

TOWN OF THOMPSON  
PLANNING BOARD  
Wednesday, February 27, 2019



IN ATTENDANCE: Chairman Lou Kiefer  
Matthew Sush  
Arthur Knapp, Alternate  
Michael Hoyt,  
Debbie Mitchell, Secretary  
Ethan Mindrebo, Consulting Engineer

Michael Croissant  
Kathleen Lara, Alternate  
Paula Elaine Kay, Attorney

APPROVED

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

Chairman Kiefer appointed Kathleen Lara to replace Jim Barnicle.

A motion to approve the February 13, 2019 minutes was made by Michael Croissant and seconded by Matthew Sush  
5 in favor, 0 opposed

**IRWIN SIEGEL AGENCY**

25 Lake Louise Marie Rd, Rock Hill, NY S/B/L: 51.-2-13.2  
Barbara Garigliano, Attorney

Ms. Garigliano – This will be a three-bay garage designed solely for storage and it will be 36' X 44' and will be built behind the existing storage building. There will be no water or sewer in the building. Ethan Mindrebo– Will there be a gravel driveway? Ms. Garigliano – No, there is grass there now and that will stay. It's mostly to store their lawn equipment.

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

A motion for site plan approval was made by Michael Croissant and seconded by Kathleen Lara  
5 in favor; 0 opposed

**BIRCHWOOD ESTATES**

Rod & Gun Club Rd, Monticello, NY S/B/L: 56.-1-46.1  
Glen Smith, Engineer

Mr. Smith - Birchwood Estates had an accident last year and because of that they are looking to become safer. All the green lines on the site plan are the existing trails that go through Birchwood Estates. They would like to develop more walking trails for safety within the development and since that is changing the site plan, we had to come back to the Board. They would also like to put up gates on both the entrances to be used by the residences for the summer months. The property on the right side is the

boys camp that is a 50-foot-wide strip. They bought a parcel of land between Birchwood and the sewer plant. What they would like to do is put in guest parking along the side of the driveway and then walk into Birchwood Estates. Ethan Mindrebo – Are each of those lines parking spaces? Mr. Smith – Yes, there are about 70 of them. Ethan Mindrebo – Then they will be backing out of those spaces on to the Road? Mr. Smith - No that a driveway.

Matthew Sush – How would the gate work? Mr. Smith – They would have a code or push button to allow the residences in. Matthew Sush – Then someone could pass the code onto a friend and then they could get in as well. Mr. Smith - They could, but they will be enforcing who can come in through the gates. Paula Kay – Maybe do a key fob. Chairman Kiefer - How would the Fire Department or Ambulances get onto the property if there are gates? Michael Hoyt – These gates are made to open when a siren from an emergency vehicle goes off.

Kathleen Lara – How far off Sackett Lake Road are these parking spaces? Mr. Smith - About 50 feet from the road. Ethan Mindrebo – What is there now? Mr. Smith - Wooded area and brush. Kathleen Lara – Is this a separate parcel? Mr. Smith - Yes, but they plan to consolidate it.

Mr. Smith - The bedroom issue with septic was 31,000 gallon per day, could go up to 43,000 per day. Based on \$20.00 per gallon it works out to \$ 220,660, and they will be making a payment of \$73,553.33 for the next three years. Jacob Billins is revising the old agreement now. Paula Kay – Let's not have Jacob do it, it's just a simple paragraph change.

Ethan Mindrebo – One of our comments was about the bridge over the walkway. Mr. Smith – We haven't done that yet. Let's make that a condition that its include on the plan sheet.

Matthew Sush – Just want to confirm that the gates are not on these site plans. Mr. Smith – Correct they are not, they will be on the parking lot plans.

#### **SDTC: VISTA II**

Old Liberty Road, Monticello, NY S/B/L: 2.-1-31.1  
Glen Smith, Engineer

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

A motion to deny and send to Zoning Board of Appeals was made by Michael Croissant and seconded by Michael Hoyt  
5 in favor; 0 opposed

#### **LAKEVIEW ESTATES**

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

Paula Kay – We had a discussion in the work session that the Escrow balance has not been paid and because of that we can't decide on this application tonight. We would like to have you and your client come to the next meeting with the number of bedrooms there will be throughout the development.

Mr. Kohn - I only learned about the Escrow tonight. This applicant has paid over \$ 120,000 in engineering fees so far. Can I please present this application to the Board? Kathleen Lara – We can listen.

Mr. Kohn – There are two items on this application that have changed and they are: 1) Building a Sunroom instead of Deck. They are not proposing any additional bedrooms just a Sunroom. Kathleen Lara – Instead of a deck floor will it be a cement floor? Michael Croissant – Under the Sunroom will there be a porch? Mr. Kohn – It will be on the foundation. Michael Croissant – So not only will the Sunroom be enclosed but there will be a basement as well? Mr. Kohn – Correct.

Paula Kay – This hasn't been reviewed yet. Ethan Mindrebo – We did have a work session and we have comments but we have not distributed them yet. Paula Kay – I believe Jim Carnell would like to have a discussion about the number of bedrooms throughout.

