

The Town of Deerpark Planning Board met for a BIMONTHLY MEETING on WEDNESDAY, SEPTEMBER 25, 2024. The Meeting was held at Town Hall 420 Route 209.

The following were present on the meeting:

**BOARD MEMBERS PRESENT:**

Robert Vicaretti-Chairman  
Theresa Santiago  
Patrick Kean

Craig Wagner-Vice-Chairman  
Willard Schadt

**OTHERS PRESENT:**

John Nosek-Representative from Fusco Engineer-Town Engineer  
Glen Plotsky-Town Attorney  
Alan Schock-Town Councilman  
Rob Whitney-Town Councilman



Pledge of Allegiance

Meeting was brought to order at 7:01 pm Chairman Robert Vicaretti.

**KELLEY – BERME RD – PRE-APP –**

Robin Kelley-Property Owner

Mr. Kelley stated he bought property on Berme Rd, there are 2 houses on the lot each with separate wells, septic and driveways. He handed out survey maps to show how he would like to subdivide the property. Theresa Santiago asked what number on Berme Rd, Mr. Kelley answered 22 Berme Rd. Town Attorney asked if the homes used the same well, Mr. Kelley answered no they each have their own. Town Attorney then stated that the lot is 1.57 acres it is 1 acre zoning, so Mr. Kelley would have to go to the ZBA (Zoning Board of Appeals) for a variance for lot area, also 2 side yard setbacks due to a shed that would be too close to the potential line that would be created with the subdivision. He suggested the Board refer Mr. Kelley to the ZBA for the previous stated variances.

Motion made by Theresa Santiago 2<sup>nd</sup> by Craig Wagner to refer Mr. Kelley to the Town of Deerpark Zoning Board of Appeals for various variances for the 2-lot subdivision.

**Vote 5 Ayes:** Theresa Santiago, Craig Wagner, Patrick Kean, Willard Schadt, Robert Vicaretti.

**MOTION CARRIED**

**139 BERME RD – OLD ALEXANDER MOTEL – PRE-APP –**

Applicant stated he was waiting for his partner. Chairman said that they would come back to them.

**26 ROUTE 6 – GAS STATION – PRE-APP –**

Jack Hays-Developer

Mr. Hays explained that he is a developer for the 7/11 chain and what they would like to do is a convenience store and gas and diesel station. It will consist of a 5,000sqft store. Willard Schadt asked if there would be gas, Mr. Hays replied there will be 12 regular fueling stations and 4 stations for trucks. Town Attorney asked about parking, Mr. Hays answered they have set aside 30 spots. He continued that the septic will be in the front of property and the well in back, there is also wetlands in the back of the lot. They know they need to do all the Storm water and traffic study, they just wanted to come for a pre-app to get any feed back before they did a complete site plan. John Nosek asked what district it was, Secretary answered IB (Interchange Business) Town Attorney asked how many employees and the hours of operation, Mr. Hays answered they hope for 24/7 due to proximity to the highway and there will be 1 manager and 2 employees and 2 gas attendants per shift. Town Attorney acknowledged there was another project presented that wanted to do 24/7 and there was big push back from the residences in the area. It was asked if the Mobil station down the road was open 24/7, Town Attorney replied he did not believe it was open all night. Willard Schadt acknowledged that a lot of the noise would be from idling trucks, Mr. Hays stated there is limited parking for trucks and there will be signs for no idling. It is not a truck stop and there will not be any overnight parking. There was a question of how escrow worked, Town Attorney explained it will be set tonight on a guess of what the project would cost and the consultants fees would be. Also was asked about when referral to the County happens, John Nosek stated that was when they felt there was sufficient detail. Town Attorney added that due to the location and nature of the project that it will be referred to the State DOT (Department of Transportation), DEC(Department of Conservation) and County.

**PLANNING BOARD MEETING SEPTEMBER 25, 2024 continued –**

**26 ROUTE 6 – GAS STATION – PRE-APP – CONTINUED –**

Another question was asked about the approval process and if it can be conditioned on outside approvals, John Nosek answered it was too early to tell but in most cases the Board has most of the approvals from the outside agencies before a conditional approval is granted. Also, it was asked about the public hearing and submission deadlines for meetings, Town Attorney answered there is a formal hearing that is done and it can be separated SEQRA (State Environmental Quality Review Act) hearing or it can be combined with the application hearing. Secretary replied that submission deadline is 2 weeks before the meeting. Town Attorney added that the meeting are the 2<sup>nd</sup> and 4<sup>th</sup> Wednesday of each month except November and December there is only 1 each month. Theresa Santiago asked if they have purchased the property, Mr. Hays stated they had a long-term contact contingent on the approval. Craig Wagner asked if there was a different store front design that could be done, Mr. Hays acknowledged that Corporate tries to keep it the same but he can talk with them and discuss other possibilities. Councilman Schock stated that the applicant should look at the hours there are no 2 businesses in the Town of Deerpark and they should think about closing from 12am to 6 am.

**139 BERME RD – OLD ALEXANDER MOTEL – PRE-APP –**

It was explained that they wanted to keep the building as a motel, Town Attorney stated that it was changed with a Planning Board approval to a 4-family dwelling. Secretary acknowledged that she believed Zoning states that after 3 years if a permit is not granted or if the building permit is not current then it reverts back. Town Attorney stated that it is the same use multi-family residential, he did believe there was issues with the septic and parking. John Nosek suggested to get a site plan showing parking and septic, the Applicant stated that the old owner had a land use lease with the DOT for parking, Town Attorney added he would like to see the lease. The applicant asked what the next steps would be, Town Attorney answered to prepare and site plan and survey and if all meets Town code, it is permitted, he could see no problem. Willard Schadt asked the shape of the building being the windows have been broken and it has been exposed to the elements, the Applicant replied that the bones are good.

**MOTION TO APPROVE MINUTES**

**Motion to approve minutes from August 28, 2024 Meeting.**

Motion made by Theresa Santiago, 2<sup>nd</sup> by Craig Wagner to approve the minutes for Wednesday, August 28, 2024 meeting.

**Vote 5 Ayes:** Theresa Santiago, Craig Wagner, Patrick Kean, Willard Schadt, Robert Vicaretti.

**MOTION CARRIED**

**OTHER BUSINESS:**

Secretary acknowledged she will be taking a class next week for GML-239 and the new process for filing.

**Motion to adjourn meeting.**

Motion made by Theresa Santiago, 2<sup>nd</sup> by Craig Wagner to adjourn September 25, 2024 Planning Board meeting at 7:43 pm.

**Vote 5 Ayes:** Theresa Santiago, Craig Wagner, Patrick Kean, Willard Schadt, Robert Vicaretti.

**MOTION CARRIED**

Respectfully submitted by,



Amanda Schultz, Planning Board Clerk