

APPROVED

TOWN OF THOMPSON
PLANNING BOARD
August 23, 2023

IN ATTENDANCE: Kathleen Lara, Chairman
Michael Hoyt
Arthur Knapp
Michael Croissant
Kristen Boyd
Matthew Sickler, Consulting Engineer
Helen Budrock, Sr. Planner, Delaware Engineering
Shravya Markandeya, Consulting Traffic Engineer
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 June 28, 2023 minutes, the July 12, 2023 minutes, and the July 26, 2023 minutes was made by Michael Hoyt and second by Arthur Knapp.
All in favor, 0 opposed.

PUBLIC HEARING:

SILAS MANOR DEVELOPMENT

Old Sackett Road, Rock Hill, NY
Earl Silas, Property owner
Brad Cleverly, Project engineer

Chairman Lara read the legal notice aloud.

Proof of mailings were received.

Michael Hoyt was recused from this project.

Helen Budrock shared to most recent site plan submitted for everyone to see.

Brad Cleverly – This is a 28-lot subdivision off of Old Sackett Lake Road with public sewer and private water. It is a loop design and the road will be a private road. This project may seem familiar to some of you because it has been kicking around for a while now. This project is formally known as the Cherry Valley subdivision project and was first in front of the Board back in February of 2004. After that there was several Planning Board meetings and a public hearing was held in January of 2007, which was closed after that month. The Board declared Lead Agency, made a motion for Negative Declaration under SEQR, and issued preliminary subdivision approval, with several conditions. In 2009 the Town Board approved the expansion of the Emerald Green/Lake Louise Marie sewer district to include this project. In August of 2010 the project received approvals from the DEC, for the sewer systems, and from the DOH. In April of 2011 the Planning Board granted final approval. There were several requests to extend that approval, but nothing was ever done and the approval expired. The project is now known as Silas Manor and has re-

submitted to the Board in June of this year; leading to the public hearing this evening. All of the lots meet the zoning requirements and this community will be gated. Essentially this project is a previously approved subdivision.

Paula Kay – Mr. Silas, what is your role in this project? Earl Silas – I am the managing partner and developer of the Silas Manor project. Paula Kay – You are not the original developer, correct? Earl Silas – No. The original developer was the gentleman from Cherry Hill. My partners and I purchased the property with the intentions of developing what you see in front of you today. It is pretty much the same project that was previously approved, we just brought it current and made it more contemporary.

Chairman Lara – Can you explain all of the proposed amenities to the public? Earl Silas – Parcel “C” was originally proposed to have a single-family home on it and we changed it to be for recreational use. It will have a club house with a covered pavilion, a basketball/pickleball court, two playground areas, and possibly a sand lot for cornhole and/or volleyball. The purpose of the building on this lot will be to house the HOA office and provide a common space for all residents in the community. The indoor space will be as limited as possible because the goal is to leave at least 70% of the lot as outdoor space.

Chairman Lara – Did the original approval include hooking into the Emerald Green water district or was it always private wells? Brad Cleverly – It was always private wells. Chairman Lara – Is there a reason you decided to go that route and not hook into the district? Brad Cleverly – If I remember correctly, it was more economical to have individual wells. Earl Silas – Also, I live in Emerald Green and understand the quality of living in this area, so the goal is to have as minimal disruption to the mountain as possible. We have to tie into town sewer, so we will, but we do not have to tie into town water and blast, so we won’t. We were able to verify that there is enough water there to have wells for all the lots, so that is a viable option.

No further questions or comments from the Board.

The meeting was opened up to the public.

Zack Peters, MNTM Engineering representative on behalf of Wolf Lake Community – Sent in written correspondence, a letter on behalf of the Wolf Lake community and an email from the DEC, prior to the meeting and wanted to touch on a few of the issues outlined in the letter from the community:

- EAF comments 12, 13, & 15
- Subdivision comments 3, 4, 5, 6, 7, & 8
- Stormwater comments 1, 3, 4, & 9
- Proximity of range comment 1 – Paula Kay advised that this was also something that was also brought up with the original project (Cherry Hill) and the applicant and HOA were able to come up with an agreement.

Below are links to the written comments received:

https://drive.google.com/open?id=1yE-BdfE8v41dU9S_S7I5vOkn7ICJwatk&usp=drive_fs

https://drive.google.com/open?id=1yFS-ExndFI2oPAnO1RYS23FJXKLjZJR&usp=drive_fs

Dr. Clifford Teich, Wolf Lake resident residing at 192 South Shore Drive – Voiced that he is sick and tired of playing the game of whack-a-mole with the Planning Board every 2 weeks and asking them to please stop saying yes to the rapid and rabid rate of growth in this quant village. He supports smart growth, such as the Casino that brings jobs to our area, but feels this project is not smart growth and in fact is sheer lunacy. Stated people came here, grew up here, and raised their children here because of the quiet solitude, the

environment, and the scenic quality of life, which is now being stripped away. Mentioned he doesn't know how much longer residents will be able to enjoy the wildlife in the area, such as bald eagles and hummingbird, with all of this rapid growth being approved. Also, mentioned that he feels the growth will zap away the water table and change the ecology and environment drastically for the worse. Voiced that if the Planning Board treasures our beautiful scenery and surroundings, they will stop all of this insanity.

