



The Town of Deerpark Planning Board met for their bi-monthly meeting on WEDNESDAY, April 12, 2017 at 7:00 pm at the Deerpark Town Hall, 420 Route 209, Huguenot, NY. The following were present:

**BOARD MEMBERS PRESENT:**

Bob Vicaretti-Chairman  
Theresa Santiago  
Willard Schadt

Craig Wagner-Vice Chairman  
Rob Whitney

**BOARD MEMBER ABSENT:** Mike Hunter

**OTHERS PRESENT:**

Dave Dean – Town Councilman  
Al Schock – Town Councilman  
Glen Plotsky – Town Attorney  
Alfred Fusco Jr. – Town Engineer

Meeting was brought to order at 7:03 pm

Pledge of Allegiance

**DEERPARK VILLAGE EXTENSION –**

Alexander Roberts-Applicant

Mr. Roberts stated he was there to request a 6 month extension; he further stated that he has been in contact with Supervisor Spears and Town Attorney, Glen Plotsky and advised them of the issue. Mr. Roberts continued that they do have prospects but as of yet no buyers.

**Motion to approve 6 month extension.**

Motion made by Theresa Santiago, 2<sup>nd</sup> by Craig Wagner to grant a 6 month extension until October 25, 2017 for Deerpark Village.

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

**MOTION CARRIED**

Theresa Santiago asked the last time they were before the Board, Town Attorney answered on March 19, 2016. Mr. Plotsky went on to say that he will not be present at the October 25, 2017 Meeting.

**CHABAD HOUSE EXTENSION – SHINHOLLOW RD –**

Chairman Vicaretti stated they are asking for the extension because they have not moved forward yet on the site plan.

**Motion to approve 6 month extension.**

Motion made by Theresa Santiago, 2<sup>nd</sup> by Craig Wagner to grant a 6 month extension until October 11, 2017 for Chabad House.

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

**MOTION CARRIED**

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**SPRINT TEMPORARY CELL TOWER – HUGUENOT FIRE COMPANY – PUBLIC HEARING –  
Hillel Gedrich – Representative for Applicant – Azimuth Consulting**

**Motion to open Public Hearing.**

Motion made by Theresa Santiago, 2<sup>ND</sup> by Willard Schadt to close Regular Meeting and open the Public Hearing for Sprint Temporary Cell Tower.

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

**MOTION CARRIED**

Secretary read public notice into Record.

Mr. Gedrich started off the presentation by giving a summarize of the application, he continued that this will help improve service until a permanent solution can be found. He further stated that Sprint has a lease with the Fire Company for 1 year with an addition year if needed, but with Planning Board Approval. Mr. Gedrich stated there is a change in the site plan, instead of a COW (Cell On Wheels) they are now going to use a COLT (Cell On a Light Truck) and with the COLT the tower will be shorter so rather than the 74ft tower it will be 65-66ft. Chairman Vicaretti asked to go through the Town Engineer's comments; Mr. Fusco then went through the comments stating that coverage maps and effects of the project need to be given, also applicant should consider co-location on the current tower, they should show fall zone on the plan. A copy of comments will be placed in the file. Mr. Fusco added that he received the new plans just the day before. Town Attorney asked Thomas Kalin if notice was given to the Fire Department, a Gentlemen from the audience stated that it was posted on the bulletin board at the Fire House. Town Attorney stated that the site plan has had a major change and they need time to review the new information and suggested to keep the public hearing open until next meeting. Town Engineer stated that a GML-239 was done and a response from the County and they had objections because it was near county property. Town Engineer suggested that a new GML-239 to review the EAF and the new maps.

**Motion to authorize another GML-239 Review.**

Motion made by Theresa Santiago, 2<sup>ND</sup> Rob Whitney by to reauthorize the 239-GML review, contingent revised EAF.

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

**MOTION CARRIED**

**Motion to hold Public Hearing open until May 24, 2017.**

Motion made by Theresa Santiago, 2<sup>ND</sup> by Craig Wagner to hold open Public Hearing until May 24, 2017.

