The Deerpark Planning Board met for their bi-monthly meeting on Wednesday, February 26, 2014 at 7:00 p.m at Deerpark Town Hall, 420 Route 209, Huguenot, N.Y. The following were present:

**BOARD MEMBERS** 

Al Schock, Chairman Craig Wagner

Theresa Santiago Mike Hunter Steve Weiner

**OTHERS** 

Mr. Glen A. Plotsky, Town Attorney Mr. Al Fusco, III, Town Engineer Mr. David Dean, Town Board Liason Mr. Chad Martel, Applicant Ms. Bathsheba

Elkaslazi, Applicant

#### THE PLEDGE OF ALLEGIANCE

#### MARTEL SUBDIVISION - # 03-0501

Represented by Mr. Chad Martel

Owner/Applicant Chad Martel is seeking an extension for the conditional final approval for an 8 lot subdivision on property located off of Wilson Rd., Sparrowbush, N.Y.

It is in the RRC zone.

Section – Block – Lot = 23 - 1 - 62.32

Application received October 11, 2007

Six month extension granted on September 11, 2013.

#### **MOTION**

Hunter made a motion to grant a 6 month extension for the conditional final approval for the Martel Subdivision. Weiner second. Roll call vote: Santiago, aye; Hunter, aye; Weiner, aye; Wagner, aye; Schock, aye. Motion carried

## MESSIAH CHAI INC. - #13-0507

Represented by Bathsheba Elkaslazi 672-0325, 672-3228

Owner/ Applicant Messiah Chai Inc., is coming before the board for a special use permit for a sign,synagogue and a new accessory building on property located at #30 Shinhollow Rd., Town of Deerpark, Orange County, New York.

It is in the NR Zone.

Section – Block – Lot = 53 - 1 - 96.1

Application submitted May 23, 2013

The board, Town Engineer and Town Attorney had received this evening, new maps and a daily schedule for Synagogue services, submitted by Ms. Elkaslazi.

Al Fusco referred to his technical memo, dated February 25, 2014. He said that the following issues have been ongoing, since the beginning of this applicants' coming before the board. The memo read:

1. Please show sign dimensions and construction details on the plan.

Al Fusco asked that the size and design of the sign by placed on the map, so the board will know what they are approving.

Ms. Elkaslazi stated that she had originally submitted the dimensions of the sign, 8' by 4', on a written document.

Al Fusco answered that the information must be placed on the site plan, so it will be signed by the Planning Board Chairman, and then recorded.

2. Show distance to sign from road on the plan.

Al Fusco stated that this information is now on this new site plan.

3. Engineer to verify the location of the septic on the plan, so to verify that it does not impede the parking area and will not be driven on.

This information has been placed on this new site plan.

4. Please provide uses of all buildings on the plan.

Ms. Elkaslazi said that worshippers who attend evening services, will be sleeping on the premises overnight, because they do not drive for religious purposes.

Al Fusco stated that the use and the size of the building for overnight sleeping, must be placed on the site plan. He said that if the building is 1,000 square feet (or less), then it can stay on the site plan. He said, however, if the building will be larger, a new site plan with the correct building size will have to be submitted.

5. Confirm the existence of handicap access and details for ingress and egress facilities, to and in the building and parking details.

The handicap parking space is now on this new site plan.

Ms. Elkaslazi stated that the handicap access is large enough to accommodate a wheelchair. She said that there is a small "hump' on the access.

Al Fusco said that that may just be a Building Department issue.

6. Applicants' Design Professional to provide a design solution on the plan to prevent traffic from backing onto the road.

Al Fusco said that the parking is modified on this new site plan.

7. Plan should state that no more than 20 worshipers/ attendants, etc. to utilize this facility as per septic report submitted by John Fuller, P.E., dated 9/18/13.

Al Fusco asked if Mr. Fuller's letter included family members?

Ms. Elkaslazi answered that no, it does not.