Jim Cappadona, President of the Wolf Lake HOA and residing at 239 Wolf Lake Road – Wished Mr. Silas the best with this development and just wanted to reiterate the same issues/concerns Mr. Peters has previously mentioned and ask that they be dealt with.

Jessica Lansdale, Wolf Lake resident residing at 214 Canal Road – Sent in written correspondence prior to the meeting, in which she commented on her concern with potential water runoff and the effects it will have, and voiced the same concern at the meeting.

Link to written correspondence received - https://drive.google.com/open?id=1yo-a4wnV5o7Z4HPP_vW8eBUItjZMVY8&usp=drive_fs

Marty Jankiewicz, Wolf Lake resident residing at 442 Old Wolf Lake Road – Had the below questions:

- How will the sewer system be handled?

Brad Cleverly advised that it will be integrated into the Emerald Green sewer district, which is maintained by the Town of Thompson. Marty Jankiewicz went on to say he doesn't understand why they would want to go with individual wells and asked that the developer reconsider that.

- Since you will have to extend Old Sackett Road to install the private access road to the development, will you extend Old Sackett Lake all the way down to the Emerald Green east extension?

Earl Silas advised that he feels that is something that should happen and know that stretch of road is currently not maintained, so it is something that already has to be discussed with the Town.

Marcy Kolter, residing at 144 Lake Shore Drive W. – Sent in written correspondence prior to the meeting.

In addition to said correspondence, she wanted to express the below concerns:

- Lighting - Her parent's home, as well as with 6 other homes, are along Brighton Lane which will be right at the foot of this development and the additional lighting will affect them. Is afraid this project will now light up a whole mountain.
- Stormwater – The property is all downhill and a lot of home owners use chemicals to keep their lawns green and plush, which will end up in the lake along with everything else.
- Flooding – Concerned properties on Brighton Lane will suffer from flooding because most of the trees will be removed and the water will have no place else to go.
- Expansion – Concerned the developer may come back in the future and ask to add even more houses.

Feels this project is too big of a development for this beautiful, forested, and mountainous area and feels there should be some consciences consideration taken being that the area already has a housing development and corresponding amenities. Stated that the approval made in 2004 may have been a mistake and that the Board should take another look at what is being proposed and actually listen to the concerns the public has.

Link to written correspondence received -

https://drive.google.com/open?id=1yPrsO6rNN6VUuoetWwZ2klbWnHL74w7F&usp=drive_fs

Janet Newberg, Rock Hill resident residing at 338 Old Sackett Road – Expressed that she is concerned about the safety of people and children who walk, jog, and bike on the community roads. There is no

center line on Old Sackett Road and has witnessed cars speeding up and down the road and is afraid it will only get worse. Wants to know if any changes will be made to the roadway to accommodate the additional cars this project will bring.

Don Marnino, residing at 17 Pleasant Ave, Farmingdale, NY and owns a home at 83 Canal Road (in Wolf Lake) as well as multiple pieces of property on Old Sackett Road – Expressed the below concerns:

- Accessibility to the existing easement - Many property owners use that land to access the back portion of their property and is concerned it will get blocked off.
- Stormwater drainage - This project sits much higher than most of the surrounding properties and is concerned that everything will run downhill.

Also asked if the developer plans to turn the private road back to the Town? Because a lot of developments say their roads will be private and end up turning them over to the Town who have to use their services to maintain them.

Earl Silas advised that they have no intentions of converting from a private road and putting the burden back on the Town. He too lives in the area and is a tax payer in Sullivan County. We have been very clear that this will be a private road.

Kathleen Walker, Wolf Lake resident residing at 149 South Shore Drive – Had the below questions:

- Will the developers make the easement part of the private road?

Brad Cleverly advised that the intent is to transfer the easement onto the road.

- Can you gate an easement?
- Is 60 feet, the width of the easement, enough space for a road?

Maria Blon, Wolf Lake resident residing at 373 South Shore Drive – Wanted to make a few points:

- Lighting - One of the joys of living in Wolf Lake is being able to enjoy the stars in the night sky. Downward lighting is an option and would be appreciated.
- Environmental impacts – We need clean waters, trees, and habitat for the animals for pristine living. We need undeveloped green space to live and breathe. The wiser we can be with overall planning and possibly consider more condensed buildings, to leave more green space, the better off all of us will be. Restrictions on the usage of pesticide with lawn care would also be beneficial.

Dave Franer, Wolf Lake resident residing at 67 East Road – Gratified to hear that the new developers were willing to keep the same agreement as the previous developers in regards to the shooting range.

Understands that will be conveyed in the deed, but feels that is not enough. He asks there be a legal document that not only states the developers/future home owners are aware of the shooting range, but that Wolf Lake will not be held responsible in the event of any kind of unfortunate accident and that also prevents any complaints in regards to the already existing gun range, if it be noise or other environmental issues. Perhaps a “harmless agreement”, which has been done in other situations like this outside of our county.

No further questions or comments from the public.

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

Paula Kay explained that the applicant has to respond to all public comments in writing and cannot come back in front of the Board until that has been done. Once received, the applicant’s written response will be uploaded to the Town’s Google Drive for everyone’s access.

