

TOWN OF THOMPSON  
PLANNING BOARD  
May 24, 2023

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

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

### PUBLIC HEARING:

#### **HAMASPIK**

283 Rock Hill Drive, Rock Hill, NY  
Joel Kohn, Project representative  
Steve Barshov, Project attorney

Chairman Lara read the legal notice aloud.

Proof of mailings were received.

Chairman Lara prepared and read aloud a summation for this project. She explained the process this project previously went through to receive their site plan approval and conditional special use permit. She went on to explain that the condition for the special use permit was to come back to this Board after their first year in operation, which was this past summer, to renew the special use permit. As part of the renewal process, a second public hearing, solely for the special use permit, is required and that is the purpose of tonight's public hearing. She then explained exactly what a special use permit is and that this public hearing is to see if the conditions have been met and if there have been any impacts caused by the camp being in operations during the summer of 2022. Additionally, she advised that Jim Carnell, Director of Planning and Zoning, will discuss the building permits that have been issued and the general site conditions and that the applicant's representatives will discuss their operations during last summer, including the number of campers, staff, types of programs that were run, and other important details. The Board understand that the project has less camper on-site last summer, as the applicant was only able to use the existing improvements, and once construction is complete there will be more campers, but that summers use is certainly a good starting point for this project and to nights discussion. Finally, she clarified once more that tonight's discussion is solely for any comments on the impacts the camp may have had during operations last summer to determine if there are any issues or concerns that need to be addressed.

Joel Kohn – In the summer of 2022 Hamaspiik Resort was used as a sleep away camp for special needs children and adults residing in NYS who were eligible to received services from OPWDD (Office for People with Developmental Disabilities). This includes individuals diagnosed with autism, downs syndrome, learning disorders, brain injuries, etc. These special needs campers were severed by their consolders and staff. The summer camp operated from July 4, 2022 to August 23, 2022. The summer camp was and will continue to be highly structured and organized with carefully designed activities and programs to give each camper a vibrant and enjoyable summer. The 2022 summer session was divided into 2 halves; the first

session being from July 4<sup>th</sup> to July 26<sup>th</sup> and the second session was from July 27<sup>th</sup> to August 23<sup>rd</sup>. There was a total of 40 campers and about 89 staff during each session. Most of the campers and staff stayed for the whole summer season and there was very little turnover. The majority of the campers had a 1 to 1 ratio and some of the lower functioning individuals had 2 staff per camper with several staff relocating to cover other staffs breaks. Hamaspiik hired several head staff to oversee the summer programs. The professional staff included a registered nurse, a certified lifeguard/swimming instructor, an educational consultant, and program directors. Parents and family had opportunity to come to the site and visit every Sunday from 12:00 p.m. to 6:00 p.m. and Hamaspiik hired a company called SQUAT to ensure the visitors on Sunday did not create any traffic problems. They directed everyone to the appropriate parking so that no one stayed parked on Rock Hill Drive. There were no complaints from the town, any neighbors, or from other businesses that we know of. All summer activities were conducted on-site and there were no off-site field trips. All campers' needs were met including healthy and nutritious meals and hands-on assistance as needed for their daily living needs, such as sports, education, therapeutic activities, outdoor/indoor activities, swimming, and many more. There was structured organization and supervision at all times. The 2023 season is not going to be much different. This project is allowed up to 50 campers, which is 10 more than they had last season, and the playground equipment will be installed, which couldn't be done in time for the last summer. The equipment is now on-site and will be installed in the next 2 weeks or so and that's about it.

Jim Carnell – As Mr. Kohn had mentioned the playground and field are currently being completed. We have issued several permits, mostly within the existing building itself, and there has been ongoing construction with corresponding inspections. Some of the most recent work was in the Mikvah, which is in the pool area, and the foundation of the recreation building, which is currently underway.

The meeting was opened to the public with a reminder of the limitations of the public hearing and that it is simply to discuss the impacts, if any, from the operation of the camp last summer.

**Stephanie Benson @ 358 Rock Hill Drive** – Stated for the record that she lives 6 houses away and none of the residents on Rock Hill Drive were formally notified of tonight's public hearing, so there may be some residents who weren't giving the opportunity to have their questions or concerns heard. Hopefully most people heard by word-of-mouth as our neighborhood is the most impacted. Also mentioned that most of those who asked questions or had comments at the original hearing, never heard back. She went on to read her questions and concerns from the written correspondence that she also submitted at the meeting. Said correspondence can be accessed with the below link:

[https://drive.google.com/open?id=1ZXJ8PwSRx4XveHvudLVJaBxWogfFwHWG&usp=drive\\_fs](https://drive.google.com/open?id=1ZXJ8PwSRx4XveHvudLVJaBxWogfFwHWG&usp=drive_fs)

Chairman Lara advised that the responses to all public hearing questions and comments are put on the Town's Google Drive for all to access and are not sent to each individual. Helen Budrock clarified that special permit uses are permitted uses and there are dozens and dozens of special uses in the Town of Thompson zoning code. Some examples for this particular zoning district are hospitals, funeral homes, business offices, shopping centers, places of worship, etc. It is a commonly used tool that provides the Planning Board with an extra level of review to impose conditions and a timeframe, so that the user would have to come back to evaluate if the conditions of that permit were adhered to. Special used permits are frequently used by just about every community in the United States, not just in our town.

**Dr. Clifford Teich @ Wurtsboro, NY** – Read the email he previously sent in expressing his concerns aloud. Said email can be accessed with the below link:

[https://drive.google.com/open?id=1YhyfPW-wujTkD1APTI0Te5vOw\\_rq3LA&usp=drive\\_fs](https://drive.google.com/open?id=1YhyfPW-wujTkD1APTI0Te5vOw_rq3LA&usp=drive_fs)

**Carl Kerber @ 346 Rock Hill Drive** – Stated that he did not notice anything different over the summer

season, but is concerned about the use being allowed. Is afraid that by giving the project extra permission to do stuff, running into a problem in the future is inevitable. He feels having new public hearings as things go on is appropriate. Asked when the one-year special use permit that was granted last year is up. Paula Kay advised that the condition of the special use permit was that the applicant come back prior to any operations in 2023 to go over operations from the 2022 season and unless this Board issues a renewal of that special use permit for the camp, there is no operation.

**Phillip Rhodes @ N. Shore Road** – Is concerned with the special functions and recreational building. Stated that if you have a thousand people, or more, coming and leaving at an event at the same time, there will be a traffic nightmare. Additionally, people leaving will be a driving hazard if it is an event where alcohol is being served. Wondered what kind of events will be housed in the recreational building as it is a huge building and can easily accommodate more than a thousand people.

