

TOWN OF THOMPSON
PLANNING BOARD
Wednesday, April 26, 2017



APPROVED

PRESENT: Chairman Lou Kiefer, Melinda Meddaugh, Matthew Sush, Michael Croissant, Jim Barnicle, Arthur Knapp, Alternate, Michael Hoyt, Alternate, Attorney Paula Kay, Town Engineer Richard McGoey and Building and Zoning Manager James Carnell

PUBLIC HEARING

APPLICATION OF CAMP ARUGATH HABOSEM - SITE PLAN APPROVAL

203 Whittaker Rd, Monticello, NY; SBL: 3.-1-8

Joel Kohn

Chairman Kiefer read the Public Notice. Satisfactory proof of mailing was provided to the Board.

Mr. Kohn advised that the applicant is an existing boys camp. They are proposing to add a shul to the building. They were also previously approved for two duplexes and want to add the shul. The property is serviced by private water and sewer.

The Board had no questions.

PUBLIC COMMENT:

Eileen Schaefer, neighbor – Ms. Schaefer wanted to know if the Camp was planning on expanding and whether it was part of the Camp or a Planned Unit Development. Mr. Kohn advised that this is for the Camp and the shul is for the Camp. Ms. Schaefer asked if a shul was already on the property and Mr. Kohn advised that there is already one and they want to construct another. Mr. Kohn showed Ms. Schaefer the site plan and the total acreage owned by the applicant. Mr. Kohn confirmed that they are not planning a development. Mrs. Schaefer noted that a 3,000 square foot building seems large for the size of the camp. Mr. Kohn advised that there approximately 360 kids who attend.

Mr. Kohn further advised that the existing fencing will be repaired and repainted.

Town Engineer McGoey asked if the shul would be used for other reasons and Mr. Kohn advised it will be used as a shul and as classrooms. Attorney Paula Kay asked Mr. Kohn to confirm that it was to be used for camp residents only and Mr. Kohn confirmed it would only be used for campers.

Town Engineer McGoey asked how many stories and Mr. Kohn advised one story with a basement.

Mrs. Schaefer still questioned the size of the shul. The Board discussed the dimensions of the shul in comparison to the conference room. Mrs. Schaefer asked when construction would be commenced and Mr. Kohn advised if it is approved soon, before the summer. If it is too late, they will construct the same after the summer. Mrs. Schaefer notes that there is a shul on Barnes Road which has the lights on all the time and she asked if the same would be for this shul. Mr. Kohn

APPROVED

advised that the Town Engineer has insisted that different lighting be used and he confirmed that this will not be the case at this site. Michael Croissant asked if all of the lighting is compliant and Town Engineer McGoey advised he was not sure. Perhaps some of it is not.

Mrs. Schaefer also noted that loud speakers are used by the camp. Neighbors call the police on the camp every summer. She has lived there for 20 years and it would be nice if it could be addressed. They do contact the camp and let them know when it is loud. Attorney Paula Kay also recommended that they contact the Town of Thompson Code Enforcement when they have this issue, as there is a noise ordinance.

A motion to close the public hearing was made by Michael Croissant and seconded by Jim Barnicle 5 in favor; 0 opposed

Chairman Kiefer called the meeting to order at 7:00 p.m.

A motion to table the approval of the April 12, 2017 meeting minutes was made by Matthew Sush and seconded by Melinda Meddaugh 5 in favor; 0 opposed

CAMP ARUGATH HABOSEM

203 Whittaker Rd, Monticello, NY; SBL: 3.-1-8
Joel Kohn

Attorney Paula Kay reminded the Board that they agreed to place this application on the regular meeting if there were no public comments at the public hearing. Obviously, there were comments made tonight.

Mr. Kohn advised that he has addressed the Town Engineer's comments and presented a revised site plan to the Town Engineer tonight. With respect to landscaping, Mr. Kohn believes there is sufficient landscaping. The building will be located way in the back of the lot and covered by trees. Mr. Kohn showed the Board an October 9, 2016 photograph of the premises.

Jim Barnicle asked if pole lighting would be used by the shul and Mr. Kohn advised it would not be used. Mr. Barnicle noted that the existing trees should block any lighting.

Michael Croissant wants to see an updated photograph with the trees cut. Mr. Kohn advised that the trees were cut prior to October 2016 when the photo he showed the Board was taken.

Attorney Paula Kay asked about the plan with the fence. Mr. Kohn advised repairs would be done and it would be repainted. The note on the plan states that it would be repainted. Mr. Kohn advised that they will add "repaired" to the note on the plan. Chairman Kiefer asked that they paint the entire fence and Mr. Kohn advised that it would be.

