

TOWN OF THOMPSON
PLANNING BOARD
August 10, 2022

IN ATTENDANCE: Matthew Sush, Chairman
Kathleen Lara
Arthur Knapp
Jim Carnell, Building, Planning, Zoning
Matthew Sickler, Consulting Engineer
Helen Budrock, Sr. Planner, Delaware Engineering
Paula Elaine Kay, Attorney
Kristin Boyd, Alternate
Laura Eppers, Secretary

A motion to approve the July 13, 2022 minutes was made by Kathleen Lara and Arthur Knapp.
All in favor, 0 opposed.

Chairman Sush appointed Kristin Boyd as a voting member.

Public Hearing:

155 HEIDEN ROAD

155 Heiden Road, Monticello, NY
Hayden Carnell – Project representative

Arthur Knapp was recused.

Chairman Sush read the legal notice aloud.

Paula Kay – Just for the record, Logan Morey is official handling this for the Building Dept.

Helen Budrock – Shared site plan for all to see.

Hayden Carnell – We are looking for a change in use for the 3 existing buildings on this site, from personal to commercial use. Nothing is changing on the site. There is existing gravel parking and outside lighting on the buildings and there will be no change to the drive way. The buildings will now be leases out for storage. One of the buildings currently has antique cars in it and another building is being used by a contractor, which I don't believe there has been any complaints about noise. There will be outside storage of concrete forms and things like that so we showed outside storage on the site plan. There are no employees in the buildings, but there could be 1 to 3 people there at a time getting stuff from the buildings. The entities leasing the buildings may change over time.

Chairman Sush – Is the business plan for each building to be rented to a different entity? Hayden Carnell – That is currently how it is. Chairman Sush – Would they divide a building? Hayden Carnell – No, it will be one whole building to an entity.

Chairman Sush – Is there accommodations for the employees? Hayden Carnell – The restrooms are existing with the existing water & sewer, which is all part of the previously approved site plan. No additional flows or changes there.

Kathleen Lara – I think it fits the area well and have no comments or concerns.

No further comments from the Board.

Meeting was opened for public comment.

No public comment.

A motion to close the public hearing leaving the written comment period open for 2 weeks was made by Kristin Boyd and second by Kathleen Lara.

All in favor, 0 opposed.

DISCUSSION ITEMS :

Chairman Sush announced that both Monticello Motor Club and Viznitz – 27 Lot, to themselves off of the agenda for tonight. Therefore, there will only be 2 discussion items for tonight.

MONTICELLO MOTOR CLUB

67 Cantrell Road, Monticello, NY

Hayden Carnell – Project representative

This project removed themselves from tonight's agenda.

GARDEN HILLS ESTATES

50 Strong Road, Ferndale, NY

Joel Kohn – Project representative

Joel Kohn – This project is an existing bungalow colony with a previously approved and modified site plan. They just finished up their beautiful Shul and now the owner of unit 14 would like to demolish their unit and replace it in a different location. In 2006 we got ZBA and PB approval to add some additions to the units. A lot of them have been done already, including unit 14. They now want to demolish it and move it closer to the road.

Kathleen Lara – Unit 14 looks like it is with another unit. Joel Kohn – Unit 14 is attached to unit 15, so it will basically be cut in half. Unit 15 will be finished from the outside and unit 14 will be relocated. Matt Sickler – Will part of the front deck come off with unit 14 and get rebuilt? Joel Kohn – That deck belongs to unit 14 and the deck on the other side is for unit 15. Chairman Sush – Will the space where unit 14 is

now just be land or will unit 15 double in size? Joel Kohn – Correct, it will be land. The physical building of unit 14 will be demolished so 15 will not be able to expand into it. If unit 15 decides in the future that they want to build out the other side, we will be back. Well, if they want to go with the already approved footprint, they will just need a building permit. Otherwise, we will have to come back in front of the Board. Kathleen Lara – So, it's just unit 14 at the moment? Joel Kohn – Correct. Matt Sickler – The entirety of unit 14 is going and the deck with it? Joel Kohn – Correct. Kathleen Lara – I'm not sure what the logic is. Why wouldn't they offer to let unit 15 buyout unit 14 to make a big unit? It just seems like a lot. It's their decision, I'm just asking. Joel Kohn – There are some older units and some newer units and the newer units are the ones that added additions and those units were actually completely replaced or completely renovated. Kathleen Lara – I see.

Chairman Sush - Is the dark square in the bottom corner of the map the new location? Joel Kohn – Yes.

