

APPROVED

**TOWN OF THOMPSON
PLANNING BOARD
WEDNESDAY, December 14, 2016**

IN ATTENDANCE: Chairman Lou Kiefer
Matthew Sush
Bobby Mapes, Alternate
Kathleen Brawley, Secretary
Richard McGoey, Consulting Engineer
Michael Croissant
Melinda Meddaugh
Michael Hoyt, Alternate
Paula Elaine Kay, Attorney

ABSENT: Jim Barnicle

PUBLIC HEARING:

PRIMAX PROPERTIES LLC/5 STAR LAND DEVELOPMENT

Chairman Kiefer read the Public Notice: The applicant is seeking site plan approval in accordance with §250-11 of the Town Code of the Town of Thompson. The property is located in the HC-2 Zone at Glen Wild Road, Rock Hill, NY; S/B/L: 32.-1-22

Michael Hoyt recused himself from participating in this application.

Proof of satisfactory mailing was provided to the Board.

Larry Marshall, P.E. appeared on behalf of the applicant. Mr. Marshall presented the Board with various renderings of the proposed building. This application is for a proposed Dollar General. The proposed store is a 9,224 square foot retail building 70’x130’ long. A site plan was provided which shows that all zoning requirements are being met. A public hearing was previously held and there was a great deal of concern regarding the previous layout presented to the Board. Since that time and due to the concerns of the Board and the public, the applicant will be purchasing the entire lot to avoid any issues. There will be 62 proposed parking spaces, with a majority of the same in the front of the building. Storm water management has been presented and is still under review by the Town Engineer. There will be an on-site well and septic system. Loading will be at the rear of the building. Lighting and landscaping plans have been provided. All lighting will be down-lighting. Also in response to the Board’s comments they have reduced the levels of lighting on the sight. Landscaping has been given in detail and is quite extensive. Along Glen Wild Road there is an extensive planting schedule to soften the look of the parking lot and building. Landscaping along the entrance has also been addressed and increased at the Board’s suggestions. With respect to the look of the building, they have added overhangs and shutters as well as an arbor and trellis to help break up the mass of the building. They have added timber treatments to compliment other buildings in the Rock Hill area. The monument sign is proposed to be eight feet tall with stone veneer at the base, which will complement the stone on the base of the building. It is a 5’x10’ sign.

The Board had no questions.

PUBLIC COMMENT:

Andrew Cannella: Mr. Cannella felt this project was too close to the Firehouse and will cause accidents. The increase in vehicles will also cause accidents. He asked that the Board consider this when they make their determination.

Stephanie Phillips: She has been shopping at the Trading Post for over 30 years and likes their good service to the community and hates to see a store like this come in. She does not like the look of the store and feels it is not consistent with the area of Rock Hill. The community is putting a lot of effort into Rock Hill. Sullivan Renaissance has also done extensive work in the Rock Hill area. She feels that this project is not consistent with the good work done by everyone for Rock Hill.

David Ellman: He concurs with Ms. Phillips. His greatest concern is the nature of the neighborhood of Rock Hill. He feels the building will not blend or be complimentary to the other structures in Rock Hill. When he sees other Dollar Generals, they seem busy and "trafficky" (sic). They don't have that type of business in Rock Hill.

Melinda Meddaugh asked about the applicant to address the traffic study with respect to the Firehouse. Mr. Marshall advised that a study was done and specifically analyzed the impacts of this project on the firehouse. In their report, the proposed Dollar General will not have any impact on the Firehouse or emergency vehicle access.

Evan Williams: Mr. Williams concurs with all of the other comments made prior to his. This store will not add to the quality of the community. They are jeopardizing jobs of people who work in the Trading Post. He does not feel that this is a good project for the community. Mr. Williams thought it was funny that they planted shrubs to hide the building.

Paul Obst: Mr. Obst advised that he stops at the Trading Post every day on the way home (he lives in Liberty, NY). He feels it has many items that he needs. He would not want to see a store come in and overburden the capital of the area.