EXPRESS BSD

4682 Route 42, Kiamesha Lake, NY
Maria Zeno, Project attorney
Joel Kohn, Project representative
Mr. Lowin, Property owner

Chairman Lara read the legal notice aloud.

Proof of mailings were received.

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

Joel Kohn filled in for Maria Zeno until she was available to join the meeting via Zoom.

Joel Kohn – This is an existing commercial building located on Route 42. The applicant is proposing to add a 300 sq. ft. addition to the existing building and combine his 3 lots; lots 1, 2, and 4. He currently does not meet the requirements for the minimum required lot area and combining the lots will reduce that inconformity. Even though he is not encroaching into the setbacks anymore than what was pre-existing, he had to get some variances from the Zoning Board, which they did. They did receive the same variances previously, but they expired and had to be granted again. This project has town sewer and the water is supplied by Kiamesha Artesian. That is pretty much it.

Maria Zeno joined the meeting.

Chairman Lara – I believe we previously asked for the site to be cleaned up, was that done? Mr. Lowin – 2 of the 3 trailers have been removed and the third one was purchased during Covid for a construction trailer as nothing else was available. It is on wheels and is not hooked up to water or sewer. It will be used as a construction trailer only and I can put it anywhere on the property that the town would like, so that we are in compliance. Chairman Lara – We will have the building Dept. handle that.

Chairman Lara – Can you explain how the ingress and egress will work, as this is near a fairly busy intersection? Maybe show us how the traffic will flow in and out. Joel Kohn – The plans were sent into the DOT since this is on a state road. They had a couple of comments, which have been address, and we are just waiting on a formal approval from them. Jim Carnell – Were those updated plans provided to us? Joel Kohn – I don't know. Matt Sickler – There are plans showing the gravel drive, that is located on the upper portion of the site, being removed and showing a drive now on the left side of the building, but I don't know if those are the final plans. Chairman Lara – As long as they have been submitted to the DOT and they are okay with what is being proposed, I am satisfied with that.

Paula Kay – The name provided on the application and the name our system finds are different, so if we can just be more consistent going forward. Maria Zeno – I will make sure all of that is squared away before the next meeting. Also, during the ZBA meeting there was a question about the existing easement and that Board asked if we could get the letter sent in from Robin Keeler signed by her. We did get that signed and I will send it in prior to our next meeting. Paula Kay – Just send that to Laura so she can put it in the Drive.

No further questions or comments from the Board.

The meeting was opened up to the public, but there was no public turn out.

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

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

BIRCHWOOD ESTATES

Sackett Lake Road, Monticello, NY
Glenn Smith, Project engineer

Glenn Smith – On the first page of what I just handed out shows what was originally approved for this project, which was 70 homes. Of those approved homes, only 67 were built. The red shaded parcel at the bottom of the page is a 1.2-acre parcel that was sold to Birchwood a few years ago. We discussed the proposed development on this parcel a couple of meetings ago and subsequently scheduled a public hearing that was supposed to be held at tonight's meeting. At that time this project wanted to incorporate this parcel into the Birchwood parcel and build the last 3 approved homes. However, the owners have now changed their mind and therefore we requested the public hearing be cancelled. If you take a look at page 2, it is the same 1.2-acre parcel, enlarged, and shows what they are now proposing. They are now proposing to reduce that parcel with a lot line change by moving the rear lot line down to create a 1-acre parcel and the remaining 0.2 acres will be incorporated into the Birchwood parcel, and 1 of the 3 remaining approved homes built there. The new 1-acre parcel will have a single-family home, well, and septic system on it with a driveway out to Sackett Lake Road. They would meet all of the required zoning, but because of the lot line change and request to modify the original site plan approval, we will need to do another 239. We will also need DPW approval and permit for the new driveway and a new public hearing as this is a cluster development.

Chairman Lara – Would the proposed 5-bedroom home on the new lot you are creating be part of Birchwood? Glenn Smith – No, it will completely separate. Chairman Lara – With separate water and sewer, right? Glenn Smith – Right.

Chairman Lara – I have some comments from Mike Messenger. They may be a little old because they are from the prior application and all of these comments may not still apply, but I am going to read them anyway. He said that:

- The property is not in the Sackett Lake sewer district and will need to be annexed in.
- The original plans were for 70 homes with 3.5 bedrooms, which is just short of 45 bedrooms, and the development far exceeds that total. So, he would like you review the pump station to make sure it can handle the additional flows, as well as the water system.
- DEC and DOH approvals will be needed for the sewer and water main extensions.

Glen Smith – We discussed the bedroom issue at the last meeting and Mike mentioned he would contact Doug at the DEC, so I will follow up on that. Plus, there is now only 1 house being added to Birchwood, instead of three. As for the proposed house we are now showing on the other lot, it will also be part of the Birchwood sewer system; it may just require a 10-foot sewer extension.

Kristin Boyd – Will they sell of that stand alone house on the separate parcel? Glenn Smith – There is someone who is affiliated with Birchwood that wants his own lot and his own house, completely separate from Birchwood. Kristin Boyd – Okay. Chairman Lara – This is a wildly popular development. Once the buildings are built, they are bought.

Chairman Lara – Matt, do you have anything? Matt Sickler – I just got the most recent set of updated plans today, so not at this time, but it seems pretty straight forward.

No further questions or comments from the Board.

