

The Town of Deerpark Planning Board met for a BIMONTHLY MEETING on WEDNESDAY, APRIL 23, 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:

David Bavoso-Representative from Bavoso and Plotsky for 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.

CALVITTI – US RTE 209 – 2-LOT SUBDIVISION – PRE-APPLICATION –

Randy Coffill-Representative for Applicant

Mr. Coffill explained this property was located at 264 Rte. 209, it was a 2.23-acre parcel, the Applicant would like to do a 2-lot subdivision on the property but her road frontage is only 83ft. Most of the lots there are “bowling alley lots”. Chair stated that a flag lot could possibly be done but a variance would be needed for the road frontage and probably for the flag lot as well by the road. Mr. Bavoso stated that a full application would have to be submitted to allow the Board to refer them to the Zoning Board of Appeals.

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

John Fuller-Representative for Applicant

Chairman stated that he will call each person up by their name on the sign in sheet and they need to come up to the podium and state their name for the record. All questions are to be relayed to the Board and the applicant will answer them at a later date.

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

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

MOTION CARRIED

Secretary read the public hearing notice into record. Chair asked if mailings were verified, Secretary answered yes. Mr. Fuller gave a brief description of the application stating that it was a 2-lot subdivision. This lot is about 8 acres, which is one of the larger lots on Main Street. There is currently a small commercial store with an apartment above on the property right by the road. They would like to break that piece off and then build a home on the remainder of the lot, they have already been to the Zoning Board to get the appropriate variances needed and had a public hearing there as well. Chairman stated that a narrative was issued as answers to the comments from Fusco Engineering and asked Mr. Fuller to go through them. Soils and septic tests were done and witnessed, the existing building has its own septic and well and a new will be done for the new home. The project has been submitted to SHPO (State Historic Preservation Office) and a response was sent back that there was no impact. Also, the project was submitted to NYSDEC (New York State Department of Environmental Conservation) for a hit on the EAF (Environmental Assessment Form) for bald eagles, he is still awaiting a response, but there will be no removal of trees. Town Engineer stated that he has reviewed the response from SHPO and wait for the DEC’s response and was handed the certified survey that is good.

Public Comment:

Dr. Edward Myers- Mr. Myers stated that he lives at 12 Lower Brook Rd and was worried about livestock intruding on his property and runoff from the trees taken down.

Emma Gregory- Ms. Gregory stated she lives at the property with Mr. Myers and feels the water table has changed since the trees were taken down, they have had to put in a 4-filter filtration system.

PLANNING BOARD MEETING APRIL 23, 2025 continued –

VILLAGE DAIRY FARM – MAIN STREET – 2-LOT SUBDIVISION – PUBLIC HEARING – continued –

Public Comment continued:

John Fuller- Mr. Fuller acknowledged that there will not be a farm there, the name is Village Dairy Farm and that is the holding company that owns the property. There is no intention of any livestock, just a single-family home on the lot.

Bill Zernhert- Mr. Zernhert stated he lives on Yetter Lane and is concerned about wells; most are hand dug and there is a shallow water table there about 4ft. There is also wetlands on the property about 80% is. Also, on the lot there is a drainage easement that the Town is supposed to maintain and when it is not it floods and they have to pump out their homes. If the Town keeps up on it there would not be a problem.

Bill Malzahn- Mr. Malzahn stated that his father grew up on that property when it was a farm and that's why it is named that, he is a 6 generation. They only want to build one home; this property could be subdivided and there could be 5 houses built there.

Bob Ridley- Mr. Ridley acknowledged that his questions have been answered.

Marvin James- Mr. James stated he was good.

John Fuller- Mr. Fuller asked that Board if they wanted him to respond now.

Chairman Vicaretti- Mr. Vicaretti responded that he could answer at a later date.

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

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

MOTION CARRIED

DELCORE – ROUTE 42 & 97 – SELF STORAGE – PUBLIC HEARING –

John Fuller-Representative for Applicant

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

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

MOTION CARRIED

Secretary read the public hearing notice into record. Chair asked if mailings were verified, Secretary answered yes. Mr. Fuller gave a brief description of the application stating that it is a site plan development, it is 2 lots one, 1 acre and the other 4 acres. It is for storage units, there will be 5 buildings, 7,000sqft each with 250 units. It meets all engineering; it will need stormwater. NYS DOT (New York State Department of Transportation) stated that there could not be an entrance off of Route 97 so there will be an access off of Corso Rd, above the Children's Safe Stay, he has already met there with the Highway Superintendent. Chairman stated that a narrative was issued as answers to the comments from Fusco Engineering and asked Mr. Fuller to go through them. Mr. Fuller stated that a SWPPP (Storm Water Pollution Protection Plan) was forwarded to SHPO and they are asking that an archaeological survey be performed, it was also sent to NYSDEC regarding the bald eagles with no response as of yet but feels that a restriction will be put on clearing of trees. Town Engineer acknowledged that all his comments have been addressed.

