

TOWN OF THOMPSON  
PLANNING BOARD  
Wednesday, September 9, 2020

**APPROVED**

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

Chairman Kiefer appoints Kathleen Lara as a voting member to replace Jim Barnicle who is absent.

PUBLIC HEARING

Notice is hereby 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, NY on August 12, 2020 at 7:30 p.m. to consider the application for the Aero Star Petroleum for special use and site plan approval in accordance with §250-14 of the Town Code of the Town of Thompson.

The property is located in the EBG zone at 21 East Broadway, Monticello, NY S/B/L: 31.-1-22  
Glen Smith, Engineer  
Tariq Gujar, Aero Star Petroleum

A Satisfactory proof of mailing was provided to the Board

Mr. Smith - They will be taking down the existing gas station building and replacing it as well as replacing the fuel tanks and pumps in accordance to the DEC regulation. I meet with Hellen Budrock and we discussed the landscaping. I submitted the updated drawing. The planting that is along East Broadway needs to be no more than 3 feet high and 14.5 feet back from the white line. Richard McGoey – Barbara Lerner submitted a letter in regards to the wetlands and the impacts your project might have on the adjoining wetlands. Mr. Smith - A neighbor also had a concern so we updated the site plan and showed a lot of planting on the back and how the drainage will go to the ditch and we are not going to be disturbing the wetland which are not DEC Wetlands.

Mr. Smith show the public the site plan and explains what is on it.

Mr. Smith - The building is very close to being like the other building on Route 42 by the High School and by Tilly's on Route 17B. I sent out copies of what the building will look like.

PUBLIC HEARING

No Public Comment

A motion to leave the public hearing open until September 23, 2020 by the end of day was made by Matthew Sush and seconded by Michael Hoyt  
5 in favor; 0 opposed

Chairman Kiefer called the meeting to order at 7:42p.m.

A motion to approve the August 26, 2020 minutes after the correction of how many people are in favor of closing the meeting was fixed from 5 to 4 was made by Matthew Sush and seconded by Michael Hoyt  
3 in favor, 0 opposed

### **ST FRANCIS RETREAT**

81 Hilltop Road, Monticello, NY S/B/L: 27.-1-16.4  
Glenn Smith, Engineer

Mr. Smith - This is a parcel on Hilltop Road it's a 60-acre parcel. This was before the Board about 20 years ago. The farm house has been a home for Nuns and there is a garage next door that was converted to 2 bedrooms and was approved by the Board. They want to put in an 18' x 50' addition for a chapel and office and 2 small bedrooms. Right now, there are 4 bed on the property and by adding 2 more there will be 6 bed's in total.

Mr. Smith goes over comment:

- 1: Looking to put on the property an 18' X 50' one and half story addition to the dwelling for a small chapel. - This is just to acknowledge what is going there and they do have to take down trees.
- 2: The addition of bedrooms will require a modification to the septic system. - There will be six-bedroom, we have done the modification to septic system.
- 3: In light of the close proximity to the well on the adjoin lot, less than 200 feet, we are recommending that the Engineer verify compliance with the Health Department. - It is about 180 feet to the well. I don't have any concerns and will sign off on it. Based on the type of soil and drainage I don't see any issues.
- 4: Need to discuss the need for the 25-foot gratuitous offer of dedication off of both Hilltop Road and South Maplewood Roads part of the application. - No issue
- 5: Two large hardwood trees need to be removed - Tree will have to be remove. They tried to get a round it but couldn't.

- 6: The driveway leading to the facility does not lend itself to parking as it is too narrow. - There are very few cars there so I don't think we will need to widen the driveway or make the parking larger. Chairman Kiefer - How wide is the driveway? Mr. Smith – Twelve Feet, it's a normal size driveway. Chairman Kiefer - Can fire trucks get in? Mr. Smith – Yes, fire access is easy in there.

A motion for a Public Hearing on October 14, 2020 was made by Michael Hoyt and seconded by Matthew Sush  
5 in favor; 0 opposed

**MAC CORPORATION (R. Buckles)**

40 Katrina Falls Road, Rock Hill, NY S/B/L: 32.-2-97  
Frank Vigna, representing Bob Buckles and Mac Corporation  
Glen Smith, engineer  
Robert Buckles, owner  
Nicole Franco, Bright Eye Day Care

Mr. Smith goes over the comments:

- 1: Hellen Budrock will make recommendation in regards to the Landscape. – Hellen Budrock will talk about her suggestions.
- 2: Recommended during the work session the dumpster enclosure be located off the parking lot. - I modified the plan to show the dumpster behind the parking lot. There were 18 parking spaces and the Zoning only required 16 spaces so I put the dumpster in spots 11 & 12.
- 3: Existing wall-mounted light either be fixed in a down ward position or replaced. - The detail on the plan was different and that light can be adjusted down. I put a note on the plan saying that it will be angled down not more than a 45-degree angle.
- 4: Signage is to be provided at the access drive off of Katrina Falls Road. - That entrance on Katrina Falls Road is 38' wide and enough for both coming and going and Holiday Mountain Road will be exit only.
- 5: We recommended that a 25-foot gratuitous offer of dedication be provided on the site plan along Katrina Falls Road. – The property line goes to the center of Katrina Falls Rd. I put a note on the site plan.

