

APPROVED

TOWN OF THOMPSON  
PLANNING BOARD  
February 14, 2024

IN ATTENDANCE: Kathleen Lara, Chairman  
Kristin Boyd  
Arthur Knapp  
Michael Hoyt  
Michael Croissant  
Matthew Sickler, Consulting Engineer  
Jim Carnell, Building, Planning, & Zoning  
Christina Cellini, Alternate  
Paula Elaine Kay, Attorney

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

Michael Hoyt advised that the attendance and the votes for the January 24<sup>th</sup> meeting minutes needed to be revised. The Board will hold off on approving them until the next meeting.

**PUBLIC HEARING:**

**SILVERCREST TOWN HOMES**

92 Fairground Road, Monticello, NY  
Amador Laput, Project engineer  
Luca Spensieri, Project applicant

Chairman Lara read the legal notice aloud.

Proof of mailings were received.

Amador Laput – This project is a 41-unit single-family townhouse development in the SR zone. Looking at the survey showing the existing conditions, you can see that most of the buildings were torn down leaving this a vacant lot. This map shows the proposed subdivision with the 41 lots and a new road that will come off of Fairground Road and go through the development. There is also a table that shows the acreage of each lot, ranging from .24 acres to .08 acres. This is the sketch plan showing the site distance for both Fairground Road and Ripple Road and both meet DOT's requirements. Next is the site plan itself. It shows that each of the lots will have a three-bedroom townhome with two parking spaces per unit. We are also proposing a park area here and here, and this is a stormwater pond. The play area will contain a jungle gym and some freestanding features. We have a landscape plan in color showing and listing the plants, trees, and shrubs we are proposing. Most of the landscaping will be located in between the parking areas and along side the driveways. This is the utility plan showing the water and sewer now running down the middle of the road. The water is on a separate plant coming from the Village property here, which we petitioned the Village to have that serviced and our request was granted. Here is the proposed grading plan and you will see that the roadway is mostly flat and the pond is about four feet deep. Next is the SWPP with the stormwater basins. There will be four subbasins, all going to the stormwater pond, and the pumps will be over here. There will also be some catch basins along the roadway, that will also drain into

the retention pond and the extended retention pond. This plan here is for the road profiles for the two roads, the driveway, and the main road that goes through the development. Here is the plan for the water service. The town well is here and it goes through the Village property and this is what was approved by the Village. As for the well house, we will be working with the Town on the improvements that need to be made for that. This is the lighting plan showing lighting along the roadway and throughout the development. Next is some construction details regarding all the piping for water, sewer, and stormwater detailing how deep they will be bedded and if stone or concrete will be used. This page is the erosion sediment control with a silt fence, construction entrance, and the flared end for the apron. This is details for the concrete sidewalk and curb. This is the roadway, which will be two inches up top, three inches of binder and then twelve inches of subbase. It will be the same for the parking areas except the subbase will only be 8 inches. This page has details for the park and the free-standing structures. For the freestanding structures there will be a swing with an ADA seatbelt, a spring bounded bus, a quattro seat seesaw, a drum set, and a chime & bell panel. The jungle gym will have a slide, storefront panel, silo chamber latter, a transition for ADA, a 90-degree slide, twist N shout slides, a ribbon climber, an arched bridge, and a rock climber. There are also details on how to build the foundation for the jungle gym and showing the fence around the playground area. With that, we are ready for any questions or comments the Board may have.

Jim Carnell – Is there any fencing being provided for the retention pond to prevent kids from getting in there? Amador Laput – It is not shown on the plan, but there will be one. We can update the site plan to show that. Luca Spensieri – Could we do some plantings around it instead to make it greener? Maybe some trees? Jim Carnell – It doesn't matter to me, but typically if there are going to be structures in there that you don't want to get plugged up from kids playing around it, there would be a fence to prevent balls and small toys from getting in. Plus, it is located adject to quite a few houses. Matt Sickler – Also if there is going to be about four feet of water in the pond, you would want a fence to stop any young kids from getting in there. Amador Laput – That makes sense.

Chairman Lara – What kind of lighting will you be putting in? Amador Laput – It will be LED lighting and night sky compliant.

No further questions or comments from the Board at this time.

