

TOWN OF THOMPSON
PLANNING BOARD
Wednesday, March 8, 2017



APPROVED

IN ATTENDANCE: Chairman Kiefer
Matthew Sush
Jim Barnicle
Michael Hoyt, Alternate
Debbie Mitchell, Secretary
Richard McGoey, Consulting Engineer
Michael Croissant
Melinda Meddaugh
Arthur Knapp, Alternate
Paula Elaine Kay, Attorney

PUBLIC HEARING

LAKEVIEW ESTATE:

329 Anawana Lake Road, Monticello NY S/B/L: 8.-1-31.1
Joel Kohn

NOTICE OF SPECIAL MEETING

NOTICE IS HEREBY GIVEN that pursuant to the provisions of §250-55 of the Town Code of the Town of Thompson, public hearing will be held by the Planning Board of the Town of Thompson at the Town Hall, 4052 Route 42, Monticello, New York on March 8, 2017 at 7:00 p.m. to consider the application of LAKE VIEW ESTATES, for site plan approval for a proposed cluster development in accordance with §250-26 of the Town Code of the Town of Thompson.

The property is located in the SR Zone at 328 Anawana Lake Road, Monticello, NY S/B/L-8.-1-31.1

Satisfactory proof of mailing was provided to the Board.

Mr. Kohn – The project is at the intersection of Anawana Lake Road and Fraser Road. The project is a 51 ½ acre property with roughly 9 acres of wetlands and another 10 acres of wetland buffers. The project will consist of 60 units including a caretaker unit, 2 pools, community building, play area, volleyball and paddleball court. The property will be served by an outside water system, which will consist of 2 wells and a water distribution system. There was a sewer district extension that was approved by the town. The sewer will be part of the towns sewer system. The buffer between the road and the house is 161 feet from the property line. The house on the corner of Anawana Lake and Fraser road will be taken down.

Chairman Kiefer – Any questions from the board?

Melinda Meddaugh – Was the caretaker house relocated?

Mr. Kohn - It has been relocated, it is connected to the water building now.

PUBLIC COMMENT

Debbie Blackford, 128 Fraser Road – I live across the street from the new development. Our concern is about the wells. There are about 10 houses on Fraser road right now and they each have their own well system. There were sixty homes there and one well and now they drilled one more well. So, we decided to have our well tested but we have not gotten the report back yet. We were told that there was some fluctuation in our well.

Rich Blackford, 128 Fraser Road – We were supposed to get a report but we have not gotten one yet. We were told that the fluctuation was 1 to 2 feet. Richard McGoey – The town has not seen the Hydrogeologist report yet. Rich Blackford - The houses are not build yet, it's in the middle of the winter and it's not in the middle of the summer where we have a dry spell and our well was fluctuating. I don't want to have to re-drill my well just because they are putting in another 60 houses. A 1 to 2 feet fluctuation when only running two wells and no houses yet is a lot to me. Chairman Kiefer – How deep is your well now? Rich Blackford – I don't remember maybe 275 feet deep. Debbie Blackford – We were getting over 100 gallons per minutes. Jim Barnicle – Was that a verbal confirmation? Rich Blackford– Yes, while they were doing there testing I ask how things were going and they said ok. I asked if there was any fluctuation and they said yes 1 to 2 feet when they were running. Debbie Blackford – They were testing all hours of the night which we were thankful that they were watching very carefully. We are curious what the results are.

Mr. Kohn – The reports will be submitted to the town. Debbie Blackford – After it's been approved?
Mr. Kohn – No, within the next couple of days.

Chairman Kiefer – Will the reports be stamped and notarized?

Richard McGoey – Yes, they are performed by professionals.

Mr. Kohn – It's about 100 some page report.

Richard McGoey – Then the board should decide if we want our Hydrogeologist to read the results too.

Rich Blackford – The plan I saw showed the trash compactor close to the lake.

