

TOWN OF THOMPSON PLANNING BOARD Wednesday, June 9, 2021

IN ATTENDANCE: Chairman Matthew Sush Michael Croissant Arthur Knapp Debbie Mitchell, Secretary Michael Hoyt Paula Elaine Kay, Attorney Matthew Sickler, Consulting Engineer Helen Budrock, Sr. Planner Delaware Engineering

Chairman Sush called the meeting to order at 6:34 p.m.

### PUBLIC HEARING

Notice is Hereby Given that pursuant to the provision 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, New York on June 9, 2021 at 6:30 pm to consider Sullivan County SPCA for site plan approval in accordance with §250-10 of the Town Code of the Town of Thompson.

This property is located in the HC2 zone at 104 Rock Hill Drive Rock Hill, NY S/B/L: 32.-2-57.1 Andrew Cipriani

Satisfactory proof of mailing was provided to the Board.

Mr. Cipriani – The SPCA is looking to add and update new Kennels. We want a new meet and greet, washroom and up grade everything. There are 24 to 26 Kennels now. The addition will have 22 new Kennels and 4 welcome rooms, and presently we only have one welcome room. A lot of the areas are dual use and we want to separate those uses and upgrade the ventilation.

### PUBLIC HEARING

Clifford Teich – Who owns the property and is there any thoughts to sell it? Mr. Cipriani – The SPCA and we are upgrading to keep the facility going. Not for sell.

Michael Hoyt -Once the upgrade is done is the portable kennels going to be removed? Mr. Cipriani – I believe it is staying, they say portable but it's an existing structure. Michael Hoyt – They plan on continuing to use them? Mr. Cipriani – Yes, it's where the animals go when they first come there.

Michael Hoyt – You have a few other places that say portable as well. You should upgrade the site plan to remove portable wording.

Paula Kay – What is your relationship to the SPCA? Mr. Cipriani – A Board member. Paula Kay – And who did the plans? Mr. Cipriani – Steven Green did them. Helen Budrock – Is there an updated site plan? Mr. Cipriani – I have an updated floor plan not a site plan.

Chairman Sush – Is what we are seeing different then what is being proposed? Mr. Cipriani – No. Michael Hoyt – The storage building, is it a single or double wide? Mr. Cipriani – It's an actual building not a trailer. Michael Hoyt – Isn't that going to be the meet and great area? Mr. Cipriani – They used it as a separation area. Michael Hoyt – I think you better look at that building as well and maybe update the plans.

Chairman Sush - Since this is a zoom meeting, we will leave the Public Hearing open until the next meeting. You can e-mail or write comments and send to the Town of Thompson.

A motion to approve the May 26, 2021 minutes was made by Michael Hoyt and seconded by Michael Croissant 4 in favor, 0 opposed

## **DISCUSSION ITEMS**

### HAMASPIK RESORT

283 Rock Hill Drive, Rock Hill, NY S/B/L: 35.-1-7.1 & 35.-1-7.4 Joel Kohn, representative Ken Ellsworth, Keystone Associates Architects Charles Bzydlo, Keystone Associates Architects

Mr. Bzydlo – After the last meeting we had a work session and it was very productive. We are using it as a hotel currently. We want to modify the site and add an additional use, to make it a summer camp for disabled children. We want to use the facility as a summer camp during the summer for about 50 disabled children and then as a hotel in the winter. We are looking to add 25,000 square foot recreational building, clear land for a play area and add an outdoor pool. We were asked to submit additional info and we did that. We would like to do a Public Hearing to hear the public's comments.

Chairman Sush - Can talk about the dual uses and how the legality of that works?

Helen Budrock shares the site plan with the Board and the public.

Mr. Bzydlo – The addition will be a 25,000 square foot building, plus additional housing for the camp staff. A pool area and a play area. We also want a 28' x 30' Mikvah addition. The Mikvah will have property access as well. Both the summer camp and hotel are allowed uses in the zone. A question was if we need to do a subdivision for the dual use? We would do that division by time instead of by a

Land subdivision. Camp in the summer month and Hotel outside the summer months. I would see a condition in the approval. Chairman Sush – I've never experienced this dual use by time share. How does the timing work and is it even possible to do this? Mr. Bzydlo – I believe it can be a condition of the special use permit and also indicated on the plans. I think you will be able to tell when it's a camp and when it's a hotel. The Town has code of when a sleep away camp can be used. Paula Kay – I think we really need to work through this and we can't make a determination tonight. We don't want to burden our Code enforcement office to try to figure out what kind of use is on the property. That should not be their issue.

