

APPROVED

TOWN OF THOMPSON
PLANNING BOARD
December 14, 2022

IN ATTENDANCE:

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

A motion to approve the October 26, 2022 minutes was made by Michael Hoyt and second by Arthur Knapp.

All in favor, 0 opposed

A motion to approve the November 9, 2022 minutes was made by Kathleen Lara and second by Michael Hoyt.

All in favor, 0 opposed

Public Hearing:

WEISS REALTY

49 Kroeger Road, Monticello, NY
John O'Rourke, Project representative
Carlito Holt, Traffic engineer consultant

Chairman Sush read the legal notice aloud.

John O'Rourke – This is a proposed 500,000 square foot warehouse on the old 3D Block site. Since the last time we were in front of this Board, we have addressed the comments from the Town planner and are in the process of reviewing and addressing the comments from the Town traffic consultant. This is pretty straight forward. There is no water and sewer provided so we have to do a water tank and a septic system. There will be very limited water use on site. We have submitted storm water management plans to your Town engineer for his review and comments. Basically, this project is using an existing warehouse site and proposing a new warehouse site. There is access around the entire building, meeting all fire code requirements and, again, we will have a water storage tank on site for a sprinkler system. We have several stormwater basins that can handle the water quality policy. There is an isolated wetlands in the center of the site that was basically left over from the previous site, that just

sits there. This has been confirmed and information from our biologist, wildlife expert has been provided. We have 70 loading docks and parking for 67 trailers. We have quite a bit of parking that won't be necessary, so we will probably recommend some land banking as we go through this process. We also received comments from the County Planning Dept. and I think we can address most of those. E.V. stations are something they mentioned and we have no problem putting in a couple of them. They did recommend some walking paths through the woods; I probably would not push that unless this Board really wants them. We are in Sullivan County and these are warehouse workers, so I don't really see anybody going into work early to walk this site. Plus, we kind of want to limit the disturbance, but if everyone wants them, we can put them in. They also wanted us to look into a bus stop. This is an easy add for this site and we can certainly get a bus through there as it is big enough for fire trucks and trailers. As of right now there is no service to this area, but we can certainly check with them and work to get one on site. We followed up with DOT because they had some questions, as well as the County Highway Dept. We have Carlito Holt from DTS (DTS Provident Design Engineering, LLP) on traffic. Your traffic consultant previously asked for additional comments and had some questions, which we have addressed. That's pretty much it.

No comments or questions from the Board.

Meeting was opened up to the public.

Genti Rrahmani – I am the owner of 35 Kroeger Road and just had a question about the road. I read on some of the papers that the road needs to be widened for truck access and stuff like that. Carlito Holt – We are not proposing any widening to Kroeger Road. This site was previously an industrial use with heavy vehicles regularly traveling the road, so based on our analysis, we are not recommending any widen of the road. Genti Rrahmani – Thank you. I also have a few more questions since I'm the first neighbor from the side; if I may. Paula Kay – You can certainly ask questions, but we are going to most likely ask the applicant to address them in writing and submit them to the Board. Unless they are very simple questions. Genti Rrahmani – One questions is, how long will the project take? You know, when will it start and end? John O'Rourke – Once we get approvals from this Board and the outside agencies, our hope is to start construction by late summer, early fall of next year and it should take about 8 months to complete, give or take. Genti Rrahmani – Will the site be fenced while construction id going on? John O'Rourke – There is currently a gate there at the site, which we would limit construction to, but we don't have any proposal to fence the entire area as it is 63 acres. As part of the SWPP and erosion sediment control plan, there is a gate there with a construction entrance. Genti Rrahmani – Thank you and that was all.

Paula Kay – We received a letter from Michael Gutnick that was disbursed to all Planning Board members and uploaded to the Google Drive as part of the public record.

No further comments or questions from the public.

A motion to close the public hearing and leave the written comment period open for 2 weeks was made by Kathleen Lara and second by Michael Croissant.
All in favor, 0 opposed.

RHAPSODY HOLDINGS

9 Anawana Lake Road, Monticello, NY
Joel Kohn, Project representative

Chairman Sush read the legal notice aloud.

Joel Kohn – This property is located on Rhapsody Lane, which is right off of Anawana Lake Road. It is a 19.1-acre parcel in the SR zoning district. There are 6 existing homes including the main house, which is not in the best shape. We are in front of the Board tonight to get approval for a 14' x 23' addition to both 11 and 14 Rhapsody Lane and to replace the main house, which faces Anawana Lake Road, with a new 55' x 56' 2-story house. The use of the site will be a dual use, which was discussed at the last meeting. Houses 11,15 & 19 will be the cluster development use and houses 9, 23 & 29 the hotel use. The property is owned by a family who live up here in 3 of the structures and they rent out the other 3 to a certain company. The property is serviced by on-site water and by Town sewer.

