

The Deerpark Planning Board met for their bi-monthly meeting on Wednesday, June 25, 2008 at Deerpark Town Hall, Route 209, Huguenot, N.Y. The following were present

BOARD MEMBERS

David Dean *- Acting Chairman	Derek Wilson
Theresa Santiago	Dan Loeb
Noel Malsberg	
Gary Spears	

OTHERS

Mr. Glen A. Plotsky, Town Attorney	Mr. Al Fusco, Town Engineer
Mrs. Viola Sinsabaugh, Town Board Liaison	Mr. John Fuller, P.E.
Mr. Ron Cecchini, Applicant	
Ms. Lana Han, Esq./ Dragon Springs Buddhist, Inc.	

THE PLEDGE OF ALLEGIANCE

RICHARD HAGEN SUBDIVISION ? PUBLIC HEARING Represented by John Fuller, P.E.
Owner/ Applicant Richard Hagen wishes a 3 lot subdivision on property located on Route 42 and Hagen Road, Sparrowbush, N.Y.
It is an RS zone.
Section- Block ? Lot = 24 ? 2 - 43
Application received May 1, 2008.

SEE ATTACHED PUBLIC HEARING RECORD

For the record, Mr. Fuller did submit the certified mailings of the public hearing notice to the adjoining landowners.

Al Fusco referred to his technical memo, dated June 25, 2008. He said that previously he had mentioned that there should be a 25 **foot** strip to be offered to the Town for dedication on Old Forestburgh Road. He said that this still has to be done and the deeds of dedication need to be submitted to the Town Attorney. He said that the County and State DOT is using ASHTO, and the applicant still needs to do that.

David Dean referred to the letter that the Board received from Orange County Planning, pertaining to this application. He, and the Board agreed with him, that the comments are irrelevant, and they decided that the applicant will not have to comply with the Orange County Planning suggestions.

Derek Wilson said that on parcel #1 the freshwater wetlands were delineated on the map, and he asked why?

Mr. Fuller answered that the word ?delineation? is a misnomer. He said that the line as noted is taken from a NYSDEC map, and it is not delineated, as far as someone going out and putting flags into the field. He said that the actual on site delineation will be done at the time that the lot is subdivided. He said that the delineation shown now has no impact on the subdivision as proposed.

Derek Wilson said that the Building Inspector would require a delineation at the time that someone wants to build on that lot, it would not come back before the Planning Board.

Derek Wilson said that on parcel #2, it says ?approximate location?, and asked about the delineation?

Mr. Fuller answered that parcel #2 is the 37.7 acres and there are two lines there that are represented, and there's a stream and then bounded wetlands beside the stream.

The Board reviewed Part II of the Short Environmental Assessment Form and answered "no" to all questions.

MOTION

Gary Spears made a motion to declare a negative declaration, an unlisted action, and declare the Deerpark Planning Board as lead agency. Theresa Santiago second. Roll call vote: Santiago, aye; Malsberg, aye; Loeb, aye; D. Wilson, aye; Spears, aye; Dean, aye. Motion carried.

MOTION

Gary Spears made a motion for conditional final approval subject to the applicant complying with all of the Town Engineer's comments and his satisfaction with the plans and payment of all town engineering fees and Town Attorney approval of the dedication to the Town and payment of all legal fees. Theresa Santiago second. Roll call vote: Santiago, aye; Malsberg, aye; Loeb, aye; D. Wilson, aye; Spears, aye; Dean, aye. Motion carried.

SAFE STAY DAY CARE CENTER ? PRE-APPLICATION CONFERENCE Represented by John Fuller, P.E.
Owner/ Applicant Susan Muzer wishes to build an additional building on property located at the intersection of Route 42/97 and Corso Rd., Sparrowbush, N. Y.
It is in the HMU Zone.
Section- Block ? Lot = 44 ? 4 ? 23.1

Mr. Fuller said that the applicant wishes to build a [1900 sq ft](#) addition to the original building on the Route 42/97 part of the property, and indicated the location on the site plan. He said that the original site plan approval was in December 2001, where the old bank building was already on the property and at that time the accessory building was approved, and Ms. Muzer had a substantial amount of expansion done to the septic at that time. He said that the existing septic does have adequate capacity to accommodate this proposed expansion. He said that the [1900 sq ft](#) would be for additional office space, two play rooms and a commercial kitchen. He said that it will be two-story, just like the original building. He said that it's approximately a 960 square foot blueprint, times 2, because it's going to be a two-story, making it approximately 1,900 square feet.

Al Fusco asked how many children would be accommodated?

John Fuller answered that there were 60 children indicated on the original site plan, and that the owner is not building to accommodate additional children, but is needing additional space, because she is now cramped.

The Board asked Mr. Fuller to find out if Ms. Muzer plans on increasing her student attendance, and if so, how many more students is she seeking?

The Board agreed that this new addition should look like the original building as much as possible, or at least to blend in.

Theresa Santiago asked about the existing playground?

Mr. Fuller answered that parts of that playground will be removed.

The Board agreed that there should not be a problem with this application.

DOMINICK ALFIERI (DEERPARK EXCHANGE)

Represented by John Fuller, P.E.

Owner/ Applicant Dominick Alfieri wishes to build a commercial building on property located on Route 6, east of the I-84 exit ramp.

It is in the IB Zone.

Section ? Block ? Lot = 57 ? 2 - 14

Application received June 20, 2008.