Helen Budrock - If no one hasn't had a chance they should look at the operation plan. It is very helpful. Paula Kay – Also all this info is on the Town website. Chairman Sush - I think we need to know the exact use before a Public Hearing. If it's two things then it will generate a lot of questions. Mr. Bzydlo – It is going to be both. The property will be used as a camp then as a hotel. There is about 50 campers and staff. Since it's a disabled camp it will have a higher Counselors to camper ration. I'm just trying to clarify that it will not be two uses at the same time. Paula Kay – That is what is in the application, but the Board needs to look at it closer to make sure it's something we can do. When it is noted for the Hearing, the public needs to be told it's for two uses.

Helen Budrock – What is our next step? Paula Kay – I think we need to do a Public Hearing. But we need to talk about how we are going to conduct the Public Hearing. Jim Carnell – We talked about the Fire House and using their pavilion, but we have not contacted them yet. And I believe we can stream from there as well. Paula Kay – Let's pick a date for a Public Hearing that it is going to be an outdoors, Hybrid Zoom and live meeting. I suggest we wait until the July meeting. Jim Carnell – Yes, I agree. Chairman Sush - If it was one or the other would the site plan be different then it is now? Mr. Bzydlo – I think it would move forward in the same manor. If it was to go as a hotel then it might need additional parking. If it was to be a summer camp then there would be adding additional parking, a pool and the buildings. Helen Budrock - Both uses are special permit uses.

A motion to have a Public Hearing on July 14, 2021 that will be outside, Hybrid Zoom and live meeting was made by Michael Croissant and seconded by Arthur Knapp 4 in favor; 0 opposed

Chairman Sush - Historically the parking has overflowed onto the street and this is something we need to look at and address. Arthur Knapp – I agree. The restaurant had overflow parking but that was when it was under the same ownership. I don't see that happening now. Chairman Sush - I did notice the fence behind the restaurant separating the two properties.

## **ACTION ITEMS**

## Concord Fairways or Concord / CALP

Concord Road, Monticello, NY S/B/L: 49.-1-23 Glenn Smith, P.E, Kevin McManus, P.E., Henry Zabatta, Consultant for Capelli Mr. Zabatta – I'm here for a six-month extension for our 110 unit for our Concord Fairway property. We have two potential developers. We also have some people interested in the Concord Hotel site and are deciding if we want to do this as one or two developments. We are getting closer.

A motion for a six-month extension until December 23, 2021 was made by Michael Croissant and seconded by Arthur Knapp 4 in favor; 0 opposed

## JAMES MADISON DEVELOPMENT PARTNERS, LLC w/ MONTICELLO FD

110 Cantrell Road, Monticello, NY S/B/L: 49.-1-23 Alex Wolenski, Representing

Mr. Wolenski – Tonight we are seeking a subdivision approval. We want to subdivide 50 acres and donate 1.6 acres to the Monticello Fire Department. We have been here before, the first time was on March 24, 2021. There was question about the septic and well and to see the plot of land on a larger tax map. There was a perc test done and the site can accept a well and septic for commercial use.

Helen Budrock - Was there an updated plan submitted? Mr. Wolenski – I saw the document on the Town's website. Mr. Wolenski – it is attached to the perc test letter. Helen Budrock – I don't see a subdivision flat. Mr. Wolenski – I'll go back to the engineer and ask for one. Helen Budrock – There needs to be more information for a subdivision. Jim Carnell – I don't know what you are looking for, I think you have everything we need. Mr. Wolenski – We tried our best to provide everything you need. Let me know if there is anything else needed. Paula Kay – I think it's just our google drive that it's hard to read. Mr. Wolenski – The full survey is there.

