

The Town of Deerpark Planning Board met for a BIMONTHLY MEETING on WEDNESDAY, OCTOBER 28, 2020. The Meeting was held at the Town Hall 420 Route 209, Huguenot, NY.

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:**

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



Pledge of Allegiance

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

**GRONTIS – 250 OLD CAHOONZIE RD – GROUND MOUNT SOLAR – PUBLIC HEARING –**

Stefanie Kusmann-Representative for Applicant

**Motion to close public hearing.**

Motion made by Theresa Santiago, 2<sup>nd</sup> by Craig Wagner to close public hearing.

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

**MOTION CARRIED**

**Motion to grant approval**

Motion made by Theresa Santiago, 2<sup>nd</sup> by Rob Whitney to grant approval for Grontis Solar contingent on fees paid.

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

**MOTION CARRIED**

**TRI-COUNTY PROPERTIES (DEERPARK OIL) – DARRAUGH LANE – OFFICE BUILDING –**

Jeff Clune-Applicant

Mr. Clune explained back in 2011 the Planning Board approved a multi-use building; it would have two apartments and 2 offices. Now he would like to do it but scale it down a little. Town Attorney disclosed that he represented Mr. Clune on a different matter about 1 year ago. He continued that he reviewed the minutes and was not sure if it was approved. Chairman Vicaretti stated that he remembers there was parking and curbing issues. Mr. Clune acknowledged when he did the original approval for the garage and oil tanks, he planned an office across the street, but at the time the taxes would have been too much, now he is out growing the office. Town Attorney acknowledged that an approval is good for one year, he would have to start over. Chairman told Mr. Clune that he would have to start over with newer plans, Mr. Clune answered he owns property in Pennsylvania and that he can move the Oil business over there for cheaper.

**BERRY – 828 ROUTE 42 – LOT LINE CHANGE – PRE-APPLICATION –**

Martin Berry-Applicant

Mr. Berry explained he would like to give the neighbor 2 acres. Willard Schadt asked about out buildings, Town Attorney stated that the lot line change will fix any encroachments. Glen Plotsky, Town Attorney stated that **Attorney Escrow** will be **\$600** and Town Engineer, Alfred Fusco III, stated that **Engineering Escrow** will be **\$1000** the Escrow Form was filled out. Secretary acknowledged that she would email a copy of the form to Town Attorney, Town Engineer and Applicant for signatures. A completed copy will be given to each; also, a copy will be given to Escrow Manager, Danielle L Glynn and a copy will be placed in the file.

**PLANNING BOARD MEETING OCTOBER 28, 2020 continued –**

**CAMP DEERPARK – BRANDT ROAD – LOT LINE CHANGE –**

Ken Bontrager-Representative for Applicant

Mr. Bontrager stated that in February of 2020 they purchased property from Mr. Mehr. He continued that the Camp cannot financially do both properties so Mr. Murray will be buying the house and 10 acres and the rest will go to the Camp. Chairman asked where this piece was compared to Camp was, Mr. Bontrager stated this parcel is adjacent to the Camp, he added fourteen years ago it sold a 14-acre strip to Mr. Mehr and they bought it to keep open space. Town Engineer acknowledged everything looked good and the maps are signed and stamped. Town Attorney disclosed that he is assisting Camp Deerpark and Mr. Murray in the transaction, he added that there could be a note stating that the 10 acres cannot be subdivided and the reason for the jagged lines is due to the forestry exemption on the property. Willard Schadt asked why is says 3 wells on the 10-acre parcel, Mr. Bontrager answered that they had a problem with water but two are definitely active. Chairman asked about the deeds, Town Attorney stated that right now it is in 1 deed with both names after it will be 2 deeds. Willard Schadt asked about the shed if it was within the setback line, Mr. Bontrager replied that the shed was built 50 years ago and if it is a problem then they can tear it down. Willard Schadt stated that it cannot be approved if the shed is in the setback, Town Attorney acknowledged that the applicant can arrange for the shed to be moved and a new map drawn.

**Motion to distribute the GML-239 review.**

Motion made by Craig Wagner, 2<sup>nd</sup> by Rob Whitney to distribute GML-239 to required agencies for Camp Deerpark/Murray Lot Line Change.

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

**MOTION CARRIED**

**Motion to declare intent to be Lead Agency.**

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

**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, 2<sup>nd</sup> by Rob Whitney to schedule a public hearing for Camp Deerpark for Wednesday, December 9, 2020 at 7pm.

