

TOWN OF THOMPSON PLANNING BOARD April 12, 2023

IN ATTENDANCE: Kathleen Lara, Chairman Christ Michael Croissant Paula Kristin Boyd Laura Arthur Knapp Michael Hoyt Jim Carnell, Building, Planning, Zoning Matthew Sickler, Consulting Engineer Helen Budrock, Sr. Planner, Delaware Engineering

Christina Cellini, Alternate Paula Elaine Kay, Attorney Laura Eppers, Secretary

Chairman Lara brought the meeting to order at 7:00 pm with a pledge to the flag.

A motion to approve the December 28, 2022 minutes was made by Michael Croissant and second by Kathleen Lara. All in favor, 0 opposed.

Chairman Lara explained that the Board has changed the order in which items on the agenda will be handled, action items first, and asked for a motion to discuss a certain project first due to a scheduling conflict.

A motion to take the agenda out of order, so that the Board can discuss the Old Route 17 Warehouses project first, was made by Michael Croissant and second by Arthur Knapp. All in favor, 0 opposed.

ACTION ITEMS:

BOGURSKY/RUFF FAMILY TRUST

Glen Wild Road, Rock Hill, NY Tony Siciliano, Project surveyor

Helen Budrock shared the submitted plan for everyone to see.

Tony Siciliano – We are proposing a three-lot subdivision on Glenn Wild Road, which is a county road. Lot 1 will be 2.34 acres and has two existing homes on it. Both houses have their own septic but share a well. Said well will actually end up on lot 2, so they will need a deeded easement for that. The applicants are willing to drill another well if needed, but were hoping to not have to. Lot 2 will be 2.29 acres and has one existing home on it. Lot 3 will be almost 15 acres and is a vacant lot. This property is currently in a family trust and they are looking to divide it up amongst the family members. They currently have no intentions with doing anything to lot 3, but the Building Dept. told me to show a house on there anyways to prove a house could go there in the future.

Chairman Lara – Paula, do you need to see the deeded agreement before it is filed? Paula Kay – I didn't realize, but I might have a conflict with this project. Is this Jerry and Marleen Bogursky? Michael Hoyt – I don't believe so. Tony Siciliano – I'm not sure who the parents are, but these are the children. This is Mike Ruff and Cindy Bogursky. Paula Kay – Okay, then I don't have a conflict. If it was Jerry and Marleen or their kids, it would have been. Chairman Lara – Okay. So, Paula, you would want to see any well sharing agreement and it would have to be recorded, correct? Paula Kay – Yes and yes. Tony Siciliano – When the property is deeded or beforehand? Paula Kay – Before your filing of it. Tony Siciliano – Do you would need to see that before this subdivision can be approved? Paula Kay – Yes. Tony Siciliano – Does it need to be recorded before approval as well? Chairman Lara – I would think so because people change their minds every day. This way it is their interpretation to a "T" and in legal form. Jim Carnell – Is there a need to have verbiage about any future sale and if a new well would need to be drilled at that time? Tony Siciliano – It would be a perpetual easement that wouldn't go away if someone different buys the property.

Helen Budrock – You cannot have two houses on one parcel unless you can demonstrate it can be subdivided in the future. Is that something that can demonstrate? Tony Siciliano – Yes. Everything on the west side of the creek is in the RR-1 district, which requires a minimum of a 40,000 square foot lot, and that lot will be almost 2.5 acres. So, it shouldn't be an issue. Helen Budrock – Would you be able to get two 1-acre lots with a house on each and still meet the setbacks and everything? Tony Siciliano – Yes because the one house because the houses are on each side of the lot and there is a good distance between their leach fields. Helen Budrock – I think we would need to see on the plan that it could be done. Chairman Lara – Right. Just like the T&C project we just approved. Tony Siciliano – Do you want me to show a proposed subdivision there, maybe with a dashed line? Matt Sickler – Yes, with a dashed line. Paula Kay – You can go on our Google Drive, look at the T&C project to see what they did, and copy that. Tony Siciliano – Okay.

