

**APPROVED**

7/22/2020

throughout New York and New Jersey. It's resources and building thousands of building will be property designed and maintained. This project will pay full taxes to the Town of Thompson.

Paula Kay –We are here to discuss the Scoping Document and to please keep your comments/questions about this document and what is in it.

## PUBLIC COMMENT

John Barone – I am representing Center for Discovery and Catskill Mtn Keeper. We intend on submitting written comments by Friday. I'm going to discuss comments not in our written comment. Amendments were adopted in June 2018 and went into effect January 2019. The reason is to stream line the SEQRA. NYS changed the reg's to require scoping with public input upon scoping rather than keeping scoping as an optional step in the SEQRA process. The DEC determined scoping as being intergraded part. This process is setting the foundation for the review of this project. The scoping lacks essential elements that need to be included before the final scoping document. My clients have consulted with 4 experts that have provide options. Section 2 of the document provides a number of bullets for information for regarding the project. However, the bullets do not provide much detail that is required. The final scoping document should be more specific with details on this project. I encourage the Board to review the bullets that Ted Fink provided. Page 8 to 10 of his report are attached to the comment letter. Land use, Zoning and Community Character in section 3G. Our recommendation should be retitled Land Use, Zoning and Public Policy. What we are proposing is that the Community Character have its own section. This reference doesn't include any other Town or County plans. In addition to analyzing the uses authorized in the zoning code, the DEIS should also address the following: The Town of Thompson Comprehensive Plan, The Sullivan County 2020 Comprehensive Plan, The Open Space Protection Plan, The Sullivan County Climate action plan, and the Agricultural Protection Plan. The assessment shouldn't be as narrow as currently proposed. Community Character must have its own section. Community Character is a misunderstood concept by planning boards and applicants. It's more then uses and zoning. NYSDEC guidelines explain that numerus issues can be under reviewed under Community Character. And combine a sense of place or character that defines a specific area or region. The DEIS must provide the description of how the community describes itself. It must include Hurleyville and Fallsburg. How mitigation is approached in the draft scoping document. While the scoping document has identified general topic areas for the DEIS, it does not provide details on the mitigation of those impacts. I ask the Board to refer back to the Ted Finks comment we have attached to the written comment. Scoping issues that need revision: Section 3A, 3B, 3C, 3D, 3E, 3F, 3G, proposing revision to their sections. New section is: 3J - Community Character, 3K – Esthetic Resources, 3L – Asocial Economic Revisions, 3M – Greenhouse Gas Emission. Section 5, 8, 9, need revisions as well. We are not seeking over haul of the whole document. I'm recommending to clarify on the record tonight the schedule going forward and that it has been excepted by the applicant. The last written comment can be submitted up to 4:30 on July 22, 2020 and a finally scoping document be submitted at the August 12, 2020 meeting. It is important that all parts agree that this is the schedule going forward.

Donna Nester – I live on Old Liberty Rd. This will drastically affect my life in a negative way. According to the Towns Comprehensive Plan 2.1.2; Commitment to ensuring new development meets a higher

standard which respects the natural environment and protects the special character residents and visitors alike desire. According to your positive declaration the land use is in sharp contrast of rural landscape. The developer said it's a need and I'm not sure who needs it. Is this affordable housing? My first time owning a well was when I moved here. I am concerned about the development and the impact on my well. The well report was questioned by the Town's Hydrologist. According to the scoping document, page 8 section 3, mitigation measures for impacts on other wells. By the time it impacts my well it's going to be too late. In reviewing the EAF I didn't see acceptable plans for mitigation. With the number of lights at this project we are going to lose the amazing resource of looking at the night's lights in the sky. And this would be part of Page 13, Section 4, Unavoidable Adverse Environmental Impacts. On page 14, Section 9, Impact on Climate Change. The amount of impervious services is not only going to impact the absorption of water but will cause an urban heat island effect. This is bigger than the hamlet of Hurleyville. How will it affect the migration and movement of wild life?

