

APPROVED

TOWN OF THOMPSON
PLANNING BOARD
October 25, 2023

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

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

Chairman Lara appointed Christina Cellini as a voting member for this meeting.

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

RNR (WINDSOR HILLS)

Pittaluga Road, Monticello, NY
Glenn Smith, Project engineer

Glenn Smith – We were here back in July and the Board approved a modification to the plan, which was to move unit 105 up by Old Liberty Road so that we could put the caretaker’s unit to where you currently see it. That was approved with a condition that the town engineer take a look at the compactor location, which is currently proposed to be at the end of the existing equipment road, off of Pittaluga Road. The owners don’t want trucks stopping on the road for safety reasons, so they will be able to pull off of the road and onto this drive. Matt made a suggestion that we make a “T” turn so that the trucks can turn around and don’t have to back out onto the road, so we did that. We are also are now showing an 8-foot-wide drive from the development to the compactor so that residents can access it without leaving the development.

Paula Kay – I think there are potential sight distance issues. Glenn Smith – For the utility drive off Pittaluga? Because it is a long, straight run there. Plus, a truck would only be going in and out of there a couple days week, but I can put the sight distance on the plan if you want me to. Matt Sickler – What is the speed limit there? Glenn Smith – 35 MPH. Matt Sickler – May be just a note on the plan as to what it is. Glenn Smith – We can do that.

Matt Sickler – How far is the proposed location for the trash compactor from the adjoining property?

Glenn Smith – Roughly 500 to 600 feet from the house on the corner of Pittaluga. Jim Carnell – That is from the house and not the property line, right? Glenn Smith – Right. It is about 100 feet from the property line and we show some tress all along that property line for screening, with the exception of the 100-foot NYSEG right-of-way. Chairman Lara – This is a giant property so I don’t see why they can’t put it somewhere else. That adjoining neighbor is already baring the effects of the large development and I don’t

think that they should have to look at their garbage every day. Is there really no other place they can put this? Also, when I spoke to the Building Dept. today, they expressed that there should probably be two compactors for a development this size. Glenn Smith – When you say two compactors, do you mean in two different locations, or just two together? Chairman Lara – Together would be fine. Glenn Smith – That is not a problem and we can do that. Jim Carnell – To refresh the Boards memory, the original location of the caretaker's unit and the compactor was more in the middle of the road and there was a separate entrance for those. Logistically it does make sense for the compactor to be in the middle of the development. Glenn Smith - We did look into keeping it more in the middle, but there is an 80-foot buffer along the road, so we can put it anywhere there. Also, the owners are very adamant about keeping the heavy trucks on the roads, for safety reasons. Paula Kay – How will they get everything over to the compactor? Glenn Smith – They use a pickup trucks and big golf carts and once phase II is done, that won't be an issue at all. We can do more screening along that property line or even some fencing if you'd like, but we haven't heard anything from that neighbor at all. Jim Carnell – I just want to point out that the neighbor's property is elevated, so no matter what kind of screening is added, they will always have to look at garbage from 120 homes. Glenn Smith – The owners wanted the compactor near the caretaker, for obvious reasons, and they wanted the caretaker over here, so one went in hand with the other, but I don't think it would be the end of the world to have to separate them. Michael Hoyt – The caretaker's unit was originally down at the other side, right? Glenn Smith – One entrance down; the second entrance in. The owners wanted him closer to Old Liberty Road so that he can monitor cars coming in off of that road. Michael Croissant – Why can't they put the compactor all the way down at the other end? Glenn Smith – They probably could, but again, they want the trucks to be able to pull in off of the road. Maybe they can put a little pull off spot there and that might work. Jim Carnell – Isn't that how it was originally proposed? Glen Smith – Yes. It had a little driveway to it. Jim Carnell – And it was off of the middle entrance, right? Glenn Smith – Right. If the Board wants, we can definitely take a look at another location. Chairman Lara – That is what we would like. Michael Croissant – What is this little access right here? Glenn Smith – That is to the well. Michael Croissant – Can they make a little shoot off of that and put it over there? Glenn Smith – There are wetlands on the side there, but we will take a look. Matt Sickler – If nothing else, maybe you can move unit 106 to another location and put the compactor there. That way the trucks could pull off the road into the main entrance and it would be across the street from the caretaker's unit. Glenn Smith – That might work because the trucks can pull in but don't have to go any further into the development or past any houses. Michael Croissant – That doesn't solve the problem of the neighbor having to look at it though. Glenn Smith – It would make it at least another 300 to 400 feet away. Chairman Lara – I like the idea of putting it over by the well because you wouldn't have to disturb anything any further. Michael Hoyt – Unless there are issues with the garbage being that close to the well. Glenn Smith – The compactors will probably be on a concrete slab so there might not be any issues with that, but we will take a look. Jim Carnell – Did the do any calculations as far as the yardage for the compactor? Glenn Smith – To my knowledge, no because they were only planning to have one compactor in there. Jim Carnell – Did they consult with their sanitation hauler to see what they would require for that number of homes? Glenn Smith – So far, they only have phase I done, but they did have some temporary dumpsters in there this past summer so that should give us some sort of an idea. Jim Carnell – There were three of them. Glenn Smith – Okay and do you think that was enough? Jim Carnell – They were only dumpsters and there was no compactor, but with the yardage, it seems like one compactor would not be enough. Michael Hoyt – And where were those dumpsters located? Jim Carnell – Right where they are currently proposing them to go.