Glenn Smith – As this is on for a discussion item, can the Board schedule a public hearing? Chairman Lara – We can, but we do need to refer it to the County of a 239 again because of the changes. Laura, when is the next meeting we can schedule this for? Laura Eppers – The second meeting in September; the 27th.

A motion to refer this project to the County for a 239 review was made by Arthur Knapp and second by Michael Hoyt.

All in favor, 0 opposed.

A motion to schedule a public hearing on September 27, 2023 was made by Arthur Knap and second by Kristin Boyd.

All in favor, 0 opposed.

GLEN WILD RE HOLDING

47 Katrina Falls Road, Rock Hill, NY

Tim Gottlieb, Project representative

Paul Walsh, Property owner

Tim Gottlieb – Since the last time we were here, we have updated the site plan to show where the container and equipment storage will be, added some shrubs along the westside of the barn, and entered into a contract to add curbing to the eastside of the barn. I think we have addressed everything that has been discussed.

Chairman Lara – The Building Department did supply me with a list of things they would like to see on the site plan, but before I go over that, I would like to see if any Board members have anything to say. Arthur Knapp – I like the progress being made. Michael Hoyt – I'm good at this time. Michael Croissant – Not at this time. Chairman Lara – So, what the Building Department previously asked for was more specified areas of storage and although you have shown some of that on the site plan, it is a little vague. For instance, it says "container storage" and we want to know what kind of containers because we don't want those big sea and land container. Perhaps they can be limited to garbage cans, roll offs, dumpsters, and/or compactors. One of the more recent asks was the possibility of relocating the dumpsters that are currently stacked right out front. Paul Walsh – Most of those dumpsters are there for repairs. Chairman Lara – Being it is the first thing you see when coming off of Holiday Mountain Road, maybe they can just be relocated. Also, the addition of some notes on the site plan that stating, this property is not to be used as a transfer station, there should be no unregistered vehicles, boats, or trailers, and the hours of operations. We understand that the trucks start up pretty early, but there have been complaints from neighbors of dumpsters being moved and banged around as early as 5:00 a.m. There are other minor things such as, locating the septic/leach field on the site plan and stripping the spaces in the employee parking lot. The Town code has specific requirements for outdoor storage and those requirements should be met. We

appreciate what you have added to the plan, but we need something a little less vague. Tim Gottlieb – Can I have a copy of that list from the Building Department? Chairman Lara – Yes. I will have then sent to you tomorrow.

No further questions or comments from the Board.

Chairman Lara – It seems like a lot, but it is really just a lot of notes and labeling. Can you guys be ready to come back at the next meeting? Tim Gottlieb – What is the date? Chairman Lara – It is September 13th. Tim Gottlieb – That will work.

DEB EL FOODS

64 Kutger Road, Thompsonville, NY
David Higgins, Project representative
Sean O’Connell, Project engineer
Elliot Gibber, Property owner

David Higgins – Just as a recap for this project, we had a public hearing back on June 14th for the proposed freezer/cooler addition. There were a number of comments raised and we provided a response for those. We then came back in front of the Board on July 26th and there was a request for some additional information on the turning movements for the trucks and emergency vehicles and demonstrate how they will maneuver through the site. We supplied that information to be forwarded to the town’s traffic consultant for review. There was also a concern about stacking on Kutger Road and it overflowing onto Ranch Road. So, on the movement plan we also show that there are at least 10 additional tractor trailer parking spaces on-site along with the 21 loading bays, which we just recently increased, so there shouldn’t be any stacking on Kutger Road. We also showed the removal of the existing guard shack, a proposed new guard shack, and proposed sliding gates; one going in and one going out. The gates are to control access in and out of the site. We supplied our plans to the Monticello Fire Department for their review and just this morning I emailed in the response we got from them. They requested there be a Knox box, to be coordinated with their department, and they would like to see a siren activated lift gate on the access drive. Neither of those requests are an issue for us. Chairman Lara – What exactly is a Knox box? David Higgins -Basically it is a small box that has a key in it that the fire department will have access to. Chairman Lara – Got it. David Higgins - Other than that, they had no issues with our plan. The last thing is the meeting with the neighboring property owner, who both myself and Matt have been trying to reach out to. We finally received an email response from them today, stating they are willing to set something up, which is a little frustrating being it has been 2 months that we have been reaching out to set something up and it was originally their request.

Jim Carnell – There is somebody on Zoom raising their hand, is that someone for the neighbor? Paula Kay – That is their attorney, who I have called twice with no response. Chairman Lara – We did say at the last meeting that we were going to give them a date that they needed to respond by. I know this isn’t a public hearing, but would it be alright to let Mr. Landrigan speak tonight? Paula Kay – Like you said, this is not a public hearing, so it would be helpful if Mr. Landrigan can contact me or the applicant’s engineer to set up that meeting. Maybe Matt can be at that meeting as well. Matt Sickler – No problem and the email received was from Mike Rielly, who is the neighbor’s engineer, and said that he has now been authorized by his client to set up a meeting time and would like to set something up for sometime next week. Chairman Lara – Okay and I will say this again, just for the record, that we would like this to not be prolonged much longer. Hopefully by our next meeting you will have been able to set something up and come to some kind of agreement for the issues they raised. Elliot Gibber – I would just like to say that they

