

The Town of Deerpark Planning Board met for a BIMONTHLY MEETING on WEDNESDAY, JANUARY 12, 2022. The Meeting was held at Town Hall.

The following were present on the meeting:

**BOARD MEMBERS PRESENT:**

Craig Wagner-Vice-Chairman  
Rob Whitney

Willard Schadt  
Theresa Santiago

**BOARD MEMBER ABSENT:** Robert Vicaretti-Chairman



**APPROVED**

**OTHERS PRESENT:**

John Nosek-Representative from Fusco Engineering  
Glen Plotsky-Town Attorney  
David Dean -Town Councilman

Pledge of Allegiance

Meeting was brought to order at 7:01 p.m.

**KERRY HUGHSON – 357 NEVERSINK DRIVE – 2-LOT SUBDIVISION – PUBLIC HEARING –**

John Fuller-Representative for Applicant

Secretary read the public hearing notice into record, Chairman asked if adjoiners list was good, Secretary stated all mailings were sent. John Fuller gave a brief explanation of the application that it is a 2-lot subdivision one lot will be 3 acres and the other will be the remaining balance of about 5 acres with the home. Both lots have existing driveways. Town Attorney added that there was a response from the Orange County Department of Planning and they stated it was local determination, they had no recommendations.

Public comment:

No Public Comment.

**Motion to close public hearing.**

Motion made by Willard Schadt, 2<sup>nd</sup> by Rob Whitney to close public hearing for Hughson Subdivision.

**Vote 4 Ayes:** Theresa Santiago, Craig Wagner, Rob Whitney, Willard Schadt.

**MOTION CARRIED**

John Nosek stated that all comments from Fusco Engineering have been addressed.

**Motion to declare Lead Agency.**

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

**Vote 4 Ayes:** Theresa Santiago, Rob Whitney, Willard Schadt, Craig Wagner.

**MOTION CARRIED**

**Motion to declare a negative declaration.**

Motion made by Theresa Santiago, 2<sup>nd</sup> by Rob Whitney to declare a negation declaration and declare the application an unlisted action.

**Vote 4 Ayes:** Theresa Santiago, Rob Whitney, Willard Schadt, Craig Wagner.

**MOTION CARRIED**

**Motion to approve application.**

Motion made by Rob Whitney, 2<sup>nd</sup> by Theresa Santiago to approve application for Hughson Subdivision contingent on fees paid.

**Vote 4 Ayes:** Theresa Santiago, Rob Whitney, Willard Schadt, Craig Wagner.

**MOTION CARRIED**

**PLANNING BOARD MEETING JANUARY 12, 2022 continued –**

**GWEH-YMCA – BIG POND ROAD – PRE-APPLICATION –**

Thad Gifford-Smith-Operations Director

Jeffery Conklin

Steven Weingartner

Mr. Smith explained that they are a non for profit, they have purchased the old YMCA camp. They would like to be open by next summer. They will be replacing the old cabins with new ones that have showers and toilets it will not increase the septic; each building will be just under 1400sqft and allow for 10 campers and 2 staff. It will be a three-season facility. He gave out a preliminary site plan but it will be close to the final floor plan. They will be 1-story construction and tie into the existing septic. He stated that they just wanted feedback and any concerns. They would like to have it up and running for this summer. Chairman stated that it would just be to upgrade the units. Mr. Smith acknowledged they would not demo the old cabins they would be used as storage. The existing cabins do not have bathrooms, they will be starting slow the camp is equipped for 150-200 and right now it will only be for 60-70 at a time. Town Attorney stated that he had some concern about not taking down existing cabins, so it's not really replacing but for the existing cabins conditions can be placed on them. Mr. Smith stated he was ok with that. John Nosek that this is not a significant expansion, Mr. Smith asked if there were any legal restrictions, John Nosek stated that was the Town Attorney and he was more concerned with enforcing the conditions. Mr. Weingartner asked what was needed to move forward with the application in a timely manner, they want to make sure they have everything to get it up and running by summer. Town Attorney answered that the application with the environmental form and being it is a small section a short for EAF is sufficient and the fees paid; escrow and application fee.

**NEW CENTURY – NEVERSINK DR – PUBLIC HEARING RESPONSE FROM APPLICANT –**

John Fuller-Representative for Applicant

Peter Wei-Applicant

Mr. Fuller explained that this was left open for written comment and closed at last meeting. They have prepared a response to the comments that were presented at the public hearing. He added that NYS DOT and Orange County DPW have not responded. He continued that the public hearing was on November 10 and it was closed on December 8, he has made responses to the major points brought up by the public.

