

APPROVED

IN ATTENDANCE:

Matthew Sush	Logan Morey,
Jim Barnicle	Arthur Knapp, Alternate
Michael Hoyt,	Paula Elaine Kay, Attorney
Debbie Mitchell, Secretary	
Richard McGoey, Consulting Engineer	
Mary Beth Bianconi, Planner Delaware Engineering	

Matthew Sush is made Temporary Chairman in Chairman Kiefer absents.

Temporary Chairman Matthew Sush makes Arthur Knapp a voting member.

Temporary Chairman Matthew Sush called the meeting to order at 7:30 p.m.

A motion to approve the August 12, 2020 minutes was made by Jim Barnicle and seconded by Michael Hoyt

4 in favor, 0 opposed

GAN EDEN SCOPING SESSION

Old Liberty Road, Monticello, NY S/B/L: 2.-1-6.3

Dan Horgan

Eric McCullough

Tom Dill

Ben Hoffer

Mary Beth Bianconi, – Gan Edan is proposing to create 534 row house units on a 199-acre parcel. The zoning is SR allowing residential Row Houses. On January 7, 2020 the project proposed conforms with the dimensional requirement as well as the density. On February 12, 2020 we took Lead Agency and circulated to involved Agencies for lead agency agreement and jurisdictional determinations. On May 13, 2020 the applicant submitted a draft scoping document. Planning Board reviewed the scoping document and completed between May 18, 2020 and June 1, 2020. They adopted the draft on June 10, 2020. The Scoping Document was circulated on June 11, 2020. On July 8, 2020 we did a Public scoping session with written comments opened until July 22, 2020. We received 15 comments and the board has a memo showing the comments. A number of the comments were very similar. We responded to all the comments that were received. Mary Beth Bianconi goes over the recommendation comments to be added to the scoping document that we received from the public. The Section affected are: Section III,A 1,2,3 – Soil and Topography, Section III D 2 & 3 – Wastewater Management, Section III F 2 & 3 – Traffic, Section III G 1- Land Use, Zoning and Community Character, Section III H 1, 2 & 3 – Community Services, Section V – Alternative and Section VII – Impact on Energy Use and Solid Waste Management. The Town of Fallsburg should be added to the Circulation list.

Mary Beth Bianconi – Once the Scoping Document is approved by the Board this will become the document, they will use to evaluate whether or not the Environmental Impact that is approved meets the requirements for scoping.

Jim Barnicle – Is it appropriate for the applicant to put up a Bond in case the roads get damage? Mary Beth Bianconi – Normally in the Environmental Impact statement there is a road maintenance agreement required. Before the project starts, they will do an assessment of the roads and then during construction and after the construction there will be an assessment to make sure there is no damage. Richard McGoe – Also there might be a video of all the roads before the project to document the road conditions.

Jim Barnicle – The Town of Thompson should become a watch dog for the water and sewer to make sure there are no issue during and after. Mary Beth Bianconi – At the end they will do a founding statement.

Paula Kay – Unless the Board has other comments, what will happen tonight is the Board needs to approve the Document and then at the next meeting we can adopt scoping. Then the scoping document will reflect all the changes from Mary Beth Bianconi's memo.

Paula Kay – Once the Board approves the document it will be posted on the website.

A motion to accept Mary Beth Bianconi's memo to change the scoping document was made by Michael Hoyt and seconded by Arthur Knapp
4 in favor; 0 opposed

BBIS AUTO AUCTION

Route 17B & Kaufman Road, Monticello, NY S/B/L: 12.-1-55
Ross Winglovitz,
Samual Bergsohn

Mr. Winglovitz – We are here tonight to discuss the site plan. Delaware Engineers had gone through and submitted a new Memo in regards to Habitat Assessment. We have since provided more detail design plans.

Richard McGoe – I went over the tech review comments. Let's start with the visual impact report.

Mr. Winglovitz – 17B is a critical area and the Town Board asked for cross sections assessments. Mr. Winglovitz shows the 4-cross section to the Board. Kaufman Road was not in the scope and it's very well wooded.

Jim Barnicle – Where would the chain link fence be located? Mr. Winglovitz – It would be around the whole lot for security. Jim Barnicle – What would be visible? Mr. Winglovitz – That is what we are figuring out. If it is to be visible, we will cover it so you will not see it.