The meeting was opened up to the public for comment, but there was no public for this project.

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

Paula Kay – We did get the County's 239 determination back for this project and there were a couple of comments. Chairman Lara – Did the applicant get a copy of that? Amador Laput – I did not get a copy. Chairman Lara – Okay. We will make sure that gets forwarded to you.

Paula Kay – Did the Lead Agency notices go out? Amador Laput – Not yet. Should we send them now? Paula Kay – Yes, both Matt and I are now satisfied with the mailing list. Amador Laput – Okay, we will get those mailed.

**ACTION ITEMS:**

## **THOMPSON SQUARE MALL**

State Route 42 Monticello, NY

Pablo Medeiros, Project representative

Chairman Lara – This project had their work session and we I heard went well. Pablo Medeiros – Yes.

Chairman Lara – So, you are really just here tonight to get a referral to the County for a 239 review? Pablo Medeiros – Correct.

Chairman Lara – Matt, do you have any comments for the applicant before we make the motion to refer this?

Matt Sickler – No, not in addition to what we discussed at the work session. I think there were some good

ideas discussed and this seems to be on the right track. Michael Hoyt – Is there anything new on the

configuration of the entrance? Paula Kay – That is what they will be working on between now and the next

meeting, but this certainly in a place where it can be reviewed by the County. Michael Hoyt – Okay. I'm okay with that.

No further questions or comments from the Board.

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

All in favor, 0 opposed.

## **HAMASPIK RESORT**

283 Rock Hill Drive, Rock Hill, NY

Joel Kohn, Project representative

Joel Kohn – We were here a couple weeks ago seeking a minor modification and received some comments and questions from the Board at that time. We have since addressed those. The Board wanted the fire

department to take a look at the new traffic configuration, so Brian Soller came out to the site. He was

okay and satisfied with the new configuration as long as we removed some parking spaces, which he

circled on the plan and I provided to the Planning Board. I also have a copy of the email sent if anyone

would like to see that. Before the traffic circulation was not clear because of all of the parking. We have

removed some of the parking spaces and the circulation can now be seen clearly. Chairman Lara – Will

those parking spots be paved over so that no one gets confused? Joel Kohn – They will either be stripped

black or scrapped off, but they will be removed. Chairman Lara – Okay. As long as it is obvious that they

are not parking spaces anymore. Joel Kohn – Right. We also added some landscaping in the front of the

building and landscaping plan has been updated to reflect that. The water storage building is now being

shown. This is where the water storage for the recreation building will be and this is where the sprinkler

line comes in from corporate to service this building. If eventually there will be a deal made and an

agreement put in place, we will have a sprinkle line from there to that building. So, we have shown that on

the utility map along with the building that will house the water storage tanks in the interim. Chairman

Lara – Jim, is that acceptable for you and your department? Jim Carnell – Yes. John Kohn – I sent the

updated plans to Mike Messenger and copied Matt Sickler as well. I haven't heard anything back yet, so I

assume everything is okay. Matt, did you get a change to look at that? Matt Sickler – I didn't hear anything

from Mike, but I see the information is on the plan so everything should be okay. Joel Kohn – There was

also a comment made about labeling the playground area because before it was labeled as field area, so

that has been updated on the map. As for the retaining wall details and construction details, I just got

those today. I have a hard copy here with me tonight or I can email a copy in tomorrow for your review.

Matt Sickler – Email me a copy. Joel Kohn – Okay. There was also a concern about lights being on at night. It took a couple of days, but they have been turned off now. You could actually see them from 17, so I was paying attention when I drove by. Paula Kay – They were kind of in a weird spot. Joel Kohn – They were in the play area, but that has now been addressed. Matt Sickler – I believe I also received an updated SWPP today. Joel Kohn – Correct. Because of the changes there was an amendment made to the SWPP, so I forwarded that to you to take a look at. Matt Sickler – Okay. Chairman Lara – Anything else Matt? Matt Sickler – Not at this time. I haven't had a chance to review everything yet, but all the information is there so it should be pretty straight forward. Chairman Lara – So, at the last meeting we did mention possibly involving a traffic consultant, but I don't think that is necessary anymore as the fire department has looked at this and is satisfied with the new configuration.