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

**MOTION CARRIED**

Willard Schadt questioned if the adjoiners would have to be remodified because of the changes, Mr. Fusco stated he felt no new notice was needed.

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SENTINEL PUBLIC HEARING – ASSISTED LIVING – 2247 GREENVILLE TURNPIKE – PUBLIC HEARING –  
Susan Lepak – Representative for Applicant – Schopfer Architects LLP

**Motion to open Public Hearing.**

Motion made by Theresa Santiago, 2<sup>ND</sup> by Willard Schadt to close Regular Meeting and open the Public Hearing for The Sentinel.

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

**MOTION CARRIED**

Secretary read public notice into Record. Chairman Vicaretti questioned if all adjoining owners were notified. Secretary Amanda Gorr stated that the proof was not received. Town Attorney stated that there were only 4, two were the applicant and the other 2 were the same owner. Willard Schadt asked if the public hearing could proceed without the proof of notices, Mr. Fusco stated that SEQRA could not be done without the notices. Ms. Lepak stated off the presentation by stating that Mr. Newhouse could not make it because of the Passover Holiday. She continued that Mr. Newhouse plans on purchasing the old Days Inn property, updating it and transforming the building into an Assisted Living Facility. She further added that there will be no structural changes and that it will be 160 beds certified and inspected by New York State Department of Health. She continued that it will have 24/7 care, help with activities and transportation to doctor appointments. Town Engineer then went through all Fusco Engineering comments and correspondence from Orange County Department of Planning, copy will be placed in the file. Dave Dean asked if the applicant will be making a profit off of the facility, Ms. Lepak stated she believed not. Town Attorney acknowledged that the Applicant has a meeting with the IDA (Industrial Development Agency) and by the end of 10 years it will be fully taxable and they have made no indication of it becoming tax exempt.

Chairman opened the floor for public comment.

Public Comment –

Katherine Tompos-2215 Greenville Turnpike-Ms. Tompos stated that she was a surrounding owner and was not notified. She continued by stating that she had concerns that it was the only hotel in Port Jervis, Deerpark or Greenville and asked why they would want to change it. She went on to say that the sewer stinks and is not working and the roads are not good there is also a lot of trash on the road. Ms. Tompos asked why the property could not be used to benefit the Town.

Denise Levitz-2 Piatt Drive-Ms. Levitz asked if the people hired will be local.

Susan Lepak-She stated that yes there will be about 30 people that will be hired.

Katherine Tompos-Ms. Tompos stated that there are 2 senior housing facilities already and stated that the extra traffic is a concern for her also.

Susan Lepak-Ms. Lepak stated that the NYS Department of Health has told them that there is a need for Assisted Living facilities.

Glen Plotsky-Town Attorney-Mr. Plotsky stated that it is not senior housing it is Assisted Living and that a traffic study will be done as part of the application.

Susan Lepak asked if the SEQRA could be approved, Chairman Vicaretti stated not without the proof of notices. Town Engineer suggested to adjourn the matter until next meeting and leave the public hearing open.

**Motion to leave Public Hearing open.**

Motion made by Craig Wagner, 2<sup>ND</sup> by Rob Whitney to leave the Public Hearing until Wednesday, April 26, 2017.

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

**MOTION CARRIED**

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RANDY AND BARBARA SAUSCHUCK – HOOK ROAD – PUBLIC HEARING –

Randy and Barbara Sauschuck –Applicant

John Fuller-Engineer for Applicant

William Onofry-Attorney for Applicant

### **Motion to open Public Hearing.**

Motion made by Theresa Santiago, 2<sup>ND</sup> by Willard Schadt to close Regular Meeting and open the Public Hearing for Randy and Barbara Sauschuck.