Chairman Sush – Are the existing buildings currently being used for uses and is there any issues with that? Joel Kohn – Yes, that is how they are being used and there are no issues. Chairman Sush – Okay. Cool.

Arthur Knapp – What's the plan with the main house? Joel Kohn – They will demolish it and replace it with a 55' x 56' house. Arthur Knapp – Are you saying the 1 house remaining is in poor condition? Joel Kohn – The house in poor condition is the main house that will be demolished and replaced. It's the one you can see right from Anawana Lake Road and I think it is currently a 3-story building. Arthur Knapp – Okay.

No further comments or questions from the Board.

Daniel Silverman – I am from the firm that represents the owners of 125 Anawana Lake Road. It looks like there is a 6-foot paved drive that is over the boundary line of the property to the left and we were just wondering if anyone can speak to that? Is that existing or is it proposed? Joel Kohn – That is an existing drive and it is paved a little over the property line. Daniel Silverman – It appears to be 6 feet, plus or minus, over the line, is there anything that can be done during the proposed renovations to amend/correct that? Joel Kohn – I will discuss that with the owner and report back at the next Planning Board meeting.

No further comments or questions from the public.

A motion to close the public hearing and leave the written comment period open for 2 weeks was made by Michael Hoyt and second by Arthur Knapp.
All in favor, 0 opposed.

DISCUSSION ITEMS:

SHAWN KING

459 Harris Road, Monticello, NY

Paula Kay is recused.

Shawn King – I am looking to open a body shop in an existing building located at Fast Eddie's Auto Wreckers and need this Boards approval to do so.

Jim Carnell – Shawn came into the Building Dept. inquiring what he would need to do if he wanted to open up a body repair shop in one of the current facilities being used there at the salvage yard. We said since it's already being used for that type of use, it really would really require an interpretation from this Board in regards to whether or not you guys would want a full-blown site plan and how you would like to proceed with this. Michael Hoyt – We are talking about Fast Eddie's, right? Jim Carnell – Yes. Michael Hoyt – Is the building already there? Jim Carnell – Yes. There will be no physical change to the site plan, just the change of what's actually being performed in the building. Right now, there is auto dismantling and some storage. Again, it's a similar type of use and we had a discussion already in regards to what he would need from the Building Dept. side, such as a spay booth and depression.

Helen Budrock – Just for the record, the salvage yard is a pre-existing, non-conforming use and an auto repair body shop is not an allowable use in that zone, it's in an RR zone. So, even though the Planning Board can theoretically allow 2 separate uses on the same property, the use they are requesting is non-conforming. Jim Carnell – It does have site plan approval and they have been back in front of the Board several times in the past. Helen Budrock – What was the site plan approval for? Jim Carnell – The salvage yard. Helen Budrock – It was for a salvage yard, but not an auto repair shop. Jim Carnell – There was an actual site plan approval for this building as well. Matt Sickler – Per construction, it was a 42' x 150' addition to the existing building. Helen Budrock – For what purpose? Jim Carnell – Dismantling, repairs, storage, etc. Helen Budrock – Okay. I was just being overly cautious. Is this the only site plan on record. Jim Carnell – I don't know off hand. We just got all of our files back last Friday. Chairman Sush – So maybe just an updated plan showing what is there now. Helen Budrock – Based on the arial of the property today, the area that is indicated on the site plan as the car storage area, is about 3x the size of what is on the site plan. It looks like it extends up and kind of around the side, and I believe there are 2 entrances, if I'm not mistaken. Jim Carnell – The second entrance is strictly for fire access. Helen Budrock – The one on the Old Liberty Road side, right? Jim Carnell – Yes. Helen Budrock – Okay, but that is not shown on the site plan, so I just wanted to point that out. The site plan on file looks like just a portion of what is currently being used. Shawn, are you the owner? Shawn King – No. Helen Budrock – Okay, so that would be the responsibility of the owner and not this gentleman, but maybe for the record we should get an updated site plan with current conditions. That's just my opinion. Chairman Sush – Do we want to see an updated site plan? Jim Carnell – I think we should look through the files and see what we have and see if there is a more updated plan.

Arthur Knapp – I don't think you will doing much different tomorrow than what is being done there today. Instead of dismantling, you will be repairing, but still working with vehicles, right? Shawn King – Correct and I will be dealing mainly with collision, not mechanical. Arthur Knapp – Jim, are you comfortable with the code for the spay painting? Jim Carnell – Yes and like I mentioned, we had a conversation about this when he came in and he knows the facility and exactly what he needs. Arthur Knapp – Oaky, then I am comfortable with this going forward. Kathleen Lara – Me too. I understand it is 2 different uses, but feel like it fits. It's not really changing the intensity or character. Actually, they just did a lot of clean up there. Shawn King – Yes, they did. Jim Carnell – Also, there hasn't been any enforcement issues there in, I want to say, 10 to 15 years now. Helen Budrock – I agree with all of that and you barely even know it's there now.