Mr. Kohn - The second item is: the trash compactor. The compactor is supposed to be in the back of the project. They would have to go all the way though all the units to pick up the garbage so, they would like to have it closer to Anawana Lake Road. Ethan Mindrebo – I would just suggest some additional screening if it's moved.

#### **GIBBER NEIGHBORHOOD DEVELOPMENT**

Gibber Rd, Monticello, NY S/B/L: 6.-1-9  
Glen Smith, Engineer

Mr. Smith – This project is 100 acres off of Gibber Road with 264 Townhouse units. We would like to have the Board send out intent to become Lead Agency.

Paula Kay – We would like to get our Town Planner Marybeth Biancon involved in this application.

A motion to have the Town Planner Marybeth Biancon involved was made by Matthew Sush and seconded by Chairman Kiefer  
5 in favor; 0 opposed

Paula Kay – I would like to have you get together with MaryBeth Biancon before we do Lead Agency.

Glen – I already have everything ready to go. Paula Kay – Give that list to MaryBeth Biancon and go over it with her.

Mr. Smith - We had a traffic study done by Maser Consulting for the Fallsburg Roads and want to know if we need to get the Town of Thompson's Traffic consultant involved as well. Do we need the Towns



Traffic consultant do its own study or just look at the Fallsburg study? Paula Kay – We can let the two Traffic consultant decided on that.

A motion to get the Town of Thompson's Traffic consultant involved was made by Matthew Sush and seconded by Michael Croissant  
5 in favor; 0 opposed

### TARA ACRES

968 Old Liberty Road, Monticello, NY S/B/L: 2.-1-29

Mr. Kohn, representing the applicant

Maria Zeno. ESQ, Kalter, Kaplan, Zeiger & Forman

Matthew Sush recused himself from participating in this application.

Chairman Kiefer appoints Arthur Knapp to replace Matthew Sush.

Paula Kay – This is in court and not only is it in court but Maria Zeno's client is going to pay \$5,000 plus building without permit fees.

Mr. Kohn – There was a 43' X 10 open deck and a building addition of 10' x 7' that was added. The deck is now enclosed.

Mr. Kohn goes over the comments and has submitted a copy with the answers.

- Comment #2: The addition includes an open deck 43' x 10' and a building addition 10' x 7'. The site plan should clearly label each of these and indicate the deck is open. – There was an existing 43' x 10' open deck, it was recently enclosed and at the same time a 10' x 7' addition was built.
- Comment #3: Although the applicant's representative indicated the open deck and addition added, the entire building is fully enclosed with doors and windows. The use of the space should be determined, and if additional bedrooms have been added they too should be indicated on the site plans. – The addition space is to be common living space not bedrooms. Chairman Kiefer - Is there a note on the map that there are not to be any additional bedrooms? Mr. Kohn – No, but we can add that note.

Ethan Mindrebo – When you say there was an existing 43' x 10' open deck, was that on a previously approved site plan? Mr. Kohn – I believe that was done on a previously approved site plan. Ms. Zeno – The issue was the enclosure of the deck without the board's approval and the addition.

- Comment #4: The approved site plan was conditioned upon a lot consolidation of two tax parcels. – The lot consolidation has been completed. The new tax map number is 2.-1-29.

- Comment #5: There was a concern raised previously that the lot coverage was exceeded. The engineer should verify lot coverage conformance with the addition of the porch and building addition - The lot coverage is shown on the bulk table on the site plan, along with all of the lot coverage calculations. The lot coverage shows 10.13 percent and there are no bulk table requirements for a Bungalow Colony in a SR zoning.
- Comment #6: A bulk table should be provided on the site plan. – This has been done.
- Comment #7: The compactor enclosure appears to be satisfactory and contains some type of a hydraulically operated dumpster. - The owner indicates that they have the dumpster emptied twice a week and have had no issues with excess garbage.

Paula Kay – We have had an ongoing issue with their sewage system. We are waiting for spring to determine if what the engineer has done will comply. Also, are we waiting on a report from the engineer? Mr. Kohn - There was a letter sent recently. Paula Kay – We have been in court about this septic system. The neighbors have complained and the Building Department has done inspection after inspection. They have made changes but there has been a continual issue and we think the last construction has fixed it. But we won't know anything until spring. Jim Carnell – All the systems on the south side have been replaced. We have had issues every year and last year was not as bad and it was a wet summer. Chairman Kiefer – Does each building have its own system? Mr. Kohn - Yes, there was additional grading and taping done but not 100% around the systems. So, some of the clean water was leaking out. There was additional grading and seeding done after the season last year and we won't know if it works until after the spring.

A motion for negative declaration motion under SEQRA was made by Kathleen Lara and seconded by Michael Hoyt  
5 in favor; 0 opposed

A motion for site plan approval was made by Michael Hoyt and seconded by Arthur Knapp  
5 in favor; 0 opposed

#### **FAMILY FUN PARK**

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

Joel Kohn, representing the Applicant

Mr. Kohn goes over the comments.

