

The Town of Deerpark Planning Board met for a BIMONTHLY MEETING on WEDNESDAY, SEPTEMBER 22, 2021. The Meeting was held at Town Hall.

The following were present on the meeting:

BOARD MEMBERS PRESENT:

Craig Wagner-Chairman

Willard Schadt

Rob Whitney

Theresa Santiago

BOARD MEMBER ABSENT: Robert Vicaretti-Chairman

OTHERS PRESENT:

John Nosek-Fusco Engineering

Glen Plotsky-Town Attorney

David Dean -Town Councilman

Al Schock-Town Councilman



APPROVED

Pledge of Allegiance

Meeting was brought to order at 7:01 p.m.

TRIPLET LLC – ARTHUR TROVEI – SLEEPY HOLLOW RD – LOT LINE CHANGE – PUBLIC HEARING –

John Fuller-Representative for Applicant

Secretary, Amanda Gorr read public hearing notice into record. Chairman Wagner asked if mailings were verified, Secretary answered yes all were done. John Fuller gave a brief description of the application, this is a lot line change between Triplet LLC and the March's for Silver Canoe for property along the Delaware River to allow access for Silver Canoe to launch their rafts. Trovei's lot is a fully conforming lot and will be giving a tenth of an acre to Silver Canoe, that lot is a pre-existing non-conforming lot and will not be used for building. Chairman opened the floor for public comment.

Public Comment:

No public comment.

Town Attorney stated that GML-239 was circulated and the response from Orange County Planning stated that it was a minor subdivision and showed no impacts. John Nosek stated that there were no comments they were happy with the note on the map that it was not buildable and for recreation only.

Motion to close public hearing.

Motion made by Theresa Santiago, 2nd by Rob Whitney to close the public hearing for Triplet LLC-Lot Line Change.

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

MOTION CARRIED

Town Attorney stated that he will review the deeds, he also disclosed that he represents Mr. Trovei.

Motion to declare Lead Agency.

Motion made by Theresa Santiago, 2nd by Rob Whitney to declare the Town Of Deerpark Planning Board Lead Agency for SEQRA purposes.

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

MOTION CARRIED

Motion to declare a negative declaration.

Motion made by Theresa Santiago, 2nd by Rob Whitney to declare a negative declaration for the project.

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

MOTION CARRIED

Motion to approve application.

Motion made by Willard Schadt, 2nd by Theresa Santiago to approve the application for Triplet LLC for a Lot Line Change contingent on fees paid and Town Attorney review of deeds.

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

MOTION CARRIED

PLANNING BOARD MEETING September 22, 2021 continued –

IPP SOLAR MAPLE CREST LLC/TROVEI – MAPLE CREST DRIVE – SUBDIVISION – PUBLIC HEARING –

John Fuller-Representative for Applicant

Secretary, Amanda Gorr read public hearing notice into record. Chairman Wagner asked if mailings were verified, Secretary answered yes all were done. John Fuller gave a brief description of the application, this is a 2-lot subdivision. There is already an approved site plan for IPP Solar for a solar farm, when the property was sold to the solar company it was understood that Mr. Trovei would buy back 4 acres of frontage along the Neversink River for recreational purposes. The solar company will keep ±83 acres and Mr. Trovei will receive 4 acres; the access will be off of Route 209 through Maple Crest Drive with a right-a-way to the proposed parcel. It will not be a buildable lot and only used for recreational purposes. Chairman opened the floor for public comment.

Public Comment:

No public comment.

Town Attorney went through the comments from Orange County Planning, that the entrance is off of Route 209, and they do not see any impacts, property is in the flood plain and any development would require a permit. John Nosek stated that a perc test needed to be done, John Fuller answered that a test was done with Alfred A Fusco III but it was after the maps were submitted, Mr. Nosek acknowledged to add the results to the map. Town Attorney stated that he will review the deeds, Willard Schadt stated that the deeds need to have the description of the right-a-way and asked what recreational meant; was it for an RV. Town Attorney stated it will not be a sleepover campsite, it is just access to the river and to store river crafts, no residential use. Willard Schadt stated that it needed to be written that way in case it changes hands, Town Attorney stated that he will ensure the language is in there. John Fuller noted that it is intended to use of the river and can place a note on the map for no overnight. Town Attorney stated no residential use on map.

Motion to close public hearing.

Motion made by Rob Whitney, 2nd by Theresa Santiago to close the public hearing for IPP Solar/Trovei Subdivision.

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

MOTION CARRIED

Motion to declare Lead Agency.

Motion made by Theresa Santiago, 2nd by Rob Whitney to declare the Town Of Deerpark Planning Board Lead Agency for SEQRA purposes.

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

MOTION CARRIED

Motion to declare a negative declaration.

Motion made by Theresa Santiago, 2nd by Rob Whitney to declare a negative declaration for the project.

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

MOTION CARRIED

Motion to approve application.

Motion made by Theresa Santiago, 2nd by Rob Whitney to give conditional approval for IPP Solar/Trovei for a 2-lot Subdivision contingent on fees paid, Town Attorney review of deeds a note relative to the perc test and a note for no residential use being placed on the maps.

