

The Deerpark Planning Board met for their bi-weekly meeting on Wednesday, August 8, 2006 at 7:00 p.m. at Deerpark Town Hall, Route 209, Huguenot, N.Y.

The following members were present: PLANNING BOARD MEMBERS

Willard (Skip) I. Wilson, Chairman  
Noel Malsberg

Derek Wilson

David Dean Dan Loeb

OTHERS

Mr. Glen A. Plotsky, Town Attorney

Mr. Ron J. Gainer, Town Engineer

Mr. Timothy Gottlieb, Gottlieb Engineering

Mr. Ed Ward, Applicant

Mr. James McCalliskey, Applicant

Mr. John Fuller, Civil Engineer

Mr. Scott Decker, Applicant

THE PLEDGE OF ALLEGIANCE

DEGROAT & SHAW SUBDIVISION - PUBLIC HEARING

Represented by Timothy Gottlieb, Gottlieb Engineering 794-5506

Owners/ Applicants Dennis Degroat, Jr. & Patricia Shaw wish a 2 lot subdivision on property located on Neversink Dr., Town of Deerpark, Orange County, N.Y.

It is an RR Zone

Section - Block - Lot = 53 - 1 - 78

Application received May 30, 2007.

SEE ATTACHED PUBLIC HEARING RECORD

Mr. Gottlieb presented the certified mailings to the secretary

Mr. Gainer said that the 30 day period for receipt of comments from the County referrals has expired.

The Board then made a review of the short form EAF filed on the project. The responses provided were accepted, and the Board reviewed all questions contained in Part II and answered "no" to all questions on the SEQRA form.

MOTION

On the basis of the Board's review of the latest plans, EAF and public record, David Dean made a motion for a negative declaration. Dan Loeb second. Roll call vote: Loeb, aye; Malsberg, aye; D. Wilson, aye; Dean, aye; W. Wilson, aye. Motion carried.

Mr. Gainer referred to his technical memo and advised the Board to take no further action on this application tonight. He said that he had also personally conducted a site inspection, and didn't observe any site conditions that would preclude development of the site.

Mr. Gottlieb said that he could come back on September 26, 2007 for this application.

McCALLISKEY & WARD SUBDIVISION

Represented by Ed Ward & James McCalliskey

Owner/ Applicant Ed Ward wishes a 5 lot subdivision on property located on Brandt Rd., Cuddebackville, N.Y.

It is an RR Zone.

Section - Block - Lot = 7 - 1 - 37

Application received June 4, 2007

Mr. Gainer said that several Board members went on a site walk, and he has issued comments to the applicants on all observations made. He said that the applicants did recently submit some written material from the County County Soil Survey, on soil types, slopes and things of that sort. However, this is not acceptable. This information, being soils limits, and slope analysis, should actually be represented on the subdivision plan itself. Mr. Ward and Mr. McCalliskey said that they know what they need to do, and thanked the Board.

ROBERT DECKER

Represented by Mr. Scott Decker, and Mr. John Fuller, P.E. 856-1536

Owner/ Applicant Robert Decker wishes a 3 lot subdivision on property located off of Middleton Rd., Sparrowbush, N.Y.

It is a Residential Settlement Zone.

Section - Block - Lot = 44 - 4 - 13.1

Application received March 6, 2007.

Mr. Fuller is the new engineer for this project.

Mr. Fuller told the Board that at the end of Middleton Road is all of the Decker properties. He said that there's a common shared access, of two landlocked lots, through one of the parcels of land. He said that the Town Highway Superintendent proposed that the applicant create a cul-de-sac at the end of Middleton Road. Mr. Fuller said that the problem that that presents however, is that the driveway at the end of Scott Deckers' lot would be too difficult to build because of the steepness there.

Mr. Fuller showed the Board members two proposals:

1) Extend Middleton Road as a town road, to the back end of the far lot and create a cul-de-sac there. He said that that, however, would exceed Town regulations for a town road with a cul-de-sac. The Board agreed that this would require a variance, but would issue a recommendation letter on behalf of the applicant to the ZBA, because a variance would improve the situation, which now is less than desirable. Mr. Gainer said that some stormwater management facilities would be needed for this scenario.

2) Put a cu-de-sac at the end of Middleton Road, which is what the Highway Superintendent proposed.

The Board felt that the first proposal would be more appropriate.

RUM RUNNERS SUBDIVISION - FIRST MEETING WITH SUBMITTED APPLICATION

Represented by John Fuller, P.E. 856-1536

Owner/ Applicant Cummings Development is requesting a 3 lot subdivision on property located at 966 Route 209, Cuddebackville, N.Y.

It is an HMU Zone.

