

APPROVED

TOWN OF THOMPSON
PLANNING BOARD
Wednesday, June 28, 2017



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

PUBLIC HEARING

TRANS DIRECT SERVICES:

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

NOTICE OF PUBLIC HEARING

Chairman Kiefer read the public notice: NOTICE IS HEREBY GIVEN that pursuant to the provisions of §250-55 and §250-60 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, NY on June 28, 2017 at 7:00 pm to consider the application of Trans Direct Services, Inc. for site plan review and special use permit for the purpose of dairy product distribution, including office, storage and truck repair in existing garage and 4 -5 trailers in accordance with the §250-11 of the Town Code of the Town of Thompson.

The property is located in the HC-2 Zone at 15 Rock Hill Drive, Rock Hill, NY S/B/L: 32.-2-38.2

Glen Smith, P.E.
Michael Davidoff
Andrew Wohl

Satisfactory proof of mailing was provided to the Board.

Mr. Smith – This is a 1.4-acre parcel on Rock Hill Drive. This is in a highway commercial zone. This is a dairy business. Around two or three in the morning a loaded tractor trailer comes in and parks and then takes an unloaded trailer out. Early in the morning four or five trucks come to the site and load up their trucks and then goes out for delivery. They are close on Wednesdays. There is a small office in the shop where the secretary/accountant works. The issue has been parking on the road. The new plan is to get the trucks off the road. We will build a larger gravel driveway. There is a house with tenants. There is parking for employees and visitors. There are four box trailers on the property now. One is full with office furniture and kitchen equipment. Not for business use but just for personal use. There seems to be some confusion with customer parking. There is no customers parking, it is just for employees. Paula Kay - How many employees? Mr. Smith - Four or five. Paula Kay – Does that include Mr. Wohl? Mr.

Smith – With Mr. Wohl and the secretary/accountant that would make about seven. Matthew Sush - Where do the renters park? Mr. Smith – In front of their house. Mr. Smith – Are the trailers allowed for storage in the back? Chairman Kiefer – No they are not. Mr. Smith - Mr. Wohl does have property across the road and was thinking of clearing the lot and using that for parking. Richard McGoey – We can talk about this later.

Mr. Davidoff – There are several employees that were not employed in Sullivan County before this business opened up and now they have jobs. There are a number of tractor trailer trucks from other business in this location as well. Andrew hopes to be able to continue his business. This business is in a commercial area and if we need to change a few things to make this work, we will do so. Paula Kay- But we have a residential home there with tenants. Not sure if we can have a mixed use there. Mr. Davidoff – Yes, but this is zoned commercial.

Richard McGoey– We also have junk cars and trucks. Mr. Davidoff- I’m sure we can resolve anything that we need to do. Don’t want to see a business put to a halt because of a few junk trucks. Paula Kay - This was started backward. Business was started first and then they were here with issues and the business was fined and then you can in. Chairman Kiefer – You have been in business for a while no! Mr. Wohl – No only a few months. Mr. Davidoff – Andrew thought he could operate a business there because there was one there before. He only started this business in August. The point is he’s here when he needed to get site plan approval, he filed the site plan approval, and hired Glen Smith.

Chairman Kiefer- Is the plans to clear a lot of the land? Mr. Smith- Yes, in order to get the tractor trailers parked there. Chairman Kiefer – I don’t see enough room there for the two trailers on the current property. Richard McGoey – Maybe once you get rid of the illegal storage trailers there you might have enough room. The site plan does not meet with the business that they have proposed there. Mr. Davidoff – Why not? Richard McGoey – Because there is just not enough room. The trailers on the site plan are not to scale. Some of the trailers that come in are larger than proposed on the map. There is just not enough room there and that is why they keep parking the trailers on the road.

PUBLIC COMMENT

Chet Smith, neighbor– They do most of their work on the street. They say they didn’t operate on the street but they do. They had trucks in the street today, loading and unloading on the street. There is more than one trailing at a time. Today is the first time they put a trailer in the driveway.

Danial Parliament Jr– I currently work for Andrew and I’m very happy and grateful for this job. Before this job I was unemployed.

Sam Smith – I too work for Andrew and is very glad to have a job. I was out of work for one year prior to being hired.

Maureen Porter – I too work for Andrew and I’m very pleased.

