

The Town of Deerpark Planning Board met for a BIMONTHLY MEETING on WEDNESDAY, JUNE 8, 2022. The Meeting was held at Town Hall.

The following were present on the meeting:

BOARD MEMBERS PRESENT:

Robert Vicaretti-Chairman
Theresa Santiago
Rob Whitney

Craig Wagner-Vice-Chairman
Willard Schadt

OTHERS PRESENT:

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



Pledge of Allegiance

Meeting was brought to order at 7:05 p.m.

TRIPLET LLC – JOHNSON LANE – SITE PLAN REVIEW – PUBLIC HEARING –

John Fuller-Representative for Applicant

Secretary read public hearing notice into record. Chairman asked if mailings were verified, Secretary answered yes. Mr. Fuller gave a brief description of the application stating that this is an existing business on Route 97, currently it is vehicle and equipment sales. This lot is 1.6 acres with frontage on Johnson Lane, the applicant would like to expand development, it would be fenced and screened with landscaping. John Nosek asked if GML-239 was done, Secretary answered yes. Chairman asked if any response was given, Secretary stated that County and NYS DOT sent comments. Town Attorney went through the comments from the Orange County Department of Planning that the expansion shows no evidence of significant impacts, and the NYS DOT stated no objection to Town of Deerpark Planning Board taking Lead Agency, asked for a sight distance matrix be provided, also GPS coordinates for the driveway, additionally show the slope of driveway and drainage, and a traffic impact study be done and submitted for review. John Fuller acknowledged that is a general letter that they send out, he has spoke with DOT and a traffic study is not necessary.

Public Comment:

Leonard Ey-5 Samyn Rd- Mr. Ey explained he has lived here all his life, now this is going into the residential area and he doesn't want it in his backyard to have to look at tractor sales. He felt it would be a turn off and affect house values, there already is the trailer park and Coda's Plumbing. He is against the expansion; he feels there is no reason there is plenty of room and all those vehicles going in and out of Johnson Lane with the kids is going to cause an issue.

Sonia Hohnhorst-Simpson & Brian Simpson- They sent a written comment, Chairman read it into record that the commercial is now encroaching on the residential, they are also worried about the additional traffic on Switch Lane and is afraid of the noise pollution and what it will do to the property values.

Chairman asked Mr. Fuller if he would like to answer any comments, Mr. Fuller replied he understands the concerns but this property is zoned for this use.

Motion made by Theresa Santiago, 2nd by Craig Wagner to close the public hearing for Triplet LLC.

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

MOTION CARRIED

John Fuller stated he would address comments. Willard Schadt asked if the hours of operation would change, Mr. Fuller answered that they would stay the same.

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

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

MOTION CARRIED

PLANNING BOARD MEETING JUNE 8, 2022 continued –

**HOMESTEAD SUBDIVISION – ROUTE 42 & OLD FORESTBURGH – 6-LOT SUBDIVISION – PUBLIC HEARING –
John Fuller-Representative for Applicant**

Secretary read public hearing notice into record. Chairman asked if mailings were verified, Secretary answered yes. Mr. Fuller gave a brief description of the application stating that this is a 48-acre lot in Sparrowbush that borders Old Forestburgh and Route 42. The Applicant would like to subdivide it into 6 lots with a single-family dwelling on each lot, 5 lots will be accessed off Old Forestburgh and the last off Route 42. All lots conform to Zoning, 4 are around 5 acres, 1 is 12 acres and the lot that abuts Route 42 will be 16 acres.

Public Comment:

Brian Escott-74 Old Forestburgh Rd- Mr. Escott stated he has lived here for 27 years; he was not against the development just worried about the wetlands and endangered species on the land. He stated that there is a retention pond that flows through the property down to Route 42 and nothing can be built 100ft from the wetlands. He is worried about how drainage will be handled.

Christina Escott-74 Old Forestburgh Rd- Mrs. Escott questioned how the houses would be placed and was worried about runoff with 1 acre being disturbed per parcel. She also stated she is not opposed to the subdivision, she is worried about flooding, it is a narrow road and would ask to make sure the driveways are placed safely and wetlands were honored.

Gabriel Hernandez-86 Old Forestburgh- He explained that he moved here 4 years ago, he enjoys the forests and the animals and is concerned about the woods. He enjoys listening to the animals and the peacefulness, he would like to learn more about the project. He added that the woods are wet, and swampy.

Debra Thompson-on behalf of John Hammond- Ms. Thompson acknowledged that her family has lived in the area for over 100 years and is worried about the environmental impact, the Shinglekill changed due to development. She continued that she was concerned about the adequacy of erosion control and water runoff. She asked if the State was contacted, this is a rural area and is opposed to the development. She worried about air pollution and increased traffic and how it will change the neighborhood.

