

APPROVED

TOWN OF THOMPSON
PLANNING BOARD
June 14, 2023

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

Chairman Lara brought the meeting to order at 7:00 pm with a pledge to the flag.

A motion to approve the April 26, 2023 meeting minutes was made by Michael Croissant and second by Arthur Knapp.

All in favor, 0 opposed.

A motion to approve the May 10, 2023 meeting minutes was made by Michael Hoyt and second by Arthur Knapp.

All in favor, 0 opposed.

PUBLIC HEARING:

Paula Kay quickly explained that the Town of Thompson provides the option to attend the Planning Board meetings via Zoom as a curtesy only and the official meeting is the in-person meeting.

DEB EL FOODS

64 Kutger Road, Thompsonville, NY
David Higgins, project representative
Shawn O'Connell, project
Elliot Gibber, property owner

Chairman Lara read the legal notice aloud.

Proof of mailings were received.

Helen Budrock shared the latest site plan for everyone to see.

David Higgins – This is an existing egg processing facility located on Kutger Road. They currently have 89,121 sq. ft. of building space being used and they are proposing to add a freezer/cooler addition for an additional 77,956 sq. ft. The proposed structure will be located near the front of the property. The owner has realized the need to have additional storage, so this building will have mostly freezer/cooler storage, some dry storage, and some office space for employees. There is some parking proposed on the south side of the building, which is comprised of 25 parking stalls, including 2 ADA accessible spaces. Access to the building will be through the existing driveway and we will be adding a new 26-foot-wide emergency access

road on the northeast side of the site. That access road will be gated off and only available for emergency use. We have modified our site plan since we were last here, which included updated turn radiuses for the trucks and the addition of a new scale for the trucks. Water for the building will be supplied by an individual drilled well and the sewage disposal will be a subsurface sewage disposal system. We have completed the perk test and the deep soils test. There will also be a pump chamber because of the incline to the proposed building. The Board had indicated that they were concerned with how the building would look from the road, so we propose to add some additional trees. That will include 10 evergreen trees, 8 deciduous trees, and 9 evergreen shrubs, which will be planted in-between the road and the building. What you see on the board is a rendering of that. For safety, we also now show 21 wall mounted light fixtures around the perimeter of the building and 5 light poles in the area the trucks will be turning around. There are some permits we still need to obtain, such as a permit from the DEC for stormwater management, and that is pretty much it.

Chairman Lara – Can you just explain to the public the effort Mr. Gibber put in in regards to the Rock Hill Drive location? David Higgins – Deb El also owns and operated a facility on Rock Hill Drive. This facility has had a history with issues of the trucks parking on the side of the road, due to the lack of space for parking and the inability to get in and out of the facility quickly. So, one of the benefits of this project is that the trucks will no longer be going from this site to the Rock Hill Drive site for product, as all of that will now be stored and pick-up at this site. To eliminate the issue on Rock Hill Drive, until the trucks no longer have to go there, a couple months ago, Elliot committed to having and has since hired security on the Rock Hill site to monitor and ensure trucks are no longer parking there.

No questions or comments from the Board.

The meeting was opened up to the public.

Joseph Levner, a Fallsburg resident and neighbor – Stated that he is opposed to this project and voiced the below concerns:

- Traffic safety on Ranch Road - Stated the trucks do not stop when they are leaving the facility and have almost caused multiple accidents and have successfully run other vehicles off the road and into the ditch. The site distance at the existing access drive is terrible. Trucks cannot see what is coming from the east when they pull out and vehicles traveling westward cannot see the trucks until the very last second. If Mr. Gibber wants to be a new neighbor, he could look into getting a stop sign installed, so that the trucks have to stop before pulling out, and possibly do some excavating to decrease the height of the terrain, to the east of the access drive, to increase the site distance there.
- Road conditions – Stated the tractor trailers already tear up the roads and an increase in trucks traveling to and from this facility will only worsen that.
- Environmental issues – Stated the DEC has been called previously and this addition will just increase these already existing issues.

Moshe Kugel @ 135 Ranch Hill Road – Wished Mr. Gibber the best and understands he is just trying to make a living, but had the below concerns:

- Traffic safety on Ranch Road – Added not just for other vehicles, as mentioned previously, but also for pedestrians like himself that walk the road.
- Quality of life – Stated that this is a quiet, scenic area and they keep increasing the size of the facility taking away from that.
- Noise pollution – Stated by adding this building there will be trucks idling 24/7 as they do not turn off the trucks while waiting to either unload or load.
- Road conditions – As previously mentioned, the roads are not in the best shape and agrees the increase in trucks traveling the road will not help the situation.
- Visibility of the proposed building – Stated that Mr. Gibber has plenty of property and could put

this building a number of other places on the property that wouldn't be seen from the road or neighboring properties. Why put it where we all have to see it?

Thomas Landrigan, council for **Riverview Estates Equities**, LLC, owner of an adjacent property – Started off by saying they want to wish Mr. Gibber and the project well but had the below

- Stormwater drainage - There appears to be a history of stormwater draining from Mr. Gibber's property onto my client's property that has caused a dramatic uptick in the wetlands area; impacting the amount of land that is developable for my client. I have been advised that 4 acres or more have already been affected. Our concern is that the proposed building, which is quite large, will create several acres of new impervious areas, creating more drainage issues, and being my client's property sits below Mr. Gibber's, the historical issue of water runoff is going to exacerbate. As this would be detrimental to my client, we are asking to meet with Mr. Gibber's engineer and/or team and a 60-day time frame to do so in. This way we can work together and discuss any measures that can be taken to mitigate any further problem and financial burden to my client.

Paula Kay - The Board will most likely close the public hearing tonight, but no action will be taken at this time, and being that we love to see property owner work together, I am certain, as I am looking at Mr. Gibber's engineer, that they will want to meet with you before they come back to this Board. In addition, the Board requires that all comments made at the public hearing are addressed in writing by the applicant and then reviewed by the Board before moving forward, so we would appreciate hearing back from you, as well as the applicant, after you meet.

David Markovitz, an adjacent neighbor on Ranch Road – Had the same concern about the visibility of the project and wanted to know why it couldn't be "buried" in the property so no one has to see it and additionally had the below question:

- Has a traffic study been done?

Carolann Kachopoly, a resident of Rock Hill – Had the below question:

- Since there is a history of a water runoff issue with the neighboring property, have surveys been done yet to see if there is a way to fix that?

No further questions or comments from the public.

A motion to close the public hearing was made by Kristin Boyd and second by Michael Hoyt. All in favor, 0 opposed.

CONG. HONEYCREST SHUL

14 Harris-Bushville Road, Monticello, NY
Paul Woodward, project engineer
Jacob Billig, project attorney

Chairman Lara read the legal notice aloud.

Proof of mailings were received.

Jacob Billig – This is an existing building that is approximately 56,000 sq. ft. and has always been used as a medical office. My clients are currently in contract to buy the building and are looking to change that use to a place of worship for a shul, which is allowed in this district. They will not be changing anything about the property and/or the building, with the exception of extending the blacktop to allow for bus access. This building will not generate any traffic on the Sabbath and there will some traffic by bus and car during the week. Once the applicants are owners of the building, they will be able to do some maintenance around the building and add some additional landscaping to spruce it up.

Michael Croissant – Will there be any foot traffic going to this shul? Jacob Billig – No. This shul will service camps that are not in walking distance and they will have to be bussed or drive in. It is not for the camps that are within walking distance.

Chairman Lara – I understand your clients do not own the building yet and we did receive the letter today from Keystone addressing the landscaping, but the letter was just a little unclear and we just want to make it clear that we want them to not only clean up what is already existing, but add some additional landscaping. During the site plan process, we usually ask for a little something extra when it comes to landscaping, so we will see what you propose and go from there. Jacob Billig – We are fully agreeable to generating a landscaping plan, but we were hoping, as we discussed at the last meeting, since there was no public comment, that we could get a conditional approval tonight.

No further questions or comments from the Board and there was no public turnout for this project.

A motion to close the public hearing was made by Arthur Knapp and second by Michael Hoyt.
All in favor, 0 opposed.

ACTION ITEMS:

KIAMESHA ARTESIAN

Fraser Road, Monticello, NY

Tony Siciliano, project surveyor

Tony Siciliano – This project is proposing to build a 12x16 water treatment building. There is already an access road coming into the property. There is also an existing well, blow-off valve, and an underground water line, that is currently not hooked to the well.

Jim Carnell – As the Board is aware, several projects have come before this Board seeking approvals and one of the most common dilemmas encountered is the lack of water in this area. The DOH has been quite involved as a regulatory agency for Kiamesha Artesian and have issued them several violations over the last 4 or 5 years. The applicant has been working with the DOH to make mandatory upgrades and updated to the system and getting this well, which has been drilled for many years now but has never been online, up and running is one of those requirements. This is a fairly small building and it is pretty straightforward. My only question is, will there be some kind of security around the building? I don't know if the DOH required some kind of fencing or something like that. Tony Siciliano – To my knowledge it will only be the building. Paula Kay – Jim, do you think there should be? Jim Carnell – It is DOH regulated, so I don't know what they require, but I know in the Town we would usually require some kind of security or fencing around the building. Paula Kay – Maybe, if the Board is ready for an approval, you could condition it on complying with DOH safety regulations. Chairman Lara – Absolutely and if the DOH says they want a fence, we would just need to see that on an updated site plan.

Chairman Lara – Matt, do you have anything to add. Matt Sickler – No. It is my understanding that the building is solely for the electrical service controls and disinfection, so that does not take up a significant amount of space.

Michael Hoyt – Will you be adding a tank? Tony Siciliano – No. Jim Carnell – This building will house only a pump, and its controls, that will be pump the water to the existing tanks. Michael Hoyt – Is there any

issues with the existing tank? Jim Carnell – They are also making upgrades to that tank, but no new tank at this time. Michael Hoyt – Okay.

Chairman Lara – Helen, do we need a NEG DEC? Helen Budrock – This is an accessory structure that is only 192 sq. ft., so it is a type II action and a NEG DEC is not required.

A motion to approve the site plan, subject to complying with any DOH safety issues and adding those changes to the site plan, if any, was made by Kristin Boyd and second by Michael Croissant.
All in favor, 0 opposed.

AVON PARK

Rock Hill Drive, Rock Hill, NY
George Duke, project engineer

Christina Cellini was recused.

George Duke – We are here tonight respectfully requesting a 1-year extension on the special use permit and sit plan approval. As the Board may be aware this project was subject to an article 78 petition seeking to annul the approvals retained last year, after no less than 19 Planning Board meetings thoroughly reviewing the project. In February the court dismissed the petition in its entirety, but it is subject to a notice of appeal. We have been diligently working on this, but we obviously had circumstances with the litigation, as well some issues with banking finances, which has prevented this project from developing quickly.