1. Master Plan-There were concerns with segmentation, Mr. Fuller explained the definition from the DEC regarding SEQRA *"segmentation is when a site is separated into individual components for reviews by different agencies and moving forward with one without receiving the proper view and approval for the others"*. The site plan has changed due to economic situations but each is indicated on the map and all are taken into account with regard to water usage and traffic and parking.
2. Hotel and Restaurant Use-The question was who will use the facilities, Mr. Fuller explained it is for the public, workers and film crews.
3. Retail Store-Concerns with it being a shopping mall, he stated that it is one area in an existing building not a shopping mall, and is open to the public, workers and film crew.
4. Catering/Food Truck Business-Questions regarding this, it will be a commercial kitchen installed in one of the existing homes on the property, there is no eating in the building and the food truck will be used for fairs. There is a proposed expansion of the septic system for this kitchen and they will be submitted to the Orange County Department of Health.
5. Office Building-Questions if there were structural changes, Mr. Fuller stated that any changes that were done a plan was submitted to the Building Department and a permit was obtained.

**PLANNING BOARD MEETING JANUARY 12, 2022 continued –**

**NEW CENTURY – NEVERSINK DR – PUBLIC HEARING RESPONSE FROM APPLICANT – continued –**

6. Film Studio-It was asked if it was adequate for the making of the films and for the future of the business, he explained they have made over 10 films and is sufficient. If any renovations were to be made inside the building all plans would go the Building Department and permits would be obtained. Any expansions the plans would go to the Planning Board but there are no plans to expand.
7. Pistol Range-There was inquiries regarding the existing subterranean pistol range, the range is no longer in operation and the area is vacant and used for storage, there is no plan for it to open in the future and will be removed from the site plan.
8. Deed Restrictions-Mr. Fuller stated they are aware of the deed restrictions placed on the property by the Nature Conservancy and they are committed to follow. It is a buffer that needs to be maintained from the river and the gardens are in compliance.
9. Long Form EAF-This was submitted with the application.
10. Traffic Study-This was done and submitted to the Board.
11. Septic-Calculations were done on existing and proposed and the Department of Health will review both.

Willard Schadt asked about the Hotel and if the workers and film crew would be year-round and how to deal with that, would it really be a hotel. Mr. Fuller stated yes it will be a hotel the definition in Zoning and Building codes states transient, film crews come and go it will not be permanent residence and a stipulation can be put on. Mr. Wei stated that the workers are temporary not permanent. Town Attorney asked if there would be a problem putting a restriction on the map, Mr. Wei answered no objection. Mr. Fuller stated that he felt it was not the intention of the ordinance and whatever the Board thought for a restriction on the number of days. Town Attorney acknowledged that according to Webster Dictionary transient means short term stay. Willard Schadt asked if the employees will rent, Town Attorney stated that 30-45 days seems reasonable and can be put on the approval; Mr. Fuller agreed. John Nosek suggested that if people work year-round could be a separate area for the worker housing instead of the hotel, but there is a lot going on on the site plan already. Willard Schadt suggested maybe designating rooms just for that, he asked how many rooms the hotel was. Mr. Fuller answered 22. Willard Schadt acknowledged that maybe they could limit an amount for long term stay. Town Attorney agreed and then the rest be transient but more information is needed. Chairman stated to come back with the new information regarding how many rooms will be needed for long term stay.

**430 ROUTE 209 – ROUTE 209 – SITE PLAN REVIEW – DISCUSSION –**

John Fuller-Representative for Applicant

Mr. Fuller stated that he just wanted to see where the Town is in getting the independent party to review the environmental information. Town Attorney acknowledged that he spoke with the Town Supervisor and he is going to come up with name and get estimates and present it to the Planning Board and Town Board. Mr. Fuller explained there was a google drive with all the documents sent to the members, also reports from an environmental consultant that addressed the interior of the building, all site work is being handled by the DEC and the consultant can speak with the DEC. Town Attorney stated that the Board will defer to the DEC for the outside, but the inside needs to be handled by a consultant to protect the Town and any future person that will be operating in the building.

**MOTION TO APPROVE MINUTES.**

**Motion to approve December 8, 2021 Minutes.**

Motion made by Theresa Santiago, 2<sup>nd</sup> by Willard Schadt to approve the minutes for Wednesday, December 8, 2021 meeting.

**Vote 4 Ayes:** Theresa Santiago, Rob Whitney, Willard Schadt, Craig Wagner.

**MOTION CARRIED**

**PLANNING BOARD MEETING JANUARY 12, 2022 continued –**

**OTHER BUSINESS –**

Willard Schadt asked about the maps from Pine Grove that were in the mailboxes, Town Attorney stated that it was a rescheduled public hearing because of a mix up with the notices and it is on for the next meeting.

**Motion to adjourn meeting.**

Motion made by Theresa Santiago, 2<sup>nd</sup> by, Rob Whitney to adjourn January 12, 2022 Planning Board meeting at 7:57 pm.

**Vote 4 Ayes:** Theresa Santiago, Rob Whitney, Willard Schadt, Craig Wagner.

**MOTION CARRIED**

Respectfully submitted by,



Amanda Gorr, Planning Board Clerk