Jim Carnell – There is another issue that we need to discuss tonight and that is the number of speed bumps throughout the entirety of Phase I. There are too many of them and it is actually a violation of the fire code. I was out there with the fire department twice and I was in communication with the Codes Bureau in Albany, who gave me multiple sections of the code to site them under. Glenn Smith – They will probably also cause a problem in the winter when plowing. Do you know if they aware of this yet? Jim Carnell – I have mentioned to them. Glenn Smith – And do they know about the Albany citations? Jim Carnell – No, I just got back in Town today. Michael Croissant – Are the speed bumps permanent ones? Jim Carnell – No, they are nailed in. We also noticed on one of the fire calls that they put a post in the middle of the road, up

where the cul-de-sac is, with chains across it to block the road. One of the women told us it is to stop cars from coming through so they can set up their Mahjong tables there. There is even a sign that says “no thru road”. Glenn Smith – I was unaware of that. Chairman Lara – Jim, can you explain exactly why the speed bumps are a violation? Jim Carnell – The fire department has a response time to meet and the close proximity of these speed bumps slows the fire trucks down. The fire department said it would probably be okay if they were every 300 to 400 feet, but these are like every 50 feet. They were also concerned about damaging their vehicles and there are no fire hydrants in this area, so they have to bring tanker trucks every time they get a call. Glenn Smith – Okay. I will work with them to get this stuff addressed. Jim Carnell – We had another project that came up with alternatives like, raised walkways and speed tables. I know this project doesn’t have a lot of internal walkways compared to others, but kids riding their bikes and scooter in the road way is inevitable no matter how many playgrounds there are. I know this was part of the reason for the road barrier they made, but they are going to have to find another solution. Michael Hoyt – Do they have a HOA there? Jim Carnell – They should by now. Glenn Smith – I believe they do. Michael Hoyt – So, the HOA should be taking care of that and generate some money from it. Glenn Smith – I will find out where they are with forming the HOA, go over the rest of the issues with the owner, and get back to you. Jim Carnell – And just give a call if you want the fire department and/or myself to come out and go over anything.

SOUTHWOODS MOBILE HOME PARK

Southwoods Drive, Monticello, NY
Joel Kohn, Project representative

Michael Hoyt was recused.

Joel Kohn – This is a proposed 67-unit mobile home park, which is permitted in the zone with Planning Board approval. It is a 31.87-acre parcel that is left with a net acreage of 18 acres after the wetlands and buffers are subtracted. Since the last time we were here there were a few changes made to the site plan; the zoning bulk table has now been provided, setbacks and property lines were defined more, as it was had to see them previously, and the wetlands have also been clarified and color coated. The blue ones are the Federal wetlands and the green ones are the DEC wetlands. There are also conceptual recreational areas shown now, but are subject to change as the project progresses and we get deeper into the engineering of this property. There were also questions raised in regards to the site distance and a secondary entrance. We submitted a letter from Sterling Environmental along with a letter from Steve Mafia, traffic consultant, in regards to site distance issue. Steve measured the site distance and said it is achievable with some clearing and grading. As for the secondary entrance, according to the NYS fire code you are required to have a secondary access drive if you have more than 30 units, but there is an acceptance for up to 200 units if all of the buildings are sprinklered. So, the owner is now proposing to have sprinklers in all of the buildings.

Paula Kay – Our code also requires two means of ingress and egress for a mobile home park. Joel Kohn – How the Town’s code reads it that you have to have a way for ingress and then a way for egress, which is what is shown on the plan. It does not say you have to have two separate accesses. Paula Kay – It reads “Access to a mobile home park from a public street shall be provided by at least two connections; one for egress and one for ingress”. Joel Kohn – Which we show. Paula Kay - So, it says “at least two” and I take that to mean that it is at the Boards discretion if they feel there should be more than two.