Melinda Meddaugh advised that the site plan is not consistent. Some areas state that Building 48 is the shul, but it should state that the shul is on first floor and classrooms are in the basement.

that a public hearing should be done because of the cross walk and change of the flow of people crossing the State highway. Discussion was had as to perhaps wait until after the Department of Transportation either approves or denies the request, but Attorney Paula Kay felt that this was not the best scenario. Attorney Paula Kay noted that a public hearing for this matter is discretionary. After further discussion, Attorney Paula Kay advised that the Board would not act on this matter if the cross walk issue is not resolved. Rabbi Schwartz advised that there is a crosswalk further up the road. Rabbi Schwartz felt that a public hearing would cause further issues. Jim Barnicle asked if there is a sideway to and from the store. Rabbi Schwartz advised that there is an existing walkway. The Board discussed that a cross walk does give pedestrians some protection, as cars are supposed to stop for pedestrians. Rabbi Schwartz feels that it would be an unfair delay. The Board discussed that since the State makes the ultimate determination of whether the cross walk can be installed, the Board really has no say about the cross walk one way or another.

Rabbi Schwartz advised that they are planning on extensively cleaning up the property within the next few days.

A motion for a Negative Declaration under SEQRA was made by Michael Croissant and seconded by Melinda Meddaugh
5 in favor; 0 opposed

A motion for site plan approval was made by Michael Croissant and Melinda Meddaugh upon the following conditions; cleanup of the site and removal of the light and the tree within thirty days from today's date
5 in favor; 0 opposed

ICHUD FOUNDATION, INC. (MIKVAH & ACTIVITY CENTER)

240 Forestburgh Rd, Monticello, NY; SBL: 28.-1-22

Tim Gottlieb, P.E. and Rabbi Schwartz

Rabbi Schwartz explained that the activity center will be for younger children to play, arts and crafts, etc. They need to have a safe place for children.

The applicant has addressed the Town Engineer's comments and presented a revised site plan to the Board for its review. Mr. Gottlieb addressed the comment concerning the manhole, septic tank and activity building. They have all been field located and are on the plan. They have shown the specifications of the septic system on the plan. Water and sewer lines are shown on the plan for the proposed activity center and the existing lines for the mikvah. Town Engineer McGoey showed the applicant an issue with an existing sewer line and tank which need to be relocated. Mr. Gottlieb advised that they are not interfering on the revised site plan. Mr. Gottlieb advised that a note has been added on the plan that the activity center will be one story. Lighting, sidewalks and entries have been shown on the plan. They can install a new shielded light or replace the light which the Town Engineer has an issue with. Rabbi Schwartz advised that they will replace them with new shielded lights. Mr. Gottlieb advised he will change the note on the plan to reflect the same.

Jim Barnicle asked what the total population of the property is. Rabbi Schwartz believes 1,500 total. Melinda Meddaugh asked if the fences would be repaired and the buildings be repainted. Michael Croissant suggested they continue the split rail fence from the store to make it consistent. Discussion was had concerning the fence and the location and length. Rabbi Schwartz noted that the fence needs to be safe to keep children out of danger. Mr. Gottlieb advised that they will have a detail on the fence in the site plan. It will be a split rail fence with mesh to keep refuse from blowing and children from going out into the road. The fence will go from the grocery store to the dining room. Rabbi Schwartz discussed that there is presently no fencing in front of the shul or the parking areas. They will replace the existing fencing with the split rail fencing with the specifications noted above as soon as possible. They will install additional fencing from the dining room all the way down to the end of the premises in a second stage.

Attorney Paula Kay noted that since they are an outside user, the applicant should check with the Village about the new improvements and rates, etc.

The painting of the units was discussed as well as the color of the same. They are presently white with red trim.

A motion for a Negative Declaration under SEQRA was made by Michael Croissant and seconded by Jim Barnicle
5 in favor; 0 opposed

A motion for approval of the revisions to the existing site plan was made by Matthew Sush and seconded by Michael Croissant upon the following conditions: garbage removal from the entire site, installation of the first phase of fencing (from store to dining hall) and the second phase of fencing (dining hall to end of site) and the installation of shielded lights. The first phase of fencing must be done before opening (6/29/17) and the second phase of fencing must be done before opening day 2018.

TRANS DIRECT SERVICE, INC.

15 Rock Hill Dr, Rock Hill, NY; SBL: 32.-2-38.2

A motion to schedule the public hearing for May 24, 2017 was made by Melinda Meddaugh and seconded by Michael Croissant
5 in favor; 0 opposed

A motion to close the meeting was made by Michael Croissant and seconded by Jim Barnicle
5 in favor; 0 opposed

Respectfully submitted,

Kathleen Lara
Acting Secretary

The applicant has addressed the Town Engineer's comments and provided an amended site plan.