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

MOTION CARRIED

DANCE STUDIO – 5 MAIN STREET – PUBLIC HEARING –

John Fuller-Representative for Applicant

Linda Fedorick-Property Owners

Sarah Reed-Applicant

Jessica Harris-Applicant

Secretary, Amanda Gorr read public hearing notice into record. Chairman Wagner asked if mailings were verified, Secretary answered yes all were done. John Fuller gave a brief description of the application, this is in Sparrowbush on Main St and Route 97, the owner is Ms. Fedorick, the applicant is the Dance Studio. They were in the City of Port Jervis and the building they were using was sold.

PLANNING BOARD MEETING September 22, 2021 continued –

DANCE STUDIO – 5 MAIN STREET – PUBLIC HEARING – continued –

There is a new septic and well on the property, it has been vacant for some time. It will mainly have evening hours and 12-15 students per class and also Saturdays. Chairman opened the floor for public comment.

Public Comment:

No public comment.

Chairman asked if there were any further Engineering comments, John Nosek answered that they are satisfied and see no objections. Town Attorney acknowledged that the public hearing can be left open for written comment to allow for the full 30 days for GML-239.

Motion to close public hearing.

Motion made by Rob Whitney, 2nd by Theresa Santiago to close the oral portion of the public hearing and leave open written comment until October 13, 2021 at 5pm for 5 Main St Dance Studio application.

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

MOTION CARRIED

RIVENDALE SUBDIVISION – NEVERSINK DRIVE – EIS SCOPING DOCUMENT –

John Fuller-Representative for Applicant

John Nosek stated that Fusco Engineering prepared the Scoping Document for a positive dec. The Board has reviewed the document and it can be schedule for a public hearing. The document outlines what will be in the Draft Environmental Impact Statement (DEIS), the public will have a chance to review the document before the public hearing.

Motion to schedule public hearing.

Motion made by Willard Schadt, 2nd by Rob Whitney to schedule a public hearing for Wednesday, October 13, 2021 at 7pm for the Scoping Document for Rivendale Subdivision.

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

MOTION CARRIED

PINE GROVE MOBILE HOME PARK – US ROUTE 209 – 2-LOT SUBDIVISION –

Randall Coffill-Representative for Applicant

Ken Salzmann-Surveyor

Mr. Coffill explained that Applicant has an approved site plan for what is currently on the premises, they are not asking for a change to the site plan but to separate the propane tank from the mobile home use. The owner's purpose for doing this is accounting purposes to separate the Fuel Division from the Mobile Home Division and if there was a sale of either division. There will be no physical improvements and both uses are already approved, the emergency access area will continue with an easement agreement, it will be a deed restriction. John Nosek asked for clarity of the parcels on the map, Mr. Salzmann stated that if they looked on Sheet 2 it would clarify what was being subdivided, the Board along with the Engineer stated that they did not receive page 2 of the map. Mr. Coffill stated that he will get the required number of maps for page 2 and get them to the Secretary and asked to be on the next agenda.

SINCLAIR GAS STATION – ROUTE 6 – SITE PLAN ADMENDMENT –

John Nosek stated that Fusco Engineering did a review, but added that no one was present for the application. Town Attorney stated that general policy is not to talk about an application unless the applicant or representative was present, they can consider waiving a public hearing for the project. The concern is that in the IB District a side yard setback is 15ft and the canopy even though it is 35ft in the air will encroach on the setback. John Nosek acknowledged that the plan says 11ft for the setback. Chairman asked to have this put on the next agenda. Town Attorney stated to get a copy of the Engineering comments to the applicants.

Motion to schedule the application.

Motion made by Rob Whitney, 2nd by Theresa Santiago to schedule the Sinclair Gas Station application for the Wednesday, October 13, 2021 meeting.

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

PLANNING BOARD MEETING September 22, 2021 continued –

MOTION TO APPROVE MINUTES.

Motion to August 31, 2021 Minutes.

Motion made by Theresa Santiago, 2nd by Rob Whitney to approve the minutes for Wednesday, August 31, 2021 meeting.

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

MOTION CARRIED

Motion to September 8, 2021 Minutes.

Motion made by Theresa Santiago, 2nd by Rob Whitney to approve the minutes for Wednesday, September 8, 2021 meeting.

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

MOTION CARRIED

OTHER BUSINESS-

Craig Wagner acknowledged that it was brought to the attention of the Board, Rob Whitney continued that on West Peenpack Trail with the solar project going on, that the Highway will not have anywhere to turn trucks around or put the excess snow in the winter and asked why the Highway Department was not notified of the approved Solar Facility that was going to be using the property. Town Attorney stated that it could be a possibility that it is an existing driveway and that is why a driveway permit was not being taken out, also it was previously used as a hunting camp and more than likely the pre-existing driveway was not used in the winter. Chairman asked if the Highway Department should be notified if an application will affect the use of a Town Road, Town Attorney stated that if a driveway permit was taken out that's when they would be informed not when they are using an existing driveway but he will talk with the Supervisor and Mr. Hughson and see what can be done.

Dave Dean stated that it was a smooth night.

Motion to adjourn meeting.

Motion made by Theresa Santiago, 2nd by Rob Whitney to adjourn September 22, 2021 Planning Board meeting at 7:59 pm.

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

MOTION CARRIED

Respectfully submitted by,



Amanda Gorr, Planning Board Secretary