

The Town of Deerpark Planning Board met for a BIMONTHLY MEETING on WEDNESDAY, AUGUST 12, 2020.

The following were present on the meeting:

BOARD MEMBERS PRESENT:

Robert Vicaretti-Chairman
Theresa Santiago

Craig Wagner-Vice- Chairman
Rob Whitney

BOARD MEMBER PRESENT VIA ZOOM: Willard Schadt

OTHERS PRESENT:

Alfred A Fusco III-Town Engineer
Glen Plotsky-Town Attorney
David Dean-Town Councilman



APPROVED

Pledge of Allegiance

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

RIVENDALE – NEVERSINK DR – 21-LOT SUBDIVISION – PUBLIC HEARING –

John Fuller-Representative for Applicant

Secretary Amanda Gorr read public hearing notice into record; it was stated that the reading could not be heard. Town Attorney read notice. He went on to say that a transcript of the hearing would be prepared by a court stenographer and recommends the public hearing be left open for 2-4 weeks for written comment. John Fuller gave a brief presentation, stating that this was a 21-lot subdivision on a 43-acre parcel located at the corner of US Route 209 and Neversink Dr. He further stated that it will create 21 lots with a 1000ft private road looped in the property, there will be a community septic system and each home will have its own well. Traffic studies have been done and show minimal impacts, environmental shows no impact and Upper Delaware Counsel acknowledged no impacts. The homes will be Single Family Dwellings. Mr. Fusco explained that the plan has not changed much, all technical items have been addressed the rest are procedural. He further stated that there needs to be a determination from the Army Corps of Engineers, SHPO sign off, approval of the Home Owners Association by Town Attorney, Orange County Department of Health (OCDOH) approval, Test wells, traffic study results. Mr. Fuller stated he would send the traffic study over and that the Orange County Department of Public Works (OCDPW) have stated that the existing entrance is acceptable. Town Engineer acknowledged that it meets all zoning requirements. Chairman stated he would open the floor for public comment. Town Attorney read each comment that was written during public comment, SEE ATTACHED. Mr. Fuller acknowledged that none of the homes are in the floodplain. Chairman asked John Fuller if he received that correspondence from the Nature Conservancy, he stated he was not sure, Secretary Gorr added she would email a copy of the letter to his office. Town Attorney asked about the Special Use Permit that was mentioned, John Fuller answered that it was a subdivision. Town Attorney also stated that he reviewed that Home Owner's Association and made comments and they sent over an updated version.

Motion to close public hearing.

Motion made by Theresa Santiago, 2nd by Rob Whitney to close public hearing but leave open for written comment until the September 9, 2020 meeting.

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

MOTION CARRIED

John Fuller asked if all written comments already submitted and as they come in, if they could be emailed to him, to allow to comment, Chairman answered they would be made available.

EFH LLC – 109 MAIN ST – MULTIFAMILY BUILDING – PRE-APPLICAITON –

John Fuller-Representative for Applicant

Town Attorney acknowledged that the property owner is a client of his, he had come before the Board in January for a pre-application and was told to retain a consultant. Willard Schadt asked if the packet that Mr. Fuller handed out could be made accessible to him. John Fuller explained that he was not sure about the pre-app but this project is still in preliminary stage. He went on to say that currently the building is commercial and residential and the property owner plans to convert it all to residential, it is in the HMU Zone and will have 6 residential units in it. He added that it is a small lot but it does have parking, there is an onsite well and septic and studies will be done to make sure septic can hold new apartments.

PLANNING BOARD MEETING AUGUST 12, 2020 continued –

EFH LLC – 109 MAIN ST – MULTIFAMILY BUILDING – PRE-APPLICAITON – continued –

Craig Wagner acknowledged that it was discussed when he came before the Board last time that there was a question if the Health Department had to be involved because of the number of apartments. Town Engineer stated that New York State Building Codes would need to be looked at regarding sprinkler system. John Fuller explained that the existing mixed-use pre-dates new codes. Town Engineer stated it would be better to find out early on in the process and asked about the current septic system. John Fuller replied that they know where the tanks are and absorption field, they are going to take a camera in to see how large it is and the capacity, he added they know approximately where the leaching field is.

