



**APPROVED**

**TOWN OF THOMPSON  
PLANNING BOARD  
WEDNESDAY, MAY 25, 2016**

<b>IN ATTENDANCE:</b>	Chairperson Patrice Chester	Lou Kiefer
	Michael Croissant	Matthew Sush
	Melinda Meddaugh	Bobby Mapes, Alternate
	Jim Barnicle, Alternate	Kathleen Brawley, Secretary
	Paula Elaine Kay, Attorney	
	Richard McGoey, Consulting Engineer	

Chairperson Chester called the meeting to order at 7:14 p.m.

A motion to approve the May 11, 2016 minutes was made by Melinda Meddaugh and seconded by Matthew Sush  
5 in favor; 0 opposed

A motion to move the Concord Associates application to the end of the meeting was made by Lou Kiefer and seconded by Melinda Meddaugh  
5 in favor; 0 opposed

**AERO STAR PETROLEUM, INC. (CITGO)**  
**Rock Hill Drive, Rock Hill, NY - 32.-1-20**  
Michael North, North Engineers

Mr. North provided the Board with revised plans. Chairperson Chester noted that the Board will accept the same, but they have not had sufficient time to review them prior to tonight's meeting and therefore, action may not be taken this evening. Mr. North advised that they had a meeting with the Town Engineer which was constructive. There was a relatively short list of items to be addressed. They addressed all of the items that they could. Town Engineer McGoey left landscaping and the stone wall up to the Planning Board to decide as well as the question of where the dumpster should be located. Mr. North advised that the best place for the dumpster is where it is located on the site plan. It seems to be out of sight in that area. If it is considered an accessory building, it may not be in compliance. They have moved the curb island off of the County right-of-way per the County's request. Two speed bumps have been added to the site as well, which they added after reviewing comments on other Planning Board matters. This avoids this site being used as a "cut through" for cars looking to bypass traffic. Chairperson Chester noted that paved speed bumps will be cut down by a snow plow the first year. Mr. North advised they do make removable speed bumps which they can use. Also, the speed bumps help with drainage.

Mr. North apologized for not providing the Board with the revised site plan prior to tonight's meeting. Chairperson Chester advised that the Board wants to table this matter so that they have a chance to review them before making any determination.

Melinda Meddaugh believes landscaping can be expanded around the building. She needed the revised plans so she could go to the site to provide her recommendations. She also added that she

wants to see more wooded features and less brick. The store in Liberty is more brick, she wants to see more wooded features.

Town Engineer McGoey advised that the problem with the dumpster is that they are not maintained properly. If the doors are left open, garbage can be strewn about the site. Matthew Sush felt that the garbage company would have a problem accessing the same. Town Engineer McGoey feels that there is a lot of property in the back of the site to utilize. Mr. North felt it was visible there but Town Engineer McGoey advised that it can be seen anywhere on the site.

Mr. North advised that he spoke with the County Planning Department regarding landscaping and he said he would provide the applicant with information. Melinda Meddaugh advised that he did provide her with preliminary information, but nothing set yet.

The Board advised that this will be placed on the June 8, 2016 agenda so they can have a chance to review this matter further.

**MACHNE MIVTZER HATORAH**  
**218 Hilltop Rd, Monticello, NY; S/B/L: 41.-1-24.1**  
Larry Marshall, P.E., Jay Zeiger, Esq., Joel Kohn

Mr. Zeiger advised that the applicant accommodated the Board's wishes. Mr. Marshall advised that the site plan was modified to reflect the addition to the water treatment plant, the addition on the front of the dining hall which is really more of an enclosure of an existing overhang. Three buildings will be removed to make room to construct three staff houses, which six bedrooms each. There is also an additional building for a Rabbi, which is a one bedroom. The plans do reflect square footage for each of the existing buildings. Mr. Marshall explained the square footage of each building and the change in living space for the new site plan. The total change from the original site plan and this is less than a 6% increase of living space. Mr. Marshall understood that the Board was concerned about the potential of increasing occupancy on the site. By limiting the square footage of livable space, they feel this is a good compromise.

