

MOONLIGHT COTTAGES

58 Rubin Road
Monticello, NY S/B/L: 43.-1-23.3
Tim Gottlieb, Engineer

Richard McGoey – The only question is about the demolition of the one building. Mr. Gottlieb – They had some issues with COVID-19 this summer. They have put out bids for contractors for the demolition. Jim Carnell – They did board it up and secure the building. Chairman Kiefer – What is the time frame? Mr. Gottlieb – I don't know, they have to get a contractor first. And then will get it done.

A motion for a one-year extension was made by Michael Croissant and seconded by Matthew Sush
5 in favor; 0 opposed

CONCORD FAIRWAYS

Concord Road
Monticello, NY S/B/L: 9.-1-36
Henry Zabatta

Mr. Zabatta – We are looking of a 6-month extension to June of 2021. Chairman Kiefer – Why only 6-months? Mr. Zabatta – Because that is what you gave me last time. Paula Kay – Because this project is older than some and it had to go back to the Town Board for them to grant extensions.

A motion for a Six-Month extension until June of 2021 was made by Jim Barnicle and seconded by Michael Croissant
5 in favor; 0 opposed

EMERALD GREEN/LAKE LOUISE MARIE WATER COMPANY

239 / 241 Lake Louise Mare Rd.
Rock Hill, NY S/B/L: 52.-1-2 / 52.-1-4
Glen Smith, Engineer

Michael Hoyt recused himself from this application.

Chairman Kiefer appoints Kathleen Lara as a voting member for this application.

Mr. Smith - Shows the site plan. This property is know as the Frontier Insurance Company and now owned by Center for Discovery. Nana's house is next door and Lake Louise Marie Water Company is across the street. The two parcels behind Nana's house that is 7.8 acres is owned by the Lake Louise Marie Water Company and wants to build a water storage tank. The property is currently in HC1 zone and that does not permit this water tank. The site across the street is zoned as SR. We would like to rezone from HC1 to SR. The Center for Discovery wants to buy 5.5 acres behind Nana's house and put in residential group houses. The intent is to eliminate the property line between the two lots and make

three lots. One will be 5.5 acres and purchased by The Center for Discover, another will be 1.5 acres and will go to the Lake Louise Marie Water Company for the storage tank and the last parcel will be ¾ of an acre were the current house is. The Board is looking for a recommendation from you for a rezoning. And we will need a variance for the height of the water tank. The residential housing will be defined as a cluster developer on 5.5 acres. And cluster homes requires 10 acres so I'll need a variance for that as well. The access to the water tanks would be from Lake Louise Marie Road and access to the residential housing will be from Nana's house.

Matthew Sush - Being that the homes are for The Center is there a possibility that the lot line can disappear and then the lot would just be absorbed into the property that is there. Then it would be a flagged lot and you wouldn't need that secondary entrance. Mr. Smith - We will have to get a better answer for that.

A motion to recommend the zoning change to the Town Board was made by Michael Croissant and seconded by Matthew Sush
5 in favor; 0 opposed

YESHIVA VIZNITZ-27 LOT SUBDIVISION

Gefen Lane & Feldman Circle
Monticello, NY S/B/L: 6.A-1-1.1
Joel Kohn, Representative

Mr. Kohn - This has been in front of the board several times. It started out as a 16-lot subdivision that was approved and then in 2017 they changed the application for a 27-lot subdivision with 93 homes. We had a Public Hearings and work session. We are looking for a preliminary approval, preliminary subdivision approvals and a preliminary site plan approval.

There are 32 comments and out of these comments 11 of them are minor and have been address, 5 of them are just statements or stuff that needs to be done between preliminary and final, 4 of the comments are just responses to our comments leaving us with 12 comments. Out of the 12 comments 5 have been fully address, 2 about landscaping and that leaves us with 5 that have not been addressed yet.

Chairman Kiefer - The big thing is the water. Mr. Kohn - We did get a letter from the water company stating that they do have the capacity to supply water to this project. However, the Department of Health (DOH) & Town are questioning it. We got an approval from the DOH to drill two new wells to supply the project with water and they have been tested. With the number of bedrooms on the site plan there will be a draw down. The wells have been retested at a low rate and at a rate of 50 gallon's per minute will not have any draw down issue on any of the other wells. This all was done and submitted before the October 4, 2020 meeting as well as the hydrogeologist report.

