

The Town of Deerpark Planning Board met for their bi-monthly meeting on WEDNESDAY, APRIL 24, 2019 at the Deerpark Town Hall, 420 US Route 209, Huguenot, NY.

The following were present:

BOARD MEMBERS PRESENT:

Bob Vicaretti-Chairman
Theresa Santiago
Willard Schadt

Craig Wagner-Vice Chairman
Rob Whitney

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 7:01 p.m.

PORT JERVIS ELKS LODGE – ROUTE 6 – PUBLIC HEARING –

John Fuller-Representative for Applicant
Kevin Keane-Representative for Applicant

Secretary read public hearing notice into record. Mr. Fuller gave a short presentation stating that it is an accessory use for seasonal basis for 3 years, they will be leasing a portion of the building for an office. Also, there will be a storage container onsite to store equipment as well as a maximum of 4 trucks for overnight parking. It will run from spring to early fall, they service athletic fields at summer camps, schools and universities. Alfred Fusco III stated that the GML-239 went out on March 27, Chairman added that the public hearing would have to remain open to wait for any comments from outside agencies. Chairman questioned if any building would be done, John Fuller answered just the pad for the storage container.

Public Comment:

James Cuddy- Mr. Cuddy stated that he owns the property behind the lodge and is ok with the project, he added he sees no traffic impact or land disturbance, he has no objection.

Town Attorney- Mr. Plotsky suggested that the Board close the Public Hearing but leave open the written comment portion until the May 8 meeting.

Motion to close public hearing.

Motion made by Theresa Santiago, 2ND by Craig Wagner to close the oral portion of the public hearing and leave open written for comments until Wednesday, May 8, 2019.

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

MOTION CARRIED

Town Attorney asked for a copy of the lease agreement for review.

DEERPARK VILLAGE – WILSON ROAD – EXTENSION –

Alexander Roberts-Representative for Applicant

Mr. Robert explained that there was a letter sent from Nathaniel Parish, the planning consultant for the applicant stating that there have not been significant changes in SEQRA regulations that would affect the application and when the building does commence that all current codes and regulations will be followed. Mr. Roberts further stated that marketing the property has proved to be very difficult and they are in negotiations with a bigger developer and are asking for the extension to do the studies needed. Town Attorney stated that the letter from Mr. Parish is in reference to a letter that went out to similar applications that have been getting continuous extensions and to be consistent the Board has approved for 120-day extensions and Mr. Plotsky suggested that if the applicant can prove there are studies underway then a short extension could be given.

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DEERPARK VILLAGE – WILSON ROAD – EXTENSION – continued –

Motion to grant an extension.

Motion made by Craig Wagner, 2ND by Rob Whitney to extend application 120 days to August 28, 2019.

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

MOTION CARRIED

491 GALLEY HILL ROAD – PRE-APPLICATION –

The representative for the Applicant asked to be placed on the May 8 Agenda.

ERROL BEKIROV – 347 ROUTE 209 – BUSINESS –

Errol Bekirov-Applicant

Town Engineer explained that the Building Department referred Mr. Bekirov to the Planning Board to get an approval for a site plan, he has roll off garbage trucks that he has on his property that he rents. Town Engineer then went through the comments from Fusco Engineering stating that an EAF needs to be provided, where the equipment will be stored on the property needs to be shown, if there will be any employees, needs to be identified by NYS DOT (New York State Department of Transportation) as a commercial driveway and any signage or landscaping and lightening needs to be shown.

Motion to declare Lead Agency.

Motion made by Craig Wagner, 2ND by Theresa Santiago to declare the Town of Deerpark Planning Board to be Lead Agency for SEQRA purposes.