No further questions or comments from the Board.

A motion to approve a minor modification to the previously approved site plan, subject to Matt Sickler's review of the amended SWPP and any comments Mike Messenger may have, was made by Michael Croissant and second by Arthur Knapp.  
All in favor, 0 opposed.

#### **K RUBIN HOLDINGS**

402 Sacket Lake Road, Monticello, NY  
Kaitlin Rubin, Applicant

Chairman Lara - There is a staffing issue at the County Planning Department and I received a text message advising that the 239 determination was reviewed and email out, but it may have been emailed to the wrong person. However, they did issue a local determination, subject to any comments the County DPW may have regarding access from Sackett Lake Road. Katie is here with us via Zoom tonight, so I will let her speak. Katie, did you hear what I just explained about the 239? Kaitlin Rubin – Yes, it wasn't sent in correctly. Which is odd because I emailed last week to confirm this was taken care of and your secretary said it was all good and the County assured that we would have results back by today. Chairman Lara – Our secretary did send the 239, it is the County that is having the issue. But they did let us know everything was fine with their review, but the County DPW may have some comments about the access on Sackett Lake Road, which is something the Board had also discussed previously. So, that would be the only thing we are waiting on and it hasn't quite been a month so we probably have about another week before we hear from them. They did say that it is for our determination, so we could make this subject to any comments from the DPW. Would you be fine with that Katie? Kaitlin Rubin – That's fine. Would I need to attend the next meeting or will you just let me know if there is an issue? Paula Kay – No. This Board is going to take action tonight and as soon as the we get the 239 in written form and the DPW comments, they will be sent to you. Then you will use those as your guide and address any issues they ma have. Kaitlin Rubin – Okay.

No further questions or comments from the Board.

A motion to approve the change of use, subject to any DPW comments, was made by Arthur Knapp and second by Kristin Boyd.  
All in favor, 0 opposed.

**VIRGINIA COHEN**

3457 State Route 42, Monticello, NY

Niel Messenger, Project representative

Niel Messenger – My neighbor and I are looking for a lot line change. Currently my entire front yard is his property and his entire driveway and side yard is my property. It has been like that forever and it has never been an issue because we always got along. He has now rented the house and the new tenant has not been very neighborly to us and our children. So, through conversations with the owner, this is what we have come up with. It would be a 50/50 swap of .05 acres and the new lot line would make my front yard on my property and his side yard and driveway on his property.

Jim Carnell – Neil did come into the Building Department and discuss this with me and I told him that he will eventually have to get a survey, but he should come in front of the Board with their concept. That way they can get feedback from the Board and find out if you would be amendable to the idea before they hire a surveyor.

Paula Kay – Do we have an Owner's Proxy for you to represent both your mother and the other property owner. Niel Messenger – Yes. He lives in Long Island so it is easier for me to come here.

Michael Croissant – Is this also on Schoolhouse Road? Niel Messenger – Yes. This is Schoolhouse Road here and this is mine and his properties. And these are the two sections we are looking to swap. Michael Croissant – I think it make perfect since. Chairman Lara – Agreed.

Chairman Lara – This is on a county road so we are going to have to send this for a 239 review. Which just means that we need to hear any comments the County Planning Department may have in regards to this and generally, as long as you aren't doing anything super impactful, they won't have any push back. Jim Carnell – I think they were just out there doing some kind of drainage too, right? Niel Messenger – Yes. They just redid all of the drainage.

Chairman Lara – So, the big thing is and how these boundary and lot lines changes work is, you have to have a survey and meets & bounds done for each property, and then record deeds. You would want all of that stuff done prior to approval to make sure everything is copasetic to move forward. Niel Messenger – Okay. Keystone has already come out to take a look and gave me these plans to present to the you. We discussed how to do this and they gave me a price, but they said they couldn't do anything without your approval. Jim Carnell – Well, you just can't file it without the approval. What you will have to do is have the meet & bounds and the survey prepared, then come back to us once the plans accurately reflect what will be done. We will then stamp the plans and you will take them to the County to be filed. Niel Messenger – What exactly is meets & bounds? Paula Kay – It is part of the survey and is the description of what each property will be. Matt Sickler – And just have them confirm that what you are transferring to your neighbor does not have your well or something like that on it. Or vice versa. Niel Messenger – No, they don't. Matt Sickler – Okay. Perfect.

