

TOWN OF THOMPSON
PLANNING BOARD
Wednesday, October 28, 2020

APPROVED

IN ATTENDANCE: Chairman Lou Kiefer
Kathleen Lara, Alternate
Jim Barnicle Arthur Knapp, Alternate
Michael Hoyt, 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 hearing will be held by the Planning Board of the Town of Thompson at the Town Hall, 4052 Route 42, Monticello, NY on October 28, 2020 at 7:00 p.m. to consider the application for the BBIS Auto Auction for a special use permit and site plan approval in accordance with §250-12 of the Town Code of the Town of Thompson.

The property is located in the CI zone at Kaufman Road and Route 17B, Monticello NY S/B/L: 12.-1-55
John Cappello, attorney
Zach Szabo
Ross Winglovitz, Engineering & Surveying Property's
Samual Bergsohn, Jacobowitz and Gubits

A Satisfactory proof of mailing was provided to the Board

Mr. Cappello – We are here to present the plans for BBIS Auto Auction. We have been before the Board several times.

Mr. Winglovitz - This facility is an Auto Action, Auto Salvage yard. It's on the corner of Kaufman Road and Route 17B. Access to the site will be a curve cut on Kaufman Road, it's a county road and the county is satisfied with our design. When you enter the site, you will see an office building and parking. The office building will be 8,300 square feet. There will about 20 employees. Vehicles come into the drop zone and get inspected and photographed. This is going to be built in 3 phases. Once the vehicles are in the lot, they get re-titled and then auctioned off. Some people will come to see the vehicles one day a week but most of the auctions are on the web. The traffic will come off of Route 17B onto Kaufman Road and when you leave you will go left out of the site onto Kaufman Road to State Route 17. There will be a well for water and septic for the office. There are 50 acres of vehicle storage and we have several storm waters ponds on the site. Storm water will go into four bay area, over flows into sand filter and goes into a stormwater pond before being discharged. Brian Goodstein from Catskill Mobil homes said he has a mobile home near our property so we need to modify the storage lot for the 500' setback. We will lose about over an acre with this change. We will survey locate that this week.

We did 5 different cross section to see where you will be able to see into the area. Based on our cross sections we will be adding a berm along Route 17B. We based our berm off of the Newburgh Auto Action down on 17K near Newburgh. The wetlands have been delineated and the state has confirmed the wetland boundary. The Army Corp of Engineers is not doing site inspection right now because of COVID.

Chairman Kiefer - Where will the buyers go to park? Mr. Winglovitz – There is a very large parking area. Mr. Winglovitz show the Board where on the site plan they will park.

Jim Barnicle – Do they need a business certificate? Mr. Winglovitz – Yes.

Jim Barnicle – On phase 1 how many cars can you have before they overflow? Mr. Winglovitz – Phase 1 is about 20 acres so that will be about 5,000 cars.

Jim Barnicle – How many cars will you have on the property after Phase 3 is complete? Mr. Winglovitz – Just under 11,000 cars.

Jim Barnicle – Is this just car or any kind of vehicles? Mr. Winglovitz – Anything you could drive on the road and that includes Motorcycles.

PUBLIC COMMENT

Brian Goodstein - I appreciate the redesign of the survey in short notice. The 500' setback should be for all the units that are there now. The storm water management area, that is near the property line. Our well that services the Mobil Home park is on the side of our property that is closes to their property line and want to make sure that the stormwater management is far enough away from the well. I'm told that a 200' buffer needs be and I would like for that to be on the site plan. I just want to make sure this is safe for the residents in the park. I don't have an issue with the project as a whole.

Chairman Kiefer appointed Arthur Knapp and Kathleen Lara to be a voting member in replacing Matthew Sush and Michael Croissant

A motion to leave the Public Hearing open until November 11, 2020 end of business was made by Jim Barnicle and seconded by Michael Hoyt
5 in favor; 0 opposed

Mr. Cappello – Thank you to everyone and we will get together with Mr. Goodstein to go over our new lot line. We will continue to address any other comments that come in. Is the Board going to forward the revised application to the County Planning Department so we can have their official comments for our next time in front of the Board? Paula Kay – That was already done we are just waiting for it to come back.