Chairman Kiefer - I had a question with the entrance for the Day Care and the Office being a common entrance. Ms. Franco – They will not be using the same entrance. The main entrance of the day care will be on the side. The main entrance for the building will be for the apartments. The door that is there by the apartments that enters into the building will be a fire exit for the Day Care. No one is going to enter or exit that entrance unless they have a security key.

Paula Kay – Where are you on the state approval process? Ms. Franco – We have the application fully completed but we need the Approval from the Building Department and the Zoning.

Michael Croissant– Where is the access to the play area? Ms. Franco – it's off the back-left corner. The playground will be behind the building. Michael Croissant – I don't see it. Mr. Smith - Hellen Budrock is pointing it out. That fire exit door, it doesn't make since if it wraps around the building, each section should have its own fire exit? Ms. Franco – Every fire exit door needs to go out. We are going to make fire exit doors go outside. Michael Croissant – I see no other main entrance or fire exit! Nicole – Every class room will have a fire exit. Mr. Smith - My plan might not show all the fire exit. Michael Hoyt – How many class rooms? Ms. Franco – Four classrooms. Michael Hoyt - So you're going to add 4 exits? Ms. Franco – We need to make 2 more fire exit. Michael Hoyt – Your fire exit that goes into the foyer, doesn't that need to go out into a hallway? Ms. Franco – Correct. Michael Hoyt – Your creating a hallway? Ms. Franco – Yes.

Richard McGoe – The important thing is that we need to show the fire exit on the site plan the interior is will be handed by the Building Department. Paula Kay – Will all the exit have ramps or just the one? Ms. Franco – Just one in the back where the infants are. Michael Croissant – Shouldn't there be a ramp in the front in case the back is blocked? Ms. Franco – We would like to put a ramp there. Michael Croissant – The site plan say's steps and walk. Jim Carnell – The code does not require a ramp.

Hellen Budrock – Everything on the site plan is already there and looks nice. I recommend more landscaping around the sign. Mr. Buckles – I'm doing blue stone around the signs and around the well and some pavers in the front.

#### PUBLIC COMMENT:

No Public Comment

#### PUBLIC COMMENT CLOSED

A motion to close the Public Hearing was made by Kathleen Lara and seconded by Michael Hoyt  
5 in favor; 0 opposed

Hellen Budrock – This is not a special use permit.

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

A motion to approve the site plan contingent on Town Engineer, Planners comments and fire exit and ramps was made by Michael Hoyt and seconded by Kathleen Lara  
5 in favor; 0 opposed

**SUNSHINE ESTATES**

221 Ranch Road, Monticello, NY S/B/L: 16.-1-14-1

Joel Kohn

Mr. Kohn - Units 9, 10 & 11 are proposed to be demolished and replaced with a little larger footprint. We were at the ZBA and got approval for lot coverage.

Richard McGoeey – You can straighten out the water and sewer lines? Mr. Kohn - They just need to clarify the removing of the sewer on the plan.

A motion for negative declaration motion under SEQRA was made by Michael Croissant and seconded by Kathleen Lara

5 in favor; 0 opposed

A motion for a conditional final approval was made by Kathleen Lara and seconded by Matthew Sush  
5 in favor; 0 opposed

**OWEN INCE**

3206 State Route 42, Monticello, NY S/B/L: 60.-1-13.3

Anthony Perino – Representative of Plug PB

Jim Carnell – This is a Residential application. When we did our Zoning for Solar arrays, we mimicked the states required and used the size of 12,000 kilowatts, anything larger would have to come in front of the board. This is a roof mounting. The only issue is the use of the kilowatts. Mr. Perino – I believe the state allows up to 30,000 kilowatts for roof mounts. We do respect all NY state Fire setbacks. There is a three-foot gab on the driveway side for fire access. We do big system all over NY state and it is approved everywhere else.

