

APPROVED

TOWN OF THOMPSON
PLANNING BOARD
August 25,2021

IN ATTENDANCE: Chairman Matthew Sush Michael Croissant
Arthur Knapp Michael Hoyt
Kathleen Lara Logan Morey, Building Department
Paula Elaine Kay, Attorney
Matthew Sickler, Consulting Engineer
Helen Budrock, Sr. Planner, Delaware Engineering

Chairman Sush called the meeting to order at 6:30 p.m.

PUBLIC HEARING:

NOTICE IS HEREBY GIVEN that pursuant to the provisions of §250-55 of the Town Code of the Town of Thompson, public hearings will be held by the Planning Board of the Town of Thompson at the Town Hall, 4052 Route 42, Monticello, New York on August 25, 2021 at 7:00 p.m. to consider: Application of UNIQUE ESCAPE CAMPGROUNDS for Site Plan approval permit in accordance with §250-8 of the Town Code of the Town of Thompson. The property is located in the RR1 zone at the southwest corner of Old Liberty Road and Gartner Road. SECTION: 5/BLOCK: 1/LOTS: 16.7,16.8,16.9,16.10,16.11,16.12 and 16.13. Rielly Engineering explained to the public and board.

Satisfactory proof of mailing was provided to the board.

Chairman Sush asked if there was any questions or concerns publicly or via zoom. There was no public comment. The public hearing will remain open for two weeks until the end of business day of the next meeting.

A motion to close the public portion of the hearing was made by Michael Croissant and seconded by Kathleen Lara.

5 in favor; 0 opposed

LEISURE ACRES

NOTICE IS HEREBY GIVEN that pursuant to the provisions of §250-55 of the Town Code of the Town of Thompson, public hearings will be held by the Planning Board of the Town of Thompson at the Town Hall, 4052 Route 42, Monticello, New York on August 25, 2021 at 7:00 p.m. to consider: Application of LEISURE ACRES for Site Plan approval and special use permit in accordance with §250-7 of the Town Code of the Town of Thompson. The property is located in the SR zone at the Waverly Ave & Cold Spring Road. SECTION: 29/BLOCK: 2/LOTS: 13,22,23

Satisfactory proof of mailing was provided to the board.

Kathleen Lara questioned the access off County Road 102 and Waverly Ave. which was not recommended by the County. This is not what is being proposed at this time. That “access” will be for emergency only.

There was no other public comments. The public hearing will remain open for two weeks until the end of business day of the next meeting.

A motion to close the public portion of the hearing was made by Kathleen Lara and seconded by Arthur Knapp.

5 in favor; 0 opposed.

A motion to approve August 11, 2021 minutes was made by Arthur Knapp and seconded by Kathleen Lara.

5 in favor; 0 opposed

DISCUSSION ITEMS:

HAMASPIK RESORT

Ken Ellsworth: Keystone Engineering

Charlie Bazdylo, Counsel for the applicant

Charlie Bazdylo stated that the public hearing had been held for the project and that it was left open for comments. That time frame has been closed at this point.

We are here tonight to discuss the schedule and moving forward. We are preparing responses to those comments and should have them completed for the board in the next few weeks. The one major issue is the use we feel the project fits into is one that fits into the code. The position for the board is whether the uses are allowed or not. If the board has a doubt and doesn't wish to proceed then we should go to the Zoning Board of Appeals for an interpretation. Paula Kay- correct I think that it would be the best way to go. Keeping in mind that it is up to Planning Board to decide but Zoning board would give two interpretations. (1) is the use that is Hamaspiik is currently using as a hotel as per code by utilizing the information provided at the public hearing and is the proposed use as a camp as a camp under the zoning code. Charlie that is basically it. Other issues that arose where basic engineering concerns.

