

The Town of Deerpark Planning Board met for a BIMONTHLY MEETING on WEDNESDAY, JUNE 26, 2024. The Meeting was held at Town Hall 420 Route 209.

The following were present on the meeting:

BOARD MEMBERS PRESENT:

Robert Vicaretti-Chairman
Theresa Santiago
Patrick Kean

Craig Wagner-Vice-Chairman
Willard Schadt

OTHERS PRESENT:

Glen Plotsky, Town Attorney
John Nosek-Representative from Fusco Engineering
Alan Schock-Town Councilman



Pledge of Allegiance

Meeting was brought to order at 7:02 pm by Chair Robert Vicaretti.

CHINESE CHRISTIAN HERALD CRUSADES – 300 EDDY FARM RD – PUBLIC HEARING –

Holly Fuller-Representative for Applicant

Secretary read public hearing notice into record. Chair asked if notices were verified, Secretary answered yes. Ms. Fuller gave a brief description that this property was historically used as a religious retreat and conference center. The staff building the owners are looking to convert to storage and would like to put in 5 “modular buildings” to rent to family. They will each have bedroom and bath and will be tied into the existing water and sewer system. Ms. Fuller showed on the map where the existing road is and where the new units will be placed, she also presented a rendering of what the buildings will look like. Chair asked if there were any questions from the Board, they stated no. He asked Ms. Fuller how the septic will work; she replied that each unit would have its own septic that will be tied into the main sewer. John Nosek went through comments from Fusco Engineering, that County response had come back and that Town Attorney would read that into record, any homes in the 100-year flood plain need to be built up, Chair asked if that should be a note on the map, Mr. Nosek answered yes, Ms. Fuller stated it could be done. Mr. Nosek continued to go through the comments, the map needs a stamp from a surveyor, also that the size of pipe recommended is 6-inch not 4, SPDES can be part of the conditional approval, also SHPO response was received and they are asking for a few things, due to bald eagle being identified on the EAF the DEC would have to make sure there were not nests in trees before removing, and last a better detail of the water main. Town Attorney acknowledged a response was submitted from the Orange County Department of Planning, that the applicant should install water efficient products and use clean energy and more efficient energy measures, and that the site is in the 100-year flood plain and the homes should be elevated.

Motion made by Theresa Santiago 2nd by Craig Wagner to open the public hearing for public comment.

Vote 5 Ayes: Theresa Santiago, Craig Wagner, Patrick Kean, Willard Schadt, Robert Vicaretti.

MOTION CARRIED

PUBLIC COMMENT:

Marsha Ricker- Ms. Ricker asked how big the buildings will be, what they will do with the hotel and if the homes are for 1 family or will there be 20 people in one unit.

Holly Fuller-Ms. Fuller answered that each unit will be a 3-bedroom unit and they will be using the existing buildings.

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

Vote 5 Ayes: Theresa Santiago, Craig Wagner, Patrick Kean, Willard Schadt, Robert Vicaretti.

MOTION CARRIED

Chair asked what the conditions of approval would be. Town Attorney stated that first lead agency, and a negative declaration needs to be voted on. Then the condition 100-year approval would be a note on the map that the building will be placed above the 100 year flood plain, SPDES transfer of permit from DEC to the Applicant, a letter from consultant that there are no eagle nests in area, compliance of the letter dated January 23, 2024 from Fusco Engineering and payment of all fees. Craig Wagner stated he had a note that lead agency was done on May 8, 2024, Secretary answered that was intent.

PLANNING BOARD MEETING JUNE 26, 2024 continued –

CHINESE CHRISTIAN HERALD CRUSADES – 300 EDDY FARM RD – PUBLIC HEARING – continued –

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

Vote 5 Ayes: Theresa Santiago, Craig Wagner, Patrick Kean, Willard Schadt, Robert Vicaretti.

MOTION CARRIED

Motion made by Theresa Santiago 2nd by Craig Wagner to declare the application an unlisted action.

Vote 5 Ayes: Theresa Santiago, Craig Wagner, Patrick Kean, Willard Schadt, Robert Vicaretti.

MOTION CARRIED

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

Vote 5 Ayes: Theresa Santiago, Craig Wagner, Patrick Kean, Willard Schadt, Robert Vicaretti.

MOTION CARRIED

Motion made by Theresa Santiago 2nd by Craig Wagner to approve application conditioned on a note being placed on the map that the building will be placed above the 100 year flood plain, SPDES transfer of permit from DEC to the Applicant, a letter from consultant that there are no eagle nests in area received by Planning Board, compliance of the letter dated January 23, 2024 from Fusco Engineering and payment of all fees.

Vote 5 Ayes: Theresa Santiago, Craig Wagner, Patrick Kean, Willard Schadt, Robert Vicaretti.