Chairman Lara – Matt do you have anything to add? Matt Sickler – We did take a look at the ingress/egress from a fire code perspective, and there is an acceptance for sprinklered structures in that portion of the code. I think the turn areas shown would need to be increased to comply with that, but that is very minor. I also skimmed the traffic consultants’ letter and I suggest you consider retaining your traffic consultant for that. They are proposing some work be done to obtain the required site distance, so I would just have your

consultant confirm that it is feasible. Also, will there be any school bus stops on Southwoods Road or will they be pulling in? Chairman Lara – This entrance will be located at a terrible part of the road, so I would think they would almost be required to pull in and off the road. I don't want to say it is unsafe because I am not a traffic professional, but I think it is a pretty critical area. Christina Cellini – It is also a pretty bumpy area there, will they be doing some grading for that? Joel Kohn – It won't be completely flat, but they do plan on doing some grading to get it to an acceptable grade. Chairman Lara – This is my personal opinion, but I feel this is the most unfitting place for this development. I just have a hard time envisioning this not being super impactful on the neighbors. You are talking about a very narrow entrance for at least 60 vehicles, not including deliveries and things like that. So, I would like to see what our traffic consultant has to say and also would like to hear what people have to say, if anything, once we get to the public hearing.

Arthur Knapp – How will the sprinkler system be fed? Joel Kohn – They will have to have a system designed and there will be wells on-site, along with a required storage tank. Michael Croissant – Do you know what size storage tank they will need? Joel Kohn – No, not yet, but we should know that by our next submission. It's not huge amount because you don't have to store enough water for all of the buildings. They shouldn't all need to go off at once, so I believe there is only enough for 1 or 2 buildings. Matt Sickler – So, the water system for this development would be required to have at least a day's worth of storage for regular domestic use. Then on top of that, there will be a sprinkler demand based on the type and size of the units. I don't know off the top of my head what that is, but it is certainly something we would confirm. Joel Kohn – Correct me if I'm wrong, but like I mentioned, I believe there only needs to be enough additional storage for just 1 building. Matt Sickler – That is probably correct, but I don't know, off the top of my head, if there is anything about the separation distance between units or anything else like that. Joel Kohn – We will have our engineer take a look into that and see what will be needed prior to coming back.

Christina Cellini – Do you know how far apart the buildings are proposed to be? Joel Kohn – 30 feet apart. Jim Carnell – Is that including decks? Joel Kohn – That is without any decks. Christina Cellini – Will there be decks? Joel Kohn – I will have to double check on that, but there has been no discussion about adding any decks. If they do want to add any decks, it will have to be on the back or the front of the unit. They will not be able to add any in between the units. Paula Kay – Right, because that 30-foot separation is also in our code and is another hard number. Michael Croissant – There will have to be at least a small porch to access the house. Joel Kohn – Right. There will have to be a small landing with a set of stairs.

Chairman Lara – Will these be on slabs? Joel Kohn – Yes.

Michael Croissant – When were the wetlands last delineated? Joel Kohn – I believe about a year ago, but I will look that up. Michael Croissant – And it looks like you are proposing a unit to be in the wetlands. Joel Kohn – Right. There is one unit that is proposed to be in the wetlands but we are working on relocating it. Matt Sickler – You will probably need a delineation report when the Board starts the SEQR review process. Chairman Lara – That's another thing, you were supposed to get us a long form EAF, but I didn't see one was submitted. Joel Kohn – That is correct. We did not submit one yet, but the engineer is working on that. There will be some unknowns in the EAF form, as this is still very preliminary, but we can get one submitted so that we can move on with SEQR.

Helen Budrock – Has there been any talk of test wells yet? Joel Kohn – No. Helen Budrock – Okay, because we will need to make sure there will not be any effect on the neighboring wells. Joel Kohn – Of course. There will have to be test wells drilled prior to any approvals. Helen Budrock – The Board may also want to engage their own hydrogeologist when that time comes. Paula Kay – I agree, but first we need a traffic consultant.

No further questions or comments from the Board.

A motion to retain the Town's traffic consultant for this project was made by Michael Croissant and second by Arthur Knapp.

All in favor, 0 opposed.

VERIZON WIRELESS

585 South Maplewood Road, Monticello, NY

Scott Olsen, Project representative

Scott Olsen – We were last here in July and since then we have done a balloon test and prepared a visual resource evaluation, which is basically just a fancy term for photo simulations. I think we looked at about 25 or so sites and I believe the balloon was visible from 5 of those sites, which we expected based on our preliminary mapping. Those were sites number 1, 4, 6, 8, and 15 and some of those viewsheds also have other towers in them. So, from our view, we are not creating that specific impact. I believe there are already 2 towers by the lake, or maybe one is a water tower; it is hard to tell. Chairman Lara – I think you are referring to the water tower and the Marcy South tower. Scott Olsen – Okay. I know this tower is going to be visible from an area you don't want it to be visible from and it will be very close to the road, but as our RF engineer explained, if we go any further north on this property, it causes an RF issue. There is also an existing solar farm that takes up the majority of this parcel causing an access issue. Also, the property owner has expressed that he would like the tower to stay where we are currently proposing it to be.

