

APPROVED

TOWN OF THOMPSON
PLANNING BOARD
Wednesday, April 10, 2019



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

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 April 10, 2019 at 7:00 p.m. to consider the application of the Choice Properties of NY, LLC for site plan review for proposed office use in existing building in accordance with §250-10 and §250-11 of the Town Code of the Town of Thompson.

This property is located in the HC1 and HC2 zone at 146 Rock Hill Drive, Rock Hill, NY S/B/L: 32.-2-56-2. Lawrence Marshall, PE, Mercurio Norton Tarolli Marshall

Satisfactory proof of mailing was provided to the Board.

Mr. Marshall– What is being proposed is the repurposing of the building, the expansion of the parking and replacement of the septic. Most of the work shown here and what is up for approved is already done. We are seeking approval for the work that was already done in addition to the minor additional expansion. The change of use is from the previous uses to the current use. With this being an office, we need additional parking spaces, the site plan is showing 98 parking spaces. Chairman Kiefer – Is this strictly an office with no truck traffic or storage? Mr. Marshall– Correct.

Public Hearing Comment

Carol Berg – What is there now? Mr. Marshall– It’s an office? Ms. Berg - Is this by the music store? Chairman Kiefer – No, it’s down the road by the SPCA.

Chet Smith – The parking lot that you are calling existing was not there 6 month ago. When you say existing on what approval? Mr. Marshall– Existing as it is there now. As I mentioned there are things that were done and we are looking for approval from the Board. And that was one of the approvals we are seeking. Mr. Smith – That didn’t include the removal of the trees? So, they removed 50 trees with no approval. Paula Kay – The Building Department brought them to court and they pleaded guilty and they paid a pretty significant fine. The next step was to come here and have the Planning Board review what has been done. Mr. Smith - I don’t have any problem with this just want it too look nice. Will there will be site improvement to clean up the tree’s that were pushed off the site? Mr. Marshall–

There are minor additional cleaning for the parking and grading. Mr. Smith – The grading is different from the existing building. Mr. Marshall– Yes. The grade will not change in the existing area but the expansion will require a small replacement of fill to maintain the slop of the parking area. Mr. Smith – They only have that single entrance way and they are not proposing a second entrance way, are they? Mr. Marshall– They are not proposing another entrance way. Richard McGoey – You don't show the grading on the site plan. It is a pretty significant grade. Mr. Marshall– We will have to work with the surveyor to provide the clarification on why it's not on the site plan. Chairman Kiefer – What are the plans for landscaping along Rock Hill Drive. Mr. Marshall– We don't have anything proposed on the plans yet and we will work with the applicant to have it added. Michael Croissant – Is there a sign? Mr. Marshall– Yes. Michael Croissant – Landscape around the sign as well.

Mike Conway – The grade difference where they put the gravel in is just open dirt and big piles of brush and dirt. I'm assuming if they are going to expand it, there would be more. I would like to have them clean this up and plant some trees. Also, with the grade difference there is a lot of run off, it's causing a swamp down toward the SPCA.

Mr. Smith – To my knowledge he is correct on the grade proposed sewage, but I think there is an old abandon well house where there is electric. Mike Conway – There is an old abandon house and a pool. Mr. Marshall– It is shown on the site plans. Chairman Kiefer – Richard McGoey did you go down there and look at that well house? Richard McGoey – Not where the septic is.

Mike Conway – The property borders the SPCA property correct? Mr. Marshall– Yes.

Ms. Berg – A 100 car parking lot is very large do they know what kind of business will be there? Mr. Marshall– The tenant is already there.

Eileen Conway Whitaker – Is this going to be an office building? Mr. Marshall– Yes, it is currently being used as an office building and they didn't have the correct permits to use it as an office so that is why we are here.

Public Comment Closed

A motion to close the public hearing was made by Jim Barnicle and seconded by Michael Croissant
5 in favor; 0 opposed

CLOSED PUBLIC HEARING

Chairman Kiefer appointed Arthur Knapp to replace Matthew Sush.