Jim Carnell – I don't believe the Board needs to take any action and we can issue a permit based off of the minutes. Kathleen Lara – Right.

NAFTALI & NECHAMA FOGIEL

16 Demarest Road, Kiamesha Lake, NY
Ibukunoluwa Atolagbe, project representative

Helen Budrock pulled up the most recent plans to share for everyone.

Ibukunoluwa Atolagbe – This project is located at 16 Demarest Drive and is currently a 3-family. We are proposing a demolition of the first structure, the one with the red print on it, and an extension of the second structure, right behind the first one, but there is currently a non-complying side yard. Since the last meeting we added a plan showing what we plan to do with this project. We are proposing a 1-family home, but I don't remember the exact number of bedrooms. Helen Budrock – It looks like 6 are proposed. Ibukunoluwa Atolagbe – This is subject to change as this plan is not final yet. This is just an idea of what we plan to do with this for you to see.

Helen Budrock – I think the discussion last time was, a 2-family is permitted in this zone, but if you decided to join the 2 buildings, it would then be considered a 1-family home. Then the existing structure, that is within the side yard, would remain so they would still have the right to renovate and use that as the second family in the future. I think they just didn't want to eliminate that possibility of a 2-family, if I remember correctly. Paula Kay – Is that correct? Ibukunoluwa Atolagbe – Yes. I just wanted to mention that the side yard structure is a ruin and we have no plans to touch it at the moment. Kathleen Lara – Is it structurally sound enough to leave it alone at this time. Jim Carnell – Yes. It is in some ruin but with a little TLC you could probably stay in it with no issue. Chairman Sush – Is there an issue with them both being on the same piece of property? Jim Carnell – No and I believe it is serviced by Schachnovsky's water and the Town's sewer. Paula Kay – And if they are joining the 2 buildings in front, it solves the zoning issues. Jim Carnell – To clarify to the Board, the proposed swimming pool in the left corner, even though it appears to be encroaching in the rear set back, it has a different setback of just 25 feet from the property line.

Matt Sickler – They will have to take care of the fence and stuff like that with the building permit, right?
Jim Carnell – Correct.

Ibukunoluwa Atolagbe – What is the next step after this meeting? Paula Kay – It’s up to the Board. If you feel you have set plans by the date of the next meeting, then we can put you on for action at the next meeting. Helen Budrock – I believe the next meeting date is the 28th. Ibukunoluwa Atolagbe – To clarify, we have to have the actual design we intend to use for this site before we can get approval? Helen Budrock – In terms of what? Like elevations? Ibukunoluwa Atolagbe – The plan right now is the basic design of what our clients want, but we haven’t met with them yet to see if this is exactly what they want. This may not be what they want to build and is subject to change or shift. Do we need the finalized plan before we came back to the next meeting? Paula Kay – Yes. If you are talking about location on the site and if that is going to change. The Board can’t approve anything subject to change. If you are talking architectural designs or interior floor plan, then that’s not really this Boards purview. That’s the Building Dept. Chairman Sush – They should probably list the number of bedrooms though. Paula Kay – Yes. Helen Budrock – The 2 most important things are location and footprint. If you can nail those down, that should take care of the Planning Board approval part and then you can work with the Building Dept. on the details from there. So, these are the things you should try to get your client to make a decision on. Does that make sense? Ibukunoluwa Atolagbe – Yes, it does. Paula Kay – I guess the answer is, you heard the Board is pretty happy with the way this is going and doesn’t have a problem conceptually, so come back when you have final plans and you will be on for an action item. Unless something drastically changes. Ibukunoluwa Atolagbe – Okay. In regards to the footprint, right now it is technically an “H” in a 60 x 60 box, if that footprint changes in that 60 x 60 box, does that drastically effect anything? Arthur Knapp – It could. Paula Kay – You have to come back when you are ready and you will be ready for approval when you know where the footprint boundaries are. Ibukunoluwa Atolagbe – Okay. Thank you

MONTICELLO MOTOR CLUB – LOT IMPROVMENTS

67 Cantrell Road, Monticello, NY
Barbara Garigliano, Project attorney

Helen Budrock & Matt Sickler were recused.

Barbara Garigliano – There are 3 lots that are being reconfigured. This one is part of the Motor Club and this is where the track is. We are starting with the one parcel in the back that is 36.2 acres and is currently land locked. As you can see, it is pretty much entirely wetlands and a NYSEG easement running through it. We are going to adjoin it with a little bit more useless property that will bring it out for road frontage on Route 42. So, we are now taking a land locked parcel and adding a little over 100 acres, making that one parcel. The bulk of those 100 acres is coming off of the second parcel that fronts on Cantrell Road. Then only 3 acres from the track so that we can get that road frontage. The access that you see on the map is the emergency access. There is the main gate for the track and then there is the emergency access that will now go out to the same lot. We stated with 3 parcels and ended with 3.