Roberta Kay: Mrs. Kay wanted to advise that she agrees with all prior comments made this evening by the public.

Martin Kay: Mr. Kay felt that the traffic study was done when there were no emergencies. They have not been around when there is extra traffic which the Dollar General will bring.

Jeannie Druse: Rock Hill has spent the last few years building its identity surrounding the theme of music. You can go to a Dollar General in any other town in the County. The unique thing about the Trading Post is that the community comes together there. Everything is right there. You meet your neighbors there. It is no impersonal and they go out of their way to meet your needs. She believes that stores like this still exist because they benefit the area. She does not feel that a store like this will benefit

Christina Wallace: Rock Hill is not commercial and they want to keep it that way. At one of the previous meetings they discussed a traffic study and believes that it was not done at the appropriate

time of year. Town Engineer McGoey advised that our traffic consultant has reviewed their study but they have not reviewed the same yet.

Dolores Catillo: Read her letter to the Board, which is in the Board's file. She noted that the Trading Post is a long standing building. Dollar General is not a local business and the owner of the franchise is not local. Dollar General pays minimum wage and will not make lifetime employees. Employees of the Rock Hill Trading Post cannot understand why the Board would permit a project like this. The Trading Post is equipped to handle the needs of the community. They started many years ago and have grown. The employees are hired year-round and 10 additional employees are hired every summer. Ms. Catillo advised that the Monticello Trading Post closed after several bigger retail stores opened in Monticello. The Trading Post offers the community many services including groceries and household items. The Trading Post also supports their local community and charities. Mrs. Catillo advises that it still remains to be seen what impacts the Dollar General will have on the area. Mrs. Catillo advised that she lives on Glen Wild Road. She feels the project will be an eyesore and does not belong in Rock Hill. She has been in two and she is not sure why she went to the second store. The traffic should be studied in the summer. This project is not a good idea.

Gary Gottlieb: He is the previous owner and life-long resident of the County. He wants to reiterate what everyone has said tonight. He feels the Board should consider the comments. Rock Hill community is not in favor of this project. Dollar General has no ties to the County and is based in Tennessee. They are not a large employer and take away business from other businesses. They do not contribute to the community. We have spoken against this project on numerous occasions. Their profits are not spent locally and are not used to better the community. They are only going to take from the existing businesses.

Joe Henle: He is a resident since 1990 and has seen the community grow. Dollar General is not a fit for this community. He is also a realtor and he feels it will affect the viability of the business district and the values of the surrounding properties. People will think twice before starting a new business in the area. No one wants a big box store in this community.

David Paige: Mr. Paige opened a business in Rock Hill in 1986 (the old drive in). In the layout provided to the Board, they show two driveways which Mr. Paige claims are his driveways. He cannot have any problems with leaving the property. He is concerned that any septic issues would create a problem on his property. Helicopters land at the firehouse and ambulances chase after them. In the summer, cars go 50-70 miles per hour. This is a bad location. Mr. Paige advised that he chose to move to Rock Hill and it is a quaint community. You can walk into stores and know people. A Dollar General does not belong in the community. They can go to Wurtsboro or elsewhere to go to a dollar store. Mr. Paige advised that dollar stores were built to compete with Wal Mart and they don't need that. He also feels it will decrease the value of his property.

Dale Stanton: Mr. Stanton is the manager of the Trading Post for the last 20 years. They employ young adults throughout the years. They generously donate merchandise and funds to local charities. All of the businesses in Rock Hill are owned by people who live in Rock Hill. He feels that if the Dollar General is permitted, the future of Rock Hill will suffer. Rock Hill is an upscale community and does not need a store of this nature. Mr. Stanton handed the Board a petition with

over 1,300 signatures in opposition to the project.

Alan Rich: Mr. Rich advised that over development in a little hamlet is not good. The Trading Post has friendly faces and people who know you. There is a good selection and the prices are reasonable. They often have better sales than Shop Rite. Walking into the Trading Post is like walking into a different time. We don't need any more resources taken away from us and the Trading Post is in danger of being taken away if the Board permits this application.

