

The Deerpark Planning Board met for their bi-monthly meeting on Wednesday, May 13, 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
David Dean

Dan Loeb
Noel Malsberg
Derek Wilson

OTHERS

Mr. William A. Onofry, Town Attorney
Mr. Alfred A. Fusco, Jr., Town Engineer
Mrs. Viola Sinsabaugh, Town Board Liaison
Mr. Bob Schurr, Applicant Mr. Gary Hulse, Applicant
Ms. Mallorie Goble, Applicant Mr. Jeff Clune, Applicant
Mr. John Fuller, Civil Engineer

THE PLEDGE OF ALLEGIANCE

BOB SCHURR - PRE-APPLICATION CONFERENCE (EXTENDED)

Represented by himself 341-8361

Owner - Mr. Hofstee

Applicant - Bob Schurr wishes to create a used furniture and/or an antique business at the old produce stand located next to the school complex on Route 209, Town of Deerpark, Orange County, N.Y.

It is an HMU Zone.

Applicant has spoken with the Building Inspector.

Skip Wilson had handed copies of a DIAGRAM?SITEPLAN?SURVEY? of a small portion of the site to the members, and said that there is no official site plan for this property.

Mr. Schurr said that he will be open only for approximately Seven (7) months of the year - it would be a seasonal use. He said that there is no bathroom in the 20' X 25' building. Mr. Schurr advised that he would maybe have one (1) employee, besides himself. He said that he is not planning on installing a heating unit. He said that the portion of the lot to be used for this purpose is only 0.42 of an acre.

The Board determined that a note should be placed on the final stamped map saying "seasonal use only."

Derek Wilson asked if a handicapped parking space must be delineated, and also asked what the bathroom facilities would be.

Mr. Onofry said that this is a permitted special use permit in the HMU zone.

Mr. Fusco answered that a handicapped parking space will have to be delineated by the front door of the building. He suggested that a port-o-john be placed on the site, and a note made on the site plan.

The Board determined that a site plan application will have to be submitted, and site plans drawn up.

Al Fusco gave his business card to Mr. Schurr and told him to have his engineer give him a call.

The secretary handed the applicant a site plan application.

GARY HULSE & MALLORIE GOBLE - PRE-APPLICATION CONFERENCE

Represented by themselves 856-6787

Owners/Applicants Gary Hulse & Mallorie Goble wish a 2 lot subdivision on property located at 76 Main St., Sparrowbush, N.Y.

It is an HMU Zone Section - Block - Lot : 41 - 3 - 14

Applicants have spoken with the Building Inspector

Mr. Hulse presented a site plan of the property, and said that there are three and one-tenth (3.1) acres. He said that the property is on a slight slope.

The Board determined that due to only having Three Hundred Thirty-Three (333') Feet of road frontage, the applicants would have to create a flag lot. They told the applicants that the grade on the property cannot be more than 10%.

The Board told the applicants that they can accomplish their goal and told them to employ a professional engineer or surveyor.

The Board told the applicants to consult with the Town Building Inspector first, to see if they can put a double-wide mobile home onto the property, and what the Town Code is for placing such housing on a foundation.

Skip Wilson consulted with the Town Engineer and the Town Attorney, and told the applicants that they would have to deposit One Thousand Two Hundred 00/100 Dollars (\$1,200.00) in an escrow for Town Engineering fees, and Five Hundred 00/100 Dollars (\$500.00) in an escrow for the Town Attorney fees, both of which would be handed into the Town Supervisors' office.

The secretary handed the applicants a subdivision application.

DEERPARK OIL

Represented by Jeff Clune and John Fuller, Civil Engineer

Owner/Applicant - Deerpark Oil wishes to place propane tanks on property located off of Darraugh Lane, Sparrowbush, N.Y.

It is an HMU Zone Section - Block - Lot : 44 - 2 - 1.2

Application received January 20, 2009

Applicant has submitted new map and a Fire Safety Analysis.

Mr. Fuller told the Board that an expert had worked up a "Fire Safety Analysis" for the installation of the propane tanks, and that report had been distributed to the Board members. Mr. Fuller said that other changes to the site plan were made, to comply with the Town Engineer's last comments, and that the only other change to the site plan is that the paintball field has been removed.

Mr. Fuller referred to the "Fire Safety Analysis" and said that on pp. 24 & 25, there is a flow chart and a two paragraph conclusion which states that based on the analysis of the area, the capacity of the fire department, and the proximity to adjoining property owners, that additional fire protection, other than fire extinguishers and the response of the Sparrowbush Fire Department, is not necessary as part of the installation.

Dan Loeb said that on page 50, it says that 17,500 gallons is needed, but the Sparrowbush Fire Department only carries 8,000 gallons, and asked where the additional water is coming from?

