

APPROVED

TOWN OF THOMPSON
PLANNING BOARD

April 10, 2024

IN ATTENDANCE: Kathleen Lara, Chairman
Arthur Knapp
Michael Croissant
Michael Hoyt
Matthew Sickler, Consulting Engineer
Jim Carnell, Building, Planning, & Zoning
Shoshana Mitchell, 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 January 24, 2024 minutes was made by Arthur Knapp and second Kathleen Lara.
All in favor, 0 opposed.

A motion to approve the February 28, 2024 minutes was made by Michael Croissant and second by Arthur Knapp.
All in favor, 0 opposed.

Chairman Lara appointed Shoshana Mitchell as a voting member for the meeting.

PUBLIC HEARING:

MINSKY GLAMPING

Swinging Bridge Estates Road, Monticello, NY
Dick McGoey, Project representative

Chairman Lara read the legal notice aloud.

Proof of mailings were received.

Paula Kay was recused.

Dick McGoey – This project is located off of Swinging Bridge Estates Road and consists of 4 camp sites. The property was formally a landing strip a few owners ago, and my client, Mr. Minsky, purchased it in, I believe, 2022. Access will be off of a little road we call McKay Lane, which is off of Swinging Bridge Estates Road. We are not proposing any serious improvements to that, except for parking, off of the existing road,

and a trail. The trail will be 15 feet wide and will be used as access, for either walking or golf carts, to the 4 camp sites. In addition to the 4 camp sites, we have pickleball and some pigeon put golf, which will be 6 holes on the former air strip. The recreational facilities are solely for the camp sites and not for the public or anyone else. I know Mr. Minsky got a violation for being some containers onto the site, which he was previously proposing to use as the camping units. He is no longer proposing to use them and they will be taken off the site and sold. He is now proposing the units to be RVs, which are on wheels. They are certified RV units and I have provided the specs to the Building Department, so they are in full understanding that these are RV units with full water, sewer, and electrical hook ups. They will be connected to an on-site septic system and an already existing water system that is also on-site. The only access to the lake will be via the marinas or the public launch. Campers will not have access to the lake along any of the frontage that is on the lake and that is including the frontage on the camp ground site. They will also not have access to any of the amenities that may be built on the adjoining property, which is also owned and developed by my client. That is pretty much it and I am open to any questions the Board or public may have.

Chairman Lara – Before we open it up to the public, I want to say that we received communication that asks us if we are aware of the applicant’s prior project and the related issues that are there, and I wanted to public to know that the Board is well aware of the applicant’s prior projects and issues and that we read the letters sent in. We want everyone to be able to have the chance to hear and be heard, so if we can please focus our comments on the current project that is before the Board tonight, it would be appreciated. That way everyone can get a chance to speak. Also, the applicant is going to be required to respond to all comments in writing and this will not be a back-and-forth discussion.

The project was opened up to the public.

Eric Fellenzer @ 113 Lake Shore Drive – Had the following questions and reasons why he is in objection to this project:

- The legal notice, application, and short Environmental Assessment Form (EAF) do not include the pigeon put, which is on 7.4 acres. I believe this parcel also includes the well, but I am not positive of that. The first site plan, submitted by Glenn Smith did not include a pigeon put, but the newest one, submitted by Dick McGoey, does. Who is the design professional currently?
- I believe that these permanently installed, commercial use campers and/or pre-fabricated shipping containers or pods, are not consistent with the community residences. In my opinion the new camping units resemble shipping containers. I don’t understand the difference in them.
- I do not feel these units are “glamping” because they are not ecofriendly or upscale and/or glamorous, at least from the outside.
- The site plan categorizes this as a campground and it is not according to the Town’s definition of campground – “An area of land prepared to be used for two or more temporary residences, including motor vehicles, trailers, tents, boats, or sleeping bags”. The key words here are “land prepared” and “temporary” because we are talking about the proposal for installation of converted shipping containers and permeant slabs for transient rentals. Camp sites are land prepared only and people bring their trailers, tents, etc. and take them away when they leave.
- The short EAF is incorrect, in my opinion. Contrary to the information provided in the EAF, the proposed rental units do not meet question #9 – “Does the proposed action meet or exceed the state energy code requirements?”. Until proven otherwise, these rental units do not meet building code or the energy code. Question #5 on the form is incorrect – “Is the proposed action, (a) a

permitted use under the zoning regulations? (b) Consistent with the adopted comprehensive plan?" I stipulate that it is not a regulated use because it is not a campground and I'm not sure if it is consistent with the comprehensive plan. Question #6 is also checked "yes" - "Is the proposed action consistent with the predominant character of the existing built or natural landscape?" and I feel it definitely does not. The area is residential dwellings, not transient units.

- Per the Town code, use is subject to site plan review by the Planning Board. There is not a use that fits this project and if there is, it is certainly not a campground, by definition. Maybe a hotel?
- I do not see how the Town could allow small, transient mobile home rentals in a residential area. What kind of precedence does this set? Is the Town Engineer reviewing the proposed use and how it meets town codes?
- The site plan provided by Mr. McGoey does not show any electrical distribution. Will it be underground or above ground? Will there be utility poles or anything like that?
- The site plan does not show any site lighting. Will there be any lighting? If so, the site plan should show that as well as candlelight distribution and cut-off times.
- Will a SEQR review be performed and who will be lead agency? We would ask them to please inform the Swinging Bridge HOA as an interested party.
- How will this project be operated? Typically, transient rentals have security. What kind of security will be in place?
- Lake access should be clearly defined to eliminate any future confusion and should also be added to the plans.
- My property deed specifically states that no building shall be placed on a lot, such as a dwelling or foundation, and specifies that no trailers shall be parked on the lot, which I believe most everybody's does.