Al Fusco said that he will review the letter and the information about the number of worshippers for the board. He said that Mr. Fullers' letter did not address a new dormitory. He also said that the building has sewer and water, and that the sewer line to the existing septic field needs to be shown on the plan. He said that the applicants may need a separate septic, and asked for more detail on the proposed building. He said that another option is for the applicants to use the existing septic field, and to just put in an expansion. He

said that the board needs verification on the proposed building, such as, will it be two story, what kind of facilities will it contain, will it have showers, how many mens and womens toilets, etc. He said that Mr. Fuller will have to create another design, and show how it will hook up into the existing field.

Mr. Plotsky asked, concerning the "Daily schedule for Synagogue services" is there a daily lesson after the evening services?

Ms. Elkaslazi answered that lessons are between the afternoon and evening services.

Mr. Plotsky said that the evening services with the appropriate times need to be added to the plan, and also the Havdalah. He asked if the dormitory would only be used Friday night to Saturday services?

Ms. Elkaslazi answered yes.

Steve Weiner expressed his concern that the existing septic field does not look big enough to accommodate the amount of people that will be attending services, and also sleeping overnight. He asked for more data on the size of the septic field.

Ms. Elkaslazi answered that Mr. Fuller has that information.

Al Schock told Ms. Elkaslazi to go back to Mr. Fuller, and he will figure out the number of people, how big the building will be, etc., and that he will do the calculations, and present his report back to the board.

Al Fusco asked if there is a tank in their RV?

Ms. Elkaslazi answered yes.

Al Schock expressed his concern about cars backing out onto Shinhollow Road. He suggested that some kind of sign be placed, so that cars will not be backing out.

Mr. Plotsky suggested "Enter Only" and "Exit Only" signs be placed appropriately.

Ms. Elkaslazi told the board that she will call to be placed on the next agenda, when all of the above issues are addressed.

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## APPROVAL OF MINUTES - JANUARY 22, 2014 & FEBRUARY 12, 2014

Santiago made a motion to approve the minutes from the January 22, 2014 meeting. Weiner second. Roll call vote: Santiago, aye; Hunter, aye; Wagner, abstain; Weiner, aye; Schock, abstain. Motion not carried.

With a vote of 3 ayes, and 2 abstain, the motion did not carry, and the secretary was instructed to place the approval of the January 22, 2014 minutes on the March 12, 2014 agenda.

Santiago made a motion to approve the minutes from the February 12, 2014 meeting. Wagner second. Roll call vote: Santiago, aye; Hunter, aye; Wagner, aye; Weiner, aye; Schock aye. Motion carried.

# COMMUNICATION FROM THE TOWN BOARD LIAISON

David Dean said that last weekend there was annual training for Town employees, and Al Schock, and Steve Weiner attended. He stated that in his opinion the classes were not as informational as they have been in the past.

### COMMUNICATION FROM THE TOWN ATTORNEY

Mr Plotsky stated that he received communication from the attorney who is representing the town,

concerning the litigation with Dragon Springs Buddhist, Inc. He suggested that the board meet with this attorney and himself for a special executive session.

He said that he will contact counsel, and get back to the board when would be a good time to meet.

Theresa Santiago asked about the status of the Deerpark Village project?

Mr. Plotsky answered that they came before the Town Board, and in April 2014, it'll be the first year since their approval by this board. He said that they can get two additional years before submitting a site plan, and possibly even a third year. He said that the Town Board had initially said that two years is okay, but if they want that extra third year, they would have to appear before the Town Board with additional information. He said that their previous litigation has been withdrawn, and Deerpark Village is moving forward, as they are allowed to do. He said that the project will probably not be ready to file a site plan with this board, for another 2 to 3 years, however.

Al Schock asked why is this application different?

Mr. Plotsky answered that the board stipulated that there may be changes, because the present town statutes were not in place, at the time of their approval. He said that Deerpark Village also has to show that they've made applications to involved agencies, such as New York State Department of Environmental Conservation (NYSDEC), Delaware River Basin Commission (DRBC), etc.

#### **ADJOURNMENT**

Santiago made a motion to adjourn. Wagner second. Roll call vote: Santiago, aye; Hunter, aye; Weiner, aye; Wagner, aye; Schock, aye. Motion carried

Meeting adjourned at 7:45 p.m.

Respectfully submitted,

Barbara Brollier, secretary