Chairman Lara – Matt, do you have anything? Matt Sickler – The only other thing I have to add is that lot 3 will be vacant and they show a proposed house and well location, but typically you would also get at least a soils test to demonstrate a septic system could be provided. This is a larger lot, but the brook cuts the back portion of the property off pretty good. We would normally see at least deeps and perks to show a septic system could be supported. Tony Siciliano – Do you need it tested with two perks? Matt Sickler – I would do a deep test to show you have 4 feet of soil there, or you need to do a shallow system with 2 perks. Tony Siciliano – Do you need to see a size of the system? Matt Sickler – No, because you don't know what size house may be put on there, so I would at least demonstrate it is suitable for a system. The actual septic design can be done with the building permit process.

Chairman Lara – Maybe we should reconvene in 2 weeks so that you have an opportunity to get the map updated and order a perk test. Unless the Board feels that these could be conditions of an approval. Arthur Knapp – I would like to see them in 2 weeks. Tony Siciliano – It may be 4 weeks. Chairman Lara – That's fine. We try to move things along if we can, but because there are so many variables, I think waiting is in the best interest of everyone involved. When you come back, we will be looking for the site plan to be updated, showing lot 1 can be subdivide, an agreement in regards to well sharing for Paula to review, and perk test results for the 3rd lot. In the meantime, I think we can refer this to the County for 239 review, so that we can get that going. Helen Budrock – You can.

A motion to refer this project to the County for a 239 review was made by Michael Hoyt and second by Kristin Boyd. All in favor, 0 opposed.

WISE EQUITIES

Kroeger Road, Monticello, NY Zach Szabo, Project Engineer

This project was not ready to come back to the Board yet.

HAMPTON LAKES

Starlight Road, Monticello, NY Glenn Smith, Project architect

Paula Kay is recused.

Chairman Lara advised that the Planning Board received two separate correspondences today in regards to this project. However, the public hearing has been closed and therefore they cannot be part of the record.

Glenn Smith – This is the Swinging Bridge, Starlight Road subdivision we have been working on for about a year and a half now. We have been going through the Health Dept. review and they requested that three test wells be drilled on three of the lots. We chose 2, 10 and 27. I submitted a building permit application to the Town for each of those wells a few weeks ago. I just found out tonight that two of those wells have already been drilled, without building permits, because the well driller thought the permits had already been issued. We are here tonight to request approval to finish drilling the three wells so that we can go back to the DOH with results from those.

Michael Croissant – Why is the DOH involved in this, I thought the subdivision didn't meet the threshold for the lot coverage? Glenn Smith – No, it does. When you have five or more lots, less than 5 acres in size, you need DOH approval. Michael Croissant – Are they requesting some kind of public water supply? Glenn Smith – No. Each house will have an individual well. They just want to see if they can get 5 gallons per minute, per well, and we have to do a quality analysis on them. Michael Croissant – Has there been any preliminary reports on the wells. Glenn Smith – Not that I have seen, but again I just found out that some of the wells have been drilled. Michael Croissant – My only other comment is, you know how we feel about people doing things without prior approval or building permits. Glenn Smith – 100%. Kristin Boyd – Does the DEC require you to notice the neighbors? Glenn Smith – Not for drilling, but the neighbors will be notified when we do pump tests on the wells, because we always try to get a couple

neighbors to let us monitor their wells during pump testing. Chairman Lara – Glenn, please reiterate to your client that it is tough to work with somebody who does not work with us. He is in the habit of doing first and asking for forgiveness later and, speaking for the Board, it is very disappointing. Michael Croissant – I don't know if the rest of the Board feels the same, but I would like to see our hydrolysis get involved and feel this should be bonded. Glenn Smith - I don't see a problem with that. Kristin Boyd - I agree because of how frequently these types of things keep happening with this project. Chairman Lara -Since two of these wells are already drilled, are we looking for our hydrolysis to be present when the last well is drilled? Kristin Boyd – And during the pump test. Matt Sickler – Definitely during the pump testing. Michael Croissant – I think the wells also need to be bonded. I don't know how that work and if there should be a bond for each well, but we should get something. Matt Sickler – Is bond for incase they don't move forward and they need to be abandoned? Michael Croissant – Yes. Jim Carnell – The practice in the past was per well and I think it was \$3,000 or \$5,000 apiece. Matt, do you remember? Matt Sickler – I think that is in the right ball park. Michael Croissant – I think it should be at least \$5,000 per well, but I don't know the legality of it. Chairman Lara – Well, it is at least \$10,000 to drill a well, so \$5,000 per well isn't unreasonable. Matt, do you agree? Matt Sickler – That sounds about right for what we have done in the past. Michael Croissant – With no more drilling until the bond gets posted. Michael Hoyt – I think that bond is too cheap and it should be at least \$10,000 a well. They put the cart before the horse here. Chairman Lara – Is it just three wells. Glenn Smith – Yes, three test wells. Michael Croissant – Will there only be three wells for the whole project? Glenn Smith – No. Each parcel is getting their own well. Matt Sickler – These test wells are drilled prior to approval from the Health Dept. Once the DOH approves these, they can drill the rest. I suggest you hold the bond until the Health Dept. gives their approval because if any of the test wells fail, they will have to be abandoned. Michael Croissant – Again, please pass along to Jeff that is Board is not going to stand for anymore work being done without a permit. Kristin Boyd – Regardless of who's fault it may be. Michael Croissant – Right. It is going to fall back on him and he is going to have to deal with the consequences. Glenn Smith - I'd be happy to pass the message along.

