

DEERPARK PLANNING BOARD - SEPTEMBER 25, 2013 - PAGE # 1
PUBLIC HEARING – ALEXANDER HOTEL

The Deerpark Planning Board met for a public hearing on Wednesday, September 25, 2013 at 7:00 p.m at Deerpark Town Hall, 420 Route 209, Huguenot, N.Y.

The following were present:

BOARD MEMBERS

Al Schock, Chairman

Theresa Santiago

Craig Wagner

Bob Vicaretti

Mike Hunter

Derek Wilson

OTHERS

Mr. Alfred A. Fusco, III., Town Engineer

Mr. Glen A. Plotsky, Town Attorney

Mr. David Dean, Town Board Liaison

Mr. John Fuller, Civil Engineer

The secretary read the public hearing notice: “Notice is hereby given of a Public Hearing to be held by the Planning Board of the Town of Deerpark, Orange County, New York, pursuant to Article 7 of the Town of Deerpark Zoning on the application of SSS Realty, LLC for a site plan approval. The application effects the following premises: Record Owner: SSS Realty, LLC; Tax Map Designation: Section 47, Block 3, Lot 4.2; Zone Designation: HMU. Located at 6 Main St., Town of Deerpark, Orange County, New York. Information on this application is on file with the Town Clerk, Town Hall, Route 209, Huguenot, New York. The Hearing shall take place at 7:00 o’clock P.M. on the 25th day of September, 2013 at Deerpark Town Hall, located on Route 209, Town of Deerpark, Orange County, New York, or as soon thereafter as practicable. All parties wishing to be heard shall be heard at that time.”

John Fuller: Good evening my name is John Fuller, I represent the owner of the Alexander Hotel at this public hearing tonight. For the record I will hand the certified mailings to Barbara. By way of introduction to the project before the board and the public tonight is known as the Alexander Hotel in Sparrowbush, and is a restored structure, that’s been in decay and has not been utilized for several years just off of Route 97, is to convert that into six family or six dwelling apartment building. That use is permitted in the zone. In order to get to this point, we previously applied before the Zoning Board, as referred by this board, to grant area variances for the existing non-conformities. There are setback variances, and after a public hearing, those variances were granted by the Zoning Board of Appeals, and now we are currently before this board for this site plan. It is currently a three story structure, it’s been in decay and has not been utilized for a number of years. The building is structurally sound, and can be renovated into what the applicant has proposed. Each dwelling unit is a single bedroom unit, so it’s not intended to be multiple bedrooms. Due to the size, and in order to comply with the well and septic, they will be single bedrooms. As part of the application, as well as a full renovation, as well as structural repairs, the application will involve putting in a sprinkler system, which is in the current Code, which is required for these extensive alternations.

Derek Wilson: I have one question. Will there be a a sprinkler system?

John Fuller: Yes. A few of the comments that were raised by the board previously, other than identifying the occupancy, which are one bedrooms, which will occupy one or two people per apartment. And there will be a caretaker on site. One of the residents will be identified as a caretaker or superintendent, who will receive notices from the town. He will agree to act as a receiver for the building, as a general condition of the approval. Aside from that, we’ve addressed all of your normal requirements for site plan and ordinance, site drawings, and it will involve a twelve space parking lot, adjacent to the building. The second structure on the property, which is small, will be demolished. There will be an on-site garbage dumpster, and off site parking, in order to comply with the requirements of the use. And with that introduction, I’ll turn it back to the chairman.

Glen Plotsky: Before you go any farther John, I have a question. On these receipts, none of them are stamped by the post office. I mean, they’re printed out, which may be by the post office, but none of them have the post mark.

John Fuller: I didn’t pay attention to that, I mean, it’s printed out by them, when we go there. I have the receipt from the post office.

DEERPARK PLANNING BOARD - SEPTEMBER 25, 2013 - PAGE # 2
PUBLIC HEARING – ALEXANDER HOTEL

Glen Plotsky: I mean, the reason I'm asking, is because this person is my secretary, and I just texted her, because she's on the list, she lives across the road, and she says that she never got the notice.

John Fuller: Well, I have the actual receipt from the post office, and I don't know why they didn't stamp it. This is the Port Jervis office. That's the actual receipt from the post office.

Glen Plotsky: If you want to continue, I'll just look at this.

Derek Wilson: Did you get the comments from the County, and they say that two of the spaces will be taken up by the dumpster.

John Fuller: I did not get that.

Derek Wilson: Okay, well we got a letter from the County dated July 29, 2013, saying this. You can look at this. I also understand that the whole building is going to be sprinkler system, and I'm concerned about the stairwell, a fire protected stairwell, and it will be sprinkled. There needs to be two means of egress, and the sprinkled stairwell that counts. I personally, I don't know about the other board members, but on the upper floors, I'd personally like to see decks on the upper apartments, so, that if a fire does break out, with the smoke and fire, that people can make it down the stairs.

