

APPROVED

TOWN OF THOMPSON
PLANNING BOARD
Wednesday, May 22, 2019

IN ATTENDANCE: Chairman Lou Kiefer
Matthew Sush
Jim Barnicle
Michael Hoyt
Debbie Mitchell, Secretary
Richard McGoey, Consulting Engineer

Arthur Knapp, Alternate
Paula Kay, Attorney



Chairman Kiefer called the meeting to order at 7:14: p.m.

A motion to approve the May 8, 2019 minutes was made by Matthew Sush and seconded by Michael Hoyt
5 in favor, 0 opposed

A motion to take the meeting out of order and have Thompson Square go before the Public Hearing was made by Matthew Sush and seconded by Michael Hoyt
5 in favor; 0 opposed

Chairman Kiefer appointed Arthur Knapp to replace Michael Croissant

THOMPSON SQUARE 2017 LLC

4058 State Route 42, Monticello, NY S/B/L: 13.-3-40 & 13.3-40-3
Richard Baum, Attorney

Paula Kay – Your goal is to come back on June 3rd for a work session with Richard McGoey? Mr. Baum – Yes.

Mr. Baum – We had a very successful Zoning Board of Appeals (ZBA) meeting last week and I'm here to give you the list of variances that were approved by the ZBA. Mr. Baum gave the Planning Board the list of variances.

PUBLIC HEARING

Notice is Hearby 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 May 22, 2019 at 7:00 p.m. to consider the application of the Tarpon Towers II, LLC for site plan and special use permit for the purpose of construction and operating a wireless telecommunications facility tower with associated antennas in accordance with 250-11 of the Town Code of the Town of Thompson.

The property is located in the HC2 zone off of Wurtsboro Mountain Road, Rock Hill, NY S/B/L: 35.-1-34
Jared Lusk, Nixon Peabody, LLP
Sara Colman, Air Smith Development
Mike Crosby, RF Engineer, Verizon Wireless

Mr. Lusk – Verizon has put in an application on January 24, 2019 to the Town of Thompson for a wireless communication facility. This will be a 184-foot wireless facility plus a 10-foot antenna making it 188 feet tall, to be constructed on Wurtsboro Road. The application itself contains responses to the discussions to date. Chairman Kiefer – Can you please go over all the sites that you looked at? Mr. Lusk – There have been 16 sites noted.

Mr. Crosby – The reason we are building this site is because there are gaps in coverage for our high and low band. In addition to that all the neighboring sites are over capacity. We have selected the primary location that we refer to as C in our documents. We looked at the following places; Crystal Run roof top, (rejected) it has inadequate coverage and too low for ground coverage. Emerald Green place water tank, (rejected) inadequate coverage, ground level and structure location are too low. Calcam tower (C), the elevation is about 1,600 feet and it's been approved for the 180-foot center line for the antennas. That height is determined on the gap coverage. Crystal run new tower, (rejected) this location was never finalized. This was an alternate candidate. Emerald Green Water Company, also an alternate candidate, but it was still under development and the location is speculative. Both the Emerald Green Water and Crystal Run New are not equivalent to the property that we have already approved. Town of Thompson sewer plan, (rejected) is 1,500 feet and its inadequate coverage and too low for ground coverage. SDTC roof top, (rejected) structure is too low and inadequate. SDTC, (rejected) inadequate coverage and again it's a large property and it's speculative without having the exact location nailed down. Ramada New Tower; (rejected) inadequate coverage to low and outside the search area and too close to other towers. The following are new location we got from the people of Wanaksink Lake. Holiday Mountain existing tower; (rejected) inadequate, too low and outside the area. Exit 111, (rejected) inadequate, outside the search area and too close to other towers. Wanaksink Lake Club South & North, (rejected) inadequate coverage and outside the search area, the south areas too close to Wurtsboro tower, North location; (rejected) inadequate and outside the search area. BBF land holding; (rejected) inadequate, outside search area. I believe this is behind the Ramada and close to Crystal Run Economic Development; not as good as the primary spot and after further research we found that the landlord plans on putting a building where we want to put the tower. Not an available location per my perspective. Mr. Lusk – What Mr. Crosby is saying that if it's not going to be on top of the hill it's not going to work. We gave you copies of the plans and the property has been developed for economic development and not a tower.