**Chet Smith @ 145 Rock Hill Drive** – Questioned the reasoning for the limitation on this public hearing. Stated the first public hearing was for the site plan approval and in actuality, a hotel is a special use in the zone, and although it was existing, it is still a special use. Stated the special use permit did not apply to the hotel as the Board did something unprecedented by allowing two different uses in the same year. Believes a separate public hearing has to be held for a special use permit and not in conjunction with the site plan. Questioned if the special use permit is really in harmony with the other allowed uses in HC-1 and HC-2 zones as summer camps really share more of a residential style setting than a highway commercial one. This camp is located on a heavily traveled, busy roadway with a major 4 lane highway just a few hundred feet from the front yard. In his opinion, this is hardly a summer camp in a country setting and is certainly not an appropriate use since the only as-of-right for the property is as a hotel, which is what they purchased it as. Feels the special use permit, if granted, should only be an annual approval. Additionally asked the below questions:

- Is construction going to continue during the summer months? If so, will it interrupt the summer camp experience for the kids?
- Will the proposed sleep away camp be the same size in area and population? If the owners add additional property, will that property also be included in the summer camp area?
- How many campers/staff will there be?
- How will the new building, being constructed, work in conjunction with the summer camp?
- Do the facilities currently on-site meet the building description as described in Town Code 250-2, for a sleep away summer camp? Feels none of the buildings meet this definition and the same code states only the owner and caretaker may reside at the camp with their families. Neither the staff nor the consumer's families are allowed to reside there. If it is determined that the Town described hotel operation has not been going on, it's shows that Hamaspik has not fulfilled the basic party obligation to even be considered a hotel.
- Has Hamaspik been being used as a day-hab facility with buses coming and going during the day? If so, is this allowed in a hotel operations function?
- While the sleep away camp is in session, what other functions will exist on the property?
- Are educational, rehabilitation, therapeutic or religious functions actually accessory uses that apply to the use of a hotel or sleep away camp? None of them are listed as accessory uses in HC-1 or HC-2.
- Has the Hamaspik Resort been operated in the spirit of a hotels definition that has been granted to them so far? If so, what is the amount of room taxes they pay to Sullivan County and what has been paid so far? Rooms that are rented are subject to NYS sale taxes laws, even if the facility is owned by a not-for-profit organization.
- How and who will determine the property use in effect for the day-to-day operations since this is allowed to be a private hotel for part of the week and a private hotel the other part of the week for 8 to 10 months of the year and then the special use for the remaining balance of the year? When will the hotel uses be discontinued? Is there staff and funding from the Town for these purposes?

Feels this special use should be denied because it is not an as-of-right use and the dual use sets precedence for future projects. This is a permanent decision that is fever and represents extreme changes to the hamlet of Rock Hill and the Town of Thompson.

Helen Budrock clarified that the original public hearing was for both the site plan and special use permit. Chairman Lara advised the public that she works for the Treasurer's office and the County is prohibited from giving out room tax information as it is against the law to give out dollar amounts or the number of rooms. All they can do is tell you if a person is registered, which Hamaspik is.

Paula Kay – To clarify for the public, the applicant will be directed to respond to the comments made tonight that are applicable to this public hearing. You will not get individual responses and the applicant's responses will be uploaded to the Town of Thompson web site under this project. There is no time frame that the applicant has to respond by, but there will be no further action on this project until their responses have been received.

Michael Hoyt – How many guests walk in off the street to stay at the hotel? Joel Kohn – I'm not sure exactly how many. Michael Hoyt - You don't have to answer it now, but I would like you to include it with your response. Steve Barshov – To clarify, you want to know how many people check in that did not make a prior reservation? Michael Hoyt – Correct and I would also like to know how many reservations are made via their website and via phone. Steve Barshov – We will take a look and see if we can determine that.

**Caroline Kaufman @ Rock Hill (Wanaksink Lake)** – Stated she went into the hotel last June and tried to book a room for her family and was told no.

**Donna Pagnutti @ 12 Little North Shore Road** – Stated that if you go onto Hamaspik's website to make a reservation, it is inoperable.

**Nita Taublib @ 118 Lake Shore Drive West** – Had a few questions in addition to the ones she emailed in:

- How much time does Hamaspik have to respond?
- Will a determination be made prior to their responses because July 1<sup>st</sup> is coming up fast?
- How do you judge whether this project benefits the County, tax wise, if that information is not public information?

Paula Kay reiterated that the Board can not act unless and until the applicant responds to all pertinent public hearing comments and that the applicant does not have a time frame in which that has to be done. Once their responses have been submitted, the Board will review them and they will have to come back in front of the Board, who may have additional comments, questions and/or concerns, before a determination is made.

**Eileen Conway Whitaker @ 39 Middletown Point Road** – Had the below questions:

- What is the environmental impact from this project? Sees there this a lot of building going on and most residents have wells nearby, so is concerned about the water table level and things like that.
- What benefit does the project provide our community?

**Adam Isabella @ Crescent View, Rock Hill** – Concerned about the increase in traffic and the safety issues this will bring to people walking. Stated not sure if Hamaspik will have rights to the lake or if it will bring more year-round residents, but if so, it will increase the traffic on Lake Louise Marie Road. Asked if this project and other businesses going in, such as the Specialty Hospital for the Center for Discovery, could contribute to a sidewalk and/or bike path on Lake Louise Marie Road.

No further questions or comments from the public.

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

No further question or comments from the Board.

Paula Kay explained that back in January of this year the Planning Board decided starting June of this year, they would go back to the pre Covid method for closing public hearings, which is to completely close them the night of the public hearing. The 10-day written comment period that was being granted, as a result of Covid, was just an accommodation.

**ACTION ITEMS:**

**LEFKOWITZ BUNGALOWS**

177 Old Route 17, Monticello, NY

Joel Kohn, Project representative

Joel Kohn – This is a bungalow colony that has been used as a camp for a couple years without formal approval from the Planning Board. A new group of owners recently purchased the property and are proposing to continue to use the property as a camp and are asking for a change in use. They have proposed a number of improvements, which include demolishing the main house and replacing it with a dormitory building, putting in a new 6,000 sq. ft. shul building, and demolishing and replacing building #29, which they have already received a building permit for and are almost finished. They also propose to replace the sewer systems, but not before start of next season, so the Board asked that we have a smoke test performed on the existing sewer systems prior to the start of this year. The initial smoke test was done a week ago. There were leaks that have been repaired and the Town engineer was out there on Monday and did another smoke test that verified that. The Board also asked that we add some additional landscaping, which we did. We added some between the parking and the road and between the walkway and the proposed shul building. We now show the bus turning simulation on the site plan and emergency access to the shul. We had a public hearing at the last meeting and there was no public turnout or comment the night of and no written comment during to 10-day period. We are in the process of DOH and DEC approval. The plan shows stormwater management areas and our SWPP is being completed. I just saw the Town engineer's comment on that this afternoon, but I don't see any issuing addressing them. That is pretty much it for the items previously discussed, but they do have a new ask. They are now asking to have temporary tents, for this summer only, to be used for a shul and classroom, as the shul building will not be completed by this summer. So, tonight we are looking for an approval for the change of use, an approval for the use of the temporary tents, and conditional site plan approval for the project. Construction of the new buildings will not take place until this season is over, so that there is no construction happening during occupation. We also have to wait for third party approvals, which we probably won't have before this season is up.