Roger Betters, Hurleyville, NY - Our group was formed in 2012. Our main concern is the water. Will there be an efficient amount of water for everyone? After building all these things will it really lower the runoff? I don't know how they are going to mitigate to reduce run off. The latest sewer plant that they are proposing is a module system and has a very low track record. It requires a year-round of being ran. Gan Eden's own engineer said that the pump's only last for 5 years. Who is going to do the upkeep? The class B trout stream that they want to discharge their treated water to is said to be on site and it is not. Back in 2016 their Engineer even said they needed an easement for this stream. Will the sewer system have a back up generator? Who builds a waste water treatment system up hill from your primary well? The on-site dam is so old it's not listed in the state registry for such structure. You start to upset the ground by the pond you will cause flooding down hill and that will affect 3 houses. The spillway has been compromised for decades. All three entrances have compromised line of site. If they plan on building a 109-foot, 400,000-gallon water tank they are probably going to need FAA warning lights. People as far as 20 miles away will see this water tank. The construction time line is going to take 5 years and that seems over optimistic. We will be submitting a more detailed letter as well.

Rick Nestler - I live on Old Liberty Road across the street from the site. I've been an environmental educator since 1984. I have concerns about the water supply and what happens after it's supplied. We don't know what the density is going to be. So, we won't know how much water will be drawn and how that could affect our wells. Also concerned with the water treatment facility. I would like more detail. Is this going to be primary, secondary or tertiary air flowing come out of the sewer treatment plant. Which is also supposed to empty out into the Class B trout stream. I'm worried about the quality and quantity of what is going into the Class B trout stream. Since this stream is not on site you are going to need a variance to dump into the stream. Even if the DEC gives it approval, it would be more than the stream could handle. I'm also worried about the run off. Also worried about chemical runoff like oil and salt from snow removal plus runoff from the roofs. All of this is going to be going downhill into a stream that already floods and would like to see much more details.

Lori Schneider - My property borders the Gan Eden property. The attorney mentioned about the Columbia Hill resort and that burn down decades ago. This property for the last 40+ years has been an open space. The issue of the runoff, water and pollution is very important to me. We are talking about a city development that is going to be larger than the town of Hurleyville. The thought of traffic coming

to a standstill while trying to turn into this development is scary. The unavoidable adverse impact of the environment, they are talking about the fact this was a preexisting resort and the Columbia Hotel has been gone for over 40 years and it was a seasonal hotel. So, we are not talking about how it is changing the current area.

Mary Ann Geary-Halchak – I live on Little Pond Road, Hurleyville. I think this should be part of the scoping document. How much acreages will be clear cut and when? Will they clear cut the whole hill and only build on a section of it? I've seen where they clear cut the whole area and only build on a part of it. This then causes massive erosion, massive stormwater runoff and destruction of the environment. The elevation from the top to Hurleyville is 400 feet. If there is stormwater runoff and subsequent erosion that is going to be a big issue. Even if there are proposed efforts to control the runoff, I don't know if it will be adequate enough to control it. What is going happen and who is responsible if the water does not follow the pathways on the site plan? This will increase massive run off to Hurleyville and the Class B trout stream.

Nancy McCarthy, 264 Main street, Hurleyville - It seems to me that the whole operation is putting the cart before the horse. The three critical issues have not been addressed and I don't know why we are wasting taxpayer's money on this planning effort. There isn't water, sewer or fire protection to cover this planned operation. There were issues with peoples well's just during the testing process. Sewerage, they have not demonstrated how they are going to get ride of it. The fire district is the Town of Hurleyville and they can't handle this, they won't have enough water. To me these basic issues have not been presented and the Board should not be considering this project yet. This hill is treacherous. Who is going to be able to afford these unit? These units are not near any school, business, work etc. The Town of Fallsburg doesn't want this project. If the developer wants this so badly have them connect to the Town of Thompson water, sewer and Fire Dept. I don't think it's right to approve until you have proof that they can get rid of the sewer, have sufficient water and sufficient fire protection.

Bonnie Macosky, Old Liberty Road – I'm very worried about my well and the run off. I'm halfway between this project and the Hobby well which was impacted by the testing on this project. Year ago, I lived by a new developing project and when they started to use their wells mine went dry. I had to re-drill and I don't want to go through that again. The HES report says there is enough water and I want to know why they think this? The peak use of water happens in the summer. We asked that the well testing be done in the summer and it was not done then, it was done in the fall. They said they did it in the fall because it was the driest time of year. It is well known that Sullivan County population goes up in the summer.