Mr. Crosby – Also on the current property but different location on the property we rejected it because it was too low and inadequate. It's called the billboard spot. Just because we are going down 55 feet in ground coverage, we just can't put a 55-foot extension on the tower, it's not that simple. The hill itself will provide shadowing meaning we would need around a 250 foot tower and that would require lighting and we don't like doing towers that large.

Mr. Lusk – We talked to Mrs. Gottlieb son about locating it on another part of the site. Mrs. Gottlieb is concerned about lights in her window. If we move it down the hill, we would have to make the tower taller, we then found that the antenna light would still be shining into her windows. Most municipalities and neighbors prefer not to have a lite tower. Our hope is to meet with the Gottlieb family to see if there is another location where we would not have to lite the tower. A lit tower is more visible and we are trying to minimize the visibility of the tower. We have gone over the sites and there were additional comments from Richard McGoey. We went over the balloon results at the last meeting. We provided the structural letter and when/if the tower is approved, we will provide the structural design of the tower as well. Mr. Poach requested sites to be looked at and we analyzed all 16 sites. Our options are limited based upon the info in the records.

Jim Barnicle – Should we discuss if they should continue investigation the alternative site on the current proposed property? Chairman Kiefer – They already have. Jim Barnicle – The asked us if they can move forward.

Mr. Lusk – If the concern is not about lighting, we can do the 250-foot tower down by the road. And if they don't want to light the tower then we have to see if there is any other place on the parcel were, we can put the tower without making it 250 feet. Chairman Kiefer – A 250-foot tower would be more visible then a 180-foot tower. Mr. Lusk – Depending on where you are looking at from. The question is can we move it away from the Gottlieb house but not far enough that we don't have to raise the antenna. Mr. Crosby – The hilltop is wide enough that it allows some latitude for us to shift and not compromise the RF goals. But we can shift it enough to limit the views.

Jim Barnicle – The home owner is approachable on all of that? Mr. Lusk – We have been talking to the Gottlieb's attorney and son and started a diallage and will continue that dialog.

Satisfactory proof of mailing was provided to the Board.

PUBLIC COMMENT

Andrew Campanelli, attorney at Campanelli & Associates. Mr. Campanelli handed out documents to the board in which he's going to speak about tonight. I represent roughly 44 Wanaksink homeowners. I have handled cell phone tower cases across the county and it always surprises me when I come across an application that is defective. Every time I get one of these cases, I first start with the zoning code itself and fortunately the Town of Thompson has a pretty good zoning code. Whoever drafted your zoning code enacted what is called smart zoning provisions and in the context of Wireless facilities, everyone recognizes you need cell towers. For the record my clients are not against cell towers, what they are against is the irresponsible placement of the cell towers. In smart planning provision the local governments say they want cell towers. So, they enact zoning amendment for towers to be strategically placed so that you minimize the number of towers you need to saturate covered within the town and at the same time minimize the adverse impacts on the surrounding properties of communities. You have Smart planning Provisions in this code, specifically, I am referring is contained in section 250 – 62. Specifically says the goal for which you adopted this provision to minimize the number of towers in the community. Section 250-69, you require applicants seeking to build a tower to prove things they have