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

### **MOTION CARRIED**

Secretary read public notice into Record. John Fuller started off the presentation explaining that this was an amended site plan for a permitted use with Planning Board approval, which was originally comprised of 7 lots and now are 2 lots, and plans to do a Lot consolidation to make it 1 large lot. He went on to state that there are currently 4 buildings on the parcel and the rest is used as a contractor yard for his maintenance and backhoe business. He further stated that it was a previously approved site plan but it's been over 10 years old and is now amended, and has addressed the engineer's comments. Town Engineer asked if there was going to be a sign, Mr. Fuller answered that there was no immediate need to put one onsite. Chairman Vicaretti asked if there were any comments from the County, Mr. Fusco stated there was one and it involved soil stored on site washing into the river. Mr. Fuller stated that the property is graded and there are barriers in place to prevent that. Willard Schadt questioned the Hours of Operation for Sunday by Appointment only he asked what that was for. Mr. Fuller stated that he does not intend to operate but is a contractor. Randy Sauschuck acknowledged he does demo work and snow removal as well, Town Attorney stated to have emergency only put on the map, Mr. Sauschuck answered that was not a problem.

Chairman opened the floor for public comment.

### Public Comment –

Virginia Copp-2 Highland Ave-Ms. Copp stated that the access road to Hook is small and multi axle vehicles cannot maneuver to negotiate the turn and have to back up onto Route 97. She asked if he could sell the gravel for retail and wholesale.

David Danko-18 Delaware Dr-Mr. Danko stated that he lives above Hook Rd and has for the past 29 years and has been peaceful until 2008-2009 that was when Mr. Sauschuck brought in the trommel. He continued that he has spoke with Town Supervisors, Town Assessors, County Officials and they have letters that Mr. Sauschuck needs to come back to Planning Board for approval. He suggested that the Board walk the site; he added that there is also horse manure and asked how that can be so close to the river. He also added that there is no berm, no retention pond. He went on to say that the dust travels and is on their cars, their outdoor furniture and they cannot sit outside. Mr. Danko stressed to have the Board Members walk the property.

Veronica Danko-18 Delaware Dr.-Ms. Danko stated that he does not follow the Hours of Operation, they have children and they cannot sleep with the backup beeping of trucks. She also stated that the snow removal is no problem it's the summer time, he works on Sundays there is noise. She added that there is elderly people in the community and that an environmental analysis should be done, the river has changed. She further stated that he has been in business for 10 years because no one has stopped him. She stated that the Board consider the comments from the public before making a decision.

Alfred Fusco Jr. stated that there has been complaints over the years so the Building Department requested that Mr. Sauschuck come back to the Planning Board for an amended site plan. Mr. Fusco then went and read the definition of a contractor yard out of the Zoning Ordinance stating "*Building Contractor's Storage Yard – A building or area of land where persons, firm or corporations engaged in the construction business, or a related field, store building materials, equipment and supplies used exclusively in that contracting business. Retail and wholesale sale of any contractor's materials or supplies is prohibited.*"

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**RANDY AND BARBARA SAUSCHUCK – HOOK ROAD – PUBLIC HEARING –**

Mr. Fusco then quoted § 230-28 Sand, Gravel and Quarrying Operations (Extractive Uses):

*A. Sand, gravel and other quarrying and excavating industries shall be permitted as Special Uses in the RR, IB, HMU, and I-I Districts provided the limits of such operations shall extend no closer than five-hundred (500) feet to any existing residence, institution or building, public water supply source or other public or semi-public facility as mapped by the Town. In the case of blasting operations, this distance may be increased by the Planning Board. The Board may also limit the extension of such operations within or into any aquifer or watershed protection overlay zone that may be designated by the Town of Deerpark to protect a public water supply.*

*B. All extraction industries shall comply fully with the Mined Land Reclamation Law and provide evidence of such compliance in connection with any Special Use application.*

*D. All sand, gravel and quarrying operations shall be subject to the provisions of § 230-16 hereof relating to traffic and the Planning Board may require traffic studies to determine the need for special entrance designs, the construction of acceleration and deceleration lanes, and the like.*

*E. Planning Board shall require an up to 200 feet buffer area around the mining operation*

He then stated that a Trucking Business is a Special Use in a HMU District. Chairman stated that public concerns will be taken into consideration during the deliberations, he continued that it seemed like the main concern was quality of life. Mr. Fuller stated that the DEC has come to the property and Mr. Sauschuck has never been sited or given a violation.