Town Engineer McGoey asked if the applicant proposed to close in the storage units and Mr. Gottlieb advised they could. Chairman Kiefer suggested installing a door. Attorney Paula Kay advised that the storage unit has to be totally enclosed. Chairman Kiefer asked about the pallet fence. Mr. Gottlieb advised they will construct a chain link fence. Rabbi Schwartz advised that they get so many pallets, they needed a place to store them. They are picked up on a regular basis. Town Engineer McGoey asked if the area proposed was large enough and Mr. Gottlieb confirmed it was. Matthew Sush asked why there were two storage units for pallets and Rabbi Schwartz advised it was because they are different types of pallets. Melinda Meddaugh asked that a note that the pallets and crates all be stored in the designated areas only and nowhere else on the property. They are presently stored on the loading dock.

Melinda Meddaugh asked why the cooler is not attached to the building. The applicant advised that there is a concrete pad between the cooler and the building for safety reasons. Arthur Knapp asked if it was a walkway and Rabbi Schwartz confirmed it was. Mr. Knapp asked if the refrigeration pipes were elevated and Rabbi Schwartz confirmed they are. The applicant is asking that the site plan be amended to leave it unattached. It would be an expensive repair. The siding of the cooler is galvanized and special siding. Chairman Kiefer noted that the problem is that it was approved as an attached cooler and not detached. Rabbi Schwartz noted that it was for safety purposes and they will clean up and make the area nice.

Mr. Gottlieb advised that the applicant will remove the light in the tree.

With respect to landscaping, the applicant wants to install a split rail fence instead of the existing wire fencing. Any landscaping would have to be approved by the Department of Transportation. Melinda Meddaugh noted that there is sufficient space for landscaping and they can install low shrubs. This is the entrance to the Town of Thompson and it should be nice. Matthew Sush asked if the tree with the light it going to be removed or just the light. If the tree was removed, there would be more room for landscaping. Chairman Kiefer noted that the tree looked dead, in any event. Town Engineer McGoey showed the applicant and the Board a photograph of the tree and Mr. Gottlieb confirmed that the tree should be removed. Matthew Sush noted that landscaping could be done there and the applicant agreed. Types of trees were discussed.

Mr. Gottlieb advised that with respect to a crosswalk on Route 42, the Department of Transportation advised that if the Town was amenable and would consent, they would permit it. Town Engineer McGoey noted that there are a number of people who cross the road there daily. Jim Barnicle also felt that they may be able to use the school and reduced speed in that area to accommodate the number of pedestrians. The Board felt that this is a good precaution. Town Engineer McGoey advised that the State can approve the crosswalk, but the applicant has to install the same.

The Board discussed whether or not a public hearing would be necessary for this application. Although the zoning board public hearing was well attended, it was for an expansion. There is no substantial change to this site plan and a public hearing may not be necessary. Jim Barnicle felt

advised that there is a note on the site plan saying it will be addressed but Chairman Kiefer noted that the Board wants it done as soon as possible.

Town Engineer McGoey advised that the Town is looking for more information on the pump station.

Mr. Kohn advised that the landscaping plan has been revised. The interior areas will be preserved as much as they can and it is shown on the plan. It will be impossible for them to keep more trees behind the homes between the road due to the construction. There is only 25' between the road and the homes. They have also added more landscaping throughout the site. Matthew Sush asked if there would be a buffer between the adjoining properties and Mr. Kohn advised there would be some left. Matthew Sush asked if there was room to plant a hedgerow of trees along the property line and Mr. Kohn advised that they can add more landscaping there.

Mr. Kohn advised that the caretakers house has been moved back on the plan.

Matthew Sush advised that the wrong symbol was used for the handicap parking on the site plan and Mr. Kohn thanked Mr. Sush and advised that it has already been corrected.

Matthew Sush asked about the signage or shrubs at the entrance and Mr. Kohn advised they would have a similar entrance to Forest Park across the street. Attorney Paula Kay advised that this needs to be shown on the site plan. Mr. Kohn advised that all of the homes will have basements, so storage sheds will not be necessary. They are willing to add a note to the plan stating that. Every unit will be shown as 5 bedrooms, three upstairs and two in the basement pursuant to the Town's request. Septic will be sufficient to service this number of bedrooms. Michael Hoyt asked if part of the foundation will be exposed and Mr. Kohn confirmed it would. Town Engineer McGoey noted that these bedrooms will be up to code and would have appropriate ingress and egress. Mr. Hoyt asked if they would cover the foundation as they did in the development across the street and after discussion, the Board felt that no more than 30" of the foundation should remain exposed after the buildings are sided.

Mr. Kohn asked if the Board would consider acting as Lead Agency. After discussion, it was determined that it was appropriate.

A motion to declare the Board Lead Agency was made by Melinda Meddaugh and seconded by Michael Croissant
5 in favor; 0 opposed

ICHUD FOUNDATION, INC. (GROCERY)

3711 State Route 42, Monticello, NY; SBL: 28.-1-27.2
Tim Gottlieb, P.E. and Rabbi Schwartz

Rabbi Schwartz advised that they have started cleaning up the property. Chairman Kiefer asked about the garbage on the site and wondered why the applicant had not addressed it sooner. It appears that a roll off is appropriate.