the burden of proving. For example, the proposed location is the least intrusive site and there are no less intrusive means, meaning less intrusive site or a shorter Tower. This Board is incapable of finding determinations as to whether or not Tarpon has met this, simply because they have not yet showed you where the actual gaps are. They haven't even shown you the most basic evidence that every applicant provides every town in the state of New York. Now I heard the applicants say they address two types of deficiencies, the first is gaps. You have a gap in coverage, what does that mean? It means that there is a gap in signal, so as you drive through town you might lose a call. A gap is a physical error that's one type of service to deficiency in personal Wireless Services. The other is capacity. Capacity is where you have coverage, but the band isn't wide enough for such a service that calls drop. How do you prove where these are? The only way you can ascertain is if this is the least intrusive site. If this is consistent with smart planning then you need to know where the gaps are. I know you have dropped call in the Town of Thompson. Where are those problem areas? There's no evidence in the record to show you where they are, so it's impossible for you to determine if this is consistent with smart planning. Tarpon is a developer not a carrier. So, Tarpon can't stand here and claim there is a Gap. They tell you that Verizon is showing a Gap. Okay where is the gap and how do you show the Gap. Showing the Gap is very easy the most standard way is with a drive test. They take a cellphone they attach a recording device and attach it to a car and then drive through the town. In a 2 hour drive it'll make 1 million recordings and that will map exactly where the gaps and service are. With that information you can then figure out how to put a tower strategically so you minimize the number of towers you need, where the shortest heights they need and they're away from home so they don't have to be near homes. You don't see that here you have no hard evidence at all in the record. The same goes with capacity, how do you prove capacity? It's easy for a person who has a computer system. Punch a few keys in and it gives you drop call records. They can give you a printout showing you exactly where the drop calls are in a specific Geographic area for a specific point in time. You have zero direct evidence in this record at this point. Whenever I see an application from a site developer which has propagation maps and computer modeling and Engineering estimates It tells me there is no gap. Now that's consistent with what Verizon says. Verizon maintains its own business database. Verizon's database its records gaps in coverage and signal strength. Verizon has a website where you can check coverage and you can punch in any site at all. And that will show you any gaps and they'll tell you the service level that. I gave you a sample of the actual print out of Verizon coverage. Verizon has the data points for all of its areas which works interactively with the websites. You punch in an address and it shows you that map, where there is no coverage it is white areas with good coverage are projected in red. If you look at exhibit B at the precise location where they want to put the tower you will see there are no white areas. That shows according to Verizon there are no significant gaps in coverage if you miss a call or two that's not a significant gap. The computer printout also tells you the service level which address is capacity. Verizon quantify its service from no service, poor service, good service and excellent service, which is the best level of service anywhere in the country. If you look at Exhibit B where they want to put the tower is excellent. Which mean they have the best mobile service anywhere in the country. In this record this applicant has not met its burden under your code is a matter of law you have zero evidence to show you where the gaps are. And if you put a tower at the location being proposed, next week Verizon may want to come and put a tower 50 feet away and nobody can stop them if that's where the real gap is. Under your code you have smart planning your code specifically says it's the applicants burden to prove that they meet each of this criterion. They have not meet any of them. You have zero hard evidence for the record. And for the record my clients are identified on the first page of the memorandum in opposition by name