Stewart Wizwer, Hurleyville, NY - I'm speaking for the cemetery which is on Cemetery Road right off of Mongup Road. I'm concerned about the ground water runoff. How do you mitigate a cemetery? You can't move the people. The potential problem with runoff. Should there be an issue with the septic system pump house, what is the clarification there. No body want to live next to a cesspool. What is going to happen if there is an issue? You are going to disrupt the typography of the ground and the water has to go somewhere. What happens when the stream starts to overflow? The cemetery butts up against the stream. I have sent a letter as well. I can't tell you how many accidents have happened on that hill and if these entrance and exit are the only roads, there are going to be more accidents.

Donna Nestler - I got a call from a Sharon Sand and she said she could not get on and she asked if I could read a short statement on her behalf. Ms. Sand's statement: "The matter for what mitigation for waste water discharge and rain water runoff is proposed, it is still going downhill into the Town of Fallsburg into an area prone to flooding. Giving the Town of Thompson history of giving approval to two residential communities that experienced waste water failures and the well issues that were created for neighbors at a third development. Clearly a residential community of this size should not be approved without municipal water and sewer services. Its reckless, irrespirable and downright unneighborly, for one Town to allow a development to inundate another neighborly town." Hellen Budrock – Sharon is a Hurleyville resident? Donna Nestler – I believe so.

Ada Cole - Does the county of Sullivan have a taskforce for water management? Paula Kay – I can't answer that, I don't know.

Hellen Budrock - July 22<sup>nd</sup> at 4:30 pm is the last day for written comments.

**KEREN FIELDS**

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

Mr. Smith – I got Richard McGoey comments. I'm completing a SWPPP.

Chairman Kiefer - Where are you with the road management? Mr. Smith - The private road is going to serve four lots. We are going to do a mutual abuse agreement. We will have that done for the final signoff.

Chairman Kiefer -What about the two-year Bond for the wells? Mr. Smith - I don't see there being a problem with that. Who will determine the Bond amount? Will it be Richard McGoey? Paula Kay – Yes. Mr. Smith – For two year from final approval? Paula Kay – Yes, does that make since Richard McGoey? Richard McGoey – Yes it does. The offer was that the two year should start with the last building permit. Mr. Smith - Last building permit can be perpetuity; this is not going to be built out very fast. To hold a bond for years and years is not fair. Richard McGoey – If we find that he only builds one house in two years, we really don't see the impacts of the water supply. We have to come to some kind of reasonable agreement. Mr. Smith - The Health Department requested 4 test drills be done and the Hydrologist didn't see an issue. I thought we did that and had Mr. Miller do the review to avoid having to do a Bond? Chairman Kiefer - Wasn't there one well that had a draw down? Mr. Smith - Yes, after a 93-hour pump test and Mr. Miller didn't see an issue with that. Richard McGoey – You might not have any development in two years from day of final approval. Mr. Smith - The owner intends to build his house right away. And maybe one or two other houses. Paula Kay – Lets get a bond for each lot with a building permit. Richard McGoey – That would server the purpose. Michael Croissant – So basically there will be a two-year bond for every house built? Paula Kay – Yes. Mr. Smith – The Bond amount would be the cost of a new well and pump? Richard McGoey – Yes.

Mr. Smith - In the event of future water well problems, regarding quantity or quality occurs in any neighboring property as a result of this project, has been confirmed and verified by the Town of Thompson Engineer or building department. Within two years of the project fully built the applicant will be responsible for the mitigation action approved by the Town. The Town Planning Board may consider a bond to verify that the funds are there to replace or repair a neighbor's well. That cover it? Richard McGoe - Yes.

Paula Kay - I know we received a letter from Claudia Dietz. Mr. Smith would you mind addressing the comments?

Mr. Smith goes over the comments.

1 - I am wondering why the environmental review would change from a Type 1 to unlisted. - That is something we did for SEQRA.

