

TOWN OF THOMPSON
PLANNING BOARD
Wednesday, June 26, 2019

IN ATTENDANCE:	Chairman Lou Kiefer	Michael Croissant
	Matthew Sush	Kathleen Lara, Alternate
	Jim Barnicle	Arthur Knapp, Alternate
	Michael Hoyt,	Paula Elaine Kay, Attorney
	Debbie Mitchell, Secretary	MaryBeth Biancon, Planner
	Richard McGoey, Consulting Engineer	

Chairman Kiefer called the meeting to order at 7:00 p.m.

A motion to approve the June 12, 2019 minutes was made by Michael Croissant and seconded by Matthew Sush
5 in favor, 0 opposed

TARPON TOWERS II, LLC

Wurtsboro Mountain Road, Rock Hill, NY S/B/L: 35.-1-34
Jared Lusk, Nixon Peabody, LLP
Mike Crosby, RF Engineer, Verizon Wireless

Mr. Lusk – For the record Mike Crosby works for Verizon not Tarpon.

Mr. Lusk – On June 20, 2019 I sent you a large package to look over and don't think we need to go over it line by line. Your job is to balance all the needs for the community not just the homeowners. You have to balance all of the factors. The Calcam Property is the only site that is available that will deliver reliable Verizon service to the area. Chairman Kiefer – Is Crystal Run out? Mr. Lusk – As soon as we left the meeting there was an e-mail to Dr. Teitelbaum of Crystal Run. We were told to contact Christine Wise-Vazquez in his office. Ms. Wise-Vazquez said to contact a Brian Nixon with Real Estate & Access Leasing of Vertical Bridge Holdings LLC who is Crystal Run's Real Estate Agent. In my letter Mr. McGillion had a very short conversation to check the landowner's interest in leasing the property. There were suggestions from Mr. Campanelli that there were particular material points to a lease. According to Mr. McGillion that conversation never amounted to no more than a basic conversation. Mr. Nixon said he would get back to Mr. McGillion if there was any interest. We received an e-mail back from the agent that said thank you for your time but we have decided not to move forward with the cell tower. I attempted to respond to Mr. Campanelli in regards to his comments about the ground level being discussed with Crystal Run, but that conversation had never gotten to that level. You have copies of that conversation in your packages. Mr. Campanelli had said we didn't establish the need for this project and you know we have been here several times and as you know we need this tower. Several people stood up at the Public Hearing and said we had a need for the cell tower, they just wanted it in a different location. Mr. Campanelli was the only people who said we didn't need this tower. We wouldn't have gone through all this work if we didn't need a tower. Chairman Kiefer – We are all in agreement that we need the tower.

Mr. Lusk – Mr. Campanelli suggested we do a drive test. The drive test is so old school. As Mr. Crosby has said there are much better way's then a drive test with a single frequency. Mr. Crosby has outlined the differences between the coverage maps, marketing maps, network maps and design maps. Mr. Campanelli forgot to tell you about the disclaimer that is included in the system that tells you about the difference between coverage and network design. This Board as well as Mr. Campanelli have asked us to look at other sites. Mr. Crosby has set forth why Crystal Run and two additional sites (BBF & RHH) will not work. Crystal Run won't work because the comparative plots are loss in coverage. From the RF those two other sites have been rejected. The landowners have not been contacted since they will not work. Before the meeting we talked with Mr. Gottlieb about looking at alternative sites on the proposed parcel. We identified two other location on that property. Tarpons perspective is either will work. The locations are down by the Highway near the billboard and mid-range. The mid-range tower will be maximum high without being lit. Going down towards the billboard it will need to be lit. Jim Barnicle – What is the height without having it lit? Mr. Lusk – With lighting rode it will be either 194 feet plus 5-foot lighting rode or 195 feet plus a 4-foot lighting rod. It has to be under 200 feet. We say we will build pending the engineering. We are not going to engineer until the Board let's us know which site to use.