and address. So, under your code the requirements will not only violate the letter code but it would violate the intent of the code to grant this. As with most smart planning codes when you adopted the provision for cell towers you not only adopted the specific requirements, you actually codified the legislative intent. You describe the whole reason way you require cell tower applicants to get a special use permit in the first place. You talked about the types of adverse impact you tried to prevent and, in this case, if you grant this permit you will inflict the precise type of impacts that your code was adopted specifically to prevent. So, it would be inconsistent with the letter of the code and the spirit of code. Once again, I'll refer to section 250-1A, the whole purpose legislative intent to prevent any proper use of land, to prevent abuse that would a fend the eye, to preserve the Beauty and the community and economic value of land. And that's sub section 251-l. This is possibly the worst location for this tower. I can not believe the Board is actually considering putting the tower here. That lake is gorgeous why anyone would have proven 19-story monstrosity there I don't get. They haven't shown the need for putting the tower there but they haven't justified the height. There is nothing that shows you need a 184 Tower. By the way, you have absolutely no way of knowing if that's going to be a hundred eighty-eight feet. When I read it was 184 foot now, they are saying it's 188 foot. If you approve a 188 foot towers, this tower is built under the middle-class tax relief and job creation Act of 2012. Tarpon can come back at any time and increase the height and you can't stop them. The Middle-class tax relief say's once the tower is built, they can increase the height of the tower as long as it doesn't increase the overall size of the facility. The FCC's interpretants that to mean whatever the towers height is they can increase it by 10% would you be 18 feet. Plus, the distance for an additional antenna which is 10 foot plus the height of the antenna and that 8 feet. So that means it would be 18 + 10 + 8 feet. They won't increase it over 200 feet because they would then I have to register it with the FCC. If this tower gets improved the FCC will not know anything about it. There will be no record of it. I ask you to look at your own code. You can read the sections in the brief you can look at Verizon own coverage map. You can also look at exhibit A what shows you that Tarpon is an infrastructure company, they don't provide personal services. This is not about services, but about money. The rule of thumb for sale developers is to find the cheapest site possible. So, they looking for the best Finance circumstance otherwise why not look at Crystal Run? Attached to those papers is the letter from the tenant at Crystal Run that says we'll let him put it here. There's a letter from Verizon saying that the Crystals Run location is a suitable alternative. Their own engineer said this will do, but they say things like well we couldn't come to terms with the landlord. The code spells it out, the purpose is to avoid unnecessary adverse aesthetic impacts and avoid reduction in property values. These are killers. This is what we argue the most in federal court, with regard to adverse aesthetic impacts in America. Federal courts have ruled that when a board is considering allegations an adverse aesthetic impact, the most accurate evidence of the type of adverse aesthetic impact are, letters from the homeowners who stand to suffer those adverse effect impact. And the reason is, a federal judge in the US court of appeals for the second circuit specifically said, they're the ones who are acutely familiar with their own home, they're in a position, the best position to know the specific type of adverse aesthetic impact they're going to suffer. I implore you look at the 50-60 letters that are attached to my exhibits. Look at what your constituents are saying this monstrosity is going to do to their home. This is going to reduce property values. It would be different if there were no other place to put it. Federal court said how do you know if the property values go down? You can do an appraisal, or look at letters for real estate broker especially a real estate broker who's familiar with the area. The letter from Real Estate brokers state depending on the way the home is

situated the loss of value can be 30% of the homes value. Again, I want to state that my clients are not against the cell tower, they just don't want it here. The fact is the applicant has not proven anything.

Bill Lothrop, Sullivan County Bureau of Fire - I'm a Battalion Chief and I represent portions of the Town of Thompson, Mamakating and parts of Forestburgh. I've been in the fire service for 53 years. I don't know about gaps but I can tell you, responding to areas in Wanaksink Lake, Rock Hill and the gorge and having other Fire Departments coming in to the area, we have gaps of coverage. We try to use our cell phones and they do not work. After 911 we found that lack of communication was our biggest issue. The best communication is the user of cell phones, because our conversations can remain private. There are certain things that can not be shared over the radio, so using a cell phone is the best way to communicate. Our Fire Fighters, EMS and Policeman need cell phone service. We are getting more and more busier each year. The Fire Fighter service is getting more involved with active shooters and we need cell services for these situations. Please approve the tower and get us the cell service we desperately need.

Marvin Newberg, Attorney— I represent Harriot Gottlieb who's directly affected by this tower. I wrote a letter to the Town Board in regards to the balloon test and ask that this be part of this public hearing. The tower is directly hanging over Mrs. Gottlieb's house and will be seen from her bedroom window. The Gottlieb family has been very active in this community for year. She has lived in this house for 65 years. To pick this site and have the tower hover over her house and put a road right next to it is insulting. The towns code 250-70, the sitting of the cell tower will preserve the privacy of any adjoining residential property. Your section also says you need to adverse the effect. Listening to the presentation I noted that there were other sites. I heard that other sites (D & E) were suitable but not completely investigated and have to be investigated. If a tower needs to be built at another height to do the job then, that's the boards job to make the applicant meet their burden. There was an article about cell towers not having an adverse effect to homeowners and that is not correct. I went on the internet and found three articles that were written by appraiser and you know from common sense, if you have a cell tower near your house or impairs the view, then people are not going to want to buy your house. I know this is a special permit and I know you can get your own special investigators and have the developer pay the bill. Maybe the Board can hire an independent RF engineer so the board can be informed independently. You have to go and look at the other sites and investigated them fully. I have had conversation with Mr. Lusk and will continue to do so. I applaud the Board for re-opening up the Public Hearing. There is a lot of work to do and no rush to do it.