Chairman Kiefer - Is there any way to use the well and the water company together?

Mr. Kohn - We are looking in to that option, but for now we are looking at it as two separate water systems.

Richard McGoey –I don't think we need to go over all the comments. But next time you do a work session you should schedule it for 45 min so we can go over some of these comments. If you want preliminary approval then someone needs to give you direction to do that. And before you do that you need a Negative Declaration. Mr. Kohn - I think there is enough information for a Negative Declaration. We will have an attorney draft up a resolution for a Negative Declaration and a preliminary approval resolution. If we could get an approval for it tonight subject to the resolution being reviewed by Paula Kay.

Paula Kay – We are talking subdivision only not site plan? Mr. Kohn - I would like both. Michael Croissant - Do you think they are ready for site plan approval? Richard McGoey – I think there is room for some approval here. The water supply is a big issue, but I wouldn't have a problem with a subdivision preliminary approval. Michael Croissant – He's looking for Site Plan approval! Richard McGoey – No, preliminary. Paula Kay – I'm good with the subdivision for tonight. If you want to do any work out there before you get the DOH approval there will have to be a hold harmless agreement because in the event you don't get a DOH approval. And then you would have to do a developer's agreement, escrow, provision, infrastructure and inspection fee and all the usual fees paid. Then you would have to come back to this board.

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

A motion to approve the preliminary approval for subdivision condition on Paula Kay and engineers' comments was made by Jim Barnicle and seconded by Michael Hoyt
5 in favor; 0 opposed

Hellen Budrock – Are there any outstanding issue on the draw down test on the Well? Do we need an independent to review the test? Richard McGoey – Yes, the Board already authorized it. I asked the chairman to sign the proposal that was submitted by the Hydrologist. Mr. Kohn - The DOH is taking apart those Hydrologist reports too.

RANCH ROAD REALTY

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

Mr. Kohn - This is a simple site plan approval. This is a single-family home on a 10 acre lot that is adding six additional family homes. There will be 3 duplexes and we got all sewer approvals, water monitoring and its being submitted to the DOH. We applied for a State Pollution Discharge Elimination (SPDES) permit but the DEC is not giving out SPDES permits until they get the Flow confirmation letter from the DOH. Which we just received with the sewer approval. The Stormwater Pollution Prevention Plan (SWPPP) has been approved.

Richard McGoey – I have no issues and recommend a conditional final approval.

A motion for a Negative Declaration was made by Jim Barnicle and seconded by Michael Croissant
5 in favor; 0 opposed

A motion for a conditional final approval was made by Michael Hoyt and seconded by Michael Croissant
5 in favor; 0 opposed

Mr. Kohn - This property is now two parcels and it going to be combined. Do you need a motion for that? Paula Kay – It will be a condition of the site plan.

Chairman Kiefer – I have a note here to discuss if the Town Engineer should make a field observation during construction. To verify the compliance of the site plan approval.

Jim Carnell – Our code requires when the site improvements exceeds \$500,000, we require a performance Bond and get inspection fees. Mr. Kohn - The project will be less then \$500,000.

GARDEN HILL

50 Strong Road

Thompsonville, NY S/B/L: 1.-1-12

Joel Kohn

Steven Barshov – Attorney

Mr. Barshov – I understand there were questions that were raised last time about a drilling of a well on site. I was told that a well was drilled without a permit. There was an inspector who came to the property the Friday before the notice was issues. The notice was for work being done without a permit. It was unclear who the notice was given too. The work was finished at that time. The driller was paid the following Monday. I am not aware of any notice of violation that was issues. There was a stop work order and nothing has happened since then. The notation was to have the well shown on the site plan. You have a site plan application in front of you and I believe it has been updated. I know this well is not to be used right away that it is to replace another well. There has been a DEC log number for the well. The intension is to make the appropriate application to the DOH to obtain approval. I am happy to have a condition added that this well will not be used until all the approvals are done. Apologies for doing this without a permit and we will work quickly to get this correct. It was unclear to me if a permit was needed for the drilling of the well, but that doesn't matter if it's required by the code then that is the law. The driller should have also known that this permit is required before drilling.

Michael Croissant – You said there was no work done after the stop work order was given and my understanding is that is not true. Jim Carnell – A member of the Building Department talked to Mr. Fulton on the site while performing the work. Posted the site with an orange sticker and then returned the next day to find Mr. Fulton was still working, then posted the stop work order again. Michael Croissant – Mr. Barshov you need to be corrected; work was done after the stop work order was posted.