Chairman Kiefer called the meeting to order at 7:12 p.m.

A motion to approve the March 26, 2019 minutes was made by Michael Hoyt and seconded by Arthur Knapp
5 in favor, 0 opposed

RICK & JANE LAKE

166 & 168 Downs Road, Monticello, NY S/B/L: 24.-1.59.4 & 24.-1.59.5
Rick and Jane Lake

Mrs. Lake – We would like to put up a garage on the property next door. And I was told we need to consolidate since there is no house on that property now. My Mom was living there but we moved her off of it. The garage will be oversized, it will be 28 X 50.

A motion for a Lot Consolidation was made by Michael Croissant and seconded by Michael Hoyt
5 in favor; 0 opposed

A motion for the Oversized Garage approval was made by Arthur Knapp and seconded by Jim Barnicle
5 in favor; 0 opposed

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 Michael Croissant as temporary Chairman.

Mr. Kohn – This group came in and wants to use the property as a camp like in the past. They are proposing to upgrade all the building, water, sewer and everything they need to, to be able to use it. They would like to get into this property this summer. They want to add a Mikvah on the lower level of the dining room building and changing an existing building to a classroom. The property is served by two access, one from Copper Corner Road and Route 17 B. Jim Barnicle – There will be two Mikvah, adding one and maintaining one? And have a change of use to a building? Mr. Kohn – One building was used as staff housing and will now be a classroom. Temporary Chairman Michael Croissant – Are you showing all the building, even the ones you're not going to use on the site plan? Mr. Kohn – Everything is shown here. We are still looking at these building with a structural engineer to see what can be saved and what has to be demolished. Temporary Chairman Michael Croissant - Have you had a structural engineer look at the building and is there a report? Mr. Kohn – There is no report but it has been looked at. The engineer will be out again tomorrow. The main structural issue is in the dinning room building and he will submit these plans to the Building Department. Temporary Chairman Michael Croissant – I think we really need to look at these building very closely. Mr. Kohn - That is what is being done. Jim Barnicle – I agree. Can we require an engineer report for each building? Mr. Kohn - We can do that. Our engineer has identified issue but some buildings have no issues. Structurally it looks worst then they are. Temporary Chairman Michael Croissant – Is there any asbestos in the building? Mr. Kohn – We got clean reports that there is no asbestos. Most of the issues are the roof's and the sidings. The applicant plans on fixing everything necessary to make this place better. Paula Kay – And is the plan for next year usage? Joel – No hoping for this year. Not sure if that will happen or not. Kathleen Lara – No disrespect but these building are in pretty bad shape and the issue is to make sure these building are safe.

Jim Barnicle – You know as well as we do that there can always be more issue behind the sheetrock since nothing has been used for so long. Mr. Kohn – They are doing just that. They had to take down sheetrock in some building and we have a permit for that. We have had a clean asbestos report, there were lead testing done as well. There has been a lot of work that has already been done. Then the engineer will come out again and re-look at these building to make sure everything is being done.

Temporary Chairman Michael Croissant – Jim Carnell do they need to give anything to you at this point? Jim Carnell – We have several permits and plans that have been issued. Kathleen Lara – Any violation? Jim Carnell – There are a number of violation but I don't know if we have issued any. Mr. Kohn - If you go out there today, I'm sure you would be able to issue a 1,000 violations. Hopefully if you go out there in two months there won't be any.

Temporary Chairman Michael Croissant – What is all the sheet rock and insulation that was delivered? Are there any permits to install it yet? Mr. Kohn - No, they have a deal with a business in the city and they brought up the stuff early. Temporary Chairman Michael Croissant – You have to re-wire the whole building before you can put up sheetrock. Mr. Kohn - If you go into this one building the wiring is not too bad. Michael Hoyt – What is not too bad? Mr. Kohn - The wiring is still intact. A few years back when it was last used, they did some work on the buildings.