**Motion to leave Public Hearing open.**

Motion made by Theresa Santiago, 2<sup>ND</sup> by Craig Wagner to leave the Public Hearing until Wednesday, April 26, 2017 for written comment and give time for the applicant to respond.

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

**MOTION CARRIED**

**NEW CENTURY FILM – SITE PLAN APPLICATION – 517 NEVERSINK DRIVE –  
John Fuller-Engineer for Applicant**

Mr. Fuller stated that this property is the old New Hope Farms; it is in a HMU District, he continued that there are 2 residential homes, 2 stables, an arena and a maintenance/storage barn. He further stated that the Department of Health confirmed the water and sewer onsite, and design flows are on the site plan. He added that there will be no additional structures, or improvements on current structures they will only be renovated. The two houses will be for guest residences and separate from the Film business, the arena will house the film studio. The small stable will be converted to a small restaurant, offices and stores, the larger stable will be apartments for the crew along with an onsite cafeteria. Town Attorney asked how long the stay will be in 30 single room occupancies, Mr. Fuller replied that it is to support the cast and film crew, it will be transient not a hotel but can define on the map. Chairman Vicaretti asked about the Short Form EAF, he wondered if they would need the Long Form because of the size of the property, Mr. Fusco stated that it could. Mr. Fusco then went through the comments from Fusco Engineering stating that any changes in water and sewer use needs to be submitted to the New York State Department of Health and New York State DEC for permit modifications, because of the vast size of the complex additional parking may be required via shadow parking. He also stated that they need to show proposed layouts of the offices, dorms and film studio and also show fire emergency plans; sprinklers etc., lighting and landscaping plan and any signage. Town Engineer suggested waiting on the 239 until the Long Form EAF is turned in. Mr. Fuller added that there is no intention to build any additional structures on the property. Chairman Vicaretti asked is it was a Dormitory style apartment, Mr. Fuller replied it would be in the floor plans, Chairman then asked the maximum number of people that will be on the property, the bulk tables say 184 he suggested to design for maximum not the minimum.

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NEW CENTURY FILM – SITE PLAN APPLICATION – 517 NEVERSINK DRIVE – continued –

Chairman Vicaretti then asked about the underground rifle range that extends under where the dormitory will be and asked what the intended use of the range, that it needs to be stated, and also the square footage of the range.

Chairman also asked what the additional parking was for, Mr. Fuller answered that it is required by the Zoning for the uses. Chairman Vicaretti questioned how many workers will be on site during construction, Mr. Fuller answered he was not sure as of yet. Chairman continued and asked if the film studio will have an antenna, Peter Wei stated no antenna most will be done through the internet. He further asked about the mechanical underground shaft on the site plan, Mr. Fuller stated it had to do with the shooting range for ventilation. He finally asked about the 3 wells on the property if they are separate, Mr. Fuller answered yes there are 3 and they are all separate.

**MOTION TO APPROVE MINUTES.**

**Motion to approve March 22, 2017 Minutes.**

Motion made by Theresa Santiago 2<sup>nd</sup> by Craig Wagner to approve Wednesday, March 22, 2017 minutes.

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

**MOTION CARRIED**

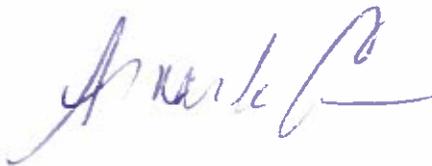
**Motion to adjourn meeting.**

Motion made by Theresa Santiago, 2<sup>nd</sup> by Craig Wagner to adjourn meeting at 9:50 pm.

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

**MOTION CARRIED**

Respectfully submitted by,



Amanda Gorr, Planning Board Secretary