Michael Croissant – There is a road that goes straight down the middle of the property, so you should be able to access the top. Scott Olsen – Okay, I wasn't aware of that. Moving back over to the Rf issue and the RF review, I know Mr Johnson, your RF engineer is on tonight and I believe one of our engineers is also on. Mr. Johnson did his initial review that we responded to, very recently, and then he did a supplemental review. I don't want to speak for him, but he did confirm that we need a site in this area, which I don't think is in question, and did say the methodologies we used were consistent with industry standards. He also agreed that the height proposed is at or near the minimum height we need. We actually went up higher in the analysis, and that did demonstrate a little better service, but it wasn't enough to justify adding the additional height, so we kept it at the originally proposed height. He did look at our 2 alternative locations and also agreed with them, but I believe, if I'm remembering correctly, that he questioned whether they would be better locations. Chairman Lara – We will ask Mr. Johnson to speak. Scott Olsen – Okay, great. So, then the last thing I will add is that one of the alternative sites has a similar footprint to the proposed site, but is located more to the southeast and gets away from some of our focus areas. For our purposes, our engineer sees that as an issue, but I will the engineers speak more on that.

Bill Johnson – There were two reports issued for my review regarding this site. One was back in October, which covered a lot of details and back ground information, and then the new submittal, which was submitted just yesterday. The two issues, as Mr. Olsen has identified, is, whether or not the proposed height is the minimum height for the proposed site and if there is a possibility of an alternate site. Looking at the propagation plots and analysis of the focus areas identified by the applicant, I would agree with them. The purpose of identifying these things is because these are population areas. Meaning locations with residences and an expected population of users who need to penetrate the structures they are living and/or working in, in order to get wireless service. Also, car penetration, which is needed when you're driving along the road because there is certainly nothing more dangerous than dropping a call while you are driving and picking the phone up to call back. As for the possibility of an alternative site, the applicant also identified two other potential sites, both located on Rubin Road, for my review. The way radio frequency propagation works is essentially the pattern follows the movement of the tower. So, if the tower is moved to a different location and/or the height is changed, one would expect to see a significant change in frequency. The question I really have for the Board and the public moving forward is, if the alternate proposed sites present remarkably better astatic characteristics, then the originally proposed site? If they do, then they are worth looking at a little more carefully. The radio frequency propagations were performed at the same antenna line of all three sites and we are seeing some decreased propagation with

the two alternate sites. This is because if the terrain drops to a lower elevation area, it is going to present some blockage and the propagation won't be so good. The location the applicant is proposing is a location where they can get land control and will be able to hit their 6 location areas. They will not be able to cover all those focus areas from the other two locations. So, if one or both of the alternative sites truly do present esthetic advantages, or other advantages that you know of, then we probably should consider further discussion with the applicant. If changing sites would just move one set of problems to the other, then moving it just for the sake of moving it is not what I would recommend. This is where I am asking for the Board's assistance as you are local and know the area and neighborhoods better. The last thing I want to bring up is at the end of the report I submitted today is a section called "Additional Matters" and what I tried to do is summarize the open discussion items from the preliminary report. Those do not have to be handled tonight, but I just wanted to bring them to the Boards attention so that maybe the applicant and their team can address those in the future.

Chairman Lara – Scott, can you show us exactly where the two alternate sites are located on Rubin Road?
Bill Johnson – If you take a look at the propagation plots that were provided yesterday, you can see those locations.
Scott Olsen – I have a map from our original site selection analysis that shows all of the properties that were originally considered. The two that I have circled are the alternate sited that were reviewed and discussed.
Chairman Lara – Thank you.