Chairman Sush, I agree those engineering issues need to be addressed, I think the major concern is the potential use. The other engineering items may be influenced by the interpretation of the code. So knowing and having that interpretation help us going forward. Paula Kay so two things – because this is a special use permit the board has 45 days from the close of the public hearing to make a determination. The close of the public hearing was technically the 18th (August) so 45 days will be October 3rd. If you send them tonight for an interpretation it will fall on September 14 which maybe a holiday. That is ok. So they will appear at the Zoning Board on September 14 and potentially return to the Planning Board on Sept 22. Which is not a good day. They need to come back to Planning on October 13 however that is past the 45 days, we need the applicant to grant us more time so that there is no issues. Charlie B grants time. Paula kay- Board so understand that at that October 13th meeting no matter what the ZBA does you need to make a decision on the special use permit.

A motion to send the Hamaspik resort to the Zoning Board for interpretation of whether or not the current use is a hotel as per the Town of Thompson zoning code and that whether the proposed use as described by the applicant in the public hearing and in their documents is a camp and whether that applies to the zoning code by Kathleen Lara and seconded by Arthur Knapp.

5 in favor; 0 opposed

HAMPTON LAKES

Glenn Smith, Engineer

Paula Kay has recused herself.

Glenn Smith described the project. This is just a conceptual plan of 105 acres located on Swing-bridge. It has dirt roads, trailers, and structures. The property is currently being cleaned up. The property is in the RR2 zoning district which allows for 2 acres development with water and sewer as well as club houses and recreational uses. Lake Shore Drive is a dead end at the end of the property which will not be used short of an emergency access. The property is very rugged and steep, tough to get good house sites let alone septic systems that meet Department of Health regulations. The south end of the property is a separate lot which will have recreational buildings, pool, tennis court etc. The large lot will have a common septic. So basically, it is 28 lots shown with septic and well and then a 30 acre lot with community buildings. This is conceptual, just wanted to start with the board and get their opinions before going forward. The road that is shown there that currently runs north to south is an existing utility line. I am trying to utilize that. There are 3 entrances off Starlight road.

Kathleen Lara – are these going to be single family or duplexes? Glenn Smith – the zoning allows for both. He wants to leave that option open. Kathleen Lara- is there a HOA? Glenn Smith – yes, there are community building and private roads that need to be maintained. Kathleen Lara – will there be docks? Glenn Smith – most of the parcels to be created are to steep and there isn't access down to the water. There will be a common docks for boats. There will not be a dock for every lakefront parcel. Chairman Sush – will you create stairs down to the water? Glenn Smith – There is probably only one or two sites that you can get that on.

Helen Budrock asked if there was still an issue with a common parcel, possibly ending it at the cul-de-sac and the having more of an internal circulation. Glenn Smith – Helen mentioned that we didn't want to have two parcels. It won't be an official road. The other roads will be maintained by HOA.

The board has no questions or concerns and the project will continue moving forward.

MONTICELLO MOTOR CLUB: EMPLOYEE HOUSING

Mike Watkins, Project representative

Glenn smith, Board representative

Keystone Engineering

Larry Wolinsky

Mike Watkins discussed the project. Keystone is doing the engineering on this project. Then plan is to take a part of the Monticello Motor Club campus on Rupp Road and put a staff housing building on this parcel. The building will be a dormitory style, no kitchen, no cooking. We want to bring in staff from around the world. They feel the need to recruit specialty training staff. The Motor Club will house them in these buildings. This would not be a for rent facility. No one allowed other than Motor club staff. No setback issues, a previously approved site plan for the motor club had a structure on this parcel with parking. We are asking for a public hearing to approve this site plan. Kathleen Lara – nothing else on this property just a dormitory. Mike Watkins – we are asking for one dormitory at this time with potential for two more based on the size of the lot. Paula Kay - Please do not call it a dormitory, it is an accessory structure. If the club grows and staff will be required in the future we will ask for more.