Mr. Kohn – It's a little over 100 feet from the lake.

Debbie Blackford– The blue house will be torn down? And what is the caretakers house your talked about?

Mr. Kohn – Yes, it will be torn down. There will be 60 unit homes which will include a caretaker house. There will be a caretaker there year-round and this house will be close to the entrance so they can see who is coming and going.

Debbie Blackford- Is there only 1 entrance?

Mr. Kohn – No, 2 entrances. One will be the primary entrance on the south side and the other one will be an emergency entrance and both will be on the Anawana Lake road.

A motion to close the public hearing was made by Michael Croissant and seconded by Melinda Meddaugh.

4 in favor; 0 opposed

PUBLIC HEARING CLOSED

Chairman Kiefer called the meeting to order at 7:10 p.m.

Amendments to meeting notes.

Chairman Kiefer – March 1 minutes. Entertainment Village – In regards to the lighting - The poles show as 2,500 feet high instead of 25 feet high.

Chairman Kiefer – Feb 22 minutes. RIFKA SOFER_Gibber Road - currently a single-family home and we want to build 2 family homes should say “convert to a 2-family home”.

Melinda Meddaugh – Feb 22 minutes. Concord Fairway- I asked “Are you going to send over the design so we can see the elevation and everything for the building”. They answered with a yes and their answer is not in the minutes.

The February 22, 2017 meeting minutes’ approval has been tabled to the next meeting on March 22, 2017.

Chairman Kiefer – We want to change the order of the meeting. MACHNE MIVTZER HATORAH Will be moved to the end of the meeting.

A motion to change the order of the meeting made by Jim Barnicle and seconded by Melinda Meddaugh
4 in favor, 0 opposed

JOHN CALVELLO

2 Calvello Lane, Rock Hill, NY S/B/L: 25.-1-6-2

Tim Gottlieb

Mr. Gottlieb – The last time we were here you referred us to the Zoning Board of Appeals. After a discussion with Mr. Carnell we revised the lot line for lot 2 to make it conforming so we wouldn’t have to go to the Zoning Board of Appeals. We revised the plans with a septic design and details on the driveway. Mr. McGoey had a couple of comments none of which were major.

Richard McGoey – Did you locate the water issue?

Mr. Gottlieb- Yes, the Surveyor is out there doing that.

Richard McGoey – Was the site plan stamp and sealed by the land surveyor?

Mr. Gottlieb – Yes.

Existing right of way to be relocated, shown on plan and reviewed by Town Attorney prior to stamped approval.

A motion for negative declaration motion under SEQRA was made by Michael Croissant and seconded Melinda Meddaugh
4 in favor; 0 opposed

A motion for subdivision approval was made by Melinda Meddaugh and seconded by Michael Croissant 4 in favor; 0 opposed

Hometown Distributors

15 Rock Hill Drive, Rock Hill, NY S/B/L: 32.-2-38-2

At the request of the applicant, who was not present, a motion to change the public hearing date to April 26, 2017 was made by Melinda Meddaugh and seconded by Michael Croissant 4 in favor; 0 opposed

NYSEG

21 Katrina Falls Rd, Rock Hill, NY S/B/L: 51.-2-41.2
Josh Silver – Murry Law firm on behave of NYSEG

Mr. Silver– This is an application for the installation of a 100-foot mono pole at NYSEG existing substation at 21 Katrina Falls Rd, Rock Hill, NY. The purpose of the mono pole is to help support NYSEG substation operations and help modernize it and help support its smart grid technology. The antenna will communicate with the current electrical poles and help pin point outages in the area. As of now NYSEG relies on the public to call in and tell us where the outages are. The tower will allow NYSEG to control its usage at the power station. This gives NYSEG headquarters control of the substation so they can see what's out and how to shift power for those people with solar panels on their houses. It also can incorporate renewable energy sources for when people want to start putting up more solar panels on to the houses. As more and more of those energy sources come on line it's a real problem because the load becomes unbalanced. All of a sudden, they have more energy when it's sunny out and it doesn't necessary coordinate with the time people are using the energy. With this technology, it helps the substation control the energy and shift it to where the power is needed otherwise it just get wasted. And very importantly this substation will help monitor the electricity at the new Casino. NYSEG is putting this technology all over NY state.

