

The Town of Deerpark Planning Board met for a BIMONTHLY MEETING on WEDNESDAY, April 28, 2021. The Meeting was held at Town Hall.

The following were present on the meeting:

BOARD MEMBERS PRESENT:

Robert Vicaretti-Chairman
Rob Whitney
Willard Schadt

Craig Wagner-Vice- Chairman
Theresa Santiago



APPROVED

OTHERS PRESENT:

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

Pledge of Allegiance

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

**SALON – 5 MAIN STREET – PRE-APPLICATION –
Megan Kern-Applicant**

Ms. Kern asked if there were any issues with the building that were unresolved, she would like to put a hair salon there, it previously was set up for a restaurant. Willard Schadt asked where this is located, Rob Whitney explained it is the red building across from the old Alexander Hotel. Chairman asked what the Zoning was, Town Attorney stated he was pretty sure it was HMU. Town Attorney then explained the Planning Board process; stating that first it is determined if the use is permitted, then the Board reviews the exterior of the building and property. He went on to say the in the HMU district a salon is a permitted use, the Board may choose to hold a public hearing. He continued that on a Site Plan it needs to show what the intended use will be, hours of operation, number of employees, parking, how waste will be disposed of. Ms. Kern stated that right now they take the garbage to the dump, there is a parking lot currently on the site and they have four employees and if they move to this location, they potentially plan to hire two more. Chairman asked if they have an Engineer, Ms. Kern answered no just a contractor right now because renovations need to be done inside to transform it into a Hair Salon. Chairman stated to fill out an application and get the required copies of the site plan showing entire property, septic, signing, lighting, parking. Town Attorney asked if it was currently in use, Ms. kern stated it hasn't been occupied in about 10 years. Ms. Kern asked if the use was permitted, Town Attorney answered yes, to get more specific plans. Craig Wagner added that their Engineer will walk them through the process. Ms. Kern asked how long it usually takes, Town Attorney answered about 2-3 months.

**BERRY/VANHORN – ROUTE 42 – LOT LINE CHANGE –
Carl VanHorn-Applicant**

Mr. VanHorn explained that they were before the Board a while ago and have now submitted an Application and survey maps. Chairman asked where it shows on the maps, Mr. VanHorn showed the Board where the line will move, he added that he is keeping the width, he is gaining 1.12 acres to make his lot square. Chairman asked who owns the other lot, Mr. VanHorn answered Martin Berry. Town Attorney stated that it was just moving the rear line, Carl VanHorn confirmed, yes it will not be wider but deeper. John Nosek acknowledged that it is on Route 42 which is a State Highway but there are no improvements. Town Attorney stated that on the one side of the home there is only 12ft and minimum set back is 35ft, Chairman added that it is pre-existing. Town Attorney acknowledged it is a pre-existing non-conforming lot and there are making it less non-conforming and the non-conforming is due to pre-existing setbacks and they are not changing the size. Mr. VanHorn stated he plans on putting an addition onto the back of the home parallel with the current house and understands he might have to get a variance.

PLANNING BOARD MEETING April 28, 2021 continued –

BERRY/VANHORN – ROUTE 42 – LOT LINE CHANGE – continued –

Town Attorney stated that this is on Route 42 and a GML-239 will need to be done, but a public hearing could be waived, it would up to the discretion of the Board. Chairman asked about the reference on the map about the 100ft, was it a right-a-way, Carl VanHorn replied that it was a buffer for wetlands. Chairman acknowledged that it is a lot line change there are no improvements, they could forego a public hearing, just the meets and bounds need to be reviewed. Town Attorney stated that one of the two parties is using his office for deeds and the other is a local attorney. The 239 will put them out 30days to approve the application, Secretary stated that would be the first meeting in June, Chairman asked if they should wait to vote to distribute the GML-239. Town Attorney asked if Mr. VanHorn could negotiate another 23ft, Willard Schadt suggested to wait 2 weeks to let Mr. VanHorn decide and then the Board can vote.

NEIGHBORHOOD SELF STORAGE – ROUTE 209 -EXPANSION OF STORAGE UNITS –

Michael Sandor-Representative for Applicant

Mr. Sandor stated that the last meeting was a Zoom meeting and they have submitted new maps off of the comments from Fusco Engineering and tonight he received a new list. He went through the comments; he stated that SHPO was done a letter was received, a rattle snake study was done, the septic has been relocated, there is a lighting plan and it has been submitted. John Nosek stated that it has not been received. Mr. Sandor continued that landscaping is parallel to the highway and there are no wetlands on the property. Secretary stated that Mr. Fusco did his review on April 21,2021 and the letter from SHPO and the lighting design was received that next day and sent to all Board Members and Town Attorney and Town Engineer, that is why it is not on the comment sheet. Mr. Nosek acknowledged that they are not changing the driveway so DOT might not have to be notified during the 239 distribution. He asked questioned about a box that was checked yes on the EAF for archaeological mediation for hazardous waste, Mr. Sandor answered that he was not sure, there is nothing on the site, but O&R did have a yard next door and might have had a spill years ago. Chairman Vicaretti confirmed it was a dump site, but was cleaned up by O&R. He also asked if there was any additional screening that would be put between the storage and the church next door. Mr. Sandor stated that it was brought up at the Zoom meeting but was sure where they wanted it, he assumed it was in the front, Rob Whitney stated in both areas. Chairman stated that the next meeting would be the first in June, June 9 and could schedule a Public Hearing for that day if the Applicant wanted. Craig Wagner asked if the vegetation off of 209 would be higher than the fence, Mr. Sandor answered, No.

Motion to distribute GML-239 Review.

Motion made by Theresa Santiago, 2nd by Willard Schadt to start the GML-239 Review.

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

MOTION CARRIED

Motion to schedule a public hearing.

Motion made by Theresa Santiago, 2nd by Rob Whitney to schedule a public hearing for Neighborhood Self-Storage for Wednesday, June 9, 2021 at 7PM.

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

MOTION CARRIED

MOTION TO APPROVE MINUTES.

Discussion was done on whether the minutes were sent out. Board decided to hold off until next month.

OTHER BUSINESS-

Willard Schadt asked if the Board could enter into executive session to discuss ongoing litigation.

PLANNING BOARD MEETING April 28, 2021 continued –

Motion to enter into executive session.

Motion made by Willard Schadt, 2nd by Rob Whitney to enter into executive session to discuss current litigation and invite Town Board Liaison, Dave Dean, Town Attorney, Glen Plotsky and John Nosek, Representative from Fusco Engineering.

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

MOTION CARRIED

Motion to close executive session.

Motion made by Willard Schadt, 2nd by Rob Whitney to close executive session and enter back into the regular meeting.

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

MOTION CARRIED

Motion to adjourn meeting.

Motion made by Theresa Santiago, 2nd by, Rob Whitney to adjourn April 28, 2021 Planning Board meeting at 8:26 pm.

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

MOTION CARRIED

Respectfully submitted by,



Amanda Gorr, Planning Board Secretary