Daniel Wright @ 111 Lake Shore Drive – Stated his concern is not with the applicant, as he is just a developer looking to do his job, but with the Planning Board because they are supposed to protect the people of the town. Said he had a conversation with Mr. McGoey about the fact he felt there is no way all of this is being developed for only 4 campsites and was told at this time there are only four; indicating future development. Respects the fact that Board is usually mindful of the safety for others when reviewing projects, but nothing has been said about safety measure for this project. Maybe the Board should consider things like if nets should be put up so balls don't end up in the streets or the lighting of the site and its amenities? Added that this is a residential area and like him, people look at thing like that before they buy homes and a commercial use does fit the characteristics of the area. Asked the Board to just do a thorough review of the project before issuing any approvals.

Marjory Fellenzer @ 113 Lake Shore Drive – Attended the meeting to express her concerns, which were provided in her written correspondence below, prior to the meeting:

https://docs.google.com/document/d/19F0Vowji7w5u7AoiESQ9L2MCtD46TO0W?rtpof=true&usp=drive_fs

Nancy Lustenberger @ 99 Swinging Bridge Estates Road – Expressed that she feels short term rentals do not belong in or fit with the community, especially not commercial ones. Their deeds state that rentals are supposed to be a minimum of 30 days, so these short-term rentals, including the Airbnb's, are changing the whole area and increase the amount of traffic. Stated that if she wanted to live in a transient

community, she would have purchased a house in one. Asked what Board they should petition about the short-term rentals and Chairman Lara advised that they should start with the Town Board.

John Lonergan @ 105 Lake Shore Drive – Attended the meeting to express his concerns, which were provided in his written correspondence below, prior to the meeting:

https://drive.google.com/open?id=19aL499zc29YI5LVtm3rZw361glgniCdt&usp=drive_fs

Judith Selesky @ 537 Riverdale Ave, Yonkers, NY – Attended the meeting to express her concerns, which were provided in her written correspondence below, prior to the meeting:

https://drive.google.com/open?id=18eZ3aEg6fdNIUnyt2dpZd-vj8VPDNQpG&usp=drive_fs

Bonnie Lonergan @ 105 Lake Shore Drive – Attended the meeting to express her concerns, which were provided in her written correspondence below, prior to the meeting:

https://drive.google.com/open?id=19vzyYGnlrA2vuiQirude-Vzv9m1CQ3zK&usp=drive_fs

Maria del Pilar Valencia @ Lake Shore Drive – Attempted to join the meeting via Zoom, but the Board could not hear the anyone on Zoom. Chairman Lara advised that the Board would except written comments up until midnight due to the technical issue. Below are both written correspondences received:

Prior to meeting -

https://drive.google.com/open?id=1ABcCYDcrVKHe67pKZHsAo5fvH5FD7Ij4&usp=drive_fs

After meeting -

https://drive.google.com/open?id=1Amuakldtp4hyIXkPNNMptElwqHNU2frw&usp=drive_fs

Samantha Sofer @ 169 Starlight Road – Attempted to join the meeting via Zoom, but the Board could not hear the anyone on Zoom. Chairman Lara advised that the Board would except written comments up until midnight due to the technical issue. Below is the written correspondence received after the meeting:

https://drive.google.com/open?id=1AjZ3fL6yXoIWvZc2EDBBKzKPYdc_KYa1&usp=drive_fs

Michael Hoyt – A few people mentioned some deed restrictions, but I don't believe there are any deed restrictions on these properties. Dick McGoey – No, there are not and I have a copy of the deed here with me that I can leave for the Board and your attorney to review. Chairman Lara – That would be great.

Someone in the public stated that this property was originally zoned for agriculture and that is why their deed would have no restrictions.

Motion to close the public hearing, leaving the written comment period open until midnight, was made by Michael Hoyt and second by Arthur Knapp.

All in favor, 0 opposed.

Chairman Lara reiterated that the applicant is required to respond to all public comment in writing, which will be uploaded to the Google Drive when received. Explained that there is no time limit for that, but that they will no be able to come back before the Board until that has been received.

ACTION ITEMS:

SILVERCREST TOWN HOMES

92 Fairground Road, Monticello, NY

Applicant asked to be removed from the agenda prior to the meeting.

CAMP ROMIMU

150 Roosevelt Drive, Monticello, NY

Joel Kohn, Project representative

Rabbi Pfifer, Applicant

Joel Kohn – We were here a couple months ago to get an amendment to the previously approved site plan and we are here tonight to ask for another minor amendment. This is a large, well-kept camp and they are proposing to add a pickleball court, next to the existing football field and basketball court, and a breezeway to an office/gym addition on the rabbi's house. As they are running the camp with a family, they wanted more space.

Chairman Lara – Before I open it up to the Board, I just wanted to say that this is the nicest camp and they don't even mind when people use their floatation things on Saturday and I think that is very neighborly of you.

No further comments or questions from the Board.

A motion to approve a minor modification to a previously approved site plan was made by Arthur Knapp and second by Shoshana Mitchell.

All in favor, 0 opposed.

BEAVER LAKE ESTATES

14 Estates Road, Monticello, NY

Joel Kohn, Project representative

Joel Kohn – This is an existing Planned Unit Development (PUD) on Southwoods Road and one of the unit owners is proposing to add a partial second story to their unit. It will look something like the photo we submitted with the application, which is of a similar unit in the development. The zoning law requires that any addition over 30% of the original footprint get Planning Board approval and that is why we are here. They are not increasing the footprint of the building, just adding a second story that is about 66% of the original footprint.

Chairman Lara – Jim is there any issues with this from your side? Does it effect water and sewer at all? Jim Carnell – Not that I know of.

No further questions or comments from the Board.

A motion to approve a minor modification to a previously approved site plan was made by Michael Hoyt and second by Arthur Knapp.

All in favor, 0 opposed.

