

The Town of Deerpark Planning Board met for their bi-monthly meeting on WEDNESDAY, NOVEMBER 14, 2018 at the Deerpark Town Hall, 420 US Route 209, Huguenot, NY. The following were present:

BOARD MEMBERS PRESENT:

Bob Vicaretti-Chairman
Theresa Santiago
Rob Whitney

Craig Wagner-Vice Chairman
Willard Schadt

BOARD MEMBER ABSENT: Mike Hunter

OTHERS PRESENT:

Town Engineer-Alfred A. Fusco III
Town Attorney-Glen Plotsky
Dave Dean-Town Councilman

Pledge of Allegiance

Meeting was brought to order at 7:04 p.m.

Chairman Vicaretti announced that he was going to change up the agenda a little.

BLUE RILL – LYNN FEASLEY – 1176 STATE ROUTE 42 – AMENDED SITE PLAN –

Tim Gottlieb-Engineer for Application
Lynn Feasley-Applicant

Mr. Gottlieb stated that this was a site plan amendment for change in square footage on the building, he continued that there would be no additional parking. Town Attorney acknowledged that other applicants with minor changes, we have had come back and that is why Ms. Feasley is here. Chairman Vicaretti stated that he received a letter from Ms. Feasley and shared it with the other Members and added it was a very nice letter.

Motion to waive Public Hearing.

Motion made by Willard Schadt, 2nd by Craig Wagner to waive public hearing.

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

MOTION CARRIED

Motion to approve the application.

Motion made by Willard Schadt, 2nd by Craig Wagner to approve the application for Lynn Feasley, Blue Rill contingent on fees paid.

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

MOTION CARRIED

QUARRY MANAGEMENT – 131 US ROUTE 6 – PRE-APPLICATION –

John Fuller-Representative for Applicant

Mr. Fuller explained this was property owned by Triplet LLC, it is in the IB (Interchange Business) District and currently has a business operating at the location, Mr. Trovei is in contract to sell the property. He continued that Quarry Management is a Lackawaxen, PA based business it will be used to stock pile materials, there will be small changes and some grading. Chairman asked if a lot consolidation would be done, Mr. Fuller answered that it is not part of the proposal but can if extensive grading has to be done. Town Engineer stated that it is listed in the IB Zone with Planning Board Approval, and he sees no issues with the uses. John Fuller stated that he will add the hours of operation to the site plan.

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QUARRY MANAGEMENT – 131 US ROUTE 6 – PRE-APPLICATION – continued –

Chairman Vicaretti added that the list of materials that will be onsite should be on the site plan as well. Mr. Fuller further stated that the existing well and septic will be used as it is currently being utilized and there will be no new buildings, but there will be crushing operations. Chairman asked that a list of equipment that will be used onsite be given as well. Town Engineer questioned if there will be wholesale of materials to the general public, Mr. Fuller answered that it will be wholesale but not to the general public. Town Attorney acknowledged that he represents Mr. Trovei and he will be representing him in regards to this sale.

296-320 GUYMARD TURNPIKE – PROPOSED DRIVEWAY – PUBLIC HEARING –

John Fuller-Representative for Applicants

Mr. Fuller stated that it will be a better access for larger vehicles entering and leaving Dragon Springs, he explained that they went to the Highway Superintendent, Edward Hughson and he sent them to the Planning Board. He continued that the turn around will be on the parcels 296 and 320 Guymard Turnpike, it will allow for the buses to exit and enter safer. He further stated that there was an extensive technical review from Fusco Engineering also a traffic study was done for Dragon Springs and it was extended to include the proposed turn around. John Fuller explained that there was talk about straightening out the entrance for Dragon Springs but it is such a steep grade, the road rises quickly and the power lines; straightening will not improve the site distance. Mr. Fuller added that with both entrances it would be good for emergencies. Town Engineer stated there was a letter from the Highway Department stating that the 50ft proposed driveway width is not in compliance with Town Law, residential driveways are 25ft. The letter also touched upon site distance, grading and the -2% slope, Highway Superintendent suggested meeting onsite with the Applicant and the himself.

Secretary read Public Hearing Notice into record.

Public Comment:

Angela Lee-48 Mallard Dr.- Ms. Lee stated she was in support of the Plan.

Lowell Anderson-29 Old Carriage Rd- Mr. Anderson stated that buses and large trucks are bad for the road and it is a dangerous road now, and added that when the main entrance is open this will no longer be needed.

