

The Town of Deerpark Planning Board met for a BIMONTHLY MEETING on WEDNESDAY, OCTOBER 26, 2022. The Meeting was held at Town Hall.



The following were present on the meeting:

BOARD MEMBERS PRESENT:

Robert Vicaretti-Chairman

Theresa Santiago

Willard Schadt

Craig Wagner-Vice-Chairman

BOARD MEMBER ABSENT: Rob Whitney

OTHERS PRESENT:

John Nosek-Representative from Fusco Engineering

Glen Plotsky-Town Attorney

Al Schock-Town Councilman

Dave Dean-Town Councilman

Pledge of Allegiance

Meeting was brought to order at 7:00 p.m.

Brace - 197 Boehmler Rd – PRE-APPLICATION –

Arthur Brace-Property Owner

Mr. Brace explained that there are 4 acres with 325 ft of road frontage. This will be a lot line change to give the lot in the back 50ft of road frontage. Chair asked if it would be a right-a-way, Mr. Brace stated that it has a 50ft right-a-way on Peenpack Trail from someone else's property. He continued that he has maps and showed the change on the map. Town Attorney asked if the lot with 4.33 acres is the one that is giving the right-a-way and how big is the one giving it to. Mr. Brace answered 15.8 acres. Town Attorney asked what the setbacks were and that the survey needs to be updated to show setbacks, there could be an issue with the inground pool in the rear of the yard. He asked what zone the property was in, Secretary answered she believed it was RR (Rural Residential). Town Attorney stated that was a 2 acre minimum, John Nosek stated he would look in the book but the setbacks might be 35ft, Secretary stated that it might be 50ft and looked in the Zoning Book to confirm it was 50ft.

DEERPARK VILLAGE - WILSON ROAD - DISCUSSION -

Demetris Colocassides

Christos Anthanasiou

Mr. Colocassides explained that a new Attorney has been added, traffic and engineering have been progressing. The question and discussion is that the maximum allowed is 35ft and 2 1/2 stories, but if they do 3 stories it will preserve landscape and instead of 95 building they can do 55-60. They would like to preserve the natural landscape for trails, the plans are older and there is new technology and more energy efficient ways to do things. Mr. Anthanasiou acknowledged that it will be mutually beneficial for the 3rd story. Town Attorney stated that 35ft and 2 1/2 stories is the approved agreement. He continued that he spoke with the Town Supervisor and the Town Board is opposed to any 3 bedrooms there is no use for 3 bedrooms in a 55+. Mr. Colocassides stated that it could be for an office, Mr. Anthanasiou added that pre covid it wouldn't even been thought of to work at home. Town Attorney stated that there will be consequences if the provisions are not met, maybe a deal could be made that there will be no door on the office, 2 bedrooms is not an issue 3 bedrooms will be a problem. Mr. Colocassides stated that it could be done and asked if the Town Board would accept 3 stories. Town Attorney stated that as long as it is not over 35ft, he explained that they will have to meet with the Town Board and a new law will have to be done for the PRRD (Planned Residential Retirement District). Mr. Anthanasiou acknowledged that flat roofs can be done instead of the proposed traditional pitched roof. Mr. Colocassides asked if they had to be present at the Town Board Meeting, Town Attorney stated that a discussion could be done for a new loan or if they need to go to ZBA (Zoning Board of Appraisals).

Mr. Colocassides asked if the Town Board Meeting was November 14, Town Attorney answered yes. Mr. Anthasiou stated that they will have something prepared both ways.

PLANNING BOARD MEETING OCTOBER 26, 2022 continued --

DEERPARK VILLAGE - WILSON ROAD - DISCUSSION - continued -

Mr. Colocassides asked for an extension because their current one expires December 8. Town Attorney acknowledged that it was close enough, and the 6 month will start from December 8 so that puts it May 24, 2023.

Motion made by Theresa Santiago, 2nd by, Craig Wagner to give a 6 month extension starting December 8, 2022 until May 24, 2023 for Deerpark Village.