Gyvla Gyenis: He feels that the Dollar General will not be good for local business. The Trading Post employs a lot of people. It would be a shame to lose that. Mr. Gyenis advised that there are other stores nearby that can provide anything that a person may need. The area needs the Trading Post and it belongs to Rock Hill.

Michael Davidoff, Esq. and Brad Cleverly, P.E.: They have reviewed the site plan presented to the Board which reflects a right of way which is for the drive in lot owned by David Paige. They found a different survey which indicates that the right of way is for Mr. Paige's lot and their site plan may be inaccurate. The applicant should provide documentation to show where the right of way belongs. Mr. Cleverly also noted that the drawing indicates Army Corps. of Engineers wetlands. A review of the environmental resource mapping shows that there are additional wetlands on the site. There are Federal wetlands as well and he believes the applicant needs to prove that the wetlands are not affected by the development of the site.

Mr. Davidoff advised that he represents the Trading Post, but more than that. He represents the employees and family members. He has lived in Rock Hill for 35 years. He asks that the transcript of the original public hearing be incorporated into these meeting minutes. Attorney Paula Kay advised that we have not received the §239 review of the County Planning Department. Attorney Paula Kay advised that the Board may choose to leave the hearing open solely for the purpose of receiving their updated determination.

Mr. Davidoff advised that he has had an opportunity to review the traffic study. He has serious concerns about what was raised by the applicant's expert. First, the traffic counts were done on a Thursday and Saturday, but the consultant admits it was not done during peak days and evenings when the traffic is heaviest. He also notes it states there are inconsistencies with rounding off and that they have seasonally adjusted the same. Mr. Davidoff advised that there are a lot of issues and problems with the traffic study which the Town's own expert pointed out. They used 2015 seasonal factors published by the Department of Transportation, when they could have used 2016 which were issued in October 2016. Mr. Davidoff provided the Board with correspondence explaining the foregoing in detail. Mr. Davidoff advised that the Board has the right and obligation to consider the character of Rock Hill and what the Board decides could affect the hamlet of Rock Hill for the next 25 years. All of the speakers tonight spoke from the heart and they have told the Board their concerns.

Mr. Davidoff read his December 14, 2016 letter to the Board, which is in the Board's file and attached. He addresses SEQRA requirements and the Board's job in reviewing projects like this.

Mr. Davidoff advised that the Trading Post is the heart of Rock Hill. The stores of Rock Hill Drive

are the heart of Rock Hill. Dollar General's headquarters is not local and they would not even know where Rock Hill, NY is.

Paul Walsh: If the Board considers this project to go forward, the Board should consider the costs. Traffic would be an impact. The road will have to be widened. A traffic light may have to be installed. The applicant should have to bear the cost of any of these impacts.

Mrs. Phillips told the audience to go to the Trading Post and look at their bulletin board. Community bulletin boards advertise educational opportunities, events, etc. They are an important part of the community and bring everyone together. Most other local stores do not permit flyers to be placed in their establishments.

Christina Wallace: She previously worked for the Trading Post. It is a rite of passage for younger people in the Rock Hill area.

Mr. Gyenis asked that the Board not consider outside money and keep local businesses alive.

The Board discussed making a motion to keep the hearing open to afford time for the County to provide its comments under GML §239 and permit written submission and comment only. Michael Davidoff asked that we wait until the first meeting in January.

A motion to leave the hearing open until the January 11, 2016 meeting was made by Michael Croissant and seconded by Matthew Sush
4 in favor; 0 opposed

Chairman Kiefer called the meeting to order at 7:00 p.m. and appointed Bobby Mapes as a voting member for tonight's meeting.

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

ADELAAR/MONTREIGN CASINO

Chalet Road, Monticello, NY – S/B/L: 15.-1-14.4

George Duke, Esq. and Michael Fogel, Esq.