Stephen Hsu-530 Peenpack Trail- Mr. Hsu stated he was concerned of the safety issue and was opposed to the project.

Steven Schneider-Schneider Engineering-Ronkonkoma, NY- Mr. Schneider stated he reviewed the documents he has FOILED and he did a site visit. He continued that he reviewed that traffic study done for Dragon Springs and it included a 1140 space parking lot and 920 seat movie theater, this will create a lot of traffic on an already hazardous road. He further stated that there are residents, visitors and many that live onsite and others that commute creating more traffic. Mr. Schneider added that the road is not big enough for buses to go in both directions, and acknowledged that the traffic study did not include accidents in and around the entrance.

Alex Scilla-15 Huguenot St-New Paltz, NY- Mr. Scilla stated he was concerned with the safety issue.

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Public Comment continued:

Kelli Brink-479 Galley Hill Rd- Ms. Brink stated that she feels its not safe, she added that she drives Guymard and there is barely enough room for 2 cars and has been run off the road.

James Smith- Mr. Smith stated that a significant amount of people travel that road and if it will improve the exit and entrance, he feels it is a sensible route to take. He also stated that he felt 2 access points is also safer.

Dusanka Marusic-260 Galley Hill Rd- Ms. Marusic stated that there a safety issues, and there has clearly been an increase in traffic in that area. She felt that another Public Hearing should be done to give more time for review.

Levi Browde-813 Guymard Turnpike- Mr. Browde stated that he lives on Guymard Turnpike in The Town of Mount Hope and felt that it would be safer to have the loop.

Ben Maloney- Mr. Maloney stated that the buses already go up the road so there will not be an increase in traffic and if it will be safer for the buses to use the loop, he is in favor of it.

Russ Beres-Graham Ave- Mr. Beres stated that a couple of buses a week is an increase in traffic.

James White- Mr. White explained that it is unsafe for buses to turn now and as it increases it will become more unsafe. He felt that with the increase in traffic the loop will be more important to have.

Chairman Vicaretti stated that the public hearing will be left open for any written comments.

Town Attorney acknowledged it will give professionals more time to look at the submission and provide documentation along with anyone else that would like to add to the comments.

Chairman declared most comments were about the safety issue.

Motion to close Public Hearing.

Motion made by Theresa Santiago, 2nd by Craig Wagner to close oral part public hearing, but leave open for written comments until December 12, 2018.

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

MOTION CARRIED

DRAGON SPRINGS BUDDHIST INC – 400 STATE ROUTE 211 – SOLAR FARM – PUBLIC HEARING –
Michael Morgante-Representative for Applicant
Jonathan Zhou-Applicant

Mr. Morgante gave a brief description of the application for a 4MW solar farm; stating that this property is located off of Route 211 between Port Orange Road and Otisville Road, it is 41.22 acres of property. He continued that the lot is mostly wooded and encompasses an easement from Orange and Rockland Utilities and the Railroad. Mr. Morgante further explained that the access to the site will be off of Route 211, the entrance has already been approved by NYS DOT (New York State Department of Transportation), he went on to say that the entrance will be paved and then gravel roadway throughout the site which will be impervious material, the access will be big enough to accommodate emergency vehicles and traffic will be minimal. Mr. Morgante continued that once the site is up it will only be maintenance vehicles to mow grass and any regular inspections of equipment needed. The potential for the transmission line to supply Dragon Springs with power will either run down Galley Hill Road or across the Railroad tracks. He added that SWPPP (Stormwater Pollution Prevention Plan) has been approved by Fusco Engineering, and there have been meetings regarding the PILOT (Payment In Lieu Of Taxes).

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DRAGON SPRINGS BUDDHIST INC – 400 STATE ROUTE 211 – SOLAR FARM – continued –

Town Engineer asked how the power is getting to Dragon Springs facility, Mr. Morgante answered that there are talks with the Town to use Galley Hill Road and the Applicant is willing to repave the road, or the other option is with the Pennsylvania Lines but they would prefer to work with the Town. Town Engineer stated that more information needed to be on the plan regarding the line, they need to know how power is getting to the site and once it is there where it will go. He also stated that everything else has been reviewed and that the PILOT needs to be discussed further before any decisions can be made. Town Attorney explained that most people received notices because of the potential for the transmission line down Galley Hill Rd. He continued that he is not sure if it is the preference of the Town regarding the transmission line but if so there will be bids and no work will be performed by Dragon Springs. Town Attorney went on to say that the Applicant needs to show that all the 4MW of power are going to be used by them, if not then what the remaining will be used for, also he suggested no approvals until an agreement with the Town or Railroad. He also stated that there have been 2 meetings in regards to the PILOT and explained what a PILOT was and how it worked, he added that no agreement has been made yet and they are not close to one, he acknowledged that there needs to be a written PILOT agreement before an approval will be given and the PILOT will be 15 years. Mr. Morgante stated that he will use USGS maps to show the general location and where the connection will be.