Paula Kay – I looked it up and our code does allow for a 1-year extension of a special use permit in cases of proven hardship, as long as the applicant is in compliance with all zoning laws and for reasons that George has explained, nothing happened on the site. The original resolution was enacted on July 14, 2022 and was good for a year. Chairman Lara – Do you feel a year for this is appropriate? I'm only asking because sometimes we only do a 6-month extension. Paula Kay – A special use permit is specifically 1 year.
Chairman Lara – Okay. Thank you.

Chairman Lara – Helen, do we have to do anything with SEQRA for the extension? Helen Budrock – No.

No further questions or comments from the Board.

A motion to approve a 1-year extension of both the site plan approval and the special use permit approval making the new expiration date July 14, 2024, subject to all the same conditions as listed in the 2022 resolution, was made by Michael Croissant and second by Arthur Knapp.
All in favor, 0 opposed

HITEN PATEL

Katrina Falls Road, Rock Hill, NY
Glenn Smith, project architect

Glenn Smith – This project was in front of you last month. The applicant and his brother are looking to build a 2-family house on Katrina Falls Road and because it is in the RR-1 zoning district, they need Planning Board approval. The height of the proposed house is 36'9", which exceeds the 30' allowed in the zone, so we were referred to the Zoning Board for a variance. We were able to get that variance at last night's ZBA meeting, so we are back here tonight for continued Planning Board review.

Chairman Lara – Jim, is there any concerns from the Building Dept. side? Jim Carnell – No. It is currently a vacant site and there was no public turn out or comment at last night’s public hearing. Paula Kay – The Zoning Board also noted that it will not be very visible from the road. Glenn Smith – Right. They are going to leave it wooded, with the exception of the driveway, and the house will be about 160 feet from the road.

Chairman Lara – Matt, do you have anything to add? Matt Sickler – Nothing major. I would just like to see a little more clarification on the septic plan, but nothing that would stop you from acting tonight. I would just ask you make it a condition. Glenn Smith – That is not a problem. The septic system details are actually on the architectural plans, that I did not give to you, so I will get those to you.

No further questions or concerns from the Board.

A motion for final site plan approval, subject to the town engineer’s review of the septic plan, was made by Arthur Knapp and Michael Hoyt.

All in favor, 0 opposed.

DISCUSSION/POTENTIAL ACTION ITEMS
(as determined by the board):

CONG. HONEYCREST SHUL

14 Harris-Bushville Road, Monticello, NY
Paul Woodward, Project engineer
Jacob Billig, Project attorney

Chairman Lara explained that there was no public turn out or comment for the public hearing held tonight and this project was also on the agenda for discussion with potential action in the event that was the case. Then asked the Board if they had any further questions.

Kristin Boyd – I know you said busing would be the main source of transportation, but is there sufficient parking spaces for the size of the building? If the whole facility is being used? Jacob Billig – Yes. As it is currently, there are enough parking spaces for the entire building to be used and I believe Paul addressed that in his response to comments from a prior meeting. Paul Woodward – Correct. There is going to be less than 1,400 sq. ft. of worship area and the old doctor’s offices will be used for individual type studies. So as far as usage, 2 buses can handle up to 100 people and there are approximately 28 parking stalls additionally for cars. We are not anticipating any parking problems at all. Matt Sickler – There is a parking calculation on sheet C-100, based on the 1,400 sq. ft. Chairman Lara – Plus I believe there was a site plan done when this was first built as the doctor’s office and I would think this issue would have been addressed back then. Being the size of the building is still the same, the parking is probably sufficient. Jim Carnell – Right and if you look at the site, to the left is a bunch of banked parking. That was in the original site plan, in the event that it was ever needed. Matt Sickler – It looks like it is 20 banked spaces. Jim Carnell – That sounds correct because I recall it was enough to almost double the parking they already had.

Chairman Lara – As far as landscaping goes, we are going to need a plan showing us what you plan to do. Michael Croissant – It is a very visible property so we are just asking you to spruce it up. Jacob Billig – That’s not a problem. We will clean up the existing landscaping, replace the broken sign, and anything else you guys want us to do, such as adding landscaping. I haven’t driven by the property lately, so I’m not sure if we are talking mostly maintenance and some new plantings, or vice versa. Michael Hoyt – That’s why a

landscaping plan is a good idea. That way everyone can see and understand what is going to be done. Jacob Billig – We will do that, but could we ask for an approval with this being a condition? Chairman Lara – I don't suspect there is going to be a tremendous amount of work that is going to need to be done, so I don't see an issue with that. Michel Hoyt – And when you send the plan in it will be circulated to the Board, so that we can review it. Paul Woodward – We will have someone start on that tomorrow.

Kristin Boyd – Do you show lighting on the plan? Jacob Billig – I don't think we are changing any of the existing lighting. Paul Woodward – Correct. There is no plan to change anything, so whatever was on the previously approved plan is what will be there, with the exception of possibly changing to LED lights. Jacob Billig – And I believe they are currently downward facing. Chairman Lara – I would think so. Kristin Boyd – Okay because that is exactly what I was getting at.

Helen Budrock – Being this is a special use permit; do you want them to come back in a year to revisit this? That way we can make sure there is no issues with traffic or parking or anything else like that. Chairman Lara – I think that is a good idea. Paula, how does that work? Do we invite them back or is it on them to reach out to get on an agenda? Paula Kay – They will have to reach out to get on an agenda and at that time they will be coming back to discuss how the first year of operations went. Do you want them to come back in a year from operation or a year from approval? Arthur Knapp – They really can't do work before they own it, so maybe August 1st of next year. Jacob Billig – Right and we will hopefully be closing on the property in the next couple of weeks. Chairman Lara – Okay. So, reach out to the Building Dept. to get back on the agenda by August 1, 2024.

A motion to approve the change of use and special use permit, subject to the submittal of a landscaping plan to be reviewed by the town planner and coming back to this Board by 8/1/2024 to revisit the special use permit, was made by Arthur Knapp and second by Michael Hoyt.
All in favor, 0 opposed.

SOUTHWOODS MOBILE HOME PARK

Southwoods Drive, Monticello, NY
Joel Kohn, project representative
Tyler Sweet, project engineer

Michael Hoyt was recused and Christina Cellini was appointed as a voting member for this project.

Tyler Sweet shared the proposed site plan for everyone to see.

Tyler Sweet – The map in front of you is the proposed Southwoods Mobile Home Park. This is a 31.87-acre parcel that we are proposing to put 67 manufactured houses on. Along with community wide water and sewer, a stormwater feature, recreational areas, and parking. The stormwater will be contingent with DEC's standards in their stormwater manual. The sewer treatment plant would be subject to DOH approval, DEC approval, and a SPDES permit. We are here tonight to basically just present the sketch plan for review and comment before we go to further into the design process.

Chairman Lara – I know there was quite a bit of public outreach in regards to this project and SEQRA. Helen, would you please explain the process. Helen Budrock – This is the very first time this project has been in front of this Board and usually it starts with a sketch plan, like what you see on the plan displayed, which is just the basic concept. At this time, there has been no public hearing or SEQRA started or anything like that. After reviewing what was submitted, I had a couple items I wanted to touch base on. Joel, please provide a long form EAF giving the number of units and it may end up being a Type I action under SEQR. We also need some clarification on water and sewer. Obviously, you are proposing a package plant, but is it on-site wells or is this public water? Joel Kohn – It will be on-site wells and will be a public water supply

under DOH definition. Helen Budrock – I received some guidance and it is my understanding that anything over 50 units, not connected to a public water and sewer, would be a Type I action under SEQR, but I will ask Paula to clarify. Also, maybe you can update your zoning table with what is required and what is actually being provided. There wasn't a lot of information on that and I didn't see lot coverage. The setbacks are provided but the plan submitted is hard to discern and the property boundary is in yellow making it very hard to see. So, those are some of the questions that I had and also clarification on the wetlands, which will probably come with the long form EAF. Are they Federal and state? Joel Kohn – The wetlands in the upper, left corner are DEC wetlands and the rest are state. Helen Budrock – So, is the green boarder the wetland boundary and the other is the 100-foot buffer? Joel Kohn – Right. Helen Budrock – Maybe that could also be more clearly defined. Helen Budrock – And the wetland in the middle is the federally regulated wetland? Joel Kohn – Yes. Helen Budrock – And then there is another isolated wetland where the entrance drive is, right? Joel Kohn – Yes. Helen Budrock – So, you will need 2 wetland crossing permits. I think there were also flood plains or am I wrong about that? Joel Kohn – I don't know, but the engineer will double check that. Tyler Sweet – There were no identified flood plains along the site, but we will pull up the FIRM maps and make sure that is noted on the plans. Helen Budrock – I think you have realized this is a very difficult site, which is probably why this is an incredibly odd configuration, and it has a lot of environmental constraints and sensitive habitat. So, I think the first thing we need to do is get an updated EAF with more information, that way the Board can classify the action and start the SEQRA process. I haven't done a detailed zoning review yet, but those 2 little triangles of recreational area are probably not going to be sufficient, so I would also take a look at that and see if there is a way to incorporate more recreational area. I think the code requires 10%. Joel Kohn – For mobile home parks the regulations are not more than 10% and I think it is a minimum of an acre. Helen Budrock – Okay, but not less than an acre so, just confirm that.

Paula Kay – Jim, correct me if I'm wrong, but I think there was a prior project at this site and there were some issues with site distances. Jim Carnell – There was a prior proposal for this site back in 2005 for, I think, 180 condominiums and looking at the engineers comments it looks like the project didn't move forward for 2 main reasons. There is no site distance for an entrance off Southwoods Drive, even after clearing trees along the road, and they needed a second means of access from a separate location, which they couldn't get. Chairman Lara – What was the reason for the second access? Jim Carnell – I believe it is anything over 30 units that requires a second, emergency access. Joel Kohn – Two things, we think by clearing some more trees and doing some grading, we can achieve some site distance and will have to demonstrate that on the plan and as for the two access drives, the Boulevard entrance was created for separate access. Jim Carnell – It requires an access point from the back of the property. It should be where the furthest most remote location with homes is. Matt Sickler – I think the term is separate and remote. Jim Carnell – Right. I don't know what the exact section of the fire code is, but I know the prior developer tried to acquire an easement for access from the parcel up here, which is owned by our highway superintendent, and that is not going to happen and the parcel that has the cemetery is owned by the Messenger's who have been trying for over 14 years now to get an easement from the parcel to the side of this project, with no success. So, that is probably not an option either and I don't know where they would get their second access from. Maybe they can acquire property on Rose Valley Road and create some access through there. Helen Budrock – Jim, would they require secondary access if it were just the units in the front? Jim Carnell – Yes, if there are more than 30 units. It doesn't matter if they are mobile homes, single families, duplexes, etc. Joel Kohn – Unless it is all sprinklered. Jim Carnell – Correct.