Public Comment:

Sindee Mathis- Ms. Mathis stated she lives next door to the site for 30 years and there is constant issues with runoff, there are protected wetlands, and she is concerned with taking down trees and putting up buildings. It is also a residential area and is worried about the traffic, there is an old well and foundation on the property.

Shirley Brewer- Ms. Brewer acknowledged that she lives at 118 Berme Rd and is in agreement with her neighbors concerns, she asked if it will be 24hrs, what will be stored there, she is concerned with lighting and if restrictions can be put on what can be stored there as in hazardous materials, she is worried about criminal enterprises using the storage facility. She continued she is concerned about runoff, the change in quality of life in the area and the disruption of wildlife. She stated that this does not have any curb appeal and will be an eye sore, there is peace on the road and this will bring noise pollution especially removing the trees which is the buffer for the properties above. There is already an abandoned motel on the road that looks terrible. She further asked where the construction entrance would be located. Lastly she stated that this will not add jobs to the area and asked if the project could be looked at and scaled back.

Edward Brewer- Mr. Brewer stated he had similar concerns, he worried about runoff and asked when the catch basin there fills up who is responsible for cleaning it on Route 97. He felt the project would decrease his property value.

PLANNING BOARD MEETING APRIL 23, 2025 continued –

DELCORE – ROUTE 42 & 97 – SELF STORAGE – PUBLIC HEARING – continued –

Susan Muzer- Ms. Muzer stated she is the owner of the day care the applicant wanted to use the front as a right-a-way to the property but came to an agreement about the entrance off of Corso Rd. She also stated that when the drain is cleared it won't back up, she has cleaned it up herself at times. She also expressed concerns for the safety of the children at the day care but has spoke with the applicant and they will be putting up a fence and lights along the fence line.

Karine Terzian- Ms. Terzian is concerned with safety she stated that the abandoned hotel down the street already has people living in it illegally. She is worried about the trees being taken down and the buffer she felt that this is a residential area and does not belong and believed it would decrease her property value.

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

Mr. Fuller asked that Board if they wanted him to respond now. Chairman responded like the last he could answer at a later date.

QUARRY MANAGEMENT – US RTE 6 & LIME KILN ROAD – SITE PLAN AMENDMENT – PUBLIC HEARING –

John Fuller-Representative for Applicant

Secretary read the public hearing notice into record. Chair asked if mailings were verified, Secretary answered yes. Mr. Fuller gave a brief description of the application stating that in 2019 there was an approval for the original project. The site was developed and they have accumulated fill. Since then, they have acquired 2 residential properties and would like to do a lot line change and push the line back to allow them to grade out the lot and reduce the size of the retaining wall. Town Engineer stated that they need a stamped, signed SWPPP report, DEC needs to review the mapper for the wetland, an escrow needs to be established for \$10,000 for inspections, a bond of \$2,000,000 for site plan, reclamation limit of 2 years, a note on the map saying no piles higher than 30ft with a benchmark of elevation. Mr. Fuller submitted a photo rendering of what the property will look like after to the Board and consultants.

Public Comment:

Frank Ketcham- Mr. Ketcham stated he attended the last meeting when they scheduled the public hearing and Town Attorney asked what the project was, it was originally approved as a storage yard. Mr. Ketcham asked what the project was really and that the SEQRA process was never done. A stop work order should have been issued; this should have never been approved. He also stated that there is a process to change zoning it doesn't happen automatically if it's approved, he added that in the Town Zoning section 230-58 it talks about the Neversink Aquifer and impact on it which shall be reviewed further.

Jerri Dodd- Jerri Dodd explained there were piles of notes to go through but one person stood out as a straight shooter and it is a difficult job for them. Quarry Management doesn't care about the Town; they lie and twist the truth. On November 14, 2018 they came for a pre-app and Mr. Fuller explained that this property was at that time owned by Triplet LLC, which is Mr. Trovei and they were in contract to sell the property. Quarry Management is based in Lackawaxen, PA this was presented as a lot to stockpile materials and do some small grading. Four and a half years later look at the mound there. There have been no inspections by Mr. Fusco, also there was to be wholesale to public, they are not selling to the public, looked for any sales and couldn't find anything. Then on 3/12/2025 there was an amended site plan. It was acknowledged that they acquired two residential parcels and wanted to do a zone change. Jerri Dodd then read from Minutes from the previous meetings: Town Attorney Glen Plotsky had asked what the nature of the operation was onsite and what was in the pile, and there was no answer. Chairman noted the complaints and stated it was being used as a dump and asked what would be done with all the fill. Mr. Fuller stated the applicant was working to reduce the pile and declared that it was not a dump. Jerri Dodd then asked where is the fill going, where is the fill coming from? Then read from minutes again that Mr. Fuller stated it was a transportation hub and Mr., Caruso reported the cost of remediation work. Jerri Dodd acknowledged that this was residential property and has statements from anonymous Quarry Management employees of some of the things going on at the site. Jerri Dodd finished by saying that Quarry Management does not care about the Town, they have had violations, DEC violations, they play games, twist the truth, things they do are not in good faith and they should not have a second chance to ruin the Town.