Amelia Gewirtz, Real Estate Broker and Wanaksink homeowner – We all know the most import words in Real Estate is location, location, location. Please honor your code like Andrew said. There are 260 homeowners in Wanaksink that will see their properties reduced by at least 30%. I would invite you to come site on a dock and see what a great view it is and how it will destroy our property values and mother nature. I encourage you to put this on a commercial property. Some of us are willing to take the gaps instead of destroying the property and our property value.

Larry Hultsland, 186 North Shore Rd – My big objection is to the esthetic. I'm the third generation, we have owned this house for years. My favorite pastime is going out and enjoying the sunset. I'm objecting to the esthetic and agree with others who said there are other places. Not in my backyard!

Mark Demuro, 93 South Shore Rd - I'm worried what my view is going to look like. I'm the fourth generation in this house. We don't cut down trees without getting permission. I bring brilliant people to my location all the time to see my view. What are they going to say when all they see is this large tower? I don't trust what's going on here with big corporation. Technology changes and once it goes up it won't go away.

Philip Rhodes, 4 Little North Shore- It's not only the view of our sunset. It's going to be shadowing were our kids play, our beaches and where our club house is. It's only a couple of hundred feet away.

Marlene Rhodes, 4 Little North Shore – Our house is directly across from the club house. People asked me why would I want to live there with all that noise from the children. I like the noise that comes from the club house. My concern is the sound from this tower and if it's going to keeping us up at night. This will destroy us visually and oratorically.

Joan Krieger, 108 Middletown Point Rd – I just want to make sure all of our previous correspondence will be on record. Paula Kay – Yes.

Norman Ouellette, 26 Gold Point Rd - I'm a summer resident for about 45 years. Our kids and grandkids come here because it's a beautiful place. We just became full time residence, we sold our house and moved here. We come to enjoy the beautiful setting and rural life style, you should come here and see it. As everyone has said we have great times here. This tower will destroy our view. We will not argue with anyone that we need better cell coverage, but please don't destroy our view. Please don't let this happen. Maybe the cell cover is not as good at those other locations, but they have not really said what not as good means.

Douglas Poetzsch, 14 Gold Point Rd – I'm going to focus on the three alternative sites. Mr. Poetzsch handed out pictures to the Board. I want to say thank you for looking out for the communities' interest in regards to the second balloon test and you re-opening the record and allowed for this second Public Hearing. Thank you. But what really matter is following threw on the test results and what you have heard here today. That we should sincerely look at the alternative sites. We have three alternative sites and this is what they all share: first: all owner have interest, second: they are all away from residential communities, third: there will be no or limited view, fourth: they will all be budding the ring and Fifth: they will cover the gaps. Douglas goes over the pictures. The Ramada property, they looked at the lowest part of the property. If you look at the higher part of the property, that would work. Mr. Poetzsch show a picture of what people would see if in a row boat in the middle of the lake of all three alternative sites plus the proposed site. Jim Barnicle – Are all three towers the same height? Mr. Poetzsch – Yes, 200 feet high. Paula Kay – Your pictures are from Wanaksink Lake but did you do it from any other residential place? Mr. Poetzsch – No I did not. Around these commercial properties there are very few homes. I'm not saying there are not any but just not a lot. Paula Kay – But there are residence around. Mr. Poetzsch – RF and closing the gap, we have a high level of confidence that these

will fill the gaps. Why, because Verizon says it will. Last time we sat here we felt very uncomfortable because we don't have radio frequency experience so we hired our own person and that is Dick Comi and he said that these other three sites would work. We understand more work needs to be done, however, with the work we have done we believe each of these three sites will work for us.