Paula Kay – I would suggest the new owners take a pretty hard look at this. Joel Kohn – Definitely. We will take a hard look at this and see what we can come up with. Matt Sickler – If you can come up with something and this moves forward, I would request to discuss access and site distance with your traffic consultant. Paula Kay – That would be important, but at this point I don't think there is any need to engage. They may even want to hold off on submitting the extended EAF until you know you can come up with something that works. Joel Kohn – We will sit down and go over all of these comments and see what we can come up with.

ESTATES AT ROCK HILL

N Emerald Drive, Rock Hill, NY

Ronald Ronstein, project applicant

Richard Ronstein, project representative

Michael Hoyt was recused and Christina Cellini was appointed as a voting member for this project.

Richard Ronstein – Since the last time we were here we have resubmitted our subdivision plan showing a total of 4 lots, instead of 5, so that this can now be classified as a minor subdivision. All we did is eliminate one of the lots.

Chairman Lara – What about water and sewer? Richard Ronstein – We have water and sewer. Jim Carnell – I had a conversation with Mike Messenger today and because this is not part of the original Emerald Green subdivision, if the area of disturbance exceeds 1 acre, they will be subject to a SWPP. Chairman Lara – Matt, could you explain that further? Matt Sickler – Once a project involves disturbance greater than 1 acre, cumulatively over the life of the project, DEC stormwater regulations require the preparation of a Storm Water Prevention Plan, or SWPP. So, the applicant will need to show on the plan the total area of disturbance proposed, so we can see if a SWPP is required. Ronald Ronstein – Okay. There are going to be 3 houses that will each have a footprint of about 1,200 sq. ft., a driveway of about 500 sq. ft., and then another 900 sq. ft. for the 2-car garage. So, that is roughly 2,600 sq. feet of disturbance for each house. Matt Sickler – What we typically need to see is that information plotted on the site plan, that way we can also see elevations and any grading that needs to be done. Ronald Ronstein – Where the houses are going to go is flat. Matt Sickler – So, you will just have to show all of that on the plan, plus the front and back yards that are going to go with these houses and the lines you are going to extend to connect the water and sewer services, as that is all part of the disturbance. Then you can just calculate what all of that is in square feet and show that total on the plan. Ronald Ronstein – Can I just put a circle around the entire area that is going to be disturbed and have the surveyor calculate the entire footage? Matt Sickler – Yes. Just identify the area that is going to be disturbed and what that total of square footage is. Ronald Ronstein – So, I know the disturbance for these 3 lots is not going to total no more than 15,000 sq. ft. Michael Croissant – We just need you to show us that on your site plan. Paula Kay – We are not asking you to do anything that any other developers don't do. Just show the limits of disturbance on the site plan that way it can be reviewed and this can move forward. Ronald Ronstein – Okay. Is there anything else you need? Matt Sickler – Not from my end. Helen Budrock – This is minor, but the inset map, showing the location map, still shows 5 lots rather than the 4, so just have your surveyor update. Ronald Ronstein – He did correct that. Paula Kay – The updated plan we got does not show that, so just make sure that updated shows when you resubmit. Ronald Ronstein – Okay, I can get you that within a couple of days.

Richard Ronstein – Can we still move forward tonight? Chairman Lara – How do the Board members feel about approving this conditional to Matt's review of the disturbance and a possible SWPP? Michael Hoyt – I am okay with that. Arthur Knapp – I'm okay with it being a condition. Helen Budrock – This is an unlisted action under SEQR, so you will need a NEG DEC if you act tonight.

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

A motion to approve the minor 4 lot subdivision, subject to the town engineers review of the disturbance for potential storm water compliance, was made by Michael Croissant and second by Arthur Knapp.
All in favor, 0 opposed.

SILAS MANOR DEVELOPMENT

Old Sackett Lake Road, Rock Hill, NY

Brad Cleverly, project engineer

Earl Silas, property owner

Paula Kay – Is this the project formally known as Cherry Valley? Brad Cleverly – Yes, it is, so this project may be familiar to some of you. The Cherry Valley project received approval from this Board in 2011, but did not go anywhere. We are now back as a new project with a couple differences. This project will essentially be a private road with a home owners association and we now propose 28 lots, instead of 29. One of the lots is going to be used for recreation and will have a pickleball court, a half basketball court, a volleyball court, a couple playground areas, and a pavilion. Other than that this is essentially the same project that was previously approved. Which is why even though this is technically our first presentation to the Board, we have very detailed plans.

Helen Budrock – Is parcel “C” the proposed lot for recreation? Brad Cleverly – Yes. The recreational area will be right there when you enter the development and then the residences will be around the perimeter and in the middle.

Paula Kay – What about water and sewer? Brad Cleverly – There will be municipal sewer and private water, as previously approved. Helen Budrock – Will there be individual wells? Brad Cleverly – Yes. Chairman Lara – Jim, should we ask Mike Messenger to take another look at this project as it has been a while? Jim Carnell – I already spoke with Mike and he confirmed that this project is in the sewer district. Chairman Lara – Can the district still handle the capacity of this project? Helen Budrock – I believe the Emerald Green sewage treatment plant, has the capacity for 410,000 gallons a day, or it did, and I think they are currently operating at somewhere around 300,000 gallons on a good day. Matt Sickler – That is correct. Helen Budrock – The DEC also just issued a new SPDES permit that will increase the permitted capacity to 475,000 gallons per day, so I think there should be capacity for this project. Michael Hoyt – Is there going to be an easement to access the municipal sewer? Earl Silas – I have had conversations with Mike in regards to an easement and that is something we have to finish up. Helen Budrock – Can you explain Parcel B and what that note means? Brad Cleverly – Parcel B is the sewer pump station. The site will have gravity flow for sewer down to Parcel B, or the pump station, and from there it will get pumped up to a highpoint, that is along the access road, and then it flows by gravity from there down to the Emerald Green district. Helen Budrock – Okay. Has there been any testing done for the private wells? Brad Cleverly – There was testing done back with the original approval. Chairman Lara – Matt, do you have any comments at this time? Matt Sickler – Not at this time. I want to go back and look at the history on the previously approved project and compare what was approved to what is now being proposed. Paula Kay – There was a lot of previous discussion on this property. Matt Sickler – I believe it. We have quite a bit of storage for this project.

Chairman Lara – Are you going to develop these all at once or are you planning to do it in phases? Earl Silas – I am going to do it in phases. I will probably do 4 to 6 houses for phase one starting along this side because there is an above ground easement that still has to be addressed and that cuts through lots 7, 8, and 9. Chairman Lara – What is that easement for? Earl Silas – I believe telephone lines. Brad Cleverly – That is correct and what we were previously doing and still looking to do, which is tie into it, providing the same service down along the road, and then tie it back in over here. Chairman Lara – Okay. Paula Kay – Will the recreation be built with phase I? Earl Silas – That is the plan, but I am not certain of that right now. From a financing perspective I have requested it be part of phase one, but it has to be factored into other areas as well. Helen Budrock – Just keep in mind that sometimes the Board requires that those amenities be constructed at the beginning phases. Earl Silas – That’s fine. Paula Kay – And are you aware of the recreational fees? Earl Silas – I am. I am the vice president for the Board in Emerald Green, so I am aware of how that works. Chairman Lara – Great. No wonder you knew what you were doing. Kristin Boyd – Is the open pavilion shown on parcel C the community building? Earl Silas – That is the plan. I will have more

dialog with Brad, but I really want it to be an outdoor shared space and less of a traditional club house. There will be a kitchen and we will have to have some type of office space, as this will be an HOA, but the goal is to be outdoors since it is such a beautiful property. Brad Cleverly – It will be similar to a park where the pavilion space will be open and the kitchen will be enclosed, weather protected space.

Helen Budrock – As this is the first time the Board is seeing this project presented this way, I did not do a very detailed look into the zoning and its requirements, but I believe this zone requires lots to be at least 20,000 sq. ft. in size and they all appear to confirm with that. Meaning variances wouldn't be required in the future to build. Earl Silas – Correct. The smallest lot is around 29,000 sq. ft. and the largest around 36,000 sq. ft. Helen Budrock – Making them consistent with the neighboring Emerald Green community. Earl Silas – Correct.

Christina Cellini – Will there be another access point for lots 1,2,3, and 4? Or will there only be the one entrance from the top of the site? Jim Carnell – This project has less than 30 units and therefore doesn't meet the threshold that would require a second access point. Plus, it is very heavily wooded behind this project all the way to Wolf Lake, which is about 1,000 acres.

Chairman Lara – I think the Board is amenable to this new project, but we will have to have a public hearing. Paula, do you think it is too soon to schedule a public hearing now? Paula Kay – I would suggest we have one more meeting to give Helen and Matt a chance to take a more detailed look to see if there is anything specific that needs to be addressed. Chairman Lara – Okay. Michael Hoyt – And we should probably get some written comments on this from Mike as well. Helen Budrock – Sure and I didn't see that a new EAF was submitted with this application. Brad Cleverly – We did not submit one yet as we thought this would just be a work session. Helen Budrock – That fine, but if you could just get one submitted prior to coming back we can also take a look at that. Brad Cleverly – Okay. Matt Sickler – I am meeting with Mike Messenger on Tuesday to go over some other things, so I will discuss this with him as well. Earl Silas – He is very familiar with this so hopefully that is a short conversation. Chairman Lara – Laura, can you pull the old file and review it with Paula to get some of the more pertinent things onto the Drive? Laura Eppers – Sure. Helen Budrock – Okay, so one more meeting and if the Board is ready, they can schedule a public hearing.

ICHUD HATALMIDIM

240 Forestburgh Road, Monticello, NY

Tim Gottlieb, project representative

Tim Gottlieb – We were here last year and this Board gave approval for a temporary medical trailer and we are now back with the same request. There is a bond still in place from last year, trailer is still on-site, and the medical waste agreement supplied last year is good through 2024.

Christina Cellini – Why haven't they made this permanent yet? Jim Carnell – I did speak to Rabi Schwartz about that and he is looking for a more permanent solution. He has been tied up with other projects, like the grocery store, and I don't think he has lined up something permanent yet to come back to the Board with. I think he was hoping to get through this second year with the temporary trailer and see where it goes. He definitely feels the need is there for the residence of the community. Chairman Lara – So last year we were also told this trailer would be only for residents of the community and there was signs everywhere up and down Route 42 advertising for this service. So many signs that it was almost to the point of littering and if the medical trailer is just for the community, there is no need for that. There are actually still some signs there now. Tim Gottlieb – I will make that known to Rabi. Michael Croissant – I agree and it seems like they are trying to make this a commercial endeavor and not just a service for the community. Michael Hoyt – I also agree and think that if we see this out there for more than just the Ichud community, we should pull the special use permit. Chairman Lara – That is a good idea. Michael Hoyt – We will leave the door open and if it becomes something the Building Dept. needs to address, they can.