Paula Kay – What is the purpose for this? What is going to be happening on these lots now? Barbara Garigliano – Like I mentioned, the one lot is pretty much a useless lot, the track doesn’t really change and the last, triangle shaped lot is for condos. The purpose of this and intention is to build condos on

that third lot. This is evident in the letter I submitted and the entity that will be formed is the MMC Condominium. We are trying to get the configuration correct, so that we can start the design. Paula Kay – Okay. On a more global issue, the Board has asked before that the Motor Club come in with their new master plan and I'm assuming this is the last of it. Barbara Garigliano – This is the last that I know of and we couldn't really go forward with the updated master plan, that includes the plans for the condominiums, until we knew we could reconfigure these parcels. Paula Kay – Okay.

Kathleen Lara – I always appreciate when we get rid of land locked parcels because the cause havoc, so I like it.

Paula Kay – Glenn, you had already submitted comments on this, right? Glenn Smith – I gave my comments and basically, they don't need any variances, they are still keeping 3 lots and getting rid of a land locked lot in the process. I looked at the Overview form and they are listed as a Type II action, so I believe no need for a 239 or SEQ. R.

Paula Kay – This is also on the agenda tonight for an action item. Chairman Sush – So, we can take the agenda out of order and act on this next. Paula Kay – Correct.

A motion to take the agenda out of order was made by Arthur Knapp and second by Kathleen Lara. All in favor, 0 opposed.

MONROE CABLE COMPANY

4496 State Route 42, Kiamesha Lake, NY

Joel Kohn, Project representative

Joel Kohn – This is formally the Leisure Time building that was purchased by Monroe Cable. We are here tonight to see whether or not we need site plan review. The use has been changed from manufacturing to warehouse, which is a permitted use in the zone. This has a previously approved site plan, but we are not changing anything to the building. An as built plan is being worked on now and will be submitted to the Building Dept. when it is done.

Matt Sickler – Will you be using the same loading docks and truck parking per the previous approvals.

Joel Kohn – Yes. There will be no changes to that. They did do some exterior improvements by painting the building and put up siding where there was disrepair. Kathleen Lara – Yes, I did notice. Jim Carnell – There is one section in the rear of the building that is deteriorated. We had a couple discussions with them on-site and they want to repair that portion of the building. In light of this process, we recommended that they don't do anything right away and get through this process before they get too deep into plans and repairs.

Matt Sickler – Will the stock or materials be brought in by tractor trailer? Joel Kohn – Yes, their 3 main clients are the N.Y. Navy, N.Y.S. Transit, and the fire department, but I think it's mainly the N.Y. Navy they have a contract with. They produce material and store it for them until they need it. Their main

manufacturing facility is in Middletown and they will bring it up here for storage. When they have to ship it, they take it back to the facility in Middletown and goes from there to the end user. Matt Sickler – Okay. Jim Carnell – They explained to me that they have to have the product built, it's not built to order, so it's built and stored. They had another facility that they leased for quite a number of years and that building was sold, so when they lost their leasing space, they bought this building for storage. Paula Kay – There will be nothing stored outside? Jim Carnell – Correct.

Kathleen Lara – Seems like the traffic will be less impactful then when it was leisure Time. Joel Kohn – That is true and they will probably utilize the offices that are there. Kathleen Lata – Why not.

Paula Kay – Under 250-50, the Board needs to decide if they can go straight to the Building Dept. and by-pass site plan review. Chairman Sush – I think so. Kathleen Lara – Me too. Arthur Knapp – I'm comfortable with it. Paula Kay – Okay and no action is needed for this.

ACTION ITEMS:

MONTICELLO MOTOR CLUB – LOT IMPROVMENTS

67 Cantrell Road, Monticello, NY

Barbara Garigliano, Project attorney

A motion was made to take the agenda out of order to act on this project directly after the discussion.

Helen Budrock & Matt Sickler were recused.

A motion to approve the lot improvements was made by Kathleen Lara and second by Michael Croissant.

All in favor, 0 opposed.

MONROE CABLE COMPANY

4496 State Route 42, Kiamesha Lake, NY

There was no action needed for this project. Minutes from the discussion is sufficient.

CONCORD FAIRWAYS

Concord Road, Monticello, NY

Henry Zabatta, Project representative

Henry Zabatta – We are here tonight to request a 6-month extension. The extension will be from December 23, 2022 to June 23, 2023. We are still in the process of working out our issues with water and we are still talking to some people about developing the property or possibly developing it with us.

We are a little behind the 8 ball because of the water issue. We petitioned the Town Board already and they gave us the okay to escrow some funds and get the process going. We are waiting for a map, plan, and report from the Town's engineer so that we can start the process of annexing into the Adalar water system. We have a relationship, as a result of a prior litigation with EPT, that allows us to enter into the system. That has nothing to do with the Town, but I just wanted to give you some back ground.