were asked to reach out to us to get this resolved by the tonight's meeting, the 8th, and they reach out just hours before. This is an issue between them and I and I feel this should not hold us up any longer. They are just trying to prolong this and the longer we have to wait, the more expensive construction will be and that is not fair to us. Chairman Lara – I agree, but we are going to have to defer this one to Paula. Paula Kay – I'm going to say that I would like the meeting to happen and I would like you guys to come back to the next Planning Board and report the outcome of your meeting with the neighbor. With Matt Sickler being included in that meeting, maybe he will be able to get something to the Board prior to the next meeting. Matt Sickler – I will send an email to Laura after the meeting happens to summarize the outcome of the meeting. That way she can disburse it to the Board and get it on the Drive. Elliot Gibber – Can we ask for next week to be the cutoff date? We will continue to make ourselves available to meet and if they don't comply, we can take it off the table. Paula Kay – It sounds like they are reaching out now and a meeting will happen sometime next week, so hopefully this will be resolved by our next meeting. My suggestion would be that if for some reason they do not follow through, that should be taken into consideration at the September 13th meeting.

Helen Budrock – The Town's traffic consultant did join tonight via Zoom if the Board has any questions for them. Chairman Lara – The Board did receive the last correspondence from them and I think it is pretty straight forward. Matt Sickler – Dave, did you see that correspondence? David Higgins – No, not yet. Paula Kay – Since our consultant is here, maybe they can just summarize their comments for the record. Shravya Markandeya – Sure. Based on our review of the vehicle movement plan supplied, we agree that there is adequate area for vehicles to turn into and out of the various access locations provided. We don't have any comments on the existing or proposed guard shacks or the emergency lane access, we only had a comment regarding the stacking of vehicles. You mentioned that you now show a paved area for any overflow parking, an increase in the number of loading bays, and a newly proposed guard shack, but the map we received did not show any of that. I don't know if it was just cut off, but we were not able to verify that and at this time would be the only outstanding piece. David Higgins – The turning movement map show the 21 loading bays and in some of the views of that entrance drive, you can start to see the overflow parking area, but none of the views show the whole area. I can certainly forward that to you though. Shravya Markandeya – That would be helpful and then we can verify that there won't be any stacking on the main road.

Chairman Lara – I know the Board's major concern was in regards to the comments made about trucks not coming to a complete stop at the end of Kutger Road and I really like the idea of adding a stop bar to reinforce that stop. Elliot Gibber – And we did previously add a stop sign to the end of the road as well, but people come barreling over that hill from the other side of Ranch Road, so maybe the Town needs to put something on that road too. There're no signs on that road at all and it is the Town's responsibility, not mine. Dave Higgins – Also, our updated plan submitted in July shows grading to the knoll that is on the righthand side when pulling out to increase the site distance there. I believe it will now be over 400 feet. I believe we also talked about sending a letter to the Highway Superintendent about possibly adding some more speed limit signs to that road; is that something we should handle or would you handle that? Helen Budrock – I have in my notes that the applicant was going to coordinate with the Highway Superintendent. David Higgins – Okay.

Chairman Lara – How has it been on Roack Hill Drive? Michael Hoyt – Much, much better. Chairman Lara – Great. Seems like this is really moving in the right direction.

Chairman Lara – Sean, did you have anything new to show us? Sean O'Connell – I just had one thing to mention and that is that we have now including the calculated building height on our plans. That height, as calculated using your zoning, will be 32 feet. We also show the grade lines as well as the detentions.

No further questions or comments from the Board.

David Higgins – Other than the meeting with the neighbor, is there any other outstanding issues we need to deal with prior to the next meeting? Paula Kay – I think this project will need a NEG DEC, a NEG DEC resolution, and an approval resolution, in draft form. David Higgins – Is that something that can be worked on now so it can be done for the next meeting? Paula Kay – Yes, just provide me with a draft copy before the meeting. David Higgins – Okay, so that is something we draft? Paula Kay – Yes. Helen Budrock - Maybe something can be added to the approval resolution in regards to reaching out to the Highway Superintendent? I know the decision to add any signs would be in the Town's hands, but maybe just something saying that you are committed to making the effort. David Higgins – That's not a problem. Matt Sickler – And I will keep the Board update on the meeting situation with the neighbor. Chairman Lara – Sounds good.

CATSKILL HOMESTEAD

196 Rock Hill Drive, Rock Hill, NY

Allen Weider, Project representative

Allen Weider – For an update since we were last here, we were able to take care of the garbage enclosure situation and get the landlord to agree to repair it. We switched to one large container, that way it is easier for the garbage company to access, and changed the pickup to twice a week. The last time we met you asked for some improvement on the look of the gate around the smoker, to remove the canopy over the smoker, and to relocate the propane tank. The updated site plan I provided, proposed to relocate it all the way to the back of the property, but then I realized it is too close to the property and has to be at least 10 feet away. So, we came up with another spot to propose and that is up a little bit closer by where the shipping containers used to be, kind of back by the garbage. We did update the site plan yet, but I have a photo that shows the location I am referring to and obviously there will be bollards around it. I also emailed in pictures of other fence options for you to take a look at and see if there is one you would prefer us to use.

Paula Kay – You will have to supply us with an updated map showing the correct location of everything on the site. Allen Weider – Okay.