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

**MOTION CARRIED**

**KIM – THIRD STREET – WINERY –**

Tim Gottlieb-Representative for Applicant

Mr. Gottlieb stated that he reviewed Fusco Engineering comments and revised the plans, there was a joint inspection with the Building Inspector for soil testing, the comment about storage of grain; it will be in the building they are 50lbs bags that will be stored on pallets, and waste will be used as fertilizer. Chairman Vicaretti asked which comments he was referring to the October 26 comments, Mr. Gottlieb answered no the August 3 comments and added that the waste will be sent offsite as fertilizer and compost. Willard Schadt asked how much waste would be stored on the premises, Ms. Kim answered not a lot of waste it is only a small amount. Willard Schadt asked for a measurement, Ms. Kim replied one five-gallon bucket per month. Theresa Santiago acknowledged she has been to other wineries and there is an odor. Chairman stated it needed to be shown how the waste would be disposed of, Town Engineer stated that they do make compost barrels. Ms. Kim replied they can do that but there really is not much waste. Craig Wagner asked if the Health Department will need to know how much they are producing, Town Engineer answered that the liquor department gets involved with the process, Ms. Kim added that there are regulations even for small wineries. Chairman asked what

would happen if there was a bad batch of wine, Ms. Kim stated it is only water and grain it would go into the septic. Town Engineer assured this would be fine, the Building Department would look at the grain and added that handicap access per ADA needed to be shown on the site plan.

**PLANNING BOARD MEETING OCTOBER 28, 2020 continued –**

**KIM – THIRD STREET – WINERY – continued –**

**Motion to distribute the GML-239 review.**

Motion made by Theresa Santiago, 2<sup>nd</sup> by Craig Wagner to distribute GML-239 to required agencies for Kim Winery.

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

**MOTION CARRIED**

**Motion to declare intent to be Lead Agency.**

Motion made by Theresa Santiago, 2<sup>nd</sup> by Rob Whitney to declare intent for the Town Of Deerpark Planning Board to be Lead Agency.

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

**MOTION CARRIED**

**Motion to schedule a public hearing.**

Motion made by Rob Whitney, 2<sup>nd</sup> by Craig Wagner to schedule a public hearing for Kim Winery for Wednesday, December 9, 2020 at 7pm.

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

**MOTION CARRIED**

**491 GALLEY HILL RD – SITE PLAN DISCUSSION –**

**David Zigler-Representative for Applicant**

Mr. Zigler explained that back in June of 2019 they had come with a site plan for three buildings in a U-shape with garden and water features, commercial on the bottom and residential on top. He continued that they have come back with a revised plan because the owner thought it to be too big, now it will be one building with an amphitheater and a common area with landscaping and a water feature; it went from 56,000sqft to 15,000sqft. The parking went from 160 to 44, the plan has been reduced by 66%, commercial in the front, the septic will be located in the back of the property behind the building. He added that a driveway permit will be needed to get any soil testing done, the ditch will be widened. Chairman asked if he received the comments from Fusco Engineering, Town Engineer went through comments, No PA systems and he felt this is a better fit for the lot. Willard Schadt asked that originally there was development across the street, Mr. Zigler stated that as of now there are no plans for anything across the street. Town Engineer acknowledged that if any future development the EAF would have to reflect what was already there and added that this a better fit but there are a lot of comments that need to be addressed. Chairman Vicaretti asked if there were any comments from the Board, he asked about the drainage ditch upgrade and the guard rail modification. He also asked if there were wetlands on the property, Mr. Zigler answered yes Army Corp.

**Motion to declare intent to be Lead Agency.**

Motion made by Theresa Santiago, 2<sup>nd</sup> by Rob Whitney to declare intent for the Town Of Deerpark Planning Board to be Lead Agency.

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

**MOTION CARRIED**

**OTHER BUSINESS –**

Chairman Vicaretti asked if there was a Board of aesthetics to keep someone from painting their house pink, Town Engineer stated no that would be a Board of Architectural Review. Chairman asked if when there is an approval given if the Board could choose design or colors, Theresa Santiago acknowledged that she remembers when they did the Deerpark Oil building they told the applicant they needed to choose colors that would blend in, Town Engineer added that the Board could always ask.

**PLANNING BOARD MEETING OCTOBER 28, 2020 continued –**

**Motion to adjourn meeting.**

Motion made by Theresa Santiago, 2<sup>nd</sup> by Craig Wagner to adjourn October 28, 2020 Planning Board meeting at 8:14 pm.

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

**MOTION CARRIED**

Respectfully submitted by,



Amanda Gorr, Planning Board Secretary