



APPROVED

TOWN OF DEERPARK PLANNING BOARD – JUNE 8, 2016

The Deerpark Planning Board met for their bi-monthly meeting on Wednesday, June 8, 2016 at 7:00 pm at the Deerpark Town Hall, 420 US Route 209, Huguenot, NY. The following were present:

BOARD MEMBERS:

Bob Vicaretti-Chairman
Theresa Santiago
Willard Schadt

Craig Wagner- Vice Chairman
Rob Whitney

ABSENT BOARD MEMBERS: Tom Faggione, Mike Hunter

OTHERS PRESENT:

David Dean, Town Councilman
Glen Plotsky, Town Attorney
Al Fusco Jr., Fusco Engineering for Town

Meeting brought to order at 7:05 pm.

Pledge of Allegiance

PARAGON SUBDIVISION – LOREN MCCUNE – 11-LOT SUBDIVISION –

John Fuller – Engineer

Chairman Vicaretti stated that there are 2 names on the sign-in sheet that wish to speak at the public hearing. He asked for Mr. Lasch to come. Town Attorney interjected that a motion had to be made to open the public hearing before anyone can speak.

Motion to open Public Hearing.

Motion made by Theresa Santiago, 2ND by Craig Wagner to close Regular Meeting and open the Public Hearing for Loren McCune.

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

MOTION CARRIED

PARAGON SUBDIVISION – LOREN MCCUNE – 11-LOT SUBDIVISION – Public Hearing –

John Fuller – Engineer

Planning Board, Secretary read Public Hearing Notice into Record.

Chairman asked if applicant provided proof of mailings, Town Attorney answered yes.

John Fuller started off presentation by stating that this application is an 11-lot subdivision on about 24 acres bounded by US Route 209 and Airport Rd. He continued that it is located in a HMU Zone, the applicant is proposing 11 single family residences, with most lots to be at least one acre, there will be one large lot with about 11 acres of land. He further stated that each lot meets minimum zoning requirements. Mr. Fuller continued that each will have their own septic and well, there are 4 proposed driveways off of Route 209 and the rest will be off of Airport Rd. Also as part of the application as per New York State requirements a Storm Water Pollution Protection Plan (SWPPP) and drainage plan have been done. Chairman Vicaretti questioned if Engineering Comments have been satisfied, Town Engineer replied that most have been satisfied, a response from DEC has been sent to Board and once DEC requirements are fulfilled then it is up to applicant to forward to DEC when done. Town Engineer further stated that the response from Orange County Department of Planning is that the individual driveways is the recommendation instead of a right-a-way, the same was suggested by the Department of Transportation (DOT) and Board agreed on separate driveways as well.

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PARAGON SUBDIVISION – LOREN MCCUNE – 11-LOT SUBDIVISION – Public Hearing – continued –

Chairman opened the Public Hearing to Public Comment, he advised each speaker to state name and address for the record.

Public Comment:

David Lasch – 30 Cora Rose Lane – He stated he was worried about the water running off and the potential for flooding from the brook but as he sees on the map the large lot has the brook on it.

Lisa Bickel – 107 Airport Road - She explained her concern with 11-lots and 11 septic and wells that it would affect the surrounding properties wells and septic. She also was worried about screening between houses, she asked if the property owners would be paying taxes or if they would be getting a religious exemption. She further questioned if once approved would the houses be built right a way.

John Fuller – He answered Mrs. Bickel’s questions by stating that they had already done a test well and the water demand for 11-lots will not substantially affect the water table. He also stated that it will be residential single family houses so they will be paying taxes and that it will be up to the individual home owner to determine what screening they want. He continued that the application is not to be done in phases but there will be a progression to get them done and they will be openly marketed.

Alfred Fusco Jr. – Mr. Fusco added that in the Application a ½ an acre per lot has been determined for disturbance.

Lisa Bickel – Mrs. Bickel questioned what Mr. Fusco meant by that.

Alfred Fusco Jr. – He answered that the ½ acre of disturbance is for the house, driveway, septic, well.

Dusunka Marusic – 260 Galley Hill Rd – She believes there is a problem with the process, that there is a disconnect with departments in the town and a lack of enforcement.

Glen Plotsky – He stated that right now only comments can be made on this application.

Dusunka Marusic – Ms. Marusic added that she just hopes that all departments in the town have the capacity to oversee the project and that if the Planning Board issues permits where is the follow-up.

Glen Plotsky – Mr. Plotsky acknowledged that Planning Board does not issue permits they only approve plans and if Ms. Marusic needed clarification on the process to call his office.

Motion to close Public Hearing.

Motion made by Theresa Santiago, 2ND by Craig Wagner to close Public Hearing and enter back into the Regular Meeting.

