

The Town of Deerpark Planning Board met for a BIMONTHLY MEETING on WEDNESDAY, JUNE 23, 2021. The Meeting was held at Town Hall.

The following were present on the meeting:

BOARD MEMBERS PRESENT:

Robert Vicaretti-Chairman
Rob Whitney
Willard Schadt

Craig Wagner-Vice- Chairman
Theresa Santiago

OTHERS PRESENT:

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

Pledge of Allegiance

Meeting was brought to order at 7:02 p.m.

BERRY-VANHORN -ROUTE 42 – LOT LINE CHANGE –

Martin Berry-Applicant
Carl VanHorn-Applicant

John Nosek stated that there were no comments from Fusco Engineering, the map was revised to fix the line for the RR Zone. Town Attorney acknowledged that his office is preparing one of the deeds and Mr. Onofry is preparing the other once he has reviewed them, he will let the Secretary know and the Chairman can sign the maps.

Motion to declare Lead Agency.

Motion made by Theresa Santiago, 2nd by Rob Whitney to declare Town of Deerpark Planning Board Lead Agency for SEQRA purposes.

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

MOTION CARRIED

Motion to declare a negative declaration.

Motion made by Craig Wagner, 2nd by Rob Whitney to declare a negative declaration for the project.

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

MOTION CARRIED

Motion to approve application.

Motion made by Theresa Santiago, 2nd by Rob Whitney to approve the application for Berry/VanHorn Lot line change contingent on fees paid and Town Attorney's review of the deeds.

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

MOTION CARRIED

BELLMAN OUTDOORS – 126 ROTUE 6 – BILLBOARD –

John Fuller-Representative for Applicant
Todd Lawton-Representative from Bellman Outdoors

Mr. Lawton explained that in January of this year it was discussed with the Planning Board where the elevation should be taken off of Route 6 or Interstate 84, so they were sent to the Zoning Board. There it was interpreted that the sign will service I-84 and therefore the height be taken off of I-84. He asked if the project could move forward. Chairman asked where the benchmark will be determined, John Fuller stated the surveyor will determine. He continued that the ZBA decided that the sign will be designed to service I-84 and asked if a public hearing was needed, they would request it be scheduled at this meeting. John Nosek went through the comments from Fusco Engineering stating that there were a few things with the EAF that needed fixing or clarification, also a detail of the sign needed to be submitted and they needed to show the road profile and height of sign. Town Attorney stated that GML-239 could be done and a public hearing scheduled for July 28.

PLANNING BOARD MEETING JUNE 23, 2021 continued –

BELLMAN OUTDOORS – 126 ROTUE 6 – BILLBOARD – continued –

Motion to distribute GML-239 Review.

Motion made by Craig Wagner, 2nd by Theresa Santiago to start the GML-239 Review.

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

MOTION CARRIED

Motion to schedule a public hearing.

Motion made by Theresa Santiago, 2nd by, Rob Whitney to schedule a public hearing for Bellman Outdoors-Billboard for Wednesday July 28, 2021 at 7pm.

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

MOTION CARRIED

KERRY HUGHSON – 357 NEVERSINK DR – 2-LOT SUBDIVISION –

Kerry Hughson-Applicant

Mr. Hughson explained that this was a 2-lot subdivision on Neversink dr. Chairman acknowledged that the acreage was good for both and setbacks looked good. John Nosek went through the comments from Fusco Engineering stating that there needs to be a referral to the County because it is on a County Road but there is no proposed construction, a short form EAF needed to be provided, also a perc test would need to be done on the vacant piece to allow for a buildable lot. Town Attorney questioned about the accessory structure on one lot and was not sure if it was legal, he believed there had to be a principal home. Chairman stated that if it showed a proposed site for a home, but can investigate it. Town Attorney stated that they can do Lead Agency and can get back on the agenda for July 14 meeting. Rob Whitney asked if he showed intent to build if it could be allowed, Chairman stated that Town Attorney will do the research if an accessory use can be without an intended use. Town Attorney stated to wait for anything to make sure that a primary use didn't need to be added to the map.

