

Town of Deerpark Planning Board – April 8, 2015

The Deerpark Planning Board met for their bi-monthly meeting on Wednesday, April 8, 2015 at 7:00 p.m. at the Deerpark Town Hall, 420 Route 209, Huguenot, NY. The following were present:

BOARD MEMBERS

Bob Vicaretti, Chairman
Willard Schadt
Mike Hunter

Craig Wagner, Vice-Chairman (7:05 p.m.)
Theresa Santiago

ABSENT BOARD MEMBERS: Steven Weiner, Tom Faggione

OTHERS

David Dean, Town Councilman
Alan Schock, Town Councilman - Board Liaison
Glen Plotsky, Town Attorney
Scott Buchholz, Fusco Engineering for Town
Johnny Zhou, Dragon Springs, Inc.
Kaijin Liang, P.E., Dragon Springs, Inc. Consulting Engineer

Pledge of Allegiance

PEENPACK MEADOWS SUBDIVISION - #03-0802

Owner/Applicant is seeking a subdivision on property located off of Peenpack Trail, Huguenot, NY
Requesting extension
SBL 62-1-11 & 14
Represented by: Neil Frishberg (Al Lipman Partner)

Essentially the problem is the same problem they have had in the past. They can't sell the lots, the market is awful. They are seeking an extension. He was asked for an extension from here, so his client wouldn't have to come back here every six months. It seems to him that the board would like to not have to hear it every six months. He spoke to Mr. Plotsky about it.

Mr. Plotsky said the conversation he had with Mr. Frishberg, was that he told him that he wasn't sure that the law provides an extension for a year. The zoning ordinance provides a six month extension and after two extensions, the application would normally lapse. The only reason this applicant and others have asked for additional extensions, is because New York State Legislature has determined that the zoning ordinance should be nullified as it pertains to that two extensions, one permit due to economic circumstances. As far as he is aware, the New York State Legislature has not changed that position, so he has no objection to the applicant being granted another six month extension. But, under the Deerpark zoning code, there is no provision for a one year extension and he doesn't know if the New York State law would provide for a one year extension in any event.

Willard Schadt thought they had discussed the possibility of them having not having to appear every six months.

Mr. Plotsky said he had no objection.

Bob Vicaretti said the applicant could send a letter to be on the agenda.

Mr. Frishberg said they wouldn't get a response immediately though and Mr. Vicaretti said no. The risk they would take is if someone showed up and objected, there would be no one here to respond to that objection.

Mr. Plotsky said that under those circumstances, the board would grant either a two week or 30 day extension so that you would have the opportunity to come back and respond to that objection, although in the roughly three years since the applicant was conditionally pre-approved, nobody has ever commented on it. He wouldn't anticipate a problem. If you would prefer to come with that comfort level, or through the mail and you could request a six month extension.

Motion to Grant Peenpack Meadows Subdivision a Six-Month Extension To October 28, 2015

Motion by Michael Hunter, 2nd by Theresa Santiago to grant a six-month extension for Peenpack Meadows Subdivision, carrying it over one extra day to the regular Planning Board Meeting.

VOTE: 5 AYES: Theresa Santiago, Craig Wagner, Willard Schadt, Michael Hunter, Bob Vicaretti

2 ABSENT: Tom Faggione, Steven Weiner

MOTION CARRIED

Bob Vicaretti said they will request a meeting two weeks prior to the deadline they should make the request.

Glen Plotsky asked if he could suggest the October 14th meeting.

Amended Motion to Modify Peenpack Meadows Subdivision Extension to October 14, 2015

Amended Motion by Michael Hunter, 2nd by Theresa Santiago to Modify Peenpack Meadows Subdivision Extension to October 14, 2015, subject to further review and that the review be done by then.

VOTE: 5 AYES: Theresa Santiago, Craig Wagner, Willard Schadt, Michael Hunter, Bob Vicaretti

2 ABSENT: Tom Faggione, Steven Weiner

MOTION CARRIED

THE HUB – Site Plan Revision

Glen Plotsky said that Mr. Fuller was at the last meeting and there was discussion as to whether there was approval for the parking lot or removal of the parking lot. He thought that since that meeting, he provided documentation that basically verified his position. Mr. Plotsky didn't think he needed to be there, their position is that they got that approval and their acting with that approval. He recommended it to the agenda in case Mr. Fuller wanted to be there.