Michael Hoyt- What was the other business before? Mr. Wohl – I sold the building to the Gibber family in 2015 but I always parked my ice cream trucks there. I repaired coolers and frigid. I was always under the assumption that when the site plan review was done for the larger property it would include the smaller buildings too. I've always stored my ice cream trucks there. After I sold the distribution business I rented out the house to the tenants. Michael Hoyt – You referred to Ed Olmstead. What did he do there? Mr. Wohl – He ran a repair shop, worked on mufflers, breaks, and small engine repairs. Chet Smith – I didn't realize he had a business out of there.

PUBLIC COMMENT CLOSED

Motion to close this public hearing was made by Jim Barnicle and seconded by Matthew Sush
3 in favor; 0 opposed

Chairman Kiefer called the meeting to order at 7:19 p.m.

Chairman Kiefer - Appointed Arthur Knapp and Michael Hoyt to fill in for Melinda Meddaugh and Michael Croissant.

A motion to approve the June 14, 2017 minutes was made by Matthew Sush and seconded by Arthur Knapp
5 in favor, 0 opposed

EMPIRE RESORTS REAL ESTATE I LLC (GOLF COURSE)

Joyland Road, Monticello, NY S/B/L: 23.-2-3

Paula Kay - George Duke can't be here, he said we can give him a call.

Paula Kay calls Mr. Duke on the phone.

Richard McGoey – We need to know about the waterline extension that is going across the golf course that serves the Daycare center.

Mr. Duke – I don't have an answer for this. I have to talk to Keith.

Paula Kay – Does the Daycare center have to be open up at the same time as the Casino?

Mr. Duke – It dose.

Paula Kay - Do you think you can get us an answer by next week on the waterline?

Mr. Duke – Yes.

Mr. Duke - Request an extension for the site plan to renew it to the begin of 2018. They are all focusing on the opening of the Casino. First quote of 2018 is when they will be focusing on the start of the golf course.

A motion for a 6-month extension on the site plan was made by Arthur Knapp and seconded by Matthew Sush
5 in favor; 0 opposed

CHERRY VALLEY

Old Sackett Road, Rock Hill, NY S/B/L: 52.-1-17.19
Michael Davidoff, Attorney for applicant

Michael Hoyt recused himself from participating in this application because of a conflict with his job.

Mr. Davidoff – Marketing issue was already taken care of. Chairman Kiefer – Has there been any progress with the Marketing. Mr. Davidoff - They haven't gotten an offer. They are now trying to use the internet to help them. They are hoping that the opening of the Casino will help generate interest. They have had some other developers look at it but no real interest.

Chairman Kiefer- All the fees taken care of?

Mr. Davidoff - Yes. Plus, a \$1,000 in escrow.

A motion for site plan 90 extension from July 12, 2017 was made by Arthur Knapp and seconded by Matthew Sush
4 in favor; 0 opposed

VERIA LIFESTYLE

Anawana Lake Road, Kiamesha Lake, NY S/B/L: 9.-1-1.1
Glen Smith, P.E.
Abhay Jain, applicant

Mr. Smith – The preliminary site plan approval that was in effect expired Sunday. We need another extension of the preliminary. We had three issues that needed be done before we could get a final conditional approval.

They were: 1) cleaning up the Kutchers site. 2) Submitting the cost for the site work which was done. 3) They submitted the dam evaluation report to Richard McGoey last week.

The cost of the work was about \$2,000,000 higher than what the original permit fees were based on. The cost of the building was about \$21,000,000 higher as well. This resulted in the building fees and the inspection fees to go up. Abhay wants to write a check for the fees. He doesn't want to write one check now and then have to write another one later. Paula Kay - That is fine, the infrastructure fee is 4 % by code and the Board has reduced it to 2.5 %. They submitted the actual cost of \$79,000,000 and we had \$58,000,000 of that. The infrastructure was 5.5 million and it ends up being 7.6 million on the infrastructure. They have to get together with Jim Carnell on the fees to make sure we all have the same numbers. Mr. Jain – I gave you details of the items. Paula Kay – We will review that.

Mr. Smith – Can we meet with you in the near future. Paula Kay- I want to catch us up as soon as possible. Let's meet with them next week. Mr. Jain – That works, I just want to submit one check. Mr. Smith – I believe we are caught up with the plans. Jim Carnell – For accounting purpose we might need two checks since its two accounts. Mr. Jain – I can do two checks. I just didn't want to have to write one now and then in a few months write another one.

Mr. Smith – We are all caught up with the plans.