Jim Carnell – I believe when they were here last you also gave a timeframe for the trailer to be removed after the season. They didn't remove it completely off of the property, but they did move it to a lot in the back so that it was not visible. Chairman Lara – I think we are okay with this being a temporary use for one more season. Jim Carnell – So would you want it removed from the property by a certain date? I think the resolution for last year read 30 days after the close of the season. Paula Kay – I believe we gave them to the beginning of October due to the holidays. Chairman Lara – I am okay with October 1st. Michael Croissant – I'm okay with that. Arthur Knapp – That works.

A motion to approve the modification to the previously approved site plan and special use permit to allow the temporary medical trailer for one more season, subject to removal of the trailer by 10/1/2023, the existing bond staying in place, and no signs at all, was made by Arthur Knapp and second by Kristin Boyd. All in favor, 0 oppose.

218 HILLTOP

218 Hilltop Road, Monticello, NY
Joel Kohn, project representative

Joel Kohn – Since we were last here, about a month ago, the resolutions have been prepared and revised by the town's attorney. We are here tonight looking for final approval with whatever conditions that were discussed at the last meeting.

Paula Kay – Do you want me to go through the conditions? Chairman Lara - Yes, please. Paula Kay – There are five of them:

- All infrastructure must be completed prior to the issuance to any building permits.
- The town's engineer and applicant's engineer shall determine the amount of an infrastructure bond as well as the necessity of an infrastructure inspection fee.

Joel Kohn – Which has been prepared, reviewed by your engineer, and revised based on his comments.

Matt Sickler – That come back today, so there has been some back and forth on that.

- Prior to any permits being granted by the Town, DOH approvals for the water system, DEC approvals for the septic system, and a wetland permit from the Army Corp of Engineers, must be supplied to the Building Dept.
- All comments from the tow's engineer must to addressed to the satisfactory of the town's engineer
- All fees to be paid

Paula Kay – Does anyone have any questions or wish to add anything? Michael Hoyt – When do they plan on starting? Joel Kohn – When they get can get these conditions in place. Michael Hoyt – Where they looking to start this year? Joel Kohn – They are not going to be able to start anything before this summer and definitely won't be starting anything during the summer, so hopefully right after the season. Everything has been submitted to the DEC and DOH. Comments from them were received and I believe we resubmitted on June 1st. We are hoping to have all of the proper approvals with in the next month. Michael Hoyt – So, you aiming for the fall. Joel Kohn – Hopefully. Paula Kay – They may have to come back with a request for an extension if needed. Joel Kohn – Right. If they can't start within the year, we will have to come back.

Michael Hoyt – I know we have already talked about this, but I still have a little concern with the traffic. I know that both of our traffic consultants have looked at the traffic study and it looks okay on paper, but I was wondering if we could put something in place to revisit this if there are any issues in the future. Maybe it can be a condition since that was one of the major concerns from the public. Kristin Boyd – I think the

traffic is still problematic just because there is no shoulder or place for anyone walking to go when traffic is approaching. Plus, all of the bends in that road. Without any road improvements, like maybe widening the shoulder, I am still uncomfortable with the current traffic situation. Joel Kohn – I understand that.

Chairman Lara – No offense to the engineers, but I think we were all surprised to see such a high density allowed for cars on this road, I think it was around 900 cars per hour. I know on paper it works, but being someone who physically drives the road, it is scary and that seems like it can't be right. Plus, this is not the only development on the road. Joel Kohn – I believe it is estimated to be a maximum of 360 cars per day.

Michael Croissant – Even at that number, it's a lot. Again, we have all traveled that road thousands of times and there have been countless accidents on that road resulting in a couple fatalities, right in front of the camp. There are tremendous safety concerns there and not just for the residents, but the campers and their families too. Paula Kay – We have a section on our agenda for projects the Board would like to invite back for continued discussion, so maybe you can add as a condition that if there should be traffic concerns after completion of construction, the applicant agrees to come back and address those concerns with the Board. Helen Budrock – And what is the speed limit on that road again? Michael Croissant – 40 MPH.

Chairman Lara – I think it is 30 MPH for apportion of the road and then changes to 40 MPH. Helen Budrock – Again, I know signage doesn't always work, but maybe the applicant can work with the Highway Dept. to make sure the speed limit is posted and maybe consider one of those solar powered signs that show the speed limit as you drive by and flash if you are going over the speed limit. I know it will not a cure all, but at least it may grab some people's attention and cause them to slow down. Chairman Lara – Joel, didn't you ask the Highway Superintendent about this already? Joel Kohn – We did. I don't think the applicant will have an issue participating in the signage if it is needed and will help, but we did have a meeting with Rich Benjamin and he said additional signs were not warranted. Helen Budrock – Maybe just a sign that says "children at play". It may not help, but it definitely won't hurt. Kristin Boyd – Maybe you can ask if there are any road improvements that can be done, such as widening of the shoulder, stripping, or anything that will reduce the danger of walking along that road. Michael Croissant – I think Rich already said that is not going to happen. Matt Sickler – I think some of the issue with the shoulder there is that there is no room to widen it. Michael Croissant – Right. It is very tight right there and the road in front of the camp is only 16 feet wide. Paula Kay – So, I have added to the resolution a condition that states that the applicant agrees to return to this Board if there is a concern and that the applicant agrees to participate in signage as determined by the Highway Superintendent. Maybe in coordination with the Building Dept.? Jim Carnell – That's fine.

Chairman Lara – Paula, what is our next step? Paula Kay – A motion for a NEG DEC would be next.

A motion for NEG DEC was made by Arthur Knapp and second by Michael Hoyt.

3 in favor, 2 opposed (Michael Croissant and Kristin Boyd)

Chairman Lara asked for a motion for approval subject to the conditions of listed in the resolution and no members made the motion. She then asked Paula Kay what happens if there is no motion made who advised that if there is no motion, the application is declared denied. Chairman Lara asked one more time for approval and Michael Hoyt made the motion, but there was no second. Chairman Lara suggested the Board members and the town attorney hold an executive meeting to discuss their concerns further and any/all possibilities to mitigate them. Joel Kohn asked if the Board has an idea of when that meeting would take place. Chairman Lara advised that it would be prior to the next meeting so that this project can be on the next meeting.

HAMASPIK

283 Rock Hill Drive, Rock Hill, NY

Joel Kohn, project representative

Steven Barshov, project attorney

Meyer Wertheimer, project owner

Joel Kohn – We were here at the last meeting for a public hearing on the renewal of the special use permit. There were public hearing comments, but nothing really related to the operations of the camp and more to the proposed improvements. Chairman Lara – I just wanted to make a note that the Board is appreciative that the applicant responded, in writing, to all comments made even though they were not necessarily pertinent. Joel Kohn – Steve prepared those responses, which were provided to the town, and we are here tonight seeking approval for the special use renewal and for minor site plan modification.

Helen Budrock – Steve, can you just explain why the majority of the comments received were not pertinent to the particular use the public hearing was on. Steve Barshov – The sole issue of the public hearing was for the renewal of the special use permit for the summer camp use. The questions and/or comments that were raised did not speak to that use. I reviewed every written comment and the minutes from the meeting and there were no comments that addressed any problems with the camp use. No traffic impacts or no problems that in any way related to activities of the camp. As you have acknowledged already, I responded to all of the comments anyway because we felt it was important to. Joel Kohn – There was actually one comment made by a member of the public in regards to the use of the summer camp, and that was that they didn't notice any change while the camp was in session. Steve Barshov – Right.

Chairman Lara – Jim, do you have anything to add to this? Jim Carnell – Mike Messenger, our Water and Sewer Superintendent, with regards to some of the infrastructure that is currently happening on the site; meaning manholes, storm drains, and sewer drains, that tie the new buildings into the town's system. At the time of the approvals, I don't think that we engaged our town engineer for site oversight and inspections and Mike asked if the Board could address that while this project is back in front of you. Basically, he would be engaged for just the sewer installation and infrastructure that is coming into our system. I did mention this to Joel after I spoke with Mike and I think between the developer and our town engineer, we can get an idea of what the costs would be for those improvements. Typically, we usually do 4% of those costs. Paula Kay – Right. Joel Kohn – An that will pertain only to the current infrastructure and sewer installation and not the whole development? Jim Carnell – Right. Joel Kohn – Meyer, do you have any issues with that. Meyer Wertheimer – No, not at all. As long as we can accommodate and make sure it is done properly, we will. Joel Kohn – And MH&E is usually good about coming out right away when we call them, so that shouldn't cause too much of a delay on your end. Chairman Lara – Matt, do you have anything to add to that? Matt Sickler – No. As Jim said this will be pertaining to the utility installation only and we would want to monitor that because if there is any issue with installation, that could lead to infiltration to our sewer system. There should be no issue accommodating. Arthur Knapp – Do you have any concern with the timeline? Matt Sickler – No. We can accommodate them even if this is something being done in the near future. I will get with Jim and Joel. Jim Carnell – This is going to happen relatively quick because they are working on it.