MARION SUBDIVISION – CHRISTOPHER ST – 12-LOT SUBDIVISION –

John Fuller-Representative for Applicant

Town Attorney stated that he received an email from an Attorney representing the property owner and they do not want to move forward with the application, so no action and no discussion will be done. They will be placed back on the agenda if and when they decide to proceed. Chairman asked if Mr. Fuller had received a copy of the email, he answered that he had been informed at 4pm.

430 ROUTE 209- ROUTE 209- SITE PLAN REVIEW –

John Fuller-Representative for Applicant

Mr. Fuller explained that this was the old C&D battery property, there has been a lot of work, there was environmental issues and there are reference materials with the NYS DEC. They would like to move forward with a full application, he felt due to the sensitivity of the project a workshop would be appropriate. John Nosek state that there are two important comments both regarding the contamination and corrective action plan for the property. John Fuller acknowledged that it will be redevelopment of the site plan and requirement will be addressed and over seen by the DEC, the applicant has been in contact with them. He asked about having a workshop. Chairman suggested that the professionals should decide and asked if it should be advertised. Town Attorney answered yes if it is a Special Meeting it needs to be advertised. Willard Schadt stated that it could be done on a regular meeting date when there is a short agenda, Town Attorney acknowledged that next month the 14th only has Mr. Hughson and 2 pre-applications. Craig Wagner stated that it could be allocated at the end of the meeting, Rob Whitney agreed, Town Attorney stated that it will be on the agenda for the July 14 meeting, Chairman stated to put it on last.

PLANNING BOARD MEETING JUNE 23, 2021 continued –

NEW CENTURY – 517 NEVERSINK DR – SITE PLAN REVIEW –

John Fuller-Representative for Applicant

Mr. Fuller explained that he had asked Peter Wei to appear to answer any questions but did not show. He continued that there has been constant changes to the site plan in the last year but this site plan and application have been updated for exactly what they want to do. He stated that a new driveway was verbally discussed with the Orange County DPW and was acceptable as long as they eliminated one of the other driveways, but the Planning Board has to send the plans to them to get official review. John Nosek went through the comments from Fusco Engineering stating that a traffic study was done but it should be sent to NYS DOT because it abuts a State highway. John Fuller stated that they have considered multiple locations for the septic, it was reviewed about 30 years ago and pre-dated current regulations but a comprehensive review will be done by the Department of Health. John Nosek went on to say that they are getting close to having a full SWPP done; it is close to 1 acre, the project has been segmented under SEQRA and a cumulative impact needed to be done. Town Attorney asked to review the deed, Willard Schadt stated that there were suggestions of restrictions in the deeds, Mr. Fuller added that there was discussion of deed restrictions on the 2 residential dwellings. John Fuller asked for intent and the GML-239 to be done.

Motion to declare intent to be Lead Agency.

Motion made by Craig Wagner, 2nd by Rob Whitney to declare intent for the Town of Deerpark Planning Board Lead Agency for SEQRA purposes.

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

MOTION CARRIED

Motion to distribute GML-239 Review.

Motion made by Theresa Santiago, 2nd by Willard Schadt to start the GML-239 Review.

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

MOTION CARRIED

Chairman stated that the 239 should be back by July 28. John Nosek asked what the last approval was for, John Fuller replied that they have approval for New Century Film which is production of short films and there are no proposed changes with that. The second is for a seasonal flea market but have not done with COVID, they are unsettled what the future plans are for that. John Nosek acknowledged that in the last 4 years they have done a film studio, flea market and are proposing a new road, restaurant and hotel they need a full SWPP. Mr. Fuller stated that the number of changes does require a Full EAF review, the applicants are trying to make the property successful. He will make sure Mr. Wei is present at the next meeting.

