

The Town of Deerpark Planning Board met for their bi-monthly meeting on WEDNESDAY, DECEMBER 13, 2017 at 7:00 pm at the Deerpark Town Hall, 420 Route 209, Huguenot, NY. The following were present:

BOARD MEMBERS PRESENT:

Robert Vicaretti-Chairman
Willard Schadt

Craig Wagner
Rob Whitney

BOARD MEMBERS ABSENT: Mike Hunter, Theresa Santiago

OTHERS PRESENT:

Glen Plotsky – Town Attorney
Alfred Fusco III – Fusco Engineering for Town
David Dean – Town Councilman



Pledge of Allegiance

MILLENNIUM PIPELINE – 333 ROUTE 209 – HUGUENOT STATION – PUBLIC HEARING –
Frank Palumbo-CT Male Associates

Mr. Palumbo stated that they provided the easement agreement to the Town Attorney. He continued that this is an existing metering station and it is just an expansion of it with new piping and new equipment, he further stated that there will be no visual or noise problem than already present. Town Attorney acknowledged that the easement was in order. Secretary read the public hearing into record. Chairman opened the floor for public comment none was made. Chairman Vicaretti asked if it should be left open for written comment, Town Attorney and Town Engineer both stated no.

Motion to close Public Hearing.

Motion made by Craig Wagner, 2nd by Rob Whitney to close public hearing for Millennium Pipeline.

Vote 4 Ayes: Craig Wagner, Rob Whitney, Willard Schadt, Bob Vicaretti.

MOTION CARRIED

Motion to Declare Town of Deerpark Planning Board Lead Agency.

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

Vote 4 Ayes: Craig Wagner, Rob Whitney, Willard Schadt, Bob Vicaretti.

MOTION CARRIED

Motion to declare a Negative Declaration for SEQRA Purposes.

Motion made by Craig Wagner, 2ND by Rob Whitney to declare it as an unlisted action and a negative declaration for SEQRA purposes.

Vote 4 Ayes: Craig Wagner, Rob Whitney, Willard Schadt, Bob Vicaretti.

MOTION CARRIED

Motion to approve Application for Millennium Pipeline.

Motion made by Craig Wagner, 2ND by Rob Whitney to approve application for Millennium Pipeline contingent on all fees paid.

Vote 4 Ayes: Craig Wagner, Rob Whitney, Willard Schadt, Bob Vicaretti.

MOTION CARRIED

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DEERPARK WEST INDUSTRIAL PARK – ROUTE 209 – DGEIS PUBLIC HEARING –

Jim Ullrich- Representative for applicant from Alpine Environmental Consultants

Mr. Ulrich stated that they will listen to the Public Comment on the draft DGEIS, he also stated that the information was available at the Town Hall, online at alpinedeerparkwest.com and also on the Town of Deerpark website. Mr. Ulrich further stated that this is proposed on the PJ Quarry site and it will be a generic approval for larger buildings or small buildings for industrial usage. He continued that there is also 19 acres located in the City of Port Jervis, and there is documents in place if the annexation happens. Alfred Fusco III went over comments from Fusco Engineering he stated that most of the comments will be addressed during the Final Environmental Impact Statement. Mr. Ulrich stated that they are waiting for a traffic study to be finished because they had to continue it to the portion that is in the City of Port Jervis.

Motion to close Public Hearing.

Motion made by Craig Wagner, 2nd by Rob Whitney to close public hearing for Deerpark West for their DGEIS but leave open until December 26, 2017 for written comments.

Vote 4 Ayes: Craig Wagner, Rob Whitney, Willard Schadt, Bob Vicaretti.

MOTION CARRIED

BILL ROHNER -207 ROUTE 209 - REPAIR SHOP/GARAGE -

Bill Rohner-Applicant

Mr. Rohner stated that he was there for an extension, he said he was having problems with DOT and his Engineer is out of the country. Chairman Vicaretti asked if a 6 month extension would help, Mr. Rohner answered yes.

Motion to approve 6 month extension.

Motion made by Craig Wagner, 2nd by Rob Whitney to grant a 6 month extension until June 13, 2018 for Bill Rohner.

Vote 4 Ayes: Craig Wagner, Rob Whitney, Willard Schadt, Bob Vicaretti.

MOTION CARRIED

GUSZICK/SMITH LOT LINE CHANGE - 9 OLD FORESTBURG ROAD -

David Guszick-Applicant

Mr. Guszick stated that he was going to purchase a portion of property from his neighbor David Smith and add it to his and possibly put a garage on it in the future. Town Attorney acknowledged that when the application was received he sent a letter to Mr. Guszick to have Mr. Smith consent to the project or become a co-applicant. Town Attorney continued that the lot line will take the nonconforming lot and make it less nonconforming, he added that the Board could waive the Public Hearing and grant the application. Mr. Guszick stated that he did submit a consent signed by Mr. and Mrs. Smith. Chairman confirmed that there is no need for a public hearing.

Motion to waive Public Hearing.

Motion made by Craig Wagner, 2nd by Rob Whitney to waive the public hearing for David Guszick for his lot line change.

Vote 4 Ayes: Craig Wagner, Rob Whitney, Willard Schadt, Bob Vicaretti.

MOTION CARRIED

Chairman asked if deeds have been reviewed, Town Attorney answered yes he has seen them and he approves. Town Attorney also stated that he has represented Mr. Guszick in the past.

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GUSZICK/SMITH LOT LINE CHANGE - 9 OLD FORESTBURG ROAD - continued -

Motion to approve Application for David Guszick.

Motion made by Craig Wagner, 2ND by Rob Whitney to approve application for David Guszick for his lot line change contingent on all fees paid.

