

The Town of Deerpark Planning Board met for a BIMONTHLY MEETING on WEDNESDAY, APRIL 27, 2022. The Meeting was held at Town Hall.

The following were present on the meeting:

BOARD MEMBERS PRESENT:

Robert Vicaretti-Chairman
Rob Whitney

Willard Schadt
Theresa Santiago

MEMBER ABSENT: Craig Wagner-Vice-Chairman

OTHERS PRESENT:

John Nosek-Representing Fusco Engineering
Glen Plotsky-Town Attorney
David Dean -Town Councilman
Al Schock-Town Councilman



APPROVED

Pledge of Allegiance

Meeting was brought to order at 7:02 p.m.

SSS REALTY – OLD COUNTRY ROAD – SITE PLAN REIVEW – PUBLIC HEARING –

John Fuller-Representative for Applicant
William Onofry-Attorney for Applicant

Secretary, Amanda Gorr read public hearing notice into record, Chairman asked if mailings were checked, Secretary stated that all mailings have been verified. Mr. Fuller gave a brief description of the application stating that this project was referred from the Building Department, this has been in existence since the original subdivision about 1969. The lot has changed hands, there has been a history of depials, it is a 1.83-acre piece and the note states it is reserved, there is nothing in the deeds that coincides with the map note. He continued that a site plan shows well, septic can be developed on the lot, and they are there to change the prior approval. William Onofry stated that there has been some back and forth with the Town Attorney, this is a unique situation, permit denials in the past because of drainage easements. A Title search was done and submitted to the Town Attorney the only reference to the easement is a note that states to see the map; this is a handwritten note. There is no homeowner's association, the owner believes a sewer can be done and is here to have the note removed. He continued there was a similar case in another Orange County Village, the owner was denied development and the courts stated that it was not proper and it should be in the chain of the title or minutes of meetings. It is only a notation on a map, there is nothing in the deed, nothing about the rights for the easement. It has a clean title and he ask for the note to be removed and allow development. Town Attorney acknowledged he did not review the case, he suggested not to take any action except to close the Public Hearing and he added he was provided with the title report and it appears to be clean.

Public Comment:

James McCooey- Mr. McCooey stated he owns 2-lots, 1 is vacant he has been there since 1978. There has always been an issue with the water coming through. He explained there were 2 other families that could not attend, their concerns were where the septic would be and what kind. He continued that there is standing water always on the lot, it comes up from the ground there most of the year. A trench was dug out to Route 42 but it doesn't help much, you can walk across most of the back yards in that area and it is wet most of the time. He asked if the site plan would change and questioned why the septic was uphill from the well. He stated that back in the 60's this was wet and it still is, he added that water runs down hill and stated that a 4-bedroom house is proposed, that is a lot of people. He felt everyone around has the same concern.

Randy Ross- Mr. Ross acknowledged that anyone of the members could come to the house and walk through the yard, it's wet he cannot even mow his lawn. He is worried about what this will do to his well. He asked if it's been unbuildable for 50 years why now. He added that the trench fills with leaves and he rakes it out to allow the waterflow. He suggested that any member go look for their self.

PLANNING BOARD MEETING APRIL 27, 2022 continued –

SSS REALTY – OLD COUNTRY ROAD – SITE PLAN REIVEW – PUBLIC HEARING – continued –

Grace Woodard- Ms. Woodard stated that she doesn't know the site, but from the comments from the other owners the Board should require the owner to get a hydrogeologist. She acknowledged that there are about 15 different types of wetlands and felt the water situation needed to be looked at.

Henry Nielson- Mr. Nielson explained that he lives on the upper end and bought it because he thought the lot was unbuildable. He agreed with all that Mr. McCooley stated.

Motion made by Theresa Santiago, 2nd by Rob Whitney to close oral portion of public hearing for 14 Old Country Rd and leave open written until Wednesday, May 11,2022.

Vote 4 Ayes: Theresa Santiago, Rob Whitney, Willard Schadt, Robert Vicaretti.

MOTION CARRIED

HOMESTEAD SUBDIVISION – 875 ROUTE 42 – 6-LOT SUBDIVISION –

John Fuller-Representative for Applicant

Mr. Fuller stated that he was working toward scheduling a public hearing, he has received the comments from Fusco Engineering and proceeded to go through the comments. He stated that he knows a driveway permit will be needed, he will provide stamped plans, soil testing will be done, it is a limited SWPP because it is under 5 acres, he will provide an updated wetlands map; it was done within the past 6 months and has been flagged and surveyed, he will contact DEC for the wetlands. He added that he has not met with the Town Highway Department, he will correct the note on the map. John Nosek stated that he had spoke with Alfred Fusco Jr., and they believe there is enough information to schedule a public hearing.