Mr. Kohn - Overall there is a lot of work that needs to be done and our engineer will be out tomorrow again. Paula Kay – Who is the engineer? Mr. Kohn - John Fuller.

Paula Kay – We know you're on an aggressive schedule and we have seen this before where construction is being done while the kids are in camp. That cannot happen here. You will have to decide in May whether you will be ready to open. And what about the septic, is it in failure? Mr. Kohn – The septic is not in failure, but some work does need to be done. There has been a company hired to check the water and septic system. Temporary Chairman Michael Croissant – That septic never worked. Richard McGoey – I have not seen the SPDD permit yet. Mr. Kohn - They have an active SPDD permit that will expire in 2024.

Paula Kay – I would suggest you work out the infrastructure first. Mr. Kohn - I agree with that. They do have several plans for the infrastructure.

Michael Croissant – Will every building have an engineer's report? Mr. Kohn - Yes, everyone that they plan on using will have an engineer's report done. Kathleen Lara - What about the one's not being used? Mr. Kohn - We are still investigating those building and will have that information to you shortly.

Temporary- Chairman Michael Croissant – When will the structural reports be available? Mr. Kohn – We are meeting with the engineer tomorrow, so hopefully I'll have an answer tomorrow.

Jim Barnicle -The more information you supply the Building Department will help you out. Mr. Kohn - Of course and I know you still have questions.

Richard McGoey – Has there been a mold evaluation done? Temporary Chairman Michael Croissant – You're going to need it. Mr. Kohn – No, none has been done and there is nothing in the building code saying we have to do one.

Jim Carnell – Our concern is having work being done while the kids and families are there. This is very unsafe and we don't want it with this kind of occupancy they are proposing. Mr. Kohn - If they are not ready, they should not be occupied.

Richard McGoey – What about the trailer that is there now? Mr. Kohn – We are going to replace it. Paula Kay – I don't think we want to replace it. Mr. Beiger – Can we make it look good? Paula Kay – What is it used for? Richard McGoey – It was used for the caretaker. Temporary Chairman Michael Croissant – You can't replace it with a trailer.

Richard McGoey – We need better site plan and details on the septic. Mr. Kohn – There is not too many more details since they are not adding anything. Richard McGoey - I don't know how many staff and children there are going to be there and that should be on the site plan. Jim Barnicle – How about ADA requirements? Mr. Kohn - There is no requirement for ADA on existing buildings. Richard McGoey – How about the new Mikvah? Mr. Kohn - Yes, they have to put one in there.

Mr. Kohn – We are here specifically for the change of use to the place. Arthur Knapp – At this point we need to know how many of the dwelling will be occupied. So, we will need to know what the capacity is for the water and sewer. Mr. Kohn - The SPDD is for 27,000 gallons per day and we will be below that. Not all the buildings will be occupied. Arthur Knapp – Will there be a time table on what will be restored and which ones will not be? Mr. Kohn - By the next meeting we should know. Over all this will be a big improvement to the town.

Arthur Knapp – It is very import to make this look very nice since it's on a very busy road. Please make sure this looks very nice. Mr. Kohn – Everything will remain as is. The buildings will just be getting an upgrade. Kathleen Lara - The building that they are not going to use will have what done to them? Will they knock them down or coordinate them off? Mr. Kohn – I'm not saying they won't be used just not sure yet. Hopefully by next week we should have a better idea.

Mr. Kohn – The goal is to be in this summer and I know that is very aggressive. Paula Kay - We just don't want construction going on while the camp is in session.

KEREN FIELDS

Sunset Drive, Monticello, NY S/B/L: 48.-1.22.21 & 28.-1.33.1
Glenn Smith, P.E.

Mr. Smith - This is a project on Sunset and Sackett Lake Road. They wanted four test wells done. We got the permits for three driveways' off of the Town road so we can do the test wells. Chairman Kiefer – Will these driveways be temporary? Mr. Smith - Temporary for now but will eventually be the permanent driveway.