Chairman Sush – How many bedrooms is unit 14 currently? Joel Kohn – Three. Chairman Sush – The new foot print is larger though. Joel Kohn – The proposed footprint is about the same size as the current unit because it already had approval for an addition. Matt Sickler – So, if 14 had previously built their addition, the unit would have been about the same size as what is proposed? Joel Kohn – Correct. Helen – Will there be any additional additions added to 14 once it is moved or is it just this one-time enlargement? Joel Kohn – I saw your notes, that mostly pertains to a non-conforming bungalow colony. This is a conforming bungalow colony so they can come in front of the Planning Board and get more than the 50%. Helen Budrock – Okay. Very good.

Chairman Sush – Will the parking for this be off of the main access as opposed to coming in behind units 25 & 26? Joel Kohn – Correct. Chairman Sush – Then they will have a sidewalk or something? Joel Kohn – A walkway.

Matt Sickler – Just have MNTM show something on here for the drainage to be relocated. Joel Kohn – They do have a note on here regarding the drainage pipe, but it will be more defined. Chairman Sush – The pipe you are referring to, is it the one shown next to the overflow parking? Matt Sickler – No, it's under the proposed deck.

Chairman Sush – Does the proposed deck effect any of the storm water? Matt Sickler – It looks like it stops prior to the storm water basin. Chairman Sush – Is the storm water on that end fenced in? Joel Kohn – No, it's open. Chairman Sush – Is it shallow enough that it doesn't need it? Joel Kohn – I haven't been out there in while, but it is usually pretty shallow. It's not like a small pond or anything. Chairman Sush – I could have this confused with a different place, but was this where there was an issue with flooding under the culvert in the past? Joel Kohn – The neighbor did have issue with flooding but the roadside ditch and culvert have been cleaned out. Chairman Sush – So, this is the same property and it has since been fixed. Jim Carnell – Yes and I don't think they have been having any issues with it. Like a year ago there was a modification to the site plan for the Shul and some landscaping was installed and parking lot completed, as the Board had requested, to kind of help with this issue.

Chairman Sush – How does this building effect the over flow parking? Joel Kohn – They have never used the over flow parking area. It's just shown in case it is needed, but in all these years they have not used it yet. They have enough parking space for all of the units and the Shul. Chairman Sush – Okay. There should be some sort of plan as to how far a car can park so it's not under their deck. Joel Kohn – You mean for if the overflow parking is ever used. Chairman Sush – Yeas. Joel Kohn – Okay.

Kathleen Lara – Jim, have you or the Building Dept. been out there lately? Jim Carnell – Most of the upgrades out there have been done very nicely. Kathleen Lara – Great.

Chairman Sush – Does each unit have its own garbage collection or is there just one? Joel Kohn – There's only one.

Joel Kohn – Do we need a public hearing for this? Kathleen Lara – I don't think so. It's not drastically changing. Paula. Do you think we need one? Paula Kay – It's up to you. Chairman Sush – What kind of visibility will this have from the road? It looks like this will be the first unit anyone will see when they drive past. Joel Kohn – There's a few units there, units 22, 23, 24, 25 and 26. Unit 24 is a completely new unit and I think 22 and 23 are also new. Unit 26 is an older unit, but this unit should blend right in. Paula Kay – They're not changing density, the number of units or the permitted use. Jim Carnell – Plus the units are quite a way away from the road. Matt Sickler – At least 100 feet. Paula Kay – There has plenty of opportunity for public comments on the project over these past years. Kathleen Lara – I think it's safe to say the answer is no. Paula Kay – Just have everything finalized and bring it back for approval.

VIZNITZ – 27 LOT

Gibber Road, Kiamesha Lake, NY

Joel Kohn – Project representative

This project removed themselves from tonight's agenda

KEREN HATORAH

State Route 17B, Monticello, NY

Joel Kohn, Project representative

Joel Kohn – I don't know if they are still coming tonight or not as I couldn't get a hold of them. They did send me a spread sheet for the site items and gave me some estimates. I will pass the spread sheet out. Helen Budrock – Do we have this timeline on the Google Drive yet? Joel Kohn – No, they just sent it to me today. This spread sheet is a checklist of the items they needed to take care of. They said the construction debris has been cleaned and said they would send pictures, but I did not get them yet and I didn't go out there today. They got an estimate for the trees and fencing and those were estimated to be received by August 3rd. Units 11 & 12 need new siding and that is estimated to be completed by August 22nd. Units 1 -6 are going to be power washed and the front entry repaired & painted by August 15th. As for the dumpster and swimming pool enclosures, they are still waiting for quotes on those.