Michael Hoyt – At the last meeting you agreed to get us the number of how many people stayed at the hotel that came in off the street and I don't think we received that information yet. Joel Kohn – I don't believe any rooms were booked for people coming off the street. Michael Hoyt – What is their room rate? Joel Kohn – I don't know the rate, but they have been working on the website. I believe it is up and running and how it works is basically you go on and submit a request to stay at the hotel and someone will call you back to arrange that. Michael Hoyt – What if you call there and ask for a reservation? Joel Kohn – I don't know the rate, but Meyer might. Michael Hoyt – We are doing a special use here, which they may be entitled to, however we have allowed a dual use, for a hotel and a camp. When you call to book a room, which I have done myself, you are told that they don't have any rooms or that they don't rent rooms. Joel Kohn – We can look into that. Michael Hoyt – That's what you told me last time. Meyer sat right in the audience and told me that they would get us that information. Joel Kohn – I don't have a good answer to that. I believe there were not any individual rooms rented out and they were only rented out to groups, which were any group, not just Hamaspik affiliated groups. It is not specific to only their community. Meyer Wertheimer – But it is. As we agreed during the week it is open to the public, but it takes time to

get the website working and to hire a receptionist to be there and accommodate people who come in off of the street. Our website was just completed today and we hope to be fully functioning after this camp season. Also, we do have a room rate, but it needs to be polished to fit the expenses. Like I said everything takes time but we will have everything up and running by the next hotel season. Michael Hoyt – What about last year? I know we can't change the past, but did you rent to the public last year? Meyer Wertheimer – Yes, but only for groups. Michael Hoyt – So, it kind of wasn't a hotel being I could not have my in-laws call and stay there if they are coming to the area. Meyer Wertheimer – We were only open for groups, but we are gearing up to be fully functioning after this camp season. The website will be functioning, there will be a set room rate, and there will be a receptionist to make help make reservations. Paula Kay – I just tried to get on the website and it says "under construction", so maybe we wait to the next meeting on this. That way we can see that it is fully functional as both a hotel and a camp. I think you addressed everything that had to do with the operation of the camp and advised that there would not be much change in regards to that, but Michael has brought up a very valid point in terms of the hotel portion of the year. I think that needs to be nailed down and we need to be able to show that if someone wants to rent a room during the week, during the period that it is being used as a hotel, they can. Steve Barshov – Being campers will be coming soon, maybe we can make it a condition that we have to submit and show and demonstrate to the Town that the website is indeed operational, which may be able to be done within 2 weeks from today. You probably wouldn't be able to make a reservation until after the camp season is over. Michael Hoyt – I am a local guy and have lived in Rock Hill all of my life. I personally do not have a problem with this project and its location, but I have had to take a lot of heat from the Rock Hill community over this approval and if this is a hotel, people should be able to call or go online and make a reservation. If it is not a hotel and this is more of a retreat, then we need to take another look at it. Steve Barshov – I agree with you and this needs to be clarified, but was I was simply looking to not put off the entire approval by making this a condition. I don't have any problem adding to that condition that the applicant will have an individual available during regular business hours to help accommodate people who are looking to make a reservation not using the website. They only thing that I can guarantee in the immediate future is that the website will be operational so that reservations can be made for the period of time the hotel is in session.

Helen Budrock – Since the recreation building is currently under construction and we haven't seen a full year of operations, I would suggest that perhaps the Board consider issuing the renewal for only one more year at this time. That way you can re-evaluate again after everything is up and running. You can do it after this camp season with the same conditions; hotel seizes operation at the end of June, summer camp runs from July to the end of September, maximum occupancy of 40 campers, unless that is something the applicant wishes to change before you make your decision, and subject to random camp inspections. Chairman Lara – Joel, was there a discussion about have more campers ultimately? Joel Kohn – The number of campers we applied for was 50 campers, but said we would only have 40 for the first year of operations to see how it goes. Helen Budrock – Okay, so 50 campers and 92 staff? Joel Kohn – Whatever was submitted in operations plan. Helen Budrock – Okay. Steve Barshov – If the only difference is going to be the operations of the recreational building, which I believe all of the activities associated with that are indoors, I'm not sure what would be occurring this next season that would be in any significant way different from what happened this past season. I'm not sure I understand the logic in why the recreational building would warrant a new public hearing and so forth. Obviously if there are violations or anything like that, the Building Dept. can enforce those. Chairman Lara – I was going to suggest that instead of requiring this come back in another year, which will result in another public hearing, we wait to see if we receive an influx in complaints, after the construction is complete, and then we can ask them to come back. Paula Kay – And at that point it would be a violation of the existing site plan, which could then be enforced, and like Kathleen said, ask them to come back. Kathleen Lara – There were just not a lot of issues raised at this last public hearing in regards to the use. I'm not saying we didn't appreciate the comments that were received because we did, but there were no complaints about the use, which was the point of that hearing. Helen Budrock – The special use permit does not require a public hearing, that is something the Board chooses, if I'm not mistaken. Paula Kay – The Board chooses to do an annual review after the first year of operations,

that is not in our code, and they also chose if they would like another public hearing at that time. Helen Budrock – I guess what I am asking is can the Board put a one-year limit on it and if there are no problems, not require a public hearing? Chairman Lara – Let's see how the Board feels. Kristin Boyd – Do we have flexibility on the time period we are renewing the special use permit for or is it only a year? Paula Kay – Generally a special use permit is renewed after a year and then that's it. Kristin Boyd – Can we approve it for 6 months? Helen Budrock – I think it is important to remember that both the camp and the hotel are special use permits. So, because the previous use of this building was a hotel for many years before this project, the continuation of that use wasn't really subject to any kind of similar renewal. Putting time limit and renewal on the hotel use might be something you want to consider if there are questions about the hotel's operations. Meyer Wertheimer – I thought we were here tonight for the camp use only. Paula Kay – So perhaps what we do is deal with the camp use now, since there is a timing issue, and ask the applicant to come back in December, to give them some time to get the hotel up and running and see how that use is going. I don't want to push the point too much here, but by operational, we mean that if someone goes online with their credit card, they can book a room for whenever there are available rooms between September and December. Michael Hoyt – All we want to see is that you keep up on both ends of the bargain here. Steve Barshov – We understand and know where you are coming from. You are not getting any push back from our end.

Paula Kay – So, if the Board is inclined, there will be 2 actions tonight; one for the renewal of the special use permit and a minor modification to the site plan for the relocation of the pool. Laura Eppers – And to engage Matt for the infrastructure work, right? Paula Kay – Right. Steve Barshov – Will we need a new NEG DEC for the renewal of the special use permit? Paula Kay – No.

A motion to approve the special use permit for the camp use for another year was made by Michael Croissant and second by Michael Hoyt.
All in favor, 0 opposed.

A motion to approve the modification to the previously approved site plan, subject to inspections by the town's engineer during installation of the sewer infrastructure and the applicant returning in December to follow up with the use of the hotel, was made by Arthur Knapp and second by Michael Hoyt.
All in favor, 0 opposed.

FAMILY FUN PARK

65 Friedman Road, Monticello, NY
Joseph Churgin, Project attorney
Joel Kohn, Project representative

Chairman Lara explained that since the last time this project was before them, the Board went out to the property in groups of 2 for a site visit. Per the owners request it was done this way so that the site visit would not be considered a public meeting.

Joseph Churgin – I think the biggest issue that came from the walkthrough was the distance between, as well as the height of, the newly proposed bike path and carousel to the Hidden Ridge community. There are hundreds of feet between the 2 properties and the Hidden Ridge community sits significantly higher than our property, so neither of those things should really cause any further impact on the community.

Chairman Lara – I will let the other Board members speak, but I would like to say that I found the property to be very clean, but the walking paths are the problem. They are not being policed and is where the majority of the noise, being heard by the Hidden Ridge community, is coming from and noise was the number one complaint we heard at the public hearing. Michael Croissant – I agree the site was pretty clean. There were some pieces of garbage lying about, but it is a big site and you're never going to get all.

Michael and I went to the site together and agreed that the upper walking path is clearly a problem for Hidden Ridge. It is right on top of them and 30, 40, or even 50 screaming kids walking down the path is incredibly loud. We suggested to the owner that maybe he not use that path to solve that portion of the noise problem. Michael Hoyt - While we were at the site, the owner did talk about completely doing away with the walking path. Did he mention that or convey that to you in any way? Joseph Churgin – I spoke to Mr. Oster, many times, and that walking path has been there for a very long time, even before Hidden Ridge went in, so I'm not sure how he can remove it. Michael Hoyt – I think we are just looking for it to be blocked off. Chairman Lara – Right. Just don't use it. Joseph Churgin – Okay. I just wanted to make sure we were on the same page here. I believe what has been done or at least what I was told will be done is, removing it from the website as an attraction and putting up signs to stay off of it. I'm not sure what else we can do. Paula Kay – The things you have just mentioned sound great. Chairman Lara – Right and maybe it can be roped off this year so that it is clear to returning kids that the path is off limits. A rope is simple and can be easily installed and removed. Plus, I noticed Mr. Oster doesn't have the best signage there. Joseph Churgin – The signage is almost non-existent. Kristin Boyd – There is all of this property over here, maybe you can install walking trails there since people can't walk on this one anymore. Joseph Churgin – We can't have people walking where the bikes are going to be. Michael Hoyt – There is plenty of room there for both. Michael Croissant – We are just trying to find the best way for this to work for everyone. Joseph Churgin – I hear what you are saying. Paula Kay – Or he could do one or the other. He can do the bike path or if he is committed to walking, he can do a walking trail.

Michael Croissant – Other than the site being fairly clean, I found it to be in disarray. I think the site is tremendously overgrown and the slide, in my opinion, is a death trap. I wouldn't let anybody go down that slide. Kathleen Lara – Are you talking about the slide with the big tubes? Michael Croissant – Yes. Chairman Lara – I agree. Michael Croissant – That slide has danger written all over it. Michael Hoyt – It looks better in the picture compared to what is there. Michael Croissant – Right. It looks good in the picture, but that is nothing like what it looks like right now. It is truly atrocious. There are weeds growing up through the slide, the slide is wiggly and unstable, and the carpet at the bottom is pretty much non-existent. I don't know how fast the kids come off the slide, but they end up in rocks as there is no sand buffer or anything like that to catch them. Plus, whatever excavation work is currently being done by the entrance is being dumped by the top of the slide and there are giant mounds of stumps and whatever else is being pulled out of the ground. There are also tires everywhere. In my opinion the site is full of hazards. Helen Budrock – Do you want to put a condition on the slide? Michael Croissant – Yes. Who inspects that, us or the Health Dept.? Jim Carnell – That would be the Dept. of Labor. Michael Hoyt – Even though it's not mechanical? Jim Carnell – Yes. They inspect the ropes and other things like that over at the water park. Joseph Churgin – If I'm not mistaken, I think the slide is inspected every year. Michael Croissant – How do we prove that is being done? Jim Carnell – The Dept. of Labor would monitor and enforce that.

Michael Hoyt – I had issues with the bus parking area. That seemed to be a little tight, making for not the best traffic flow.