Kristin Boyd – Since you are here tonight, maybe you can give us an update on the rest of the project. Glenn Smith – The only thing done since we last met is the site clearing, they did after the fires last year. They built a stone access drive off Starlight Road to allow the well drilling rig to get to lot 2, but that is just temporary. It is going to have to be removed to put the driveway for the house that will be on that lot. Other than that, there has been no new construction that am aware of. Michael Croissant – I may have missed it, but I don't think any silt fencing was put up along the side of the road they put in. Glenn Smith – Which Road are you referring to? Michael Croissant – The first one coming in off 17B. There are two or three existing houses down there. Glenn Smith – Okay. I also didn't see any so I will have them post some there and lot 27 as well. Michael Croissant – While we are discussing the site, I noticed a pretty large pile of debris on top of the cliff, down by the lake, that looks a lot like a potential burn site. Glenn Smith – I am not aware of that, but I will check on that and make sure it is moved or whatever they need to do. It's down by the reservoir, correct? Michael Croissant – Correct.

Helen Budrock – I know this project is still waiting for final approval, is DOH approval the last piece we are waiting on? Matt Sickler – No, we are still working on the SWPP. There was a resubmission and we should have our new comments to Glenn by the end of this week. Helen Budrock – is that all the outstanding items Glenn? Glenn Smith – SWPP and DOH approval are the main items left.

A motion to engage the Town's hydrologist, to oversee the drilling and quality analysis of the test wells, was made by Michael Hoyt and second by Michael Croissant. All in favor, 0 opposed.

A motion for a \$30,000.00 bond for three test wells, to be received prior to any more work being done and to be held until all wells for the project have been drilled and the project has received DOH approval, was made by Michael Croissant and second by Michael Hoyt. All in favor, 0 opposed.

T&C SULLIVAN LLC

Sheeley Lane, Rock Hill, NY Glenn Smith, Project architect

Glenn Smith – We had a public hearing for this project at the last meeting and the public hearing was closed with a 10-day written comment period. There were no comments at the public hearing and no written comments thereafter. We are here tonight to see if the Board had anymore comments and if not, possible final approval.

Chairman Lara – I am fine with everything and moving forward with final approval, but just wanted to mention that one of the County's comments on the 239 was to add EV stations. Although I understand the need for them, this is a dead-end road and don't feel they are necessary for this project.

Chairman Lara – Helen, do we need a NEG Dec for this project? Helen Budrock – No, this is a type II action.

Chairman Lara – Matt, do you have any additional comments? Matt Sickler – No. I met with Glenn a few weeks ago and we went over everything.

No further questions or comments from the Board.

A motion for final site plan approval was made by Arthur Knapp and second by Kristin Boyd. All in favor, 0 opposed.

DISCUSSION/POTENTIAL ACTION ITEMS:

BLACK BEAR FUEL OIL 884 Old Route 17, Harris, NY Glenn Smith, Project architect Darren (Bobby) Mapes, Project owner Glenn Smith – This project is looking to add an addition onto the back of their existing building in Harris. I think it is currently 60 feet deep by 80 feet wide and he wants to add a 30-foot addition for the garage and shop. That's basically it.

Chairman Lara – Will the use change? Bobby Mapes – No, it is going to stay the same. Chairman Lara - Are you just squaring up the building? Bobby Mapes – No, it is just going to extend off the back, exactly 30 feet.