Kathleen Lara – This is here because it has been red flagged, and I don't mean that negatively against this project, but there are issues going on there and most of these dates are going to be when camp is over. I understand that this is already August 10th and the 24th is or next meeting, but I sure would like to have a chance to see all of this before the next meeting. I know it's tough with contractors, but when the season is over, it's hard to get a hold of people.

Jim Carnell – Did the corporation purchase the property or are they leasing it? Joel Kohn – They purchased it, but I'm not sure if it's fully closed on yet. As of last year, when they were building it, they were still in contract.

Paula Kay – The big issue here was people occupying the building. Joel Kohn – I not sure about that and I thought they would be here tonight. Paula Kay – It is a safety issue to have people in the building without a C/O and at any moment the Building Dept. can issue a violation. Joel Kohn – I had a conversation with Brian prior to the last meeting and the only thing outstanding, as far as the building goes, is the accessibility. The building has all of the fire safety features in place, including signs, and the one exception is, they don't have an accessible ramp to the second floor. Which I get it and all I want to say is you don't have to lose sleep about the safety of the building. Jim Carnell – That is what I recall Brian saying. Chairman Sush – Just the accessibility? Jim Carnell – Yes. Joel Kohn – I'm not saying it shouldn't be done, I'm just saying from a fire safety perspective, the building is safe. There are no dangerous issues pertaining to the building. Kristin Boyd – We did ask them at the last meeting not to use the building until a C/O was in place. Joel Kohn – Right. Kristin Boyd – And they are, which I think is an issue. Paula Kay – Again, from an enforcement stand point, The Board can ask the Building Dept. to go out there and issue violations. Realistically, it won't get into court until after the summer is over. I just think it's a shame that the owners didn't respect the Planning Board's requests made at the last meeting. Kathleen Lara – It just makes it tough for future applications because we don't forget that. It's kind of frustrating when they don't adhere to our requests. Paula Kay – And they are not here tonight. Kristin Boyd – I think they told us they won't use it until this is cleared up so to me, this is the most problematic piece. Kathleen Lara – Did they respond yet? Maybe they are coming. Joel Kohn – Nothing yet. Kathleen Lara – I think if they can't come and give us a good reason or even justify their side, then maybe we should have the Building Dept. issue violations. Maybe it will be a wakeup call to them that we tried to work nice, you gave us your word and then you went off of that word. Helen Budrock – Is there any other leverage, something that could take place before the end of the season, that says you can't occupy the site until all of these things have been addressed? Jim Carnell – We could issue a violation, but the only way to prevent them from occupying the building, would be an injunctive action from at least at county court level. Paula Kay – Which we could do. Helen Budrock – That way it gives them an amount of time after the season is over to address these issues. Starting this action will at least prevent them from occupying next June or July. Joel Kohn – I don't have a problem with that, but feel it's a waste of the Town's resources for that because it's won't be in effect till next year. Jim Carnell – It would probably be effective by June. Paula Kay – Or May. Helen Budrock – That's the only other leverage. Joel Kohn – I hope that it will be taken care of before the next season. Kathleen Lara – Please just go back and explain to your clients how disappointed we are, at best. Hopefully they can come to the next meeting. Paula Kay – Have them send those photos via email tomorrow to the Building Dept. Chairman Sush – I believe this project is past Planning Board approval stages and it's now in the construction phase and over seen by the Building Dept. There's no open applications and we aren't looking at anything on the project, right? Helen Budrock – Right. We just want to make sure the conditions are satisfied. Paula Kay – Right. Chairman Sush – Prior to use. Paula Kay – Right.

Chairmen Sush – Any recommendation from the Board? Kathleen Lara – I would have liked them to have come tonight so we could have heard their side. I would like them to come to the next meeting and have proof of these things being done. I know it's hard to get contractors. Helen Budrock – At least the photos of the property being cleaned up. Paula Kay – There are a few things their maintenance people could do without a contractor. Kathleen Lara – So, the next meeting would be nice. Jim Carnell – The next meeting is the 24th. Kristin Boyd – I just want to drive home that the owners sat here in front of the public and said they would not use that building and then 2 weeks later they don't send the photos, they don't show up and are still using the building. That is pretty serious to me. Chairman Sush – Okay. Thank you, Joel.