Chairman Lara – Paula, do we bond these temporary tents? Paula Kay – That is what we do with other temporary structures, so even though the removal of these tents wouldn't be cumbersome, it is good practice to set a bond. Joel Kohn – That is not an issue. Should I propose and amount? Paula Kay – Yes and then Matt will take a look at it to see if he agrees. Jim Carnell – Maybe you can get a removal quote from your tent rental company and submit that to the Board. Matt Sickler – That sounds fair. Joel Kohn – Do we have to come back to the Board with the amount settled on? Chairman Lara – No.

Chairman Lara – I don't see any issues when it comes to the change of use or the temporary tents, but not having a SPDES permit, DOH approval, and a completed SWPP yet seems like big things. I understand they don't affect how the property will be used this summer, so what I would like is for you to come back when those things are completed. Just to give the Board and update so that we know when these things have been completed. This way it takes a little bit off of the Building Dept. and we can give you final approval

when everything is done. Joel Kohn – Okay. Michael Hoyt – Maybe you can have some of the landscaping done before you come back with any updates. Joel Kohn – Not really, because this building is going to be demolished and replaced and then this parking is going in afterwards, so it wouldn't make sense to add it before that is done. Michael Hoyt – What about along the road front? Joel Kohn – Along here is all vegetated. Jim Carnell – I believe it is pretty vegetated along the road front starting from the proposed parking and going west of that. Joel Kohn – And it is all wooded through here. Michael Hoyt – Okay.

Paula Kay – Do we need a NEG DEC for the site plan? Helen Budrock – Yes.

No further comment or questions from the Board.

A motion to approve the change of use from a bungalow colony to a camp was made by Michael Hoyt and second by Arthur Knapp.

All in favor, 0 opposed

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

All in favor, 0 opposed.

A motion for conditional site plan approval, permitting the use of the temporary tents for the 2023 summer season once the agreed upon bond has been received, restricting any construction during occupation, and pending all final third-party approvals (with updates to the Board along the way), was made by Arthur Knapp and second by Michael Hoyt.

All in favor, 0 opposed

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

**RAL HAL**

Heiden Road, Monticello, NY

Joel Kohn, Project representative

Joel Kohn – This project is a 2-lot subdivision and was first here about 6 weeks ago. It was suggested that I should have a conversation with Real Property about the road between the 2 parcels. I had a discussion with Chris Knapp and he said there is no issue with the way the road is now, public or private, as long as the right-of-way is on record so that we are not creating any landlocked parcel. That agreement is being worked on and we will provide a copy to the Town before it is recorded. We were asked to show the septic system information on the plan, which we have, but I don't know if the town engineer has had a chance to review that yet. It is just a septic system for a single-family home.

Paula Kay – This is a minor subdivision. Joel Kohn – Right so I believe it is not subject to a public hearing or a 239 review. Paula Kay – Correct.

Chairman Lara – The only thing I would ask is you also provide us a copy of the recorded easement once it has been file. It is nice to have it on record.

Chairman Lara – Matt, do you have any questions? Matt Sickler – Not yet. I haven't reviewed the septic in detail. I wasn't sure if this was going to require a public hearing and this project would have to come back. I will take a look at it in detail and get Joel any comments I may have. Chairman Lara – Sounds fair.

Chairman Lara – Paula, do you have anything? Paula Kay – No, but I just want to point out that there are only 3 members present tonight, so in order for any approval tonight, all 3 members would have to vote in favor. I am not implying that you should or should not, those are just the facts.

A motion to approve the 2-lot subdivision, subject to an easement being reviewed by the town's attorney prior to being filed with the County and the town engineer's review of the septic plans, was made by Michael Hoyt and second by Arthur Knapp.  
All in favor, 0 opposed.

### **COLD SPRING COTTAGES**

378 Cold Spring Road, Monticello, NY

Joel Kohn, Project representative

Joel Kohn – This project is a pre-existing bungalow colony that is proposing to add another 12 units and at this time, we have a substantially completed site plan. At the last meeting the Board asked us to show a walkway from the new, proposed units to the existing units, which we have done. We also show water, sewer, lighting, and site distance, which still has to get approval and permitted by the County DPW. The stormwater management areas are also shown and we are working on completing the SWPP for that. We have added sheet 3 to show the layout of the proposed landscaping, per Helen's request. There are some dilapidated buildings on the site, and the plan is to have them demolished prior to approval. There was no public hearing, as one was not required, and we got the 239 back from the County. The County's comments have basically been addressed, with the exception of the DWP permit for the new access road.

Paula Kay – For rec fee purposes, there are only 2 units, right? Joel Kohn – Right. The current owners previously proposed and paid rec fees on 10 units. They have since changed to 12 units, so that is an additional 2 units. Paula Kay – To remind the Board the base rec fee is \$2,500 per unit. Chairman Lara – Right and the Board may reduce that fee, depending on certain criteria met and the determination of the overall impact on the Town's recreational facilities, which has a minimum of \$1,250 per unit. Joel Kohn – On-site there is currently a tennis court, 2 playgrounds, and a pool at the existing bungalow colony. We did not propose any playgrounds in the new, additional area, but are willing to if that is something the Board wants. Paula Kay – I think that should be done anyway. Chairman Lara – I agree because the new area is quite disconnected. Joel Kohn – Okay. I don't believe there is an additional burden on the Town parks, with the net increase of the 2 units, and they will add a playground for the 12 new units, so I would ask the Board to reduce the fee to the minimum required. That would be a total of \$2,500 for both units. Paula Kay – The standard is \$2,500 per unit, but if you feel they did an extraordinary job providing recreation and feel there will be minimal impact on the local parks, you may reduce that amount. Michael Hoyt – They have a tennis court? Joel Kohn – Yes, but it is not used as a tennis court. They don't really play tennis, but use it for other recreational uses. Michael Hoyt – What kind of playground? Joel Kohn – It is kind of commercial and this is the arial view of them. I believe they have substantial playground areas. Paula Kay – Even if you keep it at the standard \$2,500, that is only \$5,000. Joel Kohn – Can we settle somewhere in between the \$2,500 and the \$5,000? Chairman Lara - This is only 2 units and I don't want to hold up the applicant, if the rest of the Board is ready, so can we split it? Arthur Knapp – I am okay with splitting it for the amount due of \$3,750.

