

The Town of Deerpark Planning Board met for a BIMONTHLY MEETING on WEDNESDAY, MARCH 12, 2025. The Meeting was held at Town Hall 420 Route 209.

The following were present at the meeting:

BOARD MEMBERS PRESENT:

Robert Vicaretti-Chairman
Theresa Santiago
Patrick Kean

Craig Wagner-Vice-Chairman
Willard Schadt

OTHERS PRESENT:

Glen Plotsky-Town Attorney
Alfred A Fusco Jr.-Town Engineer
Al Schock-Town Councilman
Rob Whitney-Town Councilman
Amanda Schultz-Secretary



Pledge of Allegiance

Meeting was brought to order at 7:00 pm Chairman Robert Vicaretti.

WINOGRAD/HOCKENBERRY – ROUTE 42 – LOT LINE CHANGE –

Charlie Hockenberry-Applicant

Mr. Hockenberry explained that this is a lot line change Mr. Winograd is giving land to him. Chair asked for the Town Engineer to go over his comments, stating that a short-form EAF was needed with DEC Mapper, bulk requirements should be placed on the map, the site distance on the new lot could be an issue. Town Attorney acknowledged this was a lot line change and consolidation, this would be a referral to the Assessor with his approval of the deeds. He continued that there should be 3 deeds Winograd to Hockenberry, Hockenberry to Hockenberry and Winograd to Winograd. He suggested that a public hearing could be waived, the GML-239 review could be waived and a referral to Assessor with his approval of the deeds.

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

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

MOTION CARRIED

Motion made by Craig Wagner, 2nd by Theresa Santiago to waive the circulation of GML-239.

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

MOTION CARRIED

Motion made by Craig Wagner, 2nd by Theresa Santiago to approve Winograd/Hockenberry lot line change contingent on Town Attorney's refer of deeds and a referral to the Assessor's Office for the lot consolidation.

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

MOTION CARRIED

MARION SUBDIVISION – CHRISTOPHER ST & NEVERSINK DR-

John Fuller-Representative for Applicant

Mr. Fuller explained that the Board granted a preliminary approval contingent on Orange County Department of Health (OCDOH) Approval and Orange County Department of Public Works (OC DPW). Mr. Fuller stated that the applicant was requesting final approval conditional approval conditioned on road bond and Storm Water Pollution Prevention Plan (SWPPP) comments being satisfied.

Motion made by Theresa Santiago, 2nd by Craig Wagner to give final approval for Marion Subdivision contingent on fees paid, and Fusco Engineering comments being satisfied.

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

MOTION CARRIED

PLANNING BOARD MEETING MARCH 12, 2025 continued –

DELACORE – ROUTE 42 & 97 – SELF STORAGE –

John Fuller-Representative for Applicant

Town Attorney asked what the name of the project was. John Fuller answered that this was originally REX LLC but it has been since transferred to Delacore. He went on to say that this was presented as a pre-app for storage units, with a plan to consolidate the lots, move the driveway. He stated that he has already met with the Highway Superintendent to discuss the access off of Corso Rd. He continued that they are waiting for a State Historical Preservation Office (SHPO) and the New York State Department of Conservation (NYSDEC) for bald eagles.

Motion made by Theresa Santiago, 2nd by Craig Wagner to circulate GML-239.

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 intent to be Lead Agency.

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 schedule a public hearing for Wednesday, April 23, 2025 7PM for Delacore.

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

MOTION CARRIED

VILLAGE DAIRY FARM – MAIN STREET – 2-LOT SUBDIVISION –

John Fuller-Representative for Applicant

Mr. Fuller explained that this was a pre-app back in October, they plan to add a second residence on the lot. Town Attorney acknowledged that the applicant was referred to the Zoning Board of Appeals (ZBA) a public hearing was held and all variances needed were approved. John Fuller confirmed that all non-conformities pre-existing and proposed were approved to allow for the 2-lot subdivision and the new home that will be built. The new home will have a separate well and septic from the pre-existing store front with apartment above. Town Attorney suggested that GML-239 could be waived it is acknowledged that it is within 500ft but a 2-lot subdivision does not need 239.

Motion made by Theresa Santiago, 2nd by Craig Wagner to waive the circulation of GML-239.

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

MOTION CARRIED

Motion made by Craig Wagner, 2nd by Theresa Santiago to declare intent to be Lead Agency.

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 schedule a public hearing for Wednesday, April 23, 2025 7PM for Village Dairy Farm.