2 - Further, how does this relate to the fact that the developer failed to address several issues outlined in a letter which David Mayberg sent to the planning board dated May 28, 2020? - I responded in detail to Mr. Maybergs letter from May 28, 2020. He made a lot of incorrect statement and at the last Planning Board meeting I read my responses.

3 - What brought about the additions and changes to the plans? Why were plans for basketball courts, handball courts and a pool omitted from the original submission? - The Plans have not changed from day 1. There have always been 12 lots, with basketball courts, handball courts and a pool. These plans were also this way at the Public Hearing.

4 - How could changes and/or additions be presented to the board with several other issues left unresolved. - Not sure what that means.

5- Ms. Dietz included her e-mail from January 22, 2019 which she had written comments from after the Public Hearing. I responded to all the written and verbal comments including hers from February, 2019. She said she did not receive any response nor she receive an acknowledgment. - I didn't send her a letter with my comments, they are on file with the town.

6 - I was somewhat satisfied with where we left off at the public hearing last year. - There are no changes.

7 - As a lifelong resident, tax payer and loyal community member, I am asking the planning board to keep the environmental review as a Type 1 which would involve the same intensive and reliable environmental review that was originally required. - The Planning Board did a good Environmental Review.

Mr. Smith - Water wells were a big issue, the kids liked to play in streets and they were concerned with traffic. They wanted the Planning Board to recommend no Parking and Speed limit signs but the Board can't do that since it's a Town Road. One of the conditions I included was the applicant will be requesting that future contractors, vendors, materials and delivery vehicles utilize access from Sackett Lake Road to Sunset Drive extension as much as possible versus using Sunset Drive via Route 42. They

didn't want traffic coming in from Route 42 side. She also asked about the Bonding of the well and if there are going to be two sinks in the kitchen and the answer is no. She asked about the HOA which is now been eliminated.

Michael Croissant – In regards to Mr. Smith responding to the comments not being received. Mr. Smith said he responded to the Town. Does the Town post that info to the website? Paula Kay – We do have the projects on the website. Michael Croissant – And is that were Mr. Smith would respond? Paula Kay – Mr. Smith would respond and send them to the Planning e-mail and then it would be put on the website and it is also in the file for anyone who wants to look.

Mr. Smith - The Recreation will be built onto the property. So, we would just need a mutual agreement just for the roads.

A motion for negative declaration motion under SEQRA was made by Jim Barnicle and seconded by Matthew Sush  
5 in favor; 0 opposed

A motion for a preliminary subdivision approval was made by Michael Hoyt and seconded by Jim Barnicle  
5 in favor; 0 opposed

#### **RJPM, LLC**

15 Second Road, Rock Hill, NY S/B/L: 37.-4-4  
Bob Schmitt, owner

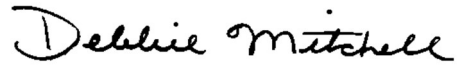
Bob Schmitt – RJPM, LLC is owned by myself, my wife and our neighbor. The garage is purposely designed to look like a house. It has no water or septic, just electric and propane for heat. This will be used for storage of two boats and cars. It will not be used on a daily basis. The lot is wooded on the north and west side and one neighbor on the east. We have set back as far as we can from the neighbor's property. In fact, the old garage was only 16 feet from the neighbor's property and we have pushed it back to 21 and 31 feet on the neighbor's side. The rear yard is now 10 feet versus 7 feet like the old garage. The height is 4-inches taller than the neighbor's garage. The drive is a hard-paved grass drive. We are hoping for approval.

Richard McGoe – Everyone has my comments, the waivers that Mr. Schmitt is looking for are items 3,4,5,6 & 7. It is your pleasure to act. Chairman Kiefer – Do we need a motion to waive the requirements? Richard McGoe – If you want to do a SEQRA Neg Dec first. Paula Kay – This is a residential garage I don't think we need it. Hellen Budrock – We don't.

A motion to approve application was made by Jim Barnicle and seconded by Michael Croissant  
5 in favor; 0 opposed

A motion to close the meeting at 9:07 pm was made by Matthew Sush and seconded by Michael Hoyt  
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