Chairman Lara – I don't think we can send this for the 239 until you get your survey done. That way they can see exactly what you are going to do. They do require 30 days for review, but they should not have any issues with this and it doesn't seem like this Board has any issues, so it should move quickly after that. Niel Messenger – Perfect. That is what we were looking for tonight, so we will go ahead and move forward with this.

### **KLINOV – LOT COMBO**

181 Lake Shore Drive E, Rock Hill, NY

Yevgeniy Klinov, Applicant

Yevgeniy Klinov – Last year I purchased this vacant lot, located next door to my property, from the Lake Louise Maria HOA and I am now looking to combined them. Chairman Lara – And you need our approval to do this because these lots are part of a previous subdivision? Yevgeniy Klinov – That is my understanding.

Chairman Lara – Did we get the HOA’s approval? Yevgeniy Klinov – I am in the process of building my house on the other lot. Chairman Lara – That’s awesome, but it is just most HOAs want to be involved with things like this. Are they aware that you want to combined them? Yevgeniy Klinov – Yes. Paula Kay – I went through their rules & regulation and by-laws, but I didn’t see anything specifically about combining lots. I know Emerald Green’s specifically reference lot combinations, but I don’t think Lake Louise Marie does. Yevgeniy Klinov – I spoke to Camille, so they are aware. Chairman Lara – Okay because we want to make sure the HOA doesn’t give you a hard time. Yevgeniy Klinov – It’s a small irregular lot, so combining them is better. Chairman Lara – It is smart. Paula Kay – The only thing is that sometimes the HOA has an issue with combining lots because of the dues. Right now, you pay dues for two lots, but if they get combined it would only be one set of dues. Michael Hoyt – In this case they are really not losing anything because they owned the lot prior to the applicant. Jim Carnell – And I think the HOA sold him the lot because they knew he was going to combined them. Chairman Lara – Okay, so it sounds like they are aware of it. Paula, if their by-laws don’t mention anything about this, can we give approval? Paula Kay – I texted Camille and she just responded saying that they are aware of and okay with this, but they did not receive anything on it. So, just give her a call and see what she needs from you. Yevgeniy Klinov – Sure. No problem. What is the next step after that? Chairman Lara –So, we will grant the approval and once the minutes are done, they will be given to the Assessor’s office, who will send it to Real Property to combined the lots.

No further questions or comments from the Board.

A motion to approve the two-lot combination was made by Arthur Knapp and second by Kristin Boyd. All in favor, 0 opposed.

### **MONGIELLO SUBDIVISION**

Gregory Road, Monticello, NY

John Pavese, Jr., Project representative

John Pavese, Jr. – The applicant, Anthony Mongiello, has an existing lot on Gregory Road with a house on it. He is seeking to do a minor subdivision to divide off just under 5 acres to give to his daughter, who intends on building a modular house on the it. There was a survey prepared by Robert Lansbury and a septic plan developed with Mike Riley, which was provided. There is not much to this and there are no wetlands on the upper, northern portion of the property, only the southern portion.

Chairman Lara – Matt, do you have anything to add to this? Matt Sickler – No. The septic system is pretty straight forward and this meets the minimum lot requirements and setbacks. Chairman Lara – So, it is an appropriate size for the zone? Matt Sickler – Yes.

No further question or comments from the Board.

A motion to approve the minor, two-lot subdivision was made by Michael Croissant and second by Michael

Hoyt.

All in favor, 0 opposed.

### **FAMILY FUN FARM**

65 Friedman Road, Monticello, NY

Paula Kay – On December 11<sup>th</sup> of 2023 the court reviewed the Board’s approval resolution for this project and the applicant’s issues with said resolution. They made a determination on the seven conditions that were imposed; five of the conditions were upheld and two of them needed to be changed. The applicant had no issues with one of the condition, condition number seven, which was proof of DOL inspection of the slide and other amusements. The court upheld the following conditions of the approval resolution for the special use permit and site plan modification:

- the upper walking path to be closed and signage installed
- the bike path to be flagged and inspected by the Town Engineer
- the shed be relocated to the north side of the stream
- the carousel speakers to be aimed away from Hidden Ridge and not audible from any property line

The two that need to be removed are:

- The existing driveway, adjacent to the Huebner property, be removed and restored to its original condition within 60 days
- - no further expansion of recreational facilities

So, what we need from the Board tonight is a motion to remove the conditions necessary to comply with the court order.