Willard Schadt verified that this revision was just for the parking lot, they were not looking at overflow or anything like that.

Mr. Plotsky said that was correct. Because of the zoning, no overflow was required. They discussed having an overflow if it became necessary. They put it on last time to talk about the overflow to verify if it became obtained, but then John Fuller clarified that it wasn't necessary and demonstrated it since then. So, the maps are good to be signed.

Bob Vicaretti thought they needed a motion to approve the signing of maps.

Motion to Authorize the Planning Board Chairman to Sign the HUB Maps

Motion by Theresa Santiago, 2nd by Michael Hunter to authorize the Planning Board Chairman to sign the HUB maps, contingent on all the fees being paid.

VOTE: 5 AYES: Theresa Santiago, Craig Wagner, Willard Schadt, Michael Hunter, Bob Vicaretti

2 ABSENT: Tom Faggione, Steven Weiner

MOTION CARRIED

DRAGON SPRINGS BUDDHIST, INC. - #10-0401

Representative: Johnny Zhou

Owner/Applicant is seeing a revised site plan re: Conversion of Meditation Hall to Dormitories and as to 10,000 square foot addition to the Cafeteria/Rehearsal Hall.

SBL 31-1-21.22

Bob Vicaretti asked if there was one application, two applications, or three applications tonight. He said they received a site plan map on March 12 labeled Rehearsal Hall and Addition to Green House; then another map on March 30 labeled Rehearsal Hall Addition and Residence Hall

Johnny Zhou answered they updated the information on March 30th, for the conversion of the Dormitories and for the additional 10,000 square feet on the site plan.

Glen Plotsky clarified there were actually four. He said that originally there was an application that was filed or a change of use for the meditation hall and the wastewater treatment plant. That would be the change from the meditation hall to the dormitories and the wastewater treatment plant. When they came in on that application, part of the discussion was that “oh by the way, there was a 10,000 square foot addition.” They really need the dormitory conversion and the 10,000 square foot addition to be approved quickly and the indication from their consultant/engineer was that the wastewater treatment plant was a long process probably six months tops. So, the applicant after that meeting then submitted an application labeled R10-2, which is concrete plaza to music hall. They also submitted an application and plan R10-3 labeled Green House, Parking Lot and to relocate a Gazebo Fire Pump. Then, sometime thereafter, there was another application submitted that was Meditation Hall, Dormitories and the Rehearsal Hall addition 10,000 square foot. That was actually the last one, but theoretically the first one filed. At this point, they have nothing to submit on a wastewater treatment plant. He asked if that was correct.

Johnny Zhou said that was correct. He began to explain.

Glen Plotsky said he just wanted to know they weren't submitting anything more.

Johnny Zhou said they were waiting for their engineer to complete the design so they can resubmit an application on the wastewater treatment plant tomorrow or the next day.

Glen Plotsky said he wanted to make sure the application fees are right. So far, he has four applications and three application fees. So, he needs him to withdraw the wastewater treatment plant and Meditation Hall conversion to Dormitories and apply that application fee to the current Meditation Hall conversion to Dormitories and 10,000 square foot building. Then, when they apply for the wastewater treatment plant, pay for the application.

Johnny Zhou said that was correct and he would do that.

Glen Plotsky confirmed with the applicant that he was good with that and he stated he was. Now, there are three applications: one is for the Meditation Hall conversion to Dormitories and 10,000 square foot building addition. That one was the subject of a public hearing at the last meeting. That Public Hearing is now closed.

Bob Vicaretti said it was open for written comment. He said the public hearing was stated on the map as 3/12.

Johnny Zhou said the last public hearing was still open.

Glen Plotsky said they were supposed to have something from the Fire Department. They were supposed to coordinate with the applicant to have a specifics first look access so they would know they could do what they need to do and then a schedule going forward that could be places on the map so that there is no question about the access that the Fire Department can continue to do what is needed to do. So that was at the public hearing which was conducted March 25th. That application is theoretically reviewed by the board. There are two applications that really haven't been before the board and there are comments from the engineer, but there's understandable confusion about what is before the board at this point.

Johnny Zhou said he received two comments on the Music Hall and the Green House.

