

TOWN OF THOMPSON
PLANNING BOARD
Wednesday, June 24, 2020

APPROVED

IN ATTENDANCE: Chairman Lou Kiefer
Matthew Sush Kathleen Lara, Alternate
Jim Barnicle Arthur Knapp, Alternate
Paula Elaine Kay, Attorney
Debbie Mitchell, Secretary
Richard McGoe, Consulting Engineer
Hellen Budrock, Sr. Planner Delaware Engineering

PUBLIC HEARING

Notice is hereby given that pursuant to the provisions of §250-55 of the Town Code of the Town of Thompson, public hearings will be held by the Planning Board of the Town of Thompson at the Town Hall, 4052 Route 42, Monticello, NY on June 24, 2020 at 7:30 p.m. to consider the application of MAC Corp for special use and site plan approval in accordance with §250-10 of the Town Code of the Town of Thompson.

The property is located in the HC1 zone 40 Katrina Falls Rd, Rock Hill, NY S/B/L: 32.-2-97
Robert Buckles, Owner

Mr. Buckles did not show for the Public Hear so we will have to reschedule.

PUBLIC COMMENT

Debbie Padwa – If the applicant is not here how do I ask questions? Paula Kay – We are going to have to reschedule if he does not show. Jim Barnicle- Can she still ask her question? Paula Kay – Of course. Ms. Padwa – I would rather ask my question to Mr. Buckles. Maybe he will answer the question during his presentation.

PUBLIC COMMENT CLOSED

Notice is hereby given that pursuant to the provisions of §250-55 of the Town Code of the Town of Thompson, public hearings will be held by the Planning Board of the Town of Thompson at the Town Hall, 4052 Route 42, Monticello, NY on June 24, 2020 at 7:30 p.m. to consider the application of The Orchard Park at Towner Farm LLC aka Combined Energy Services for special use and site plan approval in accordance with §250-11 of the Town Code of the Town of Thompson.

The property is located in the HC2 zone on Cimarron Road, Monticello, NY S/B/L: 31.-1-75
Glenn Smith, Engineer

A Satisfactory proof of mailing was provided to the Board.

Mr. Smith – This was formally Sager Cycle property and now CES will be moving their All Gas Welding business there. They will be installing 6 separate gas tanks. Richard McGoey comments about the Dumpster has been added to the site plan. It will be on an 8 foot slab with a 12 foot fence around it. There will be landscaping with trees along Route 17 and also at the entrance. I added a foot note saying that the Zoning Board of Appeals (ZBA) approved the area variance and another note was added about the Monticello Fire Department requiring electronic beep code as well as a key box for entrance. Handicap parking is in the front. On the east side there will be a 40 foot addition.

PUBLIC COMMENT

No Public Comment

PUBLIC COMMENT CLOSED

A motion to close the Public Hearing was made by Jim Barnicle and seconded by Matthew Sush
5 in favor; 0 opposed

Matthew Sush – In the past we left open the written comments. If we do that, will that effect how we proceed tonight? Kathleen Lara – We did that only for those with a lot of Public Comments. Jim Carnell – Also we have not received any written comments. Paula Kay – And there was no Public Comment at the ZBA.

Chairman Lou Kiefer appoints Arthur Knapp as a voting member to replace Michael Croissant
Chairman Lou Kiefer appoints Kathleen Lara as a voting member to replace Michael Hoyt

A motion to reschedule the MAC Corp Public Hearing was made by Kathleen Lara and seconded by Matthew Sush
5 in favor; 0 opposed

Chairman Kiefer called the meeting to order at 7:49 p.m.

A motion to approve the June 10, 2020 minutes was made by Matthew Sush and seconded by Kathleen Lara
5 in favor, 0 opposed

THE ORCHARD PARK AT TOWNER FARM, LLC AKA COMBINED ENERGY SERVICES

110 Cimarron Rd, Monticello, NY S/B/L: 31.-1-75
Glenn Smith, Engineer

Chairman Kiefer - since there was no Public Comment, we can make a decision tonight.

