

The Town of Deerpark Planning Board met for their bi-monthly meeting on WEDNESDAY, April 26, 2017 at 7:00 pm at the Deerpark Town Hall, 420 Route 209, Huguenot, NY. The following were present:

BOARD MEMBERS PRESENT:

Bob Vicaretti-Chairman
Theresa Santiago
Willard Schadt

Craig Wagner-Vice Chairman
Rob Whitney

BOARD MEMBER ABSENT: Mike Hunter

OTHERS PRESENT:

Dave Dean – Town Councilman
Al Schock – Town Councilman
Glen Plotsky – Town Attorney
Alfred Fusco III, Fusco Engineering for Town



APPROVED

Meeting was brought to order at 7:03 pm

Pledge of Allegiance

ASPEN RIDGE – 15-LOT SUBDIVISION – 541 PEENPACK TRAIL – PUBLIC HEARING –
Michael Morgante-Engineer for Applicant from Arden Consulting

Motion to open Public Hearing.

Motion made by Theresa Santiago, 2ND by Willard Schadt to close Regular Meeting and open the Public Hearing for Aspen Ridge 15-lot subdivision.

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

MOTION CARRIED

Secretary read public notice into record.

Mr. Morgante started the presentation off by giving a brief summary of the application, stating that it is a 15-lot Subdivision each lot will have their own well and septic. He continued that there will be a private road into the subdivision with 2 entrances off of Peenpack Trail; they have conducted a small site distance survey. He further stated that they tried to preserve as much wooded area as possible; they have also done a habitat study and have also proposed infiltration ponds for storm water management. He also stated that the plans have been reviewed by City of Port Jervis, NYS DEC and Orange County Department of Planning. Alfred Fusco III went through the comments from Fusco Engineering stating that a few notes on the maps need to be changed or reworded, regarding the private road; also as part of the home owner association there needs to be a storm water management agreement that they are responsible for the maintenance of the storm water facility.

Chairman opened the floor for public comment.

Public Comment –

Stephen Hsu-530 Peenpack Trail- He stated that he moved to the area because of the rural neighborhood, he went on to say that 15 houses are just too many that Peenpack would only support 5; it would be like doubling the population in a 2 mile stretch. He also stated that the speed limit is 35 MPH but most go faster than that so maybe posting signs to slow down for the driveways. Mr. Hsu further stated that the increase in tax base is good but just too many units in one area.

Charlene Lehn-550 Peenpack Trail- She stated that the property has been in her family for nearly 30 years, she is worried about the effect on the water table. Ms. Lehn also stated that there are natural springs on her property and it is a water source for the animals and she is concerned with that many units it could affect the water table, she asked if there could be a scaled back version of the 15 lots.

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ASPEN RIDGE – 15-LOT SUBDIVISION – 541 PEENPACK TRAIL – PUBLIC HEARING – continued –
Public Comment – continued –

Linda Predmore-Middletown, NY-Ms. Predmore stated that her father Lester Taylor lives at 546 Peenpack Trail he built his house in 1965 and she helps take care of the property. She stated that they are worried about the number of units and what it will do to the traffic, water table and runoff. She further asked if it would be a gated community and also stated that at one time there was a small cemetery on the property. Lastly she stated her concern with where the roads meet and if lights from car headlights will be shining into the windows of houses across the street.

Martin and Frances Vella-536 Peenpack Trail- Mr. Vella stated that he lives across the street from the subdivision and his bedroom window is 20ft across the road from the one of the entrances. He also stated that they purchased the property 4 years ago and that 15 units is too many to put in, the drainage and sewage will drain into the stream that runs through his property. Frances Vella also stated that they were not notified of the Public Hearing.

Glen Plotsky-Town Attorney- Mr. Plotsky stated that they were sent a notice. He further stated that because Red Rock Hunting camp is within 500ft of the proposed subdivision and according to NYS DEC Hunting Regulations you cannot discharge a firearm within 500 feet of a dwelling or public structure. He asked Mr. Morgante if a restriction could be placed in the deed to waive the 500ft restriction.

Motion to close Public Hearing.

Motion made by Theresa Santiago, 2ND by Craig Wagner to close the Public Hearing for Aspen Ridge 15-lot subdivision.

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

MOTION CARRIED

Mr. Morgante stated that he could see no problem with the deed restriction, he went on to address concerns of the public; stating that none of the lots are less than 1½ acres to leave as much wooded area as possible, part of the EAF they did a small traffic study with no negative effects. He also stated that site distance, curbs, brush clearing, grade and separation of entrances is what determined where the 2 entrances would be. Mr. Morgante stated that Orange County Department of Health will require perk tests and all data has been reviewed by them and they found no water issues. Chairman Vicaretti asked about the storm water runoff, Mr. Morgante stated that infiltration ponds will help with runoff to filtrate the soil out of the water and the water will be absorbed back into the ground. Chairman also asked about the concern of lights, Mr. Morgante answered that a boundary survey will be conducted. Willard Schadt asked about pole lights at the end of the driveways on to Peenpack Trail, Mr. Morgante replied No there will not be any. He continued by stating that he was walked the property and so has the DEC and no cemetery has been found.