Theresa Santiago: What about a fire escape?

Derek Wilson: Well, that's the other option, I mean if you want to connect them, but the people can climb into the other peoples' apartments, but that's up to the board members. But it shouldn't be a tremendous cost, compared to what he's doing to the building now. You can put the decks out on the second floor. Because it's a non- fireproof building, and I think it's the only building in town that has apartments on the third floor. I don't know of any other, and the building code is a minimum. The fire department has a second floor maximum now, and the portable ladders just can't get to the third floor windows. The people can get outside and wait, and the fire department can get there pretty quickly, but the entire building should be sprinkled, it should be an entire involved building.

John Fuller: Well, the entire building will be sprinkled by building code.

Derek Wilson: Well, the stairwell, needs a sprinkled stairwell.

John Fuller: The stairwell will be sprinkled as well.

Derek Wilson: And then there needs to be self closing doors on all of the apartments as well. Now the 50 by 50 foot area, I don't know how anyone else feels, you're talking about a recreational area for six families. Is that 1/4 of an acre? Are you going to have picnic tables there? I just thought that 50 by 50 is a little on the small side, maybe it should be a bigger area, I was just thinking that it's a little on the small side. .

John Fuller: I think the intent was, a concern by the board at a previous meeting was, these are one bedroom apartments, there will be minimal small children, and the area will be away from the street to be utilized. So, I mean, 100 by 100, I don't really know if that meets the concerns.

Derek Wilson: I was saying that 50 by 50 seems a little small.

Bob Vicaretti: You're not playing football there? Baseball?

John Fuller: I mean it's just a little area, and part of the proposed site plan, is to extend the extending stairs, up off the parking lot, to have access there.

Derek Wilson: And you'll put a walk there.

DEERPARK PLANNING BOARD - SEPTEMBER 25, 2013 - PAGE # 3
PUBLIC HEARING – ALEXANDER HOTEL

John Fuller: Yeah.

Bob Vicaretti: And the area is level?

John Fuller: Well, the upper part of the property actually is generally flat.

Bob Vicaretti: You said 50 by 50 is a continuation...

John Fuller: It's a minimal area up here, it's actually flat here, but it's steep here. This part is also landlocked and inaccessible. It's common to provide outside recreation or outside access off the street.

Derek Wilson: Actually, it's a requirement. Actually the way the zoning is written, when I read through, it's a little confusing, to apply to an apartment house.

Al Schock: What's to keep people from partying outside the 50 by 50? It's not illegal for the tenants to go up into the other, is it?

John Fuller: No, I think the intent was to identify a location or clearing for the residents, to keep the kids off of the street.

Derek Wilson: But the area designated is woodlands.

John Fuller: It's currently wooded there. Whether it's 50 by 50 or 100 by 100, or even larger, that's entirely by the board, I don't think it will be a problem to clear.

Derek Wilson: My concern is not to shove something on you, that's not going to be used by the people, but it might be rectangular, it might be square, I'm just bringing it up for discussion.

Theresa Santiago: Now since the superintendent is living there, will he be registered, like, with the building inspector? If the neighbors down the street complain about a tenant, and they have a problem, will he be able to deal with the problem with the building department?

John Fuller: Yeah, I believe that was the intent of the discussion last time, to have the owner identify the superintendent, and the superintendent would notify the town. I would believe that it would be appropriate for someone to be on the record.

Al Shock: So, probably if there were a problem, he would call the police, and they would know which apartment to go to.

John Fuller: I believe that is the intention. I mean the owner of record would be a point of contact as well, but I think the discussion was to have someone on site.

Derek Wilson: Doesn't the current owner live in Pennsylvania?

John Fuller: No, he is local, he lives and works local.

Craig Wagner: I have question for counsel. Are we allowed to propose the occupancy amount? The amount of people per apartment?

Glen Plotsky: I think that that would be based on State Code or square footage, or something like that. I think that if they're all going to be one bedroom apartments, pretty much, I mean, you may have a baby in the apartment. Once you have a 3 year old child, CPS would frown on them all living in a one bedroom.

Al Fusco: We just had an issue in a town, where there were seven people living in one bedroom, and CPS was called.

DEERPARK PLANNING BOARD - SEPTEMBER 25, 2013 - PAGE # 4
PUBLIC HEARING – ALEXANDER HOTEL

Derek Wilson: CPS is what?

Glen Plotsky: Child Protective Services.

Al Schock: Al, is there anything you would like to say about it?