A motion for negative declaration under SEQRA was made by Kathleen Lara and seconded by Jim Barnicle

5 in favor; 0 opposed

A motion to approve the site plan was made by Jim Barnicle and seconded by Arthur Knapp

5 in favor 0 opposed

KEREN FIELDS

Sunset Drive & Sackett Lake Road, Monticello, NY S/B/L: 48.-1.22.21 & 28.-1.33.1

Glenn Smith, Engineer

Mr. Smith - This is a 12-lot subdivision that we have been working on for a while. Ten lots for single family homes, 11th lot is recreation lot and lot 12 is for Mr. Horn's house and 4 smaller homes for his kids. There will also have a barn and a caretaker's home and that has been on the plan. For the last year or more we have been working with the Health Department on numerous issues and we got them resolved.

Mr. Smith goes over Richard McGoey comments

1: Agency approvals cannot be received from the NY Health Department and NYSDEC until the board approves Negative Declaration. - We did get a DEC SPDES Permit a month ago.

2: NY Health Department approval is needed for final approval. – That is correct they need approval from your Board.

3: SWPPP plan must be finalized. – Richard McGoey's office is reviewing the SWPPP. I submitted that back on June 4, 2020.

4: HOA documents must be submitted to Paula Kay for review and approval. - We are aware of that and Jay Zeiger has been retained to do that.

Mr. Smith - I did get a letter from the neighbor. The letter was dated May 28, 2020. The letter had several comments in it.

Comment 1: Wants to reschedule the public hearing due to significant changes made since the last Public Hearing. - I responded with, no major changes have been done. In fact there are almost no changes at all.

Comment 2: The Environmental Review has been changed from a Type 1 action to an unlisted action and that is unfair. The applicant has failed to address issues. – I responded with, the SEQRA process is mandated and clearly classifies this as an unlisted action. Either one still requires an Environmental Review with parts 1, 2 and 3. And that was submitted to the Town in 2019.

Comment 3 – DEC and Army Corp Engineers should be brought into this matter due to the impact of the streams on the property. - I responded with, there are no state or federal streams or wetlands being disturbed.

Comment 4 – Handball court or pool were not on the map for Public Hearing last fall and were not available to the Public. - I responded with, One year before the Public Hearing the maps showed all of that info and nothing was changed.

Comment 5 – Town hired a hydrogeologist and they should do new perk test and then the public should be able to review those test. - I responded with, they did hire a hydrogeologist, Mr. Miller to review the ground water and he said that there was no impact on the neighbor's wells.

Comment 6 – At the last Public Hearing this was a Type 1 action that would be subject to a vigorous Environmental review and instead it has been changed to an unlisted action. Any further action should be held off until a new Public Hearing is schedule - I responded with, the Environmental review is not much different between the Type 1 and unlisted action. It's still a vigorous review. In fact in 2018 a letter to become Lead Agency was sent to 9 other places and no one wanted to be Lead Agency.

Paula Kay – We did not get any draft resolution from Jay Zeiger. Mr. Smith - What exactly are you looking for? Paula Kay – We need a draft resolution in order to move forward.

Hellen Budrock – Are you ok since the letter addresses SEQRA issues? Mr. Smith - The only thing was the Type1 change. Hellen Budrock – Do you have the EAF in front of you? Mr. Smith – It's quite extensive with a large part 3. Hellen Budrock – Since I haven't had a chance to review it I'm a little concern.

Richard McGoe – It was dated Dec 21, 2018 and revised in Feb 2020 there was only one moderate to large impact and that was to change the level of service rating at Sunset Drive Exertion and Sackett Lake Drive Extension. I'm sorry there was a second one and that was impact on ground water. Hellen Budrock – It's the board's decision. But I would feel better if you re-submitted parts 2 and 3.

Paula Kay – There was also a change that there is no longer a Homeowners Association (HOA) being formed. Mr. Smith - We are not 100% sure about a HOA. We wanted to talk to you about it.

