

The Town of Deerpark Planning Board met for a BIMONTHLY MEETING on WEDNESDAY, JANUARY 13, 2021. The Meeting was held VIA ZOOM.

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:

John Nosek-Representative for Fusco Engineering

Glen Plotsky-Town Attorney

David Dean-Town Councilman

Debra Boggs-Stenographer



Pledge of Allegiance

Meeting was brought to order at 7:10 p.m.

PINEVIEW – WHITEHEAD ROAD – SUBDIVISION – PUBLIC HEARING –

John Fuller-Representative for Applicant

Secretary read public hearing notice into record, also stated that mailings were verified. Mr. Fuller gave a brief explanation of the application stating that it is a 4-lot subdivision on Whitehead Road, a 33-acre parcel. There are proposed location of Single-Family Dwellings that will meet all setbacks along with proposed locations for wells and septic. He continued that soils were witnessed by Fusco Engineering, the archaeological survey concluded no significant impacts, driveways all have site distance and all technical comments have been addressed from Fusco Engineering. Town Attorney acknowledged that an email was written from Warren Cromarty (letter will be attached to minutes), he also suggested that the public hearing be left open for written comments. Town Attorney stated that public comment will be made by typing into the Q&A it will be read into record. Attached to minutes is the full Question Report.

Public Comment:

Grace Woodard asked who did the survey, John Fuller answered Danny O'Brien.

Dusanka Marusic asked if the proposed lots fit in with the surrounding area, Mr. Fuller answered that the lots fit the standards for the zone and there are other parcels of various sizes.

Charlotte Van Horn stated that she owns 130-acre parcel adjoining the property and they are operating as a hunting club and there is a 500 ft buffer needed, Town Attorney stated that the club is not currently listed. Mr. Fuller answered that yes, the requirement is 500ft and they are that from Hartwood Club.

Grace Woodard asked about the signed survey map and how the archeological study was done, if land has been disturbed and how much tree removal. Town Attorney stated that the maps will be signed before final plans submitted. John Fuller stated that it was walked and other than soils no disturbance there was a cabin on the property, the total disturbance is under 1 acre.

Charlotte Van Horn acknowledged that the operating agreement has been since June 2020, Town Attorney stated he would research and it will come down to what got filed first.

Motion to close public hearing.

Motion made by Theresa Santiago, 2nd by Craig Wagner, to close oral portion of the public hearing and leave written comment open until Wednesday, January 27, 2021.

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

MOTION CARRIED

PLANNING BOARD MEETING JANUARY 13, 2021 continued –

PINEVIEW – WHITEHEAD ROAD – SUBDIVISION – PUBLIC HEARING –

John Nosek went over the comments from Fusco Engineering stating that updated plans would be submitted after public hearing was done, soils were done and witnessed by representative from Fusco Engineering, final plans would be stamped by surveyor and a letter from SHPO was sent that they have no concerns. Town Attorney acknowledged that no approval can be done until after the public hearing was closed.

CAMP DEERPARK – BRANDT ROAD – SUBDIVISION –

Ken Bontrager-Representative for Camp Deerpark

Town Attorney acknowledged that the public hearing needs to be closed to move forward and determination and deliberation can be done, there was also a structure close to the proposed lot line. Chairman asked if the structure was taken down, Mr. Bontrager answered no because of the goats found in it, they just moved the line, Chairman asked if new maps were provided, he answered yes.

Motion to close public hearing.

Motion made by Craig Wagner, 2nd by Theresa Santiago, to close public hearing.

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

MOTION CARRIED

Motion to declare Lead Agency.

Motion made by Theresa Santiago, 2nd by Craig Wagner to declare Town of Deerpark Planning Board to be Lead Agency for SEQRA purposes.

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

MOTION CARRIED

Motion to declare negative declaration.

Motion made by Theresa Santiago, 2nd by Craig Wagner to declare a negative declaration for SEQRA purposes.

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

MOTION CARRIED

Motion to approve application.

Motion made by Craig Wagner, 2nd by Theresa Santiago to approve subdivision for Camp Deerpark contingent on Town Attorney accepting new deeds, fees paid and Fusco Comments being satisfied.

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

MOTION CARRIED

126 ROUTE 6 – BILLBOARD –

Todd Lawton-Applicant

Mike Fitzgerald-Applicant

John Fuller-Engineer for Applicant

Chairman asked if this is their first appearance would it be a pre-app, Secretary stated that they submitted a Building Permit and was denied, a Planning Board Application and fee was then submitted. Town Attorney explained how the current Escrow Agreement was done, Town Attorney stated that it would be \$500 and John Nosek stated \$1000 for Engineer. Mr. Lawton explained the Billboard will be a 2-sided sign that will face interstate 84, it is on property owned by Art Trovei. Chairman asked if there are other signs that their company has done, Mr. Lawton answered in June 2020 they did one in Kingston and they have over 100 signs throughout the South. Town Attorney asked if it would be electronic or static, Mr. Lawton answered static. Town Attorney disclosed that he may have reviewed the lease agreement between applicant and property owner. Chairman asked if Mr. Lawton received the Engineers comments, he answered yes. John Nosek went through the comments that the property is in the IB Zone and a billboard shall be located 10 ft from the property line, approval is required from the DOT (Department of Transportation), Mike Fitzgerald

stated that first part is to get local government certification than can submit to DOT and can bring back approval, Town Attorney added that they can go through the full process and an approval can be conditional on DOT compliance.