Vote 4 Ayes: Theresa Santiago, Craig Wagner, Willard Schadt, Robert Vicaretti.

MOTION CARRIED

HOMESTEAD SUBDIVISION - ROUTE 42 & OLD FORESTBURGH RD - 6-LOT SUBDIVISION -

John Fuller-Representative for Applicant

Mr Fuller explained that this is a 6-lot subdivision, a public hearing was held in June, there were a few technical items that came out of the public hearing. A map has been submitted to the NYS DOT and technical comments have been returned for the driveway on Route 42, the others are on Old Forestburgh Rd. The DEC Have come out and done a wetland validation, he should have the results soon and soils have been witnessed with Alfred Fusco III. Town Attorney suggested that it be tabled and wait for DOT. Mr. Fuller stated that an application has been submitted for the driveway and 8 comments were given, it is a process to get a permit. Town Attorney asked about the wetland validation, John Fuller explained that on the lot on Route 42 the DEC did a site inspection, John Nosek acknowledged that the driveway goes through the wetlands and a disturbance permit is needed. John Nosek went through the comments from Fusco Engineering that: NYS DOT needs to approve the driveway on Route 42, GML-239 is required, stamp and signature is required on a survey, perc test was witnessed, a SWPPP needs to be submitted, comments need to be provided from Town Highway Department, validation from DEC is still waiting, dedication for the Town Rd needs to be done 25ft to Town of Deerpark. Mr. Fuller stated that next time he will have the DOT but the validations from DEC for the driveway can take long.

MARION SUBDIVISION - NEVERSINK DR & CHRISTOPHER ST - 12-LOT SUBDIVISION -

John Fuller-Representative for Applicant

Mr. Fuller stated that there was a public hearing for this. members of the public had made comments, a full SWPPP has been prepared. An approval is needed to go to the Department of Health, soils were done with Alfred Fusco III. Plans were submitted to OCDPW and they have visited the property and nothing was found on the site walk. Town Attorney asked about the piece of the parent parcel that abuts Neversink Dr, there is concerns that it makes 2-lots not buildable. Chairman stated that the property lines are chopped up, Mr. Fuller explained that historically the property is on both sides of Neversink and Christopher St. The applicant is in contract to buy the subdivision and the remaining will go to Ms. Marion. Willard Schadt suggested a note be put on the map, he did not see a problem, they are not creating it, it is existing. Chairman stated that a note can be placed it not buildable anyway. Town Attorney asked how big it was, John Fuller answered 1/3 acre does not meet current lot standards. Willard Schadt stated that it is not creating anything forward, situation already exists. Town Attorney acknowledged that it does look like a separate lot. Chairman acknowledged that any buildign would have to go to the Building Department and if there is an issue it will be dealt with then. Al Schock it could become a problem. John Nosek stated that the 1/3 acre is not separate it is part of lot 12. John Fuller stated that there will be 11 new lots and lot 12 is the residula of parent parcel. Willard Schadt suggested the neighbors could buy. John Nosek went through the comments from Fusco Engineering: Department of Health approval is needed, SWPPP needs to be done, infiltration testing needs to be verified by the Engineer, cost estimate needs to be

determined, County DPW could hold up pre-liminary approval. John Fuller stated he could ask the DPW to acknowledge agreement that the locations are acceptable.

PLANNING BOARD MEETING OCTOBER 26, 2022 continued –

MOTION TO APPROVE MINUTES.

Minutes were held over, not all members received.

OTHER BUSINESS-

Chairman stated taht the next meeting will be November 9. Town Attorney added that there will be one meeting in November and the same in December, only the first meeting will be held for both months.

Motion to adjourn meeting.

Motion made by Theresa Santiago, 2nd by, Craig Wagner to adjourn October 26, 2022 Planning Board meeting at 8:03pm.

Vote 4 Ayes: Theresa Santiago, Craig Wagner, Willard Schadt, Robert Vicaretti.

MOTION CARRIED

Respectfully submitted by,

A handwritten signature in black ink, appearing to read 'Amanda Gorr', written in a cursive style.

Amanda Gorr, Planning Board Clerk