

**APPROVED**

TOWN OF THOMPSON  
PLANNING BOARD  
Wednesday, January 9, 2019



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

PUBLIC HEARING:

NOTICE IS HEARBY GIVEN that pursuant to the provisions of §250-55 of the Town Code of the Town of Thompson at the Town Hall, 4052 Route 42, Monticello, New York on January 9, 2019 at 7:00 p.m. to consider the application of Keren Fields, Inc. for site plan review for in accordance with §250-7 of the Town Code of the Town of Thompson.

The property is located in the SR Zone on Sunset Drive Ext. and Sackett Lake Road, Monticello, NY S/B/L: 48.-1-22.21 and 28.-1.33.1  
Glen Smith, P.E.  
Joel Kohn  
Shimmie Horn

Matthew Sush recused himself from participating in this application.  
Chairman Kiefer appointed Arthur Knapp to replace Matthew Sush.

Satisfactory proof of mailing was provided to the Board.

Paula Kay – I just want everyone to know that this is just a public hearing and that we will not be discussing this application during the regular meeting tonight.

Mr. Smith – We have been to the Planning Board several times before. This is a subdivision with 10 lots proposed, 4 will be on Sackett Lake Road and the other 6 on Sunset Extension. This is in a SR zone which allows a 40,000 square feet lot size which is about 0.9 acres. The lots range from the smallest being 1.25 acre and the largest is about 1.67 acres. Each lot will have a single-family house with a well and septic. Originally it was 3 duplex houses among the 10 lot homes and the public asked us to remove them so we did. We also eliminated the road coming from the property onto Sackett Lake Road. The only road entrance will be on Sunset and this will be a private road. The is mainly for Mr. Horn's family and friends. The largest lot will have the main house and four houses for his children. There will be a pool, tennis and handball court and some horses for the family members. These will be year-round homes but will primarily be for the summer. We have walk ways that go through out the property. Each house will have walk ways going to it. We haven't decided on what kind of walk way it will be. Each lot will have a drilled well and septic system. In 2007 the Perrello Brothers had originally proposed 18 lots on 34 acres

and now it's 12 lots on 44 acres. At that time, we did a wells study and identified several large to moderate impacts on water supply as being one and septic being the other one. We updated that report. Back in 2007 it was reported the wells had 15 gallons per minute. There were wells on the corner of Mr. Morganstein's lot that was drilled in 2008 which was 5 to 6 gallons per minute. We did drill 4 well across the street on Sackett Lake Road in 2013 and the closet well to Sackett Lake Road was 60 gallons per minute and 100 gallons per min. The two wells on the back side of the lot were both 100 gallons per minute. We did a hydrological study for those wells and found that the best aquifer from 300 feet down. This has to be approved by the Health Department. Everything was submitted to the Health Department back in November. The Health Department will most likely require one well be drilled and tested as well as monitoring the neighbor's wells. We did numerous soil test on the property. As everyone knows this property is wet with drainage running through it. All septic system will be what is called a shallow absorbent septic system which means they have to have 2 feet of fill. During peak hours our traffic study shows there would be 1 vehicle per minute either entering or exiting the property in an hour. We met with Mr. Swift and he was concerned about a house being too close to his lot and we moved that house about 150 feet away from Mr. Swifts property line. Mr. Horn will like to have caretaker on the lot and is hoping to find him a place to live close by. We meet with Monticello Fire Department. They didn't think the dead-end road was going to be wide enough and asked that we have a 26-foot wide road total and we provided them with a copy showing that the road is 20 feet wide with 3 feet wide shoulders on each side. We got an e-mail yesterday from the Fire Department approving the roads.

#### PUBLIC COMMENT

Ronald Burg - Wasn't there a second road going in? Mr. Smith - It's a driveway coming off of Sunset Drive and it will be going directly to Mr. Horn's house. Jim Barnicle - This road will be gated. Mr. Burg - Will that road be wide enough for the Fire Department? Mr. Smith - The road will be 20 feet wide and that meets building code. Mr. Burg - Water from the house goes to the tank and then into the system? Mr. Smith - The water goes from the house into the septic tank and then into a dosing site and then the leach field. Mr. Burg - And that water will be clean? Mr. Smith - Yes. Mr. Burg - And that property passed the perk test? Mr. Smith - Yes, also the Board of Health will require perk tests as well.