Jim Carnell – I just wanted to touch on the exiting structures that are on the property. When the project first came in with their original proposal for the 20 new units behind the existing ones, one of the items discussed pretty heavily was if the dilapidated building were going to be salvaged or demolished. They seem like they have decided to demolish them and I know the summer season is rapidly approaching, but it would be great if they could be demolished prior to occupation. At a minimum, get them secured. Chairman Lara – I think that is a great point and would like to see them knocked down prior to the season.

Michael Hoyt – How many buildings are we talking? Joel Kohn – I believe there are 5. Jim Carnell – A couple of them are smaller and I don't think they are going to take down that little gazebo thing, right? Joel Kohn – I don't think so because it seems fairly new. Chairman Lara – Is this a big ask? Michael Hoyt – I don't think it is a big ask to get rid of the dilapidated buildings in exchange for 12 new units. Joel Kohn – They will definitely get rid of them; they just don't know if it will be done before the season. Maybe it can be done by the middle of the season. Chairman Lara – I wouldn't want to see it be done while people are there. Michael Hoyt – I say it should be done before. Chairman Lara – Or like Jim said, maybe boarded up. Michael Hoyt – I would like to see them gone before the season starts. Chairman Lara – Me too, if it's feasible. Jim Carnell – I know this is an additional expense and you will have an excavator in there when you start the building process, but it may just have to be done. Joel Kohn – I will talk to the owners and see what can be done. If it's not feasible to have it done prior to the start of the season, can the Building Dept. come out and inspect them. Jim Carnell – Yes. We will make sure there is no power in them, that they are properly secured, and things like that. Chairman Lara – You know how the Board feels and we would really like to see them down before the summer starts.

Jim Carnell – This project is currently on 2 lots and I think there was a question in the 239 response and from this Board about combining the 2 lots. Chairman Lara – I thought that they decided to and it was a note on the plans. Joel Kohn – 2 of the lots are going to be combined and this one is going to remain. That's why we kept the proposed building within the setbacks. Jim Carnell – I know it was discussed and at one point you were going to go back to the applicant, I just didn't remember the outcome. Helen Budrock – Should that be a condition or was that just a question? Arthur Knap – It should be a condition. Chairman Lara – Agreed. Michael Hoyt – I want to see them removed and am not willing to vote in favor, unless they are. Joel Kohn – Can we make an agreement that if for some reason they can't be removed prior to the season beginning, we come back to the Board before any occupation? That way we can get a conditional approval tonight. Michael Hoyt – That will work.

Chairman Lara – Paula, can we act on this tonight or do we need to wait for DOH approval? Paula Kay – You could act with conditions. Joel Kohn – This project was actually reviewed by the DOH previously, but we had to submit a new application because of the additional units now being proposed. Matt Sickler – Right and that original submittal received DOH approval. Chairman Lara – Okay and this project requires a NEG NEC, right? Helen Budrock – Right.

No further questions or comments from the Board.

A motion to set recreation fees at \$3,750, for the 2 additionally proposed units, was made by Arthur Knapp and second by Michael Hoyt.  
All in favor, 0 opposed.

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

A motion to approve the minor modification to a previously approved site plan, subject to payment of the recreation fees, the dilapidated building be demolished before the start of the season, if not feasible, the applicant has to come back to the Board prior to any occupation, and final review of the SWPP by the Town engineer was made by Arthur Knapp and second by Michael Hoyt.  
All in favor, 0 opposed

#### **FAMILY FUN PARK**

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

Joseph Churgin – This project had a public hearing not too long ago that resulted in a lot of public comments. Those comments have all been responded to in writing. The Board helped facilitate a work session with the applicant, and his team, and a few members of the Hidden Ridge HOA, since their residents made up the majority of the public comment and concerns. At that work session a request was made that there be a site visit scheduled with the Planning Board. Paula Kay – To be perfectly accurate, the point of the site meeting was so that the Planning Board can be together on-site and once the Planning Board is gathered for a meeting, that becomes a public meeting. Meaning members of the public could be present and we knew a number of those people were going to be Hidden Ridge residents. Joseph Churgin - I remember it a little bit differently. Michael Hoyt – I remember it like Paula does. Joseph Churgin – I understand, but the request came from Hidden Ridge. Michael Hoyt – The request came from Kathleen. Kathleen Lara – Let move past this. At this point your client cancelled the site meeting because he did not want the public to be allowed on the site and it still remains that the Board wants to be able to visit the site. There are constant complaints that the applicant is building without approvals and we would like the chance to be able to see the site for ourselves. We obviously are not going to trespass, so we would like to work something out that allows each member of the Board to be able to access the site. Joseph Churgin – My client has no issues with the Board coming onto the property and wants them to. So, I have talked to a few attorneys in other towns, because I figured this problem can't be unique, and I have been told to avoid the Public Hearings law, members would have to come to the property 2 at a time. Paula Kay – That is correct, but is not what the Board wanted to do. Joseph Churgin – I'm not disagreeing with you and honestly, I wish this could have happened already and be done and over with so we could be doing something more productive, but this is where we are. Paula Kay – Can you provide us with a schedule? Joseph Churgin – Just tell us when you can come and the property will be made available to you. Paula Kay – We can't schedule anything tonight as we only have 3 members here, but if you can give me a bunch of dates, we can coordinate something. Chairman Lara – Obviously, we will be respectful of the Sabbath. Joseph Churgin – You can go any day you want to go. Chairman Lara – Okay, so what we will do is call the other Board members, set something up, and have Paula reach out to you with the dates and times. Paula Kay – there will be 2 board members, plus me and you and your client, so we need to make sure there is enough time between each visit. Chairman Lara – It is a pretty big place so I would think we would need at least an hour each visit. Joseph Churgin – If you pick an afternoon, we can bang all the visits out back-to-back. Just let me know what day you want to come. Michael Hoyt – For the record, we would prefer to do this together in one trip. Joseph Churgin – I understand. Chairman Lara – Okay, we will be in touch.

## **CONCORD FAIRWAYS**

Concord Road, Monticello, NY

Henry Zabatta, Project representative

Henry Zabatta – We are here tonight asking for a six-month extension. We previously received an extension, that brought us to June, 23, 2023, and are now asking for another one to get us until December 23, 2023. We are still working on the approved 110-unit condo project and are even thinking about expand it, but we are still working on getting our water systems together. We applied to the Town for a petition to join the Adalar water system and submitted \$21,000 for escrow. The Town engineers are in the process of putting together the map plan and report, but until that is done, we cannot start the process of joining the Adalar water system.