PLANNING BOARD MEETING APRIL 23, 2025 continued –

QUARRY MANAGEMENT – US RTE 6 & LIME KILN ROAD – SITE PLAN AMENDMENT – PUBLIC HEARING – continued –

George Kokenyei- Mr. Kokenyei stated he lives at 114 US Rte 6 and has spoke with Mr. Fuller, Mr. Fusco and Mr. Caruso and he will not be bullied or ignored. He has a Federally protected waterway on his property for a Federally protected bird and since Quarry Management has started the sediment that runs off the road and into the pond is unbelievable. He had tried to be neighborly but something needs to be done. There is also not supposed to be left turns out of the but it happens. There needs to be a resolution on this.

Debra Nick- Ms. Nick asked about the access road that will be on Lime Kiln and was concerned about walls of rocks that keep coming down the hill. Also, the dirt and dust on the road and if there will be more mountains of dirt down on the lots on Lime Kiln Rd. She questioned why in the sun the mound of dirt glows.

Philip Esposito- Mr. Esposito acknowledged he lives at 62 Lime Kiln Rd right next to the mountain of dirt and complained to the Town 2 years ago that it was getting big. There was supposed to be walls and landscaping where is that, there is plastic up to stop big rocks. At 5am he can hear bull dozers working a pushing material over the side. Also rocks coming down and the mountain is getting higher. They will flatten the lot on Route 6 but push it down on Lime Kiln Rd lots. There is a stream that goes to the Neversink it's brown every time it rains. He is worried about encroachment on his property in the future and he added he had never seen any Forestry Official at the site.

Jon Miuta- Mr. Miuta showed water samples from his property, he stated the lives in Long Island but has a summer home on Lime Kiln Rd. He had the chance to buy the lot on Lime Kiln but didn't. He stated he had called Mr. Fusco and received no response. He wanted to know when things would be done, the mountain just keeps getting bigger and bigger and the noise is unbelievable, he stated that the soil needs to be tested. He thanked Mr. Fuller for helping him with a dispute with the property line.

Grace Woodard- Ms. Woodard stated that she was co-founder of Deerpark Rural Alliance and had fought many years ago when Galley Hill was going to be rezoned from Residential Settlement to HMU. She is also on the Board for NYEnvirocon which monitors land and water use. She quoted Pope Francis from 2015 "The earth is looking more and more like a pile of filth", she continued by saying Deerpark has their own pile of filth and there is a lot of blame to go around. It is shared by the Town for its neglect and indifference and willful ignorance. This project was pushed through with no full environmental impact, there was a small public hearing. She acknowledged that the attorney for the sale of the property was the Town Attorney, Glen Plotsky she said this "smelled from the beginning". There were supposed to be inspections weekly and that did not happen and felt Mr. Fusco should be removed from the project due to his lack of response to the issues. She continued that this project is destroying the community, the project should be stopped, it was fraudulent from the beginning. She wanted to know who knew about this project and called it the "biggest scandal".

Chairman stated there would be a 10-minute recess.

Public Comment continued:

Dave Ofshinsky- Mr. Ofshinsky stated he lives at 4 Forrest Dr., this project has grown attention for several Towns, not just Deerpark. There are too many concerns and the history with Quarry Management is not the best, they have lack of credibility. This is a huge monstrosity and an eye sore, this is a residential area and he is worried about changing the zoning to IB. They have made a mess of Mr. Miuta's property with trees being cut down. He stated that stop work orders were issued from the DEC, there is noise and the Building Department was contacted. He worried about setbacks and felt this should be denied.

Sally Conklin- Ms. Conklin stated that her concerns were covered.

Dwayne Bliese- Mr. Bliese acknowledged he is co-owner of the pond; he has been there for 20 years and has never had a problem with sediment and now there are weeds choking out the pond.

Charles VanHaaster- passed.

Abigail Barnes- passed

Chairman acknowledged that the Board would close out the oral portion of the public hearing and leave the written portion open for 30 days.

PLANNING BOARD MEETING APRIL 23, 2025 continued –

QUARRY MANAGEMENT – US RTE 6 & LIME KILN ROAD – SITE PLAN AMENDMENT – PUBLIC HEARING – continued –

Motion made by Theresa Santiago, 2nd by Craig Wagner to close the oral portion of the public hearing.

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

MOTION CARRIED

Motion made by Willard Schadt 2nd by Patrick Kean to leave the public hearing open for written comment for 30 days until May 23, 2025.

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

MOTION CARRIED

Chairman stated that the next meeting after the 30 days would be May 28th, but any written comment would not have answers. Mr. Fuller will let us know when he has answers to the questions and concerns raised during public comment.

MOTION TO APPROVE MINUTES

Motion to approve minutes from March 26, 2025 Meeting.

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

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

MOTION CARRIED

Motion to adjourn meeting.

Motion made by Theresa Santiago, 2nd by Patrick Kean to adjourn April 23, 2025 Planning Board meeting at 9:07pm.

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

MOTION CARRIED

Respectfully submitted by,



Amanda Schultz, Planning Board Clerk