Michael Croissant – Will you be monitoring neighbor's wells? Mr. Smith - The Board of Health want the wells on the property tested as well as monitoring the neighbor's wells. Michael Croissant – Which neighbors? Mr. Smith - Anyone close to the property and probably anyone who was at the public hearing. We will ask those people if we can monitor their wells or not. Paula Kay – There are members of the public here tonight, maybe we can get their numbers. Mr. Smith - We already have everyone's numbers. Mr. Smith – I've never had the Health Department request more than 2 well before.

EXCELLENT BUS SERVICE

22 Heiden Rd, Monticello, NY S/B/L: 32.-2.5.2

Glenn Smith, P.E.

Eli Gelb, owner

Chairman Kiefer - You're not moving Sam's operation from Liberty to this property, are you? Mr. Gelb – No.

Mr. Smith - This is a separate parcel that allows this type of use. They will be using the same ingress and egress onto Bridgeville Road. It's a 6,500-foot building with overhead doors on both sides. There will be an impound yard up against the north property line. This site can't be seen from Route 17 at all. The well in the existing house will be use for the office. The stone house that is there has a driveway but DOT has restricted access to Heiden Road.

Chairman Kiefer - What size impound area? Mr. Smith - 50 x 80. Richard McGoey – Can you estimate the number of cars you can store in the impound area. Mr. Gelb – Hard to say they can be different types of vehicle. Richard McGoey – A note needs to show no storage of vehicle outside we don't want a junk yard. Mr. Smith - His customers have comment on the look of the place now and he doesn't want any junk outside ether. Jim Barnicle – The two business will act independently of each other? Mr. Gelb – They will be fixing the buses there. That is one of the reasons why we are doing it here. Jim Barnicle – So when they are done, they will be returned to the bus terminal? Mr. Gelb – Correct. Paula Kay – No work will be done in the terminal? Mr. Gelb – No, there will be none done.

Mr. Smith - We show 7 parking spaces will that be plenty enough? Mr. Gelb – Yes it should be. Most of our customers are being dropped off. Chairman Kiefer – How many wreckers will there be? Mr. Gelb – Three. Richard McGoey – So your going to need parking for the wreckers. Mr. Gelb –The plan is to keep them in the building. Chairman Kiefer – But if you have repair work being done you can't put them inside. Mr. Gelb – We usually leave them in the building. We usually have four bays being used so we squeeze the wrecker's side by side. Richard McGoey – I think we need to show a place for the wreckers parking. There was also a concern of screening from Heiden Road. Mr. Smith –The building is 135' from Heiden Road and that is all wooden now. The trees are pretty high so we will do screening along the frontage.

Richard McGoey - What is your schedule for the demo of the house? Mr. Smith – A note will be added saying the house will be demoed before the permit.

Mr. Smith – Can we set a Public Hearing? I think Heather sent out a 239 out already.

A motion for a Public Hearing on May 8 2019 was made by Michael Croissant and seconded by Jim Barnicle
5 in favor; 0 opposed

Mr. Smith - We can get a demo permit for the house correct? Chairman Kiefer – Yes.

THOMPSON SQUARE MALL

State Route 42, Monticello, NY S/B/L: 13.-3-40.6

Richard Baum, attorney

Pablo J Medeiros, representing the applicant

Geraldine Tortorella, Council

Steve Powers, Engineer

Ms. Tortorella – We are here to discuss our proposal for changes for the Thompson Square mall. We have a proposal for a 21,053 square foot building where the liquor store, Restaurant and movie theater are, a 11,000 square foot free standing building and a 5,000 square feet addition off of the rear of Staples. We also have site improvements, signage modification and road access changes. We are in discussion with the Hotel owner and it is our expectation that the Hotel owner will be building that access road. Chairman Kiefer – What will the 5,000 square foot off of Staples be used for? Mr. Medeiros – Not really sure we just figure the new person will need it. Chairman Kiefer – Will that effect truck traffic? Mr. Medeiros – No, we have done truck movement to show that the trucks can get around with no problems. Ms. Tortorella – We plan on getting rid of truck traffic off of the main entrance. Jim Barnicle – You will be making the main entrance way excluded to commercial traffic? Mr. Powers – That is our intent and we will be putting up signage saying that.