Glen Plotsky said he had one dated April 7th from Fusco Engineering which is Dragon Springs Meditation Hall to Residence Hall, they just had the public hearing on. Then, there is one dated March 12th which is Dragon Springs New Music Hall. Then he said he had April 8th submission from Dragon Springs regarding the New Rehearsal Hall that was apparently their response to the Engineering comments. Apparently, there are engineering comments with regards to the Green House and relocating the parking lot and the fire pump Gazebo, and they may be in the file. He doesn't have the file at the meeting.

Scott Buchholz commented that their office did a review the Green House, but they weren't sure it would be on the Planning Board agenda. He said it was a new Rehearsal Hall and addition to the Green House.

Glen Plotsky asked the applicant, their engineer, their surveyor, the Town's engineer to call the Green House an Atrium, since that is what it is. It is a glassed in entry way. Green House is where you grow plants. The intent according to Mr. Xiang that was not the intention of that, it was an entryway where there will be plantings. This is a glass entrance with plantings and it is a matter of semantics, but it is not a Green House.

Bob Vicaretti said a greenhouse sounds like something separate, not attached. He asked Mr. Zhou if that made sense to him.

Johnny Zhou replied it is like a mall.

Bob Vicaretti asked if they need to change on the EAF form.

Glen Plotsky said they haven't even started to review this.

Bob Vicaretti said from now on they would refer to it as an atrium. He then encouraged Johnny to tell them what they were doing with their site plan.

Johnny Zhou said they responded to the engineers comments the last time when they had the public hearing. Before then, he received comments. They started to get confused. They submitted a plan on March 30 – the dormitory with addition of 10,000 square feet.

Bob Vicaretti asked if they want to address the engineer's comments from that.

Glen Plotsky asked which application they were working on.

Bob Vicaretti said they were looking at the Rehearsal Hall and Dormitory addition of 10,000 square feet.

Glen Plotsky said there were three applications pending before this board. One is the Meditation Hall conversion to dormitories and the 10,000 square foot addition. He added there was an April 7 Engineer comment and no response from April 7th.

Johnny Zhou had comments for the April 7th engineer's comments.

Scott Buchholz said he did not have the Meditation Hall comments. (There was discussion to figure out who had what.)

Glen Plotsky summed up that since few had a copy and they were just received, it would be best to

Glen stated they were talking about the mediation hall conversion to dormitories and for the 10,000 square foot addition, correct?

Johnny Zhou answered he was half correct. The comments to the dormitory were given at the last meeting, not today. That was dated February 18th.

Glen Plotsky interrupted saying he had a letter from Fusco Engineering dated April 7th to Mr. Vicaretti regarding the Mediation Hall to Residence Hall and existing Rehearsal Hall Addition 10,000 square foot. It is based on the review of documentation putting your response letter dated March 29, 2015 that they just went over. He asked again if he had a response letter to Fusco Engineering comments on April 7th, 2015 regarding that particular application. He added that this was the reason only one application at a time was permitted.

Johnny Zhou said he did receive that letter and they are submitting that information.

Glen Plotsky suggested that if Mr. Buchholz wants to go over his comments from April 7th he could then talk to the Board and does what it is they want to do.

Scott Buchholz said the comments were dated April 7th and for the Meditation Hall to the Residence Hall and the Existing Rehearsal Hall Addition of 10,000 square feet. He read through the comments as follows:

1. The previous comments were addressed adequately, however we do not have any Fire Department comments even though they have been copied with the plans.
2. A public hearing was held.
3. I did not receive any 239GML comments.
4. Board comments.
5. Conditional approval subject to payment of all fees and 239GML comment compliance.

Then, the action was:

1. SEQRA
2. Conditional approval subject to payment of all fees and 239GML comment compliance.

Scott Buchholz continued by stating they addressed all of our comments on the application except for the 239GMLs and they haven't heard back from the Fire Department.

Glen Plotsky said they are past 30 days and thought the 239 was okay.