Vote 4 Ayes: Craig Wagner, Rob Whitney, Willard Schadt, Bob Vicaretti.

MOTION CARRIED

PINE GROVE PROPANE - ROUTE 209 - PROPOSED PROPANE TANK -

Joe Jordan-Povall Engineering

Matt Feldman-Bottini

Mr. Jordan reviewed what has happened in the past few months, and that they had to change the emergency access out of the back of the park because it was denied by Orange County due to the canal. He stated that they created a new access on the adjacent property that Pine Grove also owns. Chairman Vicaretti asked if they have taken a permit through DOT and Mr. Jordan stated they have made an application and has also given a copy to Mr. Fusco. Chairman also asked if there was any input from the Fire Department about the new access, Mr. Feldman stated they met with the Chief before, Joe Jordan added they have not had a new conversation with the change in emergency access. Chairman Vicaretti asked if the form have been filled out by the Fire Department, Town Attorney stated that it has been received. Chairman questioned about the new emergency access, Mr. Jordan stated that there will be an access agreement. Town Attorney stated that an access easement or road maintenance agreement should be done and sent to him for review. Willard Schadt acknowledged the new emergency access is better and the Fire Department can deal during the Building Permit process. Town Engineer stated that they should forward the latest copy to the Fire Department.

Motion to declare a Negative Declaration for SEQRA Purposes.

Motion made by Craig Wagner, 2ND by Rob Whitney to declare it as an unlisted action and a negative declaration for SEQRA purposes.

Vote 4 Ayes: Craig Wagner, Rob Whitney, Willard Schadt, Bob Vicaretti.

MOTION CARRIED

Motion to approve Application for Pine Grove Propane.

Motion made by Craig Wagner, 2ND by Rob Whitney to approve application for Pine Grove Propane contingent on write offs from Fire Department and DOT, Town Attorney approve access easement and all fees paid.

Vote 4 Ayes: Craig Wagner, Rob Whitney, Willard Schadt, Bob Vicaretti.

MOTION CARRIED

THE SENTINEL - 2247 GREENVILLE TURNPIKE - ASSISTED LIVING FACILITY -

Eric Newhouse-Applicant

Mr. Newhouse brought the Planning Board up to date he stated that they have filed for the demo permit and completed the demo part. They have also submitted plans to the Building Department for the new renovations inside and also for the addition over the pool, but the holdup is with the Department of Health. He continued that they submitted the request for the second well and the Department of Health could hold up the well for another 3 months, and that is what is holding up them getting a building permit, Mr. Newhouse acknowledged that they were asking for conditional approval and for the Chairman to sign the maps so they can get a building permit to work on the interior of the building.

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THE SENTINEL - 2247 GREENVILLE TURNPIKE - ASSISTED LIVING FACILITY - continued -

Town Attorney stated that before granting a building permit they need an approval for Department of Health and DEC but the applicant would like to start the building permit process and ask for a conditional approval at the risk of the applicant. Town Attorney added that he drafted a letter to protect the Town if there is a problem with the building permit or any other agencies involved. Willard Schadt asked if the application is granted will there be the normal inspections, Town Attorney answered yes and the letter will protect the Town from any mishaps that might happen with the applicant. Town Attorney suggested that the Board could entertain a motion to authorize the Chairman to sign the site plan subject to the Town Attorney letter dated December 13, 2017 RE: The Sentinel at Port Jervis.

Motion to give a conditional approval to The Sentinel.

Motion made by Craig Wagner, 2ND by Rob Whitney to grant a conditional approval subject to the letter from the Town Attorney dated December 13, 2017 titled The Sentinel at Port Jervis.

Vote 4 Ayes: Craig Wagner, Rob Whitney, Willard Schadt, Bob Vicaretti.

MOTION CARRIED

BLUE RILL - LYNN FEASLEY - ROUTE 42 - SITE PLAN APPROVAL -

Lynn Feasley-Applicant

Ms. Feasley stated that she has preliminary approval but without the signed maps she cannot get her Certificate of Occupancy. Chairman asked if DOT got straightened out, Alfred Fusco III explained that the Board granted conditional approval but the driveway goes through two lots so a maintenance agreement is needed, DOT gave a letter and are fine with the site plan she got the building permit but never finished. Ms. Feasley stated there already was an access agreement, Town Attorney stated he needed a copy of it to review. Chairman stated that as soon as the Town Attorney gives the ok on the easement he will sign the maps. Dave Dean stated that Ms. Feasley did a very nice job on the building.

MOTION TO APPROVE MINUTES.

September 27, 2017 minutes could not be approved at this meeting because Chairman Vicaretti would have to abstain and without his vote there was no quorum.

November 8, 2017 minutes could not be approved at this meeting because Craig Wagner would have to abstain and without his vote there was no quorum.

Motion made by Craig Wagner 2nd by Rob Whitney to approve Wednesday, October 25, 2017 minutes.

Vote 4 Ayes: Craig Wagner, Rob Whitney, Willard Schadt, Bob Vicaretti.

MOTION CARRIED

OTHER BUSINESS:

Motion made by Willard Schadt 2nd by Craig Wagner to cancel Wednesday, December 27, 2017 Regular Planning Board Meeting.

Vote 4 Ayes: Craig Wagner, Rob Whitney, Willard Schadt, Bob Vicaretti.

Motion to adjourn meeting.

Motion made by Craig Wagner, 2nd by Rob Whitney to adjourn meeting at 8:23 pm.

Vote 4 Ayes: Craig Wagner, Rob Whitney, Willard Schadt, Bob Vicaretti.

MOTION CARRIED

Respectfully submitted by,


Amanda Gorr, Planning Board Secretary