DISCUSSION/POTENTIAL ACTION ITEMS
(as determined by the board):

ROSEWOOD MOBILE HOME PARK

Old Liberty Road & Pittaluga Road, NY
Glenn Smith, Project engineer

Glenn Smith – We are here tonight for discussion purposes only and you probably saw the site plan I sent in earlier. This is a 28-acre vacant parcel behind the colony and fronts on both Pittaluga Road and Old Liberty Road. It is in the RR-1 zone, which permits mobile home park. This will be similar to the other mobile home project that is across the street, but to a smaller scale. If you take a look at the site plan, the green areas are the wetlands and there are about 5 acres in total. After deducting the wetlands and stuff from the acreage, they can have about 92 units and they are only proposing 46 units. That is the maximum number of units that can fit and I'm guessing they might lose one or two after the sewer plant has been designed. They will need an on-site sewage treatment plant and drill a couple of wells for water supply. I would imagine the County would prefer most of the traffic be on Pittaluga Road, instead of the county road, but we will get their comments later on as this project progresses. At this time, we are here to just present the idea and see if the Board has any comment or thoughts.

Chairman Lara – As you know there has been some discussion about the correct sewage plants to use for seasonal use, so just take that into account when you are getting ready to design one. You can talk to Mike Messenger if you have any questions. Glenn Smith – Okay.

Chairman Lara – Will these have basements, or be on slabs? Glenn Smith – They will be doublewide mobiles on slabs.

Chairman Lara – If this is going to be visible from the road, I would ask that they not be the same house over and over. Maybe your client can look into not making the cookie cut. Glenn Smith – Maybe we can stagger them all around. We will take a look and see what we can do and as of now, we will keep as many trees as possible, so that should help with screening as well.

Shoshana Mitchell – Will there be some sort of buffer around the wetlands to keep people from encroaching on them? Glenn Smith – These are Army Corp wetlands and not Federal, so there is no required buffer, but having said that, we would disturb them as little as possible. We do show that we will need two wetland crossing permits for roads, but we want to stay as much away from the permitting

process as possible. We do try to stay as far away as possible because you don't want heavy machinery to get stuck in the mud. Shoshana Mitchell – Right, but it looks like some of these units are pretty close. Glenn Smith – I think there is only like 10 feet on a couple of them, so we will see what we can do to increase that. Michael Croissant – Can we create our own buffer for the wetlands? Paula Kay – Our code does not require one, but if it is something you would like the applicant to do, I'm sure Glenn will see what he can do. Michael Hoyt – There is supposed to be a certain percent of open space anyways, right? Glenn Smith – Yes.

Shoshana Mitchell – You mentioned that you will be leaving as much vegetation as possible, but will you show us what you are planning to remove? Glenn Smith – There will be a landscaping/clearing plan showing what will be staying. The utilities will be running along the roads, so other than for the homes, there will be no need to clear.

Chairman Lara – What about parking? Glenn Smith – As required, there will be two spaces per unit. We haven't shown them yet as this is just conceptual and there will probably be a community building/shul and maybe a pool also on the site, which will eliminate a couple more units.

Paula Kay – Does the Board want to engage their planner on this? Chairman Lara – She actually emailed me today and I told her that we would most likely be engaging her on this. Also, Laura, will you send this to the County with just a letter for preliminary review. Laura Eppers – Yes. Chairman Lara – That way we can get their preliminary comments on this. Glenn Smith – That's great because we will also get DPW's comments as well. Jim Carnell – My comments was going to be on site distance and if there might be any restrictions because of that, so DPW's review should take care of that. Chairman Lara – I don't want to speak for everybody, but I would much prefer to see the entrances off of Pittaluga for the obvious reasons. Glenn Smith – I agree and they can always have just a gated, emergency access of off Old Liberty Road if necessary. Paula Kay – And maybe once the Board has chosen a new Traffic Engineer, you can engage them for this project as well. Chairman Lara – I agree.

Matt Sickler – What are the sand filters on the site? Glenn Smith – Those are the treatment system for the bungalow colony and I think they have been there for like 40 years. I have renewed their SPDES permit for them every 3 to 4 years. The DEC may say that they want this incorporated into that treatment plant. Matt Sickler – But they are on different parcels and the treatment plant for this project will be on that parcel? Glenn Smith – Yes, but the applicant owns both parcels. There may already be an easement in place, but if there is not and that is the case, we will show one. Matt Sickler – So, it is possible that the DEC may want one permit for them both. Glenn Smith – Right.

No further questions or comments from the Board.

A motion to engage the Town Planner and the Town Traffic Engineer was made by Michael Croissant and second by Arthur Knapp.
All in favor, 0 opposed.

DEB EL FOODS

64 Kutger Road, Thompsonville, NY

David Higgins, Project engineer
Elliot Gibber, Applicant

David Higgins – Good evening. Mr. Gibber is attending via Zoom tonight as he is out of the area, but as you are having trouble with the sound, can I call him on my cell phone and put him on speaker? Chairman Lara – That's fine.

Elliot Gibber joined the meeting via speaker phone.

David Higgins – As a recap, the project for the new cooler/freezer building was approved by this Board and we submitted a construction cost estimate to the town engineer for that, which I believe he has reviewed and accepted. The town code requires the applicant to bond if the construction cost is over a half million dollars and in this case, after rounding up, it is 1.88 million dollars. As the vast majority of the work being done on this project is privately owned, we approached the Board last month to see if we could get a reduction to the bond amount. It is our understanding that in the past the Board has considered, and in some cases allowed, a bond reduction to make things a little bit easier for private developers when it comes to construction costs. We actually revised the cost estimate by removing the asphalt and retaining walls, which reduced it down to 1.81 million dollars. We had a discussion on all of this at the last meeting we attended and I know the Board had expressed that there was still some concern with the truck parking on the Rock Hill site. I did stop by that site prior to the meeting tonight and there is a sign on the side of the road that states there is no parking from here to the dead end. I'm not sure when the sign was put there, but it looks fairly new. That sign is to help prevent trucks from parking along side the road, but it sounds like the sign is not very effective. With that, we are happy to take any comments or questions.