Chairman Lara – Thank you Henry. Matt, do you have anything on that? Matt Sickler – No, we are a little behind on that and are probably still a couple weeks out from having a draft to provide to the Town Board and Henry to review.

No further questions or comments from the Board.

A motion to approve the 6-month extension, until December 23, 2023, was made by Michael Hoyt and second by Arthur Knapp.

All in favor, 0 opposed

### **BOGURSKY/RUFF FAMILY TRUST**

Glen Wild Road, Rock Hill, NY

Cindy Ruff, Trustee

Cindy Ruff – I was notified by Tony Siciliano, the surveyor who applied for the subdivision, that a perk and PIT test is required. I own the property next door to the trust property and it doesn't have anything to do with this property or the subdivision, but I just have this test done on that lot, right next door. I wanted to know if the tests on the new, proposed lot could be waived as it is right next to the property that was just tested?

Helen Budrock – It is the property right next to the proposed lot #3, just south of it? Cindy Ruff – Yes and the perk and PIT tests I just had done, are right next to the that lot.

Chairman Lara – Matt, can these tests be waived? Matt Sickler – Normally you don't because you don't want to create a lot that is unbuildable. Cindy Ruff – But its not. Matt Sickler – It may not seem like it's not, but you really don't know until you have the results. Cindy Ruff – Does it say somewhere that you can't waive the perk test? Paula Kay – It is part of the minor subdivision code that you have to prove that the lot is buildable before the property can be subdivided and to prove it is buildable, these tests have to be performed. Cindy Ruff – What constitutes a major or minor subdivision? Helen Budrock – The total number of lots being created by the subdivision. If it is 5 or more lots, it is considered a major subdivision. Paula Kay – Being you are only proposing 3 lots it is a minor subdivision. Cindy Ruff – Shouldn't it be the purchaser's responsibility to do a perk test? That's what I had to do. Paula Kay – The purpose of the code is actually to protect the future buyers and make sure an unbuildable lot is not being sold. If the lot isn't sold and built on in the next couple of years, they will have to get their own test done too.

Chairman Lara – Looking at my notes, it looks like we also asked for a lot line be shown on parcel #1 to show that it could be subdivided in the future and a corresponding note on the map. Helen Budrock – Right, because there will be a shared well. Cindy Ruff – We are working on resolving the shared well issue. Helen Budrock – That would certainly make it cleaner, right? Cindy Ruff – Right, but we are not quite sure yet what we are going to do with it. Chairman Lara – That's fine. We will just need an easement on file if it will be shared. Helen Budrock – And the lot line would still need to be shown to prove the lot could be subdivided in the future and each existing dwelling could be on its own lot.

Chairman Lara – The perk test is not something we can waive and there are a couple other small things that need to be cleaned up. Once those things are done, we can most likely give you your subdivision approval. Cindy Ruff – I believe Tony was supposed to send in an updated plan, did you receive that? Helen Budrock – What we have in the Google Drive is dated April 12<sup>th</sup>, so that is probably the one we saw last meeting. Cindy Ruff – It was, but he was supposed to send something since. Chairman Lara – Surveyors are pretty busy this time of the year and I'm sure we will get something soon. I think Tony knows what needs to be done and He can always reach out to the Building Dept. if he has any questions. Once we get those things, we can proceed.

### **SERENITY GARDENS**

Serenity Lane, Monticello, NY

Mike Watkins, Property representative

Mike Watkins – I have a customer who bought the last 2 remaining lots in Serenity Gardens. These lots were 2 of the smaller lots created with the subdivision and are about 2 ½ acres each. The new owners now want to combined them so that they can have a 5-acre parcel to put a single-family home on. This will probably be the largest feature on the block with really cool features and we are super excited for it.

Chairman Lara – You are obviously here because these lots are part of a previously approved subdivision approved by this Board and needs our approval to re-combined them. I think this is pretty straight forward.

Jim Carnell – I just wanted to bring up that this was already approved by DEC and DOH and the combination should affect that. Mike Watkins – If anything, it should be a benefit. Jim Carnell – I agree, but just want to touch base on that for the record. Mike Watkins – If I remember correctly, they actually limited the number of 2 ½ acre lots we were allowed and this will just reduce that number of approved lots. Matt Sickler – If you move the septic or well on the DOH approved plan, they need to know about it prior to doing so. We have run into this situation quite a few times lately. Mike Watkins – We perked every parcel, twice, prior to the subdivision approval and the septic system for this house will go right where those perks were done.

No questions or comments from the Board.

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

### **ESTATES AT ROCK HILL**

N Emerald Drive, Rock Hill, NY

This project had to be removed from the agenda because there was not a quorum. There were only 3 Board members present and one of those members are recused form this project.

### **SUNNY FOREST**

127 Old Liberty Road, Monticello, NY

No one showed up for this project.

### **SILVERCREST TOWNHOUSES**

91 Fairground Road, Monticello, NY  
Amador Laput, Project representative  
Luca Spensieri, Project applicant

Amador Laput – The applicant has decided to increase the size of the townhouses we previously proposed and thought we would come back and get the Boards comments on our newly proposed, larger town homes before we continue with the design. We are now proposing 41 24x48 units, which is 2,304 sq. ft. on 2-stories and we have them in groups of 5. We are continuing to work the design, but do not have any comments on water yet.

Chairman Lara – Matt, can you comment on the water? Matt Sickler – I met with Mike Messenger 2 weeks ago to discuss the overall improvements needed to the district in consideration of this project and the

Prestige Estates project. We are working on developing that overall scope and what will be necessary. Prestige is obviously a larger demand and they have some prior flow and storage requirements that have to be addressed. I am meeting with Mike again next week and hopefully we can make some progress on what will be required for water. We are looking at all of those improvements to be constructed at the current Town wellhouse location, not at this project's site. Amador Laput – Okay. There will be a larger tank required there. Can you explain how that cost will be distributed? Matt Sickler – Once we come up with your required improvements, we can see what those entail and will be able to determine how that should be split from other projects. Amador Laput – Very good. Do you think that will be done before the next Planning Board meeting? Matt Sickler – I don't know for sure, but we will try our best. I don't think we will have the costs by then, but at least the scope of what improvements are necessary. If you want to reach out to me towards the end of next week, I can give you an update that let you know if we need to get together. Amador Laput – Great.