Mr. Zeiger advised that there is now a use table reflecting what each building is being used for. Mr. Marshall advised that there is one correction that needs to be made on the approved site plan with respect to the dining hall. The square footage is correct, just the description, since it is really a staff duplex.

Chairperson Chester asked the applicants if the proposed site plan is enough to accommodate what they need and the applicants felt it was. Chairperson Chester advised that note 6 on the plan should be removed.

Jim Barnicle asked the applicants to confirm that the site plan reflects that 190 people will be utilizing the site and they all agreed.

Mr. Zeiger advised that landscaping will be addressed. Lou Kiefer asked when it was going to be done. The applicant advised that their contractor had issues and couldn't get there. Lou Kiefer advised that he would like to see improvement within a week. Michael Croissant advised that



landscaping is not shown to the corner of the property which was promised. Mr. Zeiger advised that additional landscaping was added. Mr. Marshall advised that landscaping along Hilltop Road is as was previously approved. Mr. Marshall advised that evergreen trees were added to the site plan. Melinda Meddaugh suggested the applicant look at Iroquois Springs to see their landscaping, as it is complimentary. Alberta Spruces work well here. Mr. Marshall advised he can work some additional landscaping around specific areas on the site.

Melinda Meddaugh asked about the new buildings construction. Landscaping around the buildings would be nice as well as keeping the building styles consistent with the existing buildings on the site. Shrubs around the buildings would make it nicer. Michael Croissant advised that open decks mean everything gets piled under the deck. He does not want to see them on piers and perhaps lattice installed to avoid that.

Mr. Zeiger asked for clarification on Melinda's suggestion of building styles. Attorney Paula Kay noted that there should be continuity between the new buildings and the old buildings to blend in. The idea is that it is one space. Blend the old with the new as best you can. Please bring something back to the Town Engineer to show that they are doing this.

Bobby Mapes commented about the demolition of the buildings. His concern was building size, not living space. Living space was his concern, but enlarging and adding structures to the property was always his main concern. Mr. Marshall advised that he does not have the specific lot coverage, but it is 43 acres and less than one acre is covered with buildings. He believes it is 2.5%.

Joel Kohn explained to Bobby Mapes the changes to the site plan with respect to the buildings being removed. He believes that buildings 11, 12 and 13 are an issue. Chairperson Chester advised that the plans were approved and certified by an engineer. Our Town Engineer verified them as well. If there is something wrong, their licenses could be questioned. Bobby Mapes' concern was that the three buildings being built are much bigger than what they are taking away. Town Engineer McGoey reminded the Board that they have approval for additional square footage already. They are adding to that already approved square footage.

Town Engineer McGoey asked about the use of the lower level of the new dormitory. It is large. There is electrical service and has potential. Mr. Kohn advised it will not be used for storage or living. The Board asked that a note be placed on the plan noting the same. Town Engineer McGoey also advised that handicap access to some of the new buildings is not shown, but that can be addressed after tonight. The new duplexes, the shul, mikvah all need to be addressed.

A motion for negative declaration motion under SEQRA was made by Matthew Sush and seconded by Lou Kiefer.  
5 in favor; 0 opposed

The Board also felt that if landscaping is not started within two weeks, a bond should be posted by the applicant. Mr. Zeiger agreed and said the amount of the bond will be approved by the Town Engineer.



Michael Croissant showed Mr. Marshall an area on the site plan where trees should be planted to shield the buildings from the road. Mr. Marshall confirmed the screening with the Board to ensure he understood that they wanted it shielded from the road and trees should be planted to the road.