Paula Kay there is one little wrinkle that I hope can be worked out tonight – accessory use in this zone states that dwellings are for agricultural employees or security staff. I am certain that the staff you bring in is security in some way. The code shouldn't be that limited. If the staff you are bringing in is in some way security to the club, then the definition will fit in some way. Mike Watkins – yes, all personnel that is brought in to the club in some way is security, they are constantly monitoring what goes on.

Glenn Smith- There will be security in the building, so I think that it applies to the code.

Helen Budrock – Should this be referred to the ZBA for interpretation, so they could interpret for the record or are you comfortable with the fact that some of the employees are security that it meets the definition of the code, what is the pleasure of the board? Kathleen Lara – I think that if it isn't affecting the area around it, and it is just motor club personnel only, that maybe the site plan should reflect that it is not to be rented out. Mike Watkins - we could don't have issues putting that on the site plan. Paula Kay – I was unaware that the previously approved site plan had a structure on this property. Helen Budrock – technically it should be a site plan modification from a previously approved plan, and it would be a minor modification.

Helen Budrock – the only issue I have is from a SEQRA perspective, did you submit an EAF to the building department. Keystone Engineering – if it is required, we will. Helen Budrock – my interpretation of SEQRA is that even if it is only an accessory structure over 4000 sq. ft. which I believe this is then it is not a type II action, so if you could do a short form EAF that would be fine.

Mike Watkins – so we will do a short form EAF and then come back at the next meeting as an action item.

A well and septic information. SPDES is required. Paula Kay said that she would work with the Motor Club on language for the site plan. The project will be ready for the September 8, meeting.

AVON PARK

Larry Wolinsky, Attorney
George Duke, Brown Duke & Fogel, PC
Glenn Smith, Project Engineer
Andrew Mavian, Project Manager
Ken Ellsworth, Keystone Engineering

George Duke – We are looking for the board to move ahead with the noise consultant, potential have 239 review and discuss review traffic study's and move ahead with a public hearing.

Helen Budrock – So where we left off, this is a modification of a previously submitted application. Where we are now is that we reviewed prior information and applicant is providing information in the form of technical analysis that compares the previous impacts verse current impacts of current project so we can compare.

So the applicant did there due diligence with required reports, the town is currently examining all information submitted in time to get on the Sept 22 meeting. There is a lot of information and we are looking to get written comments back to the planning board for review. Nothing new needs to be done regarding the noise consultant. A cost estimate has been submitted to the town. The board just needs to allow the building department to engage the consultant. Matt Sickler you need to review the SWIP and wetlands report and provided comments on that, you have a traffic consultant to provide information on that. Helen has visual assessment and then the noise consultant will focus on that. Larry Wolinsky – PB should also review the information submitted and come up with their own comments and questions. Clarifications is always in questions. These should be addressed at the September 22, meeting.

239 review issue, it is premature at this point. Helpful to do the review prior to the public hearing.

Any question regarding this procedure? Glenn Smith – I can answer any questions the board may have.
Kathleen Lara – I see the height of the building is that requiring a variance. Glenn Smith – yes it will require a variance.

The board should complete the SEQRA process before going to Zoning Board.

No action required by the Planning Board at this time.

The access off Rock Hill Drive will be for trucks and Glen Wild will be for cars and essential employees.

An internal Work session will be scheduled in the future.

ALDI'S

Mark Mancuso, Kincora Development, LLC.
Luke Mauro, Project Engineer

Mark Mancuso described the project and its location. A possible setback variance will be required. This Aldi's will replace the existing Monticello Aldi's on lower Broadway.

Luke Mauro shared Plans were shared on screen. This project will be for a new Aldi's store with additional retail space. Access to the site will be from the Taco Bell lot with truck entrance and car entrance off Lanahan Road. Wetlands need to be reviewed. Signs for identification have been discussed.