Motion to allow Aspen Ridge to proceed to the Department of Health.

Motion made by Craig Wagner, 2ND by Rob Whitney to allow Aspen Ridge to proceed to the Department of Health.

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

MOTION CARRIED

Mr. Morgante asked if there could be correspondence written up in regards to the motion, so he could submit that to the Department of Health, Town Attorney answered yes.

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**SENTINEL – ASSISTED LIVING – 2247 GREENVILLE TURNPIKE –
Eric Newhouse-Applicant**

Chairman Vicaretti asked if proof of mailing was given, Town Attorney answered yes. Alfred Fusco III stated that all previous comments are satisfied and recommended that an approval could be given conditional on Orange County Department of Health and NYS DEC sign offs.

Motion to close Public Hearing.

Motion made by Willard Schadt, 2ND by Craig Wagner to close the Public Hearing for Sentinel Assisted Living Facility.

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

MOTION CARRIED

Motion to declare a Negative Declaration for SEQRA Purposes.

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 conditionally approve application for the Sentinel.

Motion made by Theresa Santiago, 2ND by Craig Wagner to approve application for the Sentinel for an Assisted Living Facility conditional to sign offs from Orange County Department of Health and NYS DEC.

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

MOTION CARRIED

RANDY AND BARBARA SAUSCHUCK – HOOK ROAD –

Randy Sauschuck –Applicant

John Fuller-Engineer for Applicant

Mr. Fuller stated that there was an issue with the clarification of uses and Mr. Onofry, Attorney for Mr. Sauschuck sent a letter to clarify the uses. The letter was read into public comment and a copy will be added to the file. The letter stated that to include the whole sale and retail of the materials on the parcels the Amended Site Plan will be considered for a Contractor Storage Yard and a Building Supply/Lumber Yard. Chairman Vicaretti stated that he went up to the site and with permission of Mr. Sauschuck took pictures; he distributed them to the members. Mr. Fusco went through the comments from Fusco Engineering stating that a condition of final approval would require lot consolidation. Town Attorney confirmed that the Site Plan approval is contingent on the lot consolidation, Mr. Fusco acknowledged yes. Town Attorney asked if the verbiage could be changed regarding the Hours of Operation. Mr. Fuller stated he could change Sunday and narrow the window of machine operation, and also the smell and dust issues can be addressed. Chairman Vicaretti entered the photos he took in to public record along with the letter from William Onofry and letters from public: Virginia Copp & David & Veronica Danko with attachments.

Motion to close Public Hearing.

Motion made by Craig Wagner, 2ND by Theresa Santiago to close the Public Hearing for Randy and Barbara Sauschuck.

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

MOTION CARRIED

Willard Schadt asked about the letter attached to the Danko letter about the business being a Special Use, Mr. Fusco stated that Zoning has changed since then. Town Attorney stated that time was needed to review the letter. Willard Schadt asked if hours of operation could be different for the two businesses, Mr. Fuller answered yes.

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PARAGON SUBDIVISION – 307 US ROUTE 209 – 11-LOT SUBDIVISION–
John Fuller-Representative for Applicant from
Loren McCune-Applicant

Mr. Fuller stated that they had been before the Planning Board for Preliminary approval back in July; they have since addressed all other outstanding comments and issues and are now asking for final conditional approval. He continued that without signed maps he cannot get Department of Health Approval.

Motion to conditionally approve application for Paragon.

Motion made by Theresa Santiago, 2ND by Craig Wagner to approve application for Paragon for a 10-lot Subdivision contingent on Department of Health Approval and all fees paid.

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

MOTION CARRIED

YORK DONG – MUSIC SHOP BUILDING #2 – 388 GALLEY HILL ROAD–
York Dong-Applicant

Mr. Dong explained that he has changed the Site Plan based on the Board comments from his pre-application meeting. He continued that the new building is the same size as the current one. Chairman Vicaretti stated that he went and took pictures of the existing music store and entered them into record. Willard Schadt asked what the 2nd floor was used for Mr. Dong answered office use. Willard Schadt asked if it was related to the music store, Mr. Dong replied no independent and separate from the music store. Alfred Fusco III stated that as soon as the intended use is given for the new building than the parking can be figured along with Bulk Requirements.

MOTION TO APPROVE MINUTES.

Motion to approve April 12, 2017 Minutes.

Motion made by Craig Wagner 2nd by Rob Whitney to approve Wednesday, April 12, 2017 minutes.

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

MOTION CARRIED

OTHER BUSINESS –

Dave Dean stated that the intent of addressing the 500ft rule for Hunting Clubs is because the Red Rock Hunting camp so close to the proposed subdivision. He further stated that it is only for established Hunting Clubs and that it will be placed in the deed. Al Schock added that the new owners will give permission by signing the deed.

Motion to adjourn meeting.

Motion made by Theresa Santiago, 2nd by Craig Wagner to adjourn meeting at 9:01 pm.

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

MOTION CARRIED

Respectfully submitted by,



Amanda Gorr, Planning Board Secretary