

The Town of Deerpark Planning Board met for their bi-monthly meeting on WEDNESDAY, JULY 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

Craig Wagner-Vice Chairman  
Theresa Santiago

**BOARD MEMBER ABSENT:** Mike Hunter, Willard Schadt

**OTHERS PRESENT:**

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

Pledge of Allegiance

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

**SPARROWBUSH NY 1 LLC AND SPARROWBUSH NY 2 LLC-SOLAR SYSTEM-PUBLIC HEARING –**

Kathy Haake-CEC Development LLC  
Justin Dates-Maser Consulting P.A.

Secretary read Public Hearing Notice into record.

Ms. Haake started presentation off by stating that they would be leasing the property from Buck Knoll Hunting Club, she stated that CEC is the nation's leading solar development company and is based out of Colorado. She continued that their company has 16 facilities in New York State, and the 3 mega watt system can supply about 650 homes. She further stated that the construction should take 8-10 weeks and will be removed in about 25 years which is the life of the panels. Mr. Dates then continued the presentation by stating that the property was about 371.5 acres located in the Rural Residential District (RR) at the end of West Peenpack Trail. He continued that there will be a 6ft high chain link fence surrounding the whole array, and a 2-lot subdivision will be included in the approval. One parcel will be 10.6 acres and the second will be the remaining 360.9 acres. He added that the roadway will be a gravel access drive and not much will be disturbed to construct the system.

**Public Comment –**

John Carello-111 West Peenpack Trail- Mr. Carello stated he is right before entrance to the Hunting Club driveway and is worried about runoff, he added that a couple of years ago Orange and Rockland did some clear cutting up there and he had a lot of runoff.

Justin Dates- Mr. Dates stated that part of the application requires a SWPPP (Storm Water Pollution Prevention Plan) and the driveway will have pervious material, it is regulated by the DEC (Department of Environmental Conservation).

Brian Winkler-104 West Peenpack Trail – Mr. Winkler stated he lives across from the entrance to Buck Knoll Hunting Club, he was wondering how the power will be taken out of the array. He also asked if the solar will be distributed to the residential neighborhood. He further went on to ask about the noise level of the transformers.

Kathy Haake-Ms. Haake answered that the power will tie into the existing power lines, and the transformers do hum during the day but it is less noise than an air conditioner.

Town Attorney-Mr. Plotsky asked what the official name of the project will be called.

Kathy Haake- Ms. Haake answered Sparrowbush NY 1 LLC & Sparrowbush NY 2 LLC is the name of the corporations.

**Planning Board Minutes-July 25, 2018-continued-**

SPARROWBUSH NY 1 LLC AND SPARROWBUSH NY 2 LLC-SOLAR SYSTEM – continued –

**Motion to close Public Hearing.**

Motion made by Theresa Santiago, 2<sup>nd</sup> by Rob Whitney to close public hearing.

**Vote 4 Ayes:** Theresa Santiago, Craig Wagner, Rob Whitney, Bob Vicaretti.

**MOTION CARRIED**

Town Attorney acknowledged that since the public hearing is closed the Planning Board now has 62 days to act on the application, but because of the PILOT (Payment In Lieu of Taxes) which has to be approved through the Town Board; the Site Plan Application cannot be approved without the PILOT, he was asking if the Applicant would waive the 62 day period. Justin Dates answered yes they will waive the 62 days.

**NEW CENTURY FILM-517 NEVERSINK DRIVE-FLEA MARKET-PUBLIC HEARING –  
Holly Fuller-Representative for Applicant**

Secretary read Public Hearing Notice into record.

Mrs. Fuller started presentation by explaining that this is located at 517 Neversink Dr., it is the old “horse farm”, it consists of 40.6 acres with several existing buildings on it. She continued that they were approved last year for a Film Studio, she added that the past uses of the property were for concerts and carnivals. Mrs. Fuller further stated that the flea market will use the front lawn and will operate May-November on Saturdays and Sundays from 9-4. She went on to say that there will be no disturbance the 100 vendors will bring their own tables, chairs and canopies, the items sold will be crafts, jewelry, art and food; any food vendors will have a permit from the Department of Health.

Public Comment-

Bob Zeller-395 Neversink Drive- Mr. Zeller stated that he has lived in the Town for sixty plus years, and he felt that there were similar venues there in the past and he stated that he encourages business in the Town. He added that he approves of the Flea Market and feels it is a positive thing and is happy that it is being used and rebuilt.

Carl Richards-Mr. Richards stated that he was involved with New Hope Farms for 13 years and feels this is a good project and offered to help with security and parking for the new owners.

Chairman Vicaretti –Chairman stated that the Board received comments from the 239 review.

Town Engineer- Mr. Fusco stated that a letter from Orange County Department of Planning was received stating that they would like a traffic analysis done also to have the Town coordinate with New York State DOT (Department of Transportation) and Orange County DPW (Department of Public Works and they recommend the Town look into zoning to make sure it is an allowed use in the HMU (Hamlet Mixed Use) District. He continued that there was no written comment from the DOT and himself and the Town Attorney have already looked at the Bulk Regulations for HMU and has decided it falls into the retail category.

Town Attorney- Mr. Plotsky stated that the traffic study comment from the County is binding and needs a vote of majority plus one and without Willard it cannot be voted on.

Theresa Santiago- Ms. Santiago asked about holidays if the Flea Market would operate on an extended weekend or the fourth of July.

Holly Fuller- Mrs. Fuller stated that the proposal for holidays could be added to the new map.

**Planning Board Minutes-July 25, 2018-continued-**

NEW CENTURY FILM-517 NEVERSINK DRIVE-FLEA MARKET-PUBLIC HEARING--continued

**Motion to close Public Hearing.**

Motion made by Theresa Santiago, 2<sup>nd</sup> by Craig Wagner to close public hearing.

**Vote 4 Ayes:** Theresa Santiago, Craig Wagner, Rob Whitney, Bob Vicaretti.

**MOTION CARRIED**

Town Attorney stated that this application could be added to the next agenda and we can make sure there is a full Board for the vote, which will allow the applicant to added the holiday verbiage to the map.

**MOTION TO APPROVE MINUTES.**

**Motion to Approve July 11, 2018 Minutes.**

Motion made by Theresa Santiago, 2<sup>nd</sup> by Craig Wagner to approve the minutes for Wednesday, July 11, 2018 meeting.

**Vote 4 Ayes:** Theresa Santiago, Craig Wagner, Rob Whitney, Bob Vicaretti.

**MOTION CARRIED**

**OTHER BUSINESS**

Dave Dean commended Secretary for her reading of the Public Hearing Notices.

Town Engineer acknowledged that New Century came to him to ask permission to put a temporary vegetable wagon and he gave them permission.

Town Attorney stated that there has been a few meetings with different companies for commercial solar.

**Motion to adjourn meeting.**

Motion made by Theresa Santiago, 2<sup>nd</sup> by Craig Wagner to adjourn July 25, 2018 Planning Board meeting at 7:56 pm.

**Vote 4 Ayes:** Theresa Santiago, Craig Wagner, Rob Whitney, Bob Vicaretti.

**MOTION CARRIED**

Respectfully submitted by,



Amanda Gorr, Planning Board Secretary