Jim Barnicle – Will the bank still be a bank? Mr. Medeiros – Not sure we don't have anyone for that building yet. Ms. Tortorella – There will be some façade changes by the new Marshalls location. Also, some new signage. Michael Croissant – What about the driving lanes?

Mr. Powers show the Board the site plan. The access to the property is a full single access. And there is also another entrance on the other side by the exit. We plan on putting in truck access off of Golden Ridge Road to keep trucks out of the parking lot and make it much easier for the trucks to deliver items. This was an agreement between the applicant and the hotel owner. Reconfiguration for parking in front of Marshalls and the new 11,000 square foot free standing building. Chairman Kiefer - What is that build for? Mr. Medeiros – Not sure we don't have any tenants yet.

Mr. Powers – Richard McGoey was concerned about the one-way access to the mall being not a straight shot. We will come to an island and are proposing to put in additional parking. The qing lane will stay the same. We don't think there will be any issues.

Jim Barnicle - Will you be eliminating the left turn into the auto zone? Mr. Powers – We are proposing to maintain that quick left. Chairman Kiefer – I would recommend it staying an entrance only. Jim

Barnicle – Maybe I'm just over thinking it. Mr. Powers – The quick left after the entrance onto the road that runs parallel with Route 42 will also stay the same. Both those entrances will stay the same. Mr. Baum – It's only one way it's not like your crossing lanes.

Mr. Powers – We are proposing 850 spaces where 950 is required. There are 881 parking spaces now. Meaning we are dropping 31 spaces. Currently the parking size is 10 foot by 20 foot and we want to go to 9 foot 18 to maximize the parking. Chairman Kiefer – That's pretty tight? Richard McGoey – That's typical for us.

Mr. Powers – There will be very little grading. The drainage pattern on site will remain the same. We will be maintaining the retention pond. We are proposing to reconfigure the drainage pipe that runs under the Movie Theater.

Michael Croissant – Will all the islands have landscaping? Mr. Powers – Yes as long as we can fit it. The one request from the Town was to have sidewalks by the Town Hall and that is the only spot where we don't have landscaping plans. Also, the sections we will be working will have millandover laid or full replacement if needed.

Michael Croissant- How will the 11,000 square foot building be used? Mr. Medeiros- We are looking for three or four tenants, but if someone want to use half of it for restaurant space that would work too.

Mr. Powers – Dumpster location for the new building is being proposed as a masonry encloser to have it blend in with the building. Mr. Medeiros – Because it's close to the Town Hall no matter where, they put it, it will be close and it needs to be accessible by a truck so we are proposing masonry encloser. Jim Barnicle – Also pick the time the garbage gets picked up.

Mr. Powers – We are proposing three lanes for exiting and one lane for coming in. This should hopefully eliminate the traffic back up to Home Depot. We will have pavement markers to help people realize which lanes are which. Ms. Tortorella – We are also proposing signage further back to help as well.

Mr. Powers – We are requesting some zoning variances as well. One is the side yard setback for Marshalls. It an existing variance that was granted and we would like to expand it to 25 feet, required 35 feet. A Side yard setback for the retail building, proposing 25.9 feet, required 35 feet. The side yard setback for Staples is currently 3.7 feet, we are not encroaching anymore however, with the expansion it will be expanded. Combined side yard setback with Marshalls and the proposed retail building is 70 feet required and we are proposing 50.9 feet. The combined side yard for Marshalls as well as the expansion for Staples is 70 feet required and we are proposing 28.7 feet. We have an existing pylon sign that we are looking to modify. We realize that another free-standing sign is another variance.

Paula Kay - Do you want the denial now for the Zoning Board of Appeals? Ms. Tortorella – Yes. We want to make it clear that it is not just the monument but if there is an area variance that we might need, then that too would be allowed.