Helen Budrock has stated that the variance discussed may not be required due to town changed its code for parking spaces required. Basically, reduces the impact of storm water runoff. Changed from 1 space to 150 sq ft retail to 250 sq ft of retail. By calculation the minimum parking spaces required is 126 spaces, maximum would be 156 spaces. That may help with the setback issue. If you can change the building location that would be preferred. That would eliminate the wetland impact. A possible work session maybe required. Does the board want to formally engage any consultants at this time.

The driveway appears to be an issue on Jeff Bank parking lot. Luke Mauro – there is an access to Taco Bell. We can take it back to the client for discussion. Paula Kay – prior projects show that it is not feasible. A work session is most likely required.

The next scheduled work session will be September 15, 2021.

ACTION ITEMS:

CONCORD ASSOCIATES

Henry Zabatta, Representative

Concord Associates is requesting an extension of a previously approve extension. This project was set to expire September 15, 2021. New expiration date will be March 15, 2022.

A motion to approve the extension was made by Arthur Knapp and seconded by Kathleen Lara.
5 in favor; 0 opposed

WINDSOR HILL ESTATES

Glenn Smith, representative

Glenn Smith explained the minor modification would be for internal roads. The original road width was for 24' of pavement and 3' of shoulder. The homes being brought in are permanent, meaning the roads do not need to be wider to transport the homes in and out of the site. The modification will be for 20' of pavement and 2' of shoulder.

Kathleen Lara – what kind of sidewalks are in the development? Glenn Smith – there are no sidewalks along the roads, but there are trails throughout the property. Kathleen Lara – my only concern is that people walk along the roads, it's a fact and having a smaller road is the best for this project. Glenn Smith – you are correct, there will be people on the road however. Chairman Sush – asphalt is a large expense, maybe make more of a shoulder. Matt Sickler – the 20' road meets the fire code access.

A motion to approve the minor modification to the site plan for paved road to be 20' wide with a 3' wide gravel shoulder on each side was made by Kathleen Lara and seconded by Michael Croissant.

5 in favor; 0 opposed

EMERALD GREEN LLM WATER COMPANY

Glenn Smith, Representative

Glenn Smith described the project. I have updated the plans since the last meeting. Matt Sickler – I have reviewed what was submitted and I have no issues with what was submitted. The plan is noted with the easements.

A motion for NEGDEC was made by Kathleen Lara and seconded by Michael Croissant

5 in favor; 0 opposed

A motion for site plan approval has been made by Kathleen Lara and seconded by Arthur Knapp

5 in favor; 0 opposed

A motion for a minor subdivision was made by Arthur Knapp and seconded by Michael Croissant.

5 in favor; 0 opposed

SUNRANCH BUNGALOW COLONOY

Joel Kohn, Owner Representative

This project has received a variance from the Zoning Board of Appeals for the increase of a non-conforming.

Paula Kay informed the board that the owner and contractor will be back in court tomorrow night for the issued violations and they will be paying fines. Chairman Sush – does that need to be settled before we move forward here? Michael Croissant – we should wait until the fines and court are finished. The Planning Board agrees.

Joel Kohn – the next time we can appear will be October 13, 2021.

Arthur Knapp – can we make this approval contingent on the fines being paid? The board – no we should wait.

Chairman Sush – brought up the landscaping. On the plan there is landscaping, it doesn't match what is there. New landscaping should be brought to the board. This will be addressed at the next Planning Board meeting.

VIZNITZ 27 LOT SUBDIVISION

Joel Kohn, Representative

Paula Kay – this is on for the developer’s agreement which is really a Town Board issued. Restoration bond has been received. I will confirm that everything is ok with that. Language and numbers just need to be confirmed.

A motion to conditionally approve the infrastructure once the Town Board approves the developer’s agreement and the fees have been paid was made by Michael Hoyt and seconded by Michael Croissant

A motion to close the meeting was made by Kathleen Lara and seconded by Michael Croissant.
5 In favor; 0 opposed

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Heather Zangla". The signature is written in a cursive style with a large, stylized initial "H".

Heather Zangla

Secretary

Town of Thompson Planning Board