Chairman Lara – I will let the rest of the Board speak, but I want to say that just yesterday I got pictures of trucks sitting there, the ruts in the side of the road, and the garbage all along the road, which was cleaned up by today. Your client sent in an email saying that it is our problem that these trucks are staying there and I respect that he is frustrated, but putting the blame on the Town is unacceptable. Some of those trucks are DEB EL trucks and the others are there on behalf of DEB EL, so he cannot pass the buck. Since the first time this application has been put in front of us, we have asked for this problem to be mitigated and it has not. It did slow down for a while, but it has ramped right back up. Elliot Gibber – I watch the cameras there relatively often and I will tell you that we have called Prestige, as recent as this past Sunday, to tow trailer off that are not ours. We have also called the cops five times over the past week to give them tickets, as I am not authorized to do so myself. Chairman Lara – Mr. Gibber, what or who are these trucks waiting for? Elliot Gibber – They are waiting to get loaded. I sent to Mrs. Kay a copy of the form that every driver gets and it is very clearly states that they are not to park there and that they are to go to the Thompsonville site until their turn comes about. I can't not force them to listen. Paula Kay – Mr. Gibber, the Board has addressed this issue over and over again and the most recent solution, prior to the request for the bond reduction, was that you were going to have someone on-site to enforce that there be no parking or standing on Rock Hill Drive. The fact that they are being told to go to Rock Hill Drive and then instructed to go some place else just doesn't make sense. I think at this point the Board needs this to be addressed. Elliot Gibber – One of the reasons why we are looking to build this new facility, which has now been held up for almost a year, is because there is no space at the Rock Hill site. We bring in close to 500 trailer a week and these major distribution companies send their trucks to pick up the product. If the product is not ready when the trucks come in, they are told to move. I cannot force them to move, I have told my people repeatedly to call the broker and tell them that we are not going to supply anymore product, but that doesn't work either. The roads are privately owned so there are certain things we can

and cannot do. I can't ticket people or force them to move and that's why we call the cops to enforce.

Chairman Lara – Excuse me Mr. Gibber, Jim, are the trucks parking on Town property or an individual? Jim Carnell – Rock Hill Drive does have a physical description. Chairman Lara – And they are not parking on the road by the way. Jim Carnell – I think it is happening on both the road and the shoulder. Chairman Lara – Okay. Mr. Gibber, we get what you are trying to say, but the problem is the route of the issues is Deb El, and I don't mean you personally, but Deb El is the reason they are there and something has to change. It is not fair to the people who live on that road and the truck drivers who have to sit there. I don't know who is telling them to go there, but there needs to be affirmative change. We have not held up this project and thought we were pretty fair with our approval because we thought we can come to an agreement and solution for this parking issue on Rock Hill Drive. Elliot Gibber – That is why we want to build this building and get everything out of the way. If we have to, we will just move the 280 jobs out of the Town, that all. We are trying to work with you and I'll be quite honest with you, I just spent over 10 million dollars on this upgrade. It costs me \$100,000 a day, since January. I think we are spending a lot a lot of money in this town. Chairman Lara – Mr. Gibber, we are not saying that. We appreciate everything you do for this County and Town.

Mr. Gibber started to get agitated and loud, so Chairman Lara asked for the call to be ended. Paula Kay advised that the official meeting is the in-person meeting and the auto call was a courtesy.

Chairman Lara – I think what it comes down to is that Mr. Gibber needs to figure out how to mitigate this parking issue and how to fix and clean up the road, and we are not having any further discussion until there is a solution. Michael Croissant – I think we need a restoration bond in place for the road. Chairman Lara – He threatens us every time to pull his business out of the area and tells us how much he spends here. We respect him, but this is not fair. We do everything he asks of us and he does not hold up his end of the bargaining in return. Paula Kay – I think to move forward the Board is saying they need a solution to Rock Hill Drive, which I thought we had. David Higgins – I think you are right. Paula Kay – But we don't and that is why the Board is getting phone calls and complains, almost on a daily basis, about what is going on at Rock Hill Drive. I myself have driven there and have photos of Deb El trucks parked on Rock Hill Drive. It needs to be addressed and it sounds like the Board is not going to discuss reducing the bond. It even sounds like Mr. Croissant wants a restoration bond in addition. Mr. Gibber might want to quit while he is ahead and just move on. David Higgins – Understood and I just wanted to say that when we got the original approval, there was a provision in place that he was supposed to have an employee on premises to manage the site. Michael Hoyt – Right, as security. David Higgins – And I believe Mr. Gibber had one and provided the Town with his name and phone number. Michael Croissant – But none of that matters because it didn't work. Everything that he put in place, didn't work. It is at his company direction that those truck goes there. It's hard to believe that the truckers make up their own mind to go there. David Higgins – I think the problem is that they are not ready to take them at the site yet, so they park and wait. Presumably, Elliot has someone go out to tell them to move, but I don't know that they always do. Michael Croissant – All I know is that he needs to come up with a better system to run it better because how it is now is not working. Chairman Lara – And he is being disrespectful at this point because we have asked him several times to fix the issue. It seems like he yeses us until he gets his approval and then doesn't follow through. Paula Kay – Mr. Gibber and the Board agreed on a solution back in September that the applicant has not followed through on. That is going to need to be addressed before any discussion of reducing any bond. David Higgins – What I would respectfully ask, is to table that request. At this time, he is under full obligation of the code to pay the full bond and the Board is under no obligation to reduce it. So, if it is okay to table it, I will work with Elliot to get this issue straightened out. Paula Kay – Absolutely. David Higgins – Okay. That is what we will do and we will be back.

