

The Town of Deerpark Planning Board met for their bi-monthly meeting on WEDNESDAY, JUNE 12, 2019 at the Deerpark Town Hall, 420 US Route 209, Huguenot, NY.

The following were present:

BOARD MEMBERS PRESENT:

Bob Vicaretti-Chairman
Theresa Santiago
Rob Whitney

Craig Wagner-Vice Chairman
Willard Schadt

OTHERS PRESENT:

John Nosek-From Fusco Engineering
Town Attorney-Glen Plotsky
Dave Dean-Town Councilman

Pledge of Allegiance

Meeting was brought to order at 7:04 p.m.

MARTELL SUBDIVISION – HAWK MOUNTAIN DRIVE –

Board Secretary explained that the maps have been signed for this project. Town Attorney stated that it was put on the agenda because it was extended to this date and just wanted to update the Board of the status.

D'ARCY – GROUND MOUNT SOLAR – OLD PLANK RD – PUBLIC HEARING –

Josh Cassel-Empire Solar-Representative for Applicant

Secretary read public hearing notice into record. Josh Cassel gave a brief presentation for the public.

Public Comment:

Gina desGranges- Ms. desGranges stated she was speaking on behalf of the Arce's which live across the street from the D'Arcy property. She continued that she had a couple of questions, how far off the road would it be placed, why ground and not roof and then stated that they didn't want it to become an eye-sore.

Dean Fippinger- Mr. Fippinger stated he was pro solar and described a ground mount system on Clove Rd in Montague, NJ and is worried it will look the same. He continued that he owns property at 124 & 140 Old Plank Rd and has been there since 1984 and wondered why he was not informed, he heard it through neighbors. He asked that it not be put by the road and be an eye-sore, he questioned if it would be visible from road. He added that he has not had a problem with Mr. D'Arcy but would like him to be considerate with people that live around the property.

Josh Cassel- Mr. Cassel answered the questions presented by the public stating that the array is about 400ft from the road it is a heavily wooded area and more trees will be planted on the side and toward the road. He also explained that they did consider roof mount but because of the number of panels that will be needed they could not, due to the small roof on the home. He added that there will be 48 panels that will be a total of 900sqft.

Chairman Bob Vicaretti- Mr. Vicaretti asked if they could be seen from the road.

Josh Cassel- Mr. Cassel answered no and added that the panels are 3x5 each.

Chairman Bob Vicaretti- Mr. Vicaretti acknowledged in the aerial photos provided it seems it will not be visible, he added that the KW cannot surpass the demand for the dwelling.

Town Attorney- Mr. Plotsky stated that it is regulated by the utility company and is 80-85% of the general usage. He also stated that there is extra screening on the site plan.

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D'ARCY – GROUND MOUNT SOLAR – OLD PLANK RD – PUBLIC HEARING – continued –

Public Comment-continued:

Josh Cassel- Mr. Cassel added that there are extra trees being planted on one side by the adjoining property and in the front by the road.

Gina desGranges- Ms. desGranges asked if it was on the vacant lot or on the lot with the house.

Town Attorney- Mr. Plotsky answered there is a lot combination that is part of the Application, to combine both lots.

Chairman Bob Vicaretti- Mr. Chairman asked if the applicant could address the visual issue.

John Nosek- Mr. Nosek suggested setting markers on tripods.

Chairman Vicaretti- Mr. Vicaretti stated that they needed to demonstrate how to mitigate if there is a visual impact and would like the test done and someone from Fusco Engineering to witness it.

Motion to close public hearing.

Motion made by Theresa Santiago, 2ND by Rob Whitney to close the public hearing, subject to the visual impact report.

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

MOTION CARRIED

TRI-STATE TRANSMISSION – 6 ROUTE 42 & 97 – PUBLIC HEARING –

John Fuller-Representative for Applicant

Secretary read public hearing notice into record. Mr. Fuller gave a brief presentation for the public, stating that it was a site plan amendment there is a repair shop and home on the property and there was an outdoor storage area that was built off the garage.

Public Comment:

No public comment.

Motion to close public hearing.

Motion made by Theresa Santiago, 2ND by Rob Whitney to close the public hearing.

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

MOTION CARRIED

Chairman Vicaretti asked if there were any comments from the county, Town Attorney answered yes County and DOT. Willard Schadt asked why the sign was not apart of this application, it is existing and in violation of Zoning. John Nosek acknowledged that an approval can be given subject to the ZBA variance for the sign. Town Attorney stated that the suggestions are to approve and Building Department give a violation or not approve and will not approve till it is removed, it is an existing violation. Willard Schadt stated it was his opinion that no action should be taken until the sign is removed. Chairman added it is an existing violation. Town Attorney stated that now with the public hearing closed the Board has 62 days to act on the application.