Hellen Budrock – If the Town Law no longer mimicked the state law, do we want to relook at it or just leave it alone? Jim Carnell – That is something we can discuss. This is the first application that has come before us that exceed the kilowatts. Based on the number of applications we are getting for Solar Rays we will most likely have to re-due it. Mr. Perino – It will be an ongoing issue. Because of NYSEG having a low cost of electric for there customers. They are all electric homes for time of use. Any system we sell in this area is going to be 12,000 kilowatts and higher. Jim Carnell – I know we have had new technology we are going to have to revisit it for our Zoning.

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

**BBIS AUTO AUCTION**

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

Ross Winglovitz, Engineering & Surveying Property's

Samual Bergsohn, Jacobowitz and Gubits

Mr. Winglovitz – I submitted the Phasing plan to the Board last week. First Phase is off the entrance of Kaufman Road. Pick up, office building and storage area. It will also have 2 storm water ponds. Mr. Winglovitz show the Board the cuts and fill on the site plan. Once this is done, they will go to Phase 2 which is South of Phase 1. Phase 2 will have storage and 3 storm water ponds. The berm is proposed by the right away closes to the view shed point and will be part of Phase 2. Phase 3 will cross the wetland areas and will have 2 storm water ponds. The total is 30 acres per Phases.

Jim Carnell – Do you have a time line for the phasing? Mr. Winglovitz – No, it will be based on the demand. We believe after Phase 1 is done we will be going to Phase 2 quickly. Then Phase 3 will be later. Hellen Budrock – What size is Phase 1 to other facilities you have? Mr. Winglovitz – I don't know, I will have to get back to you.

Michael Croissant – Why no berm on the eastern side of Phase 1? Mr. Winglovitz – There is already large vegetation along Kaufman Road and 17B. There is a 100-foot buffer. Hellen Budrock – So you won't see the storm water ponds? Mr. Winglovitz – Correct. Richard McGoey – There are storm water ponds behind the berm and stone wall on the North end of the property.

Mr. Winglovitz – We are proposing a 30-inch-high stone wall by 17B and then the buffer behind it. We will be keeping the stone wall and berm close to 17B. Hellen Budrock – Do you know how many feet of stone wall will it be? Mr. Winglovitz – About 750 feet of stone wall.

Chairman Kiefer - How high above the stone wall will the berm be? Mr. Winglovitz – The stone wall will be 30 inch and then 3 feet higher will be the berm.

A motion for a Public Hearing on October 14, 2020 was made by Matthew Sush and seconded by Michael Croissant  
5 in favor; 0 opposed

#### **DAVID ETTEMBERG**

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

Paula Kay and Richard McGoey recused themselves.

Jim Carnell – The Town Board is looking for a recommendation from this Board about a zoning change. I know at the last meeting there were questions. I was able to research the original zoning map from 1971. The preliminary adopted map did not indicate any commercial indication. The final adopted did show a neighborhood commercial zone in both of those location. If you go into our Zoning code the first section of the code is interpretation of boundaries. Its say's that the use of property line, roads, streams or rivers are to be used as natural determination for the zoning. With some consideration of area's like around 17B. In this case Mr. Smith and the county are updating our zoning maps. We can now clearly see the actual Tax Parcels. In the deed there is still some confusion. This property line actually splits the property in half. Clearly this parcel is not in the Commercial Zone. Twenty something year ago when he purchased this property, he started to operate a business there. At the time we indicated to him it was

not a Commercial Property and needed a Zone Change. Twenty something years later they never requested the zoning change and it he is not operating Camp Shane from the parcel today. Michael Croissant – He is not but he leased it to the Marina to be used for the Restaurant. Jim Carnell – The Town Board is looking for a recommendation from us on what to do. Michael Croissant – How do you incorporate a right-of-away if it's owned by numerous people? Jim Carnell – There are no right-of-away. Michael Croissant – Yes there is. Jim Carnell -They are not represented on the map; they might be on the deed. There is a separate parcel between Mr. Ettenberg's property and where the zoning ends. Michael Croissant – Correct, but in between that there are two right-of-away. Jim Carnell – There might be but that's irrelevant to the zone. So, the issue becomes, he is requesting to become a commercial zone but there is clearly a parcel that is between the one he owns and the one that is in the district. In order for this board to act on this request you have to make a suggestion or have a request from the other property owner that they incorporate that other parcel in between to be continuous to the zone.

Michael Croissant – Does it matter that there is no other access to that property other than a foot path?  
Jim Carnell – No.