Zane Morganstein, 26 Sunset Drive plus I own 3 acres by the development. - The well on Swift and Morganstein property yields about 5 gallons per minute. My property is a lower yield with 3 gallons per minute. I'm concerned about the well during peak season. I believe over in Fallsburg they did a bond incase the drilling impacted the water supplies. I would like to propose a bond be done here for the adjacent property incase there is a negative impact from them drilling for water. I also have a question about the 20 acres parcel, if and when it can be modified for additional housing? I had an opportunity to meet Mr. Horn and, on all appearances, this will be a welcome addition as long as everything goes as proposed. Chairman Kiefer - All these concerns and questions will be addressed.

Jay Rubin, owner of a lower parcel on Sackett Lake Road - We have a farm and as everyone knows that farms have odors and are noisy. We don't want complains from the homeowners that our place smells and is noisy. We have two different colony by the farm. The one on Fireman's Camp Road has the raised septic system. And every year we have to call the Town to complain that the sewer is running across the

road and into the ditch. The other one above us put in a big septic system and every August we get calls from our tenants that the colonies septic is running all over. Now I'm not saying that this septic system is not going to work, but if it doesn't it's going to run down hill to my property. And on my property, I have two streams that feed my live stock and then go into Sackett Lake and I just wanted to let the Board know about it.

Timothy Crumley, 11 Osborn Road - My wife and I moved to Town of Thompson because we were burned by a development in Bethel. The traffic had increased dramatically. I know its just homes but I know there will be a Shul and maybe a Mikvah and other friends will be invited to come to these placing increasing the traffic. I'm just concerned about the increase in traffic. My children like to ride their bikes on our road. I'm concerned when people come up for the summer and they are used to doing things a certain way and when they get here, they still do those things it concerns me. My well is about 5 or 6 gallons per minute, but I'm up higher on the hill and I if that drops, I will have to re-drill, that will cost me money. The people coming in for seasonal occupation is very concerning to me because I know its easier to ask for forgiveness then ask for permission. I really hope someone is really watching the corners and if it does go 10 foot wider, they have will have to rip it out and fix it.

Gerry Dietz – My concerns is my well and we sit higher than the property. I'm concerned that our well will be affected. I'm concerned about the traffic. Our kids are always playing in the road and there will be more traffic. People who don't live there normally will be driving faster and not being careful. We will have a lot more garbage. If we take those woods away were will the wild life go? This land is very swampy, I don't know how you're going to have 14 house, wells and septic in there.

Carol Burg - How deep will the test well be? Mr. Smith – Generally its 5 gallons per minutes. Most of the area's wells are in the 300 to 400 feet range with 10 gallons per minutes. This is a Board of Health decision. Ms. Burg – So they won't go deep like the wells across the street, that you said got 100 gallons per minute? Mr. Smith – Those wells were 300 to 400 feet. Any thing less then 300 feet will have less per gallon. Each well will be for each single-family home giving you a lower draw on the aqueduct.

Claudia Dietz – Did the duplex come off? Mr. Smith – Yes, they are just single-family homes. Ms. Dietz - How many people will be living here? Mr. Smith – 15 homes for 12 lots. Mr. Dietz – Then there will be more then one home per lot? Mr. Smith – Yes, Mr. Horns lot will have his home plus 4 houses on it. Ms. Dietz – Why do we have two entrances? I'm concerned about traffic on Sunset Drive. Where the first entrance is will bring traffic down Sunset Drive. No ones going to go down Sackett Lake Road to get to the first entrance. I would be much happier if the first entrance was not there. Mr. Smith – The first entrance is not a road it's Mr. Horns driveway. Ms. Dietz – I understand. I'm just concerned about the traffic. Mr. Smith – Most of the traffic will be coming off of Sackett Lake Road. Mr. Crumley – Coming into the development I think your 100% correct with traffic but I think leaving people will not go out to Sackett Lake Road because it's not very easy to get out. Chairman Kiefer – A traffic study was done by the County and they looked into this project. Mr. Smith – They did and they are the one's that suggested we eliminate the road going directly onto Sackett Lake Road. Ms. Dietz – I disagree, I think all these houses will go down Sunset Drive.

Mr. Dietz – I'm looking at a report that says that moderate to large impact may occur to need new wells. Mr. Smith – That is the part 3 of Environmental Assessment form. And in part 2 you go ahead and checked off possible low to moderate impact or moderate to large impact. I check off possible moderate to large impact on traffic, water supply, septic system and things like that and then we take a look at it and address it. Just because I checked those off doesn't mean it going to be moderate to large impact. And in the narrative, it shows that there will not be a large impact. Paula Kay – And if there is an impact on the well? Mr. Smith - It will be resolved.