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

MOTION CARRIED

D'ARCY – 46 OLD PLANK RD – GROUND MOUNT SOLAR –

Adam Churk-Representative for Applicant

Mr. Churk stated this was a ground mount solar array on Old Plank Rd, he added that a lot consolidation has been applied for through the Town Assessor's Office; Secretary stated that it is at the County right now. Town Engineer went through comments from Fusco Engineering SHPO sign off, wetland on mapper identify any impact, Bald Eagle any impact, site plan needs to show any structures on the property along with well and septic, adjacent homes and any screening. Adam Churk acknowledged that no trees will be disturbed and asked if the Bald Eagle report needed to be done, Town Engineer stated to write up a narrative explaining the disturbance if any. Mr. Churk further stated that they went to the Building Department for a copy of a survey map but none was on file, Willard Schadt suggested by the lot numbers it seems it might have been a subdivision and should start with the County. Mr. Churk asked that next steps, Town Engineer stated that they need to satisfy the comments and come back, then a public hearing will be scheduled and if everything is ok then it can get an approval. Chairman then asked about Escrow, Glen Plotsky, Town Attorney stated that **Attorney Escrow** will be \$650 and Alfred Fusco III, stated that **Engineering Escrow** will be \$1250 the Escrow Form was filled out and signed by Town Attorney, Town Engineer and Representative for Applicant. A copy was given to each; also, a copy will be given to Escrow Manager, Danielle L Glynn and a copy will be placed in the file.

Motion to declare Lead Agency.

Motion made by Theresa Santiago, 2ND by Craig Wagner to declare the Town of Deerpark Planning Board to be Lead Agency for SEQRA purposes.

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

MOTION CARRIED

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YIN LIAN SUN – 463 ROUTE 209 – SITE PLAN REVIEW –

Michael Morgante-Representative for Applicant

Mr. Morgante explained that this was a multi-family housing project on about 34 acres, there are Army Corp of Engineers wetland on site and currently a dwelling/farmhouse various sheds and out buildings on the property, there is an existing driveway off of 209 and a 50 ft right-a-way which is called Kimberly Lane off of Grange Rd. He continued that there were dwelling plans provided for 1-3-bedroom homes, the existing driveway will be utilized it will just be widened over the Army Corp wetland and the access point off of Kimberly Lane will also be used, there will be an internal road to navigate to the homes on the property. He further stated that the property is in the HMU (Hamlet Mixed Use) District in which this is allowed by the new multi-family law passed, there has been conservation analysis's done, soil testing and perk testing, there will be a centralized sewage plant and water treatment plant and a storm water management system. Robert Whitney asked which access will be used, Mike Morgante answered off of 209 and it will be widened, he further asked if the existing structures will be demoed, Mike Morgante answered yes, they will be taken down. Town Engineer went through the comments from Fusco Engineering stating that SHPO sign off is needed, impacts on the wetlands need to be shown, any endangered species need to be specified, dedication of recreation and open space, bonds for performance and maintenance need to be established, more details on site plan. Chairman then asked about Escrow, Glen Plotsky, Town Attorney stated that **Attorney Escrow** will be **\$1250** and Alfred Fusco III, stated that **Engineering Escrow** will be **\$2750** the Escrow Form was filled out and signed by Town Attorney, Town Engineer and Representative for Applicant. A copy was given to each; also, a copy will be given to Escrow Manager, Danielle L Glynn and a copy will be placed in the file. Willard Schadt asked what the legal agency would be, Mr. Morgante stated a Home Owner's Association, Town Attorney stated he would need a copy of that for review when ready. Town Attorney asked about the cul de sac on the plans, Mr. Morgante stated that the internal road ends in the back of the property with a cul de sac, Town Attorney acknowledged that a width needs to be stated for fire code.