Bob Vicaretti said the letter from Darryl Ward, Commission of the Cuddebackville Fire Department dated April 5, 2015 as follows: Dear Supervisor Spears & Town Board Members, This letter is to advise you that I have been in telephone communications with Johnny Zhou of Dragon Springs Buddhist Inc., to facilitate the meetings & access to the property and buildings within, for evaluation of emergency management & planning purposes. We have not formally met with him as of yet but hope to in the near future. We would initially like to request access this month to tour the grounds & assess the buildings for a preparation plan should any emergency arise on the grounds. Additionally, we would like to set up periodic visits throughout the year (preferably quarterly) to test water access at dry hydrant(s), update any changes of structures or roads since previous visits and continued open communication for emergency planning purposes. Our goal is to create the best emergency management plan that we can to serve & protect our residents & visitors of the Cuddebackville Fire District. We would like to extend our thanks & appreciation to Supervisor Spears, the town board and planning board members for helping to facilitate this initial step of communication in this important matter." (Letter is on file.)

Johnny Zhou said he talked with the Fire Department about two different days, April 19 or April 26.

Bob Vicaretti thanked the applicant for his cooperation on that.

Glen Plotsky inquired as to whether there would be any problem with the Fire Department having quarterly access to the premises thereafter.

Johnny Zhou said that at this moment he did not think it would be a problem.

Bob Vicaretti asked about the SEQRA being the long form and if the engineers had a problem with the SEQRA and Mr. Buchholz said they didn't have a problem with it. Mr. Vicaretti then asked if they needed DEC mapping.

Scott Buchholz said DEC mappers used to create the long form and he asked the applicant if they used a DEC mapper.

Johnny Zhou said they had one for the Waste Water treatment plant, but not for this one.

Bob Vicaretti said he didn't know why they would use it on one and not the other. He didn't see it on the Green House. He asked if that was something that to be done as far as the SEQRA was concerned.

Scott Buchholz said it should be used as part of the long form.

Bob Vicaretti said that as long as they have the SEQRA long form filled out, it really isn't complete without the DEC map.

Scott Buchholz said they should revise it to include the background. Discussion about whether it needs to be part of the form continued. Eventually, Scott clarified that the applicant did submit a map attached to their EAF form and maybe just didn't make a copy of it.

Bob Vicaretti asked for any board comments.

Willard Schadt said he had some questions and comments. He asked what the elevation and/or how many floors were in the Residence Hall/Dormitory and Johnny Zhou answered just two floors. Mr. Schadt then commented on the photographs shown to them at the Public Hearing and for the first time gave them some idea of what the size of the construction was. If there was a fire, there would be a plan where multiple companies would be called automatically. He thought even Mount Hope/Otisville and Huguenot should be able to go in to access it because they're all going to be there is ever a major structural fire. He didn't know if they would need a ladder truck for a two floor building. He doesn't want to be so cavalier about going in, this could be a major catastrophe there. Any major structure that is built, should allow Fire Companies access and even drill there as they do in other places. He wants to see that happen and until the Fire Companies are satisfied, and he is satisfied they have access to get in there ... when there's a fire and they have 400 people in there ... this is just not about you getting your way, this is about protecting the people that are going to be in this building. Secondly, the creeping applications and increase in occupancy—he asked at what point can they request a road study? Can they talk about road impact fees? Suddenly now, they have gone from 300 to 500 or whatever, and this is just a question he is raising. At what point is this board allowed to look at and address as this project increases in size and occupancy. He would like to have an answer to that and what they can do about that. Thirdly, after looking at those photographs, and especially tonight with the confusion of these maps, he wanted to know at the next meeting from counsel or the engineer what would have to be done if they are allowed to have the board have a site visit. Quite frankly, after seeing the photographs and as much as he has tried to visualize this with the blue prints, he realizes it is almost impossible. He also thought it would behoove the board finally to have a site visit. He didn't know if it was permissible. Those were his comments.

Glen Plotsky responded first of all the provided access to fire companies is to require any further approvals to Cuddebackville Fire Department who expressed an interest in going up there the end of the month. They can report back to the Board of their ability and what assistance they would require. So that may be something they could work with. As far as the creeping expansion, it is something he

has raised with the applicant only two or three times a year for the past 8 years. But, more recently in a meeting in his office, he spoke with the applicant that it would not be substantially increased after the current proposals. As far as the site visit, he believes the applicant has signed on every application, a site visit authorization based on past behavior actions within the town, in regards to the Building Department or Assessor's Office or whatever the case might be, it would have to be arranged in advance. If four or more members of the Planning Board wanted to do that at the same time, they would have to advertise it as a Special Meeting of the Planning Board. If only 3 or less go at a time, then no formal announcement will have to be made. He suggested they make the advertisement and have everybody go together so that way everybody sees the same thing. Then, any issues that one person has can be discussed in the presence of all. Based on prior practice he thought that should be arranged in advance. They could ask the applicant to give them several proposed dates and then try to coordinate before the approval is granted. They could talk about it in that meeting or a future meeting.