Paula Kay – What type of housing are you potential proposing? Henry Zabatta – This is a condo unit that was already approved. Paula Kay – Right, but you are talking about a larger development on the contiguous property. Henry Zabatta – Well, potentially but we won't know until we find out what the water availability is. Also, we haven't been able to find someone who is interested in both properties, but there is a likely possibility that someone will come in and assist us with that. There is also a possibility for some type of senior facility. All of these things are being explored at this point. Paula Kay – The Boards going to likely grant you an extension and assuming they do, would you mind coming back before the 6 months are over to give an update as to progress? Only because this has been going on so long and I think that would be helpful. Henry Zabatta – Sure. Paula Kay – Thank you.

Helen Budrock – Jim, I was wondering if Laura couldn't put the approved site plans on the Google Drive? It's been so long and I think we only have the extension requests in the folder. Jim Carnell – We got all of our file back Friday, so I think we now have the ability to pull those up digitally and save them to the Google Drive.

A motion to approve the 6-month extension to June 23, 2023 was made by Michael Hoyt and second by Michael Croissant.

All in favor, 0 opposed.

JUMPSHA PICNIC GROVE

410 Route 17B, Monticello, NY

Joel Kohn, Project representative

Joel Kohn – We are here tonight in hopes of getting final approval. We had a public hearing with no public comments to address and the DOT has approved the entrance. The Board had asked for some pictures of the equipment last time, I did not email them in, but I do have them with me tonight.

Chairman Sush – As everything is temporary, will there be fencing around the rides? Joel Kohn – There will be chain link fencing around the property. Michael Croissant – It looks like they have started the fencing. Joel Kohn – There is some fencing there, but it was done before coming to the Planning Board. Paula Kay – Will there be staff around the equipment for safety purposes? Joel Kohn – Yes.

Michael Croissant – What has to be done for improvements in regards to the entrance? Joel Kohn – They have to close one of their two entrances and re-do the other one? Michael Croissant – What do they have to do to that one? Joel Kohn – They have to regrade it and there is going to be a new 24" covert underneath the driveway. Michael Croissant – Okay because I noticed they put the fence there and I feel like they put the horse before the cart. Joel Kohn – Yeah, they probably have to remove that and replace

it afterwards. Matt Sickler – There is a profile in their plan for the regrading of the entrance to allow busses to get in. Kathleen Lara – Great because you don't want busses getting stuck there. Jim Carnell – DOT completed their review? Joel Kohn – Yes. This is an email from Kathy approving the plans. Jim Carnell – Do you know if they sent that to the Building Dept. as well? Joel Kohn – I'm not sure. I was just trying to get an update because I wanted to have everything ready before tonight's meeting. Jim Carnell – Can you just forward that to us so we can have it on file? Joel Kohn – Yes.

Paula Kay – In the 239 the County mentioned a picnic area. Joel Kohn – They are not sure yet if they are going to put a picnic area, but it makes sense to put some picnic tables in. They have a lot of grass area to put them on. Paula Kay – Can you add something to the plan? Joel Kohn – Yes. Helen Budrock – Maybe you can just scatter some throughout the site. Joel Kohn – They cannot be less than 30 feet from a ride. Helen Budrock – Okay, plus if you have a designated picnic area, people will be able to sit with their groups. Arthur Knapp – It will also be safer and more manageable that way. Chairman Sush – Probably between the 2 lots of woods would be a good place because you don't want it too far from the bathrooms, but not too close either. Matt Sickler – Or on the lower side of the path. Joel Kohn – There is room between the bathrooms and woods. Helen Budrock – That is what I was thinking. Chairman Sush – Is there any concession on-site at all? Joel Kohn – No. Chairman Sush – Do you envision people staying long enough to bring picnic lunches or food to eat throughout their time there? Joel Kohn – Typically the groups will be there for 1 ½ hours at a time. Kathleen Lara – I think it is a good idea to have them, even if it is just a place for the groups to meet up. Jim Carnell – I would say just enough tables for a group or two. Kathleen Lara – Agreed. Joel Kohn – Okay. Helen Budrock – Will the area between the parking lot and the fence going to be grass? Joel Kohn – Yes. Helen Budrock – Maybe you can put some picnic tables there too. Michael Croissant – That may not be the best place with the cars and busses. Joel Kohn – I think they should be inside of the fence. Helen Budrock – Okay.

