

The Town of Deerpark Planning Board met for their bi-monthly meeting on WEDNESDAY, May 24, 2017 at 7:00 pm at the Deerpark Town Hall, 420 Route 209, Huguenot, NY. The following were present:

**BOARD MEMBERS PRESENT:**

Craig Wagner- Chairman  
Willard Schadt

Theresa Santiago  
Rob Whitney

**BOARD MEMBER ABSENT:** Bob Vicaretti-Chairman, Mike Hunter

**OTHERS PRESENT:**

Glen Plotsky – Town Council  
John Nosek, Fusco Engineering for Town  
Al Schock – Town Councilman  
Meeting was brought to order at 7:00 pm

**Pledge of Allegiance**

Gumaer Lot Line Change – 1132 Route 42 –  
No one present.

Skylex LLC – 477 Route 209 –  
John Fuller – Engineer for Applicant  
Stephen Trovei – Applicant

Mr. Fuller explained that this is a 28 acre parcel with used to be a hotel or resort, there are remnants of buildings and remains of foundations on the property. He continued that the rear of the parcel borders the YMCA camp and there is a small stream in the back of the property also the remnant of an old swimming pool which will be removed. Mr. Fuller further stated that this property is in a the HMU-Zone and is a proposed 8,000 sqft building, which is a permitted use with Planning Board Approval and there are no plans for further development of the property at this time. Mr. Trovei stated that this will be a mail order business for comic books; there will also be storage and office space. Willard Schadt asked how many employees he will have, Mr. Trovei answered 4 now and potentially 1-2 more. Rob Whitney asked about trucks in and out of the property, Mr. Trovei answered about 4 trailers and a box truck. Town Attorney questioned about how the shipping would be done, Mr. Trovei answered through a Post Office Box. John Fuller stated that there could be further development down the road. Town Attorney asked if they would be using the current driveway, Mr. Fuller answered yes will use one access point. Town Attorney questioned if the parking spaces on the map are based on square footage, John Fuller replied yes, there will be no retail. Town Attorney suggested that the hours of operation and a lightening plan be added to the site plan. John Nosek added that a full lightening and landscaping plan be on the new maps. Willard Schadt acknowledged that the Huguenot Hotel was on the property and burned down. John Nosek asked if they were going to pave the parking lot, John Fuller answered yes.

Glen Plotsky, Town Attorney stated that **Attorney Escrow** will be \$500 and John Nosek, stated that **Engineering Escrow** will be \$1000 the Escrow Form was filled out and signed by Town Attorney, John Nosek for Fusco Engineering and Applicant. A copy was given to each; also a copy will be given to Escrow Manager, Danielle L Glynn and a copy placed in the file.

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**SPRINT TEMPORARY CELL TOWER – HUGUENOT FIRE COMPANY – PUBLIC HEARING –**  
Hillel Gedrich – Representative for Applicant – Azimuth Consulting

Mr. Gedrich stated that the public hearing was left open for written comment and was to be on the agenda for June 14 but because the response from the County came back earlier than expected. John Nosek went over the comments from Fusco Engineering stating that “all wireless communication towers shall be a distance of not less than 350 feet from a public road and recommend a referral to the ZBA; also a more specific structural analysis of the tower; further the Board should require the applicant to comply with the county comments for a visual impact analysis and also co-location analysis. The Engineer for Sprint stated that he spoke with Fusco and once the truck is in transit they can do a full structural analysis, and he also believes the asphalt can support the truck. Town Attorney acknowledged that for the Board to override an Advisory Comment from the County that they need majority +1 which is 5 Members and they currently have only 4 present at the meeting. Town Attorney added that the Planning Board cannot waive a Zoning Law Requirement that would be the ZBA.

**Motion to close Public Hearing.**

Motion made by Theresa Santiago, 2<sup>ND</sup> by Rob Whitney to close the Public Hearing for Sprint Temporary Cell Tower.

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

**MOTION CARRIED**

**Motion to Refer Sprint Temporary Cell Tower to the ZBA.**

Motion made by Willard Schadt, 2<sup>nd</sup> by Rob Whitney to refer Sprint for their Temporary Cell Tower to the Zoning Board of Appeals for a variance.

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

**MOTION CARRIED**

**ASPEN RIDGE – 15-LOT SUBDIVISION – 541 PEENPACK TRAIL – PUBLIC HEARING –**  
Michael Morgante-Engineer for Applicant from Arden Consulting

Mr. Morgante stated that he feels that they have addressed most of the comments from Fusco Engineering and are asking for preliminary Approval. Town Attorney asked if the applicant agreed to waive the time constraints, Mr. Morgante agreed that it should not be a problem. Willard Schadt asked what changes were made, Mr. Morgante asked just notes.

**Motion to conditionally approve application for the Aspen Ridge.**

Motion made by Theresa Santiago, 2<sup>ND</sup> by Rob Whitney to approve application for Aspen Ridge for a 15-lot Subdivision conditional to all the comments of the Fusco Engineering comments dated 4/25/2107 being met.

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

**MOTION CARRIED**

**MOTION TO APPROVE MINUTES.**

**Motion to approve April 26, 2017 Minutes.**

Motion made by Theresa Santiago 2<sup>nd</sup> by Rob Whitney to approve Wednesday, April 26, 2017 minutes.

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

**MOTION CARRIED**

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May 10, 2017 Minutes could not be approved due to no quorum because Rob Whitney abstaining since he was not present at the meeting.

**OTHER BUSINESS –**

Al Schock stated that the comments from Orange County Department of Planning one is mandatory and the other was not it is a suggestion and not binding. Town Attorney added that one was an advisory and one was mandatory the mandatory comment can be overturned with majority plus 1. Willard Schadt asked if there was talk of an additional member, Al Schock replied that they are looking and if the Board had any suggestions of candidates to let them know.

**Motion to adjourn meeting.**

Motion made by Theresa Santiago, 2<sup>nd</sup> by Rob Whitney to adjourn meeting at 7:46 pm.

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

**MOTION CARRIED**

Respectfully submitted by,



Amanda Gorr, Planning Board Secretary