MONTICELLO MOTOR CLUB – MASTER PLAN

67 Cantrell Road, Monticello, NY

Barbara Garigliano, Project representative

Walter Garigliano, Project representative

Usman Chaudhry, Project Engineer

JR Cruz, Project manager

Barbara Garigliano – We were here a year ago to request a lot improvement to reconfigure several lots. At that time the Board ask why we were doing this and what the master plan was and I told the Board that we were doing it in anticipation of a master plan. Tonight, we are here with a version of that master plan. You are going to see the one thing you have all been waiting for, the sewage plant. Chairman Lara – That’s awesome. Barbara Garigliano – I know. What we will be presenting to the Board tonight is one proposal showing what is currently existing and what is proposed for the future. That way you can see the whole picture. It is a big picture, so this is not something that will be finished by next year. We just wanted you to be able to see everything at once.

Usman Chaudhry – Everything you see in the light grey color is what is existing and the dark blue stuff is what is currently being proposed. Like Barbara said, it may change over time, but this is what we are aiming for currently. We are showing a proposed carting building, a proposed padlock building, roads that will connect these car maintenance and storage areas to these lots. This road here will connect these proposed condos to the rest of the project, but there will be lift gates and other security so that people will not have direct access to the cars. Like Barbara also mentioned, the engineers are currently working on the waste water plant so we are showing that. There is a proposed second track that may have a bridge connecting it, but the track engineer will decide that. We are proposing a corporate UN building, which will host events with companies and other recreational stuff. There is a hotel proposed to go over here and right now we are showing 110 occupancies and ample parking. Same thing over here and all of these are going to have garages. Our current sketch shows them as two-story buildings with the bottom for a garage and the top for some living space. There will be excess parking over here. Right now, this is the existing employee housing and we are going to have additional employee housing in the future. Obviously, as the site goes the number of employees with grow as well. This here will be like a management building and these will all be single-story buildings so no basements. Barbara Garigliano – If I may interrupt for a second, I wanted to point out that this first parcel here has been donated to the Monticello Fire Department like we said we would do. Usman Chaudhry – Right. We have wetlands in here and we have kept the 100-foot buffer around them so nothing will be built in that area. Paula Kay – Are they federal? Usman Chaudhry – I think the are DEC. Barbara Garigliano – Right and they were all delineated at the start of this project, which has been 16 years now. Usman Chaudhry – We utilized those delineations when making this site plan. Jim Carnell – What is the orange on the map? Usman Chaudhry – Those are under construction and those are the lofts that were last approved. Usman Chaudhry – They may actually be complete by now. JR Cruz - They are and those are the lofts that were not designed for overnight use. Michael Croissant – On your website they are being advertised as overnights and are shown fully furnished. JR Cruz – They are fully furnished but there are no sleeping quarters. It is designed like a stadium box so that people can host parties for the day and then go home.

Chairman Lara – What is the timeline, roughly, for the sewer plant? We heard the DOH gave the Motor club a tough time about the current septic situation and they also want you guys to move forward as soon as possible. Barbara Garigliano – I will let Walter address that because there are two options here and that is to make it a private or public sewer plant. Walter Garigliano – The owner of 12 parcels of land petitioned the Town Board to form a public sewer district and that process is ongoing. One of the things you need to

do in order to prepare a map plan and report for a new sewer district is determine what the potential flows are going to be. In order to determine the potential flows, they have to get a good handle on their master plan. As we don't know for sure yet what is okay and not okay with the Planning Board, we can not give you an end date at this time. Any changes the Board requests or the applicant wants to make, may increase or decrease the sewer flows. Chairman Lara – Fair enough. Walter Garigliano – When Barbara was here for the 5-lot subdivision approval, there was a single parcel of land that had a cell tower on it and that lot now became three lots for dormitory style buildings and a lot dedicated to the fire department. Then there is the track parcel and the condo parcel, which were subject to a lot improvement. When we were here to request that lot improvement, the Board said they didn't want to do that lot improvement until we knew if we were going to build a sewer plant. But if they don't do the lot improvement, they won't know how many condos fit and without knowing how many condos will fit, they can't get the flows. Chairman Lara – It is a circle, I get it. Walter Garigliano – I can say the earliest there would be any construction work on the water treatment plant, would be summer or fall of 2025 and the permits they have from DOH for the car wash contemplate that time frame. Maybe Glenn can provide some guidance on that if he wishes. I don't see anything happening before they get through this site plan review process. The first have to know what they are building, calculate the sewer lows, design a sewer plant, get DEC's approval, and then financing for the district. So, there is a lot of steps along the way. Chairman Lara – We understand and we are not trying to be difficult, it's just that we hold all applicants to the same standard and we have to make sure water and sewer are in place. Do you know if an EIS originally done for this? Barbara Garigliano – No. Glenn Smith – it was part of the long form EAF. Chairman Lara – Okay. I just want to make sure that this stuff is covered in that. Barbara Garigliano – The new stuff is not. Chairman Lara – That is what I was trying to ask. Barbara Garigliano – We will have to do a new long form EAF to include all of the newly proposed stuff. Chairman Lara – Okay. Sounds good.

Michael Croissant – Going back to the lofts, I am reading right here on their website that they are advertising for one- and two-bedroom condos, but he said they are only furnished for day rentals. So, they are not supposed to have bedrooms in them. JR Cruz – And they don't. Michael Croissant – But you are advertising that. Barbara Garigliano – These may not be the lofts that they are advertising. JR, do you want to come take a look at this? JR Cruz – That is for the proposed condos, not the lofts. Barbara Garigliano – That makes sense, because the lofts do not have any bedrooms in them.