Matthew Sickler – I see some minor technical details are missing. The name and address, the owner of record, the lot area you would put your bulk info on. Mr. Wolenski – I can have that updated. Paula Kay – Those issue would not hold this project up, would it? Matthew Sickler - No

A motion for a minor sub division subject to Matthew Sickler final review and approval was made by Arthur Knapp and seconded by Michael Croissant 4 in favor; 0 opposed

# AVON PARK AT ROCK HILL TOWN CENTER

Glen Wild Road & Rock Hill Drive, Rock Hill, NY S/B/L: 32.-1-9.2 Glen Smith, Engineer George Duke, Brown, Duke & Fogel Andy Mavian, BBR

Paula Kay – I'm recused from the Avon Commercial Park project.

Mr. Duke – The only item we have for today is for the Board to declare Lead Agency. The notice was submitted on May 5, 2021 by BBR.

A motion to declare Lead Agency was made by Arthur Knapp and seconded by Michael Hoyt 4 in favor; 0 opposed

Mr. Duke – Where there any comments from the notice? Helen Budrock – I don't believe so.

### **CENTER FOR DISCOVERY**

15-21 Tekene Road Monticello, NY S/B/L: 7.-1-26.1 Glenn Smith, Engineer

Mr. Smith - This is for Two 10 bed residents. We had a Public Hearing last meeting with no public comments. We will tap into the towns sewer and they will have their own well. I responded to Matthew Sickler comments. There were three of them, 1) The Health Department wants a second well drilled on the property and I will do that and submit the info, 2) THE SWPPP, just got it and I will give to Matthew Sickler, and 3) Mike Messenger said we need a permit for the two sewer laterals that come from the building and go to the sewer.

A motion to close the Public Hearing from May 26, 2021 was made by Michael Croissant and seconded by Michael Hoyt 4 in favor; 0 opposed

A motion for a negative declaration motion under SEQRA was made by Arthur Knapp and seconded by Michael Hoyt 4 in favor; 0 opposed

A motion to approve final site plan conditioned on engineers' comments was made by Michael Hoyt and seconded by Arthur Knapp 4 in favor; 0 opposed

### **CENTER FOR DISCOVERY**

195 Lake Louise Marie Road, Rock Hill NY Monticello, NY S/B/L: 52.-1-1.3 Glenn Smith, Engineer

Chairman Sush - I live far enough away that I don't get noticed but do live in the Lake Louise Community.

Mr. Smith - The Board issued a condition final two year ago when it was split into two separate parcels. We need to combine the two parcels into one parcel. Our last conditional approval extension expired in May and we need another extension. We do have a meeting with the Town staff next week before finalizing the maps. Chairman Sush - With the joining of the property are you still going to bank the parking? Mr. Smith - No we don't need that and it will be taken off the site plan. Mr. Smith - There is one requirement from the Building Department called Aerial Fire Access Road and it has to be a 26' wide paved drive along the side of the building no closer than 15' to the building for an Aerial Fire truck. It is shown on the plan. The Building Department suggested we get the board's approval. Chairman Sush - The road around the building is not close enough in some places? Mr. Smith - Correct.

Mr. Smith shows the site plan to the Board and the public.

Arthur Knapp – Did the Fire Department look at it and approve it? Mr. Smith - Yes, Brian Sollar said it was ok but did suggest more fire hydrants but that is not a Site Plan issue.

A motion for a Aerial Fire Access Road added to the site plan as a modification was made by Arthur Knapp and seconded by Michael Croissant 4 in favor; 0 opposed

A motion for a six-month extension until November 22, 2021 was made by Arthur Knapp and seconded by Michael Croissant 4 in favor; 0 opposed

## **ICHUD GROCERY**

3711 State Route 42 Monticello, NY S/B/L: 28.-1-27.1 Rabbi Schwartz Bery Spitzer

A motion to close the Public Hearing from the May 26, 2021 meeting was made by Michael Hoyt and seconded by Michael Croissant 4 in favor; 0 opposed

Arthur Knapp – Where there any comments? Helen Budrock – I believe it was just Chet Smith about the dumpsters.

Paula Kay – We talked a lot about access to the store from Route 42. Rabbi Schwartz – We will send out a letter to all of our residents about the access and to be sure to use the walk way.

Rabbi Schwartz Shows the Board and public the letter he will be sending out.