A motion for a denial and to be sent to ZBA was made by Michael Croissant and seconded by Jim Barnicle

5 in favor; 0 opposed

Richard McGoey - Melinda Meddaugh has asked that we get a pedestrian access on the access drives. Mr. Medeiros – On all the access drives? Richard McGoey – Not sure if you will have room on both access drives but defiantly on the one-way in. Mr. Medeiros- No problem as long as we can fit it.

Richard McGoey – The board should ask for a traffic study done.

A motion to engage our traffic consultant was made by Michael Hoyt and seconded by Michael Croissant
5 in favor; 0 opposed

Richard McGoey – We talked about an easement between the Thompson Ridge Project and this project. Also, some language that there be some cooperation because we know there were problem between the Hotel people and the previous owners of the mall. Maybe Paula Kay could do something to require them to talk. Mr. Baum – The communication is on the way. They are not necessary moving very fast. Mr. Medeiros –Timing doesn't work for the hotel perspective and we want it done by June and they are saying by the end of the year. If the Town could help that would be great. We want to start our work as soon as possible and if we can get the trucks in from Golden Ridge Road that would help us. Paula Kay – Do you know why they want to wait until the end of the year? Mr. Medeiros – Because they want to build a hotel not the road. That to them is more important. Richard McGoey – Could you see if they could do a temporary road? Mr. Medeiros – We could but it would become very rutty quickly. Michael Croissant – Also, other people will start using it, not just the trucks. Mr. Medeiros – We would then have to worry about maintaining a temporary road and that would just give us an additional cost. The first step in the process was to give them the design and we did that. The next step was to get the price from their contractor and we haven't gotten that yet. Jim Barnicle – Is there more than one owner for the Hotel? Mr. Medeiros – We have only met one so far. Mr. Baum – There was an agreement that was prepared and circulate that was designed to turn up as an easement. And that would have to be signed by both sides and the IDA. The way that property is structured is that it's a lease, lease back. There is a holding Company that owns the property and they leased the property to the IDA and the IDA leased it back to the holding Company and then they leased it to the Operating Company. All of those people have to be parties as well. Jim Barnicle – Can the IDA be a broker? Mr. Baum – I don't know. Originally the property was to be purchased by the Holding Company and leased to the IDA and then back but that didn't happen. The Lenders insisted that this how it happens.

Mr. Medeiros – We had panhandlers' issue at the entrance drive. We have tried to eliminate this and I'm afraid that if we give them a sidewalk they will stand there. Michael Croissant – Put they won't stand on a sidewalk. Michael Hoyt – Maybe you can put flowers in the middle. Mr. Medeiros – Michael Croissant you have a good point. Maybe we can put the sidewalk only on the entrance side.

Richard McGoey – Exterior grease trap at Shop Rite is an issue. Ms. Tortorella – We need the Town to send a letter since we don't have the ability to do any thing about it. Mr. Medeiros – If the Town sends a letter and copy's us and they don't do what they are told then they are in violation of the lease. Jim

Carnell– I talked to Mike Messenger and he is prepared to send the notice out and if they don't respond then we can send out a violation.

Ms. Tortorella – Since this is on Route 42 then we will need a 239 sent out.

Ms, Tortorella – We would like to have the Board send a note to the ZBA having them notice that you recommend all the variance.


A motion to send a notice to the ZBA for all the variances that was requested was made by Michael Croissant and seconded by Michael Hoyt
5 in favor; 0 opposed

Richard McGoey- Did you include the off-premise sign? Ms. Tortorella – No we thought to hold off on that for a while.

Ms. Tortorella – We had two signs one for welcoming everyone to the mall and one saying good-by. We need to determine if there is any variance needed for this.

A motion to close the meeting at 8:23 pm was made by Jim Barnicle and seconded by Michael Croissant
5 In favor; 0 opposed

Respectfully submitted,



Debbie Mitchell
Secretary
Town of Thompson Planning Board