Richard McGoe – Does any of the Board Members need additional cross sections? All said No. Richard McGoe – I think just by the storm water basin because that might be visible from 17B.

Mr. Winglovitz – We plan on doing a screening like they have in Newburgh. Paula Kay – That is an amazing screening. Arthur Knapp – The functionality is also great. It holds up very well over all these years.

Richard McGoe – Will there be additional car material that will need to be stored off site? Mr. Winglovitz – Yes, we will clarify that for you. Richard McGoe – That should be part of the Environmental review. Mr. Winglovitz shows the Board where each phase would be for construction. Jim Barnicle – And what is the time frame? Mr. Winglovitz – Phase 1 will start immediately, we are hoping to work over with winter so it's done by next year. Phase two and three will be done later on when needed.

Richard McGoe – Can you bring us up to speed with the wetlands? Mr. Winglovitz – It has been delineated and the Department of Environmental Conservation (DEC) has walked it. I sent the modified delineation to the DEC. Back in February we sent the info to the Army Corp of Engineer but I hear they will not be walking the land until September. We are waiting to hear when will they be walking the wetlands.

Richard McGoe – Comment 12, the Stormwater management basin which adjoins the lands discharges directly onto private property. Mr. Winglovitz – We redesigned the pond because of this issue and we forgot to move the outlet. So, we are moving the outlet so it will discharge to the side to go into the stream.

Mr. Winglovitz – We will work on Richard McGoe comments and then get onto a Work session in hopes to get a Public Hearing done for the First October meeting.

DAVID ETTEMBERG

Marina Rd, Monticello NY S/B/L :41.-A-1-16

David Ettenberg, owner

Paula Kay recuses herself from this application.

Mr. Ettenberg – I'm the owner of Camp Shane. Before I purchase this property, about 20 years ago I bought another property that had a small house near the reservoir. And it was because I needed a place for access to the reservoir to use my boats and jet ski's as a camp. I had gotten a letter back in July 21, 1995 from John Drobysh saying that I could use this property. We used the property and the neighbors complained that we are using our property for commercial use and it was a residential area. So, I closed up the house so we would have no issue. We took the boats to White Lake and waiting for commercial

property on the reservoir. Then three years later we did. We have been ruining boats and jet skis for about 18 years with no problems. I want to sell the property and I had a lot of buyers but then we found out that this was a Residential Property and it needs to be Commercial in order for anyone to buy it. Some time during my 18 years the zoning was changed and our lawyer said we were grandfathered in. I talked to 5 different lawyers and all the lawyers came back with different answers. Some say that it was zoned commercial and some said it was zoned residential. I now have a buyer. This parcel is right next to the marina and there is lots of tree surrounding it.

Richard McGoe – Is your request to change the property from Residential to Commercial? Mr. Ettenberg – Yes, Residential to Commercial. Richard McGoe – What is the intent of the new owner? Mr. Ettenberg – The potential owner (Star Light Marina) is running a restaurant and he would like to have my property so he can expand. Jim Barnicle – It's adjacent to the Star Light Marina? Mr. Ettenberg – No, there is a sliver between and that part is residential too. The owner is using her property to run a business and I think she should be commercial too. Jim Barnicle – Sounds like the sliver is the hurdle. Richard McGoe – I agree, you can't spot zones. Logan Morey - I don't believe it's a spot zone.

Richard McGoe – I think we need some maps. Logan Morey shares the Zoning and Tax Map.

Logan Morey – What the code says, it is supposed to go based on the property line. If you use the actual property line per code you would in fact be continuous. Richard McGoe – I know there is a dwelling lot on one of those lots too. Mr. Ettenberg – This is owned by the same person who owns the Marina. Richard McGoe – I don't think so. Logan Morey – I believe it is.

Arthur Knapp – What is the property zoning on the other parcel? Logan Morey – HC-1.

Temporary Chairman Matthew Sush – There is no records of when the zoning changed? Logan Morey – We looked back and some maps had different info. Not sure if it was in 2005, but in 2005 is when the whole town got updated with zoning codes. Temporary Chairman Matthew Sush – Your saying the legal description of the boundary of the zone is the property line and the drawing itself is poor. Logan Morey – That is what Jim Carnell told me.