PLANNING BOARD MEETING JANUARY 13, 2021 continued –

126 ROUTE 6 – BILLBOARD – continued –

John Nosek continued that some comments do not pertain because they reference digital signs. Chairman stated that with the GML-239 DOT will be notified anyway. John Fuller stated that there was some confusion regarding the height of sign and how it is measured and suggested maybe a referral to the ZBA (Zoning Board of Appeals) for interpretation or a variance. Town Attorney suggested the Board declare intent and then refer the applicant to the ZBA.

Motion to declare intent to be Lead Agency.

Motion made by Theresa Santiago, 2nd by Rob Whitney to declare intent for Planning Board to be Lead Agency for SEQRA purposes.

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

MOTION CARRIED

Motion to refer to ZBA.

Motion made by Theresa Santiago, 2nd by Craig Wagner to refer the Applicant to the Zoning Board of Appeals for interpretation or a variance.

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

MOTION CARRIED

Town Attorney acknowledged that the ZBA will not be meeting in January due to a quorum issue. He also stated that there were two comments made that should be reintroduced during the public hearing. Chairman stated to show the service road/construction road, he also stated that any lighting needed to be away from traffic. Mr. Fitzgerald acknowledged that a road does exist but it will be cleared and improved. Chairman also added that an EAF needed to be done with a DEC mapper. Town Attorney stated to wait until ZBA gives determination before GML-239 gets done.

WRIGHT – OAKLAND VALLEY ROAD – PRIVATE CAMPGROUND –

Chairman stated an email was received from Mr. Wright to be put on the next meetings agenda because he had not heard from Orange County regarding the driveway.

SINCLAIR – ROUTE 6 – DIESEL PUMP – SITE PLAN REVIEW –

Jeremy Valentine-Representative for Applicant

John Nosek went through the comments from Fusco Engineering, stating lighting posts needed to be shown and map needed to be signed. Secretary stated that GML-239 was done there were comments received back from the County, Parks and Rec and the DEC. Mr. Valentine stated he had a call out to the DOT, Town Attorney stated that the 30 days are up, no new entrances are being put in it is pre-existing. He continued that the Board could move forward if it wished, all members agreed there was no reason to wait.

Motion to schedule public hearing.

Motion made by Craig Wagner, 2nd by Theresa Santiago, to schedule a public hearing for Sinclair Gas Station for Wednesday, February 10, 2021 at 7pm.

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

MOTION CARRIED

Chairman asked if anymore landscaping was needed, Craig Wagner stated that there is currently shrubs, Mr. Valentine added that they plan on planting more grasses and shrubs.

DEERPARK VILLAGE – WILSON ROAD – DISCUSSION – EXTENSION –

Harry Bakalis

Christos Anthansiou

Demetris Colocassides

Town Attorney stated he sent an email to Applicants to allow a presentation of what they would like to do with the property, and before the Town makes any decisions a meeting with the Town Highway Superintendent and Town Supervisor. Mr. Colocassides shared his screen and gave a brief presentation.

PLANNING BOARD MEETING JANUARY 13, 2021 continued –

DEERPARK VILLAGE – WILSON ROAD – DISCUSSION – EXTENSION – continued –

He explained that the total project will be \$275 million and felt a workshop would be beneficial. He explained why they need the approval for the entire project and will have Town dictate how the permits will be issued and what phase will be required with each permit. Chairman stated there is a lot of information that needs to be agreed upon before approvals can be given. Mr. Colocassides asked for a letter from the Town to allow them to proceed with the project. Town Attorney acknowledged he will set up a meeting between the Supervisor, Town Engineer and Highway Superintendent and a representative from the Planning Board. He continued that there are certain approvals in place and he stated he was unclear on the what the letter should say. The law provides for certain things and 55 years or older was not mentioned, there will be a modification of Wilson Road, they need to work within the approval or modify. Mr. Colocassides stated they are not looking for approvals until the full plans are submitted, not just stages but the whole package. Town Attorney stated that he will coordinate a meeting and get available times to all involved and suggested the Board extend the approval until the second meeting in February or first meeting in March.

Motion to approve extension.

Motion made by Theresa Santiago, 2nd by Rob Whitney to approve an extension for Deerpark Village until Wednesday, March 10, 2021 meeting.

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

MOTION CARRIED

OTHER BUSINESS:

John Nosek stated that he had trouble logging on with the link on the website, Secretary explained that the link on the Town website is only to watch not participate in the meeting. The link that is emailed needs to be the one that is used to log on.

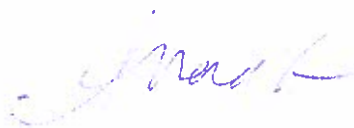
Motion to adjourn meeting.

Motion made by Theresa Santiago, 2nd by Willard Schadt to adjourn January 13, 2021 Planning Board meeting at 8:51 pm.

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

MOTION CARRIED

Respectfully submitted by,



Amanda Gorr, Planning Board Secretary