Secretary read Public Hearing Notice into record.

Public Comment:

Angela Lee-48 Mallard Dr.- Ms. Lee stated she was glad because it is environmentally friendly.

Matthew Parlier-533 Galley Hill Rd- Mr. Parlier stated he has been a resident his whole life and is concerned with the transmission line and how it will be run, also with the cutting of trees and how it will affect drainage down Galley Hill Rd, and he suggested that they put the solar on their property instead of running the lines from a piece up the road.

Kelly Brink-479 Galley Hill Rd- Ms. Brink stated that she had similar concerns and added that the ditches along the road are not maintained now, she added that they own property a lot closer to the main facility why not use one that it is already cleared. Ms. Brink also stated her concern about glare from the panels.

James Smith- Mr. Smith stated he was in favor of the project.

Dusanka Marusic-260 Galley Hill Rd- Ms. Marusic stated that there are other large Solar Farms in the area and how many is enough, she questioned how much energy does 4 MW provide. She also stated that solar panels on the roof are environmentally friendly but ground mounted are not as friendly especially when they are disturbing the environment. She went on to say that the Town of Mount Hope turned them down for a similar proposal. She continued that this is in a Rural Residential area and there are already too many Solar Farms, she also questioned what will be paved and asked if a more suitable site could be found.

Town Attorney-Glen Plotsky- Mr. Plotsky acknowledged he is also the Attorney for the Town of Mount Hope and there is no application before the Planning Board from Dragon Springs regarding Solar.

Megan Holley- Ms. Holley stated that she loves solar power but wondered the amount of power Dragon Springs needed and where it was going through the road and how it would be stored. She continued that there are more questions and felt the public hearing should stay open to accommodate for the questions.

Andy Garrison-NYNJ Trail Conference- Mr. Garrison asked what trees would be taken down because of the Shawangunk Trail that is there and how this project would affect it.

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Public Comment continued:

Motion to leave open Public Hearing.

Motion made by Theresa Santiago, 2nd by Rob Whitney to keep public hearing open until the December 12, 2018 meeting.

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

MOTION CARRIED

JERRY WEINSTEIN – 226 US ROUTE 209 – USE OF TRAILERS –

Jerry Weinstein-Applicant

Mr. Weinstein stated that he owns a commercial insulation business and uses the trailers for storage, he explained that they are all licensed and was told by a Building Inspector years ago that it was ok as long as they were licensed. He continued that the business was sold in June of 2017 and everything will be move by February. He also stated that he is currently in court regarding this and a summons for his arrest was sent and he would like the Planning Board to stop the court proceedings. Town Attorney acknowledged that only the Building Department or himself can end the court and the summons was issued because he did not show to court. Town Attorney went on to say that this is a commercial operation without site plan approval. Mr. Weinstein added that the delays were not his fault, Town Attorney declared that no steps were taken to fix the violations. Town Engineer explained that it is zoned HMU (Hamlet Mixed Use) and the business and trailers are allowed but with Planning Board approval. Mr. Fusco continued that a site plan would need to be provided with all the required information as well as site distance on the driveway and felt that it was a lot of work for something that is going to be gone by February.

MOTION TO APPROVE MINUTES.

Motion to Approve October 24, 2018 Minutes.

Motion made by Theresa Santiago, 2nd by Craig Wagner to approve the minutes for Wednesday, October 24, 2018 meeting.

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

MOTION CARRIED

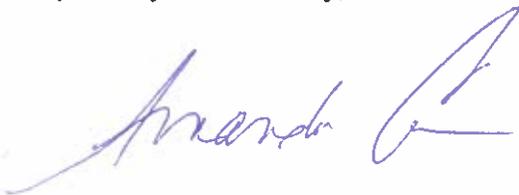
Motion to adjourn meeting.

Motion made by Theresa Santiago, 2nd by Craig Wagner to adjourn November 14, 2018 Planning Board meeting at 9:38 pm.

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

MOTION CARRIED

Respectfully submitted by,



Amanda Gorr, Planning Board Secretary