Section - Block - Lot = 31- 1 - 5.2

Application received July 23, 2007

Mr. Fuller pointed to the location on the map and said that initially a flag lot was in the back of the property, and two commercial properties, with no proposed development at this time in the front. He said that two driveway entrances need to be approved by NYSDOT later on . He said that the applicant is only pursuing the subdivision at this time. He said that the owner wishes to subdivide the lot off with the house as a 2 acre piece. He said that one lot would have 2+ acres. another lot would have 2+ acres, and the balance would be slightly over 6 acres.

Derek Wilson asked about the Orange & Rockland easement?

Mr. Fuller answered that it is an Orange County easement as well, but it is not part of this parcel.

David Dean asked what is the proposed commercial use planned for the parcels?

Mr. Fuller answered a small strip building for various businesses.

David Dean asked for a footprint proposal for the commercial use of the property.

Mr. Gainer said that an intended development concept for all lots should be evidenced on the environmental documents, in order to move the application forward. Otherwise, the Board is being asked to endorse a subdivision proposal without any assurance that the intended development was appropriate.

The Board and Mr. Gainer agreed that the applicant would have to submit site plan applications later on for the commercial development planned for the other lots proposed, and that a note to that effect should be placed on the subdivision map.

#### EQUITY HOMES - SUBDIVISION - ROUTE 42 - FIRST MEETING

Represented by John Fuller 856-1536

Owner/ Applicant Equity Homes wishes a 2 lot subdivision on property located on Route 42 (just south of Wilson Rd.), Sparrowbush, N.Y.

It is an RR Zone

Section - Block - Lot = 33 - 1 - 37.4

Application received July 23, 2007

Mr. Fuller said that this is an irregular shaped lot, and 2 family dwellings proposals would require that lot area requirements would have to be doubled. He said that the right-of-way is off of Route 42, a shared driveway for the two proposed 2-family dwellings.

The Board said that there should be a note on the map, "No further subdivision."

Mr. Fuller said that he will make another submission.

#### RIVER COUNTRY TOWN SQUARE LLC.

Owner/ Applicant 688 Port Estates Inc. wishes to build a commercial site containing restaurants, a multiplex theater, and a motel, on property located at the intersection of SR #6, CR #15 and CR # 16, Town of Deerpark, Orange County, New York.

It is an I.B. Zone

Section - Block - Lot = 57 - 3 - 2

Application received April 27, 2007.

Mr. Gainer said that the 30 day comment period, to circulate for lead agency, has expired, and the Board is in a position to declare itself lead agency and could consider making a positive SEQRA declaration.

#### MOTION

Derek Wilson made a motion that the Deerpark Planning Board formally declare itself to be lead agency for the River Country Town Square LLC application and declare a positive SEQRA declaration. Dan Loeb second. Roll call vote: Loeb, aye; Malsberg, aye; D. Wilson, aye; Dean, aye; W. Wilson, aye. Motion carried.

The Board scheduled a scoping session for the DEIS for Wednesday, September 26, 2007

Mr. Plotsky said that the city of Port Jervis Planning Board has deferred lead agency to the Deerpark Planning Board, and will abide by its' SEQRA determinations, and will contribute comments and concerns as an involved

agency.

CORRESPONDENCE AND COMMUNICATION FROM THE CHAIR

MOLITERNO

Ron Gainer said that a recent memo from the Town Highway Superintendent had questioned the adequacy of the present culvert that is under Brandt Road adjacent to this project, and said that the pipe should be increased to 48” in size. Ron Gainer said that tonight he made a site inspection of the culvert with the applicant and found the pipe to already be 48”, and immediately contacted the Highway Superintendent. The Highway Superintendent plans to visit the site himself tomorrow, and will notify Mr. Gainer of his findings so a final determination can be made as to whether the pipe needs replacement.

MOTION

Derek Wilson made a motion to grant a 30 day extension to the Moliterno application.

Dan Loeb second. Roll call vote: Loeb, aye; Malsberg, aye; D. Wilson, aye; Dean, aye; W. Wilson, aye. Motion carried.

DRAGON SPRINGS BUDDHIST INC.

Ron Gainer said that the applicant has requested from the Deerpark Building Department a permit for another new well to be drilled on their property, labeled as well #6, which will reportedly not be potable water, but used for irrigation. He said that the Building Inspector had asked for the Boards’ opinion.

The Board members said that a note should be put on the permit, “not for potable water,” and agreed that Mr. Gainer should send a letter to the Building Inspector seeking additional information before the permit is issued. They expressed concern whether this could potentially be a large producing well, which then could have an adverse effect on existing wells in the area.

DEERPARK VILLAGE ASSOCIATES

Mr. Gainer said that the Board should be aware that one letter has been received which is requesting a time extension for submission of written comments pertaining to this application.

The Board decided to add this applicant to the next agenda, so that the Board could evaluate whether to extend the 30 day comment period.

ADJOURNMENT

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

Meeting adjourned at 8:35.p.m.

Respectfully submitted,

Barbara Brollier, Secretary