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

MOTION CARRIED

PARAGON SUBDIVISION – LOREN MCCUNE – 11-LOT SUBDIVISION –

Willard Schadt questioned if they needed to leave the public hearing open for written comments, Town Attorney answered no. Town Engineer stated that once DEC is satisfied then a preliminary approval can be given which will allow applicant to go to the Department of Health and then a conditional and after that the final approval will be given. Town Attorney added that the Board has 60 days from the Public Hearing to act on the Application.

GARY SPEARS SUBDIVISION – PREAPPLICATION –

John Fuller – Representative

Mr. Fuller explained that this is property owned by Mr. & Mrs. Spears it is on a private road located off of Lakewood Dr., he continued by saying that currently there are 2 houses on the road 1 being Mr. Spears and the other his Son in-law’s house. He further explained that the new lot is proposed to be placed in-between Mr. Spears and his Son in-laws property, to make the new lot acreage will be taken from both properties to make the 3rd lot.

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GARY SPEARS SUBDIVISION – PREAPPLICATION – continued –

Town Engineer provided the definition from the Subdivision Law regarding private drives stating that “If there is a potential for re-subdivision of either of the lots to be serviced by private drive such that eventually more than two (2) lots might result, the subdivider shall provide additional right-of-way as necessary to serve the maximum potential number of lots.” Mr. Fusco added that instead of the minimum of 25 ft. right-a-way to widen it to 30 ft. and instead of the minimum 16 ft. pavement width to make it 18 ft. Town Attorney acknowledged that the private road starts at the end of Lakewood Estates and is gated. Chairman Vicaretti asked if on the maps they could show where Lakewood Estates ends and right-a-way starts. Town Attorney declared he also represents the Spears’ but as he has said before his loyalty is to the Town but if the Board feels there is a conflict other counsel can be used. He also suggested that as part of the approval the Board ask for a Driveway Maintenance agreement as part of the deed for the chance that in the future one or more of the parcels are sold outside the family. Town Attorney further stated that Lakewood Estates is a corporation owned by the Spears family. Chairman Vicaretti questioned if any more of the lots were to be subdivided what would happen, Town Engineer replied that they would have to come back to Planning Board and road would have to be widened. John Fuller stated that they will be back with a formal application.

SOUTHERN REALTY & DEVELOPMENT, LLC – DOLLAR GENERAL SITE PLAN –

Zachary Peters – Engineer

John Joseph – Applicant

Mr. Peters began by stating that FEMA flood plains have been established, a habitat study has been done, Department of Transportation (DOT) site distance plan has been done, along with SWPPP and the only thing that is new on the map is the lighting plan. Chairman Vicaretti asked if Fusco’s comments dated April 21 have been fulfilled, Town Engineer answered most yes, he continued that on the new comments dated June 7 that a follow up with the archeological study and DOT should be done. Also a note stating that no work in state right-a-way should be placed on the map and landscaping should be amended to show more screening on canal as per Orange County Department of Planning. Mr. Fusco further stated that he suggests Board declare Lead Agency and schedule the public hearing. Chairman asked if Lead Agency had already been established, Secretary replied intent was declared on April 27, 2016. Craig Wagner questioned if the proposed sign will block the view of road from driveways, Mr. Peters answered no. Theresa Santiago asked if there would be any issues with the sight distance because of the turns in the road and also with Route 211 right there too. Mr. Peters stated that a letter had been sent to DOT and they suggested one way in and one way out to prevent the issues.

Motion to Declare Town of Deerpark Planning Board Lead Agency.

Motion made by Craig Wagner, 2ND by Rob Whitney to declare Town of Deerpark Planning Board to be Lead Agency for SEQRA purposes.

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

MOTION CARRIED

Motion to Schedule a Public Hearing.

Motion made by Theresa Santiago, 2ND by Craig Wagner to schedule a Public Hearing for Wednesday, July 13, 2016 at 7:00 PM for Southern Realty Development LLC., Dollar General Site Plan.

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

MOTION CARRIED

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APPROVAL OF MAY 11, 2016 MINUTES –

Motion to Approve May 11, 2016 Minutes.

Motion made by Craig Wagner, 2ND by Theresa Santiago to Approve May 11, 2016 Minutes.

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

MOTION CARRIED

OTHER BUSINESS –

Dave Dean asked what was going on with the suggestion of Work Sessions. Town Attorney stated that Deerpark Commons was on for the May 25 meeting but back out because they were not ready. Chairman Vicaretti suggested that someone reach out to Deerpark Commons to see if they want to come to June 22 meeting.

Motion to Adjourn Meeting.

Motion made by Theresa Santiago, 2ND by Craig Wagner to Adjourn June 8, 2016 Planning Board Meeting at 8:00 p.m.

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

MOTION CARRIED

Respectfully Submitted By,



Amanda Gorr, Planning Board Secretary