Jim Carnell – Being the new proposed homes are going to have slightly larger square footage from what was originally proposed, did you show anywhere on the bulk table, or somewhere else, what the net change per unit was? Are there any additional bedrooms? Amador Laput – The number of bedrooms is not changing. Jim Carnell – Okay because if you are adding another bedroom, you might be changing the information that was sent to the engineer. Matt Sickler – I think what we have is a total of 123 bedrooms. Amador Laput – Right and that is still the same. Jim Carnell – I would just take another look at that and update the bulk table if need be. Amador Laput – Okay. Helen Budrock – I agree because it looks like by enlarging the units, you are eating into the recreational space you had to the south by putting 5 units down there. Also, for the future, I'd like to see maybe a little more detail on the recreation area. Whatever recreation you are proposing to provide to the residents, whether or be playground equipment or some other form of recreation. Amador Laput – As far as the change in the lot coverage, do we need a new EAF? Helen Budrock – No.

Chairman Lara – Are these going to be on slabs or basements? Amador Laput – On slabs. Chairman Lara – And what kind of ownership will there be? Luca Spensieri – They will be individually owned lots. That has not changed. Chairman Lara – No offense, but it has been a while and I wasn't sure. I believe the access drive has also changed, right? Matt Sickler – Right. It was originally a cull-de-sac.

Chairman Lara – When you came back, we are going to want to see the things that Jim and Helen pointed out, but also what the units might look like and some landscaping. Jim Carnell – It seems like the Board is amendable to the increase in unit size. Chairman Lara – Right. I actually think it is more saleable. Jim Carnell – Right and you probably haven't gone too far with the other stuff, like landscaping details, signage, stop bars, striping, etc., but getting those things onto the site plan will help this project to move forward. Helen Budrock – And once we have that additional detail, we can start the SEQRA process.

#### **CONG. HONEYCREST SHUL**

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

Jacob Billig – We are here tonight to hopefully get approval and answer all and any questions you have. We are just looking for a change in use, to a place of worship, which the code allows, and are not changing anything in regards to the site plan. Keystone submitted a letter dated May 10<sup>th</sup> and we think that address some of the issues that were previously raised. Both Paul's letter and the plans give details on the existing sewer system and its capacity. There will be a maximum capacity of 115 people, which include 5 employees; a maintenance person, a rabbi, and some teachers, because that is what the existing system holds. Those 115 people could be a mix on giving day. There could be children and/or adults praying and/or going to class. There are 28 parking spaces at the facility so 5 will be taken up by the employees, leaving 23 spaces.

The predominate method of transportation will be by bus, so there are 2 parking spaces for buses. This shul will be used by the Machna Bobov community, which is 10 miles away, so there is no concern of people walking to and from. Other than on the sabbath, there may be some people driving, but there is plenty of parking available for that. I think the only change we are making to the site plan is to widen an area is the back by .02 of an acre to allow buses to be able to turn. The traffic brought by the previous use of the building, will probably be greater than the traffic this use will bring. It will be closed at sundown on Friday and may re-open Saturday night, if there is a religious function planned. So, it will basically be in operations 6 days of the week. That is pretty much it and everything I can think of.

Paula Kay – Just to clarify in the HC-2 zone, this type of use is subject to a special use permit and requires a public hearing. With that being said, the Board can not act on this tonight, but can certainly schedule the public hearing, if they are ready to. Helen and I were reviewing this earlier and feel that there was a lot of good information provided since the last time we met. Helen Budrock – Right. There were a lot of questions last time and the floor plan provided definitely helped and we can now see how it is being used. I don't think a change in use requires a 239 be sent to the County and there is a newer building, but we have in the past and the Board can decide whether or not DPW should take a look at it just in case they have any concerns. So, the 239 is optional on the Board's part, but the public hearing is not and is required. Jacob Billig – I agree in regard to the 239 because we are not changing the egress or the ingress, it will remain the same. Chairman Lara – I think the Board would agree. I have to be honest, when this project was first presented, I was a little confused because I understand the Jewish faith and know most people don't drive on the sabbath and I was concerned about there being a shul so far away. I now understand that this is quite common and that made me feel better. We now don't have to worry about people walking, especially on that road. Michael Hoyt – I think one of the major concerns was in regards to the bus traffic and that has now been addressed, so I am satisfied. Arthur Knapp – I agree and the bus traffic was my concern. We needed to know there was adequate turning room and safety for the kids getting on and off. Helen Budrock – I do see in my notes that at the last meeting we tossed around the idea of engaging our traffic consultant. Do you still feel this is necessary? Michael Hoyt – I don't. Kathleen Lara – No, I don't think so. Chairman Lara – I would just ask that if for any reason in the future people will be walking to or from the shul, you come back to this Board. Helen Budrock – Okay and the other thing I had noted was that the fire dept. should be consulted. Paula Woodward – That was done. I sent a letter to them and spent a while on the phone with them and they had no feedback.

Chairman – The last thing I would like to add is that I would defiantly like to see what you propose to do to improve the outside of the building. I understand you don't own it yet, but it is quite run down and I would like to see that cleaned up. Jacob Billig – So, if Keystone was to do a landscaping plan would that suffice? Chairman Lara – Yes and there is already some landscaping there so maybe you can just clean it up. Make it a shul anyone would be proud to be at.

Chairman Lara – As we have done in the past, we can schedule this for a public hearing and also put the project on the agenda as a discussion and potential action item for the same night and if there is no public turnout or comment, we can most likely act the same night. Paula Kay – Laura, is there enough time to schedule this for the June 14<sup>th</sup> meeting? Laura Eppers – June 14<sup>th</sup> is fine.

A motion to schedule a public hearing on June 14, 2023 was made by Arthur Knapp and second by Michael Hoyt.

All in favor, 0 opposed.

### **THOMPSON SQUARE MALL – TESLA E.V. STATIONS**

46 Thompson Square, Monticello, NY  
Henry Mesos, project representative

Henry Mesos – We are proposing a 12 stall E.V. charging station right here in this mall. Up to 12 cars can plug in at any time and it takes 25 minutes on average to charge. Tesla vehicles will pretty much drive you to the closest E.V. charging station, where the operator of the vehicle will charge the vehicle, and then they are good to go. One of the many safety features is that the car will not drive while it is plugged in, so there is no concern there.

Helen Budrock – Can other electric cars also charge there? Henry Mesos – As of today, we install these charging stations for Tesla only, but we slowly opening up the network for other vehicles. I believe this particular station will be enabled for other vehicles because of the utilities and market in New York. I just stopped at one in Hancock on the way here and there was a non-Tesla charging there. Paula Kay – Will the charge time be the same for non-Tesla's? Henry Mesos – It depends on the car. Every car is different so it all depends on what the car can take, but the powers there. Jim Carnell – The Town is pursuing a NYCERTA grant for different charging stations throughout the town. Most of them on town property and I think we are trying to also partner with a private entity, but these stations will be able to charge all types of vehicles.