Michael Croissant – I understand that the property owner of the proposed site does not want the tower on the top of the hill, but I think if you were going to walk away and go to a different site, he would allow it. I am having a hard time seeing what the difference is from the bottom of the hill to the top of it. We are talking about moving it 500 feet or less. Where it is proposed now is probably the worst spot you could pick, esthetically. It is literally right on the edge of the property and right on top of both roads that run along it. I drove by the site for the balloon test and it took me at least 15 minutes to find the balloon because it was so small. When they did the balloon test for the tower in Rock Hill that balloon was much larger. I feel like they didn't want us to see the balloon.
Scott Olsen – The test was done by industry standards, which is a red weather balloon. I hear what you are saying, but we did not choose a balloon that people wouldn't see. Honestly, we do everything for one purpose only and that is for the record. Our record has to be perfect in case we end up in court and I'm not saying this will, but we have to make sure we do everything right is what I am saying.
Michael Croissant – I hear you, but my opinion is this site is the worst possible scenario.
Chairman Lara – I agree with Michael.
Scott Olsen – Just to clarify, we did not choose this site because the property own said this is great and I want you to put the tower here. We approach every search ring the same way, which is using technology to identify an area we need to be. Then the RF engineer looks at that to determine the best sites possible and then we get involved to weed out the properties that don't comply with zoning or that the property owners are not interested. There are several factors that come into play with choosing a site.
Michael Croissant – So, did you ever look at or consider the other sites?
Scott Olsen – No, because the other two sites are close to the lake and I have been doing this longer enough to know that the closer you get to lake front property, the more people get upset. We were trying to create some balance by keeping it away from the lake.
Michael Croissant – But those people still have to drive by this and see it every day on their way to and from home.
Chairman Lara – And it is so close to the road.
Scott Olsen – I understand that, but if you ask the people if they would rather see the tower when they are driving to and from their house or see it in their sunset view, I think we know what they would choose.
Michael Croissant – Well yeah obviously.
Scott Olsen – I'm just trying to point out that our goal is to balance these things and find the best fit for everyone. Not only will the other sites be more visible to the lake front properties, but for some reason, they do not work as well from a RF standpoint and do not cover all of the area we are looking to cover.
Michael Croissant – I think if you want to keep it on the proposed site and you already have an understanding with that property owner, you should look a little harder into relocating it to the top of the hill. We are already looking at a solar farm on that property that we were not supposed to be able to see. No matter how much you think it can be covered up with landscaping and things like that, it won't be.
Scott Olsen – We are not proposing to cover it up. We are aware that it is going to be seen and have provided pictures of that. Aesthetics is almost

always an issue when dealing with things like this. Michael Croissant – My option is that it needs to go on the top of the hill so that it is not directly on top of the road. Scott Olsen – Our RF engineer has advised that by doing that, we would not be able to accomplish what we are trying to. Michael Hoyt – What if we try to find a location somewhere in between? Scott Olsen – I don't believe we can do that because the solar farm leases that portion of the property. When we first got involved, we didn't know there was a solar farm there and since there was already a lease in effect, we got pushed to the proposed location. We cannot encroach upon their lease area which is pretty much the whole square area around the solar panels. Michael Croissant – There is a clearing up here at the top of the hill and I understand access may be an issue, but they would just have to get an easement for that. Scott Olsen – I don't know if that is part of this property. I think it is too far east. We were looking into a more northern location, up behind the solar panels, that I believe was still part of this property, but it ended up being outside of our search area. Chairman Lara – Right by where they just put in a new substation, which we also have to look at. Scott Olsen – Yes and I think where Michael is talking about is more to the east of that and may not be this property. Jim Carnell – I believe the green line on the plan is the Marcy South power line and is also the property line. Michael Hoyt – Right and the other property is not owned by Tony Poli. Bill Johnson – I can add that going anymore east of the proposed location would compromise their focus area #4. The more east they go the more coverage that is being pulled from that focus area. It wouldn't be great coverage, but if you look at the proposed coverage in that area, it is spotty already and there are areas that the computer simulator predicts the signal will not be over the threshold. However, to be sure, they would have to simulate the new location and generate new propagation plots for that. Then the Rf engineers would take a look at how those focus areas are affected and if they will be able to be covered at all. What I can say for certain is that if you move north, the tower would still have to be the same height as it is now to function the same. They may be able to knock some height off that way but the antenna would still need to clear the foliage and therefore would still be just as visible. Scott Olsen – To provide some context. If you look at this red circle area here, the ideal location would be directly in the middle, depending on the topography of that spot. Obviously, with this being a lake area, and the lake being right there, it is lower in elevation and is more dense, so we need to be more up here. We are pretty much already at the edge of the circle and going any further would put us outside of it. Chairman Lara – I still think that you need to look a little harder into another possible location that will fit your needs because I think at the public hearing, we are going to see that a lot of the public is going to have the same options and concerns as Michael and I. As we said before it is also our neighborhood and I just think it would feel a little ominous and it would be like the welcome sign of this lake community.