Willard Schadt responded by stating he felt uncomfortable after seeing the photographs he saw at the Public Hearing. He realizes he really doesn't have a grasp of what they are approving. He would personally like to take a tour before he proceeds with any approvals.

Bob Vicaretti asked Mr. Zhou how they could set a date with Dragon Springs in order for the board as a whole, to go visit their site.

Johnny Zhou said that actually he could not give him an answer at that moment. They have a high security.

Glen Plotsky stated to the applicant that he until the May 13th meeting to make a determination. They could extend that time, but May 27th meeting would be one day over. They would need to take action no later than the May 13th meeting. Frankly, on the May 13th meeting if the board is not ready to make a determination the applicant would not agree to grant the extension, then his legal advice to the board would be to deny. If you don't make a determination and there is no extension time, it is an automatic approval. But, they weren't near the point of asking the applicant for additional time.

Johnny Zhou said the building official has gone through and made an inventory of the buildings and could be made available to the Planning Board.

Bob Vicaretti asked the applicant how long he thought it would take for him to get the approval for their visit.

Johnny Zhou answered he would discuss with their board the next day and will set up a meeting with Supervisor Spears and Mr. Dean on April 17th.

Glen Plotsky stated he also had a meeting with the applicant April 10th. His suggestion would be that the matter be placed on the agenda for the April 22nd meeting if for no other reason than to find out when the site visit will be and find out if the Cuddebackville Fire Department has gotten up there yet. He thought until the Fire Department has the opportunity to go up there at least that one time and they have some idea of what they are recommending, the board not grant anything. He thought that was very important as Mr. Schadt had indicated. But, again he just articulated a concern.

Bob Vicaretti said they should wrap this up and make a motion.

Glen Plotsky said they could make a motion to table the application for further review and consideration.

Johnny Zhou asked about the written comments to Public Hearing being closed.

Bob Vicaretti said the comments were open for 30 days, but Glen Plotsky corrected that by stating the notes show the written comments were open until the April 8th meeting.

Theresa Santiago asked if Cuddebackville Fire Department wasn't the only fire department responding to Dragon Springs, should they notify the other local fire companies.

Glen Plotsky said that Mount Hope was notified about the application and they get every submission and Orange County also gets every submission because of where it is located to the county and town lines. He suggested they defer until Cuddebackville says they're going to need help and this is who we would get help from. Or, if they say they need help, they would contact 9-1-1, then they can discuss who it would be and whether it would be a one-time access to when they can visit, or if their drills were routinely annual or what kind of access they would provide.

Glen Plotsky said that in regards to the application for the Meditation Hall conversion to dormitories and the 10,000 square foot building, he recommended they entertain two motions one at a time. First to officially close public comments for the public hearing because they were supposed to have been received by today and the second motion should be to table the application for further review and consideration, understanding it would be scheduled for the April 22nd Planning Board meeting.

Motion to Close Public Hearing Re: Dragon Springs Buddhist, Inc.

Motion by Willard Schadt, 2nd by Theresa Santiago to close the Public Hearing regarding the Dragon Springs Buddhist, Inc.

VOTE: 5 AYES: Theresa Santiago, Craig Wagner, Willard Schadt, Michael Hunter, Bob Vicaretti

2 ABSENT: Tom Faggione, Steven Weiner

MOTION CARRIED

Motion to Table the Dragon Springs Buddhist, Inc. Application

Motion by Theresa Santiago, 2nd by Michael Hunter to table the Dragon Springs Buddhist, Inc. application.

VOTE: 5 AYES: Theresa Santiago, Craig Wagner, Willard Schadt, Michael Hunter, Bob Vicaretti

2 ABSENT: Tom Faggione, Steven Weiner

MOTION CARRIED

Glen Plotsky mentioned they had two other applications. He asked about the Board's pleasure. Did they want to resolve the one they just tabled before considering any other or do you want to move forward with regards of consideration of one or both the two applications while the other is still under consideration.

Willard Schadt asked what the two applications were before they decide.