Chairman Lara – This is my first time seeing a project like this, does NYSEG help with the cost of these? Henry Mesos – With Tesla we build these stations ourselves, it's our cost, and sometimes we have leases with landlords. NYSEG does have their own E.V. program that has incentives. Chairman Lara – Got it. Thank you.

Chairman Lara – Jim, can you explain to us about the things that need to be shipped? Jim Carnell – Sure. If you go a couple sheets into the plan, you will see a dotted line that makes a 45-degree angle. That is the Town's water line and I believe there is a 20-foot-wide easement. Mike Messenger and I met early on with the applicant and after some discussion, they slightly modified their proposal to move some of the infrastructure. I didn't get the string of emails showing the communication between us onto the Google Drive, but I did print it for the Board to see tonight. It shows that back on April 10<sup>th</sup> Mike was okay with the modified plan and new placement of the infrastructure.

Paula Kay – Do you know how long of a lease you have with the mall? Henry Mesos – The leases are typically 5 to 10 years, but I don't know the specifics of this one. Paula Kay – That's fine. Arthur Knapp – If it is a 10-year lease, do foresee expanding the number of stalls? Henry Mesos – That's not in this particular deal and the space is not allocated here, but if we need to in the future, we will come back to this Board first.

Chairman Lara – Matt, do you have any question for this? Matt Sickler – No. I think this is a great location because it is kind of in the middle there and not at a store front. Chairman Lara – I also like where these are located and ShopRite doesn't need any more parking spaces.

Chairman Lara – I don't think there is any major impacts here and a 239 nor a public hearing is required for a modification, so if there are no further questions and we are ready to act tonight, we can.

A motion to approve the modification to a previously approved site plan was made by Michael Hoyt and second by Arthur Knapp.  
All in favor, 0 opposed.

#### **VERIZON WIRELESS**

585 S Maplewood Road, Monticello, NY  
Scott Olsen, Project representative

Scott Olsen – We have submitted an application for a special use permit and site plan approval for a cell

tower facility located at 585 South Maplewood Road. The tower is 180 feet with a 4-foot lightning rod. As you all know cellphone towers in this area are pretty tall because of 2 factors; the topography of the area and the fact that there are not a lot of towers here, so we are asking the existing towers to work harder. There is a great need in this area, which is why we are here tonight. We provide the engineering analysis in exhibit 5. It is basically a dual-purpose site for capacity and new, additional service area. We show the area we are looking to serve, which is called the search area, and that will be generally be around Sackett Lake. We looked at about 10 different properties, or so, and we feel this site is the best since it is pretty far away from Sackett Lake, so residence in that area won't really have a visual impact and this site is a large piece of property. There is also a Planned Unit Development in the works, as I am sure you all know, so that kind of dictates where we need to go on the site. But because it is a tall tower and it is kind of close to the road, we have designed it so it does not have a hinge point. A hinge point is basically, and I don't like using the word but I will, a weak point. It is not really a "weak point", they just over design the bottom parts of the tower so if there is going to be a failure, it happens at that hinge point and kind of collapses on itself. Paula Kay – So it kind of self-implodes? Scott Olsen – Right and there is 117 feet to the road and the engineer said that if it were to fall for any reason, it would fall within 94 feet of the tower. I am not an engineer, but I have heard testimonies from engineers and they all say a properly designed, maintained, and built tower has never fallen. There have been tower failures occasionally and that is usually because they were manufactured improperly. As for visibility, your town code calls for a balloon test, so we will provide a list of locations that we are thinking of shooting photos from. We have provided a view shed map that shows that if you take topography and vegetation into consideration, the visibility will not be that great, but we will confirm that through the balloon test.

Paula Kay – Per our code telecommunication towers shall comply with all existing setback requirements of the underlined zoning district, if the tower is designed to fall within itself. Which it sounds like this is. Scott Olsen – Correct and we have designed it for that purpose specifically. Paula Kay – Jim or Matt, so is this within the setback, or does this need to go to the Zoning Board? Matt Sickler – I am some what familiar with the concept, but I will talk to our structural people and see if this would be in compliance. Paula Kay – Okay because we had a tower in Rock Hill that had to go to the Zoning Board. Jim Carnell – It was a repeater tower for the NYSEG substation. It wasn't quite as tall, but because of the tightness of the property, it had to go for a variance. Matt Sickler – We will look into that and let you know if we think it needs to be adjusted to be in compliance and will reach out to your structural engineer if we have any questions. Paula Kay – If there is a compliance issue, maybe moving the tower a little would solve that, instead of having to go to the Zoning Board for a variance. Scott Olsen – Understood. It is already pretty tight on where it can go, but if it needs to be shifted and we can, we will.

Jim Carnell – Is this the property with the solar farm? Scott Olsen – Yes. Chairman Lara – I feel this is not the best location for a cell tower, but one is needed and there are already solar panels on this property making it not attractive. Arthur Knapp – Are there any restrictions on the distance between cell towers and solar rays? Scott Olsen – Not that I am aware of and I didn't see anything mentioned in your zoning law. Chairman Lara – You are putting in at the lowest point on the property, it just stinks that you can't put it in the back because that is where the NYSEG power lines are. Jim Carnell – Right. They have a substation that ties into the Marcy South. Scott Olsen – We thought this was a good location for us and then we found out that the solar panels were occupying a lot of the property, further limiting where we could put the tower.

Chairman Lara – At this time it sounds like we just need to wait for approval from the town engineer. Scott Olsen – In the meantime, if the Board doesn't mind, I can send in a list of locations we want to analyze for the visual analysis, which we use a view shed map and take a look at historical properties to come with our information. That way the Board can consider it and possibly add to it. Once we have an agreed upon list, we can perform the balloon test. Do we need to come back to the Board to schedule that? Paula Kay – Yes. That way the Board will know and can decide if they want to participate and we can also put it up on our website. They would also, as a Board, decide on the locations. Scott Olsen – Okay. We will put that information together and get it to the Town. Paula Kay – If you also supply it to Matt's office, they can

possibly take a look at it before the next meeting to see if they want to add anything. Helen Budrock – The Board meets again on June 14<sup>th</sup>, so you would have to submit whatever you have for the Boards review by June 7<sup>th</sup>. Scott Olsen – No problem, we should be able to meet that deadline.

