

The Town of Deerpark Planning Board met for a BIMONTHLY MEETING on WEDNESDAY, MARCH 23, 2022. The Meeting was held at Town Hall.

The following were present on the meeting:

BOARD MEMBERS PRESENT:

Robert Vicaretti-Chairman

Willard Schadt

Theresa Santiago

Craig Wagner-Vice-Chairman

Rob Whitney

OTHERS PRESENT:

Alfred A Fusco Jr.-Town Engineer

Glen Plotsky-Town Attorney

David Dean -Town Councilman

Al Schock-Town Councilman



APPROVED

Pledge of Allegiance

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

CAMP DEERPARK – BRANDT RD – LOT LINE CHANGE –

Ken Bontrager-Representative from Camp Deerpark

Mr. Bontrager explained that this was the property that was subdivided a while ago. This would move the line across Brandt Rd. He continued that perc tests have been done and are good. Town Engineer went through their review letter, he stated that they need an application and SEQRA, the map needs to have the bulk table on it. Town Attorney acknowledged that this was a lot line change and was labeled as a subdivision. He also stated that he also represents Camp Deerpark.

Motion made by Rob Whitney, 2nd by Theresa Santiago to waive the public hearing for Camp Deerpark Lot Line Change.

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

MOTION CARRIED

Motion made by Rob Whitney, 2nd by Craig Wagner to approve lot line change contingent on Town Attorney's review of the deeds and Town Engineer review of the revised maps.

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

MOTION CARRIED

DEERPARK VILLAGE – WILSON RD – DISCUSSION –

Demetris Colocassides- Representative for Deerpark Village

Harry Bakalis- Representative for Deerpark Village

Mr. Colocassides stated that wetland delineation was completed, he continued that the Traffic Engineer is working on the traffic study and is about 60% done. He further stated that they had started preliminary layouts and 1 bedrooms are too small, not all will be 2 bedrooms, they could need 3 bedrooms. Some could need a medical assistant and a handicap child can stay with a person 55 or older. Town Attorney stated that he put together a memo that says some areas being purposed are not what was approved. He continued that a 6-month extension could be given from June that would put it for the December 14 meeting. Chairman stated that they could have an update in June, Town Attorney stated this was a convenience so they did not have to come back in June and he didn't feel that much would be done by June and when they came back in December it could be a more meaningful update.

Motion made by Theresa Santiago, 2nd by Craig Wagner to give a 6-month extension for Deerpark Village from original date of June to December 14 meeting.

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

MOTION CARRIED

PLANNING BOARD MEETING MARCH 23, 2022 continued –

HOMESTEAD SUBDIVISION – 875 ROUTE 42 – PRE-APPLICATION –

John Fuller-Representative for Applicant

John Little-Representative for Monopoly Holding LLC

Mr. Fuller explained that this was a preliminary application for a 6-lot subdivision on Route 42 & Old Forestburgh Rd, it's about 47 acres. It is the old Rosina Farms; Monopoly Holdings is in contract to purchase the property, four lots will be about 5 acres and the other two will be over 10 acres each. On the one lot there are wetlands along Route 42 but they can get a driveway, the other parcels will be accessed from Old Forestburgh Rd. Town Attorney asked if this is within 500ft, Mr. Fuller replied that it fronts on 42, Town Engineer confirmed it is on Route 42. Town Attorney stated that GML-239 would have to be done and he acknowledged he was not sure if he would be involved in the transaction, he has represented both parties in the past, Mr. Little confirmed he would be representing him. Town Engineer went through the comments he stated that NYS DOT approval would be needed, survey needs to be done, site distance evaluation, soils tests, erosion control, drainage for roof drains would need to be shown, impacts on the wetlands need to be reported. He stated it was very thorough for a pre-app and he will not be charging because it is a pre-app. Chairman asked who regulates the wetlands, Mr. Fuller answered Army Corp for the driveway. Glen Plotsky, Town Attorney stated that **Attorney Escrow** will be **\$850** and Town Engineer, Alfred A. Fusco Jr., stated that **Engineering Escrow** will be **\$1750** the Escrow Form was filled out and signed by Town Attorney, Town Engineer, and Applicant. A copy was given to each; also, a copy will be given to Escrow Manager, Danielle L Glynn and a copy will be placed in the file.