MOTION CARRIED

LEMISH – 444 PEENPACK TRAIL – 2ND HOME – PRE-APP –

Lee Lemish-Applicant

Mr. Lemish explained he had thought about purchasing a log cabin on wheels for when family visits and went to Building Department and was told that it was an RV and to place it behind the home. He purchased the cabin and the Building Inspector went up and saw the structure and told him it appears to be more like a dwelling than an RV and to go to the Planning Board and discuss his options. Town Attorney asked if it was on wheels, Mr. Lemish answered yes and showed pictures of the structure to him and John Nosek. Chair asked how many square feet the building was, Mr. Lemish answered 24x10. John Nosek asked if it would stay on the wheels or if he planned to remove them and support it another way, Mr. Lemish replied only for stability would he support it on blocks. Chairman acknowledged that it was below the minimum requirement for a home. Willard Schadt asked how far it would be from the house, Mr. Lemish answered 40-50ft. John Nosek acknowledged that this sounded more like a permanent structure. Town Attorney asked what zone it was in, Secretary answered either RR (Rural Residential) or RS (Residential Settlement), Mr. Nosek stated that this may have to be looked into. Chair asked if he could attach it to the home, Town Attorney acknowledged that 2-family homes are allowed in both zones. Town Attorney and Secretary looked at Zoning map and determined that the property was in the RR zone, where a 2 family is allowed and suggested possibly connecting the 2 homes with a breezeway. He also asked Mr. Lemish what his occupation was, Mr. Lemish answered Real Estate, Town Attorney stated he could use the structure as a home office. He further suggested Mr. Lemish talk with a consultant.

RONG JIN – 278 NEVERSINK DR – GROUND MOUNT SOLAR – SITE PLAN REVIEW –

Stephanie Cosman-Representative for Applicant from Empire Solar.

Chair asked if this was a pre-app, Secretary stated that they have submitted an application but it is their first appearance. Ms. Cosman explained this application is for ground mount solar at 278 Neversink Dr, this is a residential home, it will be placed in the rear yard. It will have 12 panels and be 5.52 KW. Town Attorney asked if there would be battery storage involved with this application, Stephanie Cosman answered no. John Nosek went through the comments from Fusco Engineering that the project is a Type II action and exempt from SEQRA, tax map number and acreage need to be on the plans, zoning information needs to be on the plan as well as setbacks, landscape should be shown unless a letter is provided from the neighbor that they don't care. Ms. Cosman stated she can have a letter at the public hearing from the neighbor. Town Attorney asked what side of Neversink Dr this project is on, Secretary stated railroad side, Al Schock added that Shinhollow Rd separates the back yard from the railroad. The Escrow Agreement was filled out: **Attorney Escrow** will be **\$500** and **Engineering Escrow** will be **\$900** the Escrow Form was signed by Town Attorney and John Nosek, Representative for Fusco Engineering and representative for Applicant. Secretary stated that when it is signed to email back and a copy will given to each; also, a copy will be given to Escrow Manager, Danielle L Glynn and a copy will be placed in the file.

PLANNING BOARD MEETING JUNE 26, 2024 continued –

RONG JIN – 278 NEVERSINK DR – GROUND MOUNT SOLAR – SITE PLAN REVIEW – continued –

Motion made by Theresa Santiago 2nd by Craig Wagner to schedule a public hearing for July 24, 2024 for Jin Solar.

Vote 5 Ayes: Theresa Santiago, Craig Wagner, Patrick Kean, Willard Schadt, Robert Vicaretti.

MOTION CARRIED

MOTION TO APPROVE MINUTES

Motion to approve June 12, 2024 Minutes.

Motion made by Craig Wagner, 2nd by Theresa Santiago to approve the minutes for Wednesday, June 12, 2024 meeting.

Vote 5 Ayes: Theresa Santiago, Craig Wagner, Patrick Kean, Willard Schadt, Robert Vicaretti.

MOTION CARRIED

OTHER BUSINESS:

Chairman asked about the lawsuit with the horse farm, Town Attorney replied it is pending.

Willard Schadt asked when The Board does require screening, what happens when the plants die, there is no recourse.

Town Attorney answered that a Certificate of Compliance can be withheld and that if the plants die it would negate the CC. Craig Wagner asked if a note could be placed on the map that the screening needs to be maintained, Town Attorney answered yes. John Nosek stated for larger projects a landscaping bond can be done.

Al Schock acknowledged that the unit Mr. Lemish was describing is more like a mobile home than an RV and the Board needs to really look at this because it could be potentially bad for the Town.

Motion to adjourn meeting.

Motion made by Theresa Santiago, 2nd by Craig Wagner to adjourn June 26, 2024 Planning Board meeting at 7:58 pm.

Vote 5 Ayes: Theresa Santiago, Craig Wagner, Patrick Kean, Willard Schadt, Robert Vicaretti.

MOTION CARRIED

Respectfully submitted by,



Amanda Gorr, Planning Board Clerk