Chairman Kiefer – Are you with NYSEG or the company that wants to put up the pole?

Mr. Silver– NYSEG is putting up the pole. I'm the attorney for NYSEG.

Paula Kay– Based on your description of this being a smart tower, is this considered a telecommunication tower? We have a definition in our code of what a telecommunication tower is: §259-61, Any structure greater than 35 feet in height which is capable of receiving or transmitting signals for the purpose of communications.

Mr. Silver– It depends on how the board wants to proceed because the question is whether or not if this project is subject to your telecommunication law. If it is a telecommunication tower and it's for communication purpose, then it falls under your telecommunication law and if it's doesn't fall under the

law then it's considered public utilities purpose. From our prospective it doesn't affect me one way or another I think we satisfied the requirements whether or not we are under the tower law. The primary antenna is a WiMAX antenna and it is not PCS communication, (PCS is like cell phone) it's digital backhaul between utility towers and the substation. It then relays the digital info back to the NYSEG control. So, I would say it's not used for communications. There will be VHF antenna installed on the tower as well. Those VHF antenna's will help support NYSEG land mobile communication allowing their walkie talkies to work when no one else's stuff works. The reason why it's considered smart grids is because of the WiMAX but it does have a communitarian function as well. If the town want to proceed with it as a special permit under the town law that is fine with us.

Chairman Kiefer – Any suggestion Paula?

Paula Kay– I would like to defer to Richard McGoey on this since I haven't had to deal with this before, it's like a hybrid. The applicant say's it doesn't matter that it can comply with either.

Richard McGoey – I think this meets the definition of the telecommunication tower.

Mr. Silver- The only thing is that by going under the telecommunication tower law will do for me tonight is, it will allow the board to give me a date for a public hearing. This project was kicked around by the Zoning Board of Appeal and we had 2 public meetings and no one showed up at either of them.

Chairman Kiefer- During the work session there was a discussion of cleaning up the area there.

Mr. Silver - That came up initially and I communicated that to my client. If there is any sort of cleanup I will be happy to make that a condition before the building permit approval.

Jim Carnell –When you were before the Zoning Board of Appeals there was some additional work going on there, with some fencing and some polls that were removed and stored there. Were these wooden poles and other debris removed and cleaned up? Mr. Silver– I don't really know I haven't been down there in a while. Paula Kay– I think so Jim. Mr. Silver– We will work with the code enforcer to make sure the area looks the way you want it to look before we start any work.

Paula Kay - In regards to the public hearing and neighbors, I am aware that there is a neighbor who would like the opportunity to voice her opinion. She found out that after the second public hearing someone in her family got the notice and didn't tell her about it. She is a direct adjoiner. You did nothing wrong.

Michael Croissant – Will you be putting up another pole in Sullivan County any time soon, like on 17B?

Mr. Silver – I don't have another in the Town of Thompson as of this today. But that doesn't mean there isn't going to be.

Chairman Kiefer – Which day would you like for a public hearing?

Richard McGoey – Next available date?

Paula Kay– First meeting in April?

Mr. Silver– Isn't there another meeting in March?

Paula Kay– There is but I don't know if we have enough time to notify the public.

Mr. Silver– I believe it's 10 days before.

Richard McGoey – You will have to get the notice to Heather tomorrow.

Mr. Silver– I can get here tomorrow and set it up.

A motion for public meeting on March 22, 2017 was made by Melinda Meddaugh and seconded by Michael Croissant
4 in favor; 0 opposed

Richard McGoey – Do you have my comments?