Scott Olsen – Okay. I will go back and let everyone know how the Board feels, but while we are on the subject of a public hearing, can we discuss possibly scheduling one tonight? That way we can start that process and hear what the public also has to say. There is also a shot clock in effect, which is where the FCC and federal law says you have 150 days to get approval from the local municipalities. I think we technically might have already exceeded that deadline, so can we also discuss extending that tonight? It has to be a mutual agreement. Chairman Lara – I am okay with scheduling a public hearing, but I don't think we should schedule the hearing for the next meeting, to give you time to go back and do what you have to do. Scott Olsen – I agree and I will do that, but in the meantime, we will need to extend the shot clock. Paula Kay – Does a 60-day extension work? That way you have a little time to possibly make some changes and time for our Rf engineer to review those as well. Plus, time for a public hearing to be scheduled because I don't think we should schedule one until after we know if any changes are going to be made. So, 60 days actually may not be enough. Scott Olsen – It could be and my thought process is if we can get a public hearing scheduled while we are working on this, we can have an answer for you by then. Paula Kay – But we cannot start the legal notice process until we know the exact location being proposed. Scott Olsen – I would say it should be from the originally proposed location. Paula Kay – I would then say that you would also need to show them the proposed locations with the legal notice so that everyone has the same information that we do. Scott Olsen – We can certainly do that, but again, until we can see if we can make the alternative locations work, we are not proposing those. Paula Kay – We can hold a hearing on the current proposed site for now, but if the location changes, we would have to hold one for that site

as well. Scott Olsen – We understand and are okay with that. Matt Sickler – When would be the soonest a public hearing could be scheduled? Because the second meeting this month may be cancelled due to the upcoming holiday. Jim Carnell – If it was for the first meeting in December, December 13th, then they would have till the end of this month to get the mailings out. Matt Sickler – Will that be enough time for you guys to get us the new information? Scott Olsen – Yes. Chairman Lara – Okay. I think we can go ahead and schedule the public hearing for this location and if we need to schedule another one, we will. Paula Kay – Maybe you can back to the first November meeting, if you have any changes to report by then. Just to give the Board an update on that. Scott Olsen – Sure. Paula Kay – And as far as the shot clock goes, I don't think 60 days is going to be enough if we are looking at a public hearing on December 13th. Chairman Lara – Can we do 90 days? Paula Kay – How about the end of January so that we make sure we have enough time to get everything done? Chairman Lara – Sounds good to me.

A motion to extend the shot clock until January 31, 2024 was made by Arthur Knapp and second by Christina Cellini.

All in favor, 0 opposed.

A motion to schedule a public hearing on December 13, 2023, knowing there is a possibility that the proposed location may change, was made by Michael Hoyt and second by Michael Croissant.

All in favor, 0 opposed.

ROCK HILL MOTEL

295 Lake Louise Marie Road, Rock Hill, NY

Shakeel Kazmi, Project applicant

Shakeel Kazmi – I am the owner of the Rock Hill Motel, which has been closed for quite some time now, and I am here tonight to request too re-open it.

Chairman Lara – Jim, I know there is a building violation on this property, is this request part of that? Jim Carnell – Yes and no. So, this building has been there for quite some years now and operated as a motel for many years in the past. Chairman Lara – I think for something like 30 years. Jim Carnell – Something like that, but there were some renovations done to the building about 10 years ago or so. One of the issues with those renovations was that a common hallway was added, which enclosed the doors to the rooms, making the rooms no longer assessable from the outside. Therefore, it can no longer be considered a motel use and now requires the building to be sprinklered. As of date we still have that issue. Chairman Lara – Mr. Kazmi do you have anything to say on that? Shakeel Kazmi – There are still 11 rooms and there were no structural changes done, except for adding the wall and enclosure over the walkway outside of the rooms. We did that because this is located right on the highway and we wanted to block out the noise pollution, and it would also be energy saving. We did not know we weren't allowed to do that until the building inspector came and gave us a stop work order. I am from the city but when we bought this building, we were given a letter stating this was grandfathered, so I felt comfortable doing the work. I did not know we couldn't. Paula Kay – What letter did you receive? Shakeel Kazmi – A letter stating the building is exempt from new zoning. Paula Kay – Do you have that letter? Jim Carnell – It was probably a municipal search letter advising of zoning and the permitted use. Paula Kay – Okay. So, the use is permitted, but I think the construction and changes made are the issue. Chairman Lara – Okay. Will you be adding a sprinkler system? Shakeel Kazmi – Yes, but there are 11 rooms, so it will be difficult. I have not had any luck with this building since I have purchased it. We were delayed in starting the renovations due to Covid and then when we finally got to start, I got the stop work order. So, I went to the building department and the inspector told me that I was not allowed to build the wall around the walkway without a building permit. We did what we needed to do to get the permit and were then told that we needed to add another door, so we added another door to have a total of two doors. With our second request, we were told that we needed to add a handicap entrance with a proper railing, so we added one.