Dena Tinsley of JCJ Architecture and Steve Breitzka of EDR

Mr. Duke advised that the site plan application is for the daycare project which the applicant wants to add to the site plan. It is a separate building located behind the casino and located on the same lot as the casino. It will be used to support the employees and potentially open to the public. The applicant wants the Board to refer this application to the Town for review under SEQRA. The application as far as overall consistency with the comprehensive plan is consistent with the plan. Town Engineer McGoey advised that there are other changes to the site plan relevant to the Entertainment Village, which will be handled separately.

Ms. Tinsley provided the Board with a copy of the map of the premises which shows the proposed buildings on the casino site. They do have a few modifications to the plan as a result of the addition of the daycare and entertainment village. A drive access has been added from the main casino entry road to the entertainment village.

Mr. Breitzka advised the Board that the daycare facility is approximately 10,000 square feet. There will be 41 parking spaces with two handicap spaces. The prime drop-off space is facilitated by a vehicular drop off area. There is a small outdoor space. There is a secondary entrance for an after school program. The dumpster enclosure has been placed away from the road but accessible. The outdoor space will have a fenced area which will have a resilient play surface. It will be gated to maintain the space. They will install a bio retention area to handle storm water management.

Ms. Tinsley noted that the Board was provided with a hard copy of the slides presented this evening.

Ms. Tinsley showed the Board the interior plan of the daycare and explained the various classrooms, office space, mechanical space, etc. There will be a staff work area and kitchenette. There is a before and after school program area as well. Fencing is right up to the building to minimize access. They anticipate 80 children and the classrooms are built to accommodate that. Bobby Mapes asked if a registered nurse needed to be on site. Ms. Tinsley advised that it is not required but there is an area for ill children to go and wait for pickup, which is allowable by code. The classrooms all have a door to the outside. A security protocol will be in place. A fob system will be in place for parents to enter. A security camera will also be installed.

Ms. Tinsley showed the elevation concepts for the building and are still evaluating construction materials. They are looking at metal roofing, casement windows and metal siding.

Town Engineer McGoey asked if parking will be allowed in the queue. Ms. Tinsley advised that ultimately that will be an administrator determination, but feels that having a drop off area would be not optimal for children of this age group.

Bobby Mapes asked how the daycare would tie in to the casino's façade. Ms. Tinsley said it will not look like a casino and they want the building to look like a daycare and blend in the surroundings.

Mr. Duke asked that the Board consider that they formally accept the application and refer the same to the County for review under §239 and refer it to the Town Board for review as Lead Agent.

A motion to accept this application, refer the same to the Town Board for review as Lead Agent and refer this application to the County Planning Department for review, was made by Melinda Meddaugh and seconded by Michael Croissant

5 in favor; 0 opposed

Chairman Kiefer asked for a motion to appoint Mary Beth Bianconi of Delaware Engineering to be the Town's representative for this project and the Thompson Education project and a motion was made by Melinda Meddaugh and seconded by Matthew Sush

5 in favor; 0 opposed

EPR Concord II – Entertainment Village

Joyland Road, Monticello, NY - 23.-1-54.6

George Duke, Esq. and Michael Fogel, Esq.

Denae Tinsley of JCJ Architecture and Steve Breitzka of EDR

Mr. Duke advised that the applicant has submitted an application for a six story hotel. Four stories will be hotel rooms and two floors will be for mixed-use. For context, this project will be located adjacent to the casino parcel. It is a relocation of project components which were always considered for the entertainment village project. The hotel component was always anticipated but not in this actual location and that is why they are here before the Board. It is overall consistent with the comprehensive development plan, other than the location.

Town Engineer McGoey noted that this is a substantial decrease in what the entertainment village was originally planned for and wanted to know why it was reduced. Mr. Duke advised that it will grow as the market demands. It is the applicant's hope to ultimately be consistent with what their original plan was. Town Engineer McGoey advised that it may be a good idea to provide the Board with a sketch plan as to how the overall development plan has changed as a result of the new reduced-size Entertainment Village.