John Little- Mr. Little explained he was the owner of Monopoly Holding and the developer. He grew up on Old Forestburgh road which is why this is called the Homestead Subdivision and he cares about the community, he does not want to disturb the Town.

Grace Woodard- Ms. Woodard encouraged everyone to come into the process earlier, that's where you get the narrative and become more aware of the issues. This is a rural area and now they are concentrating more homes in a smaller area. She also stated that there is a lot of water issues with this property and maybe a hydrologist should be contacted.

Glen Plotsky-Town Attorney- Mr. Plotsky stated that GML-239 was done and a response from the NYS DOT is a letter very much like the last one, Orange County Department of Public Works had no comments, and Orange County Department of Planning stated that there was no evidence of impacts and gave 2 advisory comments that putting the homes closer to the road will reduce driveways lengths and net-zero emission homes are more efficient.

Motion made by Craig Wagner, 2nd by Robert Whitney to close the public hearing for Homestead Subdivision.

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

MOTION CARRIED

John Nosek went through the comments from Fusco Engineering that DOT approval id still needed for the proposed driveway off Route 42, a survey map will need to be submitted with a stamp and signature, soils were witnessed plans need to show results, there needs to be a plan to mitigate storm water runoff, the SWPPP needs a completed; eNOI, Town of Deerpark Highway comments on the driveways off of Old Forestburgh Rd., validation on the wetlands from NYS DEC and offer of dedication of 25ft needs to be provided to the Town. Chairman stated that there were some comments raised by the Public.

PLANNING BOARD MEETING JUNE 8, 2022 continued –

HOMESTEAD SUBDIVISION – ROUTE 42 & OLD FORESTBURGH – 6-LOT SUBDIVISION – PUBLIC HEARING – continued –

John Fuller acknowledged that a map was delineated and sent to DEC, there are no impacts to the wetlands, storm water complies with guidelines, they have a SPEDES permit, it is a 48-acre parcel and plan to keep each lot to about 1 acre of disturbance and will be taking measures with the NYS DOT and NYS DEC to comply with regulations. Debra Thompson asked if the public comment was closed, Chairman answered yes. John Fuller stated that all applications are required to do an environmental review and post construction water cannot exceed pre-construction.

MARION SUBDIVISION – NEVERSINK DR & CHRISTOPHER ST – 12-LOT SUBDIVISION – PUBLIC HEARING –

John Fuller-Representative for Applicant

Secretary read public hearing notice into record. Chairman asked if mailings were verified, Secretary answered yes. Mr. Fuller gave a brief description of the application stating that this is a subdivision off of Neversink Dr and Christopher St. He continued that 9 lots will be on the Christopher St side and the other 3 will be accessed from Neversink Dr.

Public Comment:

Brenda Blair-55 Neversink Dr- Ms. Blair stated that she was born in the house she currently lives in, this proposed subdivision is a 22-acre parcel on both sides of Neversink Dr. With this subdivision there is 11 new wells, 11 new septics, there will be clear cutting. More cars will be accessing Neversink Dr, it is a dangerous section right there, it is a congested road and will cause more congestion. She continued that she was worried with the development close to the river and the pollution, she felt it was too many houses in one area.

Paula & Rich Ford -11 Skinner's Lane- They stated that they have lived there for 2 years, and are worried about wells and septics, many neighbors have had to drill deeper wells, they felt it was too many houses and worried about the traffic, 24 cars to each house and buses for the kids. They also expressed their concern for the animals in the area.

Robert Kowl- He stated he was worried about big vehicles for the construction of the homes and not being able to get through the underpass, 11 new wells was ridiculous, flooding along the Neversink River.

Christine Coleburger-7 Christopher St.- She stated she was concerned with the floodplain and if a study was done with the runoff from the railroad. She acknowledged that her neighbor was not notified.

William Llyod-11 Christopher St- He stated that he was not notified.

Mary Munoz-47 Neversink Dr.- Ms. Munoz acknowledged her well was in her front yard and is concerned with septic problems, she also is worried about the wildlife, and explained that it is currently quiet and peaceful.

Motion made by Theresa Santiago, 2nd by Craig Wagner to close the oral portion of the public hearing for Marion Subdivision but leave the written open for 2 weeks until the June 22, 2022 meeting.

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

MOTION CARRIED

Town Attorney acknowledged that the MTA did send a letter in regard to GML-239 and will not require anything further. John Nosek went through the comments from Fusco Engineering more information was needed regarding SWPPP, a copy of the eNOI needs to be provided, infiltration testing is needed, soil testing needs to be witnessed, Orange County DOH will require onsite drilling for wells. Chairman acknowledged that there was a letter from the Parks and Rec, Craig Wagner stated that they stated no impacts were found. John Fuller answered some concerns raised by the public, he has been in contact with the Orange County DPW and they have not requested a traffic study if they feel it is appropriate they will do it, this is in the Neighborhood Residential Zone and is 1 acre zoning all lots meet zoning.