Now, we have learned about the sprinkler issue. Chairman Lara - And that is the biggest issue right now. Jim Carnell – As this is a permitted use in the zone, most of these issues are building department issues. I'm not sure if it was the same owner at the time, but back when this first came to light, I believe we were amenable to the applicant making a request to the state for a variance or waiver. Typically, you just ask for a couple of concessions and based on the size of this building it shouldn't be that hard. I can't speak for the state's codes division, but this is something that is commonly granted. But, again, those are really building department issues and not site plan issues. As far as the building and the site go, we don't really have any issues. He has made some physical improvements and there has definitely been some aesthetics done to the site. They added sidewalks and paved the parking lot and made the building look usable. Other than that, maybe there is something additional the Board would like to see done. Chairman Lara – I have seen it and it does look a lot nicer. Shakeel Kazmi – We also made some interior improvements. Also, the enclosure added has very big windows, so the glass can simply be broken if someone needed to get out. Paula Kay – We totally understand all of that, but that is not for this Board or even the building department to approve; that is for the state to approve. We can definitely understand your frustration, but there is nothing anybody but the state can do and you have to get a waiver from them for the sprinklers. Chairman Lara – So, for site plan purposes I would say the only other thing we would like to see is a sign and for the entrance to be spruced up. I don't know if you can add anymore landscaping now that everything had been paved. Paula Kay – And is there enough parking? Jim Carnell – That is something that would have to be shown on the site plan. Paula Kay – Okay. So, this falls under 250-50, which is basically for the same use and the Board has the opportunity to make some suggestions in regards to the site plan. Even though it sounds like he is making some improvements to the exterior already. Shakeel Kazmi – I am also working with Sustainable Energy to install E.V. charging stations and solar panels. So, honestly at this stage with all of the money I have laid out and invested, I need to be able to open soon so that I can start generating money. Chairman Lara – Here is what I suggest, after you work with the building department on getting the information you need to petition the state for a waiver, you come back to us with a full site plan showing a sign with the name of the hotel, the entrance way landscaped as much as possible, and all information such as available parking. That way when you came back, we can see that you have at least started the process with the state and will have a full site plan to review for approval. Helen Budrock – And even though this is a special permit use, I don't think there is no need for a public hearing or 239 review as the use is staying the same. Paula Kay – Right. I do not see a need for any of that. Michael Hoyt – Also make sure that you reach out to the water district there, which is the Emerald Green water district, because I believe you mentioned you have town water and sewer and I know that you have not reach out for water yet. Shakeel Kazmi – I am working on that. Michael Hoyt – Okay. Just make sure you also get that taken care of before you come back to us. Shakeel Kazmi – Okay.

CORIGLIANO SUBDIVISION

Haram Jones Road, Monticello, NY
Ken Ellsworth, Project representative

The project representative was not in attendance this project was originally called.

A motion to take the agenda out of order so the Board can move onto the next project was made by Michael Hoyt and second by Michael Croissant.
All in favor, 0 opposed.

Ken Ellsworth was able to join the meeting via phone at the time the Board came back to this project. He apologized for being late as he thought there was different coverage for this project.

Ken Ellsworth – This is pretty straight forward and is a 100-acre lot that we are proposing to split into two 50-acre parcels. I believe we have submitted everything that we needed to and were hoping for approval tonight.

Chairman Lara – Matt, have you looked at this? Matt Sickler – Yes and there is not much to it. Basically, what has been submitted is a survey map showing the parent parcel and a proposed property line to pretty much split the parcel in half. There was also a request to waive the requirements for the well testing and the demonstration that the septic can be supported by the lot. The reasoning for that is because of the size of the parcels being created and that ideally there is plenty of land for both to have water and sewer. Chairman Lara – I think the map submitted says they will be 66 acres each. Helen Budrock – I noticed that as well and think it is a typo. I think it should read as 56 acres each, so they would just have to correct that. Ken Ellsworth – Okay. Matt Sickler – Other than that, that is pretty much it. I don't think there have been any improvements to the lots and I don't think any are proposed at this time. Jim Carnell – There is improvements. There is a mobile home on the property with a well and septic system. Chairman Lara – Jim. Have we ever waived something like this before? Jim Carnell – This is a big parcel and the chances of them not being able to find water is slim. Paula Kay – And I think both parcels are staying in the family. Matt Sickler – I believe that is correct. Chairman Lara – Paula, how do you feel about waiving this? Paula Kay – It staying in the family doesn't sway me because any one of them can sell their piece tomorrow, but these are extremely large lots, so I am not concerned about it. Matt Sickler – Right, with 50 plus acres, I believe they will be able to find somewhere to out a septic system.

No further questions or comments from the board.