A motion to amend the special use permit to reflect the court order was made by Kathleen Lara and second by Michael Hoyt.

All in favor, 0 opposed.

Paula Kay – I will remind the Board that this was a special use permit that was granted last year. So, before they operate this year, they will need to come back and at some point, they will need an inspection to make sure all the conditions were complied with. Michael Croissant – Does the inspection need to be done prior to them opening? Paula Kay – That would depend on the Building Department’s schedule and when they can get there. Some of these items can really only be checked while they are in operation. Michael Croissant – That is what I was getting at because I figured it should be done while they are in operations. Matt Sickler – I would say if they want to use the bike trail, it should be flagged and inspected prior to use. Chairman Lara – I believe that is how the condition reads. Matt Sickler – Okay. Chairman Lara – Enforcement is always something I feel bad about because we always put a lot on the building department, but I understand that those conditions are really something they should handle, unless you want the engineer to do them. Jim, would you like your department to do the inspections or should we ask Matt to do it? Jim Carnell – Matt will have to do the inspection for the flagging and its proximity to the wetlands. Chairman Lara – What about the rest? Jim Carnell – We have to do an annual fire inspection of the site, so we will already be out there. Chairman Lara – Okay. Jim Carnell – And because these are site plan approval conditions, we wouldn’t have to do anything special to violate them. Paula Kay – Right, they would just go back to court for not being in compliance. Chairman Lara – Okay.

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

## **VERIZON WIRELESS**

585 South Maplewood Road, Monticello, NY

Paula Kay – This project was on the agenda tonight for discussion and potential approval, but there was a correction that their RF engineer needed to make to the search ring information. That information was supposed to be in last week, but I spoke with their attorney today and apparently it was circulated internally and Scott thought that it was too conclusory and felt that the Board would have too many questions. With that being said, they are not here tonight and will be back at the next meeting. They agreed that the shot clock should be extended again, until the first meeting in March, just in case they don't get their approvals at the next meeting. Chairman Lara – That would be the March 13<sup>th</sup> meeting, right? Paula Kay – Yes.

Michael Croissant – Can we ask them to give us renderings of what the tower will look like from all for sides? Paula Kay – Yes.

No further questions or comments from the Board.

A motion to extend the shot clock to March 13, 2024 was made by Michael Hoyt and second by Arthur Knapp.

All in favor, 0 opposed.

## **CAMP MAYIN TOHAR**

Ranch Road & Fred Road, Thompsonville, NY

Michael Berta, Project architect

Jacob Billig, Project attorney

Michael Berta – Last time we were here we explained that the units have been renumbered to make more sense, the building descriptions themselves fixed, and the occupancy updated on the site plan. However, I received a phone call from Logan today and she was questioning the occupancy count. I'm not sure exactly what her concern is because if it was a two-bedroom unit we counted that as four people, two children and the parents, and the couple three-bedroom units were counted as six people. Chairman Lara – Are you guys close to your SPDES limit? Michael Berta – We are a little under. Chairman Lara – By how much because maybe that is the concern? Michael Berta – We have 8,400 and we are allowed 8,700. Chairman Lara – So, I think that is probably the concern. More people equal more flows. Michael Berta – Well we already increased it from what it was and it is accurate the way we have it on the plan. There are 58 staff and we increased the students to 132. Chairman Lara – Jim, did you talk to Logan about this? Jim Carnell – Yes and I believe she also emailed him. Michael Berta – Right, I received the email this morning and we went through everything. I believe what we are currently showing is correct and accurate. Chairman Lara – Matt, do you have any comment on this? Matt Sickler – No, not since the last time we reviewed this. Basically, the occupancy numbers on the plan are what is used to calculate the sewage flows and that works out to about 8,400 gallons per day, which is below the SPDES limit. I wasn't sure if Keystone was doing anything additional on the sewer end of this, because I think they joined the last meeting via Zoom and said they were still working on somethings. Michael Berta – I think Ken was going to Zoom in tonight as well, so he may be on, but at this point the only thing they have to do is reapply for the SPDES permit. Paula Kay – Jacob said he was here and that he just needs to be unmuted, so he must be "iPad". Chairman Lara – I know that you guys have taken care of the planning aspects, but there are still the Building