Helen Budrock – This is a special use permit so you can put conditions on this or you can also make it temporary and have them come back after a season of operation to see how it went and make sure there weren't any issues that need to be addressed. Paula Kay – Which is certainly what you have done for similar projects in the past. Maybe put a condition that they come back in late September of 2023. Kathleen Lara – I think that is a good idea. Chairman Sush – Or by early November; sometime within that timeframe. Joel Kohn – November would be better. Paula Kay – Okay, that's fine. Helen Budrock – That would be one condition. Another condition would be to adhere to the operations plan on file, right? Kathleen Lara – Right. Paula Kay – And the installation of a picnic area on the site plan. Jim Carnell – Maybe also receipt of the DOT approval? Although Joel has an email, we have not received anything yet. Joel Kohn – We don't have the permit yet, but I will send you the approval we got. Matt Sickler – Maybe there should also be a condition for final engineer review of the final site plan too. Helen Budrock – Okay and do you guys want to do SEQR first? This is an unlisted action so you should do NEG DEC before you vote on the site plan and special use permit. Chairman Sush – Sounds good.

A motion for NEG DEC was made by Kathleen Lara and second by Arthur Knapp.
All in favor, 0 opposed.

A motion for final site plan approval and special use permit, subject to returning to the Planning Board in early November 2023 for an update on the first season of operation, adhering to the operational plan on

file, receipt of DOT approval, adding a picnic area to the site plan and Matt Sickler's final review, was made by Kathleen Lara and second by Michael Hoyt. All in favor, 0 opposed.

CHARM ESTATES

295 Ranch Road, Monticello, NY
Joel Kohn, Project representative

Joel Kohn – This project is here tonight for an amendment to the site plan. This was 35 units to begin with and they want to add another 7 units after doing a new survey and finding an additional 8 acres. The additional pump testing has been done to demonstrate that there is enough water for the additional 7 units. The well can produce 25,000 gallons per day and we are only at 23,000 gallons per day, with the additional 7 units, so we will have enough water and sewer capacity. We will have to get an approval from the DOH, and most likely the DEC, so what we would like to ask for tonight is a conditional approval subject to these approvals and Matt's review of the SWPP.

Helen Budrock – From a site planning and layout perspective, I really don't think it is wise to have those units pushed up so close to the stream and wet plain boundary. It just seems to make a lot more sense to me that those units be pushed up closer to the road, plus, you have an existing road and parking right there. The existing wooded area close to the stream should be preserved and it just seems like unnecessary disturbance close to a wet plain and stream, which feeds into the Delaware River. Chairman Sush – I thought this is something we talked about in a prior meeting. Joel Kohn – it was brought up previously and I discussed it with the owner. He wants to have that separation between the road and the units and also to be able to have some trees in-between there. So, if he pushes the units up there won't be room for the separation he wants. There will still be a buffer between the homes and the stream. Paula Kay – What if there were less units? Joel Kohn – No one wants to give up units. Helen Budrock – That is understandable but no one wants to see all of that erosion into the stream either. What you see on paper is a little different then what you see in reality and what could happen if it floods. Between the wetland and everything else, not only does it seem wrong from an environmental perspective, but it seems like you are asking for trouble for the people who buy those homes and may have to deal with flooding every time it rains. Jim Carnell – They may not just flood, but possible wash away. Chairman Sush – Are these units the same size as the double ones, the original design? Joel Kohn – They are a little bigger than the double ones. Chairman Sush – So, if you had 4 grouping of the double sized units, would you be able to put them closer to the road? That would actually give you 8 units, instead of 7. Joel Kohn – We can't do 8 units because that would exceed the maximum capacity of units. As some back up information for the project, this was an existing bungalow colony that was demolished and replaced with new units and cost them way more then they anticipated to develop it. These 7 units is a way to get them out of the hole and recover their loss. It's not necessarily going to give them a profit, but help them recover some of that loss. This is also why they want to do these units as singles and not doubles, to be able to recover a little bit more. Paula Kay – You could get rid of these 2 units, which I understand why you wouldn't want to, and that may help with room to move the other units. It may take them a little more time to recoup the prior cost, but there is going to be a cost if there are a lot of problems on the site with flooding. Helen Budrock – Right. Joel Kohn – I just want to clarify there is