A motion to approve the modifications to the previously approved site plan was made by Lou Kiefer and seconded by Matthew Sush with the following conditions: verification that dining hall is large enough for 190 people; note six on the plan eliminated; adding 8' trees in a staggered manner at the corner of the property (area noted as the soccer field on site plan); landscaping around the duplexes, dining hall, office and units 11 and 12; skirting around elevated porches; confirmation of similar architectural design throughout the site; addressing the Town Engineer's technical comments; a note being added to the site plan indicating that the lower level of the dormitory will not be used for any manner whatsoever, all subject to Town Engineer's review and approval.

5 in favor; 0 opposed

Mr. Zeiger advised that if the applicants should come back, he hopes the Board will be happy with the applicant's progress on the site.

#### **CATSKILL HOSPITALITY HOLDING LLC**

**Route 42, Monticello, NY - S/B/L: 13-3-38.1**

Richard Baum, Esq., Barry Meddenbach and Bridesh Patel

Chairperson Chester advised that the Town Engineer's comments have been received. The plans have not substantially changed from what was previously approved. Town Engineer McGoey asked that any approval be subject to the hotel constructing the roadways. If there are some minor modifications to the Shop Rite parking lot, that may need to be done. Mr. Baum feels that this will not be an issue. The only concern they have is that they gave him a huge estimate. They will use their own contractors to build a road to connect the two parking lots with signage and striping. If they want curbing, etc., that may be a problem. The full burden of that should not fall on this applicant. They also do not want to fix the existing mall's issues. Attorney Paula Kay advised that it is difficult to work with the owner of the mall, as it is a receiver. She believes that the mall owner will be willing to work with this applicant to get this done. RJ Smith advised that if for some reason the consent of the mall owner is not forthcoming, it should not be to the detriment of this applicant. Mr. Baum advised that they will build to the mall and block the area connecting the mall in anticipation of receiving the approval from the mall owner. Attorney Paula Kay advised that the applicant should take the mall's proposal and work with it. Mr. Baum advised that the Town only wants signage and striping to make this interconnection safe. This is a good thing, they just don't want to be on the hook for fixing the mall's issues. Mr. Baum also felt this connecting road is good for his clients as well.

Mr. Patel provided the Board with renderings of the proposed building. Melinda Meddaugh previously sent additional renderings of like hotels which have a more appealing design, which the Secretary forwarded to the applicant's attorney on March 30, 2016. The applicant did not believe they received the same and they were re-forwarded to the applicant's attorney.

The applicant has no issue with the Town Engineer's comments

A motion for negative declaration motion under SEQRA was made by Michael Croissant and seconded by Lou Kiefer.

5 in favor; 0 opposed

A motion for site plan approval conditioned upon the applicant providing the architectural elevation of the building was made by Lou Kiefer and seconded by Melinda Meddaugh.

5 in favor; 0 opposed

**4437 ROUTE 42, LLC**

**4437 Route 42, Monticello, NY – S/B/L: 13.-2-4**

Joel Leibowitz and George Matisko

Chairperson Chester excused herself from this application and appointed Lou Kiefer as the Acting Chairman.

Mr. Leibowitz wants to place a fridge container at the back of the building for three months. Eventually they will install walk in coolers. They want to start working on the permanent coolers during or directly after the summer but need something temporary. Town Engineer McGoey asked when they would be back before the Board and Mr. Leibowitz advised that he will be in this fall. Town Engineer McGoey advised the Board that when the Board asked them to remove the temporary coolers last year, they absolutely removed them on time.

Jim Barnicle asked the applicant to remove the gas station sign and Mr. Leibowitz advised that the gas sign will be replaced with a new sign. Two signs were approved on the prior site plan. Matthew Sush advised that if one of the signs is not being used, it needs to come down, as that was the prior agreement. Mr. Leibowitz advised that he will repurpose the gas station sign and use both signs.

A motion for negative declaration motion under SEQRA was made by Matthew Sush and seconded by Michael Croissant.