Mr. Clune answered that the Sparrowbush Fire Department had come onto the site had calculated that

the initial gallons that they carry, gives them enough time to get response from the Delaware River, from neighboring property Eddy Farms, piped up and pumpers hooked up and into place, within that Eight (8) minute time-frame. Mr. Clune also reported that the Fire personnel had also indicated that they can fill up the canal, in addition to the river, and get water out of that.

Dan Loeb asked where the additional manpower will be coming from?

Mr. Clune answered, Orange County Mutual Aid.

Mr. Fuller said that that is the stated volume of water available, and that the actual flow rate required is 5,000 gallons, which is supplied by the tankers within 10 minutes.

Al Fusco said that a deluge system is set, tested, and it's right there.

Dave Dean referred to the "Fire Safety Analysis", page 24, states that if the tanks are built the way they are, with the safety features, that the risk factor is relatively small. He expressed his opinion, doubting if anyone could stretch a line that far, that fast. He also said that this page 24 states, that if there is some kind of breach in the lines, then the system will be shut down.

Al Fusco said that they can have the water already partially piped onto the site, so where they can just hook up, that is, a dry hydrant.

Al Fusco referred to his technical memo, dated May 13, 2009. He said that the foundation detail, included on the site plan, is not stamped by a professional, and that still needs to be done.

Al Fusco asked Mr. Fuller for a copy of the letter that he had submitted to the NYSDOT.

Al Fusco said that the details of the shop drawing that the other professionals had done still need to be stamped, either by a PE or an RA, so there is some kind of accountability.

John Fuller acknowledged that the supplement to the "Fire Safety Analysis", is unstamped, and he will take care of that.

Al Fusco said that if there are any slats in the fencing that will have to be added.

MOTION

Derek Wilson made a motion to schedule a public hearing for the Deerpark Oil application on May 27, 2009. David Dean second.

Roll call vote:

Santiago, aye; Malsberg, aye; Loeb, aye; D. Wilson, aye; Dean, aye; W. Wilson, aye.

Motion carried.

COMMUNICATION & CORRESPONDENCE FROM THE CHAIR – HIGHLAND OPERATING LTD.

Skip Wilson said that this applicant has already been granted one (1) six (6) month extension of their conditional approval, and are now requesting a second extension.

MOTION

Dave Dean made a motion to grant a six (6) month extension to the Highland Operating Ltd. conditional approval. Theresa Santiago second. Roll call vote:

Santiago, aye; Malsberg, aye; Loeb, aye; D. Wilson, aye; Dean, aye; W. Wilson, aye.

Motion carried.

The secretary was instructed to contact the applicants' engineer, and tell him of the Boards' decision to

grant a six (6) month extension.

MAY 20, 2009 WORKSHOP - DEERPARK VILLAGE

Skip Wilson reminded the Board that there is a workshop scheduled for May 20, 2009 at 7:00 p.m. at Town Hall, for discussion of the Deerpark Village application. He said that the Town Attorney and the Town Engineer will also be in attendance.

BASHERKILL SUBDIVISION

Skip Wilson said that the Basherkill Subdivision applicants had asked that the Planning Board members schedule a site visit, and also invite the Town Board members, since they would have to make a zoning change on this application.

MOTION

Skip Wilson made a motion to schedule a Basherkill Subdivision site walk visit on Thursday, May 28, 2009, to meet at 6:00 p.m. at Deerpark Town Hall, and invite the Town Board members. Theresa Santiago second. Roll call vote: Santiago, aye; Malsberg, aye; Loeb, aye; D. Wilson, aye; Dean, aye; W. Wilson, aye. Motion carried.

Viola Sinsabaugh said that she will relay this site visit information to the other Town Board members.

ESCROW ACCOUNTS

Viola Sinsabaugh said that there is a problem with the escrow accounts, that is, that there is not always enough money in the accounts to pay the engineering and legal fees.

Skip Wilson said that he is aware of this. He continued, that pre-application conferences are free, and applicants do not have to pay any fees associated with first time pre-application conferences that they attend.

Skip Wilson said that sometimes the bills do not come into the Supervisors' office quick enough, and may arrive, even after he has stamped an applicant's map with final approval.

The Board determined that the Supervisor's secretary still needs to keep track of the fees, and be in touch with the Planning Board Chairman and Planning Board secretary, about any outstanding bills, and that the Chairman or secretary should double check for any further bills, with the Town Engineer and Town Attorney, before the Chairman stamps the maps as final.

Dave Dean said that any bills from the past, where the applicants have already received their stamped maps, there's nothing that the Board can do to collect those monies.

ADJOURNMENT

Derek Wilson made a motion to grant a six (6) month extension to the Highland Operating Inc. conditional approval. Theresa Santiago second. Roll call vote: Santiago, aye; Malsberg, aye; Loeb, aye; D. Wilson, aye; Dean, aye; W. Wilson, aye. Motion carried.

Meeting adjourned at 8:15 p.m.

Respectfully submitted,

Barbara Brollier, Secretary