Richard McGoey – Sewer treatment plant, what are you doing to improve it? Mr. Jain- What are you looking for. Richard McGoey – The operator of the plant says it's not in very good condition. Mr. Jain – I have been submitting monthly reports to DEC and we added a flow meter. So, can you tell me what is wrong? Richard McGoey – The old connection from the building to the sewer treatment plant. Mr. Smith – Two lines going to the old plan will be capped off. The second line that come's across the road will be capped off as well. Chairman Kiefer - I see you leveled the piles of aggregate. Mr. Jain – Yes. Chairman Kiefer- What is the schedule for the buildings? Mr. Jain – We are asking for more time. Next year we want to work on them. Mr. Smith – Which buildings are you taking about. Chairman Kiefer – The old bungalows by Alex Chicco's place. Mr. Smith – They plan on incorporating those building into the next phase along with the golf course. These plans are under review at this time. Mr. Jain - Right now all of our attention is on the wellness center and getting that up and running.

Jim Carnell – There were several buildings that were removed. I don't know what was capped. Mr. Smith – They have capped off the septic. Hidden ridge was not tied in. Jim Carnell – The bungalows on the corner are not tied in? Mr. Smith – No they were not. Mr. Smith- Two meeting ago we were here for the Amphitheater. The Board was ok with Amphitheater but you didn't want to take any action until we took care of these three conditions. Are we getting any close now? This is holding up any work on the Amphitheater. Richard McGoey – We just need to see detailed plans. Paula Kay- Let's get caught up with approvals and fees and then come back for the Amphitheater. Richard McGoey – And come back with a site plan.

Chairman Kiefer - What kind of extension is this?

Paula Kay – I believe it's six months. Richard McGoey- We gave them 90 days back on March 17th.

Mr. Jain – I'm looking for a temporary CO in October. Matthew Sush – You want to get a temporary CO before taking down the building? Mr. Smith – Yes, don't plan on doing those building until 2018.

Conditions – Fees being paid, detail site plan for Amphitheater and dam report.

A motion for 90 days extension with conditions was made by Michael Hoyt and seconded by Jim Barnicle 5 in favor; 0 opposed

RNR

Pittaluga Rd, Monticello NY S/B/L: 12.-1-21.1 / 12.-1-23.1

Glen Smith, P.E.

Michael Baum & Nathaniel Baum

Mr. Smith – This site plan went back to the original plan with 120 units with a garage. Double wide trailers with a deck. Same locations, with one sewer plant and wells are still in the same place. There is still a bunch of technical stuff that needs to be worked out. We want to keep the final site plan that was approved and post a restoration bond so we can start some clearing. We had final on this one and went back to preliminary. The sewer plant was approved by the DEC. Paula Kay - Need to determine recreation fees. Mr. Smith – \$1,250 fees per unit? Paula Kay – That’s the minimal.

Mr. Smith – The restoration bond is 296,000 dollars. Also, knowledge that the inspection fee is 4% of the inspection value. Paula Kay –We also need to make sure the agreement includes the recreation fees. And for final approval a performance Bond is done. I’m rewriting the agreement. Mr. Baum – The 4%, is that money that has to be set aside and if it’s not used do we loss it? Paula Kay – That is a fee for the Town to have our engineer out at the site. It’s like a building permit fee.

Richard McGoey – The use of the storage sheds. The applicant was somewhat reluctant to put them on the site. Mr. Smith - The last plan didn’t have room for sheds but now we have plenty of room. Mr. Smith show the board the site plan where the sheds will be. Chairman Kiefer – Are there basements? Mr. Smith – Just some of the building will have them. This is a special use permit, and with special use permits you have to come back for several years. And because of this it gives the board leverage to look at it every year. Richard McGoey – Other comment was garbage containers, the size and location where they will be placing the garbage containers. Mr. Smith – They have a compactor and the garbage will be picked up twice a day. Richard McGoey – Where do they store the garbage cans? Mr. Smith – At the corner of the houses. Richard McGoey- Have the plans show what kind of containers and where they will be.

Richard McGoey – We have to talk about sales contracts not being entered into before final maps are signed and performance bonds are posted. Paula Kay – We can put that into the performance bond agreement. We also need to see the perspectives.

Richard McGoey – The home owners would put into a sinking fund for the repairs of the sewer. So, at the end of 20 years there will be a pot of money for repairs. We need access to the sewer treatment plant for the Town people.