5 in favor; 0 opposed

A motion to approve the revisions to the previously approved site plan approval conditioned upon the removal of the temporary coolers by September 15, 2016 was made by Melinda Meddaugh and seconded by Michael Croissant.

5 in favor; 0 opposed

**YESHIVA MESIFTA ARUGATH HABOSEM**

**Whittaker Rd, Monticello, NY – S/B/L: 3.-1-18**

Joel Kohn and Aaron Kohn

The Board was provided with updated aerial view maps, which is what the Board requested. There is a public hearing scheduled for June 8, 2016. Attorney Paula Kay asked if there was occupancy



listed for the staff house and Joel Kohn advised that occupancy is noted for each building as well as sewer flows. The applicant's Engineer will address the Town Engineer's comments.

Joel Kohn advised the Board that this proposal will add 12 additional bedrooms to the site.

Town Engineer McGoey advised that the compactor is not enclosed and it is required to be enclosed. Aaron Kohn advised that he will enclose it but it will be difficult due to site issues. It is a clean site.

Joel Kohn advised that the applicant is looking to install a classroom trailer on the tennis court on the back of the site for three months. Chairperson Chester asked what they will do next year. Why are we not talking about how we can permanently address this issue. Aaron Kohn advised that they do need a new building, but it is too late for this year. Lou Kiefer advised the applicant that they need to get their application in for this next year early. Town Engineer McGoey advised that the trailer must be shown on the plan, with handicap access and a date of removal, which the applicant advised should be September 15, 2016. Aaron Kohn advised it will be delivered by June 15, 2016. It is a three-month rental. Town Engineer asked about restrooms and asked that the applicant shown on the plan what they want to do.

Attorney Paula Kay asked Joel Kohn to provide updated maps with tonight's comments so the public has enough time to review the same.

**ABUNDANCE OF CARE PET HOSPITAL**  
**201 Rock Ridge Rd, Monticello, NY – S/B/L: 23.-1-13**  
Laurence Mauer, DVM

Bobby Mapes and Melinda Meddaugh both recused themselves from hearing this matter. Chairperson Chester appointed Jim Barnicle as a voting member for this application.

Dr. Mauer wants to rent the property in question. It is an ideal location which requires no major renovations. He does not plan on using any chemical or chemotherapy agents on the site. Jim Barnicle asked if Dr. Mauer is going to continue the same practice at this site? Dr. Mauer advised that he would be doing everything except x-rays. He does not want to move the x-ray system. Lou Kiefer asked about the term of the lease on the property and Dr. Mauer believes it is three years to start. He is not sure if he wants to go longer. He wants to be a renter and move to a less-taxing property and that is why he is moving. Michael Croissant asked if there would be boarding. Dr. Mauer advised that there is a full basement which would accommodate that. There would be a little boarding. There will be no external runs. Any barking would be from indoors. There would be 20 cages at this site, which is less than what he has now (35). There would also be cages upstairs for recovery of animals, etc. Dr. Mauer felt that this was the best site. It has a large lawn area and a good place to take a dog to walk. Parking will be off the driveway.

Attorney Paula Kay advised that the Doctor will need an area variance to start, as this parcel is 1.25 acres and 3 acres is required for this use. Chairperson Chester advised that they want to know what else could go in this area if the zone is changed, because once he is gone they need to know

what else could go in that place. Attorney Paula Kay advised that the Board wants to know what other buildings are in the HC-2 district in the Town. There are a lot of uses including one-family dwellings, bed and breakfasts, etc., a lot require more acreage. Attorney Paula Kay read the code and noted that there are quite a number of uses permitted in the zone, amongst other things, a car wash, theater, eating and drinking establishment, daycare, etc.

Dr. Mauer asked where he goes from here. Attorney Paula Kay felt the acreage issue is important. Dr. Mauer wanted to know how to address the area variance and Attorney Paula Kay said they are not at that point yet, since the zone has not been changed. Chairperson Chester advised that it does not make sense to approve the zone change if the acreage is not sufficient for the permitted use. Jim Barnicle advised that the bottom line is there is not enough room for the animal hospital. Lou Kiefer noted that at this time, it's really a no-go, since the acreage is insufficient. Attorney Paula Kay noted that it makes the Board difficult to recommend since the acreage is insufficient.