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 October 14, 2020 at 7:00 p.m. to consider the application for Clearview Mountain Country Club for site plan approval in accordance with §250-8 of the Town Code of the Town of Thompson.

The property is located in the RR1 zone at 460 Old Liberty Road, Monticello, NY S/B/L: 8.-1-49
Joe Kaufman, President
Avi Gantz

A Satisfactory proof of mailing was provided to the Board

Mr. Kaufman – We are doing revision to the site plan and will be doing another work session. The goal is to have 6 replacement units, 3 duplex units as well as 3 extension for 3 current units. This is the first time we are in front of the planning board in 10 to 15 years. We continue to upgrade and make it efficient, environmental and utility friendly. We have 70 units; the recommendation for the replacement units is to take off the 2 units and move them. Septic is from a pump house; it goes through the pump house station and then gets dechlorinated and then into a stream. We received high marks on our Septic system and on our SPDES easy permit. As long as I have been here there were no comments with smell. However, there was a complete about burning garbage and that was not us. We invested thousands of dollars to have someone come in and test our water daily. They come to make sure our I's are dotted and our T's are crossed. We will continue to use them. There are no additional units being build they are just replacement units.

Jim Barnicle – What is the name of the company and title that will be handling the storage on your property? Mr. Kaufman – JCO. Richard McGoey – JCO has operated a number of facility and they are very reputable.

Paula Kay – Who is preparing the new site plans? Mr. Kaufman – I've approached a few different engineers in the area. We will not be back until we have everything done correctly with no outstanding issues.

PUBLIC COMMENT

Peggy Olmstead – I live on 92 Fraser Road. As far as it goes with the sewer, it is a very bad smell. Sometime I have to close my windows because it is so bad and I feel sick. That is normally towards the end of the season. I have called the DEC on numerus occasion. It seems to have gotten worst as time has gone by. I also can smell the chlorine when they shock it. I feel that the smell is not good for me, wild life or my neighbors. I don't see it getting any better and how can it when there are more people. Mr. Kaufman – I've only been the president for a few years and I did not realize this was an issue. This is my first-time hearing about this. The DEC was here last summer but didn't know it was in regards to a call about the septic. We are doing everything by the book. Ms. Olmstead – It not every night but more

towards the end of the week around 7:30 at night. How are we going to fix it? Mr. Kaufman – Have you experienced it over the last 6 weeks. Ms. Olmstead – Normally it's when everything starts to close down. And during the summer I smell it too.

Paula Kay – This is something that we need our Engineer and your Engineer to look at. We have the DEC documentation.

Hellen Budrock – When you do higher the engineer have them look at the cost benefits of looking into the town's sewer system. I'm sure there is a cost of having JCO to do there weekly testing.

A motion to leave the Public Hearing open until November 11, 2020 end of business was made by Kathleen Lara and seconded by Jim Barnicle
5 in favor; 0 opposed

Chairman Kiefer called the meeting to order at 7:44 p.m.

A motion to approve the October 14, 2020 minutes was made by Jim Barnicle and seconded by Arthur Knapp
4 in favor, 0 opposed Michael Hoyt was not at this meeting.

RH CAMPUS, LLC

280 Rock Hill Drive, Rock Hill, NY S/B/L: 51.-2-11 / 51.-2-12
Steve Vigilante, Attorney

Paula Kay recused herself from this application.

Mr. Vigilante – Back in April 2019 I came here with a different map and different line. When we did the map, we were in contract of selling the hotel and part of that deal was the billboards. Unfortunately, that deal did not go through. We are looking to clean up the site. I'm not exactly sure if the existing parcel line is correct. The proposed parcel line is in the correct spot. We are trying to clean-up in a proper way in regards to the tanks so they are on our property and not the hotels property.

Chairman Kiefer - I have a map but it's pretty vague. Where is this property? Mr. Vigilante – This is Brew across from Bernie's. Chairman Kiefer – I know what it is now.

Jim Carnell – Do you have owners' proxy from the IDA? Mr. Vigilante – Yes, I dropped that off at the office.

Jim Carnell – What about the Mortgage? Mr. Vigilante – We have two Mortgage's. They are Twin Bridge Reality and Sullivan County Mortgage Corp. We are going to pay either one or both of the Mortgagee off.

Jim Carnell – This not creating a new lot, just a lot line change? Mr. Vigilante – Correct.