John Fuller said the applicant is seeking to build a 2 story commercial plaza building, and the dimensions would be approximately 95' X 125', approximately 23,000 square feet, the 2 story total. He said that based on the parking calculations in the Town Ordinance, he has drawn in the parking however, the parking may be inadequate for this type of facility. He said that he presently shows the septic at the rear of the lot and the retention pond at the front of the lot.

He said that he has eluded to an infiltration pond on the property.

He said that he would like to do an underground retention system to increase the parking. He asked the Boards' opinion on that.

John Fuller continued by saying that under New York State Stormwater Regulations, he has to do a certain amount of treatment and then detention, so he said that he was thinking about doing parking lot rain gardens where the water would be filtered through to satisfy the water quality issue, and then the quantity of water would be in the underground detention.

John Fuller said that the percs are excellent, the soils is well drained and true.

John Fuller said that the existing garage on the property will be demolished.

Dave Dean asked about the building of a sewage treatment plant, and the fact that if built, everyone would be forced to hook up to it.

John Fuller said that there is a sewage treatment plant planned for the River Country project, approximately 1/2 mile west on Route 6, and that two sewer treatment plants so close in proximity would not fly with the powers that be. He said, however, if the River County project fails, then a sewage treatment plant would be contemplated.

Al Fusco said that a lot would weigh on the stream assimilation and where it would go. He said that it depends also on the scope and the depth of it.

Dominick Alfieri said that he would be in favor of a sewage treatment plant, if he could acquire the adjoining property.

Al Fusco referred to his technical comments, dated June 25, 2008, most of which, he said, are cookbook comments.

He said that he has no issue with underground storage. He said that there has to be a maintenance schedule also.

John Fuller said that the parking, according to the Town Regulations, is all based on the commercial and the use. He said that this project could use at least another 20 parking spaces. He said that

landscaping is a big part of this project. He said that porous pavement is a new innovation that Dick's Concrete has, and it does work.

Mr. Fuller thanked the Board.

RON CECCHINI ? PRE-APPLICATION

Applicant was a walk-in, and the Board agreed to hear him.

Mr. Cecchini said that he lives on Guymard Turnpike and a neighbor, Ron Brown owns .88 acres, and he wishes to purchase Mr. Brown's

parcel. He said that Mr. Brown's .88 parcel has no buildings on it.

He said that Mr. Brown does have a house on another 1/2 parcel. He said that Carriage Road, a private road, is the ingress and egress, and it's part of the Lake Guymard Association.

The Board agreed that this would be a subdivision/ lot consolidation.

Mr. Plotsky said that the end result would still be two non-conforming lots, but they would be less so.

The Board agreed that both Mr. Cecchini and Mr. Brown will have to sign the application and pay the one application fee of \$225.00.

Mr. Plotsky said that it would be a joint application with both parties signing the application. He said that he will need to see the newly created deeds.

The Board directed Mr. Cecchini to go to a professional and get new maps made, of what the end result would be.

The secretary gave an application to Mr. Cecchini.

DRAGON SPRINGS ? DISCUSSION

Mr. Plotsky said that he was contacted by the applicants' attorney, who reminded him that the special use permit that was granted in June 2007, expires on June 27, 2008. He said that the Building Inspector is away on vacation and is not expected back until June 30, 2008. He

said that the Board needs to hear the Building Inspector confirm that there are no violations. He said that realistically that if there were violations, he would probably know about them. He said that in order to be in full compliance with the way that the Town Law is set up, the Board still needs to get something in writing from the Town Building Inspector and the Town Engineers' Office that the applicants are in compliance. He said that then, the Board can decide whether to grant a one year, or a two year or a five year, or whatever time frame for the special use permit.

Mr. Plotsky said that in the absence tonight of the Town Building Inspector, that the Board extend the present special use permit, at least for 30 days, that is, at least two meetings. He said that the applicant should be put on the next agenda or the agenda one month from tonight, for discussion with the Building Inspector for verification. He said that a special use permit is automatically renewed anyway, as long as there are no violations.

Mr. Plotsky said that because of summer vacations and the possibility of a lack of quorum at the next four meetings, that the Board may want to grant a 60, or even a 90 day extension, until they can vote on the special use permit, after they receive the Building Inspector's report.

The Board decided that they will give a 90 day extension, until they can get a report from the Building Inspector.

The applicants did agree.

Mr. Plotsky said that the applicant will be notified through his office, about the renewal, since they don't have to attend that meeting, and just want to be notified.

MOTION

Derek Wilson made a motion to extend the Dragon Springs Buddhist Inc.

special use permit for 90 days. Gary Spears second. Roll call vote:

Santiago, aye; Malsberg, aye; Loeb, aye; D. Wilson, aye; Spears, aye; Dean, aye. Motion carried.

Mr. Plotsky said that a letter will be written by the secretary, through the Planning Board Chairman, that a 90 day extension was granted on June 25, 2008 and that as soon as the Board gets the needed information from the Town Building Inspector and the Town Engineer, the matter will be placed on an agenda. He said that an inter-office memo should be sent to the Building Inspector and the Town Engineer advising them to do what they have to do and to report back to the Planning Board within 30 days, confirming whether there are any violations.

Derek Wilson asked that the secretary notify the applicants when they are placed on the agenda.

ADJOURNMENT

Derek Wilson made a motion to adjourn. Theresa Santiago second. Roll call vote: Santiago, aye; Malsberg, aye; Loeb, aye; D. Wilson, aye; Spears, aye; Dean, aye. Motion carried.

Meeting adjourned at 8:15 p.m.

Respectfully submitted,

Barbara Brollier, Secretary