Mr. Barshov – Thank you for the correction. I was not there and this is what I was told. I was told that on the second day the well driller was there and was just packing up his things and that no work was done. Chairman Kiefer - Mr. Fulton stayed until all the work was done. Mr. Barshov – You all may be right. The bottom line is the well driller should have not drilled without a permit. As soon as I was brought on, I said you have to conform with the law.

Michael Croissant – Who’s responsibility is it to obtain the permit from the town? Jim Carnell – Ultimately, it’s the property owner. Michael Croissant - I had a conversation with the driller and he said that the property owner told him to not worry about the permit we will deal with the Town later. Mr. Barshov – If that was said, that is flat out wrong. If I’m working with you then you need to follow the law. If the property owner didn’t know they needed a permit. Michael Croissant – They knew. Chairman Kiefer – They have four other wells on the property. Mr. Barshov – I don’t know who was managing the property at this time and I’m not disagreeing with you. What I’m saying is if I’m on the case there will be no violation of the law period. Michael Croissant – The shame is that they operate a very good place there and keep a good house and trying to circumvent a tinny little permit is ridiculous. Mr. Barshov – I asked the same question; do they normally follow the law and I’m told yes.

Paula Kay – I think the Board was looking for clarity and we now have that. Your client was going back and forth with this well before you got involved. So, we now know that your clients want to go forward with the well. Then we will have to go with the site plan having the well on it.

Jim Barnicle – Will there be fines? Paula Kay – Not from this board. Jim Carnell – Typically, yes. It would be a \$250.00 building with out permit fees if this is a first offense. Mr. Barshov – Please copy me with any fee’s that are given.

Hellen Budrock- There were comments from the neighbor about the well and draw downs. So, what is the next step for the site plan perspective? Mr. Kohn - The DOH wrote an e-mail and I believe Jim Carnell has been copied on it. And it explains the protocol that needs to be done if they want to keep or abandon the well. So, whatever the DOH requires will be done.

Chairman Kiefer - There was also a letter from the neighbor about water run off onto their property when they drain the swimming pool and the Mikva. Mr. Kohn - I don’t know what the issue is. I asked the board members and the manager that is running the property. The swimming pool is way up top. I don’t think the draining of the pool would affect his house. And the Mikva is not being drained. Michael Croissant – I think we need to investigate that. Mr. Kohn - I will have this look into. Matthew Sush – I think the issue was the culvert under the driveway entrance or the swells on the side of the road were not done property. Mr. Kohn - Mr. Benijam said everything looks fine and there have been no issues. I will bring out the engineer and have him look. Jim Barnicle – Can we get a report from them? Mr. Kohn - Yes.

Paula Kay – We are going to move forward with the site plan and schedule a work session now that we know what the applicant wants and address any of the Public Hearing comments.

Mr. Kohn - We have not had a Public Hearing yet; can we get one?

Jim Carnell – Can I get specification about the well and if the applicant is going to move forward on it. I believe there is a written request that Mr. Gordan (neighbor) wants to be a part of the draw down test. If the applicant is going to move forward with activity to satisfy the request to submit to the DOH that there is some sort of the dialog between the applicant, the representee and Mr. Gordan to accommodate.

Mr. Kohn – I don't see any issue with that. They normally monitor neighboring wells. Mr. Barshov – You will need the neighbor's consent to the testing. Jim Carnell – He is good with it.

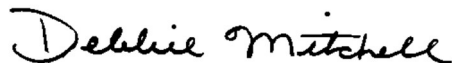
A motion to have a Public Hearing on January 13, 2021 was made by Matthew Sush and seconded by Michael Croissant
5 in favor; 0 opposed

Paula Kay – Lake View Estates did a lot of site work and went in front of the board for a reduction on their bond to \$717,000.00. The bond needs a change rider so can you Chairman Kiefer stop by to sign paper work? Chairman Kiefer – Yes, I can stop by tomorrow.

Paula Kay – Can we meet at 6:00 pm on January 13, 2021 for the work session? Everyone agreed.

A motion to close the meeting at 7:59 pm was made by Matthew Sush and seconded by Michael Croissant
5 In favor; 0 opposed

Respectfully submitted,



Debbie Mitchell
Secretary
Town of Thompson Planning Board