PLANNING BOARD MEETING JUNE 8, 2022 continued –

MARION SUBDIVISION–NEVERSINK DR & CHRISTOPHER ST–12-LOT SUBDIVISION–PUBLIC HEARING–continued –

He stated he will address all technical issues and any issues from outside agencies. Craig Wagner asked about the floodplain area, John Fuller answered that there was no development in Zone AE only in Zone X. Willard Schadt asked about the notices, Town Attorney stated that it was checked and the gentleman that said he was not notified signed the return receipt on May 27. Craig Wagner asked the radius that goes out, Town Attorney explained the Assessor's Office does the mapping and it is 500ft. Chairman stated that 239 was done and passed the date, he asked if Lead Agency was done, Town Attorney and Secretary both answered that it was already done.

Chairman acknowledged that the Board would take a 10-minute break then reconvene.

GWEH, LLC – 160 BIG POND RD – PRE-APPLICATION –

John Fuller-Representative for Applicant

Mr. Fuller stated that this was the YMCA property, he handed out a map to all the members and consultants. He continued that there was a preliminary meeting about 6 months ago, Secretary added that Escrow had been set up at the meeting. Chairman asked how many acres the property was, Mr. Fuller answered 855, it is in multi zones, they had a permit with the Orange County DOH. Town Attorney asked if this was a Site Plan or a Special Use, John Fuller explained that the applicant would come back at each improvement. Town Attorney acknowledged this was not a pre-application he will be billing for this meeting. Mr. Fuller stated that he is in the process of putting together a site plan, he explained on the map he distributed page S1-is the existing conditions and page S2-is the proposed changes. He continued that the Applicant would like to eliminate 6 cabins and build 6 new ones, there is no running water in the current cabins and would like to add for more comfortable settings. John Nosek asked if the cabins will be physically removed, Mr. Fuller answered Yes. John Nosek stated to put on the site plan to be removed, he asked if it would be the same capacity, Mr. Fuller replied no change in the water or sewer. Chairman asked the occupancy limit, Mr. Fuller stated that it will be on the site plan, there is a standing number with regards to occupancy, he added that on the site plan all buildings will show what they are used for and occupancy number. Chairman asked if there would be any new wells, Mr. Fuller stated that they will use the existing wells and septic, there is standing approvals with the Department of Health, the Applicant just wants to bring new life to the Camp.

430 US ROUTE 209 LLC – 430 ROUTE 209 – DISCUSSION –

John Fuller-Representative for Applicant

Mr. Fuller explained that a 3rd party environmentalist reviewed material, he met onsite with Supervisor Spears, has reviewed all documentation within the last decade and issued a report on May 10. Chairman acknowledged that he read it and didn't understand. Craig Wagner stated he read it as well. Mr. Fuller asked Mr. Nosek if he or Mr. Fusco has read it, John Nosek answered no, but will. John Fuller stated that it was highlighted about the asbestos, lead paint, mold, universal waste material, also the DEC and the outside program that is looking to start this year and take a year to complete. Mr. Fuller added that further sampling of the interior floor would be needed. Chairman stated that he would like to have the environmentalist come to the meeting and explain the findings in "layman's" terms. John Fuller stated that could be scheduled. Chairman suggested even if it was just bullet points. John Fuller stated that they would like to move forward with the site plan development and can identify remediation if needed. John Nosek added that before the maps are stamped and signed that remediation would be done. Town Attorney stated he would get with Mr. Fuller, get dates, and send them to the 3rd party to appear at a meeting. Theresa Santiago asked what the plan was for the property, Mr. Fuller answered warehouse, light manufacturing. John Nosek asked if there were any buyers, Mr. Fuller answered no not yet.

PLANNING BOARD MEETING JUNE 8, 2022 continued –

MOTION TO APPROVE MINUTES.

Motion to approve May 25, 2022 Minutes.

Motion made by Theresa Santiago, 2nd by Craig Wagner to approve the minutes from Wednesday, May 25, 2022 meeting.

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

MOTION CARRIED

OTHER BUSINESS –

Chairman asked what was going on with the sign at Huguenot Fire Department, Town Attorney stated that it dims at 9pm and goes back at 8am. He continued that it is a private Fire Department not municipal, he sent a letter asking them to come to a meeting. He has talked it over with the Town Board and they wanted a firm letter sent and will give the Planning Board a follow up.

Willard Schadt stated that Planning Board cannot deny an application if it is zoned for was the Applicant presents, they can just mitigate concerns and the public should be made aware of that.

Motion to adjourn meeting.

Motion made by Theresa Santiago, 2nd by, Craig Wagner to adjourn June 8, 2022 Planning Board meeting at 9:10 pm.

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

MOTION CARRIED

Respectfully submitted by,



Amanda Gorr, Planning Board Clerk