

The Deerpark Planning Board met for a public hearing for the application of Claire Moncheur. on Wednesday, May 27, 2009 at 7:00 p.m. at Deerpark Town Hall, Route 209, Huguenot, N.Y. The following were present:

#### BOARD MEMBERS

Willard I. (Skip) Wilson- Chairman  
Theresa Santiago

Dan Loeb  
Derek Wilson

Dave Dean  
Noel Malsberg

#### OTHERS

Mr. Glen A. Plotsky, Town Attorney  
Mr. Alfred A. Fusco, Jr., Town Engineer  
Mrs. Viola Sinsibaugh, Town Board Liaison  
Mr. Timothy Gottlieb, Gottlieb Engineering  
Mr. John Lewis, Adjoiner

The secretary read the public hearing notice: "Notice is hereby given of a public hearing to be held by the Town of Deerpark, Orange County, New York, pursuant to Article 7 of the Town of Deerpark Zoning Law on the application of Claire Moncheur for a 2 lot subdivision.

The application effects the following premises: Record Owner: Claire Moncheur; Tax Map Designation: Section 49, Block 1, Lot 86;

Zone Designation HMU. Located at 175 Martin Rd, Huguenot, Town of Deerpark, Orange County, New York. Information on this application is on file with the Town Clerk, Town Hall, Route 209, Huguenot, New York. The Hearing shall take place at 7:00 o'clock P.M. on the 27th day of May, 2009 at Deerpark Town Hall, located on Route 209, Town of Deerpark, Orange County, New York, or as soon thereafter as practicable. All parties wishing to be heard shall be heard at that time."

Mr. Gottlieb gave the certified mailings to the secretary

Skip Wilson: Okay, Mr. Gottlieb.

Tim Gottlieb: My name is Tim Gottlieb, from the office of Joseph Gottlieb, P.E., P.C., representing the applicant, Mrs. Moncheur. She's proposing to subdivide a 5.8 acre parcel on Martin Road. into two lots. Lot #1 will contain her house, it's approximately 3.85 acres, and lot #2 will be sold to a purchaser for a single family home, and contains 2 acres. Access is off of Martin Road, we've done soil tests, and everything meets the requirements.

John Lewis: I'd just like to take a quick browse at the map, if you don't mind. I'm curious to see where the site is. This is it here?

Tim Gottlieb: Yes, this is Martin Road, and this is the lots here.

John Lewis: Okay, so this is facing the dead end side of the street, and she just wants to subdivide it. Does she already have a buyer?

Tim Gottlieb: Yes.

Skip Wilson: Are there anymore comments from the public?

Derek Wilson: I just have one quick question. Did we ask you to check whether there is a restriction, when the original subdivision took place?

Tim Gottlieb: I have the map here.

John Lewis: Has the law changed, concerning the amount of road used on a subdivision?

Skip Wilson: She's putting in a flag lot. That's legal, a flag lot, looks like a flag pole.

Derek Wilson: Basically it's 50' of road frontage, but it widens out to meet the lot width requirements and the building setback line. You're allowed to make one flag lot, you know, if you have ten lots, only one of them can be a flag lot.

John Lewis: The one next to her is not considered a flag lot, the one she subdivided two years ago, that was just a rectangular parcel.

Derek Wilson: That's one of my questions, so when you say the one that's to the left or north...

John Lewis: There is a lot right next to this proposed flag lot.

Derek Wilson: Yeah, I don't see any flag lots on this map that is shown right now, they basically all meet the 200' lot width.

Tim Gottlieb: This land was subdivided in 1988.

John Lewis: The adjacent lot was sold recently, within the past 2 or 3 years.

Derek Wilson: I'm looking at the tax map here, and whether she subdivided any lots within the last two years or 1988, I don't see any flag lots here.

Tim Gottlieb: I don't have any record of it.

Skip Wilson: And there's nothing on the original subdivision map here.

Tim Gottlieb: There was a house built on it a few years ago, on lot 4, down here, that one.

Derek Wilson: Is there any more comment from the public, if not I'll make a motion to close the public hearing.

Skip Wilson: We have to keep it open.

Derek Wilson: I'm sorry. If we keep it open, how do we make the motion.

Glen Plotsky: Make a motion to hold the hearing open, and continue it at the next meeting.

John Lewis: When will construction start, and how long will it go on for?

Tim Gottlieb: As far as construction, probably sometime this summer, just building a single family house, probably two or three months.

John Lewis: Is it going by contractor or by the owner? The only reason I ask is, the lot that is right next to my property, the construction, the clearing went on for almost an entire summer, and they clear cut two acres, and it's kind of barren, if you will. And my concern is that this construction will go on for an elongated period of time, and because there's no laws for heavy machinery, it'll start at 6:00 a.m. and go on till 11:00 p.m., and everybody needs a little R & R on weekends.

Tim Gottlieb: Now that house was built by the owner, not by a contractor. This work will be done by a contractor, and I can pretty much guarantee he won't clear cut that lot.

Skip Wilson: Are there any other questions? Okay, so we'll hold this open?

Derek Wilson: I'll make a motion that we hold the public hearing open until the next meeting of June 10th.

Theresa Santiago: I'll second.

Skip Wilson: Vote. Theresa?

Theresa Santiago: Yes.

Noel Malsberg: Yes.

Dan Loeb: Yes.

Derek Wilson: Yes.

David Dean: Yes.

Skip Wilson: Yes.

Motion carried.

The hearing is left open, and will resume on June 10, 2009 at 7:00 p.m. at Deerpark Town Hall.

Respectfully submitted,

Barbara Broliier, Secretary