Chairman Lara – I really like that we can see the segmentation now. Barbara Garigliano – The Board requested that, so we have worked really hard to get you that. What we are asking for now is to schedule a work session so that we can continue to progress. Like Walter said, we need to decide what exactly we are going to be allowed to build to help us design the capacity of the sewer treatment plant. Usman Chaudhry – Right, that would be really helpful. Chairman Lara – Okay. We will probably be engaging our town planner tonight and obviously we will also have our town engineer. Should we engage the traffic engineer as well tonight, or should we wait and see the traffic study? Paula Kay – I think we should wait to see the new traffic study. Chairman Lara – I agree. I don't want them to spend unnecessary money. Paula Kay – Also, I don't think our planner can be engaged on this due to a conflict. Glenn Smith – Right, Delaware Engineering is designing the sewer plant. Paula Kay – So, we will have to engage another planner. Chairman Lara – Okay. Should we wait to make the motion to engage a planner until we have a planner? Paula Kay – I think it would be nice to have a planner at the work session, so you can just to a generic motion to engage a planner and we can work on finding one in the meantime.

A motion to engage a town planner was made by Arthur Knapp and second by Shoshana Mitchell. Allin favor, 0 opposed.

Barbara Garigliano – The other reason we are here tonight is, back in 2012 when the site plan was

modified, the approval resolution stated “not more than four professional racing events per year. The track use shall be limited to no earlier than 7:00 a.m. and no later than 7:00 p.m. on Mondays and Saturdays, and no earlier than 8:00 a.m. and no later than 7:00 p.m. on Sundays; except for days associated with these four professional racing events.”. A professional racing event is defined as, “Any competitive motor sporting event sanctioned by a professional racing organization and is open to the public.” with “Opened to the public” being the critical portion of that definition. My client has had a request from a company to bring a couple of their cars to the track to do what they call endurance racing. They will run two to three cars at the same time, continuously for 24 hours to see what happens to the car. Nobody else will be there and it will not be opened to the public, so it doesn’t fall under the professional racing event definition. With that being said, we are requesting a minor modification to that restriction. Instead of being allowed to have the four professional racing events per year, we may have three professional racing events and one endurance testing event per year.

Michael Croissant – Are these race cars or manufactured cars? Barbara Garigliano – I can get specs and more information on the cars before we come back to the Board; we just wanted to know the Board was receptive to the idea first. Michael Hoyt – I would like to see some more information. A Cadillac is way different from a race car. Chairman Lara – I agree from a noise impact stand point. Barbara Garigliano – We know that there will be noise restrictions, but as long as the Board is receptive, I can have more information for you by our next meeting. Also, the racing event definition never restricted the type of car. Paula Kay – The only thing that is different from the definition that was in the original site plan is, the “open to the public”, otherwise, they could be doing this right now. Barbara Garigliano – Also, as you know a professional racing event would have a lot more than two or three cars, and they could be any kind of cars. We are saying we would have two tot three cars running 24 hours. It really would be less or a noise impact, but I understand your concern. Chairman Lara – Okay. We would definitely like to see more specs and understand that this will not be a public event. Barbara Garigliano – Right, because this is more of a trade infringement. These are companies that want to see what their cars can so and don’t want anyone else watching. Chairman Lara – Understandable. Just get us some more specs and we can go from there. Paula Kay – And how many professional events have you done so far? Barbara Garigliano - None. Paula Kay – Okay, so there you go. Barbara Garigliano – Right, 16 x 4 is what we could have done. Paula Kay – Okay. Barbara Garigliano – When is the next meeting? Chairman Lara – In two weeks. Barbara Garigliano – I won’t be here. Paula Kay then it would ne the meeting after that and that is May 8th. So, just get Laura everything by the 29th. Barbara Garigliano – Okay.

AUTOMOBILE SERVICE STATION – PHILLIPS 66

4020 Route 42, Monticello, NY

Anthony Venettozzi, Project representative

Chairman Lara – To be honest, the Board does not understand what exactly you are asking for, so please explain if you would. Anthony Venettozzi – The traffic flow for this gas station comes in one side over here and out the other side here. Currently, if you pull up to this first stop here, another car cannot get by. So, the other cars have to wait for that person to go in and do what they have to do. What we are trying to do now, is remove some of the curb and plantings and the first pump, to allow for an additional 27 feet of pavement. We will not loose our handicap parking or ramps.

Michael Hoyt – Where’s the original engineer, because this is the problem we had from the beginning. Anthony Venettozzi – He hasn’t been around since the plan was designed. Michael Hoyt – All jokes aside,

we really did say this was going to be a problem, but I guess everyone learns from their mistakes.
Chairman Lara – Exactly. Anthony Venettozzi – We knew it wasn't the best plan while we were building it, but we have to build to plan.

Chairman Lara – If you are removing the pump, why do you have to remove the landscaping? Anthony Venettozzi – Just to get the space needed. Chairman Lara – And you can't achieve what you need by just removing the pump? Anthony Venettozzi – That is correct.

Shoshana Mitchell – It is only this space you are removing, right? Anthony Venettozzi – Yes and we had an extra parking space before so we still have the required number of spaces.

Jima Carnell – Do you know if there are any pipes there? Anthony Venettozzi – No, there are not. The pipes come out the back side of the building.

No further questions or comments from the Board.

A motion to approve a minor modification to a previously approved site plan was made by Michael Croissant and second by Arthur Knapp.
All in favor, 0 opposed.