Michael Hoyt – Won't the new proposed location of the propane tank take up one of your parking spaces or are you putting it on the exit side? Allen Weider – We will put it on the exit side. Michael Hoyt – Because according to the site plan, it looks like it is going to block spot #21. Matt Sickler – Unless you put it behind the garbage enclosure. Allen Weider – I will have to measure the distance there, but if that is what you guys would prefer, then I will see if we can do that. Paula Kay – I think it is a good spot because we don't want to lose any parking spaces. Allen Weider – Okay. Michael Hoyt – You can put it back behind the enclosure with the bollards in-between. Allen Weider – Would we still need bollards if it is behind the enclosure? Michael Hoyt – Yes because you don't want any dumpsters to smash into it. Allen Weider – Okay so we will get with the propane company and look into moving it there.

Chairman Lara – As what fencing you should use around what I refer to as the "chicken coop", I am going to have to defer to the Building Department. Jim, is there requirements on what kind of siding they can use? Jim Carnell – We do not have an Architectural Review Board, so you are it. Allen Weider – As far as I know there is nothing in the code; it is just a preference on the look. We want the Boards input on that, so I sent over a couple of options that will make it look less like a chicken coop. Chairman Lara – I definitely do

not like the "Reed" option. Paula Kay – My concern with some of these is how they will holdup to the weather. Allen Weider – I'm not sure exactly how it works, but these are made to be used for fencing and gates, so I would think they are pretty durable. Paula Kay – I mean like in 6 months from now, will they be faded or torn. Allen Weider – I think that is a maintenance issue, so we will make sure to keep up with that. Paula Kay – Okay. As the applicant, which one would you prefer to use? Allen Weider – I don't like the Reed one either, but I am open to any of the others. We just want to make sure it is something the Board also likes. Michael Hoyt – It is really up to you, but I think what we don't currently like about it is that it is not your typical chain-link fence. It is some chain-link fencing held up by some 2 by 4's. Allen Weider – Once the canopy gets removed, it will change the look of it and we will be able to wrap the fence around the smoker. I think the second option would be the best; the green mesh privacy fence. Chairman Lara – I think that would be fine, but like Paula said, if you are going to invest, you might as well invest in something that won't disintegrate over time and will last you a while. Michael Hoyt – Why don't you leave the fence you have there, clean things up, paint everything one color, and see how it looks after that. Chairman Lara – I see what you are saying. Allen Weider – I can paint the whole thing black and it would look nice. Michael Hoyt – That way the smoke from the smoker doesn't ruin your nice green mesh fence. Allen Weider – We can definitely do that. Paula Kay – Is there a better location for the wood pile. As it is now, it is the first thing you see when you round that corner. Allen Weider – We can put it inside the enclosure on a pallet or something. Paula Kay – I think that would work and would be a big improvement.

Allen Weider – The other thing we updated on our latest site plan was showing the removal of the canopy and the installation of a food truck. Is that okay with you guys? Chairman Lara – I personally would prefer to see a food truck. Jim, does it matter? Jim Carnell – Actually last year we got a whole new section in the code on food trucks and the Building Department now has to inspect them, so if they go that route, they will have to stay up to code.

No further questions or comments from the Board.

Chairman Lara – Paula, what is our next step? Paula Kay – This would just be a minor modification conditional to the things we discussed about the propane tank and fencing around the smoker. Chairman Lara – Helen, do we need to do a NEG DEC? Helen Budrock – No, it is a type II action, so you should be fine.

A motion to approve the minor modification to the previously approved site plan, subject to showing the new location of the propane tank on the site plan, repairing the garbage enclosure, and painting the fence around the smoker one color, was made by Kristin Boyd and Arthur Knapp.

All in favor, 0 opposed.

GIBBER HOLDINGS/FRASER RESORT

80 Gibber Road/Fraser Road & Route 42, Kiamesha Lake, NY

Joel Kohn, project representative

Joel Kohn – We got Helen's memo a few days ago and had the project's planner, Mr. Shepstone, review that. He did respond and addressed all of the comments, but that did not come in until late this afternoon, so I don't know if the Board got a chance to see that yet. Chairman Lara – I only got a chance to glance at it, but I don't know about the rest of the Board. Joel Kohn – I have copies with me tonight for everyone to have. Paula Kay – I think Laura also put it on the Drive. Laura Eppers – I did. Paula Kay – I think the Board should take some time to review it and tonight is probably not the right time. Joel Kohn – I completely understand. What we would like to ask the Board for tonight is to schedule a public hearing for both projects and between now and the public hearing, the Board can review our planner's memo. Chairman