Mr. Silver– I don't think we have officially yet. I'll get them to you tomorrow.

Richard McGoey – Chairman Kiefer didn't you see any via e-mail?

Chairman Kiefer – No, that was the water park.

WAL-MART

41 Anawana Lake Road, Monticello, NY S/B/L: 13.-1-34.1

Brandon Graff- Space Age Construction

Mr. Graff – I have containers coming in and would like to do a corral with my containers. I have dumpsters coming in and want to fence them in.

Richard McGoey – Jim did you have a question about access to the building? Jim Barnicle – Will all the construction traffic be coming through the delivery area? Mr. Graff – Yes, through the delivery area. We will be set up in the delivery area. Jim Barnicle – With all the variety of trucks that come to deliver, their path and turning radius is considered where your containers will be? Mr. Graff – Yes. We load and unload at the containers. Jim Barnicle – Will the average consumer know what's going on? Mr. Graff – No.

Michael Croissant – How long will it take to complete the construction? Mr. Graff – Our construction end on June 8, 2017. Michael Croissant – And when is the proposed start date? Mr. Graff – We will start to mobilize on Monday, March 13, 2017. And actual construction will start March 19, 2017.

Jim Carnell – We have done the review at the building department already and had no issues. This was the only thing that was outstanding because of the long history with the storage containers and the restrictions the planning board had put on then in the past. We thought it prudent to get them in front of the board. Jim Barnicle- What are the outstanding issue that were brought up? Richard McGoey – Storage on the other side of the building with the pallets and cardboard. And a storage trailer that's not supposed to be there. Mr. Graff – I have to get together with Wal-Mart and see if I can create a fenced in area.

Karen VanDunk – I work at Wal-Mart and would like to know which storage container your talking about is? (Karen was shown a picture.) That's actually the storage container that the recycle bottles are stored in.

Paula Kay– That trailer is it not approve by your site plan. If your intention is to leave it there then you will need to amend the site plan. To add it as a permanent trailer you need to have it screened or fence in appropriately. If its intention is to be seasonal then it needs to be seasonal. Karen VanDunk – I think

the intention is to leave it there since this is where we house all of our recyclables from our machines. They fill the trailer up and then take it away. Paula Kay– So I'm going to assume you didn't prepare the original site plan for Wal-Mart? Richard McGoey – No that was a separate action. We have a signed site plan on file. Paula Kay– We need somebody who prepared the site plan to come to the town and amend it.

Richard McGoey – Note it on the plan when your equipment will be removed from the site. Then when the chairman signs the maps we have it. So, pick a date. You said you have to be out of there by the 8th of June. Mr. Graff – I have to be out of there by June 8, 2017, yes. Richard McGoey – Does that include your equipment and containers? Mr. Graff – Everything has to be off site by the 8th because there grand opening is June 9th. And Wal-Mart doesn't want any of our stuff there. Paula Kay– Is the store closing during construction? Mr. Graff – No. Richard McGoey – So the note will say that you will have everything off the property by June 14th.

A motion for negative declaration motion under SEQRA was made by Melinda Meddaugh and seconded by Michael Croissant
4 in favor; 0 opposed

Richard McGoey –One additional thing about the fencing around the storage area which was from the previous approval, when do you want this done? Michael Croissant – Before the CO is done.
Chairman Kiefer – Make a condition to have to the fence done by June 14.

A motion for conditional site plan approval was made by Melinda Meddaugh and seconded by Michael Croissant
4 in favor; 0 opposed

ERP CONCORD II, L.P. Water Park & Resort Hotel @ Adelaar

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

Helen Mauch – Zarin & Steinmetz for ERP Concord

Robert Garcia – AKRF, Inc., Site Engineer Consultant

Douglas Isenstein - RLA Development

Ms. Mauch – We changed the name to The Kartwright. The water park has final conditional site plan approval. There were two minor changes. Slight shift to the driveway and slight shift of the hotel wing. No changes in the number of rooms or anything like that.