Dick Comi, wireless consultant - You have a difficult task here. I own the largest wireless firm in the county. I personally review over a thousand wireless application. I know the Verizon people that are here tonight and they know me. I normally represent the municipality. The citizens have not said they don't want a tower. They are concern about its location and what it's going to look like. You have a very good planning code; in fact, it has been used in other communities. I spent a good portion of today looking around at these alternative sites. It is my professional option that any of the three alternative locations (Crystal Run, Ramada & BBF) can provide the service that Verizon is looking for.

Chris Wallace, 60 Gold Point Road – I bought my current house for the view and the tower will be right in my view.

Paul Presti - There is one thing I have not heard tonight and that is conflict of interest. Who owns the property that the tower is going on? Is it a member of the Board, the Supervisor?

We are going to keep the public hearing open for written comments until June 12, 2019 at 4:30 pm.

A motion to keep the hearing open for written comments until June 12, 2019 at 4:30 pm was made by Jim Barnicle and seconded by Matthew Sush
5 in favor; 0 opposed

FAIRWAYS AT KIAMESHA

Concord Road, Monticello, NY S/B/L: 9.-1-36
Kevin McManus, PE Cappelli Organization

Mr. McManus - We were here last year and we have done a lot of work with regards to the building. I have construal drawing that have been turned in. Our market conditions were downgraded and our proposed rentals were not acceptable in the loan. With the Water Park now open we are hoping it will help us. We are here to get an extension.

Paula Kay – For how long? Mr. McManus – For one year. Paula Kay – Can you give the board a report sometime within the year to tell us how things are going? Mr. McManus – Yes.

A motion to extend for one year was made by Arthur Knapp and seconded by Matthew Sush
5 in favor; 0 opposed

ROSEMARY BOCK

Fraser Road and Route 42, Monticello, NY S/B/L: 9.-1-10
Tim Gottlieb, Engineer
Jay Zeiger, Esq

Mr. Zeiger – Everything you see on this map is already there. Some of these building was there before the current owner bought the property, some were built before zoning laws, some were done without permits and some had permits but where never closed out. Some of the work that was done might not pass the Zoning Code now. Jim Barnicle – If my memory is correct this was done in the 80s.

Paula Kay – You’re here because the town did violation and you want to correct them. Mr. Zeiger – Our client is the child of the long-term owner and inherited this property. We have gone over this with Richard McGoey and when these buildings were done. Our client’s records and the Building Departments records are not 100% clear. We are asking for a rejection of the site plan and to go to the Zoning Board of Appeals. We have talked to the owner about limiting the variances and the only way to do it is to remove buildings.

Chairman Kiefer - What buildings require variance? Mr. Zeiger – Lots of them. Chairman Kiefer – Not just sheds? Mr. Zeiger – No! Mr. Gottlieb goes through the buildings that need variances.

Matthew Sush – The shed’s you want variances for, are they worth keeping? Mr. Gottlieb – Yes, we are going to talk to the owner and try to have him reduce some of them.

Richard McGoey – The Building Department issued a permit for a temporary trailer and it’s still there. Can they remove the trailer? Paula Kay – Think that would help. Chairman Kiefer - How old is the trailer? Mr. Gottlieb – It’s a 1974 trailer. Mr. Zeiger – I think the issue was that someone is living there. Chairman Kiefer – Temporary is temporary.

Richard McGoey – A lot of the shed’s that are not shown here that require the 10-foot separation are plastic and could be moved.

Paula Kay – Have it clean it up before you go to the ZBA and certainly before you come back here.

A motion to deny and send to the Zoning Board of Appeals was made by Jim Barnicle and seconded by Matthew Sush
5 in favor; 0 opposed

ROCK HILL LIQUOR STORE

184 Rock Hill Drive, Rock Hill, NY S/B/L: 32.-2-46
Mr. North, PLS, North & Houston Land Surveyors
Dharmesh Patel, owner

Paula Kay – The dumpster for the existing liquor store needs to be taken care of, it’s a mess. Mr. North – That is not just their dumpster, it’s shared with the catering people. Chairman Kiefer – You don’t have separate Dumpsters? Mr. North - Richard McGoey brought it up and we talked about getting another dumpster for just cardboard. Mr. Patel – We fold up our boxes but our neighbors do not, unfortunately we can’t get the full use of the dumpster. I think we are getting another dumpster. At our new location we are going to be making it look better.