Helen Budrock - We could start SEQRA tonight, if you wanted to. This is an unlisted action so I don't believe it requires coordinated review, so you could just declare yourselves as Lead Agency and get that out of the way. Jim Carnell – It is a County Road, but is this one of those locations that are excused by the County? Paula Kay – No. Jim Carnell – Okay. Chairman Lara – Paula, do you see any issue with getting SEQRA started tonight? Paula Kay – I see no problem and it is one thing you can check of the list.

A motion to declare the intent to serve as Lead Agency, was made by Arthur Knapp and second by Michael Hoyt.

All in favor, 0 opposed.

### **EXPRESS BSD**

4682 Route 42, Kiamesha Lake, NY

Applicant pulled this project off of the agenda.

### **SILBERTS RESORT**

14 Bard Road, Monticello, NY

John Ferraro, Project architect

John Ferraro – First I would like to start with how impressed I am. I work up and down the East Coast and this is one of the most efficient Boards I have seen. I was going to wait until after my presentation to tell you, so I didn't seem like a suck up, but really, I am truly impressed. I am here tonight to propose to resurrect this site. My understanding is that it has been proposed before, but never approved. However, I am asking for your advice on how to posture the scoop of work we are looking to propose. The applicant ultimately wants to build 3 cabins with 2 units in each for a total of 6 units.

Chairman Lara – These are the structures that burned down, right? John Ferraro – Right. Jim Carnell – I know they had a fire over there a few summers ago and lost a few buildings, we were a little confused because there was really no indication on what was submitted as to the buildings that were lost by the fire and what is being proposed. John Ferraro – Right. Units 1A through 7A had burned down and I believe it was a total of 14 units as there were 2 units in each structure. Jim Carnell – After the fire, they cleaned the building right up and did come into the Building Dept. because they weren't sure how they were going to proceed and if they were going to be able to replace them. They were going back and forth with the insurance company at the time and Covid was in effect, so construction costs were quite expensive, and I think that kind of stalled their decision to propose to rebuild. John Ferraro – Right and the owner's son also passed away from cancer during that time, so was really put through the mill. Helen Budrock – Just for some clarification, the site plan you submitted for tonight's meeting was dated for 2011, so where the structures proposed on this plan built sometime after that approval and then the subsequently burned down a couple summers ago? John Ferraro – Yes. Helen Budrock – And is this a bungalow colony? John Ferraro – Yes. Helen Budrock – So, it is a pre-existing, non-conforming use? John Ferraro – Right. Helen Budrock – So, you can only replace in the same location and footprint. John Ferraro – That is correct. Helen Budrock – So, will the buildings you are proposing to rebuild be bungalows or cabins? John Ferraro – Bungalows. Helen Budrock – Just clarifying because they are labeled as cabins on the site plan. Chairman Lara – Good point. John Ferraro – Being that the project was abated, I had a meeting with the Building Dept. and was told that I wouldn't necessarily have to stick to the same footprint and could propose a different footprint. Jim Carnell – If they wanted to come in and replace what was there in-kind, they would

just need a building permit to do so and if they wanted to change what was existing, this is the Board that would have the ability to approve that. However, this is in the SR district and is therefore, a non-conforming, pre-existing use. So, any modification proposed to what was previously existing, may have to be referred by this Board to the Zoning Board for a variance. John Ferraro – So, by staying in the original footprint, which I don't know how I will be able to find, but I will try, we can rebuild with just a building permit? Helen Budrock – I would think the footprint on the 2011 site plan would be accurate and what Jim is saying is, if you would like to change those locations, for practical reasons, you would have to ZBA. John Ferraro – Okay, so what we are proposing tonight is to keep them in the same exact location and footprint. Chairman Lara – Which makes since 90% of the site is bungalows already and then they would match the rest. Helen Budrock – You mentioned that he is looking to just rebuild 3 of the 7 bungalows that burned down. John Ferraro – He was hoping to get 1A, 2A, and 3A approved at this time, but my question to you is, is it the same amount of time to do them all? Paula Kay – Yes. John Ferraro – Then we will propose them all. Jim Carnell – So if this plan was approved back in 2011 and they are going to use the same footprint and location, I don't think they will need any further approvals from this Board. John Ferraro – I don't know if this site plan ever got final approval, but I would like to confirm that and get that cleared up. Jim Carnell – The plan does not have a final stamp on it so that is probably correct and why you are back here tonight. I believe the consensus from the Building Dept. was that it was never approved. Matt Sickler – I can look in the old files we have and see if I can find any kind of approval. Jim Carnell – I believe the shaded bungalow on the map are what are the units being replaced and what is proposed. Helen Budrock - Maybe you can just confirm if those building are on the site or if they were never built or if this will be an as built plan. Your engineer can defiantly help you with that. John Ferraro – Okay, so if the shaded units are indeed the proposed units, and they were never built, and we want to stay in the same footprint and resurrect all 7 bungalows, what is our next step? Chairman Lara – We would treat this site plan as a sketch plan for your initial submission and our town engineer will take a look at it. Jim Carnell – And I believe this is served by town sewer and private water, right? John Ferraro – Yes. Jim Carnell – I believe our water and sewer superintendent was on-site when they demo'd what was left of the buildings and things were capped, so I don't they should have an issue with infiltration. But just to be careful, I would ask we engage Mike's department just to clarify and possibly preform a smoke test. John Ferraro – So, what is the next step that I need to take. Paula Kay – I would resubmit your site plan with the term "cabin" replaced with "bungalow" so that it is clear to everyone that you are replacing what was previously existing and come back to the next meeting with that and that also gives our town engineer so time to look at what is being proposed. Chairman Lara – So, obviously nothing is happening tonight. We will get this to our engineer and water & sewer superintendent to take a look at and in the meantime, we will confirm if there were ever any approvals granted. If there were you are all set to go and if not, you will have to finish up the process that was started. As long as you are staying in the same footprint and all of our requirements are met, I don't see why you couldn't get an approval. Jim Carnell – And I don't believe my department has any issues with what is proposed and we do not have any issues with this site. Chairman Lara – So, we will put this on for possible action at the next meeting, unless approvals were already granted. John Ferraro – Excellent.

The Board called for Sunny Forest one more time, but nobody showed up to represent them. Paula Kay stated that she will advise the town's prosecutor that no one showed up for tonight's meeting as this property is currently in front of the judge. Chairman Lara explained that she had a conversation with Jim Carnell prior to tonight's meeting and unless they were coming with a sewer plan or solution to their sewer problem, there would be nothing to discuss. Jim Carnell added that in all likelihood the Building Dept. would probably look to take injunctive action, if there is no resolution prior to occupation as there is sewer bubbling up to the surface in the parking lot.

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

Respectfully submitted,

Laura Eppers, Secretary

Town of Thompson Planning Board