Mr. Garcia – The water park main entrance off of Chalet road which is the relocated Chalet road was on the south side is now shifted to the center allowing us to utilize the center of the parking facility. The hotel wing has been shifted to the east. Changes happened because of cost considerations. There was minor configuration to the stone water to reduce the number of trees to be cut. The owner had some

changes to be done on the outdoor waterpark and we haven't been able to do them so we have decided to remove it from the site plan and make it a future site plan condition.

Ms. Mauch – Will the board approve our minor changes and to substitute in the revised site plan? Paula Kay– We are amending the previously approved conditional final site plan.

A motion to make minor changes to the previously approved conditional final site plan was made by Michael Croissant and seconded by Melinda Meddaugh
4 in favor; 0 opposed

Richard McGoey – We have an action on the construction trailer site?

Paula Kay-Dick we need your office to get together with AKRF to determine the construction cost estimates. Mr. Isenstein – We will get that info to you as soon as possible. Now that we have our revisions made that effected our cost changes we will be ready to provide those numbers.

In regards to the construction trailers. I know you need addition information on how many trailers there will be, where they will be located and where the water tanks will be located and how they will be installed. Before submitting that to the board for the formal approval it makes the most sense for EBL to get you that additional information so we can get that for approval.

Michael Croissant– I have a question about the water park. The old international golf club house, is that part of the water park and will you be getting rid of it? Mr. Isenstein – It's not part of our site.

Ms. Mauch – I'm going to ask Paul. Do we have a plan for the demo of that site? Paul Roggeman – No, we have had the asbestos study done and we are reaching out for prices for the demolition.

CHALET ROAD PHASE 2 ROAD IMPROVEMENTS

Helen Mauch - Zarin & Steinmetz

Kristina Zolezi – Langan Engineering

Ms. Mauch – Chalet road improvement is the realignment of Chalet Road to the water park. It includes the infrastructure of the new roadway. Richard McGoey & the town's traffic consultant have made comments and I believe we have addressed most of them. I believe we are ready for final conditional site plan approval. Those few comments that need to be address are: obtaining outside agency approvals, the state DEC, the state DOH, and all of the financial conditions.

Chairman Kiefer – What is the realignment of that road? It is going to continue out to Kiamesha?

Ms. Zolezi – Yes. Richard McGoey – Our traffic consultant will be submitting some comments about the signage. There is nonstandard signage and the striping of the road.

Ms. Mauch – Board have any question?

No comments from the Board.

A motion for conditional site plan approval was made by Michael Croissant and seconded by Melinda Meddaugh
4 in favor; 0 opposed

Chairman Kiefer Motion for executive session.

At 7:40 pm a motion was made by Michael Croissant as follows: I would like to go into executive session for the reason of threats of legal action.

Chairman Kiefer – Who would you like to have attend the session?

Michael Croissant – All of the board members plus attorney Paula Kay and Engineer Richard McGoey.

A motion to go into executive session was made by Melinda Meddaugh and seconded by Michael Croissant
4 in favor; 0 opposed

At 7:53 a motion to come out of executive session was made by Michael Croissant and seconded by Melinda Meddaugh
4 in favor; 0 opposed

At 7:54 pm a motion was made by Michael Croissant and seconded by Melinda Meddaugh to re-open the meeting.
4 in favor; 0 opposed

MACHNE MIVTZER HATORAH

Hilltop Road, Monticello NY S/B/L: 41.-1-24.1

Joel Kohn, project representative

Jay Zeiger, Esq, Kalter Kaplan Zeiger & Forman

Ben Halberstam, applicant

Mr. Kohn – At the last board meeting there were comments that needed to be addressed and they have all been addressed. We also received the letter from Monticello Fire Department which was dated the same day as the last board meeting.

Mr. Zeiger – There were discussions about the lighting and the motion sensors. Richard McGoey – I have not seen the response and the plans yet because I was on vacation.