Richard McGoey – I have a lot of comments and the site plans were submitted today and I haven't had a lot of time to look at them. Richard McGoey Mr. North look over the plans quickly.

Jim Barnicle – We are going to need extensive landscaping. Mr. North – I have added that to the site plans. There will not be a lot since there mostly parking and we boarder a lot of different property's so we can't landscape a lot. We plan on doing the corner and on the side of the building. Jim Barnicle – Maybe container landscaping around the building. Mr. North – We are proposing trees, shrubs, and ornamental grasses. Not too tall of trees. Paula Kay – What is not too tall? Mr. North – We don't want to block our signage. There will be some redbuds trees. Paula Kay – We will have our resident landscaper look at it. Mr. North – We are doing tall ornamental grasses because of plowing the snow. And we don't have a lot of room between the parking lot and the state properties. Jim Barnicle – Where do you plan on putting the snow? Mr. North – Onto the ornamental grass and parking lot. Jim Barnicle – Maybe think about other landscaping that can handle snow and winter. Something that is 12-month tree or shrubbery like evergreens.

Matthew Sush – Will there be a sign by the road? Mr. North – No, just on the building. Michael Hoyt – I agree we need more landscaping.

Jim Barnicle – How high up will your sign be? Mr. North – It will be above the windows so around 9 or 10 feet up.

Paula Kay – Will you mirror any of the other newer buildings with the stone work? Mr. Patel – Yes, we want to make it look similar to the gas station. Mr. North – I actually designed the gas station across the way and plan on doing something similar to this building.

A motion for a public hearing on June 12, 2019 was made by Michael Hoyt and seconded by Matthew Sush
5 in favor; 0 opposed

FAMILY FUN PARK

65 Friedman Road, Monticello, NY S/B/L: 5.-1-6.3

Joel Kohn, Representing applicant

Mr. Kohn - We were here last time looking for final approval but didn't get it because of issue with building without permits. The town engineer was out there last week with me.

Richard McGoey – Your engineer must respond to the SWPPP comments that are outstanding. Mr. Kohn - We spoke to someone at your office and will be responding to them. Richard McGoey – Ok, not done yet.

Richard McGoey – The location of the newly excavated area in front of the barn and shed should be shown on the plan including grading and drainage plans. I have not seen them yet? Mr. Kohn - No.

Richard McGoey – The location of the water valve boxes in front of the barn has not been shown on the revised plan yet. Mr. Kohn - You mean the existing water lines? Richard McGoey – Yes.

Richard McGoey- Until we get the SWPPP and revised site plans I suggest no action. Mr. Kohn - Can I get a conditional and work the rest out in a work session? Richard McGoey – No, you should have gotten the SWPPP before you did the work.

MACHNE OHEL TORAH (Esther Manor)

566 State Route 17B, Monticello, NY S/B/L: 11.-1.24.1

Joel Kohn

Getzel Beiger

Chairman Kiefer will recuse himself from this application and will appoint Matthew Sush as temporary Chairman.

Paula Kay – At the last meeting the Board did not think you will be open in time for this season. There are several issues that need to be done and you can't have construction going on while camp is open. I think it was premature for you to come back.

Mr. Beiger - Mr. Kohn called me up and said the same thing. I know we are on an aggressive schedule. We are dealing with all this stuff and it's going to take time. We are looking for the same thing the Board and Department of Health inspectors want done. We feel its right to come here and ask for the few things we need. We are working on the sewer and water now. Our building engineer is instructing us as we go along. We are planning on living here and want it done right. I'm a family of 9 and plan on being here with my father and bothers and we are carrying about our children very much. We have a plan B if we can't get the camp open this year. We would like to proceed and get everything done.

Paula Kay – As long as you understand you can't occupy until everything is done. Mr. Beiger – Yes.