Mr. Vigilante – I’m going to have the engineer stamp the map tomorrow. Kathleen Lara – I say make a motion based on Town Attorney to view it.

A motion to approve the Lot Line change conditioned on the Town Attorney viewing the map was made by Jim Barnicle and seconded by Kathleen Lara
5 in favor; 0 opposed

BINYAN UVOIS

662 – 666 State Route 17B, Monticello, NY S/B/L: 11.-1-35.1
Joel Kohn, Representative

Chairman Kiefer recused himself from this application. He also appointed Jim Barnicle to replace him as Temp Chair for this application.

Mr. Kohn – We are here to get the Board to declare themselves as Lead Agency.

Temp Chair Jim Barnicle – Did you hear our issue during the work session? Mr. Kohn - I did.

Hellen Budrock - Mr. Kohn did you get the changes that Richard McGoey and I suggested to the EAF?
Mr. Kohn - Yes.

A motion to declare lead agency was made by Michael Hoyt and seconded by Kathleen Lara
5 in favor; 0 opposed

STEVEN MOSS CONCESSIONS, INC

196/200 Rock Hill Drive, Rock Hill, NY S/B/L: 32.-2-49
Steven Moss, Owner

Mr. Moss – I have in my building a hair cutting place and they want to use the ice cream place for their business. Jim Barnicle – So the existing tenant lease is ending and want to extend? Mr. Moss – They have half the building for men’s hair cutting and want to use the other side for women’s hair cutting. Paula Kay – The other side was for the Ice Cream shop. Chairman Kiefer – No structural change? Mr. Moss – No

Paula Kay – The section of the code gives the Planning Board the right to whether or not have the applicant come back with a site plan. Paula Kay read’s the Town Code.

Paula Kay – The question is, is the site in conformity of a previous site plan? Jim Carnell said that Logan has some issue previously. Chairman Kiefer – If there are site plan issue can we go on?

Jim Carnell – The only site plan issue might be the striping. I believe on this parcel we don’t have any site plan issue. Kathleen Lara – I would think this would have less impact then an Ice Cream stand.

Jim Carnell – This building is connected to the Town Septic. Paula Kay – If you going to consider the use the same type and intensity that the applicant is in conform of the previous site plan then it is completely in your discretion to allow the applicant to go straight to the Building Department for Applications.

Michael Hoyt – Are there any apartments on the back of the building? Mr. Moss – No.

Chairman Kiefer - I would like to see a site plan, I have nothing on this today? Paula Kay – This is existing, if the site is in conformity and he is not doing exterior renovation then the Board is to make a determination on whether or not you want to see a new site plan or go directly to the Building Department.

A motion to go directly to the building department was made by Jim Barnicle and seconded by Kathleen Lara

5 in favor; 0 opposed

SRDANOVIC SMAJLIE

739 Sackett Lake Road, Monticello, NY S/B/L: 56.-1-32.8

Jakov Saric, Node Architecture

Mr. Saric – My firm was hired to assist the application to do a swimming pool and tennis court. Our client started work on the tennis court and swimming pool and got a stop work order and then had to submit the site plan to the town for approval. We prepared the site plan and submitted it. There is a family dwelling on the property. There is a swimming pool with paving around it. Jim Barnicle – Is there fencing show on the site plan? Mr. Saric – Yes, around the pool and around the tennis court. Chairman Kiefer – Is this by the lake? Mr. Saric – I don't know, I'm not very familiar to the property. I would say about 1 mile away. Jim Carnell – This is down by the sewer plant.

A motion for a site plan approval was made by Michael Hoyt and seconded by Arthur Knapp

5 in favor; 0 opposed

MYUNG AE LEE (MORRIS)

34 Goldfarb Road, Monticello, NY S/B/L: 4.-1-87.2

Saad-Eldin Elbedwihy, P.E.

Paula Kay – The applicant is not here so we should wait until he is here to see why he needs the extension.

CATSKILL HUDSON BANK

4445 State Route 42, Monticello, NY S/B/L: 13.-2-2.2

Hellen Budrock – The applicant did not request to be here it was the Building Dept.

Chairman Kiefer - They should be here.

Richard McGoey – The most important thing is that they get Hellen Budrock comments before the next meeting.

