

TOWN OF THOMPSON
PLANNING BOARD
Wednesday, July 12, 2017

APPROVED

IN ATTENDANCE: Chairman Lou 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

SACKETT LAKE SOLAR FARM:

Sackett Lake Road & Maplewood Road, Monticello, NY S/B/L: 28.-1-37



NOTICE OF PUBLIC HEARING

Chairman Kiefer read the public notice: 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, NY on July 12, 2017 at 7:00 pm to consider the application of Sackett Lake Solar Farm for site plan review for the purpose of a solar farm in accordance with the §250-7 of the Town Code of the Town of Thompson.

The property is located in the SR Zone at the northeast corner of intersection of Sackett Lake Road and Maplewood Road; S/B/L: 28.-1-37
JJ Pavese, applicant

Satisfactory proof of mailing was provided to the Board.

Mr. Pavese – This project is on the corner of Maplewood Road and Sackett Lake Road. The project is a 4 mega watt worth of power for Sullivan County. The solar ray's will have security fencing, screening and landscaping. There will be two access driveways. There will be no water or sewer or permanent buildings on the property. The only onsite structures will be the solar panels with their racking, the fence and concrete pads that will house the electrical equipment. The connection will start on Maplewood Road down to Sackett Lake Road and then up to the Southern part of Monticello. There will be no environmental impact, no tree clearing and no excavating of the land and the only additional material will be the fencing.

PUBLIC COMMENT:

No public comment
Board had no comment

PUBLIC COMMENT CLOSED

Motion to close this public hearing was made by Melinda Meddaugh and seconded by Jim Barnicle
5 in favor; 0 opposed

Chairman Kiefer called the meeting to order at 7:03 p.m.

Correction to last month's meeting: Chairman Kiefer - On page 6 the recreation fees should be \$1,250
not \$12.50.

A motion to approve the June 26, 207 minutes with the above correction was made by Matthew Sush
and seconded by Arthur Knapp
4 in favor, 0 opposed

Melinda Meddaugh and Michael Croissant sustained from voting since they were not here last meeting.

LAKEVIEW ESTATES

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

Mr. Kohn – We have agreed to do a restoration bond, performance bond and a developer's agreement.
All that will be worked out with Paula Kay and Richard McGoey.
Richard McGoey- So there are no problems with the performance bond? Mr. Kohn - We worked it all
out at the work session.

Richard McGoey – You need to have your attorney get together with Paula Kay on the developer's
agreement. The estimate for the restoration bond was done today and will be emailed to Richard
McGoey.

Richard McGoey –Push your inspection fees? Mr. Kohn - We will do that.

Motion to allow developer to proceed to construct the infrastructure and site improvements was made
by Michael Croissant and seconded Matthew Sush
5 in favor; 0 opposed

KIAMESHA RETAIL STORE

4670 State Route 42, Monticello, NY S/B/L: 10.-13-4
Maria Zeno. ESQ, Kalter, Kaplan, Zeiger & Forman
Joel Kohn, representative

Ms. Zeno – Our client purchased this property and then we did a title search and a municipal report. We
went to the closing based on the certificate of occupancy (CO) for its use as a retail space. The CO was
issued in 2006 based on a site plan from 2008. The remarks on the CO said that there was a signed site
plan. We were surprised to find out there was not one.

Chairman Kiefer - What kind of retail business is this going to be? Mr. Kohn – Grocery store.

Mr. Kohn – The new owner purchased this property based on the CO and the knowledge that there was an approved site plan. The owner wants to start to use the building now and in the meantime work with the building department to provide a new site plan. Richard McGoey – I don't think its suitable for retail because it's not handicapped accessible and no handicapped parking space. The front porch is in bad condition it's all cracked and there is inadequate parking. Michael Croissant – You said the back is all over grown? Mr. Kohn - What do you mean it's all over grown? Richard McGoey – There is no place for parking. Mr. Kohn – The owner is willing to comply with the site plan and do whatever is needed to bring the place up to compliance with any new condition for the site plan. Richard McGoey – If he bought the building with that site plan then he should have that site plan at least implemented.

Mr. Kohn – He didn't have a site plan. He only had a CO that stated that there was an approved site plan. Ms. Zeno –We received this site plan after we found out we couldn't use this site plan for what we wanted to do. His intention was to close on June 16 and use it as a retail grocery store for the summer months to make his money. Now we are stalled because of the issue. We did our title search and we went based on that info. Chairman Kiefer – As it stands it doesn't conform to the site plan.

Ms. Zeno – We understand that and we are willing to conform to the site plan. He never looked at the site plan because he looked at the title search and it said it had an approved site plan. It was after we were told we couldn't use it we looked for the site plan. Our client purchases it for a nice sum of money to be used this summer. Chairman Kiefer – I understand but it's not usable. Mr. Kohn – I'm willing to meet with the Planning Board Member right after the meeting. The building is in good conditions if there is no Handicapped parking in the front that can be easily fixed. There is no ramp that need to be done and can easily be fixed. The one side of the sidewalk is cracked and can be fixed.

Richard McGoey shows the Board several pictures of the building.

Melinda Meddaugh– What year was the title issued? Ms. Zeno – In 2006 based upon a 1998 building permit.

Melinda Meddaugh- The back-parking space was never constructed and no handicapped parking either? Richard McGoey- Correct, neither are there.