about 100 feet between here to the flood plain line. How about we push those 3 buildings another 10 feet away from the stream? Helen Budrock – I understand what your client wants, but it just doesn't make sense to me to clear an existing span of trees and leave just a small triangle when you can just remove that edge and leave the trees along the stream. It also seems, from a site prep perspective, that removing all of those trees would cost more than enlarging the already disturbed area next to the road. Joel Kohn – There will still be a buffer between the homes and the stream and we could move them up for an extra 10 feet of trees between. Helen Budrock – That's not the point though. All of those trees that are currently along the stream would have to be removed in order to make way for that development. If it was just built up along the road, you wouldn't have to touch them at all. Pushing the units back another 10 feet still disturbs that whole area during construction. Joel Kohn – It wouldn't only be the additional 10 feet; you have the limit of disturbance, which we are willing to push up a couple of feet. They want to be able to have more space between the homes and the road. Jim Carnell – Do we have the original site plan that we can pull up to see the prior limit of disturbance? Joel Kohn – The original survey excluded these acres so the original site plan wouldn't include them. Chairman Sush – What if the first 3 parking spaces were on the other side of the road? Then the new road could be tighter to the path giving you more than 10 feet to push those 3 homes up. Joel Kohn – Again, they want more trees between the road and the homes to create that buffer so they can sell them for a little more than the other units. Chairman Sush – An additional 10 feet doesn't seem like enough because that is really only room for like 1 tree. Joel Kohn – Probably a couple trees. Matt Sickler – If you really want a buffer, probably the best screening would be to replant that area. I haven't seen what's on the site as far as vegetation, but it's probably pretty scarce. Is the storm water basin shown at the bottom existing or proposed? Joel Kohn - Proposed. Matt Sickler – Okay and maybe take a look at the grading on unit 36, the unit that is closest, because I'm guessing from looking at the plan that it is up to about 10 feet from the stream. That is assuming those solid line types with the 3 dots in the middle of it represents the water level of the stream. Joel Kohn – We will have the engineer take another look at it and maybe push it back. Paula Kay – Again, it may not be a question of bringing the units up, but eliminating 1 or 2 of them, to fix the issue here. Matt Sickler – What is the oval shaped area just above the unit we were just talking about? Joel Kohn – That is part of the stormwater management from the original project. Matt Sickler – Okay.

Chairman Sush – Are we prepared to act on this tonight? Kathleen Lara – I get that houses near water, in a wooded area, are going to demand a larger price, but I also understand where Helen is coming from. Maybe you can come up with a different configuration that would limit the amount of disturbance. Joel Kohn – I don't know if we can come up with a different configuration, but I will talk to the owner again and see what he wants to do. Chairman Sush – If we were looking at this as an original project and thinking of the entire site as one project, we probably wouldn't have this issue. Because there were acres found and it ended up this way, we are going to have to find a compromise. Plus, these new units are different from the rest of the project and not consistent, meaning they are not in the loop with the others and they are a different size and orientation. Paula Kay – You make a good point Matt and this is all one project and you have the authority to review the entire site for consistency and if it doesn't fit, request more planning be done. Joel Kohn – I think this site came out beautifully and from a planner's perspective, you should have the same typical box buildings; you know cookie cutter style. You say it's an inconsistency, but I could say it adds character. Helen Budrock – I don't think anyone has an issue with the 7 single units, just that they are too close to the water. Chairman Sush – It sounds like we are

not ready to make a decision tonight and are going to ask you to talk to your client again. Joel Kohn – Okay and hopefully we are ready to come back be the second meeting in December. Thank you.

KRASNA

203 Anawana Lake Road, Monticello, NY
Joel Kohn, Project representative

Paula Kay – This is on for action tonight but that was before the 239 came in. Joel, maybe you can address that a little bit tonight. Joel Kohn – Sure. I did see the 239 review yesterday and was a little upset because I think there should have been a little more involvement between the owner and the County's Planning Dept. They just looked at some stuff and didn't know the back ground to what is happening. They have suggested that the Planning Board suspend the application as long as the unpermitted access isn't permitted. However, that unpermitted access has been there forever. As the Planning Board knows there has always been an issue with bus parking on the side of the road and the applicant had an opportunity to purchase this property across the street a couple years ago. When they purchased this property, they started parking the busses behind the trees over there and to be able to do this, I guess they cleared a little bit of the area and put down gravel to improve the already existing access. If you look at this 2016 arial, you can see the access was already there, before they even bought the property in 2020. If you look at the arial from 2015, you can see all of the busses on the side of the road, so this has all be eliminated since. I can go back to a 2001 image that clearly shows the gravel access already there, which by the way was used for and is still used by NYSEG as they have power lines in the back. Michael Croissant – Do you have a recent arial image? Joel Kohn – No. Jim Carnell – Google and Pictometry do not have 2020 images. Joel Kohn – I did have a discussion with County Planning and DPW, because the letter from DPW stated that they don't have the sight distance and cannot tell whether it would meet sight distance or not. However, sight distance was actually part of the pedestrian study that was done and submitted to the County. So, I spoke to Dermitt who said he didn't realize it was already submitted and said he didn't really have an issue with that access drive, to the point it should stop the process from moving forward. He basically just said this is an unpermitted access no matter how long it has existed. With that being said, I guess County Planning saw that email and said we don't have the means to enforce it so we are going to recommend the Planning Board to suspend the application. Helen Budrock – So, are you saying that the comment DPW made about the parking area on the plan already being constructed is not the case? Its just that extended area that's been there for a while? Joel Kohn – They did add gravel to the access road and to an area back in the woods. Helen Budrock – Beyond the access, you proposed a large parking area back there, was that cleared yet? Joel Kohn – Some of it has been cleared but not all of it. By the way, I was actually thinking of asking the Planning Board to send another 239 review next month, in regards to the bridge, because that seems to get them to respond quicker. They did mention that they are under staffed and when there is a deadline involved, they obviously have to get to those quicker. Now that we got approval on the over pass, we will work with an engineer and get back to the County on that. Helen Budrock – The other issue they brought up is segmentation, right, since you had to split it up into 2 parts because of the delay in 2 of the opponents? Joel Kohn – Right and we have been fully transparent with the Town as to what we plan to do in the future. Chairman Sush – I don't have an issue with that aspect because we always knew the bridge was on the back burner due to how long the approval would take. Helen Budrock – It's not like you were hiding anything. Chairman Sush – Right. Helen Budrock – The 239 letter does say it's a local determination and I think with the explanations, if the Board is still amenable to approving those 2 limited elements, with a clear message that the parking lots and other things obviously are not

