

The Town of Deerpark Planning Board met for a BIMONTHLY MEETING on WEDNESDAY, APRIL 12, 2023. 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

OTHERS PRESENT:

Glen Plotsky-Town Attorney

John Nosek-Representative from Fusco Engineering

Dave Dean-Town Councilman

Pledge of Allegiance



Meeting was brought to order at 7:03 p.m.

443 ROUTE 209 – NEW SITE PLAN – PRE-APPLICATION –

Jian Hu-Representative for Owner

He explained this property is on the corner of Grange Rd and Route 209, they are proposing the ground floor to be a convenience store and the 2<sup>nd</sup> floor would be 2 units. They plan to build in the existing footprint of what was there, the parking is the same. There are 12 parking spaces that will be provided, 9 are required. The hours of operation will be 8am-12am and will have about 3-4 employees. Willard Schadt asked if the building was removed and that it would be rebuilt in the same footprint, Mr. Hu answered Yes. Chairman asked if it will be a retail store/convenience store, Mr. Hu replied yes. Willard Schadt asked if the owner will reside in the rental units, Mr. Hu answered no. Town Attorney acknowledged that the original building has been vacant for so long and it not “grandfathered”, it is a permitted use in the zone and will have to conform to the bulk requirements. Mr. Hu stated that he thought they were “grandfathered”, Town Attorney stated no because it was vacant for so long, have to come for use and structure. Rob Whitney asked how long it’s been since the building was taken down; Mr. Hu stated about 5 months. Town Attorney stated that they would look at the bulk requirements and if it was less than a year with construction starting in theory a variance a can be granted, the Board will see what nonconformities there are and decide. Chairman asked to have the applicant provide more information with the bulk requirements. Town Attorney stated to show it on the map and acknowledged that GML-239 would need to be done because of the proximity to Route 209. Rob Whitney stated that the Board can waive it now, Town Attorney replied that it depends, the Town Board and ZBA have not yet signed the agreement and it still needs to go to the County. Secretary stated that if there was a home on the property and they were to remove it they would have a year to replace it in the same footprint then no variances would be needed, they would not need to conform to today’s zoning. Town Attorney stated that they will identify setbacks, it is in the same footprint and they can waive the variances if need be, he then explained the GML-239 process to the applicant. Chairman stated that they fill out an application and resubmit maps. Town Attorney acknowledged that a dye test would be done to assess well and septic to make sure working properly. Willard Schadt stated that in the past the entrances were all over and asked if there would be a main entrance, Mr. Hu answered that the entrance would be off of Grange Rd.

159 3<sup>RD</sup> STREET – WINERY – ACCESSORY BUILDING – PRE-APPLICATION –

Rosalyn Kim-Applicant

Ms. Kim explained that this would be an accessory building, shed 13x28 on a concrete pad. John Nosek asked if she even needed Planning Board approval. Chairman stated that this was already approved, Secretary acknowledged that she will have her Temporary Certificate of Occupancy within the end of the month. Willard Schadt asked when she would be opening, Ms. Kim answered springtime. Chairman asked what type of wine she will be producing, Ms. Kim replied rice wine she will use grain which is what she wants to store in the shed for the brewery.

**PLANNING BOARD MEETING APRIL 12, 2023 continued –**

159 3<sup>RD</sup> STREET – WINERY – ACCESSORY BUILDING – PRE-APPLICATION – continued –

Town Attorney stated that it is a permitted accessory use, they can waive the public hearing and approve on Town Engineer review. It is a modification of the original site plan.

**Motion to waive public hearing.**

Motion made by Rob Whitney, 2<sup>nd</sup> by Theresa Santiago to waive the public hearing for the Winery Amended Site Plan.

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

**MOTION CARRIED**

**Motion to approve.**

Motion made by Rob Whitney, 2<sup>nd</sup> by Theresa Santiago approve the amended site plan for the Winery for a 13x28 shed, contingent of Engineer review of maps and fees paid.

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

**MOTION CARRIED**

**MOTION TO APPROVE MINUTES.**

**Motion to approve March 22, 2023 Minutes.**

Motion made by Rob Whitney, 2<sup>nd</sup> by Theresa Santiago to approve the minutes for Wednesday, March 22, 2023 meeting.

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

**MOTION CARRIED**

**Motion to adjourn meeting.**

Motion made by Theresa Santiago, 2<sup>nd</sup> by Robert Whitney to adjourn April 12, 2023 Planning Board meeting at 7:34 pm.

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

**MOTION CARRIED**

Respectfully submitted by,



Amanda Gorr, Planning Board Clerk