Chairperson Chester advised that the Board could make a recommendation tonight, but more information would be helpful. Without the additional information, it would most likely not be recommended. Town Engineer McGoey advised that the Board wants to see the zoning map to show the impact this approval would have on the zone. It may be minimal but the Board wants to see the same.

Dr. Mauer asked how to proceed and the Board asked for a zoning map of the area in question which reflects the zoning.

**CONCORD ASSOCIATES, LP**  
**Concord Rd, Monticello, NY – S/B/L: 9.-1-34.5**  
Henry Zabatta and Kevin McManus

Mr. McManus advised that they are here to request the site plan approval for the casino. They are in the process of evaluating the piles on the property. They are cleaning up the site which includes demolition of the white house. Screening the debris, removing the trash and processing the masonry materials for re-use. They want to start by June of this year. Perhaps the Board would consider an abbreviated extension to give us the summer to prove we will keep up our end of the deal. The Concord Fairways project is also contingent upon cleanup of this site.

Attorney Paula Kay advised that the applicant previously advised the Board that they would come up with an amended plan which does not show a casino. Perhaps providing the same to the Board by the end of the summer would be helpful. Mr. McManus advised that they will come back with something.

Lou Kiefer asked about the former Knobby's Bar which burned down, which was at the end of the road. Mr. Zabatta advised it is not owned by them and perhaps the Board should talk to Jim Carnell.

Mr. Zabatta advised that the concrete yard is being cleaned up. 10 dumpsters of trash have been removed. Fencing has been installed. They are talking to contractors about buying the materials



on the site. Michael Croissant asked about the rebar and scaffolding on the site. Mr. McManus advised that they will be scrapping the rebar. The big operation is to "screen" the piles on the site and sort the materials out. Mr. McManus advised that concrete can be repurposed and rock cannot. Town Engineer McGoey advised that the Board really needs a schedule before they act. Mr. McManus advised that they did give a schedule for the Concord Fairways project. If the Board would consider a short extension, they will provide a schedule and start work before the end of June. Mr. McManus asked that the Board provide them with three months and they will provide a schedule. Attorney Paula Kay also asked for a plan to show what is going to be there. Mr. McManus asked if they could provide that plan when they come back in September. Mr. McManus advised that he will get the Board a schedule next week. He does not know how long the large piles will take to be remedied. He will try and find out from the contractors. Attorney Paula Kay clarified that this is talking about the hotel site and the site across the road. Town Engineer McGoey advised that the site across the road cannot be used for storage. Mr. Zabatta advised that this is the first time he is hearing of this. He will work that out as well.


Jim Barnicle advised that theoretically, the cleanup will start in June. They will then come back and ask for an extension in August? Mr. McManus advised they will be back for a new site plan. Mr. Zabatta will keep the Board apprised of the progress and any roadblocks. Attorney Paula Kay advised that she understands it will not be completely cleaned up by the end of the summer, but with some progress, a schedule and an updated site plan, the Board may be more comfortable.

After discussion, the applicant felt two weeks would be sufficient to provide the Board with a schedule. Attorney Paula Kay noted that our first meeting in September will be September 14, 2016. The Board will provide an extension to September 15, 2016.

A motion for an extension of the previously approved site plan to September 15, 2015 was made by Lou Kiefer and seconded by Melinda Meddaugh.  
5 in favor; 0 opposed

A motion to adjourn the meeting at 8:50 p.m. was made by Michael Croissant and seconded by Melinda Meddaugh.  
5 in favor, 0 opposed.

Respectfully submitted,

  
Kathleen Brawley, Secretary  
Town of Thompson Planning Board