MaryBeth Biancon –We need to consider the balance. If we all agree that service is necessary, we then have to look at the alternative sites. The alternative cites are going to require more infrastructure to be built. There will be greater disturbance to the land. The tower closest to the highway is substantially a taller tower for the same coverage area. Is it something to think about? Once you hit that 200-foot height you run into FAA issue and the tower needs to be lit. Think about balancing these sites. Look at L1 in your package. The distance from the neighboring house increasing the further you go down the road. The current location is 379 feet from the neighboring house, the mid-range is 628 feet and the one closet to the highway is over 1,000 feet away. That is the benefit of going further down the hill however there will be more infrastructure built, more disturbance of the land, a higher tower and you increase your chances of having the tower lit. Those are the things you that have to balance. Before we get to the SEQRA we will need an updated EAF. You got a lot of material here that discusses the RF and RF issues and Federal regulation regarding health and safety and radio frequency. We rely on the Federal Doctors to protect us. Looking at the impacts of property values. The DEC has made some strong rulings and recommendation that those impacts will not be considered in the SEQRA review. Visual impacts, either the current location or either of the two alternative location they are within the view shed of some import resources. Chairman Kiefer – You mentioned that the mid-range will need more infrastructure? MaryBeth Biancon – You will have to build a longer road. The site stays the same. There is lots of rocks so there will be some construction impacts, but it's something we have to look at. SEQRA asks that you look at both the construction impacts as well as the operations impacts. And the lower site is even a longer road. Jim Barnicle – Between the Mid-range and the downhill location, there is no infrastructure difference just longer driveways. You mentioned that you met with the Gottlieb's and their attorney, what was there thought on the new locations? Mr. Lusk – Mr. Gottlieb's attorney was not there. Mr. Crosby – There were three main concerns. The first was the distance of the tower and that was discussed. The Second was the location of the access road. The original was proposed adjacent to their property line. They felt that was encroaching on the line and it would open up the tree's and canopy area further. That was a concern for them. The third was they wanted to make sure they let us know they are not only looking out for themselves but the Wanaksink neighbors as well. Each of these locations have pros and cons. In 25 years of working we try to minimize the height of the

tower and the infrastructure as well. We think what is proposed here will work. The first location and the Mid-range roads do go over some terrain. The third road is longer but more level. It appears that the road has been there and has been accessed over times not sure if its adequate.

Chairman Kiefer - The biggest issue would be the height of the tower near 17. Mr. Lusk – That would be 235 feet. The need for the tower and height is because of the typography of the area. Out of the four surrounding tower three are over 200 feet. I'm not avocation for a 235-foot tower. I'm saying that an over 200-foot tower is what is in the area. Paula Kay – The Wolf Lake tower had some work done on it recently. Mr. Crosby – That is an ATT old tower so I don't know. Mr. Lusk – A lot of work I do is to get approvals from Boards to replace existing Antenna for newer and better Antennas. And sometime that means less Antennas needed. Mr. Crosby – That is a long-distance tower, they had the large reflectors and those sometime have to be removed since they are old.

Mr. Lusk – With regards to the info submitted with property values. It is very hard to prove a negative. I do a lot of assessment work and reply on appraisal reports. There are no comparative sales to figure out the property value. Your Asser will tell you that an appraisal without a comparative sale is not really an appraisal it's a letter of opinion. I provided you with survey data that say's reliable cell phone coverage is more important to the millennials then school districts. I understand why people don't wants a tower in their back yard but there is a need for a cell tower. More and more people are going wireless in their homes.