Jim Barnicle – We need a time table that shows us what is being worked on, when it's finished and what is next. What Buildings are going to be occupied and where is the caretaker going to sleep. Mr. Kohn gives Temporary Chair Matthew Sush a list. Temporary Chair Matthew Sush – With this list how many will need an engineer to approve? Mr. Kohn - All of them. Temporary Chair Matthew Sush – So how many engineer reports have you received from this 20?

Mr. Kohn - His goal is to work on the property. We are asking for a public hearing. As far as the list, once the building is down to the bare walls the engineer comes in and tells us what needs to be done. Mr. Kohn shows the Board which building on the site plans have been worked on. Most of the smaller building have plans from the engineer and what needs to be done to them.

Paula Kay – That is great, what about water and sewer? Mr. Kohn - Same thing for water and sewer.

Mr. Beiger – They never shut down the building properly. We started to test the pipes and found that most of them are destroyed and need to be fixed. Temporary Chair Matthew Sush – Can you give us a time frame of when the repairs can happen and how long they will take.? Mr. Beiger – We hope to have it today but since it's right before summer the plumbers are busy. One day he's at our place and the next day he's gone.

Richard McGoey – We haven't seen any reports from the engineer, so we don't know what is going on. We are not ready for a Public Hearing on new uses yet. Paula Kay – We need a plan and reports and can't have anyone occupy the building since we have not seen any engineer reports. Mr. Beiger – We feel it's right to give us the opportunity to provide this info before the public hearing. Paula Kay – The Board is saying no public hearing until we get reports. Mr. Kohn - Typically when someone buys a project like this you won't start to do any thing before you come in front of the Board for approval. Just because he started to do the right thing, I don't think we should be penalized and not be able to move forward. He's doing the right thing and working on the buildings and it's impossible to do reports on the water and sewer lines until everything is analyzed.

Paula Kay – We are not penalizing anyone we are just trying to make sure everything is done in the proper manner so everyone is safe. And to make sure the neighbors don't have issues. Mr. Beiger – I don't think it's right to have such an attitude toward us since the first time we came here. It was such a bad feeling to come here the first time. Paula Kay – We have not had an attitude.

Mr. Kohn - I have to agree, when he first came in the board started to say everything was done without permits and that was not true. He has done it all with permits. I understand there is a process. He came to town to spend a couple of million dollars and he felt as if he was not welcomed.

Jim Barnicle – It was under such disrepair to come in and say you want to open by summer is too aggressive. We needed more details. The condition of the property and everyone's mind set was something he had to overcome. Obviously, you are taking steps to do everything right but, there are far more details that are needed. As you seen tonight the public is going to come out full board and we need to make sure our I's are dotted and our T's crossed. Mr. Beiger – I just feel that it's right to have the people speak.

Temporary Chair Matthew Sush - it is import to have the engineer reports to backup what is going on. Arthur Knapp – I think that is what the challenge is. If I see an engineer's report, I would feel better. Mr. Kohn - Everything is being supplied to the building department. It's hard to do reports beforehand because of the conditions of the buildings.

Michael Hoyt – What is the issue with the electric? Jim Carnell – NYSEG had to come and bring in electric because everything was gone, no overhead, not drops no nothing. Michael Hoyt – How about the panels? Jim Carnell – Gone. The only service was just to the caretakers building. NYSEG engineering takes three to four months just to get a pole set. Mr. Kohn - They got a pole set and a switch. What ever NYSEG needed. Michael Hoyt – Did you need an inspection for the caretaker's place when you turned it back on? Mr. Kohn - I don't know about the caretaker's place but everything else will. Jim Carnell – It needs an inspection if it's been off for more than 18 months.

Temporary Chair Matthew Sush –Has there been mold inspection done? Mr. Kohn – They are taking everything out so there should be no mold and then they will be reviewed after that.

A motion to close the meeting at 9:16 p.m. was made by Temporary Chair Matthew Sush and seconded by Michael Hoyt
5 In favor; 0 opposed

Respectfully submitted,

Debbie Mitchell

Debbie Mitchell
Secretary
Town of Thompson Planning Board