Paula Kay – You should also do signage that is permanent. Rabbi Schwartz – I can do that. Arthur Knapp – Do you have a newsletter? Rabbi Schwartz – No.

Rabbi Schwartz shows the Board and the public a picture of the building showing the new lettering and the color change that was requested by the Board.

Helen Budrock - Can you send this to Jim Carnell? Rabbi Schwartz – Yes.

Michael Croissant – Can you add concrete bollards? Rabbi Schwartz – Yes. Helen Budrock - I see on the site plan there is a side walk too so bollards would be helpful.

A motion for a final site plan approval conditioned on installation of the onsite signage, the final design should be consistent with the rendering and the installation of the bollards was made by Michael Croissant and seconded by Michael Hoyt 4 in favor; 0 opposed

## MACHNE OHEL TORAH FKA ESTHER MANOR

566 State Route 17B, Monticello, NY S/B/L: 11.-1-24.1 Joel Kohn, representative

Mr. Kohn - We were here last month and there was some question about landscaping and Paula Kay made some changes to the resolution. The Landscaping has been done and they are adding more even if it's not on the site plan. Chairman Sush - I drove by and the landscaping is making it look good. Michael Croissant – Will the berm have something done to it? Mr. Kohn – Yes.

Paula Kay reads through the conditions.

Mr. Kohn - They have a condition that the care taker be replaced by October 31, 2021 can it be changed to have it removed by October 31, 2021 since we don't know if we will have a new one by then.

Michael Croissant – When is the proposed opening? Mr. Kohn – When they will be ready. They need the Department of Health (DOH) approval. It could be 1 week, 2 weeks or even 3 weeks. I don't think they will be open before 2 weeks. Michael Croissant – I still have concerns. It is still a construction site. The swing set is still there, there is siding and windows missing, a basketball is in the basketball hoop, the fence needs to be removed. I think there is lots of work that needs to be done and its too much to get it done in two weeks. We always made sure a place that is open to children has always had to be safe before it opens. Mr. Kohn - The Building Department will need to give us a CO and I agree that it needs to be cleaned up and safe.

Michael Croissant – If you say it will be open in two weeks then it's going to be a rushed job to get things clean up. In a rush thing don't get done properly. Mr. Kohn - Most of the buildings are 90% ready for Certificate of Insurance (CO). Arthur Knapp – I agree that it needs to be cleaned up. Mr. Kohn - There will be no piles of debris before the camp opens. Michael Croissant – Looks to me that there is too much work still. Mr. Kohn - If it's not done then it can't open.

Helen Budrock- How does the Building Department sign off to open? Jim Carnell – A good portion of the building are ready for CO. The reason they are not done is because we are waiting for the sign off from the Department of Health. We had a discussion with the engineer, operator of the site and Mr. Kohn. If these areas are not completed then they would have to put up Temporary Fencing to keep the kids out. At this point all the sewer and water is done. Any equipment that is left there is just small hand tools. Mr. Kohn - There is a bobcat for paving and the landscaper had equipment there today. There will be no equipment when it opens. Water and sewer are just waiting for final approval. Jim Carnell – If there are

any unsecure area's then a fencing will be put up. Chairman Sush - I'm ok with fencing around a building but not around debris piles. Mr. Kohn - The debris pile will be removed. Arthur Knapp – Will you be reporting on a weekly bases to the Building Department as we get closer? Mr. Kohn - Yes. Michael Croissant – Can the Board go and look at the property before any approvals are given? Paula Kay – This is more of a Building Department issue at this point. If you want, we can add wording in the condition that all safety issue on site have been address before the maps have been signed and the camp is open. Mr. Kohn - I have no issues with a condition being added.

Paula Kay – The condition would be, The Building Department will make a determination that the site is safe for children prior to operation.

Jim Carnell – We have two weeks before the next meeting and if it appears thing might not get addressed then we can always bring it back to the agenda.

Chairman Sush - If they are ready in two weeks is there someone from your office go out there and look at it? Jim Carnell – Yes, with out a sign off for the DOH I can't sign off on a CO.

