rob Whitney asked why, Town Attorney replied that the test needed to be done to make sure the lot is buildable. Glen Plotsky, Town Attorney stated that **Attorney Escrow** will be **\$350** and Alfred Fusco III, stated that **Engineering Escrow** will be **\$750**. Chairman Vicaretti acknowledged that the garage was on the line and he might have to go to the Zoning Board or he could either change the line or remove the garage.

RANDY SAUSCHUCK-HOOK ROAD-AMENDED SITE PLAN –

John Fuller-Representative for Applicant

Mr. Fuller stated that he received the letter from the Building Department regarding the definition and opinion, he also stated that they have added the hours of operation to the site plan as the soil mixing will be Monday-Friday from 8am-5pm. Town Engineer acknowledged that the letter stated that the soil mixing was a permitted use. Willard Schadt declared that he felt unsure about making a decision regarding the application because there were two Town officials with different opinions, he added he cannot see how it fits in light manufacturing, and the neighbors complained about the noise coming from the trummel. He suggested that Mr. Sauschuck go to the Zoning Board for a interpretation, Town Engineer stated that it was the right of the Planning Board to send them to the Zoning Board. Willard Schadt added that he had a problem with the language and definitions, John Fuller stated that he read the definition of Hamlet Mixed Use and Industrial Uses are acceptable. Willard Schadt further suggested that the Planning Board send the applicant to the Zoning Board of Appeals because he felt it was going beyond the authority of the Planning Board and it needed an interpretation. Chairman Vicaretti asked the members of the Board how they felt, Theresa Santiago stated she agreed with Willard. John Fuller stated that it was an accessory use to his business, Willard Schadt asked accessory to what, Town Engineer replied to the contractor's yard. Rob Whitney acknowledged that he went to Mr. Sauschuck for material and asked him how many hours he runs the trummel, he showed him the machine and stated that it was only 41 hours in one year. Theresa Santiago asked 41 hours in one year, Rob Whitney answered yes he makes it in bulk for the year.

Motion to approve the application.

Motion made by Rob Whitney, 2nd by Craig Wagner to approve the amended site plan for Sauschuck Maintenance and Backhoe contingent on all fees paid.

Vote 4 Ayes: Theresa Santiago, Craig Wagner, Rob Whitney, Bob Vicaretti. Willard Schadt abstained from voting.

MOTION CARRIED

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LEMMONS-223 COUNTY ROUTE 61-2-LOT SUBDIVISION-

John Fuller-Representative for Applicant

Mr. Fuller explained that this was a 2-lot subdivision on County Route 61, both lots meet all Zoning Regulations, they are in the process of getting a driveway permit from the county. Town Attorney stated the only letter received from the GML-239 was from the County for the driveway.

Motion to declare a Negative Declaration.

Motion made by Craig Wagner, 2nd by Rob Whitney to declare a negative declaration for SEQRA purposes.

Vote 5 Ayes: Theresa Santiago, Craig Wagner, Rob Whitney, Willard Schadt, Bob Vicaretti.

MOTION CARRIED

Motion to schedule a public hearing.

Motion made by Craig Wagner, 2nd by Rob Whitney to schedule a public hearing for Julie Lemmons 2-lot Subdivision for Wednesday, May 23, 2018 at 7pm.

Vote 5 Ayes: Theresa Santiago, Craig Wagner, Rob Whitney, Willard Schadt, Bob Vicaretti.

MOTION CARRIED

NEW CENTURY FILM-517 NEVERSINK DR-FLEA MARKET PROPOSAL –

John Fuller-Representative for Applicant

Peter Wei-Applicant

Mr. Fuller explained that they had an approval for the film production, they are still formulating the long term plan, but are proposing a seasonal flea market and farm stands. Mr. Fuller added that the property has been similarly used in the past for fairs and concerts. Mr. Wei went on to state that he has done some further research, there is enough space and a parking analysis was done based off of other flea markets in the area. He further stated that the septic is adequate and it will be beneficial to the Town. Town Attorney asked how many people they were thinking about, John Fuller answered 200 booths, and the attendees will vary based on day. Town Attorney asked when the flea markets would be, Mr. Fuller replied it would be seasonal from late spring to early fall, Saturdays and Sundays from 10-4 but when a formal Site Plan is done dates and times will be discussed. Theresa Santiago asked if there would also be booths inside, Peter Wei answered no unless there was no filming. Willard Schadt stated that he was not familiar with how flea markets work and questioned how it works with vehicles and if the vendors bring their own tents or if there are booths set up. Rob Whitney asked about traffic control with attendees coming in and out. Town Attorney acknowledged that he has done flea markets in the past and the vendors drive their vehicle up some people sell new things, others sell old or antiques. He went on the say that most people do not come alone so the 200 booths become 400 plus people not including attendees. He stated his concern with how the Town will handle this regarding mass gatherings which consists of environmental and traffic studies, because that would have to be done each time. He continued by saying that most vendors get there atleast 2 hours early to set up and then they will have to clean up so traffic not only be during the times the flea market is open but as well as atleast 2 hours before and after. Willard Schadt asked if it rained 200 vendors in the field with their vehicles what would happen, Town Attorney stated that it does happen sometimes and has happened when they had fairs there in the past.

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ORANGE AND ROCKLAND UTILITIES-ROUTE 209-SUBSTATION –

Alan Lipman-Attorney for applicant

Greg Iban-Overall Project Manager

Tom Frisbie-Project Manager

Mr. Iban stated that this was for an amendment to the original site plan to place utility poles and cables in the right-a-way, they have submitted the revised EAF as asked. Town Engineer stated that they have reviewed the new EAF and could see no issues, the revised EAF incorporates the changes requested.

Motion to declare a Negative Declaration.

Motion made by Willard Schadt, 2nd by Rob Whitney to declare a negative declaration for SEQRA purposes.

Vote 5 Ayes: Theresa Santiago, Craig Wagner, Rob Whitney, Willard Schadt, Bob Vicaretti.

MOTION CARRIED

Motion to waive a public hearing.

Motion made by Rob Whitney, 2nd by Craig Wagner to waive a public hearing for Orange and Rockland Utilities Substation on Route 209.

Vote 5 Ayes: Theresa Santiago, Craig Wagner, Rob Whitney, Willard Schadt, Bob Vicaretti.

MOTION CARRIED

Motion to approve the amended application.

Motion made by Rob Whitney, 2nd by Theresa Santiago to approve the amended site plan for Orange and Rockland Utilities contingent on all fees paid.

Vote 5 Ayes: Theresa Santiago, Craig Wagner, Rob Whitney, Willard Schadt, Bob Vicaretti.

MOTION CARRIED

MOTION TO APPROVE MINUTES.

Motion to Approve April 11, 2018 Minutes.

Motion made by Theresa Santiago, 2nd by Rob Whitney to approve the minutes for Wednesday, April 11, 2018 meeting.

Vote 5 Ayes: Theresa Santiago, Craig Wagner, Rob Whitney, Willard Schadt, Bob Vicaretti.

MOTION CARRIED

Motion to adjourn meeting.

Motion made by Theresa Santiago, 2nd by Craig Wagner to adjourn meeting at 8:29 pm.

Vote 5 Ayes: Theresa Santiago, Craig Wagner, Rob Whitney, Willard Schadt, Bob Vicaretti.

MOTION CARRIED

Respectfully submitted by,



Amanda Gorr, Planning Board Secretary