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

MOTION CARRIED

QUARRY MANAGEMENT – ROUTE 6 & LIME KILN ROAD – AMENDED SITE PLAN –

John Fuller-Representative for Applicant

Mr. Fuller stated that a pre-app was done on this, Mr. Caruso was present he represents the owner. He continued that when the site plan was approved for operation in 2019 it was 2 parcels. Now they have acquired a couple residential properties on Lime Kiln Road, and as part of the amended site plan a lot line change and consolidation are included. The lots that border Lime Kiln Road will remain residential. He further stated that this is to grade out remaining fill and build a larger retaining wall. Town Attorney stated that the Applicant is working to reduce the size of the “monstrosity” of dirt, but what will happen with what’s there now, Mr. Fuller replied that the mound will be reduced. Chair asked if they would be leveling it out, John Fuller answered that is it being lowered now and then it will be graded down the slope. Chair asked what the access road was, John Fuller answered it was to the lower part of the property to access stormwater ponds that were on the original plan. Town Attorney asked if there were any current violations with the DEC or Town, Mr. Fuller answered none that he knows of, Town Engineer confirmed they were taken care of.

PLANNING BOARD MEETING MARCH 12, 2025 continued –

QUARRY MANAGEMENT – ROUTE 6 & LIME KILN ROAD – AMENDED SITE PLAN – continued –

Chairman acknowledged he knows how the pile got there but wants to know what happens to it if this application doesn't get approved, John Fuller explained that in the original site plan approval they planned on grading the property. Now the Applicant needs more yardage and to achieve this they need to amend the site plan; this lot is a commercial development lot it always was with the previous uses that were there. Town Attorney stated that he understands that with the lot line change the bulk of the mound will be eliminated, but this was originally approved to bring in rock from one place and for storing materials. There doesn't seem to be any rock just a lot of dirt. John Fuller stated it was approved as a material storage yard, also the applicant was approved to bring in recycled concrete for crushing and they would stockpile and take out for distribution off site. Mr. Caruso added that the millings will be used to cap the site, it will be used on site. He went on to state that the grading plan is included in the site plan, after everything is done this site will be useful and beneficial to the Town. All the violations are fixed, there were complaints from some of the neighbors and the retention ponds have been done, but this amended plan is to stabilize the site, there will be landscaping done as well. This is a construction site but once the project is complete it will be better and beneficial to the Town for the uses in that District. Town Attorney stated so if you get approved then the property will be fixed, the mound will be gone and the property will be stabilized, Mr. Caruso explained that if the Town "bears" with them they will get it done and it will be better. Chairman asked what shows that it won't happen again, how does the Town make sure it don't happen again, how does the Board make sure it doesn't become a dump ground again. Mr. Caruso explained that they have to maintain according to SWPPP, they can put a note on the map to guarantee only to grade the property. Town Attorney stated that they submitted a Short Form EAF a Long Form is required, if the lot line change is granted the zone change will happen automatically by operation of law. Willard Schadt asked if the retaining wall was started yet, John Fuller answered No. Willard Schadt asked if that was a safety issue, John Fuller replied this was not a dump site the Applicant had an opportunity to bring in the fill on site, they have gotten quotes to do the wall but this approval will help them achieve the best result. Town Attorney stated that GML-239 could be done contingent on receiving the updated SWPPP by March 21, 2025. Chair asked about hours of operation from original application, John Fuller stated that it will not change.

Motion made by Theresa Santiago, 2nd by Patrick Kean to circulate GML-239 contingent on receiving SWPPP by Friday, March 21, 2025.

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 schedule a public hearing for Wednesday, April 23, 2025 7PM for Quarry Management.

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

MOTION CARRIED

MOTION TO APPROVE MINUTES

Motion to approve minutes from February 26, 2025 Meeting.

Motion made by Theresa Santiago, 2nd by Craig Wagner to approve February 26, 2025 Meeting minutes.

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

MOTION CARRIED

OTHER BUSINESS:

Al Schock stated that the Town failed to not put a restriction on height of the "mounds", Rob Whitney added that the Board will have to put stipulations on this new application.

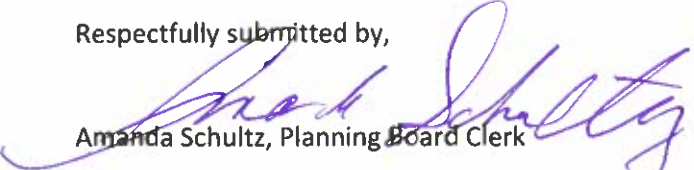
Motion to adjourn meeting.

Motion made by Theresa Santiago, 2nd by Patrick Kean to adjourn March 12, 2025 Planning Board meeting at 8:26 pm.

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

MOTION CARRIED

Respectfully submitted by,


Amanda Schultz, Planning Board Clerk