Chairman Lara – Have you had a change to look at this yet Matt?? Matt Sickler – Yes and I have one comment. Glenn, can you note on the plan the number of employees the septic system can support? Glenn Smith – The septic system there now was built twice the size of the one I originally designed and has the capacity of about 250 gallons per day, With the number of employees projected, roughly 10 total, requires 150 gallon per day, so what is there is more the sufficient. There is a table that the bottom of sheet 1 that shows that. Matt Sickler – Okay, I see it. When I look at PDFs on my tablet, I don't see the corners, sorry.

Chairman Lara – Board members, this is for site plan review, but it is also a special use permit. We could ask for another public hearing and 239 referral if we feel it necessary. I don't feel it is necessary as they are not changing the use and it is in a commercial area. Paula Kay – We actually would have to refer this project back to the County for a 239 review and this is a special use permit. Helen Budrock – So, a new public hearing would be necessary as well. I know it is a very minor addition, but special uses always have to have a public hearing unfortunately. Chairman Lara – Understood. With that being said, we are going to need 30 days to send it to the County and need to schedule a public hearing. Glenn Smith – Can we do the first meeting in May? Chairman Lara – Does that work Laura? Laura Eppers – Yes. Helen Budrock – Okay, so that will be May 10th. Paula Kay – Because this is a minor modification, if there is no public comment, there is a possibility you can approve this conditioned on any written comment that might be received in the 10-day period provided. That way, they wouldn't have to come back. Chairman Lara – Okay. Bobby Mapes – I appreciate that.

No further questions or comments from the Board.

A motion to refer this project to the County for a 239 review was made by Michael Hoyt and second by Arthur Knapp. All in favor, 0 opposed.

A motion to schedule a public hearing for May 10, 2023 was made by Michael Croissant and second by Arthur Knapp. All in favor, 0 opposed.

CONG. HONEYCREST SHUL

14 Harris-Bushville Road, Monticello, NY Paul Woodward, Project engineer Paul Woodward – The applicant is looking to utilize an old medical office building as a Shul, so they would be changing he use to a house of worship. There will be some minor parking lot changes to make room for a bus to loop around the project. The parking count will go down to about 28 to make room for temporary bus parking. We calculated disturbance to be .02 acres.

Matt Sickler – What do they do here for water and sewer? Paul Woodward – It is on site and I am trying to track down the existing sewer, which I believe supports up to 100 people, but won't know for sure until I track it down. Jim Carnell – The Building Dept. may have a copy of it. Paul Woodward – Okay. Thank you.

Chairman Lara – The driveway there is pretty steep, so that might be something you want to look at if buses are going to be going in and out. Jim Carnell – Plus it's on a county road. Michael Hoyt – And on a turn, to the hospital. Chairman Lara – Matt, do you think the driveway is something they can mitigate? Matt Sickler – I only gave this a quick review, but I will take a look. I will bounce it off Jay too. Chairman Lara – Okay, thank you.

Chairman Lara – Paula, do you have anything? Paula Kay – If this is being used as a Shul, will there be people walking? If so, what direction are they coming from? Michael Hoyt – Right, because there are bungalow colonies on both sides of it. Paula Kay – And we want to make sure everything is safe. Helen Budrock – Is there a community that they are intending to serve? Paul Woodward – The intent is to use the buses to transport people to and from the Shul, this way people are not walking. Paula Kay – Are the buses coming from one particular location or will they be coming from multiple locations? Paul Woodward – I don't have that information, but I will ask the applicant. Michael Hoyt – Are they going to need room for more than just two buses? Paula Kay – Right. A traffic flow on the buses would be helpful and I think we want to be clear about that being a very dangerous intersection and there should not be any walking. The site distance there is terrible.