Paula Kay – What are you looking for from the Board tonight? Mr. Lusk – I would like the Board to tell us what is the better site. Michael Croissant – What has a more visual impact? Mr. Lusk – It's hard to say, it depends on who you are. Michael Croissant – The tops of all three are at the same height? Mr. Lusk – There is a 500-foot difference in locations. You are still going to see the tops no matter where you are. Paula Kay – 500 feet between the original site and the Billboard site? Mr. Crosby – 521 feet between the original site and the Billboard site and 250 feet from the original site and the mid-range site. Mr. Lusk – I'm not telling you what to do, but wouldn't you want an unlit tower? Michael Hoyt – On the other side of 17 you're going to hear a lot of flak about a lit tower. We talk about the safety. We need cell phone service in the area. I understand the neighbors but we need service. I think we should look at mid-range site. If we go down by the billboard the sunset is going to be worst because there will be a lite on the tower.

Chairman Kiefer asked the Board which site they would like and they all said mid-range.

Mr. Lusk – Between now and mid-July I will do our best to get that site engineered and get the new information for the EAF.

MaryBeth Biancon - When we talk about the balance, I think the lower tower will have a lite and you will see it even at night and also will see it from the other side of 17 as well. Michael Hoyt – The other side of 17 will also see the mid-range. MaryBeth – Yes, they will. This is line of site technology. The goal is to maintain antenna location at the same height, the typography below is the change in the tower.

Michael Hoyt – One of the consultants at the Public Hearing was talking about Micro towers/little tower, what is that? Michael Crosby – We do smaller tower but We don't have the density of population. This

is not a viable option for us. Mr. Lusk -We use macro where we need to boost the signal but that won't work here. MaryBeth Biancon – That type of technology is used in urban areas to fill gaps. Remember this is a line of site technology. If your sitting in the middle of a concrete building how do you get service? You would use a repeater inside the building but on the outside, you have canons so you need to maintain those areas. You would use those Micro towers but you still need the service first in order for them to work.

ICHUD FOUNDATION INC

240 Forestburgh Road, Monticello, NY S/B/L: 28.-1-22

Tim Gottlieb, P.E.

Rabbi Schwartz

John Cappello

Richard McGoey – The site plans have not been updated and the ADA has not been corrected and we need this corrected before you open. This is the fourth time we are asking you to fix the ADA.

Rabbi Schwartz – We just finished the water test and we were supposed to get the results but there was an emergency and the report was not given to us yet. We had an agreement with the village for the sewer upgrade to be done. We gave them the deposit to do the work. The fence is now done and tennis courts are now cleaned up. What is left to be done is our engineer has to go over your engineers comments. We have spent almost \$200,000 to get things done. We need to know if we can get preliminary approval before we put more money into things. Richard McGoey – You had a lot of time to satisfy these comments and would like to see them done first.

Mr. Cappello – There was some big-ticket items and not knowing what the results were going to be with the agreement with the village. The big-ticket items are now completed. If the water test or village didn't agree why move forward. Now we know that we can move forward. We have done lots of stuff. We are here to see how comfortable you are with Rabbi Schwartz to allow him to go forward.

Richard McGoey – The water report is not in our hands yet. I did see the preliminary report today.

Paula Kay – Comment #4: The septic system tank for the newly proposed 12 units appears to be substantially undersized at 4,000 gallons. The engineer was to prepare calculations and identify an appropriately sized septic tank. – That is a concern. Mr. Gottlieb – That is just a changing of the tank. Paula Kay - I don't disagree we just don't have that info yet. Mr. Cappello – We need final SWPPP, final details on the septic tank and need to finish the water report. The water testing is completed we just need the reports. Mr. Gottlieb – We were waiting on the water test before we came back. Chairman Kiefer – I'm talking about the impact on your neighbors. Mr. Cappello – The preliminary annalise say's this is substantial.

Paula Kay – Comment #7: The Planning Board Attorney is to review the resolution of the Village Board with respect to providing sewage pump station improvements for acceptability. In addition, the Planning Board should determine whether the upgrade to the pump stations should be completed prior to any

building permits being issued for the six duplexes. Mr. Cappello – I do have the resolution and the amendment to the agreement. The village is comfortable to allow us to do the new units.