Chairman Lara – Also the bike path is causing a clear discord between neighbors and I would not feel comfortable for that bike path to be put in behind the Huebner residence. Joseph Churgin – Where he is shooting. Chairman Lara – That may be true, but he is also allowed. Michael Croissant – And that is hearsay. We don't know that is true and you don't know that is true either. Joseph Churgin – We are not doing the shooting and there is shooting occurring. Michael Hoyt – It could be one of the camps on the back side. Chairman Lara – Right. Nobody knows for sure and there are hunting camps throughout this area. As for the bike path, I would like our town engineer go out and make sure what is proposed is okay, especially when it comes to the wetlands. Joseph Churgin – Let me make sure I understand what you are requesting. You want the town engineer to look at the bike path, but is that before or after it goes in? Chairman Lara – It should probably be before it goes in so that we can make sure the disturbance to the wetlands back there is as minimal as possible. Michael Croissant – And there is no reason why it has to go right behind some of these homes. Paula Kay – Right and Mr. Oster said, when I was out at the site, that he

wasn't even sure how far back everything went because he is not too familiar with that side of the property. I think it would also be helpful for him that our engineer come out and sort of delineate where the bike path should go. Helen Budrock – He would pretty much flag the path, right? Matt Sickler – Typically what we would do is take a look at what is shown on the site plan, go out to the site to place some flags, and walk it prior to construction. That way we can take a look at any wetland crossings and determine if bridges or coverts or anything like that need to be installed. Joseph Churgin – I would have had that done already if I knew it was something the Board wanted done. Michael Croissant – Paula, can we set a certain setback we would want? Paula Kay – This is a special use permit and part of the requirement of that is not impairing public health safety and general welfare. Michael Croissant – I think we should create a sizable buffer for the bike path. Joseph Churgin – Would the walkthrough with the engineer happen before or after approval? Paula Kay – Before the approval. Chairman Lara – We just want to make sure we see exactly where it is going to go, to make sure it is not directly behind Mr. Huebner, and make sure it is constructed in accordance to the right standards. No of us know those standards, but our engineer does. Paula Kay – I'm sure Matt will get this done as soon as possible. Matt Sickler – Yes and if I'm not available, I will find somebody.

Michael Croissant – What is the bile shed that is directly off the path for? Chairman Lara – I don't remember exactly what it was for, but I remember something about it being right on the property line and it having some contention. We try to avoid putting anything on a property line that is adjacent to neighbors, but Mr. Oster pretty much owns all the land around it. Matt Sickler – I think the other comment about it was that it is pretty close to the wetlands. Michael Hoyt – I think it is in the wetlands. Matt Sickler – Then I would suggest it be placed out of the wetlands. Paula Kay – So that can be another condition. Michael Croissant – I think it should go on the other side of the bike path. Joseph Churgin – We will take a look at that because it shouldn't be in the wetlands. Michael Hoyt – Do know what it is for? Joseph Churgin – Storage and repairs to the bikes, but I'm sure it can go some place else. Are you sure it is in the wetlands? Michael Hoyt – It may be just outside of them, but it is proposed to go right here and I'm not sure how you would even get to it. Chairman Lara – Which is also right behind Mr. Huebner and we don't want that. Joseph Churgin – They would walk to it with the bikes or maybe I don't understand the question. Michael Hoyt – It is just not an ideal location for a repair shop. Joseph Churgin – Well, it is not a full repair shop, it is just a shed with no power to it. Michael Hoyt – Where will he be dealing the bike from? Joseph Churgin – I believe from the building at the beginning of the path. Michael Croissant – This one? Joseph Churgin – Yes. Matt Sickler – I would recommend the shed be relocated closer to the path. Michael Hoyt – I would recommend it not being there at all or on the other side. Matt Sickler – If you keep it, I would suggest it be moved to the north side of the steam.

Chairman Lara - I also want that driveway on his other property taken out. There is no reason to have that driveway, other than spite, and it is awful. Michael Croissant – It is admittedly spite. Mr. Oster came right out and said because the neighbor did this, I had to do that. Michael Hoyt – He had a big story about it. Michael Croissant – So, that driveway has to go. Joseph Churgin – My question is, if Mr. Oster was to use the lot with the driveway on it, which from what I can tell he is not at this time, would he be entitled to have a driveway? Jim Carnell – Typically we would require them to get a driveway permit when they pull a permit to build something on the property. Joseph Churgin – He did get a driveway permit and did everything legally. Is the problem the location of it because it is too close to the property line? Michael Croissant – Lets call a spade a spade, he did it out of spite. He only installed the driveway to piss off his neighbor right there and for no other reason. Joseph Churgin – I'm not ageing with you at all. Michael Croissant – If you look up the road, you can see he intended to put the driveway several hundreds of feet away from where he ended up putting it because you can see the original cut he made for it. Plus, he can't even go back past the driveway because it goes into wetlands and obviously, he knows that, so this is a driveway to nowhere. One of our conditions is going to be that he has to remove the driveway and restore the land to what it previously was. Joseph Churgin – If he did have a house there, he would have the right to have a driveway on that property. Paula Kay – But he doesn't have a house there. Joseph Churgin – I understand that, but he could submit an application to build one. Matt Sickler – We have had applicants

come in who one continuous pieces of property and the Board has looked at accessing all of those pieces of properties in a common plan to limit the number of road cuts and land disturbance in general. So, if he does want to put something on there in the future, we would look at it in conjunction to what already exists. Joseph Churgin – I'm not arguing with you, but the driveway is not part of this application and he does own that property and he may want to put something there in the future. Paula Kay – Kathleen, do you have a time frame in which you would like to see the driveway removed? Chairman Lara – I would say as soon as possible. I understand he is about to open, but he currently has workers and should take advantage of that because this is Sullivan County and it is not always easy to get workers when needed.

Chairman Lara – The next thing we want to talk about is, if this gets approved, he is done and cannot add anything else. This already has a giant and tremendous impact on this neighborhood and you can't say it doesn't because we have heard it for so many people. Joseph Churgin – I am not arguing and I understand you have control over what he builds on these lots, however, there are 2 lots here and 90% of the stuff is on one lot and the other lot, which is roughly the same size as the first one, is only going to have a bike path. At some point, and I'm not saying he is, he may want to put something else on that second lot and at this time you can't say that lot is over developed. Chairman Lara – This started as a little petting farm and now it is way more than that and therefore, has caused a tremendous increase to the impact on the neighborhood. I was not in favor of this bike path at all and would not have voted for it, but the fact your client is willing to work with everyone and get rid of that upper walking path, made me feel like perhaps we could come to an agreement. Him not removing that driveway and planning to make this even bigger is a deal breaker. Joseph Churgin – I'm not saying he is looking to make it any bigger. Chairman Lara – I'm just saying this is a neighborhood and not a circus and those are my feelings about this. Michael Hoyt – He told us he has nothing to do for 10 years, at least, and the only thing he may do is put in a metal pole barn over the go kart track to keep it dry. Which Jim said is part of the original approval of the go kart track. Michael Croissant – So, he shouldn't have a problem with that.

Paula Kay - What about the carousel? Joseph Churgin – My understanding is there was a suggestion made at the walkthrough that took place today and that was that if the carousel would have any music, the speaker be placed in such a way that they are not pointing towards Hidden Ridge. Kids like music so we did decide to go with sound and submitted a letter stating that it would not be more than 100 decibels at the property line, which is normal sound, and we will face the speaker the other way. Matt Sickler – 100 decibels is a lot. We have done noise studies that we had to be submitted to the DEC and construction equipment gets up towards 100 decibels. Paula Kay – So what would be an appropriate level for a carousel? Joseph Churgin – Well, you are not going to hear it from Hidden Ridge. Arthur Knapp – Two hours of exposure is 85 decibels. Kristin Boyd – And my watchlet tells me if I hit 85, so that must be the safe level. Joseph Churgin – Okay, we will lower that. Matt Sickler – I think the noise ordinance for the Town doesn't state a decibel, but it mentions taking background noise into consideration. Paula Kay – And it states it should be reasonable. Jim Carnell – And I noticed that when you are standing by the go-karts, you can hear the traffic from Route 17. I know it is open and elevated there, but you can hear the truck breaking all the way by the hospital. Helen Budrock – So, what did we decide on? Joseph Churgin – I heard someone say 85. Jim Carnell – I would suggest to the Board that just like we do with lights to make them nighttime friendly, they also face the speakers downwards so that they project less. Kristin Boyd – Basically we don't want to hear the music at the property line, so whatever that decibel is. If you can, then it is too loud. Chairman Lara – Right and if it becomes a problem, you will have to come back. Joseph Churgin – So, you are saying that the sound from the carousel should not be audible from the Hidden Ridge property line. Paula Kay – Well we don't want it to be a problem for neighbors on the other side either, so it should not be audible from any property line.

Paula Kay – It sounds like the Board is saying that any expansion of this special use permit would require, restoring the property with the driveway to its original condition, or as close as possible, roping off the access to the walking path that is right along the Hidden Ridge property line, the carousel is to not be audible from any property line, and the inspection and flagging of the bike path by our engineer prior to

construction. Joseph Churgin – So I texted Mr. Oster and he just told me that he is not willing to remove the driveway. Chairman Lara – Then that is a deal breaker. I don't mean to speak for the whole Board, but even Paula made the comment that she would cry if someone did that in her front yard. Not to mention the diesel truck sitting there leaking fluid cause the DEC to have to come out. It was cleared by them, but this is just the biggest slap in the face to a neighbor that I have ever encountered. He even said to me while I was there, "why can't everyone just let me live my life", but why can't he let everyone else live their best life as well and that is the biggest problem for me. Paula Kay – Being this is not just a simple site plan and it is a special use permit, the Board can condition their approval on any reasonable items. I think in this case, with all of the concerns from neighbors and other public, you guys are being really fair to allow this expansion with the conditions mentioned. Kristin Boyd – I think what I heard is that the Board is in agreeance as long as the conditions are met, so your client can accept them and more forward, or not. Joseph Churgin – I understand. Michael Hoyt – We all just keep repeating ourselves and what it comes down to is the people in the Hidden Ridge community, as well as other neighbors in the area, all bought their homes to relax in the area and this project is disrupting that. Chairman Lara – Right. They also paid full price to live here and just want a nice, quiet life. Michael Hoyt – So, if Mr. Oster can abide by the conditions we have, then he can do his thing. Joseph Churgin – I completely understand, but don't get a vote. Michael Croissant – Are you 100% sure he is not willing to remove the driveway. Joseph Churgin – Yes. Paula Kay – Then this is what I would suggest, you approve this with the conditions you have come up with and, like Kristin said, Mr. Oster can either comply and proceed with his additions, or not. Also, he will most likely be sited by the Building Dept. for the abandoned, half driveway that is right on the Huebner property line. Michael Hoyt – What happens if he doesn't comply and we can pull the special use permit all together. Helen Budrock – Then it becomes an enforcement issue for Jim's department. Chairman Lara – That's what I was afraid of and didn't want it to fall in Jim's lap. Jim Carnell – Approvals tonight will do the same, so whatever needs to happen. Paula Kay – And I would like to clarify that the walking path needs to be roped off whether or not the expansion gets approved. Joseph Churgin – Understood.

A motion to approve the modification to a previously approved site plan and special use permit, subject to all prior conditions, the upper walking path being closed and signage installed, proposed bike path be flagged and inspected by the town's engineer prior to construction, the proposed shed be relocated to the north side of the stream, the existing driveway, that is adjected to the Huebner property, be removed and restored to it original conditional within 60 days, the carousel speakers be aimed away from Hidden Ridge and should not be audible from any property line, no further expansion of recreational facilities, and proof of DOL inspection and approval of the slide and all other amusements, was made by Michael Hoyt ad second by Kristin Boyd.