Paula Kay – If there is no common element then there is no need for a HOA. Mr. Smith - The only common element would be their private road. Paula Kay – Maybe come back and show us what the proposed language for the Deed is. Hellen Budrock – That is for the private road and recreational facilities? Mr. Smith - Just the road at this point. Mr. Smith - Part 2 and part 3 of the EAF was available in 2019 because I remember at the Public Hearing several of the neighbor's had copies of it. Hellen Budrock – Since it was done over a year ago maybe you should just take a look over at it to make sure nothing has changed.

CHARM ESTATES

295 Ranch Road, Monticello, NY S/B/L: 16.-1.20

Joel Kohn, Representative

Mr. Kohn - There was a pool in the front by Ranch Road. They took the community building and put it where the pool was and there are now two pools together on the lower right side of the property. There were 34 two family homes and 1 single family home. And there will now be 32 two family homes.

Paula Kay – You did hear that rather than doing a sinking fund we are doing a bond? Mr. Kohn - Yes. Mr. Kohn - We got a State Pollutant Discharge Elimination System (SPDES) permit from the DEC. The Department of Health (DOH) got their comments from the water system. Tim Gottlieb submitted a review plan with all there comments, so we are waiting on DOH approval now. The disturbance permit has been submitted to the Army Corps of Engineer back in May.

Richard McGoey – Tim Gottlieb was going to checking to see if the sewage collection systems need DEC approval? Mr. Kohn - I don't think there will be any comments.

Hellen Budrock – The landscaping plan is hard to figure out. Also, can he blow up the sign so I can see what is going to be planted there? Mr. Kohn - I'll have it labeled better. Hellen Budrock – We try to mix up the tree in case there is some kind of insert that likes a specific tree then they will not all get whipped out.

A motion to have a modified preliminary approval was made by Matthew Sush and seconded by Jim Barnicle
5 in favor; 0 opposed

LEISURE ACRES

2-32 Yellow Park Drive, Monticello, NY S/B/L: 29.-2-13

Joel Kohn, Representative

Mr. Kohn - Originally there were 67 units now there are 70. We were not sure if we were going to get the sewer extension agreement with the Town of Thompson and Monticello and an agreement was reached.

Mr. Kohn goes over Richard McGoey comments

1: Notice of Intent was approved by the Board. They were waiting for the Town to enter into a Sewer Agreement with the Village of Monticello. – An agreement has been reached. The Village of Monticello and Town of Thompson have done an amendment to their agreement to allow the sewer extension. The Board gave a preliminary approval to the extension.

2: Units have been increased from 67 units to 70 units. - True

3: The applicant's wetland specialist notify the Board as to the extent of the total wetlands and whether it would qualify for a NYSDEC. – There are no DEC wetlands. Richard McGoey – If it's bigger than 12.5 acres or more then it's a DEC wetland regardless if it's on your property or not. Mr. Kohn – I'll contact Jim Bates on this issue.

4: There was a safety concern for the access drive that enters onto Waverly Avenue. They indicated that it would be an emergency access road. – This is noted on the site plans. Chairman Kiefer – Isn't that an awkward position? Richard McGoey – Yes it is. Mr. Kohn - It's an existing driveway that is going to be used for emergency access. Richard McGoey – If it's gated and locked then I don't have an issue. Jim Barnicle – Can we get the Monticello Fire Department to sign off? Mr. Kohn – Yes, it's been sent out the Fire Department for review.

5: Board passes a motion to send out Notice of Intent to become Lead Agency. Proof of the mailing should be submitted to the Board. – I sent a copy to Richard McGoey.

6: Units 52 to 65 do not have availability to the emergency access drive. – This will be worked out. It will be an extension of the parking area. if we do an extension of the parking that will be enough. You have to be within a distance of 150 feet of the building if not sprinklered. Jim Carnell – We can go over the fire code since there are some exception to it.

7: This project has been submitted for sketch discussion only and action in regards to SEQRA. – We would like to have you assume Lead Agency.

Matthew Sush – For the secondary access, why not line it up with the community building and the road by the pool? To eliminate and help the fire access have the road loop around the outside edge of the property instead of cutting through the center. Mr. Kohn - The owner specifically wants this to be a separate section. This is a county road we can talk to them about it.