Glen Plotsky clarified that one of the applications was a structure labeled on their site plan that was previously approved as a concrete pad or concrete slab. It is a substantial concrete floor with three walls, no ceiling and no front. One of the applications is to essentially close in that structure to make it a closed or indoor auditorium or rehearsal hall. Correct?

Johnny Zhou said it was a Music Hall.

Glen Plotsky said that was one application. The other application is to add onto the currently existing Rehearsal Hall and add on to it by adding an Atrium, which is a glass enclosure with plantings in it that will be an entry way with gardens into the Rehearsal Hall. In addition, that application also has a relocation request for a parking lot and a relocation request for a gazebo and/or fire pump that is on there. That's the other application that is currently before the board.

Willard Schadt asked if they were separate maps or is it the same map and two separate applications.

Glen Plotsky answered he thought it was two different site plans. Certainly the overall site plan can be used for both applications, but the attachments will be different.

Willard Schadt asked to verify that if one is approved, the other can be discussed separately and there is a map for both applications.

Glen Plotsky said he would have to defer to the other consultant to answer that question. The EAF treats them differently and the application treats them differently.

Willard Schadt wanted to know whether to proceed together or proceed separately.

Glen Plotsky was for one at a time.

Scott Buchholz said the front sheet of each application submitted, they entitled "Overall Site Plan". The second sheet generally tells you what it is going to be. The problem is that there are multiple applications in front of the board and it does get confusing. It is up to the board how they want to proceed with it.

Willard Schadt said he is willing to proceed, but would like to separate it so they know what they are talking about. He would like to keep it nice and clean.

Glen Plotsky stated his concern was that the Engineer assure the board that the Overall Site Plan sheet one only has on it that which is already approved or is sought to be approved with each application. If they approve an Overall Site Plan sheet that has concrete pad or music hall, we're in trouble. That was his view.

Bob Vicaretti said once you approve the site plan, whether it be application or not ... once they approve it, it is approved. He suggested to the board at this time because of the confusion that they handle only one application at a time. They could do two applications, but they want two separate maps per application.

Johnny Zhou said one thing he needed to mention was he has tried to work with the town. He said he tried to ask how many applications he can submit at a time and once it was answered he could have 20 applications at a time. So, that's why he has all those applications.

Willard Schadt said that wasn't the issue to have multiple applications, he just wants to make sure they are distinct and they know what each application is. You can have 20 applications—that is not the issue. If you combine them it might hold up everything. They want to understand what each application is.

Johnny Zhou said he didn't want to abuse the system, they want to cooperate with the town. He knows they appear to be lacking communication and he wants to avoid that trouble and wants to work with the town. They want to provide all the information.

Bob Vicaretti said everything they have submitted to this point is in a state of confusion. They want to draw a line between the applications ... saying they could deal with two applications per night, but with the amount of paperwork, they don't even know what they are talking about.

Glen Plotsky said they did a letter of response to Mr. Fusco's comments with regard to the other two applications. Based on the letter of response, it appears there are other documents that have to be provided, at least to the engineers so they can verify. The board can either go forward on both applications tonight, the engineer can comment and the applicant can say how they will address it, or they can let them work it out and have the full additional submission before the April 22nd meeting and then hopefully at that meeting, the board members, engineer, attorney and the clerk or secretary will all have a set of documents that are consistent. The other thing he asked the engineer to do between now and then was to make sure the overall site plans on each of the three applications currently submitted to this board are not cross pollinated. He added, it was up to the board how much more they wanted to do this evening or if they want to defer to the professionals.

Willard Schadt said he assumed the engineers just got the applicants responses.

Scott Buchholz said they just received them.

Willard Schadt said that until they have a chance to review them, he didn't know what else they could do until then.

Johnny Zhou said they just received those comments and they submitted them March 30. They want them to take action.

Glen Plotsky pointed out that what he was looking at was already tabled until the next meeting, due to waiting on the fire department. He said they have 62 days from the end of the public hearing without we were willing to extend time to take action. That was the discussion 10 to 15 minutes ago.

Kaijin Liang asked if they could request to declare lead agency on the other two applications.

Johnny Zhou said the other two applications were dated April 7th and March 12th.

Scott Buchholz said they just received their comments and he asked Mr. Zhou if he was asking the Board to move ahead on this because they just submitted their response.