Michael Hoyt – Are there future plans for the back portion of the building? Paul Woodward – Nothing that has been brough to my attention. I am here specifically here for the change of use to a house of worship. Paula Kay – Would you please ask your client because if there is going to be anything else, we would like to see it now. Paul Woodward – Okay. Helen Budrock – If there is intention of using the building for something other than a Shul, then will there be people driving to this building other than on the sabbath? Paul Woodward – It was specifically told to me that this would be used as a Shul only. Chairman Lara – So, this is a little unusual because generally religious folks don't drive on a sabbath. Helen Budrock – Right. Chairman Lara – I was a little surprised that they are proposing to put it in this location because it doesn't seem ideal for foot traffic. Michael Croissant – Right and usually a Shul is used for other things, like a classroom. Helen Budrock – And if it that is the case and it is not used just on the sabbath, you need to make sure there is enough parking spaces for whatever else might be happening. Chairman Lara – Agreed. Paul Woodward – I will find out. Helen Budrock – We will need to know if people will the driving there and if it is going to be buses only, maybe that should be part of the special permit. Michael Hoyt – Maybe they should just add the parking anyway. Chairman Lara – I was going to say that because the use could change again, which we know happens, and if that happens, they will be prepared for parking. Kristin Boyd – Otherwise it may need to be bonded. Chairman Lara – Right, so parking is something we would want to see, as if it wasn't being used for just two buses. Matt

Sickler – Are they only using 1,400 sq. ft. of the building for the Shul? Paul Woodward – I came up with the 1,400 based upon the number of parking spaces they have and the square footage the code allows for that. They do have more than 1,400 sq. ft. in the building that can be used. They would like to get up to 100 seats, but with the parking being controlled and nothing in the code to account for the buses, I don't think they can get that. Helen Budrock – You backed into that number for square footage, but the reality is, it is possible the entire 5,500 sq. ft. is going to be used as a place of worship. I think you should be accounting for the full square footage of the building and worst-case scenario you may have to go to the Zoning Board for a variance for the number of parking spaces. You can explain to them that the building will be used in a traditional way and therefore there is no need for all the parking required. It just seems odd that you backed into the 1,400 rather than doing it the other way. Paul Woodward – I did try that route, but my client did not want to go to the Zoning Board Paula Kay – My concern is you have a large building and your client is going to want to use more of it, as they should, and you are only accounting for a portion of it. Assuming that the building is going to be used at its maximum capacity, the Board needs to see plans and parking that reflects that. If that can't happen because parking is limited, that may be an issue. Helen Budrock – And I think the Board would rather see them go to the Zoning Board for a variance. Chairman Lara – Right. Michael Hoyt – And we would like to know what the whole building is being used for. Matt Sickler – I assume they purchased or are renting the whole building and would want to use the whole thing. Paula Kay – Or there is another use that needs to be proposed and now is the time to know what the entire building is going to be used for.

Michael Hoyt – Will the buses stay there and wait or will they just be dropping off and picking up? There isn't really a lot of space behind the building. Paul Woodward – We ran the auto turn software to show that we can get the two buses there and stage them. What was relayed to us was they would come drop off, leave, and then come back for pick up. Michael Hoyt – I think the Fire Dept. should review this also. Michael Croissant - 100%. Chairman Lara – Okay. Is that something we would send to them or does the applicant send it? Paula Kay – The applicant. Chairman Lara – Okay. Paul, please send this to the Monticello Fire Dept. to have them look at access and make sure it is adequate. Also please copy the Board. Paula Kay – And ask them to send their comments to both you and the Board. Paul Woodward – Okay.

Helen Budrock – Does the Board feel that this is far enough along to schedule a public hearing and send the 239 to the County or do you want to wait? Chairman Lara – I would like to get some answers first. Michael Hoyt – Agreed. Michael Croissant – Yeah. Helen Budrock – Okay. Do you want to request a traffic study? Chairman Lara – I think there are too many unanswered questions here and we should wait until we can get some things answered.

No further questions or comments from the Board.

OLD ROUTE 17 WAREHOUSES

1283 Old Route 17, Harris, NY Barbara Garigliano, Project representative Chairman Lara has been recused and Michael Croissant was appointed as acting chairperson for this project.

Helen Budrock shared the site plan for everyone to see.

Barbara Garigliano – This project is for a subdivision and two proposed warehouses, one on each lot. We submitted a site plan and are here tonight to see if the Board had any issues with what is being proposed. If not, we were hoping you would refer it to your engineer so that they could start review and we can get escrow set up.

Helen Budrock – This property was previously subdivided off from a bigger piece, that was used for a solar panel farm, and they are now looking to subdivide this remaining lot into 2 lots and put two small warehouses on them.