Richard McGoey – What is the schedule for structural completion. Mr. Cappello – I can't tell you because the village is doing the repairs and we are just financing it. Paula Kay – Until that is complete, no permits. Mr. Cappello – I can go back and that wasn't the agreement. The Boards in the past said to get the approval from the Village and we did that and we signed the contract. Paula Kay – I don't disagree with that. My understanding is there is problems there now with overflow. Jim Carnell – There were issues and the compacity of the pump station was inadequate during peak flows. If the current village operator says' it can handle everything then I'm ok with building permits. But the past operator said it was not. Rabbi Schwartz – I got a letter from the village yesterday saying as long as we sign with them, they have no problem with us getting the new twelve units.

Paula Kay – We need something from the head of water and sewer saying it's ok to use. Rabbi Schwartz – Phil and Michael Davidoff said as long as we signed, they had no problem with the system, but I will go back and get a letter.

Mr. Cappello – The operation has changed but we got a report from the engineers back in 2017 that we all agreed on and we have had a lot of party changes. We have had 2 different village mangers; 3 different engineers look at this. We had significate repairs to the INI. The prior sewer operator gives us approval and now you want us to get it from the current operator. Will he still be there in three months. The village is taking the steps to fix it and the applicant is financing it. This has been the fourth or fifth time and now the goal post has moved again. The village gave us approval and now you want another approval from the operator. The agreements have been already singed. Paula Kay – Just need to know even if it's just an e-mail to make sure everything is going to work property. Mr. Cappello – There will be no sewer going to the pump station until the CO is approved. Jim Carnell – The new units is not the issue, it's the existing. I do agree they have done great with the filtration and they reduced the number of pumps station on site. They have reduced the INI and that is good. The board is not ready for a Neg Dec for SEQRA because you don't have the water report. You will be back by July 10 and we will know by then if it's not working property because you will be at full compacity.

Mr. Cappello – By July 10th we will have all the sewer and water reports to you.

9 GLEN WILD LLC (I-86)

9 Glen Wild Road, Rock Hill, NY S/B/L: 32.-1-21

Tim Gottlieb, Gottlieb Engineering

Arthur Knapp recused himself from participating in this application.

Mr. Gottlieb – Richard McGoey and I went over the comments already. Is there anything we need to do please let me know? Paula Kay – When will we have the Katrina Falls plans? Mr. Gottlieb – I don't know because we are waiting for the surveyor. Chairman Kiefer – This survey map is incomplete.

Richard McGoe – We need to see where everything is being parked and stored. And what about that cardboard that is being stored in the back? Mr. Gottlieb – I was told that was supposed to be in a trailer and then the trailer will go away but the trailer never showed up. Richard McGoe – Where does that cardboard come from? Mr. Gottlieb – I don't know. Paula Kay – We want you to come back with an as built plan for July 10, 2019. Mr. Gottlieb – I'm not going to be ready by then, how about the next meeting, July 24, 2019.

SMOKERS CHOICE

146 Rock Hill Drive, Rock Hill, NY S/B/L: 32.-2.56.2

Darren Schwartz, owner

Douglas Nolan

Mr. Schwartz – I brought in some renderings of what the building will look like and the stone work. The look will be much nicer than what is there now. Mr. Schwartz shows the board pictures and stone.

Paula Kay – Have you thought about signage? Mr. Schwartz – No signage.

Mr. Schwartz – Do I have to bring the Architect to the work session Monday? Richard McGoe – No.

Paula Kay – Go see Jim Carnell and make sure you get all your permits you need.