Kaijin Liang said they were just requesting to declare lead agency, they still have 30 days to work out all these technicalities.

Scott Buchholz asked if this board has these plans right now in front of them that you want them to declare lead agency on.

Glen Plotsky said they did. The application has been filed and the plans have been submitted. It looks like the engineering office has done at least one review and they responded to that, but they need to be followed up and the changes were made and done correctly. Also, there is the issue of the overall site plan and making sure they are clean. He doesn't have an objection to the board declaring lead agency in regard to that application, it is a notification to other agencies and towns. They will have to do a 239 GML, that won't go out immediately. The engineer can do that and that will also help move the process along.

Willard Schadt said if they do it, he thought they should make it two separate motions, one for R102 and one for R103.

Motion to Declare TOD Lead Agency for Dragon Springs Buddhist, Inc. Site Plan Revision

R10-2

Motion by Willard Schadt, 2nd by Theresa Santiago to declare Town of Deerpark lead agency for the Dragon Springs Buddhist, Inc. site plan revision R10-2.

VOTE: 5 AYES: Theresa Santiago, Craig Wagner, Willard Schadt, Michael Hunter, Bob Vicaretti

2 ABSENT: Tom Faggione, Steven Weiner

MOTION CARRIED

Motion to Declare TOD Lead Agency for Dragon Springs Buddhist, Inc. Site Plan Revision

R10-3

Motion by Willard Schadt, 2nd by Michael Hunter to declare Town of Deerpark lead agency for the Dragon Springs Buddhist, Inc. site plan revision R10-3.

VOTE: 5 AYES: Theresa Santiago, Craig Wagner, Willard Schadt, Michael Hunter, Bob Vicaretti

2 ABSENT: Tom Faggione, Steven Weiner

MOTION CARRIED

Glen Plosky said that another thing the board might wish to do is to authorize the engineer when and if they cooperated to do the 239 GML distributions in regard to each of those applications, or they could wait until they have additional information from the engineer before they need the distribution.

Bob Vicaretti agreed to wait and they'll get it under the comments anyway. He asked if they wanted to discuss the R10-3 application.

Glen Plotsky mentioned he thought they were going to defer until the engineer had time to look at it. He recommended the board table each of those matters in two motions for further consideration.

Motion to Table the Review of Dragon Springs Buddhist, Inc. Site Plan Revision R10-2

Motion by Willard Schadt, Michael Hunter to table the review of the Dragon Springs Buddhist, Inc. Site Plan Revision R101-2 for two weeks (until April 22, 2015).

VOTE: 5 AYES: Theresa Santiago, Craig Wagner, Willard Schadt, Michael Hunter, Bob Vicaretti

2 ABSENT: Tom Faggione, Steven Weiner

MOTION CARRIED

Motion to Table the Review of Dragon Springs Buddhist, Inc. Site Plan Revision R10-3

Motion by Willard Schadt, Michael Hunter to table the review of the Dragon Springs Buddhist, Inc. Site Plan Revision R101-3 for two weeks (until April 22, 2015).

VOTE: 5 AYES: Theresa Santiago, Craig Wagner, Willard Schadt, Michael Hunter, Bob Vicaretti

2 ABSENT: Tom Faggione, Steven Weiner

MOTION CARRIED

Willard Schadt suggested that Dragon Springs go after the Fire Department for their own benefit. The next meeting is April 22nd.

Motion to Approve March 11, 2015 Planning Board Minutes

Motion by Theresa Santiago, 2nd by Craig Wagner to approve the March 11, 2015 Planning Board Minutes.

VOTE: 5 AYES: Theresa Santiago, Craig Wagner, Willard Schadt, Michael Hunter, Bob Vicaretti

2 ABSENT: Tom Faggione, Steven Weiner

MOTION CARRIED

Glen Plotsky mentioned as a side note that they found another set of minutes of the Public Hearing from January 14th and they authorized them to be put on the website.

Motion to Adjourn at 8:24 p.m

Motion by Theresa Santiago, 2nd by Michael Hunter to adjourn the meeting at 8:24 p.m.

VOTE: 5 AYES: Theresa Santiago, Craig Wagner, Willard Schadt, Michael Hunter, Bob Vicaretti

2 ABSENT: Tom Faggione, Steven Weiner

MOTION CARRIED

Respectfully submitted by,

Kathy Basile
Secretary