Department issues and one of the things that Logan said in her email is that an actual bed count should be submitted at this point and she would be happy to do a walk through with you to obtain that information. I suspect it is because you are so close to your limit. Michael Berta – I updated the occupancy table to show the bed counts, so you have that. Chairman Lara – We do appreciate that and you guys have done a great job organizing this disaster, but if building department is requesting an actual bed count, I think we should get it. Paula Kay – I agree. Michael Berta – There are still a couple of minor modifications that need to be inspected and cleared up prior to occupancy, so the building department will have to come out for those as well. It is just some small items like smoke detectors and a couple electrical things. Jim Carnell – It is just a little tough because water and electric need to be on to do the inspections and it is always a scramble to get those on in time. Same thing with the DOH, as they will require both, but I think the bed counts can be done without those. Chairman Lara – I agree and again, with all due respect to the applicant, I think that if she is asking for them, it should be done. Michael Berta – We get it, but right now there are beds all over the place, so she will not be able to get an accurate count. They won't be set up until they are down painting the units and moving everything around. Michael Hoyt – So, just us know when you are ready. You can come back to us and we will send her right out. Paula Kay – There is also a question on the staff housing. Who is anticipated? Will it just be individual staff of staff and their family? Michael Berta – It could be both, but most of the time I think it will be staff and family. Paula Kay – I think that may be why there was a question on the proposed occupancy load being so low. Michael Berta – There is also a limit to the number of people who can be on site at one time. Chairman Lara – Do you know what that number is? Michael Berta – 196 and we are proposing 189. Chairman Lara – And that is a DOH thing, right? Michael Berta – Yes. Jacob Billig – We are not unopposed and once Logan gets the count, we will make sure they match what is on the site plan and update it if necessary. That way everyone is protected. Chairman Lara – Okay. It sounds like you just need to reach out to Logan when you are ready and set something up. I did speak with Jim today and it seems like the big issues have been addressed and the rest is in the works. So, you are well on your way. Jacob Billig – Is there anything else, besides the bed counts, that the Board is going to want to see to be able to approve these relatively small additions? Are you going to require a public hearing for those? I am asking because if that is something that needs to be done, maybe we can schedule that now to keep this moving forward. Chairman Lara – A public hearing is not required and we are not asking for one. Paula Kay – I think at this time the Board just needs some coordination, with the building departments help, and then you can come back. Jacob Billig – Okay. Will the Board need to see the minor violations addressed before they can grant site plan approval? Jim Carnell – I think substantially the site plan reflects what is out there now and I don't think there are any outstanding violations that would affect that, but I don't want to guys to put those too far on the back burner and focus only on getting the extensions done before summer. Michael Berta – We total understand that. I think that we are here early enough in the process to be able to ensure that there is time for everything to get done. Chairman Lara – Okay. So, just work with Logan to get the bed count straightened out and make sure she is satisfied from the fire code perspective. Other than that, I don't think the Board has any objections.

#### **MONTICELLO MOTOR CLUB – GARAGE LOFTS**

67 Cantrell Road, Monticello, NY

This project asked to be removed from the agenda prior to the meeting.

Michael Croissant brought up that the BBIS property on 17B, that is used for car storage, is now packed with the trailers that was brought up to the applicant at a previous meeting. Arthur Knapp advised that they are Yellow Freight trailers that are being liquidated. Chairman Lara asked if there was a way to get that in writing and Jim Carnell suggested that someone could just visit their website and see if they were listed there for sale. Michael Croissant pointed out that the issue is the height of the trucks in comparison

to the berm, as it was designed for cars. Kristin Boyd suggested that if this is something that they plan on doing from now on, that they be invited back to the Board to discuss additional landscaping.

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

Respectfully submitted,

Laura Eppers, Secretary

Town of Thompson Planning Board