Mr. Breitzka showed the Board an overview of the Entertainment Village. There will be three lanes of traffic going out of the property. There is a large 219 parking lot. There is a porte-cochere in front of the hotel. There is an additional 50 car overflow parking lot in another area. There are pedestrian connections to the hotel and the casino itself. There is a service area on the south side of the hotel. There are two outdoor patio spaces related to the restaurants inside the hotel. Sufficient fire truck access was provided. There is a tented area planned but they are still working on that outdoor space including what kind of materials are going to be used. There will be a 40 car lot to service the tent area. Bio retention areas have also been considered. Town Engineer McGoey asked Mr. Breitzka to show the left-hand turn lane off of Joyland Road and the pedestrian cross-walk and the paved walkways. Michael Croissant asked about the firetruck access and if it was for just the Entertainment Village and Mr. Breitzka advised that it is for both projects. Michael Croissant advised that a covered walkway would not be a bad idea considering the weather, but he understands that with the fire apparatus access, they are unable to do that. Mr. Croissant asked if it would be heated and the applicant advised it was not anticipated.

Matthew Sush asked what the applicant expects the traffic flow to be. Mr. Breitzka felt that it would be to the hotel and they would put things in place to effectuate the same such as landscaping, etc.

Ms. Tinsley showed the Board an aerial view of the entire project. The structure will be four stories of hotel rooms and two stories of mixed use. Elevations were shown as conceptual. The design and intent are considerably the same. There will be storefronts on the north façade for retail spaces in the lobby level. The south elevation shows the covered walkway and what you would see from the parking lot at Montreign Casino. Town Engineer McGoey asked what the doors shown on that elevation are for and Ms. Tinsley advised they were for retail spaces. The

owner/operator may want them to be exit only but that will be determined.

Ms. Tinsley showed a side view of the building and a perspective of the Village. A rendering of the site with the casino was shown. Obviously, this hotel is much smaller, but they did try to use the same language but different materials to meet the budget and the two building complement each other nicely.

Ms. Tinsley went over the floor plans, starting with the lower level (basement) which has a connector from the casino. A nightclub and two retail spaces are located there. A fitness center may be a possibility as well. The lobby level was shown. This hotel has a different concept and they want to have a living room setting for the lobby. A lobby bar will be included. Retail space will be on this level as well, the size of the same may change depending on the retailer. Two restaurants and a shared kitchen and restroom space are also on this level. Town Engineer McGoey asked if food or drink would be served in the nightclub and Ms. Tinsley said drinks for sure but she is not sure about food and the operator still needs to make that determination. The next level, the hotel room floor plan is still being worked on. It is a typical double loaded corridor with stairs at either end. A typical guestroom layout was shown.

Mr. Duke asked the Board to formally accept its application, declare its intent to act as Lead Agent under SEQRA, refer the matter to the County Planning Department for review under GML §239 and schedule a public hearing for the first meeting in January 2017. Attorney Paula Kay asked if detailed and updated plans would be available prior to that hearing date and the applicant felt it would be done. Town Engineer McGoey advised that we can schedule the public hearing date and if the applicant is not ready, we can reschedule.

A motion to accept the application and for the Board to declare itself as Lead Agent was made by Matthew Sush and seconded by Michael Croissant
5 in favor; 0 opposed

A motion to schedule a Public Hearing for January 11, 2017 was made by Melinda Meddaugh and seconded by Michael Croissant
5 in favor; 0 opposed

Attorney Paula Kay advised that it may be beneficial for us to hold off on submitting this to the County Planning Department because they may not feel this is a complete statement. Mr. Duke felt that this was a complete statement and Attorney Paula Kay felt the updated plans needed to be submitted.

MAKOVIC HOMES

Old Route 17/Cimarron Rd, Monticello, NY; S/B/L: 31.-1-67
Glenn Smith, P.E. and John Makovic

Michael Croissant recused himself from participating in this application. Chairman Kiefer appointed Michael Hoyt as a voting member for this application.