- Comment 1: There were improvements done without the Board's knowledge or consent. We request that the improvements that were not previously approved be highlighted on the site plan. – There has been a note added that includes all the areas that have been constructed previously.

- Comment 2: The site plan was verified ADA compliance by showing slopes along the ADA pathway from the parking lot to the newly proposed go cart area. – Spot elevation have been shown that indicate slopes along the pathway approximately 2% the entire way.
- Comment 3: The limits and dimensions of the paved areas within the parking lot to provide ADA access from the parking spaces to the paved walkway are to be shown in detail including cross sections. – The limits of the pavements have been shown on the plan and labeled. Ethan Mindrebo – Are there details with signage? Mr. Kohn - Yes.
- Comment 4: The septic system modification will require an NYSDEC SPDES permit. – The engineer was doing the SPDES and will submit to the DEC.
- Comment 5: The invert elevation of all septic system components proposed to serve the go cart facility should be shown. – The info has been added to the plans.
- Comment 6: SWPPP and report should be submitted for review and acceptance. – The SWPPP report is nearly complete and will be submitted directly to Scott Quinn.
- Comment 7: The wooded area between the parking area and the stormwater management pond should be labeled as “not to be disturbed” – They have been labeled.
- Comment 8: The area between the go cart track building and the parking lot does not accurately show grading, or otherwise if this area is to remain undisturbed it should be noted. – The grading was correct, but the LOD and tree line were not, this has been revised and the area has been labeled as an area to remain undisturbed.
- Comment 9: The separation distance between the newly proposed well and septic system should be shown. – This was shown on the original map.
- Comment 10: The Applicant’s engineer should verify whether a public water supply application and approval is required for this amusement facility. – The current well and facility is served by a well with a UV treatment system previously approved by NYSDOH. Chairman Kiefer - Will there be two wells? Mr. Kohn - Yes.
- Comment 11: Grade plans are to be provided for the proposed septic system area. – Grading has now been shown on the proposed septic area on the utility plan.
- Comment 12/13: The site plan shows a 50 foot right of way from Friedman Road to a point just short of the septic system area. The site plan should identify who this right of way is in favor of and whether the right of way extends further into the property. – There is a 50 foot right of way. Both these parcels are owned by Family Fun Farm and will be combined. Michael Hoyt – The right of way goes onto the other parcel? Mr. Kohn - Yes, and they will be combined. Jim Carnell – They can’t file the lot consolidation until we have approved and stamped it.



- Comment 14: The approval notes must be revised to identify the amusements which are being approved as part of this application including the bumper boats and zip line. – This has all been addressed and added to the site plan.

Mr. Kohn - We would like an approval for this project. We can't get a signed map until everything is approved and until we have the third-party approval. Then this way we won't have to come back to the Planning Board.

Kathleen Lara – With no disrespect to the Owner this hasn't been perfect. He has been caught doing things to his property without approval and it's my option that some of these items need to be taken care of first before we make any kind of approvals. I feel these things should be a little further along because the enforcement issues have been a problem before. Chairman Kiefer – Does everyone agree with Kathleen Lara about holding off on approval. Every one said Yes.

Michael Hoyt – Doesn't that right of way go right up to the septic? Ethan Mindrebo – There is no septic or leach field and it does not encroach. Matthew Sush – Should we add a limited disturbance line? Ethan Mindrebo – If that is the edge of the pavement it should be 10 feet off of that. We should be good.

**FREEDS BUNGALOW**

506 Old Liberty Rd, Monticello, NY S/B/L: 8.-1-47.1

Joel Kohn

Mr. Kohn - This is an existing Bungalow Colony on Fraser Road and Old Liberty Road. They currently have 41 units and want to get rid of four mobile homes and combed units making the end result 36 units. They are proposing to add 3 duplex units and combined a few of the units. We need a denial to go to Zoning Board of Appeals.

Matthew Sush – Parking on Fraser Road is an issue. There is always a bunch of cars on the road near Anawana Lake Road and that's is an issue.

Kathleen Lara – What variance do you need? Mr. Kohn - It's a long narrow property and they want to remove the trailers and add new homes with decks. The setback line is too close.

Michael Hoyt – They're removing the laundry building, are they replacing it somewhere else? Mr. Kohn - No, they have two public laundry rooms already and most people have their own units.

Mr. Kohn - We added a variance table on the site plans.

Matthew Sush – Fraser Road in general has a high pedestrian traffic area in the summer.

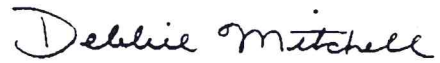
A motion for a denial and to go to the Zoning Board of Appeals was made by Kathleen Lara and seconded by Matthew Sush

5 in favor; 0 opposed

A motion to close the meeting at 8:02 pm was made by Michael Croissant and seconded by Matthew Sush

5 In favor; 0 opposed

Respectfully submitted,

A handwritten signature in cursive script that reads "Debbie Mitchell".

Debbie Mitchell  
Secretary  
Town of Thompson Planning Board