ACTION ITEMS:

100 SEYMOUR HIRSCHMAN ROAD, LLC

100 Seymour Hirschman Road, Monticello, NY

Joel Kohn, Project representative

Joel Kohn – We had a public hearing last month for the proposed change in use, to a school, and a 40 x 75 2-story addition. We are hoping to get final site plan approval conditional to final review from the Town’s engineer, Matt Sickler.

Joel Kohn – Matt, I sent you a letter earlier today. Did you get a chance to read it yet? Matt Sickler – Yes and going over this with Mike Messenger, I think the only outstanding issue when it comes to the pump station is provisions for grease and flushed wipes or rags, you know things that get flushed at schools. Joel Kohn – They won’t have a kitchen and if they want one in the future, they will have to put in a grease trap. Matt Sickler – Okay and at that point it would be turned over to the Building Dept. Joel Kohn – Right. Chairman Sush – No laundry facility either? Joel Kohn – No.

Helen Budrock – Other than standard conditions, addressing the outstanding comments, are there any other conditions the Board wants on record?

Jim Carnell – Is the handicap parking shown on the site plan? Joel Kohn – It’s mostly low grade so I don’t have it on the site plan. Jim Carnell – Okay, we can work on that. Joel Kohn - The second story won’t need a ramp. Jim Carnell – Is the building at grade on both sides? Joel Kohn – Yes. Jim Carnell – Does that make both levels accessible? Joel Kohn – Yes. Jim Carnell – Okay. Joel Kohn - We also do not show a walk way. We will show that. Matt Sickler – Is there accessibility for a fire apparatus? Do you have the width for that? Joel Kohn – Yes. Jim Carnell – I think all of that is existing from previous sue of the building. Matt Sickler – The addition shouldn’t affect that, but I just wanted to confirm.

A motion to approve conditional final site plan, pending adding a side walk to the site plan, making sure there is appropriate room for a fire apparatus, addressing any engineering/Mike Messenger’s comments and all fees paid, was made by Kathleen Lara and second by Arthur Knapp.
All in favor, 0 opposed.

PRIOR APPROVALS/ENFORCEMENT:

Jim Carnell talked about we the change made to the Town’s website. A link was added to be able to access the Google Drive from the website. This way the public has access. Helen Budrock explained how to navigate to the link. Go to Planning Board and then Active Projects. The way the Google Drive is set up is there are 2 folders, an Active Projects folder and an Archived Projects folder. Ideally, projects under review will be in the Active folder and then moved to the Archived folder when completed. Paula

Kay advised that we are also looking into a way to get the minutes associated with each project. Kathleen Lara expressed that this was a great idea. Helen Budrock explained that originally when the Google Drive was set up, we were going to have a Google Doc for minutes. That way we could cut and paste what was talked about for that specific project. There was an issue with the lack of resources so we can talk to Laura and see if that is something we can incorporate now.

Jim Carnell asked a woman still waiting in the audience what project she was here for since all projects on the agenda had already been taken care of. She stated she was there for the Jan Mach subdivision and thought they were on the agenda. Laura Eppers explained that the septic design requested was never submitted and therefore the project did not go on the agenda. A voice mail was left for both the applicant and Gottlieb's office but neither responded. Paula Kay told her to have the engineer call Laura in the Building Dept. and square up what's needed. Jim Carnell explained that if they could have the septic design and any other required documents into the Building Dept. by next Wednesday, they could go on the next agenda for August 24, 2022.

Pula Kay confirmed everyone got their new Town emails and were able to access them.

Helen Budrock advised the Board of the upcoming meeting in 2 weeks with Town Supervisor and staff to discuss the comprehensive plan so that the Town can move forward with that and advised that at least one Planning Board member need to be present at that meeting. Kathleen Lara said she would be happy to do it.

Chairman Sush asked about the email received by Karen in regards to a sexual harassment seminar and if was to take place here. Jim Carnell explained that the Town will do one later on in October but this is one that the State would accept and someone needs to logon and participate. Chairman Sush asked if they already participated at their job, would they still need to participate that this one. Jim Carnell stated that was fine and proof just needed to be submitted. This seminar is being held here for the convenience of some employees. There will be one during the day and one at night.

Motion to adjourn the meeting was made by Kathleen Lara and second by Arthur Knapp.
All in favor, 0 opposed.

Respectfully submitted,

Laura Eppers,
Secretary
Town of Thompson Planning Board