ORCHARD PARK ENTERPRISES, LLC (FREEDS BUNG)

506 Old Liberty Rd, Monticello, NY S/B/L: 8.-1-47.1

Joel Kohn

David Levaton – Owner

Mr. Kohn - The project is to demolish a few old trailers, add three duplexes and but on porches to existing units. The biggest issue is parking. There is parking along the road and in the driveway inside the bungalows. Kathleen Lara – With the new fencing it's going to make it harder to park. Mr. Levaton – I think there are gates so you can go in and out. We want to combined the small 1-bedroom units and make them bigger. Kathleen Lara – How many will there be now? Mr. Kohn – We are going from 41 units to 36 units. Four of the duplex's on Fraser Road will become single homes giving you less cars.

Mr. Levaton – We will have more clearing in the back for parking along with a wider road. Richard McGoe – Those cars have to back out onto Fraser Road now. Mr. Levaton - If this does get an approved it should make it better. Chairman Kiefer – How soon will the new parking happen? Mr. Levaton – As soon as all this work gets done. Once we eliminate the structures and clean it up. Richard McGoe – The issue with parking on the side road is you are going to block emergency exits. Mr. Kohn - It's a narrow road. Mr. Levaton and Mr. Kohn show's Richard McGoe the road on the map and how it's a one-way road and it exits onto Fraser Road. Richard McGoe – That's a new exit? Mr. Kohn - No it's existing. Richard McGoe – Can you put parking in the back and make sure to add it to the site plan. Mr. Kohn - That won't eliminate parking here.

Mr. Levaton – The property is what it is now but I think we can improve it.

Chairman Kiefer - Emergency access is very important. Mr. Levaton – The new road is going to be 20 feet wide. Chairman Kiefer – But this current road is very narrow.

Richard McGoeey – When you come in you know we are always looking to approve things. Chairman Kiefer – Is there any way to fix some of this parking? Mr. Levaton – We can do some clearing and show on the site plan some more parking and how we are reducing the amount of families but, I can't promise they won't be parking over there because we know they will be. Richard McGoeey – If they are going to park over there then widen the road. Mr. Levaton – We don't have enough room to widen it.

Michael Croissant – How about putting one or two spots in between the bungalows? Mr. Kohn - Not an enough room. Matthew Sush – How many new parking spots on the site? Mr. Kohn - We are showing twelve. Matthew Sush – You want to eliminate the parking on Fraser. Mr. Kohn - Mr. Levaton what do think about parking between the building? Mr. Levaton – Not excited about it since kids are always running around. Chairman Kiefer – I suggest you make the road as wide as you can and add some parking there. Jim Barnicle – The new plan is to pull out onto Fraser instead of backing out? Mr. Levaton – Yes.

A motion to set a Public Hearing on July 10, 2019 was made by Matthew Sush and seconded by Michael Croissant

5 in favor; 0 opposed

A motion to get a 239 from the county was made by Matthew Sush and seconded by Michael Croissant
5 in favor; 0 opposed

218 HILLTOP ROAD

218 Hilltop Road, Monticello, NY S/B/L: 41.-1-24.1

Joel Kohn

Lawrence Marshall, PE, Mercurio Norton Tarolli Marshall

Jay Zeiger, ESQ – Kalter, Kaplan, Zeiger & Forman

Mr. Kohn – This is an existing camp for 100 campers and staff and family. They want to expand to 250 campers plus another 100 staff and family making it 350 campers, staff and families. Another dormitory, shul and another 22 duplex units. There is an existing sewer and septic. There is proposed new sewer and leach field for the proposed stuff. Water will be two new wells for the dormitory any styles. Chairman Kiefer - How many staff for the extra 150 kids? Mr. Kohn - They currently have 30 staff members not all on premises. They want them all on site plus 28 other members, totaling 58 staff.

Paula Kay – We need a work session with you because of our new definition of camps, day camps, bungalow's and dormitory. I think it would be useful to analyze this proposal under the new definition. Mr. Zeiger – We are always in favor to sit down and talk. I'm just not sure if it is a necessary since we don't know if it will be adopted. Chairman Kiefer – We also would like a traffic study done by the Town's Traffic Consultant. Mr. Kohn - That was approved already. Richard McGoeey – It was already done can you have your traffic study sent to me? Mr. Kohn - Yes

Mr. Zeiger – Are we ready for the Public Hearing? Paula Kay – We need to figure out what you are, bungalow colony or day camp. Even under the current zoning I don't know what you are.