A motion to take assume Lead Agency was made by Matthew Sush and seconded by Jim Barnicle
5 in favor; 0 opposed

PINE OAKS

5-17 Down Road, Monticello, NY S/B/L: 23.-2-54.1

Joel Kohn, Representative

Mr. Kohn goes over Richard McGoey comments

1: Bulk Table should show the habitable area provisions as well as the density provisions. – That is fine, its shows the density in the bulk table.

2: We believe the fence goes throughout the site and that is not shown on the site plan. - We will have the site plan updated for the fencing. Richard McGoey – The fencing in my picture show's it's connected. I'll have to take another look.

3: The unit table show the old and new numbers but they have not been updated throughout the site plan. – I don't know what you mean? Richard McGoey – On the site plan you didn't renumber the units. Mr. Kohn - Yes I did. Mr. Kohn shows Richard McGoey. Richard McGoey – Ok, I'm wrong.

- 4: The table showing the unit numbers on sheet one of three should also show the number of existing bedrooms. – If you look at sheet three it will have all the units and bedrooms. Mr. Kohn shows the board sheet three.
- 5: Future submissions should include floorplans of the newly proposed duplex units. - We have that down, it's not an issue.
- 6: The new site plan shows the water storage tanks are located within a bio retention area therefore they need to be moved. - That is just a sketch for now it will be revised.
- 7: Future submission should clearly be label and show locations and size of all existing and proposed waterline and sewer lines. – They will all be shown in the future.
- 8: All tanks are labeled as relocated tank or tank not as septic tanks. – That's just labels.
- 9: Details of how the unsafe tank covers will be secured are to be provided by the Design Engineer and added to the site plan. - That will all be noted.
- 10: The ADA path from the parking lot to the Shule does not qualify as ADA accessible. The new sidewalk needs to be marked clearly on the map. - It will be added to the plan as ADA accessible.
- 11: Future submissions should include substantially more details. - That will not be a problem.

The last time we were at the ZBA they decided that I don't need a variance for the Community Center. Since last time we here I asked for a variance for the 15 parking spots less and now the owners has decided to just have the required amount of parking needed. Hellen Budrock – Has the Fire Department review the access drive? Mr. Kohn – The Fire Department normally doesn't do that it's typically in the NY State Fire code.

A motion to send out intent to become Lead Agency was made by Kathleen Lara and seconded by Matthew Sush
5 in favor; 0 opposed

RANCH ROAD REALTY

304 Ranch Rd, Monticello, NY S/B/L: 16.-1-3
Joel Kohn, Representative

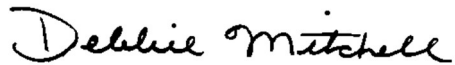
Mr. Kohn - We are in the process of getting approval for water and sewer. Right behind the single family home they want to put in a pool, 34' x 18'. We just need an approval for the pool. Paula Kay – This is just a modification to the site plan. They just want to put in a pool while they are still waiting on the approval of the site plan. Jim Carnell – Is there a preliminary approval yet? Paula Kay – I don't think so. Mr. Kohn – We did have a Public Hearing and no one showed up. We do not have preliminary approval

yet. Paula Kay - What Mr. Kohn could do is remove the other improvement from the map and then you could approve the pool and then he would come back with the improvement. Chairman Lou Kiefer – Isn't this a Building Department issue? Paula Kay – No because it's in front of you for Planning Board approval. Jim Carnell – Don't think there is going to be a problem with DOH either.

A motion to approve the pool conditioned that a site plan is shown with just the pool was made by Jim Barnicle and seconded by Kathleen Lara
5 in favor; 0 opposed

A motion to close the meeting at 8:35 pm was made by Arthur Knapp and seconded by Matthew Sush
5 In favor; 0 opposed

Respectfully submitted,

A handwritten signature in black ink that reads "Debbie Mitchell". The signature is written in a cursive, flowing style.

Debbie Mitchell
Secretary
Town of Thompson Planning Board