Arthur Knapp – What do we have to do to make it Commercial? Logan Morey – It would be HC-1 and the new owner would still have to come here for Planning Board approval.

Mr. Ettenberg – I should be grandfather in! Logan Morey – No, because your use should have been approved as well. The Board needs to agree to the HC-1 zone request and then send it back to the Board. Mr. Ettenberg – Any reason why the Planning Board would not agree considering where it is at?

Jim Barnicle – What is the size of the lot? Mr. Ettenberg – .69 of an acer.

Richard McGoe – I think you should come to a Work session so we can see the maps in person. Temporary Chairman Matthew Sush – I think it's hard for us to make a decision without making sure everything is lined up properly.

Temporary Chairman Matthew Sush – Do we need a Public Hearing? Mary Beth Bianconi – It's a local law and a change to the zoning. You are talking about the use to be a restaurant? Richard McGoey – It's a Marina with accessory restaurant use. MaryBeth Bianconi -That not allowed. Temporary Chairman Matthew Sush- We don't want to change the zoning to something if you can't use it anyway.

Mr. Ettenberg – But that restaurant has been there for many years. MaryBeth Bianconi – There was no Zoning in NY until 1970 and when they started to zone, they made the rule that allowed business to continue to be run in their area since it was there prior to 1970 no matter what the Zoning became. And that's probably how the Marina is allow to still be ran as a Marina. What is happing now is that this land is going to become a non-conforming use. The town can't zone for a non-conforming use under state law. I don't see anything that say's Marina but it does say commercial recreational facility. The problem with that is it not defined in the code. The Town Board or Zoning would have to decide if this qualifies as a commercial recreational facility. But the issue is the size, minimum lot size is 3 acres. You would need to do a delete and combine and that would be easier. The only place you can change the Zoning is the Town Board. Mr. Ettenberg, bring all the paperwork you have to the work session. Mr. Ettenberg – I have not sold the property yet. I do have other people interested in it too. I have been told by Lawyers that I should be able to continue to use this as commercial. Richard McGoey – Let's talk about this at a work session.

MONTICELLO CENTRAL SCHOOL DISTRICT

80 Cold Spring Road, Monticello, NY S/B/L: 29.-1-14 & 30.-5-3.1

Stephen Lewis

Mr. Lewis– The school is remodeling the High School and working on a new transportation building. The new building will be where the buses park now and once the new building is up the old will be taken down and the buses will park in that area. I talked to Rob Green who has a lot on 80 Cold Spring Road. We would like to lease the property so we can park the buses there. The new Garage will be done by August of next year. We have 60 buses in total but only need to park 40 of them there. We need a temporary site approval for the parking of the buses. Paula Kay – This is a site plan approval for a period of time. Mr. Lewis– It's fenced in and secure. Jim Barnicle – Is there security at this place? Mr. Lewis– There can be if that is required. Arthur Knapp – I think it's a perfect location you have a garage already there. Mr. Lewis– We are not going to use the building, it's just to park the buses. Our building will still be open for repairs. We will drive our bus drivers down to get their buses in the morning and then drive them back to their cars. We might put in a Porta John. Michael Hoyt – Why do they have to come before us since it's been a garage? Paula Kay – Because the uses is different here and there will be lots of traffic. If they are putting up Porta Johns, they would have to do an update to the site plan. Mr. Lewis– If that is a hurtle then we won't do it. Paula Kay – Not a hurtle just things we have to think about.

Logan Morey share's the map of the land. Logan Morey - Jim Carnell said it's considered a terminal. Temporary Chairman Matthew Sush – If it's just the driver would it be a terminal? The driver gets

dropped off, takes the bus then returns the bus and gets picked backup. Paula Kay – It is a bus station. We just need an approval from this Board.

Jim Barnicle – We have just a little over 14 days before school. Can we do an emergency meeting to approve it so they can get themselves set? Temporary Chairman Matthew Sush – Can we do a conditional approval upon Richard McGoeys review? Paula Kay – Yes. Maybe Mr. Lewis can meet with Richard McGoeys on Monday to discuss. This is just for the school year so I don't know if Jim Carnell would want some kind of bond. Logan Morey – Jim Carnell didn't mention anything about that. The only issue was the site distance for pulling out. Jim Barnicle – Maybe the Police can put an officer at the site so the public knows that the buses are pulling out maybe just in the beginning since this is new. Paula Kay – I agree, that's a great idea.