HUMANE SOCIETY – 202 ROUTE 209 – SITE PLAN REVIEW –

John Fuller-Representative for Applicant

Deb Cassara-President of Humane Society of Port Jervis

Melissa Newhouse

John Fuller explained that last month they came to the Board for a pre-app to introduce an expansion on the property, now they have submitted a full application, he has received the comments from Fusco Engineering, it does require a GML-239 but there will be no changes to the driveway entrances, most are technical comments that will be addressed on future revisions, there are 3 parcels involved in this site plan, on one there is an encroachment to one of the vacant parcels, they plan to remove the structure. The vacant lots will not be part of the application. The new structure will be to house dogs, it will be better equipped to accommodate and the other buildings on the property will be repurposed. John Nosek stated that the first comment can be eliminated then with the demo of the building, Town Attorney concurred that if they are taking the building down then there is no encroachment, John Fuller pointed out that some structures do not meet current zoning but are pre-existing. John Nosek then went through the remaining comments stating that it needs to be provided how the kennel waste will be disposed of and also if the current septic can accommodate or if an expansion is needed.

PLANNING BOARD MEETING JUNE 23, 2021 continued –

HUMANE SOCIETY – 202 ROUTE 209 – SITE PLAN REVIEW – continued –

He continued that there is no new sign proposed, area of disturbance needed to be calculated, erosion control needed to be shown, if any illumination was needed it needed to be shown and grading and drainage plans. Willard Schadt asked the speed limit there, John Fuller answered 40 MPH.

Motion to declare intent to be Lead Agency.

Motion made by Theresa Santiago, 2nd by Rob Whitney to declare intent for the Town of Deerpark Planning Board Lead Agency for SEQRA purposes.

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

MOTION CARRIED

Motion to distribute GML-239 Review.

Motion made by Rob Whitney, 2nd by Theresa Santiago to circulate the GML-239 Review.

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

MOTION CARRIED

RIVENDALE – 515 NEVERSINK DR – 20-LOT SUBDIVISION –

John Fuller-Representative for Applicant

Mr. Fuller explained that it was requested that Fusco's office prepare the Long Form EAF Part 2, because it needs an Environmental Impact Statement, which was also the recommendation of Fusco Engineering. Town Attorney stated that a positive declaration needed to be voted on because there were adverse environmental impacts and then a public hearing needed to be scheduled after for scoping.

Motion to declare a positive declaration.

Motion made by Theresa Santiago, 2nd by Rob Whitney to declare a positive declaration for the project.

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

MOTION CARRIED

John Nosek stated that once the scoping document is prepared than it will be shared with the public, John Fuller added a Draft Environmental Impact Statement (DEIS) will require a public hearing. Town Attorney acknowledged that the Board needs to accept the finding in Part 2 of the EAF and authorize the scoping session.

Motion to accept EAF Part 2 and start scoping session.

Motion made by Theresa Santiago, 2nd by Rob Whitney to accept Part 2 of the EAF prepared by Fusco Engineering and authorize the start of the scoping session.

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

MOTION CARRIED

Willard Schadt asked what the scoping session was to identify the issues, John Fuller answered that it was on Part 2 of the EAF, Town attorney stated that Part 2 was generated from the concerns of the public at the public hearing. He clarified that Part 1 is completed by the applicant and part of Application, Part 2 is completed by Board and Part 3 is the conclusion on the DEIS. John Nosek suggested adding this application to the next agenda to discuss.

MOTION TO APPROVE MINUTES.

Motion to June 9, 2021 Minutes.

Motion made by Theresa Santiago, 2nd by Craig Wagner to approve the minutes for Wednesday, June 9, 2021 meeting.

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

MOTION CARRIED

OTHER BUSINESS-

Theresa Santiago asked what the construction work was that was being done by the old Eddy Farm property, Town Attorney explained that it was now Art Trovei's property.

PLANNING BOARD MEETING JUNE 23, 2021 continued –

Motion to adjourn meeting.

Motion made by Theresa Santiago, 2nd by, Craig Wagner to adjourn June 23, 2021 Planning Board meeting at 8:26 pm.

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

MOTION CARRIED

Respectfully submitted by,



Amanda Gorr, Planning Board Secretary