Paula Kay – There was no follow through with the compliance. The past two owners never complied with the site plan and the Building Department did issue a CO. What we have today is a CO for a retail store and a site plan that was never signed. Since we don't have a signed site plan then they can't occupy it even though you have a CO. Most of the work looks like it can easily be fixed. Mr. Kohn – We can get most of it done within a week to ten days. Paula Kay – Then you will have the property in compliance with the site plan. Mr. Kohn - But we won't have the driveway done or the parking in the back. But we will have all the handicapped issues done. Paula Kay – Then you will have to amend the site plan.

Matthew Sush – How much parking is required? Mr. Kohn - Eight spots in the front. Michael Croissant - Eight spaces are not enough for a grocery store.

Paula Kay – You will need to ask the board for a waiver on parking if you're not going to comply to the site plan. Ms. Zeno – We want to comply we just can't get the back-parking lot and the driveway done within a week.

Jim Barnicle – How many employees will you have? Mr. Kohn – One or Two. Jim Barnicle - If you have two employees, and a handicapped space. Michael Croissant - You are now down to five spots and that's not enough for a grocery store. Everyone will start parking on Route 42. Jim Barnicle – Just look at other areas around they are very busy on Fridays. Mr. Kohn – We are not looking for a waiver for the parking. I would like to have the Board consider the fact that the Building Department did issue a CO.

Paula Kay – You are currently in violation of an existing site plan. Chairman Kiefer– To approve this project would not be fair to other projects we have approved in the past. Mr. Kohn – We are not looking for an approval. Ms. Zeno – We are looking for a temporary use.

Paula Kay - This CO was done in error. If the Building Department wants to work with you about temporary occupancy that's something different. Sounds like the Board wants you to follow-up and get the parking spaces done. Mr. Kohn – We should do the parking space before you come back to the board for approval? Paula Kay – If your goal is to comply with the exiting site plan then comply with the existing site plan. Michael Croissant – That encompasses the landscaping as well. Richard McGoey – They also need a dumpster. Jim Barnicle – Field stone around the signage, and field stone on the patio poles if the Board agrees.

Mr. Kohn – If they can comply with the site plan, additional parking in the back, handicapped, repair the concrete patio would they be ok then? Paula Kay – The Board does not have authority for that. Ms. Zeno - We will then have to work with the Building Department? Mr. Kohn - Do we have to come back to the Planning Board? Paula Kay- Do they need to come back if they comply with the site plan? I don't see why they should have to comeback. Richard McGoey will review the changes that you just discussed.

Richard McGoey – You need to have the existing site plan signed and add the dumpster and the dumpster enclosure. Mr. Kohn – We will work with the Building Department and Town Engineer.

AMERICAN THEOLOGICAL

4493 State Route 42, Monticello, NY S/B/L: 13.-1-27

Joel Kohn, representing the applicant

Mr. Kohn – They are proposing a dormitory and addition to the dining room. The issue with the trailer unit is that they never got a permit for the two additions. The question is how do we proceed with that? Jim Barnicle – Should there be a fine? Chairman Kiefer- Yes. Paula Kay – The Building Department will fine them.

Chairman Kiefer - This old Mobil home is a fire hazard. There are seven people living in there. Mr. Kohn – there are smoke detectors in it! Paula Kay – I believe they can find alternative occupancy and quickly. Mr. Kohn – They don't want to tear down an existing building. Richard McGoey– It was a signal family home converted into three family units. Chairman Kiefer – I really believe it's a fire trap. Paula Kay – You also have a detail letter from the county showing your application is incomplete. Makes it very difficult for the board to move ahead. Joel have you seen the 239.?

Mr. Kohn - No. Paula Kay gives Mr. Kohn a copy of the 239.

Paula Kay – They are looking for more details before they can complete their review. I believe as a Board they have to wait until the application is finished. I think the overall concern is how to determine what the density is.

VERIA WELLNESS CENTER

Anawana Lake Road, Monticello, NY S/B/L: 9.-1-1.1

Glen Smith, P.E.

Abhay Jain, applicant

Mr. Smith – We made some addition to the Amphitheater site plan. The request to have seating capacity of the amphitheater to determine the number of ADA accessible seats has been done. The property is 1,470 sq. feet which will hold about 98-person max. These details are now on the site plan in a summarize table. Request for an area to be identified and reserved with appropriate pavement markings and signs will be done. The walk way in front of the seating and the stage is about 10 feet wide and it shows two wheelchair access space with ramps. The new site plan shows the walkway from the hotel entrances down to the asphalt walkway. The walkway is all below 5% grade. The three-foot-high poured in place concrete wall between the stage and the fire pit is now shown on the site plan. All landscaping is labeled. The trees and scrubs are now labeled. The Ballard's were not lighted Ballard's they will now be lighted Ballard's. This new site plan with all the requested labels is now page 33 of 33.

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 for site plan approval was made by Melinda Meddaugh and seconded by Jim Barnicle
5 in favor; 0 opposed

Paula Kay – Does Jim have a building permit for the Amphitheater yet? Jim Carnell - I don't think we excepted anything yet. Paula Kay – So is it approved? Jim Carnell – There is no building yet.

Mr. Smith – Its's just a concrete curving and fire pit. Paula Kay – As long as you have everything we need we can lift the stop work order.

A motion to adjourn the meeting at 7:33p.m. was made by Michael Croissant and seconded by Matthew Sush
5 In favor; 0 opposed

Respectfully submitted,



Debbie Mitchell

Secretary

Town of Thompson Planning Board