Ms. Dietz – My kids play in the street and with these new houses people will be driving by my house. I've experienced development with colony's and the way they are kept and traffic increases and parking increases. And I've experienced this and I just don't know how much more I can take. Someday I want to sell my property and want someone to buy it. And I feel that it's losing its value with all of this development. I'm not opposed to development I just thing there's a lot going on. Why so many homes on one property? One of my big concern's is what will this development do to the value of my house and if I have to drill a new well who will pay for it? Mr. Smith – This is not a camp, or bungalow colony and it will not have buses pulling up to it. It's a private development. Mr. Dietz – But it will have a Shul and 15 houses! Mr. Smith - The houses on Sacket Lake Road will be 2 stories and will be around the \$400,000/\$500,000 range with 4 bedrooms and a maid's room. Mr. Horn house will be almost 9,000 square feet with several bedrooms and a maid's quarters as well. These will be very nice home by no means a bungalow. Ms. Dietz – I'm very concerned about the traffic. Mr. Smith – Are you tell us that people use Sunset as a short cut between Sackett Lake Road and Route 42? Ms. Dietz – No, to get to my house on Route 42 in the Summer there is lots of traffic. I use Sunset to Sackett Lake Road several times a week to get to Bethel and with this new development it's just going to create more traffic. I assume that there will be lots of traffic with there being a Shul on the property. And what about the barn? Mr. Smith – It's just a barn for horses for his kids. Ms. Dietz – There not going to run a school out of it? Mr. Smith – No, his kids want horses.

John Gatto, Osborn Road – Are these houses sold? Mr. Smith – No, nothing can be sold until everything is approved. Mr. Gatto – Do they have buyers lined up for these houses? Mr. Smith - At this point no but he could have.

Mr. Dietz reads part 3 of Environmental Assessment Form in regards to the moderate to large impact. Mr. Smith – What Mr. Dietz is reading is the Environmental Assessment Form that we have to draft for every job we do in NY State. I put them in there and then address them.

Mr. Rubin – When they sell and by their homes will the buyers be told what they can build and what they can't build? Will there be any restrictions? Mr. Horn - These homes will be mostly my family and I'm designing the homes. We are going to give two set of plans and tell them these are there choices and they can move the interior around if they want to. Paula Kay – Will this be a Homeowners Association (HOA)? Mr. Smith – Yes. Paula Kay - The HOA will have restrictions.

Mr. Morganstein – I was under the impression that the HOA was just for the Shul, common building and not for the residential houses, Mr. Smith – But they all have to be in the HOA in order to use those faculties. Mr. Morganstein – Only for the purpose of the facilities or for all the homes? Paula Kay – It all

has to be incorporated in the HOA. Mr. Morganstein – What is the plan for developing lots? Mr. Horn – I plan on doing one house first and then six houses simultaneously and then other house later on. I just wanted to get everything approved now so I don't have to come back. Mr. Morganstein – The Sackett Lake entry into Sunset drive is not that great. You have to approach this entrance at a slow rate since there is a dip in the road and then you go up a hill. And people go fast on that road. I'm not sure if this is a state or county issue but the site line gets pretty tight at faster speeds. Chairman Kiefer – I'm sure that most of the traffic will come down Sackett Lake Road. Mr. Morganstein – I do hope that is what happens.

Mr. Dietz – On the end of Sunset Extension onto Sackett Lake Road has limited site. And what everyone is saying is that the traffic on Sackett Lake Road is getting more and more busy. Ms. Dietz – I know that more traffic will come down Sunset Drive to go to Route 42.

Chairman Kiefer - Is there anyone else that would like to speak? We are just going over and over the same stuff. Mr. Dietz – There is a reason why and that's because we are all concerned about these issues. Chairman Kiefer - Mr. Smith has notes of these concerns and they will be addressed.

Ms. Dietz – Are these year-round homes? Mr. Smith - it's built for year-round but its primarily seasonal. Mr. Dietz – What about the horse for the winter? Mr. Smith - Mr. Horn will have to make arrangements for them to be taken off the land in the winter and housed in a barn some where so they can be taken care of.

Ms. Dietz – Is there any way to get less homes? Mr. Smith – No, this is actually a lot less then what zoning could allow. This property could have 30 homes on it. Mr. Dietz – What is to stop them from building more? Paula Kay – We can put a note on the site plan saying no more homes or subdivision. Then nothing further can happen. Mr. Dietz – Can they amend that note? Paula Kay – The person would have to start all over and come back and they would have to have a very good reason why.

