

The Town of Deerpark Planning Board met for their bi-monthly meeting on WEDNESDAY, SEPTEMBER 11, 2019 at the Deerpark Town Hall, 420 US Route 209, Huguenot, NY.

The following were present:



APPROVED

**BOARD MEMBERS PRESENT:**

Robert Vicaretti-Chairman  
Theresa Santiago

Craig Wagner-Vice Chairman  
Willard Schadt

**BOARD MEMBER ABSENT:** Rob Whitney

**OTHERS PRESENT:**

John Nosek-Fusco Engineering  
Town Attorney-Glen Plotsky  
David Dean-Town Councilman

Pledge of Allegiance

Meeting was brought to order at 7:00 p.m.

**DOMINIQUE EATS – 230 ROUTE 209 – PRE-APPLICATION –**

Dominique Cavalli  
Philip Cavalli

Ms. Cavalli explained that this is Dominique Eats the restaurant across from the Police Station on Route 209. She further explained that they would like to put a bar in and was wondering what steps needed to be taken, besides the building permit that would be needed. Chairman asked if the occupancy would go up, Mr. Cavalli stated that it is 50 seat occupancy and would stay the same. Town Attorney stated that there is no definition in the Town Zoning, he acknowledged they would have to comply with the Zoning. He further stated this was a modification of use and hours of operation and parking needed to be established. John Nosek asked if it was an existing building and if they would use the existing parking. Mr. Cavalli explained the only thing they would be doing is to put in a bar top and chairs. Town Attorney stated that they just needed to go to the Building Department and get a permit for the interior work and also get their State liquor license.

**ROBERT GRADY – 755 ROUTE 42 – PRE-APPLICATION –**

Robert Grady-Applicant

Mr. Grady explained that he was interested in buying this property from the county, it was originally a restaurant/motel and he would like to convert it to a multi-family dwelling. He continued that next door there is a 6-family home, he would do 4, two-bedroom, 1 bath apartments each about 1000 sqft. Chairman stated he had concerns with a 4 family because of the well and septic, Mr. Grady stated there is a current well and septic. Town Attorney stated that this is a permitted use with Planning Board approval and stated because of the 8 bedrooms the Health Department will be involved. John Nosek added that there will be Health Department and SPDES (State Pollutant Discharge Elimination System) permits, 1000 gallons per day triggers a SPDES permit from the DEC (Department of Environmental Conservation), he continued this a change of use and requires a site plan. Willard Schadt asked about parking, John Nosek stated that it is 2 per apartment so 8 in total. Willard Schadt asked about the entrance, Mr. Grady stated that there is two one off of Route 42 and the other off of Wilson Rd. Mr. Grady asked if it was feasible with plans and permits from the Health Department and DEC, John Nosek stated that it is permitted in that zone.

**Planning Board Minutes-September 11, 2019-continued-**

**HEATER/KIM-THIRD STREET-LOT LINE CHANGE-& KIM/DOROSZ-THIRD STREET-LOT IMPROVEMENT -**

Kevin Preston-Representative for Applicants

Mr. Preston explained this was 3 properties, Kim is giving 1 acre to Heater and Dororz is giving about 1 acre to Kim. John Nosek asked why they are giving Kim the acre across the street, Willard answered possibly for river access, Kevin Preston confirmed yes river access. Chairman Vicaretti stated that the piece across the street is non-conforming it does not meet the 200ft road frontage, Town Attorney acknowledged it will not be separate it is attached to the larger piece. He further stated that a note be added to the map that it can never be separated and asked where the home would be built, because of setbacks it looks like it would have to be on the larger piece across the street. He added that GML-239 would have to be done because of the proximity to Route 209 and suggested that the Board could make a motion to authorize the circulation subject to the new map with a note or they could wait. Chairman stated they would wait for the new map and then vote.

**FRANK DICARLO - 9 AMY POWERS COURT - SUBDIVISION -**

Frank DiCarlo-Applicant

Joseph DiCarlo-Applicant son

Frank DiCarlo, he wants to do the subdivision to give his son 8 acres to build a home. John Nosek went through one the comments from Fusco Engineering, stating that Amy Powers Court is a cul de sac that has a 50 ft right-of-way for Mr. DiCarlo. He continued that the right-a-way access needs to be researched to make sure they can access it to the back parcel that will be created. Mr. DiCarlo stated that he has done a perc test on the property, a septic design is done and the right-a-way is for him and Orange and Rockland, he will be putting in a road to access the second parcel. Town Attorney acknowledged he needed to see the wording in the deed regarding the right-a-way. Willard Schadt asked if Amy Powers was a Town Road, Frank DiCarlo stated that Town plows it.

**CHARLES GILLANDER - 95 LONGUNDI ROAD - GROUND MOUNT SOLAR -**

Norman Dexter-Lattimore Construction

Mr. Dexter explained that Mr. Gillander owns 3 parcels totaling 120 acres, it would be ground mount solar 14x23 each and 16 panel unit. He continued there is currently construction of a new home on the same lot and the solar would be approximately 30ft from the dwelling. Town Attorney asked which lot the solar would be and if the new home was being constructed in the same foot print, Mr. Dexter answered yes. Town Attorney then asked the access to the property, Mr. Dexter stated there was a road to access the property off of Oakland Valley Road. Town Attorney stated that is does not show a road on the tax map, he also asked if the solar panels would be placed behind the house and who owns the lot behind the proposed panels. Mr. Dexter answered that it is the same owner and they did send out a certified letter to the neighboring properties as a curtesy. John Nosek stated that more detail on the panels are needed, screening and location of well and septic need to be shown on the map. Town Attorney stated that the screening needs to be treated as if the owner of adjoining property is not the same. John Nosek stated that they can add it to a survey map and to also include aerial photos of the place where the panels will be placed to show visibility.

**Planning Board Minutes-September 11, 2019-continued-**

**LITTLE POND SOLAR – WHITEHEAD RD – SOLAR ARRAY –**

Town Attorney stated that they have had meetings regarding the PILOT agreement and the numbers are far apart. He continued that they have discussed decommissioning agreement, but right now are in a holding pattern, due to the PILOT talks. He acknowledged that they did waive the 62 days from the public hearing.

**MOTION TO APPROVE MINUTES.**

**Motion to Approve August 28, 2019 Minutes.**

Motion made by Theresa Santiago, 2<sup>nd</sup> by Craig Wagner to approve the minutes for Wednesday, August 28, 2019 meeting.

**Vote 4 Ayes:** Theresa Santiago, Craig Wagner, Willard Schadt, Bob Vicaretti.

**MOTION CARRIED**

**OTHER BUSINESS-**

Town Attorney stated he received a text message from Robert Whitney and he had forgotten about the meeting.

**Motion to adjourn meeting.**

Motion made by Theresa Santiago, 2<sup>nd</sup> by Craig Wagner to adjourn September 11, 2019 Planning Board meeting at 7:58 pm.

**Vote 4 Ayes:** Theresa Santiago, Craig Wagner, Willard Schadt, Bob Vicaretti.

**MOTION CARRIED**

Respectfully submitted by,



Amanda Gorr, Planning Board Secretary