Mr. Smith is in receipt of the Town Engineer's comments and provided a written response to the

same. Mr. Smith reminded the Board that the applicant had previous approval for this application which expired and the Zoning Board recently gave them the necessary variances.

Chairman Kiefer asked about the applicant's statement during the ZBA meeting and the fact that the bank would not allow them to have less homes on the site. Mr. Makovic advised that this was misconstrued and not accurate.

Town Engineer McGoey asked about the screening of the house on the adjacent parcel to the north. Mr. Smith advised that he moved the parking to avoid pointing vehicles at the house. Trees will be substantially kept as is except for the parking area. They also plan on planting evergreen trees. There are only 14-foot pole downward facing lights which will not encroach on the property. Town Engineer McGoey felt the applicant did a good job trying to save as many trees as possible. Mr. Smith advised that the interior of the lot does not have many trees and that the exterior has fairly large trees.

Town Engineer McGoey had concerns about separation between the well and septic system. Mr. Smith advised that he spoke to the Health Department concerning this. If a septic system is uphill from a water well, they recommend 250 feet from the same. Since this is not the case, 150 feet would be okay, as the flow would go towards Route 17. The Department of Health suggested that Mr. Smith make a note on the plan explaining why the 150-foot separation was permissible.

Town Engineer McGoey advised that the applicant needs to talk to the Town Highway Superintendent concerning Hoover Road.

Town Engineer McGoey asked about a six-inch drain under Hoover Avenue and the fact that an easement should be in place for the same. Town Engineer McGoey suggested a note on the plan stating the Highway Department has the right to maintain the drain would be acceptable. Attorney Paula Kay also felt language in the deed would be a good idea.

A motion to schedule a public hearing for this matter for January 11, 2017 was made by Melinda Meddaugh and seconded by Matthew Sush.
5 in favor; 0 opposed

RNR HOUSING, INC.

Pittaluga Drive, Monticello, NY; S/B/L: 12.-1-21.1 and 12.-1-23.1
Glenn Smith, P.E.

Mr. Smith provided the Board with a site plan. They plan on adding 120 mobile homes on the site eventually and have been asking for extensions for many years. The applicant has a letter of intent for the purchase of the property and develop the same. The proposed purchaser, Solomon Zwiebel, purchased property in Liberty from the applicant and fully developed the same. Chairman Kiefer asked when Mr. Zwiebel wants to start construction and he advised as soon as possible.

Mr. Smith advised that they may want to make some minor changes. Wetland areas may have changed since the last site plan. Home locations etc., may need to be tweaked. All other approvals

have been in effect for the past few years. Sewer and water will stay the same. Attorney Paula Kay advised that if the Board grants an extension tonight it would be for a very short period of time for you to come back and modify the previously approved site plan and application. RNR would still be signing but perhaps the contract vendee would sign as well. The proposed purchaser will work at the far end of Pittaluga Road and working his way up. Matthew Sush asked about the entrance of the new jail and this project and Mr. Smith advised that it was addressed in the site plan.

A motion to permit an additional 90-day extension subject to the applicant submitting a revised site plan and application prior for review by the Town Engineer and Town Attorney sufficiently in advance of the January 25, 2017 meeting was made by Matthew Sush and seconded by Melinda Meddaugh

5 in favor; 0 opposed

LOCKI T. KASIOTIS

47 Cooper Rd, Monticello, NY - S/B/L: 11.-1-41.12

Jacob Billig, Esq., Al Chase, Galligan Surveying and Locki Kasiotis

Lou Kiefer recused himself from participating in this application. Acting Chairman Sush appointed Michael Hoyt as a voting member for this application.