Paula Kay – I know the board has some concerns so let's address them. We also received a letter from a neighbor.

Michael Croissant – The lights are still an issue, and according to neighbors there is construction being done after 7pm.

Paula Kay– The board need to have an opportunity to look at your responses to Richard McGoey's comments. Do you want to address the neighbors comment? I know this not a public hearing but when we get a complaint from an ongoing project we have to address it and take it seriously. Mr. Zeiger – I haven't had time to read it. Paula Kay– The complaint is that there is construction going on at night, construction debris flying all over the place and then the light situation.

Mr. Halberstam – We have no construction going on. The caretaker's building is full of garbage and we are cleaning it out. We are taking the garbage and putting it into the dumpster and when the dumpster is full we then put it into the truck and then taken it to the dump.

Mr. Zeiger – So it not construction it's just garbage.

Mr. Halberstam – We have records of when we took it to the dump. Once it was out of the building it was taken to the dump and it's gone. Mr. Zeiger – Paula, the answer on the construction is, there is no construction going on they are just cleaning out the building. Michael Croissant – So it's feasible that when they take the garbage to the trailer then drive out the driveway that half the garbage can come out of the trailer and end up on the road. Is it a covered trailer? Mr. Halberstam – It's a covered trailer. I couldn't get into the dump if it wasn't. Chairman Kiefer – Do you have people working after 9:30 at night? Mr. Halberstam – They leave at 3:30/4:00 pm and the lights are off.

Mr. Zeiger – I know the lighting is sensitive. On a long term bases we were here two weeks ago, and the board made it clear that whatever lights during the off season except for the caretaker's house and except for motion sensors lights you didn't want any light left on. And we agreed to that. Chairman Kiefer – Have the motion lights been installed yet. Mr. Zeiger – No. Mr. Halberstam – The only lights on are in the back by the dormitory anything facing the road is off. Mr. Zeiger – In any event you made it clear the condition of the approval and we agreed to that. We haven't done work because we haven't been approved to do work and they are just going in to clean up a building. Michael Croissant – There is definitely lights on in the front building because I have seen them on several times after dark. It's one of the new buildings. It's one of the three on the hill. Maybe the first one. Mr. Halberstam – The first building is the building we are cleaning for the caretaker. Michael Croissant – Maybe someone is leaving the light on when they leave. Mr. Kohn – Is the light in the building or on the outside? Michael Croissant – Inside the building. Mr. Kohn – Maybe a switch gets left on! Michael Croissant – Well then someone is leaving it on all the time because I have seen in on quite often. Mr. Zeiger – You say yes, it's on and Mr. Halberstam says no. Michael Croissant – Have you been there at night? Mr. Zeiger – No. Mr. Halberstam – I will go check it out at night. Michael Croissant – This has been an ongoing issue since day one! Mr. Halberstam – The light on is in the building? Michael Croissant – Yes in the building.

Chairman Kiefer – We also have a problem with the size of the building. It was going to be a single story which was a smaller building and now it's 2 stories. Mr. Kohn – It has a dining room. Mr. Halberstam – The dining room will hold 182 people.

Michael Croissant - Back at the first meeting we asked you put everything you wanted on the plans before you got the approval. We asked if you want something bigger, moved or different and your

response was that this camp is perfect we don't want anything bigger. And we will be better neighbors and frankly you have not been good neighbors at all.

Jim Barnicle – The issues have been the lights, and traffic with buses coming in and out all day long. Obviously, these are things we have been talking about at previous meetings. I don't think we are ready to act yet. Unless these things can be corrected before the next meeting.

Paula Kay– Our concern is that we have discussed the same issues with your clients over and over and the lighting is the top issue. Although this has been discussed for months nothing has changed.

