

The Deerpark Planning Board met for their bi-monthly meeting on Wednesday, May 11, 2011 at 7:00 p.m. at Deerpark Town Hall, 420 Route 209, Huguenot, N.Y. The following were present:

PLANNING BOARD MEMBERS

Derek Wilson, Acting Chairman Dan Loeb Alan Schock Theresa Santiago

OTHERS

Mr. Glen A. Plotsky, Town Attorney Mr. Alfred A. Fusco, III, Town Engineer Mr. Alan Lipman, Esq. Mr. Damian Brady, Esq.

THE PLEDGE OF ALLEGIANCE

PEENPACK MEADOWS - # 03-0802 -DISCUSSION

Represented by Mr. Alan Lipman, Esq. 294-7944
Applicant is requesting an extension of his approval.

Mr. Lipman told the Board that a few months ago this Board granted preliminary approval to the first section of the sections, into which this subdivision is divided. He said that the first section consist of three lots, and the balance of the lots are contained within section 2. He said that at that time, he had also gave the Board to review an overall plan, showing both sections, 1 and 2 on a single plan. He said that that plan will have to get final approval in order for his client to file or get approval for the first section. He said that his recollection is that the Board did act to approve that final plan, but the minutes do not reflect such an action by this Board. He said that he does not have the plans with him tonight.

Derek Wilson reviewed for clarity, by saying that Mr. Lipmans' client is requesting an extension of the approval, and also a re-affirmation of the Boards' vote for approval at a previous Planning Board meeting.

Glen Plotsky said that the approvals that were granted earlier were the conceptual approval of the overall plan, and conditional final approval of phase one of that overall plan. He said that phase one is the three lots.

Al Fusco said that this Board still needs to see an approval from the Orange County Health Department.

MOTION

Al Schock made a motion to extend the the preliminary approval for Peenpack Meadows Subdivision, that was granted in May 12, 2010, of the three lots in section one, to be extended until six months from this date, May 11, 2011. Theresa Santiago second. Rocall vote: Santiago aye; aye; Schock, aye; Loeb, aye; D. Wilson, aye. Motion carried.

GINSENG UP CORPORATION – PRE-APPLICATION CONFERENCE EXTENDED

Represented by Mr. Kent Trabing, Consultant 914-450-4393
Owner/ Applicant Ginseng Up Corp. is exploring options of what to do with property located north and west of New Hope Farms, off of Route 209, Huguenot, N.Y.
It is both in the RR and HMU Zones.
Section – Block – Lots = 50 – 1 – 16, 38.1, 38.22 , 43

The applicant did not appear.

DEERPARK VILLAGE - #D-0012

Represented by Mr. Damian Brady, Esq.
OWNER/ APPLICANT DEERPARK VILLAGE ASSOCIATES WISHES TO CREATE PLANNED RESIDENTIAL HOUSING
Units on property located on Wilson Road, Sparrowbush, N.Y.
It is a Planned Rural Residential Development (PRRD) Zone.
Section – Block – Lot = 23 – 2 – 32.2 & 38.8

Derek Wilson recused himself from discussion of this application.

Glen Plotsky stated that even though there are only three sitting Board members, there is still a quorum, because the Board started the meeting with a quorum. He said however, that the Board cannot vote or take any action on this application this evening.

The Board decided that the next senior Board member, Theresa Santiago, will act as Chairman for discussion of this application.

Glen Plotsky said that it is his understanding, up to this point, that the various consultants have had a number of meetings, and have more or less come to an agreement, to resolve the bulk, if not all of the language in the FEIS (Final Environmental Impact Statement), except for maybe one issue. He said that at this point, there should be discussion with this Board, about adopting that language as the FEIS. He said that at this juncture there has been an

application made to the ethics committee, and they made a recommendation. He said that Planning Board member, Dan Loeb has not acted on the recommendation yet, because his counsel, for that purpose, is not available, and won't be available until the end of May (2011). He said that therefore, there has been no action, and no change in that status. He said for a period of time, the applicant is putting that over, in the hopes that that issue will be resolved. He said that at this point, in his discussions with the applicants' counsel, that the applicant is desirous of having the application move forward in some fashion. He said that clearly tonight, nothing can occur, because there is no quorum of the Board. He said that he knows that Planning Board member, Willard Schadt does have either written or verbal comments to make on this application. He said that his suggestion to the applicant was to wait when there are at least six available Planning Board members, present at a meeting.

Mr. Brady said that he understands, and that no one can anticipate when there will or will not be a quorum of the Board at any given meeting. He said that tonight there was supposed to be a general discussion of the contents of the FEIS. He said that the next meeting, in two weeks, the applicant is requesting that the Board have some kind of vote, so the process can be moved along.

Al Fusco interjected that he will not be present at the May 25th meeting, but his son will be present in his place. He suggested that this application be placed on a June agenda, when he himself would be present.

Glen Plotsky acknowledged Al Fuscus' comment, and said that he will discuss this with the applicants' legal counsel.

Al Schock suggested that there needs to be a way when a quorum is always at meetings, so the applicants and the Board members that are present, their time is not wasted. He said that this application needs to be moved along.

Derek Wilson said that this has happened in the past, where a quorum was not present, although it has not happened lately. He said that Board members who know they will not be able to attend a meeting, should call the secretary at least one hour before the meeting, if not sooner.

COMMUNICATION FROM THE TOWN ENGINEER

Al Fusco told the Planning Board that he had given Johns Mower Shop an application, to come before this Planning Board.

Al Fusco told the Board that he had gotten a letter from the NYSDOT concerning the application of the Cuddebackville used car lot, and it is a form letter which they send to every Planning Board basically saying that the Planning Board can announce themselves as lead agency, but before voting on such and such an application, the applicant has to spend thousands of dollars in engineering fees on traffic studies, stormwater pollution prevention plans, and other studies, before the NYSDOT will give their okay. He said that this application is a simple application, in that Mr. Thibodeau is changing the use of his business from a car repair to car sales. He said that it's cars to cars, and the NYSDOT is talking about restricting the applicants' driveways and having him do a lot of heavy engineering, and other things. He said that this intensive process has only started approximately three months ago, when a new woman has become installed in Poughkeepsie as the "head person" over there at NYSDOT, for this region. He said that since this business has been at this same location for over thirty years, and it's such a small change, and he said that he will talk with the NYSDOT personnel on the applicants' behalf.

Derek Wilson suggested that the town engineer can go above this person at NYSDOT, and explain the simpleness of this application, to her superior.

Al Fusco answered that he can prepare a letter, for the Boards' review, before sending it to NYSDOT.

Board member Dan Loeb asked about the hot dog stand, located at the intersection of Route 42 & 97 in Sparrowbush, as it is dangerous, as people pull their cars over to buy a hot dog, and ongoing traffic cannot see around the vehicles, to pull out onto the highway.

Glen Plotsky answered that Deerpark Town Law states that if a veteran is licensed by the County, he can put a hot dog stand up. He said that he will research this.

ADJOURNMENT

Derek Wilson made a motion to adjourn. Al Schock second. Roll call vote: Santiago, aye; Loeb, aye; Schock, aye; D. Wilson, aye. Motion carried.

Meeting adjourned at 7:50 p.m.

Respectfully submitted,

Barbara Broliier, Secretary