SILVER CANOE – STATE ROUTE 97 – SITE PLAN REVIEW –

John Fuller-Representative for Applicant

Mr. Fuller explained that last year he was before the Board for a pre-application, this is vacant property on Corso Rd and Route 97. Historically it was the March property, he was the owner of Silver Canoe and has property on South Maple Ave. There are 4 existing parcels totaling about 6 ½ acres and would like to do a subdivision to reconfigure it into 2 lots. One lot for the business the other eventually for a single-family dwelling with frontage on Berme Rd. The applicant plans a multi-year development, he feels it will take 2 years to build the structure needed to support the business, but asks for a temporary trailer and a fenced in area for winter storage. The final structure will be 36x48 for the business and storage, also a parking area. Town Engineer went over comments from Fusco Engineering stating that a separate subdivision map needs to be filed along with the site plan, also SWPPP (Storm Water Pollution Protection Plan), SHPO sign off, reports on wetlands and endangered species, any landscaping and lighting, sight distance on driveways, height of fence and any signs. Chairman asked how that phasing would be determined, Town Attorney stated through extensions. Town Attorney questioned about the traffic concerns and they should think about floating it by DOT (Department of Transportation) and see what they say. Mr. Fuller stated they would address the comments and resubmit for next month. Willard Schadt asked if this was directly across from the daycare and what impact it would have on traffic, John Fuller answered that peak days would be the weekends when Safe Stay is closed.

Motion to declare Lead Agency.

Motion made by Craig Wagner, 2ND by Theresa Santiago to declare intent for the Town of Deerpark Planning Board to be Lead Agency for SEQRA purposes.

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

MOTION CARRIED

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HOCKENBERRY GARAGE – 48 & 51 Upper Brook Rd –
John Fuller-Representative for Applicant

John Fuller stated that if the Board felt the scope is complete, he would request a public hearing. Town Engineer went through the comments from Fusco Engineering stating that SHPO needed to be signed off on, any signs need to be on map, lighting and screening. Mr. Fusco added that this addition will not affect the nature of the business.

Motion to declare Lead Agency.

Motion made by Craig Wagner, 2ND by Rob Whitney to declare intent for the Town of Deerpark Planning Board to be Lead Agency 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 May 22, 2019 at 7pm for Hockenberry Garage.

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

MOTION CARRIED

TRI-STATE TRANSMISSION – 6 ROUTE 42 & 97 –
John Fuller-Representative for Applicant

Mr. Fuller stated that this is to update a Site Plan with an addition to the building, he stated there was a prior variance for a side yard setback. Town Engineer went through the comments from Fusco Engineering stating that the SHPO and endangered species were signed off on already, the addition is a continuation of the building line and the digital sign was removed from this application, a separate application will be made for the sign.

Motion to circulate GML-239.

Motion made by Craig Wagner, 2ND by Rob Whitney to circulate GML-239 to involved agencies

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

MOTION CARRIED

Motion to declare Lead Agency.

Motion made by Craig Wagner, 2ND by Rob Whitney to declare intent for the Town of Deerpark Planning Board to be Lead Agency 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 Theresa Santiago to schedule a public hearing for June 12, 2019 at 7pm for Tri-State Transmission.

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

MOTION CARRIED

Planning Board Minutes-April 24, 2019-continued-

QUARRY MANAGEMENT – 131 ROUTE 6 –
John Fuller-Representative for Applicant

Mr. Fuller explained that the public hearing was kept open for written comment and some came in, revisions were done and a narrative was drafted to answer comments made. The DOT asked for additional information that still needs to be addressed. Mr. Fuller summarized public comment to be noise, dust and traffic; a traffic study was asked to be done by DOT, there will be dust and noise suppression methods and if the Board deems necessary an independent party could do a study to show the noise that will be generated by the concrete crushing machine. Chairman asked for it to be site specific, Town Engineer asked to be present for the study. Town Attorney suggested a motion be made to delegate Mr. Fusco to select a third party, if the Board feels it will be helpful. Craig Wagner stated that he had researched walls that absorb sound and that could be a suggestion.

Motion to delegate Town Engineer to setup Noise Impact Study.

Motion made by Theresa Santiago, 2ND by Craig Wagner to delegate authority to the Town Engineer to setup Third Party for Noise Study.

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

MOTION CARRIED

MOTION TO APPROVE MINUTES.

Motion to Approve March 27, 2019 Minutes.

Motion made by Theresa Santiago, 2nd by Rob Whitney to approve the minutes for Wednesday, March 27, 2019 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 Rob Whitney to adjourn April 24, 2019 Planning Board meeting at 9:04 pm.

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

MOTION CARRIED

Respectfully submitted by,



Amanda Gorr, Planning Board Secretary