permitted until they come back with an updated site for approval on those, that would be okay. Joel Kohn – We still also have to address the comments from the Town’s engineer, but they will be address in the final plan.

Joel Kohn - With all of that being said, we would like to ask the Board for conditional approval tonight. Chairman Sush – We know what the County’s issues where and why they are like that so I don’t see why not. Paula Kay – Plus, it’s not a County wide impact and they said it was local determination. Helen Budrock – If the Board is so inclined, you will need a NEG DEC first.

A motion was started for NEG DEC but only 1 member made the motion and there was no second.

Chairman Sush – We cannot make one motion without the other, right? Paula Kay – Correct. What does the Board members want Joel to bring back? Michael Croissant – I would like to see a current arial of what has been done. Whatever work the County is referring to. Helen Budrock – To see the extent of the work that they did. Paula Kay – Okay, anything else? Michael Hoyt – No, I feel the same as Mike. Joel Kohn – What will that change? Michael Croissant – For myself, I would like to see the how big the disturbance is that they decided to do without a permit. I know what was there was there, we can see that. I just want to see what they did. Joel Kohn – What do you mean without permits? Michael Croissant – Whatever was done without DPW’s approval. Paula Kay – In the meantime, Joel, maybe you can get an email or something from DPW. Joel Kohn – I can try but they don’t have to listen to us and half the time they don’t. Also, any of the work that was done to the parking area, was done prior to me coming to the Planning Board with this project. Nothing was done while we have been waiting for Planning Board approvals. Chairman Sush – Wasn’t there some sort of approval for a parking area back when the property was being leased? Joel Kohn – In 2016 they had approval to put parking down here, but it wasn’t the property across the street. Then they had the busses there on the road, so they purchased that lot. Jim Carnell – They never constructed the parking area that was approved in 2016. Paula Kay – It’s unlikely that DPW will either have time to meet at the site or determine the sight distances between now and the next meeting, so again maybe you can just get an email from them that will satisfy the rest of the Board members. Michael Hoyt – When you look at the County’s parcel viewer you can see a piece of equipment in there doing work. Kathleen, do you know the last time that was updated. Kathleen Lara – I believe they are from 2021. Michael Hoyt - I think this is exactly why Mike was asking for something more recent. Kathleen Lara – It’s pretty easy to get, maybe from Pictometry. Joel Kohn – No, that is from 2020 and I think the County’s is from 2020 too. I know Google is from 2016. Helen Budrock – Maybe just something in writing like Paula said because I think the main issue is whether or not the driveway and parking lot that was proposed earlier this year, in May, was constructed without a permit and whether the extension of there parking area there now was all done prior to the application being submitted. Joel Kohn – DPW already told me that if they knew this was going to be an issue, they would not have made the comment because they have no issue with what is going on right now. Paula Kay – Just get him to say something along those lines in an email. Matt Sickler – Maybe even draft an email laying out all the key points and just ask him to confirm back. Paula Kay – That would work.

Chairman Sush - One more thing before you go, I think there was a comment made at the public hearing in regards to a right of way being built on. I think the same comment was made a few years ago when we had a different public hearing and it was addressed then, but if you wouldn’t mind elaborating on that. Joel Kohn – I was not part of that approval several years ago, but I did get a survey for both of the properties and that right of way is actually not on this parcel but the one next to it. It was addressed at that time. Paula Kay – I remember looking at it back then. Chairman Sush – Okay, I just wanted to make

sure that was the case since the comment was made again. Helen Budrock – Maybe also a letter from Joel explaining what happened in the past, just for the record, should also be submitted by the next meeting as well. Joel Kohn – Okay. Thank you.

PRIOR APPROVALS/ENFORCEMENT:

Chairman Sush announced his resignation from the Planning Board effective January 2023.

A motion to adjourn the meeting was made by Michael Croissant and second by Michael Hoyt. All in favor, 0 opposed.

Respectfully submitted,

Laura Eppers, Secretary

Town of Thompson Planning Board