Chairman Kiefer – You can't say the weather has been a hold up. It's been a mild winter and the lighting could have been done. Paula Kay– What we are looking at is a site plan that was approved is not exactly in compliance with what's on the ground. The board would be more comfortable considering the

application if there were some changes to the location prior to asking them to act on it and specifically what they are looking for are to get the lights addressed. The lights to be changed over to motion lights.

Jim Barnicle – Have the light's done now not later. Mr. Zeiger – I've heard the lighting and I'm not going to say it hasn't been an issue. If you asked me about changing over to the motion sensors I would have never said to go ahead and do it because it was part of the site plan that you're asking for approval on.

Keeping the lights on should have never happened and Ben is saying that they are not on. But if you want to change over to the motion sensors I don't know. Ben, can you, do it? Mr. Halberstam - We can do it with a conditional approval? Paula Kay – No, what I think Jim is saying is in order for us to consider conditional approval we need to see something on your end done. Mr. Zeiger – You tell us what you want us to do. We started the meeting with them being accused of doing work at the site without approval and Ben says they are not they are just doing clean up. Do we have approval from the board to do the lighting? Richard McGoey – You have a site plan showing lights that were supposed to be shielded lights and they installed the lights they wanted and those lights have continued to remain there. They did change some but didn't' change them all. They do have approval to put in the lights. Mr. Zeiger – Do you want the motions now or not. Paula Kay– Yes, do the motion lights now. Jim Barnicle – I believe we both agreed on doing the motion lights at the last meeting. Mr. Zeiger - if I was asked to do the motion lights after the last meeting I would have said no. Let's wait for the approval first. But if the request is made now is there any reason why you can't do the light now Ben? Mr. Halberstam –We have a decision to make if we should do motion lights or close out the lights. I don't have a problem with closing out the lights. We are talking about 4 lights in the on the back building. I don't understand how a light left on inside a building is a problem. The light is not disturbing anyone since if you drive down Hilltop everyone has lights on in their bedrooms. I don't know if there is a curfew that at 7:00 pm everyone must close out their lights and turn on their candles. So, we have an issue with lights that are not seen from the road. It's impossible for me to change the lights to motion sensor lights. This is a big job. I will close out the lights at night during off hours. It's just not feasible for me to change over to motion lights now. I will do it if I get a conditional approval. If you want, I'll close out all the lights now and hope for the best but to put in motion sensors is not an option. If you want the lights off we will turn them off during off hours, end of discussion.

Mr. Halberstam - We can do it with a conditional approval? Paula Kay – No, what I think Jim is saying is in order for us to consider conditional approval we need to see something on your end done. Mr. Zeiger – You tell us what you want us to do. We started the meeting with them being accused of doing work at the site without approval and Ben says they are not they are just doing clean up. Do we have approval from the board to do the lighting? Richard McGoey – You have a site plan showing lights that were supposed to be shielded lights and they installed the lights they wanted and those lights have continued to remain there. They did change some but didn't' change them all. They do have approval to put in the lights. Mr. Zeiger – Do you want the motions now or not. Paula Kay– Yes, do the motion lights now. Jim Barnicle – I believe we both agreed on doing the motion lights at the last meeting. Mr. Zeiger - if I was asked to do the motion lights after the last meeting I would have said no. Let's wait for the approval first. But if the request is made now is there any reason why you can't do the light now Ben? Mr. Halberstam –We have a decision to make if we should do motion lights or close out the lights. I don't have a problem with closing out the lights. We are talking about 4 lights in the on the back building. I don't understand how a light left on inside a building is a problem. The light is not disturbing anyone since if you drive down Hilltop everyone has lights on in their bedrooms. I don't know if there is a curfew that at 7:00 pm everyone must close out their lights and turn on their candles. So, we have an issue with lights that are not seen from the road. It's impossible for me to change the lights to motion sensor lights. This is a big job. I will close out the lights at night during off hours. It's just not feasible for me to change over to motion lights now. I will do it if I get a conditional approval. If you want, I'll close out all the lights now and hope for the best but to put in motion sensors is not an option. If you want the lights off we will turn them off during off hours, end of discussion.