Mr. Billig advised that the applicant has done everything the Board has requested. They have come before the Board many times. The box truck is an error on the map and is in the wrong location. When the applicant met with the Board, the Board told him they did not want to see any outdoor storage. The box truck is utilized for that storage. Town Engineer McGoey advised that box trucks are not permitted for storage. Mr. Billig advised that it was discussed at a meeting and that he was told it needed to be insured and licensed but that they could have it. His client specifically went out and bought the truck for this purpose. Town Engineer McGoey advised that his comments in August 2016 specifically noted that truck bodies could not be used for storage. Mr. Billig advised that was a different truck and they agreed to move that. Town Engineer McGoey felt that they should not permit this precedent. After reviewing the August 2016 minutes, it was determined that the Board did suggest this. Bobby Mapes felt that if the box truck was street legal and moveable it should not be an issue. Attorney Paula Kay advised it must stay insured and registered. Mr. Billig confirmed with his client that it was already insured and registered.

Melinda Meddaugh noted that more screening needed to be installed in different areas on the site. Mr. Billig advised that there are existing trees on the site and new plantings were done. They plan on adding more landscaping. There are two homes that adjoin the premises who have both operated the business the applicant is running but they understand they have to provide screening. The applicant advised that they are planting more trees by the gate. Mr. Billig advised that it needs to be documented. Town Engineer McGoey asked what type of trees the plan was providing and Mr. Chase provided the Board with the details. The applicant provided photographs of the site reflecting the landscaping done after the last meeting.

Town Engineer McGoey asked about the trees which were removed near the premises and Mr. Billig advised that they have no idea what happened. His clients do not travel on that part of the

property. They do not own the same.

With respect to the car issue, Mr. Billig advised that he disagreed with the study that was done. There is no provision in the code regarding the number of cars on a lot and he felt that calculating an average from surrounding lots and going with that is unfair. They have had 220 cars on the site. They have agreed to reduce it to 147 which is on the site plan. They all fit. There is emergency access and the fire department has come and inspected the property. Mr. Billig feels it is dangerous for the Board to tell a business how to run their business. The applicant should be allowed to have the cars that are on the lot as long as they meet setbacks. This is an isolated site. He understood that the Town wanted his client to clean up the site. The applicant has spent a lot of money to make this site acceptable. This is a local person trying to make a living and is complying with the code. He urged the Board to follow what is on the site plan. He will never be allowed to store more cars than that number. Matthew Sush asked if there was anything in the code regarding cars being stored outside of the setbacks and Attorney Paula Kay advised there was no specificity regarding that. Mr. Billig advised that his client provided the Board with his sales. He needs inventory. He is running a business. Attorney Paula Kay advised Mr. Billig to clarify the applicant's business and Mr. Billig advised that it will be used for the sale, repair and towing of all motor vehicles together with an impoundment area. The ZBA permitted that use.

Town Engineer McGoey asked if this was a special use and Attorney Paula Kay advised it is. There is some specificity for motor vehicle stations with respect to access drives and that vehicles, etc., be located in buildings. A special use permit means the Board could bring the applicant back in a year to see how things are progressing on the property.

Mr. Billig advised that the dumpster enclosure details are now on the map.

Attorney Paula Kay advised that this is a matter before the Justice Court. The applicant is going to have to go back before the Court and finalize this matter and pay any fine that may be imposed.

The Board also advised that the shed be removed and planting be completed by the end of May 2017. The Board also made a condition that the applicant come before the Board in one year for review of the special use permit.

A motion for negative declaration motion under SEQRA was made by Michael Croissant and seconded by Melinda Meddaugh.

5 in favor; 0 opposed

A motion to approve the site plan/special use permit with the conditions noted above, subject to the applicant addressing the Town Engineer's comments, all subject to the Town Engineers review, was made by Michael Croissant and seconded by Melinda Meddaugh

5 in favor; 0 opposed

Due to the fact that this is a special use permit, the applicant will have to come back before the Board in one year to determine if a public hearing is necessary.

TRANS DIRECT SERVICE

15 Rock Hill Dr, Rock Hill, NY; S/B/L: 32.-2-38.2

The applicant did not appear and his attorney was unaware of his whereabouts.