All in favor, 0 opposed.

CAMP GER

336 Whittaker Road, Monticello, NY
Joel Kohn, Project representative
Glenn Smith, Project architect

Helen Budrock shared the latest site plan for everyone to see.

Glenn Smith – This project is located on Whitaker Road, right on the Town of Fallsburg line, and has been an existing camp for many years. The Building Dept. did some inspections last year that resulted in about 30 violations for various additions and renovations. The surveyors spend a lot of time located everything in the camp and creating a very detailed plan. If you take a look at the site plan, the dark and bold areas are showing all of the new stuff that was built without permits. In the upper right-hand corner of the plan, I have listed all of the violations with the respective town violation number, the location in which the work was done, and a summary of what the violation was for. Most of them are for additions, interior alterations, structural work, poor quality, and no building permit. I believe Joel has been working with the

Town Board on this and we are now here at this Board to start the process of showing where all of the violations are that need to be addressed and hopefully get site plan approval.

Jim Carnell – This project has made a lot of progress before it got to this Board. Prior to last summer we did some joint inspections with the DOH based off of complaints and known activity on the site. They have been in front of the town court for these violations and were given some stipulations. The Building Dept. couldn't issue building permits for most of the work, as they need approval from this Board, but we did take care of some of the minor stuff. There is a dispute with the property ownership and management of this property and it has been going back and forth in federal court for a couple of years now, but I'm not sure of that outcome. Joel, do you know if whoever hired you has control of the property or the authority to submit the application? Joel Kohn - I got involved with this project a little over a year ago to help clean up all of their violations. I believe all of the violations that did not require Planning Board approval have been addressed, and removed, and I don't believe there are any safety hazards on the site. Jim Carnell – We did do an inspection to address anything that would be a safety hazard and, again, when we noticed the work was going on it was prior to the season and occupancy and most of the stuff, at that time, was electrical. We were looking for injunctive action to prevent them from occupying, but between the Town, the contractor, and Joel, we were able to get things to a safe condition so that we would allow them to open. Joel Kohn – Right. Most of the safety concerns were with electric and the rest of the violations were for decks and additions, which I have pictures of if you would like to see. Ultimately, we are looking to get this approved, whatever that path may be. It is a lot of violations, but they are for things like additions, decks, and staircases. Glenn Smith – Are those things the Building Dept. would have to sign off on? Joel Kohn – Yes and we had a structural engineer do a report for all of the additions which has been submitted to the building Dept. along with the building permit applications. Most of the buildings that did not require Planning Board approval, we got permits for and the work has been completed, inspected, and signed off on.

Michael Croissant – Joel, do you know who owns the site or is in control of it? Joel Kohn – It is my understanding that I am dealing with the person who is authorized by the court to operate the site and there is an Owner's Proxy on file. Paula Kay – Do we have something from the court showing who has the right to operate? Joel Kohn – I believe so. Teddy Forman is the local council for the violations, so if you want, I can ask Teddy to send you something. Paula Kay - Yes

Michael Croissant – Were there any fines issued? Jim Carnell – Our court did issue some fines, but I don't know the total of them.

Matt Sickler – Are there any issues with increased occupancy and septic? Glenn Smith – I discussed that with Joel earlier and we are not sure yet. Joel Kohn – We are checking into if there is any additional occupancy. Glenn Smith – I didn't attach the second page of the plan, but the whole back side of the property has a huge sewage plant and lagoon on it, which everything is currently being pumped to. Joel Kohn – This project never had any issues with water and sewer capacity. Glenn Smith – I've been on the site and took pictures and stuff like that, so if you want to talk about anything, just let me know. Matt Sickler – Just put the information in some type of letter or even on the plan.

Paula Kay – As this is the first time the Board is seeing this project; We should table this until the next meeting because we need to verify ownership and that will also give Matt some time to do some review.

CATSKILL HOMESTEAD

196 Rock Hill Drive, Rock Hill, NY
Joel Kohn, Project representative
Allen Weider, project applicant

Helen Budrock shared the site plan submitted for everyone to see.

Joel Kohn – Allen Weider is here tonight with me and he will be leasing and operating this building to open a snack shop. This project was previously approved and their last minor modification, to have only one store, was approved in August. They are now proposing to have an ice cream store and a café. They also propose to have some seating inside and outside and an BBQ smoker outside. That is basically all of the changes and they meet all requirements, so this is pretty straight forward.

Helen Budrock – Is this the same location that Pizza and Love was at one point? Allen Weider – It is right next door to that. Michael Hoyt – It is the old Steve Moss building.

Paula Kay – Will the café be breakfast, lunch, and dinner? Allen Weider – Lunch and dinner. Just a nice place people can come sit and conduct business or to just grab a quick bite or coffee with friends. Maybe we will try to do some bingo nights or book club; that kind of place. Something with a lounge vibe to it because unfortunately Rock Hill doesn't have anything like that. Plus, I think it will be a nice addition to that strip. Paula Kay – So there will be Wi-Fi? Allen Weider – Yes

Chairman Lara – How is the parking? Allen Weider – There is plenty of parking.

Michael Croissant – How many seats will there be? Allen Weider – About 24 seats.

Chairman Lara – Jim, there was a reason this couldn't be 2 store fronts, right? Jim Carnell – They couldn't fit ADA bathrooms in both store fronts, so they went back to one.

Kristin Boyd – When are you hoping to open? Allen Weider – We are little behind schedule and the clock is ticking because of the warm weather, but we will be open year-round, so that does concern me that much.

Matt Sickler – Since there will be food prep on-site, I would suggest Mike Messenger take a look to see if any grease traps or anything like that needs to be installed.

Chairman Lara – I think an ice cream stand is a great addition to down town Rock Hill.

A motion to approve the change in use, subject to Mike Messengers review, was made by Michael Hoyt and second by Michael Croissant.

All in favor, 0 opposed.

MONGAUP VALLEY ICE CREAM & RESTAURANT

42 Kitz Road, Mongaup Valley, NY
Glenn Smith, project architect

Paula Kay was recused.

Helen Budrock shared the site plan submitted for everyone to see.

Glenn Smith – This was a former restaurant located in Mongaup Valley and is in the Highway Commercial zone, which allows eating and drinking establishments. The restaurant on the left side of the plan and the ice cream stand in the middle are going to stay as is. We are proposing to put a meat smoker off to the right, which you can see shaded in red, and the owner originally wanted to serve kosher meat and sandwiches from the portion of the building just right of the ice cream stand, but it is too close to the

dairy, so we changed that to storage. Instead, he wants to put a food truck, which I show next to the building. There will also be some picnic tables and seating off to the right. 17B is right there so I show a 6-foot fence between the road and the property to try a buffer the truck noise. There is a private house to the right of this property, so I show a row of trees in-between. They have inground septic systems, which I designed about 25 years ago for the previous owner, and because it is all sand and gravel over there, seepage pits work great. There are 2 little systems; one for the ice cream stand and one for the restaurant. There is parking on the property and Eddy Collins Field is right across the street. Basically, the only changes we are looking for approval for are the smoker and food truck.

Michael Croissant – Will he have use to the parking at the ball park across the street? Glenn Smith – I don't know for sure. Michael Croissant – Because he is going to get really busy and is not going to have enough parking there. You show 15 parking spaces and I'm going to say 5 will have at least 5 employees, taking up a third of the parking. Glenn Smith – We can look into if parking is available in their lot. Glenn Smith – Do you know who owns it? Chairman Lara – The Smallwood Fire Dept. Michael Croissant – If people can't park there, cars are going to end up parking up and down the road. Chairman Lara – I agree. Glenn Smith – It is definitely worth looking into if you think he is going to get that busy. Michael Croissant – He will. Kristin Boyd – It is a great location. Chairman Lara – And you can only ask. Glenn Smith – If there was parking on Kitz Road, would that be an enforcement action? Michael Hoyt – Did they have parking issues previously? Michael Croissant – Not that I know of.

Michael Croissant – My other concern is the gazebo and how close it is to Hildegard's house because she is right next door. I know on Saturday night at 11:00 this place is going to be packed and noisy. Glenn Smith – There are trees in-between. Kristin Boyd – Can it go on the other side with maybe some trees and a fence? Glenn Smith – The problem with that is there is a 50-foot setback and that would put it in the setback. I kind of squeezed it in where it would meet all of the setbacks. Michael Croissant – That's my only concern because her house is right there. Other than that, I like this a lot and have been dying for a new place to go eat. Chairman Lara – Maybe removed the gazebo. Matt Sickler – Do you think enclosing the back wall of it will help? Michael Croissant – That might work. Arthur Knapp – It can't hurt because I agree there are going to be a lot of people there. Michael Croissant – And the Gazebo is what, 25 feet from the property line and then the house is probably about another 25 feet, so only about 50 feet. Glenn Smith – Right, there is about 50 to 60 feet there. Michael Croissant – I would say, like Matt mentioned, enclose the back side of it and definitely no type of sound system in there. Maybe you want to close in the 17B side too? Glenn Smith – That is a good idea because it would also help with the noise from 17B. I don't see any problem with doing that. Helen Budrock – And no amplified music or anything like that. Glenn Smith – Right.

Christina Cellini – What time would they turn their lights down? Chairman Lara – Early. Michael Hoyt – Well sometimes Collins field goes pretty late. Christina Cellini – So, is the neighbor used to that and that wouldn't be an issue? Chairman Lara – I mean she lives on 17B, but I get we are trying to minimize the impact and she is an elderly woman. Jim Carnell – Sometimes the field will go late if there is a tournament or something. Michael Croissant – Right. Chairman Lara – At the moment I know they are only playing to dusk because something is broken with their lights.

Glenn Smith – How does the Board feel about this? Do you think these things can be conditions to an approval? Chairman Lara – Helen, do we need a NEG DEC? Helen Budrock – There is no physical modification, so I would say no.

A motion to approve the minor modification to the previously approved site plan, subject to closing in the side of the gazebo facing the neighboring house and looking into a parking agreement with the property across the street (Collins field), was made by Arthur Knapp and second by Michael Croissant. All in favor, 0 opposed.