Lara – We really appreciate both memos and do need time to review the new memo in its entirety. Does anyone object to scheduling the public hearings tonight? Laura, would we be able to schedule them for the next meeting in 2 weeks? Laura Eppers – I think one of the two projects requires a 239 review because it is on Route 42. Joel Kohn – Correct. Gibber Holdings does not need a 239 review and Fraser Resort does, but I believe it was already done. The Board made a motion for that back in May of 2022, but I am not sure if it was ever sent out. Paula Kay – We will have to look into that. Joel Kohn – Okay and if it wasn't, will you send it out now? Paula Kay – Yes, but in the event that it wasn't ever sent, we will need the 30 days, so we should probably hold off on scheduling anything. Joel Kohn – What does the 239 have to do with scheduling the public hearings? And there are 3 weeks to the next meeting, so that should be plenty of time. Paula Kay – Generally the Board does not like to discuss the County's review comments on the same night as the public hearing. If we had the public hearing for September 27th that would give everyone enough time and would leave a meeting in between for discussion if need be. Joel Kohn – But, why do we need to wait for the 239 back? The Board is not going to act on anything the night of the public hearing. Paula Kay – The Board usually doesn't like to have a public hearing and then a discussion at the same meeting. Joel Kohn – So, can we schedule the public hearing for the 13th and then come back on the 27th for a discussion of everything. Paula Kay – I'd rather it be done the opposite way; come back on the 13th to discuss the Board's review of the new memo and then have the public hearing on the 27th. It doesn't really matter, but I think the Board should be comfortable with the direction the projects will be going before we have a public hearing.

Chairman Lara – Helen, can you pull up the map that shows both projects back-to-back? Helen Budrock – Sure. Chairman Lara – So, there are two roads, one in each project, that will end up being side-by-side and being this is supposed to be a cluster development to conserve green space, maybe those roads can be combined into one and be a shared road. I don't know if that is something your clients would be willing to do, but I figured they already have shared agreements for the ingress/egress so maybe they would be willing to share this road as well. Jim Carnell – There's about 400 feet of road running parallel to each other with no houses on either side. Joel Kohn – I get what you are saying. I will bring it to their attention and see if they are willing to share it. I don't know if they will agree because they want to keep the two project as separate as possible. Chairman Lara – It would be mutually beneficial. Joel Kohn – From a development standpoint sure, but they would like to keep the projects separate after all is said and done. Paula Kay – Well, they still could. One of them would just have an easement. Helen Budrock – I think they are also going to have an easement for the stormwater too, right? Joel Kohn – Correct, but other than the gated access for emergency use only, the two projects will be completely separate with no common roads and keeping them as separate as possible is their intension. I will bring this up to them and see how they feel. Chairman Lara – Will there be a fence or something between the two roads or will you be able to see one road from the other? Joel Kohn – I don't know if there will be a fence, but there will probably be some woods left in between. Chairman Lara – Combining the two roads would just lessen the environmental impact and leave more open space. Jim Carnell – And less stormwater management and asphalt. Joel Kohn – Sure. Matt Sickler – It's too bad that they don't want to merge the two projects because they would be able to eliminate the wetland crossing altogether if they did. Joel Kohn – That is true. They can still do that if they really want to join forces, but that is up to them. I will discuss it with them and report back to the Planning Board. Paula Kay – Now that Joel is going to go back to his clients with this suggestion, to give them time to discuss this and come back to the Board with an update, we should have the public hearing on the 27th. I think that it is important that everyone be on the same page and understanding before that happens. Joel Kohn – Okay.

Helen Budrock – Does the Board want Joel to invite Mr. Shepstone to the next meeting? Maybe that will be helpful. Paula Kay – They certainly could. Chairman Lara – He is more than welcome to join us and I guess I will leave that up to you, Joel. Joel Kohn – I will leave it up to my clients and Mr. Shepstone. Jim Carnell – I know he is not in the area, so he can Zoom in if that makes it easier for him. Paula Kay – And at

the next meeting you can talk about determining density for the projects. Joel Kohn – Okay. Chairman Lara – Is this something that should be a work session with consultants prior to the next meeting? That way everyone can have some time to talk it all out before they get to the meeting. Joel Kohn – That may be a good idea. Chairman Lara – Because it is a lot of technical stuff, right. Paula Kay – We can have a work session, but I think it is also important for the Board to hash this out and come to your own conclusion. Helen Budrock – It really boils down to two questions the Board will have to answer after you have digested everything; 1) Does it meet the definition of a cluster development? 2) If it does, what would be the acceptable unit count? Maybe that unit number will be what the applicants are proposing or possibly some number less than that. You have the discretion to do that and I think between my memo, Matt's comments, and Mr. Shepstone's comment memo, you should have all the information you need to make an educated decision. Chairman Lara – Okay.

No further questions or concerns from the Board.

A motion to schedule a public hearing for both Gibber Holdings and Fraser Resort on September 27, 2023 was made by Arthur Knapp and seconded by Kristin Boyd.
All in favor, 0 opposed.

GARDEN HILL ESTATES

50 Strong Road, Harris, NY

Joel Kohn, project representative

Joel Kohn – This is a modification to a previously approved site plan. In 2006 they got approvals to add a bunch of additions to the older units and this is a modification to that plan. Most of the additions have been done since then, but now instead of squaring off units 1 & 2, only unit 1 will have an addition that goes off the back and to the side of the unit. It will be more square footage, but will still be in compliance with zoning regulations.