VIZNITZ INSTITUTIONS, INC. (GIRL'S SCHOOL)

24 & 32 Gibber Rd, Monticello, NY – S/B/L: 9.-1-16

Joel Kohn

Mr. Kohn advised that the applicant has done a clean-up of the site. Mr. Kohn advised that this is an amendment for the addition of the existing school. They have the Town Engineer's comments and they have no problem with the same. They will all be addressed. With respect to the footing drain the Town Engineer is concerned with, they will address the same.

Matthew Sush asked about landscaping to replace removed trees. Mr. Kohn advised that they have added trees to the site plan.

A motion for negative declaration motion under SEQRA was made by Matthew Sush and seconded by Melinda Meddaugh.

5 in favor; 0 opposed

A motion for site plan approval, subject to replacing the removed trees and addressing the town Engineer's comments, subject to the Town Engineer's final review and approval, was made by Matthew Sush and seconded by Melinda Meddaugh

5 in favor; 0 opposed

CONGREGATION KHAL ADATH KRASNA

203 Anawana Lake Rd, Monticello, NY - S/B/L: 8.-1-41

Due to a typographical error, this application was erroneously added to this agenda.

LEISURE ACRES

Waverly Ave, Monticello, NY – S/B/L: 29-2-13, 22 & 23

Jay Zeiger, Esq. and Joel Kohn

Mr. Zeiger advised that the applicant is looking for a recommendation for a zoning change. They have an application pending with the ZBA. They want to build row houses. The definition of row houses is a series of three or more row houses. At the ZBA hearing last night, there was no public in attendance, but felt that the application would be denied by the ZBA. The applicant has decided that they will go with three-unit row houses.

Town Engineer McGoey advised that there were letters submitted in opposition to the project

which Mr. Zeiger confirmed.

Mr. Zeiger confirmed that the number of units will remain at 60. Matthew Sush asked if the units would be constructed smaller to accommodate that and Mr. Zeiger explained it would not. They do not have specific details as they were only before the ZBA last night. Mr. Zeiger showed a site plan of the existing site. There are three parcels. One parcel is in the SR zone. The other two parcels are in the RR-1 zone which has different requirements. The applicant wants to make the property consistent with the larger parcel to make a zone change to the SR zone. Mr. Zeiger feels that the Town Board is in agreement with this change. The Town is working with the applicant for extension of the water and sewer districts. Jim Carnell advised that the Town Board did recommend sending this zone change to the Board for their review. He was not sure if they referred it to the County Planning Department for review under GML §239. Melinda Meddaugh advised that she would feel more comfortable with seeing the entire review of this project before making a determination.

Attorney Paula Kay advised that the Town Board did not give any guidance when they referred this matter to this Board.

Joel Kohn advised that they are not planning on a density increase. They are not going to proceed with the ZBA variance.

Michael Croissant advised that he would like to see more information from the County Planning Department and revised maps with the layout would be helpful for the Board to make a thorough determination.


Attorney Paula Kay advised that the Town Board usually waits to proceed until they receive information from this Board which includes submitting the same for §239 review. This Board could ask for that to be done sooner, but the County Planning Department will want a new site plan to review.

Chairman Kiefer asked what would happen to the existing buildings and Mr. Zeiger advised the buildings will be torn down.

Chairman Kiefer advised that the Board wants to see an updated site plan and the County's review under GML §239. Mr. Zeiger advised that they will get the updated plan and go to the Town Board with the Board's concerns and see if they want to refer the same to the County Planning Department. Joel Kohn noted that this will delay the project considerably and wants a Board determination before the review under GML §239 is received. Attorney Paula Kay advised that showing a new map would be beneficial as well.

A motion to adjourn the meeting at 8:00 p.m. was made by Michael Croissant and seconded by Bobby Mapes
5 in favor; 0 opposed

Respectfully submitted,


Kathleen Brawley, Secretary
Town of Thompson Zoning Board of Appeals