Mr. Marshall - We will have a full detail report within the next two weeks. Paula Kay – Then after that we can set you up for a public hearing.

MORRIS LEE

778 Old Route 17, Monticello, NY S/B/L: 4.-1.53.2

Saad-Eldin Elbedwihy, P.E.

Richard McGoeY – You can't do any work on the county's right of away. Richard McGoeY shows Mr. Elbedwihy were that property is and that he has to get a permit from the Sullivan County DPW. Mr. Elbedwihy – Even though it's not active I still need a permit? Richard McGoeY- Yes.

Richard McGoeY – I just received the plans today so I have no comments. Mr. Elbedwihy – I submitted the septic system details. I also submitted a letter to you in respond to your first comments. Richard McGoeY – My comments from the Public Hearing was to have a work session and we have not had one yet. Mr. Elbedwihy gives Richard McGoeY his response to his comments.

Richard McGoeY – I'm ok with the Board giving approval tonight with condition. Kathleen Lara – Are your comments that substantial? Richard McGoeY – No, mostly technical.

A motion for negative declaration motion under SEQRA was made by Matthew Sush and seconded by Michael Hoyt

5 in favor; 0 opposed

A motion to approve the site plan, conditional on Richard McGoeY approval was made by Matthew Sush and seconded by Michael Croissant

5 in favor; 0 opposed

THOMPSON SQUARE 2017 LLC

4058 State Route 42, Monticello, NY S/B/L: 13.-3-40 & 13.3-40-3

Pablo J Medeiros, representing the applicant – Heidenberg Properties

Geraldine Tortorella, Council – Hocherman Tortorella & Wekstein, LLP

Ms. Tortorella – Last time you were waiting for the traffic comments and they came in on June 24th. The bottom line is that he agreed with our analyses and our mitigation that we proposed was an appropriate mitigation. I did hear during the work session that Richard McGoeY would like to see a truck circulation plan. That was already done and we have it and can provide it to you. Richard McGoeY – If you could get a copy to me, Jim Carnell and David Capron. I recommend a conditional final approval subject to the other comments.

Ms. Tortorella – The resolution has been tweaked. Initially all signage will be done in phase 1 but the monument signage will be done in phase 2 since it was for the new standalone building.

Paula Kay – I need the project phasing plan. If you can e-mail it to me then I can insert it into the resolution plan. Ms. Tortorella – It is the same one but I'm happy to send it to you.

Paula Kay – We have the formal resolution that both granting finale conditional site plan approval for phase 1, preliminary site plan approval for phase 2 and phase 3. I'm also going to add the negative declaration to the title.

A motion for negative declaration motion under SEQRA was made by Matthew Sush and seconded by Michael Croissant

5 in favor; 0 opposed

A motion for the Town Engineer to preform field observations during construction to assure compliance of the site plans approval was made by Matthew Sush and seconded by Michael Hoyt

5 in favor; 0 opposed

A motion for conditional site plan approval for phase 1, preliminary site plan approval for phase 2 and phase 3 was made by Michael Croissant and seconded by Michael Hoyt

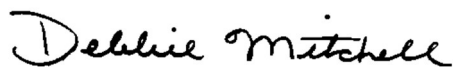
5 in favor, 0 opposed

Ms. Tortorella – We got a letter from Home Depot giving us approval to fix the entrance.

A motion to close the meeting at 8:40 pm was made by Michael Croissant and seconded by Michael Hoyt

5 In favor; 0 opposed

Respectfully submitted,

A handwritten signature in black ink that reads "Debbie Mitchell". The signature is written in a cursive, flowing style.

Debbie Mitchell

Secretary

Town of Thompson Planning Board