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Chairman Kiefer - And the shields. Mr. Halberstam – I will put on the shields and seal it. Paula Kay– You will do that now? Mr. Halberstam – I will do that before I start the building permit. Chairman Kiefer – We want it done before we give you any kind of approval. Mr. Halberstam – I will do it right away with a conditional approval. Paula Kay– No that's not what they are saying. They want it done before we give

any kind of approval. Jim Barnicle – That's a prerequisite before the approval. We have been promised this before so that is why we want it all done before any approval. Mr. Zeiger – You need the shielding done and what else do you want done before we come back. Chairman Kiefer – We want what was agreed upon originally. Mr. Zeiger – I might have missed something Joel, do you have a list of what was agreed upon? Chairman Kiefer - There was supposed to be a side walk between the building and the tennis courts. Then we decided to do shrubbery instead. We want to see the shrubbery.

Mr. Zeiger – We originally had a sidewalk and then we proposed to do the shrubbery but I don't know where we left off on this. Mr. Kohn- We decided to not do the sidewalk and do shrubbery. Chairman Kiefer – We agreed you would do a full shrubbery. This is the problem with this project, continuously you have said: we are going to do it, give us a conditional and we will do it and it never gets done. We were told the lights would be turned off and this was months and months and the lights are still on.

Mr. Zeiger – I don't disagree. Mr. Kohn – Do you want to do shrubbery done now? Chairman Kiefer – There is no reason why you can't do it now. There is no frost in the ground.

Paula Kay– Everything that was approved on the original site plan needs to be in compliance with the original site plan. Mr. Zeiger- Except with this shrubbery question. The amendment to the site plan was to change it. We are not going to put in a sidewalk and then take it out for shrubbery. Chairman Kiefer – We agreed to go with the shrubbery instead of the sidewalk. Mr. Zeiger- What other issues were there Joel? Mr. Kohn – The original compactor was to be changed I don't think we should install the compactor now and then relocate it somewhere else. Paula Kay– Jim is there anything else your department needs? Jim Carnell – No.

Mr. Zeiger – The next time we come here all lights will be shielded. Michael Croissant – And any debris on your property is gone? Mr. Zeiger – Anything else? Paul – Just that the lighting needs to be taken care of. Mr. Zeiger – I've heard it at every meeting. Mr. Halberstam – If I come back in two weeks and have the shrubbery and the lights done will there be a new set of issues? I just want to know if when we come back in 2 weeks and all the things are done will you consider approval? Paula Kay– What I said was we would consider approval, but these issues have to be addressed first. We have to address what was wrong with the first site plan before they can consider an approval on this one.

Mr. Zeiger – Lights shielded, shrubbery between the buildings and removal of debris.

Paula Kay– Also make sure no one is doing work there except for these items.

Chairman Kiefer – I still have a problem with the size of this building. It's 9600 square feet and two stories. Originally it was a 1 story building. Mr. Kohn -Originally it was two separate buildings one for the lunch room and one for the class room. Now it's combined and Yes, it is bigger. It will house 182 people. Paula Kay– Joel we can put a note on the plan about the max amount of people?

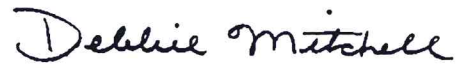
Mr. Kohn – Yes, and down stairs is 5 or 6 classrooms.

Paula Kay– Lets address the lights and make the neighbors happy.

A motion to adjourn the meeting at 8:21 p.m. was made by Jim Barnicle and seconded by Melinda Meddaugh

4 In favor; 0 opposed

Respectfully submitted,

A handwritten signature in cursive script that reads "Debbie Mitchell". The signature is written in black ink and is positioned below the typed name.

Debbie Mitchell
Secretary
Town of Thompson Planning Board