Paula Kay – Like our other warehouse projects, this would need a traffic study. Helen Budrock – Being this is just a sketch plan, I'm not sure how far we want to go at this time. Barbara Garigliano – Right. We were hoping to just get this referred to your engineer first and then go from there. Paula Kay – That's fine. Matt Sickler – We will take a look and get you guys some comments.

Helen Budrock – From a zoning perceptive, everything is pretty straight forward and this meets all the zoning requirements.

WILLIAM MCNEAL

71 Cold Spring Road, Monticello, NY William J McNeal – Property owner William B McNeal – Property owner's son

William B McNeal – We are here tonight hoping to get approval to turn my father's house back into a 2family home, which it was originally. We have a few issues with the property that need to be taken care of. The out building needs to be removed and the garage needs to be updated. He will be putting in a chicken coop, but the pig pen is being removed and the bacon and sausage will be dispatched before the end of the month. There is a little shed in the back. That shed is my brothers so he will be taken care of anything that has to be done with that. Our primary concern is the house because he has a leak on the second floor and in the front, where the lower roof is, is really bad. We want to add onto the second floor, over the space where that lower roof is now, so we will not be coming out at all, only up. We replaced he entire roof because one of my siblings got into a solar panel deal and they are pushing to install the panels.

Jim Carnell – For Matt and the Boards reference, I believe the property is serviced by both Town water and sewer, right? William B McNeal – No, we have a well but use Town sewer. I think there is an easement. Matt Sickler – It looks like there is a manhole on the corner. William B McNeal – Yes, there is. William J McNeal – There is also a sewer pipe way in the back of the property. Jim Carnell – I think the house doesn't feed into that and it just runs through the property. William B McNeal – Right and there is an easement for that. I also gave them a piece of property that is behind the church.

Paula Kay – How did this get to the Planning board? Jim, was there a violation or was there some building without permits? William B McNeal - The out building was built without a permit. Michael Hoyt - Wasn't there an issue with some kind of a salon on the property? Chairman Lara - It was a barber shop. Jim, maybe you could give us a little history on this property. Jim Carnell – They submitted building plans for a 2-family home, but it is currently listed as a single family. The 2-family is permitted in the zone with approval from the Board and that is kind of their first step to getting violations cleared up. Paula Kay – I think a lot of the issues here are code enforcement issues, which the Building Dept. will handle, and the only portion the Planning Board only really needs to handle is conversion back to a 2family. Chairman Lara – I kind of like the idea of forcing your hand on getting some of these things cleaned up by saying, we would approve this if you took care of the outstanding items with the Building Dept. William B McNeal – Understood. Whatever has to be done, has to be done and if the out house needs to be re-done, we will have to. Paula Kay – That would be on the discretion of the Building Dept. Chairman Lara - So, all this Board really needs to do is consider the conversion of the house back to a 2family. Paula Kay – Right, which you can do contingent to violations being cleared up, but there was a mention of animals on the property. How many chickens are we talking about? William B McNeal – I believe he has 12 or 15. Paula Kay – Are there any roosters? William B McNeal – No, just chickens. William J McNeal – They are just egg laying chickens. Jim Carnell – I don't know if they are allowed in the zone and if they are, I don't know how many are allowed. Laura Eppers – I'm pretty sure it is two per acre. Paula Kay – And this property is 1.3 acres. Jim Carnell – We don't have any violations for the chickens that I am aware of. Paula Kay – It sounds like the pigs are going out and the chickens are coming in. Helen Budrock - Where are the chickens now? William B McNeal - They are in the basement right now in a box because they are still small. Jim Carnell – Going back to the discussion on possible conditional approval, maybe you can approve it contingent to all violations being cleared up and no C/O until they are. Chairman Lara – I agree. That way they can get their building permit and get started with the things you need to take care of.

Jim Carnell – This is on a county road, but I think this is one of those situations that doesn't require a 239 review. Paula Kay – Correct. This is exempt.

No further questions or comments from the Board.

Motion to approve the convert the 1-family home back into a 2-family home, subject to all Building Dept. violations being taken care of and no Certificate of Occupancy until then, was made by Michael Hoyt and second by Arthur Knapp. All in favor, 0 opposed.

A motion to close the meeting was made by Michael Hoyt and second by Kristin Boyd. All in favor, 0 opposed. Respectfully submitted,

Laura Eppers, Secretary

Town of Thompson Planning Board