JING ZHI – SHORE DR – LOT LINE CHANGE –

John Fuller-Representative for Applicant

Mr. Fuller explained that this was a straight forward application, he has worked previously with the applicant on the existing homes on the lots, the applicant owns both parcels. Parcel A is a redeveloped new home and it meets all flood plain compliance. He went on to say that he suggested that they give more land to Parcel A to add an accessory structure or if the septic needed to be redone, it would extend the line farther back, he added they are both preexisting non-conforming lots. Chairman Vicaretti asked if there was a way to make them conforming. Town Attorney acknowledged that it would make one lot less non-conforming but make the other more non-conforming, he added that they start non-conforming and end non-conforming. Town Engineer asked if both parties signed, John Fuller answered that it is a single owner for both parcels. Town Attorney stated he would defer to the Board it is a difference of .02 acres and it is more understandable. Chairman asked for more time to research. Town Attorney acknowledged that it is a lot line change and a public hearing could be waived and the Board could waive going to ZBA too.

NEW CENTURY FILM – NEVERSINK DR – SITE PLAN REIEW –

John Fuller-Representative for Applicant

Mr. Fuller explained since he presented the latest proposal he has been talking with the applicant and they would like to make adjustments to the scope of the project. They would like to also add another driveway, historically it has had 2 driveways both on Neversink Dr. He continued they have talked with Orange County DPW and had no objections as long as they eliminate the one that is not in use. Town Attorney acknowledged they would be starting with 2 and ending with 2, he also questioned the proximity to the bridge, John Fuller answered it would be 300ft from the bridge, they would have to clear vegetation to get site distances. Chairman asked if the new driveway would be in the floodway, John Fuller answered no. Town Attorney stated that in February/March a new application was submitted with major changes and to be mindful when making this proposal because of segmentation concern. John Fuller asked what a reasonable time would be if they submitted the full scope of what they would like to do. Town Attorney answered 3-5 years as long as they had a Building Permit and were continuing to renew it.

ROSALYN KIM – 159 THIRD STREET – WINERY – PRE-APPLICATION –

Rosalyn Kim-Applicant

Ms. Kim explained that this is an 8± acre lot at 159 Third St, it is on the corner of Third St and Route 209 and is in the HMU district. She continued that they will produce grain wine, the first floor will be the factory and tasting room and the second floor will have a lounge and she would also like to have outdoor seating. Town Engineer went through the comments from Fusco Engineering stating the building needed to meet Flood Requirements, perc tests needed to be witnessed also driveways reviewed by Highway Superintendent, make sure storage of grains meets codes, required parking needed to be shown, show how waste would be dispose of and show the area of disturbance. Chairman asked if a sketch of the proposed building could be presented.

Motion to declare intent.

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

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

MOTION CARRIED

PLANNING BOARD MEETING AUGUST 12, 2020 continued –

OWEN WRIGHT – OAKLAND VALLEY RD – PRIVATE CAMPGROUND –

Owen Wright submitted an email that he would not be able to attend or log on via Zoom. Town Attorney stated that he has consulted with the applicant and they would like to have 3 cabins it would be for personal use, thinking a joint septic and shared well and a shared driveway, so a road maintenance agreement would be needed. Town Engineer acknowledged that the applicant has presented 3 different ideas, only 1 building is shown. He continued that he is not comfortable commenting on the application until a definite plan has been presented. Dave Dean questioned if the Department of Health would need to be involved because of the shared well, septic and private campground. Craig Wagner asked if there was a difference with public or private campgrounds. Town Engineer acknowledged that in Sullivan County the Excelsior Hunting Club owns 1 parcel with several different home owners with separate wells and septic. Town Attorney stated he will consult with applicant, arrange a meeting and that they are using campground for lack of a better term.

PEENPACK MEADOWS – DISCUSSION –

Chairman asked if it was sold or if they were working on it. Town Attorney answered that they had come before COVID and asked Board to approve 3-lots off of Lybolt Dr., they would forego the remainder and leave 1 large lot. He continued that they were working with Alan Lipman; since Mr. Lipman has closed his practice. Town Attorney asked if the Board could give an extension for 45 days to allow him to contact the Applicant and see where the project stands.

Motion to extend application.

Motion made by Theresa Santiago, 2nd by Rob Whitney to extend approval till the September 23, 2020 meeting to allow Town Attorney to contact Applicant.

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

MOTION CARRIED

MOTION TO APPROVE MINUTES.

Motion to Approve July 22, 2020 Minutes.

Motion made by Theresa Santiago, 2nd by Rob Whitney to table minutes until next meeting.

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

MOTION CARRIED

OTHER BUSINESS –

Dave Dean stated he is happy to have a in person meeting and has had enough.

Motion to adjourn meeting.

Motion made by Theresa Santiago, 2nd by Rob Whitney to adjourn August 12, 2020 Planning Board virtual meeting at 8:45 pm.

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

MOTION CARRIED

Respectfully submitted by,



Amanda Gorr, Planning Board Secretary