A motion to grant the applicant a Special Use Permit was made by Melinda Meddaugh and seconded by Matthew Sush
5 in favor; 0 opposed

A motion for site plan approval was made by Melinda Meddaugh and seconded by Matthew Sush upon the following conditions: subject to the applicant remedying the encroachment and having the same inspected and approved by the Town of Thompson Building Department or Town Engineer within thirty days from today's date. If the encroachment is not addressed, the applicant must come back before the Planning Board.
5 in favor; 0 opposed

LANDS OF FULOP

Fraser Rd, Monticello, NY; SBL: 8.-1-24
Joel Kohn

Mr. Kohn advised that the applicant is proposing a three-lot subdivision. The minimum lot size for that zone is one acre and each lot will be slightly more than one acre. Chairman Kiefer asked if the lots are large enough and Town Engineer McGoey confirmed that they are. Mr. Kohn presented a revised plan to the Board. All improvements including wells are shown including 100' radius from each well. Mr. Kohn advised that he has addressed the Town Engineer's comments. Mr. Kohn advised that the driveway is going to be on Fraser Road and there will be no entrances or exits off of Old Liberty Road. Mr. Kohn advised that they have located the wells on the neighboring property. The owner has no objection to the 25' offer of dedication as requested by the Town.

Town Engineer McGoey asked if the Board wanted to consider asking the applicant to move the proposed homes back further. The Board felt that there was plenty of room. Matthew Sush asked what the average setback is on Fraser Road, since most seem to be closer to the road. Chairman Kiefer noted that the plan shows that the buildings are 50' from the road currently. Mr. Kohn advised that they want to avoid certain areas on the lot and Chairman Kiefer noted there was still plenty of room. Michael Croissant asked what type of homes are going to be built and Mr. Kohn advised that he was not sure. Melinda Meddaugh asked that the applicant preserve existing trees on the site. Jim Barnicle asked if three driveways would go off on to Fraser Road and Mr. Kohn confirmed the same. Matthew Sush asked if the driveways would be sufficient and Town Engineer McGoey advised that they are up to code (two cars per driveway).

LAKEVIEW ESTATES

329 Anawana Lake Rd, Monticello, NY; SBL: 8.-1-31.1
Joel Kohn

Mr. Kohn advised that the engineer for the applicant is working on finalizing the plans. They are presently working on addressing the Town Engineer's comments, which are numerous. Chairman Kiefer noted that the existing house on the property needs to be cleaned up immediately. Mr. Kohn

Attorney Paula Kay advised that a public address system is permitted by code, with limitations and she read §170-1(b)(7) of the Code:

“The use of an amplifying or public-address system shall be limited to brief announcements and messages for residents of the property upon which such system is located. The use of an amplifying or public-address system for such purpose shall be limited to the hours of 9:00 a.m. to 7:00 p.m. The use of such amplifying system to reproduce any radio or television program, or for the playing of any music from any source whatsoever, is hereby prohibited.”

Jim Barnicle asked how the limited use of the loudspeaker would be communicated to the residents of the camp. Mr. Kohn advised that he will discuss it with the camp director.

Matthew Sush asked about the construction of the duplexes that has not happened yet and whether they would do the construction all at the same time. Mr. Kohn advised that they would be constructed simultaneously and most likely, due to time constraints, after the summer.

RIFKA SOFER

18 Gibber Rd, Kiamesha Lake, NY; SBL: 9.-1-18.3

Joel Kohn

Mr. Kohn reminded the Board that there was a public hearing on this matter where no public appeared. Chairman Kiefer noted the encroachment on the property. Mr. Kohn advised that the encroachment has always been there. Mr. Kohn advised it was blacktop. The Board felt that this was an easy remedy. Melinda Meddaugh advised Mr. Kohn that they could not approve it until the encroachment was removed. Mr. Kohn wanted conditional approval. Melinda Meddaugh suggested a time frame. Attorney Paula Kay advised that the Board does not want the approval hanging out there for an unlimited period of time. There has to be a specific time frame to act on these conditions. Mr. Kohn was amenable to making the approval subject to a time frame. Jim Carnell asked if Mr. Kohn’s client owned the property and Mr. Kohn confirmed they did. Jim Carnell noted that it would make it easier to remedy the encroachment if his client still owned the parcel.

The Board discussed possible time frames to repair the encroachment. After discussion, the Board agreed that thirty days was sufficient.

Jim Carnell advised Mr. Kohn that they would not approve the building permit if the encroachment is not addressed.

A motion for a negative declaration under SEQRA was made by Matthew Sush and seconded by Michael Croissant
5 in favor; 0 opposed