Kathleen Lara – It seem to me it's opening a can of warms. He should have had that arrange beforehand. Maybe he didn't know about the parcel in between. Michael Croissant – In his deed it says that only him himself can cross Starlight Marina to the property. How can he change the deed and make it a commercial piece of property so that anyone can cross two right-of-away that belong to numerous people on Swinging Bridge? That make no sense. Jim Carnell – I am not aware of the deed but if you are familiar with the deed and the Board feels confident with your knowledge then you could make a recommendation to the board. I asked for the deed but did not get it yet.

Matthew Sush – Has there been a work session? Jim Carnell – No because it has nothing to do with the Engineer.

Chairman Kiefer - I have an issue with the parcel in between.

Michael Croissant – First issue is he's been using the property as a commercial knowing that it's not commercial. Second, where is the rights of the people of those who have the rights of the right-of-away?  
Jim Carnell – That is very valued, this residential property become commercial without road access. These are two completely land lock parcels other than the water. Kathleen Lara – It just sounds like a bad idea with too many issues.

A motion to not recommend was made by Kathleen Lara and seconded by Michael Croissant  
5 in favor; 0 opposed

#### **CLEARVIEW MOUNTAIN COUNTRY CLUB**

460 Old Liberty Road, Monticello, NY S/B/L: 8.-1-49

Joe Kaufman, President of Co-Op

Alex Dornhelm, Engineer

Avi Gantz, Former President of Co-Op

Mr. Kaufman – This is the first time we are in front of the board in about 14 years.

Mr. Kaufman goes over the comments:

- 1: Applicant is proposing to demolish units 5, 5A, 5B, 6, 6A, 62, 63. - We are looking to demolish 6 units, 5, 5a, 5B, 6, 62 and 63. Not sure where 6A came from. They will be demolished and replaced with duplex units. The units are outdated and want to upgrade with full structures with all the modernization appliances.
- 2: The bungalow site consists of two Tax Parcels. - That is true. We have 2 tax parcels, there use to be two colony that merged. We are happy to make it one Tax Parcel if that's what the Board wants.
- 3/4: Future submission should provide a site plan at a larger scale in all areas. Site Electric, water, sewer and drainage facilities should be shown in all areas. – This will be done next week. We are using Mr. Smith site plans from 2007 and going off of his ideas. We tried to get Mr. Smith but he was too busy.
- 5: The trash compactor should be enclosed on all four sides. Details of the gate should be provided. - The gate will be done soon.
- 6: Recommend a table be provided on the plan showing all the use of all buildings on the site. - I'll have that done. I know some of the building are mislabel.
- 7: A lot coverage calculation should be provided to verify compliance. - Just about done with that and will have it all done for you.
- 8: Septic system replacement including new septic tanks, sewer lines and any new relocated waterlines. -We are replacing the septic tanks for each structure. State Pollution Discharge Elimination (SPDES) Permit is currently 18,600 gallons per day of flow. The max at our peak is 9,900 gallons per day of flow on the weekends. During the weekdays it lower. We are keeping sewerage reports and we are averaging 4,000 gallons per day of flow. We are below our SPDES limit. The Town will be bringing sewer and water down our way. We know how expensive it is to tap into there system.
- 9: The applicants Engineer should verify that the site plan is as built. Existing structures should be on the site plan and labeled. – We will get this done for you.
- 10: The site plan should verify by calculation that there is adequate parking. - There is plenty of parking and we will highlight it.
- 11: The site plan does not show access drives off of Old Liberty Road. - We have 4 entranced and we will do a better job at highlighting.



12: The compactor is not shown in the right location on the site plan. – The compactor on the site plan was a little bit flipped and we will make it correct. Mr. Dornhelm – It's in the right location but the orientation is incorrect.

Chairman Kiefer - Richard McGoey suggested you schedule a work session with him. Mr. Kaufman – Yes, we will do another one. We are really focused on doing everything the right way. We will make sure that there is no illegal extensions or things done. And if they do want to make changes that they follow the correct procedures. We are looking for suggestions on what to bring to the next work session.

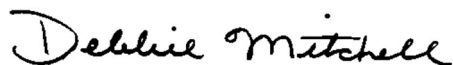
Hellen Budrock – We have talked about doing a long-term view since it's been a while since things have been done.

Mr. Gantz – We sent a letter to all the owners letting them know what are plans on. We are really trying to make progress with the overall appearance and community. Hellen Budrock – It would be helpful if you could bring in a list of what buildings might need to be worked on as well as other items for the next five years to the next work session. Mr. Kaufman – We have a lot of changes coming up with new owners. They want to upgrade and renovate. This is a win win; they want to upgrade and renovate and we want them to upgrade and renovate.

A motion to close the meeting at 8:57 pm was made by Kathleen Lara and seconded by Michael Croissant

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