Mr. Dietz – One thing that bothers us that we can't talk about this project until now. There have been so many meetings up to this night and that not fair. Chairman Kiefer – We can't have the public speak at every meeting. We would never get home until 1:00 a.m. Mr. Dietz – But don't you think the process is a little backwards? We should be able to speak before they go though all this work and meetings? Paula Kay – There has been no work done yet. Mr. Kohn – Every developer, every engineer would love for that to happen. We would love to hear your opinion right from the beginning. Unfortunately, NY State says you can only do a public hearing once all the plans are done. Paula Kay – We can't do a public hearing at sketch plan because there is not enough information yet. These homes that are in front of you can be built for our zoning. What the board and you are trying to do is get the least amount of impact as possible. We already made changes to this project, like the removal of the duplexes and driveways. You can ask for the note on the site plan for no additional houses and Richard McGoey will look into the site distance issue you have brought up. Everything needs to be reviewed. They still have a lot of engineering that needs to be done and that is why we brought in the public now. If this goes forward it goes forward in a way that works as best for everyone.

Mr. Morganstein – The houses on Sunset extension, will we be looking at the front or back of them? Mr. Smith – The front. Jim Barnicle – Also the house will all be different. They will not be a cookie cutter type house.

Ms. Dietz – Can we ask that the construction vehicles not go down Sunset Drive? Paula Kay – We can ask and advised but it's a public road. Ms. Dietz – Those walkways and roads, are the going to be private or public. Mr. Smith – They are not roads they are driveways. Ms. Dietz – Then the town would not be maintaining them? Mr. Smith – No. Jim Barnicle – And that was something we changed from our meeting with the developer. The originally were going to make them public and we changed them to private.

Mr. Dietz – In regards to the gate on the driveways. Will the Police and Fire Department be able to open them up? Chairman Kiefer – Yes.

Ms. Dietz – Can we get the construction vehicles not travel on Sunset Dr? Mr. Horn – It's a private contractor and we can ask them to use Sunset Extension. Mr. Swift asked to buy the land for a 50 feet buffer. I said that there is no need because there will be a 50 buffer. We are trying to build with the least amount of impact as possible to everyone. In the end I will be there, I do not plan on building and then selling this all off.

Ms. Burg – In regards to access to Sackett and Sunset Extension the County did a great job clearing that area. If they can keep up that maintenance would be great.

Paula Kay – Chairman Kiefer if you want you can leave the Public Hearing open for about a week and allow the public to submit in writing comments and concerns. And then have the applicant address these comments and concerns.

A motion to keep the Public Hearing open until January 23, 2019 was made by Michael Hoyt and seconded by Michael Croissant  
4 in favor; 0 opposed

Paula Kay – Since it's left open you can submit any comments or concerns until January 23, 2019.

Mr. Dietz – Is there a deadline for when the engineers plans have to be done? Paula – There is no deadline since there was so many comments. I'm sure we will be meeting several more times and try and get these plans done to make everyone confrontable with this project.

Chairman Kiefer called the meeting to order at 8:02 p.m.

A motion to approve the December 12, 2018 minutes was made by Matthew Sush and seconded by Michael Croissant  
5 in favor; 0 opposed

A motion to approve the December 19, 2018 minutes was made by Michael Hoyt and seconded by Arthur Knapp  
5 in favor, 0 opposed

**FAMILY FUN PARK**

67 Friedman Road, Monticello, NY S/B/L: 5.-1-6.3, 5.-1-6.9, 5.-1-6.15  
Joel Kohn

Mr. Kohn – We are here tonight to schedule a public hearing nothing has been changed on the plans. All the details have been added and will be reviewed by the Town Engineer.

A motion for a Public Hearing on January 23, 2019 was made by Jim Barnicle and seconded by Matthew Sush  
5 in favor; 0 opposed

A motion to go into executive session to discuss litigation and bring the Town Engineer in was made by Matthew Sush seconded by Arthur Knapp  
5 in favor; 0 opposed

A motion to come out of executive session at 8:16 was made by Michael Croissant and seconded by Arthur Knapp  
5 in favor; 0 opposed

A motion to accept the settlement regarding the Gan Eden Litigation was made by Michael Croissant and seconded by Arthur Knapp  
5 in favor; 0 opposed

A motion to close the meeting at 8:17 pm was made by Michael Croissant and seconded by Arthur Knapp  
5 In favor; 0 opposed

Respectfully submitted,



Debbie Mitchell

Secretary  
Town of Thompson Planning Board