A motion for a negative declaration motion under SEQRA was made by Michael Hoyt and seconded by Arthur Knapp 4 in favor; 0 opposed

A motion for a conditional final site plan and special use approval was made by Michael Hoyt and seconded by Arthur Knapp 5 in favor; 0 opposed

A motion to have Jim Carnell to give a report at next meeting and make it a discussion item was made by Arthur Knapp and seconded by Michael Hoyt 4 in favor; 0 opposed

## RANCH ROAD REALTY, LLC

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

Mr. Kohn - The modification is for a deck around the pool that was previously approved.

Mr. Kohn show the Board and public the site plan.

Chairman Sush - Is this the property that is under construction on Ranch Road? Mr. Kohn - No across the street. This is a single-family home that already had a permitted pool and they want to put a deck around it.

Jim Carnell – We did get a permit application for this deck. They are back in front of the board because this was not part of the original site plan. We do have a full set of plans from the engineers.

Michael Croissant – No issue with the rest of the place? Mr. Kohn - There was a question if this would be regulated by the Department of Health (DOH) and it will not be because it's a single-family home. Paula Kay – Do we have something in writing from them? Mr. Kohn – Yes.

Arthur Knapp – We have engineers drawing and do they meet the satisfaction of the Department? Mr. Kohn – There were two minor comments besides coming back to the Planning Board and they were addressed.

Michael Hoyt – This is a signal family resident, so why are you here? Mr. Kohn – This is a 10-acre parcel that we got final approval about a year and a half ago for an additional 6 units. Now we don't have a final signed site plan because we are waiting on the BOH for the water system approval. Last time when we came for the pool approval the Board suggested that we have a separate site plan for a single-family home. So now when we come back, we are using this single-family site plan so that it can be approved and signed before the other site plan is signed.

Arthur Knapp – The plan is to get the deck up right away? Mr. Kohn - Yes. Chairman Sush – Then you would revise the master set? Mr. Kohn – Yes, before we bring it back to be signed.

Michael Hoyt – This is an above ground pool? Mr. Kohn – Yes.

Matthew Sickler- This is mostly a site plan modification and any issue pertain to the Building Department. If the BOH has provided a letter that they are not regulating it then there are no issues.

Michael Hoyt- Why are they putting bathrooms there? Mr. Kohn - Because they want them. Michael Hoyt – There is more than one. Are they planning on using it for others? Mr. Kohn - This is for a family compound. It is for the Family and their kids. Michael Hoyt – So the single-family home will stay separate? Mr. Kohn - There will be one 10 acre parcel for a single-family home that is existing and will have 3 other duplex units for their family.

Michael Hoyt – So why is this before us? Jim Carnell – The original site plan is for a single-family parcel with 3 duplex units on it to be used as a bungalow. They were having issues getting approval from the BOH because it is technically a public water supply since it has more than 5 water connections. The existing family home with additional buildings for his family and the BOH is not regulation the pool because it is one family. The units are not there yet. Michael Hoyt – This is an above ground pool and then the other building are added and in the future this pool will because a public pool. That is my concern. Mr. Kohn - They had to sign an agreement that this is to not be used as a public place. And if they want to sell it then they will have to bring it up to code. Chairman Sush - Is there any language about future development? Mr. Kohn – No other projects are happing and this pool is just for this family.

A motion for a minor site plan modification to a previously approved pool was made by Michael Croissant and seconded by Arthur Knapp 4 in favor; 0 opposed

### **VIZNITZ INSTITUTUIONS**

169 Barnes Blvd, Monticello, NY S/B/L: 6.A-1-2 Joel Kohn, representative John Cappello Israel Neiman Baruch Rosenfeld

Mr. Kohn - This is an existing Shul and they want to put a temporary tent for the summer months by the Shul to prepare food on Saturday nights/Sunday Morning to be delivered on Sundays. Chairman Sush - How will it effect the parking? Mr. Kohn - It will affect 3 or 4 spaces? Chairman Sush - Will you be short on parking spaces? Mr. Kohn - There are plenty of spaces around the area. During the week they can park under the tent. Mike Croissant – How will they park under the tent? Mr. Kohn – This tent is for just Saturday Night/Sunday mornings. The rest of the week they can park under it. Mike Croissant - There is a center pole, how will they park? Mr. Kohn – There is no center pole. Chairman Sush - Will the pole's effect the circulation of the driving.? Mr. Kohn - No. Michael Croissant – I'm concern that people will be backing into the poles. Mr. Kohn - I have blockers. Michael Croissant – What kind of tent?