RHAPSODY HOLDINGS

9 Anawana Lake Road, Monticello, NY
Robert Heywood, Project representative

Chairman Lara – Tell us what you are building? Robert Heywood – A shed. Chairman Lara – And how tall is the shed? Robert Heywood – It is 26 feet on the entrance side, which is at grade, and 31 feet on the other side. Chairman Lara – How did this come about? Jim Carnell – I believe they came previously and got approvals to modify the site plan and add a shed for storage. We got the plans and issued a building permit, but when we went out for inspections, we noticed there were a few things that were not on the plan. Chairman Lara – Like water? Jim Carnell – Yes. There were some plumbing fixtures installed. Paula Kay – Was there anybody living in it? Jim Carnell – I don't think it has been completed yet. Robert Heywood – Not yet, but there won't be any showers or anything like that. This building is to replace the strange containers you made us remove from the property. One had personal records and the other one had tools, extra supplies, etc. We got permission to do a two-story shed, so we put the records upstairs. I thought the ladies who access those files should have a bathroom nearby, so I spoke to Mike and Keith and they said there should be any issues with that. I had the work okayed and inspected by the Town from the beginning. Then the size of the building got brought up and I was basically told that it should be considered a maintenance building and not a shed. I was told to update the site plan and fill out the application to make that change. I did all of that and here I am. Chairman Lara – I think the main issue is that you added water to a building without adding it to your water and sewer counts that were previously calculated. And how tall is the building? Is the height okay? Jim Carnell – As an accessory building it exceeds, but as a maintenance building it is fine. Also, as an update, the last time they came was to modify the plan by adding a roof top pool house, but that has since been scrapped and they will not be moving forward with that. Chairman Lara – I remember because it had bamboo, right? Robert Heywood – Right and we couldn't

figure out how to drain the water and get the weight of everything right. Also, we realized that it is impossible to block the view and create any kind of privacy from the building in front, and that was the main reason for the roof top and the bamboo. So, we downsized that building and now there will be privacy glass. Chairman Lara – Matt, would a maintenance building with water and sewer greatly effect the water and sewer counts? Matt Sickler – The water and sewer count for a maintenance building, assuming nobody will be living in it, would be based off of the number of employees. So, if these are employees that are already using the other facilities on-site, it wouldn't really add to it, but if these are additional employees it would. Chairman Lara – My fear is that it will end up being a place where people live. Robert Heywood – It won't. Chairman Lara – You say that and I believe you, but you never know. Robert Heywood – I would think you couldn't live without a shower. Chairman Lara – I'm just saying that when you start putting water and sewer into a building that is supposed to be for storage, it is sort of a red flag. And I don't mean that personally, but in general. Robert Heywood – I didn't do anything behind anyone's back and I let the building department know everything I was doing. Chairman Lara – No, that's not what I meant. Jim Carnell – The work was all inspected and I don't think there were any issues with the work and it was all compliant, but the use of the building has changed and needs to be updated. Michael Croissant – Matt, do you know how many additional employees there would have to be to change the flows? Matt Sickler – I believe this goes to town sewer, right? Robert Heywood – Yes, but not town water. Jim Carnell – It's all a point system, so if something should change in the building, we would just add points to it. Matt Sickler – I don't remember how the sewer ran through there, so you might just want to get a signoff from Mike Messenger. Jim Carnell – I have been texting Mike Messenger, who is also watching via Zoom, and he said this is in the Anawana district and the flows shouldn't be affected. Chairman Lara – Fair enough and I would just ask that if the Board approves this, there be a note added to the plan stating this will not be used for any living purposes. I know you told us you won't, but if this property is ever sold in the future, the new owners need to know that living area is not a permitted use in this building. Matt Sickler – There appears to be a floor plan for the basement, the first floor and the second floor. Robert Heywood – That is correct and there is also an attic with access from the second floor. Matt Sickler – Is the attic where the records are going to be stored? Or the second floor? Robert Heywood – Yes. The older stuff will be stored in the attic space and the newer records on the second floor, so that they are more accessible. There could be people in there reading and going through files for hours and that's why I wanted to add the two half baths; one for men and one for women. Michael Hoyt – So, there are going to be people in a maintenance shed, reading records for hours? Robert Heywood – Well the containers were to keep everything separate and secure, but because we couldn't have them, we had to figure something else out. Michael Hoyt – Where will the people be who are sitting and reading these files? Robert Heywood – On the second floor and they may not be so much reading as searching for files. Paula Kay – This building was originally approved as a shed, but it sounds like it may now need a certificate of occupancy as people will be occupying the building for hours. Jim Carnell – That is correct. We weren't quite sure what they use was now and that is why we asked them to come back here. Paula Kay – Okay, so it should be called something else, what should that be? Michael Hoyt – I think they should tell us what it is really for and that way we can determine that now and make it a lot easier for everyone. Robert Heywood – You can see from the floor plans that the first floor will have one big room for storage of toilet paper and shampoo and things like that. That way the cleaning ladies will only need to have access to that. Then the basement floor will have tools and outdoor equipment for the maintenance guys. The third floor will have the records and a table like this one incase some on needs to sit down and go through something, but no desks or anything like that. Paula Kay – I think because we know there is a possibility that people could be in there for long periods of time, they need to be protected by the code and an C of O should be issues. Robert Heywood – That's fine. Paula Kay – So, I think this could be classified as a maintenance building. Michael Hoyt – What is the snack area on the second floor for? Robert Heywood – I just put two microwaves there, but there won't be any cooking. Michael Hoyt – This just keeps changing as we go along. Paula Kay – To be clear, there is nothing wrong with what you are doing, we just need to figure out what the correct title and use

of the building is. Robert Heywood – Can't we just call it a maintenance building? Chairman Lara – I don't think so considering there is a break room. Jim, what would you be comfortable with? Is there something in the code that will fit what they are using this for? Jim Canell – I think our one concern is that if this is not going to be just a storage building and people are going to occupying it, we need to get the correct classification of the building. Chairman Lara – So, I think you should go to the building department and sit with them to figure out what you want to call this. Jim Carnell – Maybe an office building with storage? Chairman Lara – How does the Board feel about that? Michael Hoyt – Where are the offices? Chairman Lara – The second story with the break room. Michael Hoyt – Then there will need to be sufficient egress out of there. Robert Heywood – All of the windows on that floor meet egress. Chairman Lara – That's good. Paula Kay – I have the definition of an office building – "A building where business, sales, service, and professional activity are conducted, which activities may include but not be limited to, administrative and executive functions, and shall exclude any retail stores, manufacturing and processes". Chairman Lara – Okay, so the office use would fit for the second floor and the attic and the bottom two floors would be maintenance. You would just need to update the site plan to reflect that and add a note stating that there will be no living in the building. Robert Heywood – Okay, but to be completely honest, most of the basement is water storage, and not maintenance. Chairman Lara – That's fine.