Chairman Lara – Jim, did you have any issues with this? Jim Carnell – No, but I know that when they did the substantial site plan update, the whole sewer lines and tanks were supposed to be replaced over there, but I will have to defer that to Matt or Joel. Joel Kohn – My understanding is that some of them have been done with these completed additions and as noted on the site plan, the rest of the sewer improvements will be included in with this addition. Jim Carnell – Okay. I just wanted to make sure the rest of the improvements were going to be incorporated with this. Joel Kohn – Understood and obviously the tank will have to be relocated a little bit so that it is not too close to the new addition. Matt Sickler – My only comment, looking at this again, would be the mention of the tank being relocated and possibly replaced if found not suitable. I don't know who will make that decision; Jim's department or the contractor doing the work? Even I could go take a look at it if you'd like. Paula Kay – I think someone from the Town should sign off on it. Also, and this doesn't really pertain to this particular addition, but usually when we get the site plan the septic lines, pumpstation, and areas of sewage disposal are shown. It is not always clear what is going to what sewage disposal area, so maybe in the future that could be labeled better. Maybe a table of which unit numbers are going to which tanks, just so that we can keep better track of flows. Joe Kohn – I know there are such tables, but I don't think that has been done for this project. Matt Sickler – For this project it is not really an issue, but in general I noted on a lot of other application that it is hard to determine what goes where. Joel Kohn – I know what you mean, especially on some of these older, pre-existing projects. For this project, would you guys like a note that says the sewer condition is to be determined by the Town? Chairman Lara – Yes. Joel Kohn – Okay.

A motion to approve the minor modification to the previously approved site plan, subject to the town's approval of the sewer improvement, was made by Michael Hoyt and second by Kristin Boyd. All in favor, 0 opposed.

16 FELDMAN CIRCLE

16 Feldman Circle, Kiamesha Lake, NY
Joel Kohn, project representative

Joel Kohn – This is a proposed 2-lot subdivision located in the PUD district #4 and in the PUD, there are two sets of regulations for the different lots. This lot is on the smaller size and already has a house build on one side of it. They are proposing to subdivide the lot and add a house, that will be connected to the existing house, on the second lot. The only thing is we might need a variance because the minimum width of the property should be 50 feet and this is 49.5 feet. Paula Kay – They will have to get one unless there is any way to things over a ½ of a foot. Joel Kohn – It is the center wall, so there is no way to do that. They built the existing house 6 inches off of where they should have and the property line will end up running down the middle of the center wall. Chairman Lara – I think it would be in everyone's best interest to get the variance so that there are no issues in the future. Joel Kohn – Got it. Is there any input or questions from this Board before we go to the Zoning Board. Matt Sickler – I would just show the separate water and sewer just to verify that they are not sharing any services. John Kohn – Okay. Helen Budrock – Can you just double check the code reference and make sure that the surveyor is using the correct code? Because I had a hard time finding that section in the code. Joel Kohn – It's section 250-139F, but I think you are correct and they were probably using an old book and that should be updated. Helen Budrock – Okay. Just have them correct that so that it is correct going forward. Joel Kohn – We will do that and I don't think we will need a new 239 because this is just a minor modification. Helen Budrock – Correct.

Chairman Lara – Do we need a motion to deny this? Paula Kay – No, they can just go to the ZBA with this Board's recommendation. Chairman Lara – Okay. You have been denied and we will see you back after you get a variance.

LAKEVIEW ESTATES (DAVID LANDAU)

358 Fraser Road, units 358A & 358B, Kiamesha Lake, NY

Nobody appeared for this project.

Chairman Lara explained that the Board received an email from the Town's Water and Sewer Dept. asking if Silas Manor was going to dedicate their infrastructure to the town after it has been installed and asked if that was something that could be forwarded to them now. Matt Sickler explained that there are notes on the plans indicating that a parcel will be dedicated to the town and he assumed that would be the parcel with the sewer pump station on it, but the Board should probably just verify that. Paula Kay agreed. Chairman Lara asked Laura Eppers to forward Mike Messenger's email to Silas Manor and ask them to address his question.

Jim Carnell informed the Board that Karen Shaffer wanted to remind everyone of the sexual harassment requirement the Town has and to make sure everyone does their annual training. If anyone has taken their training elsewhere, they need to forward their certificate of completion to Karen. Additionally, if

there are any future trainings that will have a cost incurred with it, they need to get that approved prior to the training.

Chairman Lara raised the issue that ICHUD is still having a problem with busses stopping on Route 42. She also mentioned that she has personally seen Rabbi Schwartz out there trying to direct them not to load and unload on the road and knows it is a third-party bus company, but it is still happening. Asked if the Board should invite them back to have a discussion about possibly adding some signage to help. Jim Carnell added that he thinks it is more of an issue with busses getting hung up on the entrance and therefore not wanting to pull in. Paula Kay said that she is sure Rabbi Schwartz would come in and have a discussion about what may be causing the issue and a possibly way to mitigate it. Joel Kohn suggested a phone conversation first as they may be able to figure something out without having to come to a Planning Board meeting. The Board agreed with that.

Michael Croissant brought to everyone's attention the accident that just happened on Route 42, right in front of ICHUD and Sackett Lake Road, where 2 people got ran over. Said that everyone from the community ran out to see what had happened making it very hard for emergency services to get through. Wanted everyone to keep this situation in mind when making a decision on the large PUD development being proposed right there.

A motion to go into an executive session, for pending litigation, at 8:58 p.m. was made by Kristin Boyd and second by Arthur Knapp.
All in favor, 0 opposed.

A motion to end the executive meeting at 9:05 p.m. was made by Arthur Knapp and second by Michael Hoyt.
All in favor, 0 opposed.

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

Respectfully submitted,

Laura Eppers, Secretary

Town of Thompson Planning Board