Motion made by Theresa Santiago, 2nd by Rob Whitney to declare intent for the Town of Deerpark Planning Board to be Lead Agency for the project.

Vote 4 Ayes: Theresa Santiago, Rob Whitney, Willard Schadt, Robert Vicaretti.

MOTION CARRIED

Motion made by Theresa Santiago, 2nd by Rob Whitney to circulate the GML-239 to the required agencies.

Vote 4 Ayes: Theresa Santiago, Rob Whitney, Willard Schadt, Robert Vicaretti.

MOTION CARRIED

Motion made by Theresa Santiago, 2nd by Rob Whitney to schedule a public hearing for Wednesday, June 8, 2022 at 7pm for Homestead Subdivision.

Vote 4 Ayes: Theresa Santiago, Rob Whitney, Willard Schadt, Robert Vicaretti.

MOTION CARRIED

TRIPLET LLC – 8-9 JOHNSON LANE – SITE PLAN REVIEW –

John Fuller-Representative for Applicant

Mr. Fuller stated that last month he was there for a pre-application for this project. He acknowledged he has received the comments from Fusco Engineering and went through them; the applicant does not plan on consolidating the lots unless it is deemed appropriate. Next the applicant went to the ZBA and received an approval to have the note taken off. He continued that they plan to put gravel on the lot, there is no lighting plan. There was a SHPO hit, this is in the Delaware River Valley, John Nosek stated that it is a small project and to just verify there is no bald eagle sites.

Motion made by Theresa Santiago, 2nd by Rob Whitney to declare intent for the Town of Deerpark Planning Board to be Lead Agency for the project.

Vote 4 Ayes: Theresa Santiago, Rob Whitney, Willard Schadt, Robert Vicaretti.

MOTION CARRIED

Motion made by Theresa Santiago, 2nd by Rob Whitney to circulate the GML-239 to the required agencies.

Vote 4 Ayes: Theresa Santiago, Rob Whitney, Willard Schadt, Robert Vicaretti.

MOTION CARRIED

Motion made by Rob Whitney, 2nd by Theresa Santiago to schedule a public hearing for Wednesday, June 8, 2022 at 7pm for Johnson Lane Site Plan Review.

Vote 4 Ayes: Theresa Santiago, Rob Whitney, Willard Schadt, Robert Vicaretti.

MOTION CARRIED

PLANNING BOARD MEETING APRIL 27, 2022 continued –

MARION SUBDIVISION – 8 CHRISTOPHER ST – 12-LOT SUBDIVISION –

John Fuller-Representative for Applicant

Mr. Fuller stated that all requirements are met and soils are very good, almost too good he added. He then went through the comments from Fusco Engineering that the 2 wells that will be done will have to wait till preliminary approval for the Department of Health to decide which 2 to drill. John Nosek stated that was fine and to just notify Fusco's Office to have them witness. The maps have the surveyor's stamp on them, full SWPP was prepared and sent to Fusco just this week. John Fuller stated that this will not be a Homeowners Association and any landscaping within the cul-de-sac will have to be maintained by the individual homeowners so that is why it is minimal. Joint soil testing will be done, the drainage easement for lot 5 will run with the property. Driveways will need Orange County DPW approval.

Motion made by Theresa Santiago, 2nd by Rob Whitney to schedule a public hearing for Wednesday, June 8, 2022 at 7pm for Marion Subdivision.

Vote 4 Ayes: Theresa Santiago, Rob Whitney, Willard Schadt, Robert Vicaretti.

MOTION CARRIED

MOTION TO APPROVE MINUTES.

Motion to approve March 23, 2022 Minutes.

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

Vote 4 Ayes: Theresa Santiago, Rob Whitney, Willard Schadt, Robert Vicaretti.

MOTION CARRIED

OTHER BUSINESS –

Town Attorney stated that the Town Board hired an Environmentalist, they were onsite Tuesday, the application is moving forward and field studies will be done at the 430 Route 209 building.

Chairman asked Town Attorney if he got the chance to review the information that the Secretary gave to him.

Town Attorney stated that the letter from the MTA, every application that requires a SEQRA review they ask to be sent the information, which is every one. Town Attorney acknowledged the other envelope he glanced at the one paper and he is not reading it. Chairman suggested throwing it away.

Willard Schadt asked about doing a site visit at 14 Old County Rd, John Fuller stated that they can do there is a letter in the application packet that allows the Board to visit the site.

Motion to adjourn meeting.

Motion made by Theresa Santiago, 2nd by Rob Whitney to adjourn April 27, 2022 Planning Board meeting at 8:00 pm.

Vote 4 Ayes: Theresa Santiago, Rob Whitney, Willard Schadt, Robert Vicaretti.

MOTION CARRIED

Respectfully submitted by,



Amanda Gorr, Planning Board Clerk