Al Fusco: Basically, we had some open issues from last time. We were waiting on County and DOT input. We had some lighting issues we wanted to see on the plan, survey, and I believe there was the ZBA variances to be quoted on the plan. So, there's just some of these technical issues that are needed, and I believe the dumpster, that was a good comment, that should be taken care of. As far as the recreational area, the place needs to be addressed, and the size, whatever the board thinks would be appropriate. Other than that, I think our comments are pretty technical in nature, and they just need to be addressed before the next meeting.

Al Schock: At this time, is there anyone from the public that would like to comment? Just step forward and state your name. Okay, no one from the public. Shall we close the public hearing?

Derek Wilson: I make a motion to close the public hearing.

Glen Plotsky: Wait, I would just want to get some information, before you close the public hearing. I don't know if there's a problem with these receipts or not. I mean it looks right, because the receipt that John gave me, appears to match these return receipts. I mean, this is kind of an unusual situation, because the secretary that I was referring to, doesn't do this for me, so she didn't even know she was on the thing. Frankly, I just texted her to tease her, so for all I know, she may even be on her way here. It might be appropriate to hold it open, especially since there are things that haven't been addressed.

Al Schock: Okay, the motion to close the public hearing is rescinded, to check out the mailings until the next meeting.

Glen Plotsky: I'll have Barbara make a copy of this for me, so I can look at it more closely, and talk to John if there are any issues.

John Fuller: Yeah, I mean the receipt is from the post office, and he is correct, they normally do stamp it. Customarily what we normally do, is we mail a stack, and hand it to them. I know Pete in Sparrowbush, normally says that he'll put it in your personal mailbox, and we come back, and the stuff is in our mailbox. I don't know why they didn't stamp them. I know the mailing list went out

Derek Wilson: I'll make the motion that we hold the public hearing open until October 9th.

Al Schock: What does the board think about the recreation area?

John Fuller: I think the intent is to provide off street recreational area for the tenants, if they choose to do so. I have no problem if the board needs 100 by 100, or 75 by 150.

Bob Vicaretti: Will you be putting swing sets in or something? Do they need room for safety?

Al Schock: What do you think Al?

Al Fusco: It's up to you, I mean 2,500 feet...

Dave Dean: May I say something here? My name is Dave Dean, and I live in Sparrowbush too. I think everybody's concern here is, and I'll say it, I don't want anyone up there to say it, but I think the problem is the motel next door. This is not the same person, it's a different person that's buying this, developing this. But there is such a thing as an attractive nuisance. And I'm not sure that making a bigger place in the back,

DEERPARK PLANNING BOARD - SEPTEMBER 25, 2013 - PAGE # 5
PUBLIC HEARING – ALEXANDER HOTEL

is going to create an attractive nuisance for the neighbors in the motel. So, if there are children, let's say that there is a mother and two children, although I can't imagine that that would be the case here, with one bedroom, I would think we were talking couples, or something along that line. We have a playground right down the street, I mean a substantial playground where kids can go play on swingsets, down at the firehouse. So, I'm looking at this and saying, let's not make an attractive nuisance at this place, so that everybody from the motel says, "hey, there's a great big space up there with picnic tables, so let's go there and drink beer and raise cain."

Derek Wilson: I'm not looking at it, from the motel aspect.

Dave Dean: I am, I'm playing devils advocate here.

Derek Wilson: Well, nice people will move into this.

Dave Dean: That's my hope too.

Theresa Santiago: But the superintendent is going to be right there to oversee.

Al Schock: That remains to be seen. This is nothing like Tudor Gardens, he's going to have a job, and it's not like he's going to spend all of his time on site.

Dave Dean: We're not talking a 15 apartment building here, where it pays to have a superintendent, that's not what we're talking about.

Derek Wilson: But this is no different from somebody's back yard, with six houses. Say, you have a nice back yard, and the neighbors walk over and use your back yard. I understand your train of thought, I just disagree a little bit.

Dave Dean: My two cents is leave it 50 by 50, I think it's substantial enough, and if you need to expand it later on, the building inspectors' office can take care of that. For the time being, I wouldn't make it any more attractive, to attract the whole neighborhood.

Al Schock: The tenants could complain that they didn't have enough area to party too, and they can say something.

Derek Wilson: I make the motion to continue the public hearing on October 9th.

Bob Vicaretti: I'll second that.

Al Schock: All in favor?

Theresa Santiago: Aye.

Craig Wagner: Aye.

Derek Wilson: Aye.

Mike Hunter: Aye.

Bob Vicaretti: Aye.

Al Schock: Aye.
Motion carried.

Public hearing finished this evening at 7:30 p.m.

Public hearing will be continued on Wednesday, October 9, 2013 at 7:00 p.m.

Respectfully submitted,

Barbara Broliier, Secretary