SILBERTS RESORT

14 Bard Road, Monticello, NY
John Ferraro, Project architect

Chairman Lara – The last time you were here we talked about making the site plan clearer as to what is existing and what is being proposed. John Ferraro – Right and Mike Messenger submitted a letter on what clarification he was also looking for. Tim Gottlieb updated the site plan and we now show, on the chart to the left, what is existing and what is proposed. As for Mike’s request, he asked for information on what was existing and proposed with certain manholes, and I believe Tim was going to reach out today in regards to that? Did you hear from him? Matt Sickler – I did not. I will let Mike handle that, but he did provide an email on what he was looking for. John Ferraro – I can read that if you would like. Laura Eppers – It is on the Drive. Matt Sickler – And I’m good with what he is recommending in terms of testing and abandonment of any lines not being used. Chairman Lara – Great and I recall you were going to just keep this as a bungalow colony because it was the simplest thing to do and just rebuild the bungalows that burned down in the same footprint. John Ferraro – That is correct and the owner is on board. Helen Budrock – The only other thing is having the architect call the buildings bungalows instead of cabins. John Ferraro – We did talk about that last time. There will be an official construction drawing set and they will be called bungalows on there. Paula Kay – If you could also have them changed on what was already submitted. Helen Budrock – Right. Because this is a non-conforming use, we need to be very specific as to what is being constructed and that they will be in the same exact footprint as what previously existed. John Ferraro – Understood and I am making a note of that now.

The Board had no further questions or concerns.

Helen Budrock – This will need a NEG DEC as it is an unlisted action.

A motion for a NEG DEC was made by Arthur Knapp and second by Kristin Boyd.
All in favor, 0 opposed.

A motion for final site plan approval, subject to Mike Messenger’s approval, staying in the existing footprint, and changing the naming of the buildings from “cabin” to “bungalow”, was made by Kristin Boyd and second by Arthur Knapp.
All in favor, 0 opposed.

EPRESS BSD

4682 Route 42, Kiamesha Lake, NY
Maria Zeno, Project representative
Mr. Levine, Property owner

Maria Zeno – Good evening. We are here tonight in hopes to get a 239 referral and schedule a public hearing for this project.

Chairman Lara – Jim, have you been to this site? Can you tell us about it? Jim Carnell – I have pictures. Helen Budrock – If I remember correctly this property was a little bit of a mess when it was last before us. Maria Zeno – I walked the site before I came here and have videos of containers being filled and everything being cleaned up. Jim Carnell – I also went there today. I believe they are proposing to demo the residence that is there, right? Maria Zeno – Correct. Jim Carnell – But what is going on with the 3 trailers and the job site trailer that are there? Maria Zeno – I also seen those. If you want them removed, they will be. Jim Carnell – What are they being used for? Are people living in them or are they being used for storage?

Maria Zeno – neither. We thought we were going to get approvals last year, so the construction trailer was purchased with the intention of starting construction. If you need them removed, my client has other properties he can put them on. Jim Carnell – I’m still not sure what the purpose of the camper are. Mr. Levine – They were sold to me and I as just storing them there. There is no water or sewer hooked up to them. Can I just park them next to the house? Jim Carnell – This is a commercial site and these are not residential RVs that someone would park in their driveway. Maria Zeno – I believe that is a separate lot at this time and part of this application is to combined the 3 lots, but I’m not sure what the zoning is for that residential house at this point. Jim Carnell – But you are going to be tearing that down, right? Maria Zeno – Yes. Paula Kay – Is the plan to have them there indefinitely? Maria Zeno – No. The existing house that is there is coming down and that is where some of the parking is going, so everything that is currently there will have to be removed.

Jim Carnell – To refresh the Boards memory, there is an easement involved here. I think we got some documents from Kiamesha Artesian and there were some new improvements done? Maria Zeno – That is correct.

Paula Kay – is this property part of the Gateways? Maria Zeno – No, it is outside of them. Paula Kay – Are they close? Maria Zeno – No. I have a map here and this is the corridor here and this property is up here past Kiamesha Lake.

Paula Kay – This project is here tonight seeking referral of the 239 and to possible schedule a public hearing. I know they still have some work to do on-site, but think it would be good to hear from the public. Helen Budrock – I believe previously the County had some issues was access to the property on the corner, so I’m sure they will have some comments on that. Maria Zeno – There has been back and forth with the DOT and we spoke to Tim Gottlieb today. He did not get me the documentation on time for tonight’s meeting, but the DOT expressed that they are okay with the plan for now and wanted it to go back to this Board and then back to them. Chairman Lara – So, the Board will need an updated plan with everything you are proposing, including landscaping and anything else the public may want to see. Helen Budrock – Do you want to do a 239 referral tonight to get that started and out of the way? Chairman Lara – Yes. Helen Budrock – And schedule a public hearing? Chairman Lara – Yes and the County needs 30 days, so July 26th would be the soonest because the first meeting in July is too soon. Helen Budrock – That gives you a little more time to prepare what you need to and I don’t think they were looking to be operational this season, right? Maria Zeno – We would like the public hearing to happen as soon as possible, but if we have to wait for the 239 determination we understand. Chairman Lara – The County is entitled tot heir 30 days, so unfortunately, we can’t push that. Joel Kohn – If I could jump in for a second, the 26th is Tisha B’av. Chairman Lara – I was going to say that. Joel Kohn – I mean you can ask the applicant, maybe he wants to send someone. Helen Budrock – Would the 12th work because it is only 2 days short of the 30-day timeframe? Chairman Lara – Whatever you guys think will work. Maria Zeno – We would prefer it not be on the 26th. Paula Kay – You can schedule it for the 12th and if we don’t get the 239 back in time, it will have to be rescheduled.

A motion to refer this project to the County for 239 review was made by Michael Croissant and second by Kristin Boyd.

All in favor, 0 opposed.

A motion to schedule a public hearing on July 12, 2023 was made by Michael Hoyt and second by Kristin Boyd.

All in favor, 0 opposed.

OLD ROUTE 17 WAREHOUSES

1283 Old Route 17, Harris, NY
Ross Winglovitz, Project engineer

Chairman Lara was recused, Michael Hoyt was appointed as acting chairman, and Christina Cellini was appointed as a voting member for this project.

Ross Winglovitz – I believe this project was here in early May and at that time we were proposing two 2,500 sq. ft. warehouses. We have since evaluated grading of the property, retaining walls, and things like that and decided to combined them into one 40,000 sq. ft. warehouse; reducing the total square footage by 10,000 sq. ft. We did some preliminary grading and this way makes it better then what it would have been the other way. We propose parking on the north side and loading on the south side. The loading docks we originally proposed to be at the rear, but that would have forced a significant amount of grading and retaining walls to be installed along here. By moving them, we can eliminate the retaining walls. With the increase in the size of the building, we will now require a sprinkler system, so we show a tank here. We think there is enough elevation on-site for that to be gravity fed so we should not require booster pumps. We are here tonight hoping for a County referral and Lead Agency circulation.

Michael Croissant – Paula, do you think they are ready for that? Paula Kay – Yes.

Paula Kay – Did you guys get a tenant for the building? Ross Winglovitz – No, not yet.

A motion to refer this project to the County for 239 review was made by Kristin Boyd and second by Arthur Knapp.

All in favor, 0 opposed.

A motion to declare the Boards intent to serve as Lead Agency, was made by Kristin Boyd and second by Christina Cellini.

All in favor, 0 opposed.

SUNNY FOREST

127 Old Liberty Road, Monticello, NY
Mike Radoncic, Property owner

Mike Radoncic – We are no longer proposing to be a summer camp. The site plan has not been updated yet, but the purpose of tonight’s appearance is to let you know that we are going back to a bungalow colony and keeping it as is.

Paula Kay – So, you still have a violation for sapric failure. Where do you stand with that? Mike Radoncic – I have been in contact with Keystone Engineering and they came out to the property yesterday. They walked the site and will start calculating and doing perk tests. Chairman Lara – Cool. Paula Kay – The only thing I would say is that they should not operate until the violation has been taken care of and everything cleared by the Building Dept. Mike Radoncic – We actually had the Building Dept. and DOH out to the property last week for inspections. Jim Carnell – Most of the work that was done by the manager that was trying to operate this as a camp has been reverted back to what it was prior with the limited exception of the basement of the shul because that was excavated. As far as the other building and occupancies, they have been reverted back. There is still an issue with the septic system and surface discharge, which was the main issue we had with the operation. Mike Radoncic – To add to what Jim said, the second floors of both building have been boarded off and are closed for good. Paula Kay – Going back to the septic, it has to be correct before you bring people in for the season. Jim Carnell – Is there a viable option to bring in a

temporary system? Mike Radoncic – I am going to bring that up to Keystone, but the system in failure is only for about 3 of the units. All of the other units are okay and go to other systems. Jim Carnell – Maybe you can identify the exact number of units that go to this system and which ones they are and then demonstrate that they won't be used this season. Or maybe some sort of temporary system for them. Michael Hoyt – Before they occupied this as a camp, there weren't really any issues. Jim Carnell – I don't recall. Michael Hoyt – I live pretty close and cannot recall any issues prior. Jim Carnell – I don't know currently what their operations are, but we all know water will find the path of least resistance. Chairman Lara – And a bungalow colony will obviously be less on the system than a camp. Paula Kay – We have a new town prosecutor and she has drafted papers for an injunction for this property and it is on the Town Board's draft agenda for Tuesday's meeting, so I need some sort of definitive proof. You are going to have to work with Jim and show him that the units that go to the septic system in violation, will not be occupied. Mike Radoncic – I was hoping to occupy them, but I obviously cannot with the sewer system how it is, so I was hoping to find a temporary solution for this season. Paula Kay – Just to be clear, those units cannot be occupied until Jim says they can be and he has to identify with you which units those are. If that cannot be done, then the Town Board will do what they have to on Tuesday. I don't mean that as a threat, but this is something we have been dealing with for at least 2 years now, with no response from the previous manager. This is cued up and ready to go and I would be happy to pull the plug, but you have to satisfy Jim first. Mike Radoncic – I understand, I came in late to the game and someone else was previously running the show, which was a bad show, but I am now on top of it. I think I am chipping away at everything you guys are requesting little by little.

Chairman Lara – We are happy you are here and I know this is a lot, but I just wanted to also bring up the fence and make sure you are going to make it nicer. Mike Radoncic – Yes, that definitely has to be done and is something I want to see too.

Mike Radoncic – We also hired a traffic engineer. Jim Carnell – I believe this was referred for a 239 early on and there are some comments in our Google Drive that you may want to get to your traffic consultant because I think the County did have a comment on the traffic. At that time there were buses going in and out of the parking lot due to camp operations and now that you are reverting back to a colony, some of the concerns may not apply. Helen Budrock – I think they also commented on installing curbing there in the front to avoid parking along the road. Mike Radoncic – I am hoping to get some jersey barriers they temporarily until we can get something more permanent. Chairman Lara – Great

A motion to close the meeting was made by Michael Hoyt and second by Arthur Knapp.
All in favor, 0 opposed.

Respectfully submitted,

Laura Eppers, Secretary

Town of Thompson Planning Board

DRAFT