TRIPLET LLC – JOHNSON LANE – PRE-APPLICATION –

John Fuller-Representative for Triplet LLC

Town Attorney explained that this was a previous application done a number of years ago and was referred to the Town Board at the time they put a restriction on this parcel. It came back to the Planning Board a couple of months ago and was referred to the Town Board because they originally put the restriction on years ago, they sent to the ZBA and they found that the restriction was no longer necessary. Mr. Fuller explained the application that it would be a continuation of the vehicle sales that are currently surrounding this property off of Route 97 and Switch Lane. He stated that a gate will be put on the Johnson Lane side, but it will not be used, there will be a fence installed around the perimeter of the property and will have vegetation planted. Chairman asked if the lots would be combined, Mr. Fuller answered that the intention is to keep them separate. Chairman asked if anything in the Zoning prohibits this, Town attorney stated it is in the HMU district and the reason it was originally restricted was because it was residential at the time. Mr. Fuller explained that this will be accessed off the other parcels. Town Attorney acknowledged that Johnson Lane is a Town road and that he represents Mr. Trovei and Triplet LLC. Glen Plotsky, Town Attorney stated that **Attorney Escrow** will be **\$600** and Town Engineer, Alfred A. Fusco Jr., stated that **Engineering Escrow** will be **\$1200** the Escrow Form was filled out and signed by Town Attorney, Town Engineer, and Applicant. A copy was given to each; also, a copy will be given to Escrow Manager, Danielle L Glynn and a copy will be placed in the file.

MARION SUBDIVISION – CHRISTOPHER ST – 12-LOT SUBDIVISION –

John Fuller-Representative for Applicant

There was a pre-app done for this and then a formal application was filed and then it was paused so the owner and developer could look at a new configuration. This parcel is also across Neversink Dr, it backs up to the Railroad tracks, there are three proposed lots on that portion and the remaining lots front on Christopher St, which is a private road, there will be a new road installed with the 8 lots and a cul-de-sac. They all meet Zoning and the soils are outstanding. Orange County Department of Health will be involved once a preliminary approval is given. There will be no development in the flood zone and there was a SHPO hit.

PLANNING BOARD MEETING MARCH 23, 2022 continued –

MARION SUBDIVISION – CHRISTOPHER ST – 12-LOT SUBDIVISION – continued –

Town Engineer went through the comments perc tests need to be witnessed, surveyors stamp on approved map, full SWPPP, street light advisable at the entrance from county highway, drainage maintenance or HOA, County DPW will need to approve. Town Attorney asked how long the cul-de-sac was, Mr. Fuller answered 60 ft to center. Chairman asked if this would be a Town Road, Mr. Fuller stated they will talk to Town but it will be built to Town specs. Chairman asked if escrows were paid, Mr. Fuller answered yes and Secretary confirmed they were up to date. Mr. Fuller acknowledged that they look to be back on for next month.

SSS REALTY – OLD COUNTRY ROAD – SITE PLAN REIVEW –

John Fuller-Representative for Applicant

Mr. Fuller explained that there was a map restriction placed on the original subdivision back in the 60's but the deed shows none. He stated he had come back in October for a pre-app. Town Attorney stated that there was a notation for the property to be reserved as a drainage lot, but there is new technology and different way to do things. He suggested that a public hearing be done to notify the landowners before the note is removed. Craig Wagner acknowledged that he did a site visit and did not see any water. Mr. Fuller stated that there is a ditch along all the properties. He added that this was approved in 1968, recorded in 1969 and the plan is to put a single-family dwelling on the lot.

Motion made by Rob Whitney, 2nd by Craig Wagner to schedule a public hearing for 14 Old Country Rd for Wednesday, April 27, 2022 for 7PM.