A motion to approve the minor subdivision, waiving the requirement for lot designs as they are substantial in size, not changing ownership and have more than adequate area to meet all setbacks, was made by Michael Hoyt and second by Arthur Knapp.
All in favor, 0 opposed.

SHEVAS ACHIM BUNGALOW COLONY

Joyland Road, Monticello, NY

Joel Kohn, Project representative

Joel Kohn – This project consists of two separate parcels on Joyland Road. One of the parcels is right next door to Joyland Gardens and the other one is across the street. This project will be part of Joyland Gardens, as it is the same owner and they will share utilities and amenities, but the owner wished to keep the parcels separate. The parcel on the west side of the road, same side as Joyland Gardens, is a 10-acre parcel and where the owner is proposing to build 10 duplex buildings, for a total of 20 units, and a playground area. This will be an extension of the existing of Joyland Gardens, so they will connect to the existing water and sewer amenities there. The engineer is still investigating as to the capacity of the sewer system and there is an active SPDES permit, which is most likely about 60,000 gallons per day, but that will be confirmed in future submissions. The other parcel, on the east side of the road, is a 15-acre parcel where they are proposing 15 duplex buildings, for a total of 30 units, with a shul building, a pool and some playground areas. All of the duplexes will be single story buildings with 4 bedrooms and a basement and will be 56' x56' for a total of 3,136 sq. ft, or 1,568 sq. ft. per unit. However, neither of the parcels meet the required width for a bungalow colony. One is 272.9 feet wide and the other is 330 feet wide and the code requires 400 feet. So, for tonight we are here to get any input the Board may have at this early stage and hopefully get a denial for the Zoning Board.

Chairman Lara – Why no combined the parcels? Because now there is going to have to be agreements put in place for all of the utilities and things like that. Joel Kohn – I understand and we will have another conversation with the owner to see if he would be amenable to it. He may end up having to do some agreements anyways for the parcel across the street because I don't think it can be combined with the other ones due to the road separation. So, it probably won't make a big difference if he keeps them all sperate. Matt Sickler – If he combines to two parcels on the same side, he will only need a variance for one

of the parcels. Joel Kohn – That is true and it might help with the 50-foot setback as well. Hellen Budrock – And maybe the lot coverage and other things like that. Joel Kohn – Lot coverage isn't an issue and he can meet all other zoning requirements, but we will take another look.

Chairman Lara – So I know that Yankel, the property owner for this project, owns a lot of those parcels over there and I just want to make sure for segmentation reasons that he is presenting all potential development now. We need to make sure that once we approve this he doesn't turn around and present additional development. Joel Kohn – He could have presented this as two separate projects; one on each parcel and maybe one now and one in a year or two, but he didn't. I believe this is the full build out and I don't believe he owns the next property to either side of these. Michael Croissant – Yet. Joel Kohn – Right, because he didn't own these two properties 5 years ago, but there is no way to know that at this time. Paula Kay – And we appreciate him showing the Board the totality of his plans. Joel Kohn – I will just run it by him one more time to make sure this is all he is planning, but I am pretty sure this is it.

Arthur Knapp – How is the parking? Joel Kohn – There will be two parking spaces for each of the units, which is what is required by code.

Christina Cellini – Since they will be sharing amenities, will the parcel on the west side have access to the pool that is on the east side parcel? Joel Kohn – No, the parcel on the same side as Joyland Gardens will share amenities, such as the pool, but the parcel across the street will have its own pool and other amenities that is not intended to be utilized by the other parcels. Matt Sickler – So, there isn't any expected road crossing? Joel Kohn – No. It is a very busy road anyways. Chairman Lara – But, I heard there might be some more developments going in down the road in the future, so its great that people will not have to cross. Michael Croissant – Is that why there will be two shuls. Joel Kohn – Not only that, but I don't think one shul will be able to accommodate everyone.

Chairman Lara – Does Yankel own all of these units and rent them out each year, or is it condos? Joel Kohn – It is all one owner.

No further questions or comments from the Board.

A motion to deny and refer this project to the Zoning Board of Appeals was made by Arthur Knapp and second by Christina Cellini.

All in favor, 0 opposed.

Paula Kay advised that there was an issue with the legal notices for the E. Tetz & Sons project and they did not get mailed out in time. Therefore, they need their public hearing rescheduled for the November 8th meeting.

A motion to reschedule the public hearing for E. Tetz & Sons for November 8, 2023 was made by Arthur Knapp and second by Michael Hoyt.

All in favor, 0 opposed.

Jim Carnell reminded anyone who has not completed their sexual harassment training or submitted their certificate of completion to please do so.

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

Respectfully submitted,

Laura Eppers, Secretary

Town of Thompson Planning Board