Mr. Smith – Recreation will be 2 pools, play grounds scattered around and a community building. Phase one will required the sewer and water plant and one pool. Matthew Sush – Will there be walking paths? Mr. Smith – Yes, not shown now but will be shown in the future on the site map.

Jim Barnicle – I think we should leave the condominium association open. Richard McGoey – That’s a document from the Attorneys General and they would needs to revise it.

Michael Hoyt – Are they buying these lot or renting them? Mr. Smith – They are a condominium owner ship.

Mr. Baum – Does this have to be re-approved each year or just a license that needs to be re-issued?
Paula Kay – Since this is a special use permit you will have to come back to the board for a couple of years and as long as everything is running smoothly then they don't have to keep coming back.

Mr. Smith - Looking to do some clearing of the land. That will all depends on the developer's agreement and the restoration bond and getting the inspection fees paid? Paula Kay – Yes, the Board needs to also decided on the recreation fees. Richard McGoey – Do we want Mary Beth to look at the recreation area and then figure out what the fees are later? Paula Kay- I would like to be able to put into the agreement that they would pay at least the minimum price. Mr. Baum – What do we need to have resolved before we can break ground? Mr. Smith – Inspection fees paid, restoration bond paid, recreation fees paid and a restoration bond signed by the developer. Paula Kay – Also the sinking fund and the developer's agreement. Mr. Smith - If we get all that done can we just meet with Richard McGoey?
Paula Kay – Yes!

A motion for a 6-month extension to the preliminary approval was made by Matthew Sush and seconded by Jim Barnicle
5 in favor; 0 opposed

11 FAIRGROUND ROAD

Fairground Road, Monticello, NY S/B/L: 30.-3-1
Joel Kohn

Mr. Kohn - I was here four or six weeks ago for the re-approval of 11 Fairground Road. This was approved in 2015. The Board wants to combine the two sites from 2 Fairground and 11 Fairground since this is the same ownership and same company. One was approved in 2013 and other was approval in 2015. Before we could go forward, 2 Fairground Road needs to have some issues taken care of before they will approve 11 Fairground Road. There were some landscaping issues, lighting needed to be taken off and working on the parking. The parking including the handicapped issues have been done. One item not done, was the combining of two lots. Also, road dedication to the Town and County. The Town Asser said we should get it approved then we can combine the property's.

Chairman Kiefer- There was an issue with a camping trailer? Mr. Kohn – The owners will remove the trailer.

Chairman Kiefer - The landscaping is pretty sparse. Jim Barnicle – It need more mature scrubs.
Mr. Kohn - You want more trees? Chairman Kiefer - I'm talking in front of the building. Also, the building could use to be painted. Richard McGoey - Try and maintain the pine trees and put plantings in front of the fence. Richard McGoey – There is also a mess out back with no dumpsters. Mr. Kohn – They will get a dumpster. Chairman Kiefer- The dumpster enclosure needs to be big enough for the new front loading trucks.

Jim Barnicle – It would be nice to have both sides of the road look the same so you can see that both business are the same. Jim Carnell – Maybe paint the building the same color!

Richard McGoey shows the Board pictures of the buildings.

Jim Barnicle – On the right is where the tractor trailers come in and unload and to the left is for contractors and citizens go. So, maybe by having signs that say's trucks only on one side and customers on the other it will tell people that it's the same business. Jim Carnell – And if the signs where the same color or just looked a like that might help as well.

Richard McGoey – On Sheet two and the details on Sheet four should show the location of the handicap "No Parking" sign and handicap sign. The Building Department should report as to any conditions which should be rectified for either 2 Fairground or 11 Fairgrounds Road. Additional work could be done in regards to providing new landscaping and to improve the existing landscaping at both 2 and 11 Fairgrounds Road. Improve run off of ponding water issue and carboard and garbage needs to be cleaned up.

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

Conditional approval on our technical review comments and the comments of the Board in regards to landscaping, painting of buildings and proper signage.

A motion for conditional site plan approval was made by Jim Barnicle and seconded by Arthur Knapp
5 in favor; 0 opposed

Motion for lot improvement was made by Arthur Knapp and seconded by Jim Barnicle
5 in favor; 0 opposed

30-1-1 & 30-3-1 – Condition for property owner signed Asser's form and the chairman's counter signing.

A motion to adjourn the meeting at 8:14 p.m. was made by Matthew Sush and seconded by Jim Barnicle
5 In favor; 0 opposed

Respectfully submitted,



Debbie Mitchell
Secretary
Town of Thompson Planning Board