KROAD PROPERTIES, LLC

Kroeger Road, Monticello, NY S/B/L: 32.-2-8.1

John Lavelle,

Mr. Lavelle – I represent the Flaum Family and Bagley Estate. We were contacted by the Flaum Family. Mr. Flaum recently passed and his son is now in charge. They decided that they no longer want to own their parcel. There are 63 acres owned by the Flaum Family and 90 acres owned by the Bagley Estate. The Flaum parcel is zoned for Mining. The Bagley Estate is residential. We feel that Mining next to residential would not be good. Retail is not an applicable use since it's on a dead-end road and industrial market is really quite good here in the Hudson Valley. We came up with a few sketches and being so close to the exit it would be a good place for a light industrial place. Straight shot from the exit to this road. Chairman Kiefer – The Flaum own the property across the street. Mr. Lavelle – Correct. We submitted about a month or so a petition with maps.

Mr. Lavelle show the Board the maps. We are looking to expand the CI zoning to incorporate our parcels. There is a mining operation that is adjacent to this parcel. There is a stream that goes through the Bagley property and on each side of the stream are wetlands. It seemed to us that anything west of the wetlands should be left as residential. But east of the wetland, make that commercial including the Bagley Estate. At least that is our suggestion.

Jim Barnicle – As you the current owner would keep that land residential as a buffer for Southwood and a new owner wants to make that residential land commercial. How do we protect ourselves from that happening? Mr. Lavelle – This parcel can't really be developed for commercial. Paula Kay – You could also but deed restriction to keep it residential.

Hellen Budrock – From the Zoning side you are better keeping this all zoned the same and do a deed restriction.

Richard McGoey – I haven't really look at the surrounding property to see how they would be impacted. Mr. Lavelle show's Richard McGoey what each section has on it and how it is zoned. The majority of the surrounding areas is commercial.

Jim Carnell - The Bagley property, a few years back asked to be zoned as commercial as long as there prospected buying was to build otherwise it would go back to residential. And the Board did change it from residential to CI zon,e but it went back to residential when the project fell through.

A motion for a positive declaration to go to the Town Board was made by Arthur Knapp and seconded by Jim Barnicle

5 in favor; 0 opposed

VINCENT STANTON

14 Big Woods Road, Monticello, NY S/B/L: 4.-1-42

Vincent Stanton, owner

Mr. Stanton – I have a home and in 2013 I built a 3-car garage and I would like to have the zoning changed so I can run a business. Chairman Kiefer - What kind of business? Mr. Stanton – Auto repair. Jim Barnicle – Isn't there a lot on the end of the road that belongs to someone else? Mr. Stanton – Yes, I've been trying to buy it but they don't want to sell. It belongs to a Jewish congregation.

Hellen Budrock – The issue is that this is spot zoning. Paula Kay – You don't need to purchase; you just need to get the neighbor to agree to make that parcel commercial too. But unfortunately, we can't spot zone. You need to contact the owner and have them either sell the parcel or have them agree to make it commercial too.

Jim Carnell – Our next meeting is on Veterans day. If you want to make it another night let me know. Also, the last meeting in November is the night before Thanksgiving. Kathleen Lara - I have no issue with Veterans but would like to pass on Thanksgiving.

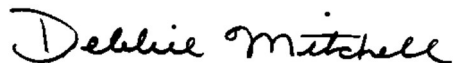
A motion to keep the next meeting on Veterans Day and to pass on the meeting before Thanksgiving was made by Kathleen Lara and seconded by Jim Barnicle
5 in favor; 0 opposed.

Paula Kay – We need to make a motion to hire outside council Larry Wolinsky from Jacobowitz and Gubits for the Glen Wild Project. Anything he does he will not talk to anyone in his office who is representing someone that comes before this board. He will be paid by the applicant and he will be charging them \$275.00 per hour.

A motion to hire outside council Larry Wolinsky from Jacobowitz and Gubits for the Glen Wild Project was made by Kathleen Lara and seconded by Arthur Knapp
5 in favor; 0 opposed

A motion to close the meeting at 8:39 pm was made by Kathleen Lara and seconded by Jim Barnicle
5 In favor; 0 opposed

Respectfully submitted,



Debbie Mitchell

Secretary

Town of Thompson Planning Board