Mr. Kohn shows the Board and public the tent.

Mr. Neiman – The tent height will be 10 feet height. This picture is not exactly what it will look like. There will be poles that will be put on the lines in the parking space. Michael Croissant – I don't see it. I think you're going to lose parking spaces. Michael Hoyt – You're taking up the parking spaces on the other side with the ankers. Helen Budrock - Was there any thought of putting the tent in the overflow area? Mr. Neiman – First it's not our property, seconded it has no pavement. We need pavement for the fork lift when emptying the truck. Chairman Sush - The purpose of the tent related to the community building, maybe locate it somewhere else? Mr. Neiman – It has to be under a licensed kitchen and that is why it has to go there. The building next to it has a license kitchen in it. Chairman Sush - This is prepared food? Mr. Neiman – Yes, we are preparing the boxes. Chairman Sush – You will do this in the kitchen? Mr. Neiman – No, the food is already prepared we are just putting it together in the boxes for distribution. Chairman Sush – So the tent and building are not related? Mr. Neiman – No. The state requires that the tent be by a building that has a licensed kitchen.

Paula Kay – You mentioned a forklift, what for? Mr. Neiman – To take the food out of the truck. Michael Hoyt - How many people are we talking about that you are feeding? Mr. Neiman – We gave out 13,000 meals each week last year. Michael Croissant – We are these people coming from? Mr. Neiman – From all around Sullivan County. Paula Kay – Last year there was a huge traffic issue. I applauded you for doing delivery but there is still an issue with parking. Michael Croissant – I think you will loss 20 plus spots with this tent. Mr. Neiman – I want to make this work.

Chairman Sush - You get the food, prepare it then distribute it or do people come there? Mr. Neiman – Every person will get a delivery. We are working with two companies that will do the deliveries for us. Helen Budrock -This is a state agency that is requiring the kitchen? Mr. Neiman – Yes.

Arthur Knapp – Have you looked into having the tent setup and taken down each time? Mr. Neiman – That cost lots of money to do. To do this 9 time it would cost about \$20,000.

Chairman Sush - Is this a secondary use on the property? Paula Kay – It's a temporary use. I don't have an issue with the use of the tent just with the parking. Arthur Knapp – Maybe the thing to do would be put it up and take it up down. The only issue would be a cost issue. Mr. Neiman – And to do that would take lots of hours as well. Jim Carnell – I can tell you that the Building Department is not going to drive over there every Monday to make sure that it has been taken down. Michael Croissant – Maybe you can just move it to the eight spots in the back with a narrower tent. Or by the dumpster. Helen Budrock – I suggest the overflow parking lot, those 8 spots. Mr. Kohn - The overflow parking is not an actual parking space. Michael Croissant – Maybe you will have to add parking. Mr. Neiman – If I can get permission from the owner across the street will that help? I will have to ask the state if that ok as well.

Paula Kay – Perhaps this can be approved if the applicant and the Building Department can find an appropriate place for the tent as a condition. Someone from the Building Department might need to go out and physically walk around and look for a better place. Matthew Sickler – Maybe do a smaller tent for the 9 weeks and then have a temporary tent on hand in case of rain. Mr. Kohn - I think we should go with Paula Kay suggestion. Chairman Sush - And have this put on the discussion items for the next meeting.

A motion for a site plan approval for a temporary tent conditioned on the Building Department going out and helping them find the best place for the tent was made by Arthur Knapp and seconded by Mike Croissant

4 in favor; 0 opposed

A motion to have this put on the discussion item for the next meeting was made by Michael Croissant and seconded by Michael Hoyt 4 in favor; 0 opposed

Michael Hoyt – Can we update the Town Letterhead? Chairman Sush - Can you make sure the update says Chairman after my name, please.

A motion to close the meeting at 8:49 pm was made by Michael Hoyt and seconded by Arthur Knapp 4 In favor; 0 opposed

Respectfully submitted,

eblie mitchele

Debbie Mitchell Secretary Town of Thompson Planning Board