A motion to approve on the condition that Richard McGoeys approves everything at the work session was made by Arthur Knapp and seconded by Jim Barnicle
4 in favor; 0 opposed

JUDITH KING MURRAY

Wurtsboro Mountain Road, Rock Hill S/B/L: 35.-1-38
Judy King Murray, Owner
Ed Rimmels, Representative for Wanaksink Lake Club
Amador C Laput

Mr. Rimmels – This is a project between Wanaksink Lake Club and Judith King Murray. We are looking to create 2 building lots that are owned by Judith King Murray and the Club. If you get off of Exit 110 the property is right there on your left. We're looking for a preliminary approval from the town and then go in front of the Homeowner's Association. I believe we are ready to do that but would like a preliminary approval to take with us to the Homeowner's Associations. Judith King Murray – We submitted drawings last month. Mr. Laput put together a more definitive design.

Richard McGoeys – I didn't know you were on the agenda and I just got the plans yesterday. I was able to take a quick look at them and sent comments to the Board. Not sure if you got those comments or not. Judith King Murray – I did and Mr. Laput is ready to comment on them.

Mr. Laput goes through comments.

1. The subdivision plan is confusing with various lot lines shown crossing the subdivision. – Lot lines shown will be eliminated. The subdivision plan will be much cleaner. It will show the entire boundary of the entire lake and the two lots. Richard McGoeys – If you can clarify which lines will be deleted and the new lot that will be created for the Club, that would be great. Judith King Murray – There are 3 lots but only 2 are being subdivided. Richard McGoeys – Will the lot lines be eliminated between 39.1 and combined with the 40.4? Judith King Murray – Yes, what we will have is 3 lots in total. Richard McGoeys – Let me suggest that

you get a map showing the 3 lots and then label the lot lines being deleted and then another map showing the finished product without all the confusing lot lines on it.

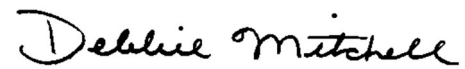
2. If the lot lines of the Club lot are to be changed to incorporate a portion of Judith King Murray's lot, the subdivision plan should show the lot lines to be deleted. - That will be shown on the separate map.
3. Land Surveyors stamp and signature should be provided. – We are working with Gary Packer Survey. We can provide that.
4. The subdivision plan should show the driveway locations. – We didn't show the driveway or wells because we just wanted to show that it can be subdivide. It was planned that the buyer of the lot would do the driveway and septic. Michael Hoyt – There is no place to put a driveway? Mr. Laput – They will put it next to the leach field and the property line. Richard McGoe – It would be unusual to approve with out seeing the septic and sewer on the site plan. Mr. Laput - We are asking the board to approve based on Soil testing. This is designed for a mount system septic. Richard McGoe – And grading and septic system components. What if we do a preliminary approval and then before he final approval you show all those details? Judith King Murry – We just assumed that the buyer would want to be involved in that, but if that the requirement then that's what we will do. Michael Hoyt – My concern is the driveways and having a blind spot. Mr. Rimmels – There is a straight away. But I do see your point. Michael Hoyt – What is Wanaksink plan for their parcels? Mr. Rimmels – Keep it undeveloped. Paula Kay – I thought you were going to do a forever wild. Mr. Rimmels – We have been discussing that with the Board, not sure if we are going to do that.
5. Iron pins should be provided for property corners – This is not an issue.
6. Sight distance should be shown and meet AASHTO standards. – Can we make this a condition of approval? Richard McGoe – Only between preliminary and final but will need it for final.
7. Septic system details are generally required on subdivision plans prior to approval. – We will show the pump design and that info.

A motion for a SEQRA Negative Declaration was made by Michael Hoyt and seconded by Jim Barnicle
4 in favor; 0 opposed

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

A motion to close the meeting at 9:15 pm was made by Arthur Knapp and seconded by Michael Hoyt
4 In favor; 0 opposed

Respectfully submitted,

A handwritten signature in black ink that reads "Debbie Mitchell". The script is cursive and fluid, with the first name and last name clearly distinguishable.

Debbie Mitchell

Secretary

Town of Thompson Planning Board