Motion to hold on deliberations.

Motion made by Craig Wagner, 2ND by Theresa Santiago to hold on deliberations until July 10 to allow applicant to remove the digital sign in violation.

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

MOTION CARRIED

Planning Board Minutes-June 12, 2019-continued-

CHARLES HOCKENBERRY – 48 & 51 UPPER BROOK RD – SITE PLAN APPROVAL –

John Fuller-Representative for Applicant

Mr. Fuller explained that the adjoining neighbor expressed concern at the public hearing about erosion of the bank, he continued that the applicant already planned on using surge stone. John Nosek acknowledged that he did go out to the site and he would recommend that Al Fusco see the property. He feels that there is a safety concern with the steep drop behind the building and the boulders he feels are unstable. He continued that it could be approved subject to that report from Fusco Engineering.

Motion to approve application.

Motion made by Craig Wagner, 2ND by Rob Whitney to approve application for Hockenberry Garage subject to the erosion control issues being resolved.

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

MOTION CARRIED

LITTLE POND SOLAR – 181 WHITEHEAD RD – PUBLIC HEARING –

Kevin Kohlstedt-Representative for Applicant, Cypress Creek Renewables

Secretary read public hearing notice into record. Mr. Kohlstedt gave a brief presentation for the public. Kevin went through Fusco Engineering comments from May 8, stating that on May 17 there was a meeting with Town Officials and the School regarding the PILOT, they are waiting for numbers from the school regarding electrical usage. They are waiting on comments from SHPO, there is an amended SWPP that was submitted.

Public Comment:

Mark Frizell- Mr. Frizell stated he is the last house on Whitehead Rd and he hunts his property every year and is concerned where the panels will be placed on the property, if any studies have been done in regards to the deer population and if they were to expand beyond the 144-acre array. Kevin Kohlstedt showed him on the map where the array was proposed. He also asked about what kind of traffic this will produce.

Rob Whitney- Mr. Whitney asked if they have ever had a panel shot.

Kevin Kohlstedt- Mr. Kohlstedt answered no but have heard of it, there will be a fence around the panels which will be 15-20ft from the panels.

Theresa Santiago- Mrs. Santiago asked what would happen if one did get shot and the probability of it starting a fire.

Kevin Kohlstedt- Mr. Kohlstedt answered that the panels are glass so it would break but it would be seen on the remote monitor, they would dispatch someone to come out and fix it, and it would not be likely that it would start a fire. He also stated that there are no expansion plans at this time, but if down the line it would have to go through the State.

Chairman Vicaretti- Mr. Vicaretti stated that studies would be brought up by the DEC.

Kevin Kohlstedt- Mr. Kohlstedt added that no studies have been done on deer as of yet, and the traffic would be mainly during construction, which would be grading and clearing and then installing the panels, which would be 20 trucks per day for a 2-week period each.

Willard Schadt- Mr. Schadt asked if it would be normal business hours.

Kevin Kohlstedt- Mr. Kohlstedt answered yes 8-6 Monday through Friday and that was placed on the application.

Planning Board Minutes-June 12, 2019-continued-

LITTLE POND SOLAR – 181 WHITEHEAD RD – PUBLIC HEARING – continued.

Motion to close public hearing.

Motion made by Willard Schadt, 2ND by Rob Whitney to close the public hearing.

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

MOTION CARRIED

Kevin Kohlstedt stated that they would waive the 62-day requirement due to outstanding write-offs from involved agencies and talks in regards to the PILOT and decommissioning bond. Craig Wagner explained what a decommissioning bond was.

OTHER BUSINESS –

Craig Wagner asked the distance that is notified for the public hearing. Town Attorney answered 500ft.

MOTION TO APPROVE MINUTES.

Motion to Approve May 22, 2019 Minutes.

Motion made by Theresa Santiago, 2nd by Rob Whitney to approve the minutes for Wednesday, May 22, 2019 meeting.

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

MOTION CARRIED

Motion to adjourn meeting.

Motion made by Theresa Santiago, 2nd by Rob Whitney to adjourn June 12, 2019 Planning Board meeting at 8:25 pm.

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

MOTION CARRIED

Respectfully submitted by,



Amanda Gorr, Planning Board Secretary