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

MOTION CARRIED

NEW CENTURY – NEVERSINK DR – SITE PLAN REVIEW –

John Fuller-Representative for Applicant

Mr. Fuller stated that there was a public hearing held, there were remaining Fusco comments that were taken care of and the Board had a couple of questions of the nature of the hotel, that was answered as transient. Twenty-two of the units will be transient of 2 weeks or less and five will be longer like 6 months. Mr. Fusco wanted clarity on the lighting and landscaping, there are currently trees planted along the right-a-ways and there are plans for landscaping around the area of the hotel. Chairman asked if Mr. Fuller could touch briefly on the letters from the County, Mr. Fuller stated that the NYS DOT (New York State Department of Transportation) and OCDPW (Orange County Department of Public Works) did a traffic study DPW was aware and they had met on site, DOT has been copied on all. This will require OCDOH (Orange County Department of Health) approval and update to the SPDES (State Pollutant Discharge Elimination System) permit, it will be a community well with water treatment. Chairman asked if there had been any answers from the DOH, Mr. Fuller answered not until a conditional approval is given. Mr. Fusco acknowledged that there were a lot of permits out and open issues left to approve: DOH, water and sanitary; DEC, SPDES; response for DOT and DPW. Chairman asked if they should hold off and wait for the responses before they took action, Mr. Fuller replied that the DOT and DPW have had more than the required 30 days to respond and the hotel cannot be built without the DOH. Town Attorney suggested a compromise; the DOH is a lengthy process and the SPDES permit, DPW has been onsite and there are no changes, DOT has had sufficient time to comment, an approval could be conditioned on the DOH approval. Chairman stated he was for that; the Applicant will not be able to do anything without those approvals anyway. Town Attorney asked what the time frame was for DOH and SPDES, Mr. Fuller answered 90-120 days. Town Attorney stated that would put them in May or June, Mr. Fuller stated that this was not a brand new project there is current DOH and SPDES permits. Chairman took a poll to see if they should wait; all members answered, No.

PLANNING BOARD MEETING MARCH 23, 2022 continued –

NEW CENTURY – NEVERSINK DR – SITE PLAN REVIEW – continued –

Motion made by Rob Whitney, 2nd by Craig Wagner to approve Application for New Century Film, for a hotel contingent on Department of Health, Department of Environmental Conservation approval and fees paid.

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

MOTION CARRIED

430 ROUTE 209 – DISCUSSION –

John Fuller-Representative for Applicant

Town Attorney stated that this was the old C&D Battery Building, he has provided the Planning Board and Town Board with proposals for 2 different consulting Engineers. He stated he has spoken with and has interviewed both, he stated that they seemed to know what they were talking about. They will be put on retainer by the Town but at the Applicant's expense. The Town Board will be voting on this at the next meeting and ask the Planning Board to give their preference. Town Attorney acknowledged that he has worked with one of the consultants before, he has had no experience with the other. Willard Schadt asked the opinion of the Town Engineer, Mr. Fusco stated he had not received the proposals, Town Attorney stated he would send them to him. The Town would like to vote at the first meeting in April, this is for the interior of the building, the DEC is exclusively overseeing the exterior. Mr. Fuller stated that the DEC was waiting for the EPA and they just gave approval today, he can forward the letter to the Town. He continued that hopefully the outside cleanup will begin this year.

Motion made by Theresa Santiago, 2nd by Craig Wagner to suggest their preference of Barton & Loguidice as the Town consultant.

Vote 4 Ayes: Theresa Santiago, Craig Wagner, Rob Whitney, Robert Vicaretti. Willard Schadt abstained, he stated he did not know enough about it to make a decision and defers to the Town Board.

MOTION CARRIED

MOTION TO APPROVE MINUTES.

Motion to approve February 23, 2022 Minutes.

Motion made by Theresa Santiago, 2nd by Rob Whitney to approve the minutes for Wednesday, February 23, 2022 meeting.

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

MOTION CARRIED

OTHER BUSINESS –

Theresa Santiago questioned the letter that was received from Town Attorney about flashing lights. Town Attorney explained that a while back Tri-State Transmission got a variance for their flashing sign and the ZBA raised an inquiry about this sign in question and why did one have to but not another. He stated that the Building Department could issue a violation or someone could write a letter about the sign. Chairman asked if they were a private entity, Town Attorney stated municipal entities are exempt from this. Al Schock asked if it was municipal or private. Town Attorney answered private.

Motion to adjourn meeting.

Motion made by Theresa Santiago, 2nd by, Rob Whitney to adjourn March 23, 2022 Planning Board meeting at 8:33 pm.

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

MOTION CARRIED

Respectfully submitted by,



Amanda Gorr, Planning Board Clerk