No further questions or concerns from the Board.

A motion to approve a minor modification to the previously approved site plan, subject to a note on the plan stating the building won't be used for living and an updated site plan with the new building classification, was made by Michael Croissant and second by Arthur Knapp.
All in favor, 0 opposed.

DESIMONE SUBDIVISION

375 Harris Road, Harris, NY
Bruce Fulton, Project surveyor

Bruce Fulton – The site is located on Holms Road. The property is currently in the name of the Estate of John DeSimone and the agreement is to break off the house piece for one family member and a different family member will retain the bulk of the acreage. The reason for the sketch map is because it is pretty expensive today to survey 16 acres and we were hoping for some sort of conceptual approval before that money is laid out.

Chairman Lara – That is understandable. Jim, the proposed lot sizes are okay for the zone, right? Jim Carnell – Yes. My only concern is that there was a new septic system installed that was not on their old survey and the new property line will need to be at least 10 feet from that. As long as they can meet that, I don't see any issues. Bruce Fulton – And we can. Jim Carnell – And the well and everything is on that parcel? Bruce Fulton – Yes.

Bruce Fulton – This is a 35-mph zone and the applicant presently has an application in with the Highway Department to review the driveway. Chairman Lara – It is smart to get that stuff done ahead of time. Bruce Fulton – I guess at this point we are just looking to make sure the Board is happy before we commence with an accurate survey and Furter expenses.

Chairman Lara – Matt, do have any comments on this? Matt Sickler – No, as long as we are good with the setbacks on the septic there. There are 13 acres left on the remainder piece and that would probably be okay to get a septic on if they ever want to build in the future, so I don't know if there is a need for them to demonstrate that. Bruce Fulton – So, do we need a deep test or a perk test on the new piece? Matt Sickler – It sounds like a well was done there. My concern would be with slops and wetlands, but if there is a dry, level spot, I'm pretty sure you will get something to work there. So, if those conditions exist, I would be comfortable advising the Board that further tests are not necessary. Bruce Fulton – Okay.

No further questions or comments from the Board and they are okay with the conceptual plan.

KROEGER USA LLC – TOWN BOARD REFERRAL

Heiden Road, Monticello, NY
John O'Rourke, Project engineer

John O'Rourke – This is Kroger USA, LLC, but it is not on Kroeger Road, it is on Heiden Road. This is however, the same owner as the Weiss warehouse that was previously approved on Kroeger Road, Mr. Weiss. He has now purchased this property and if you take a look at the map, you will see the Property is in three different zones, the RR-1, the HC-2 and the CI. What we are proposing for the middle RR-1 section of the property is that it be changed to a CI zone. As well as the HC-2 section. The front of the property is already CI, so that would remain the same. The other two residential areas will stay as residential.

Chairman Lara – Those are the ones along Downs Road? John O'Rourke – Yes, and the only way you can access them is through those lots, because this is sperate and in the CI. So, the has the choice to put residential units in here, but he likes warehouses and developments, so he wants to change most of it to Commercial Industrial. This way he can develop some type od warehouse manufacturing? Chairman Lara – Is it that there's not enough acreage and that's why he wants to make more CI? John O'Rourke – Yes. There is not enough acreage in the current CI area and the grade is back access wise. He wants to access off of Heiden run in through here and then into here. I think you code requires a 15-foot buffer between the uses, but we would probably bump that up to 100 feet. That way we can keep these residential units in the back protected. Chairman Lara – There are a lot of units proposed there. John O'Rourke – Correct. We believe changing that from residential will decrees the impact the property will have to the Town. No, impact to the schools or town roads and you get the tax space. Chairman Lara – I feel Downs Road is a more quiet, windy road and cars opposed to trucks would be better. But that is just my opinion. John O'Rourke – There is no access there and the only access for this would be off of Heiden Road.

Paula Kay – Just to make sure everybody is aware; this is here as a referral from the Town Board. They went in front of that Board last week to request the zone change and they referred them to this Board. Depending on the recommendation you make back to the Town Board, they can choose not to act and they can also request a public hearing. If they do approve the zone change at some point, they would have to come back to this Board for site plan review and the specifics of the uses. Chairman Lara – What about the Comprehensive Plan? Paula Kay – At the Town Board meeting, Melinda expressed that she was concerned about the timing of this application, because the Comp Plan is nearing completion. Her suggestion was that we wait for the completion of the Comp Plan because they have recently turned down other zone change requests because of they didn't want to approve them prior to. John O'Rourke – It is our understanding the Comp Plan should be completed some time in August, but by the time that happens and we can get approvals, it may be a whole year's time and the carrying costs on this property are expensive. Chairman Lara – Can I be frank with you? John O'Rourke – Sure. Chairman Lara – He bought it

this way and I mean no disrespect by that. We have recently had four warehouses in front of us and none of them have been built yet. Paula Kay – Would this be in place of the warehouse approved on Kreoger Road, or in addition to it? John O'Rourke – In addition. This will be completely separate from that. Chairman Lara – I want to point out that your client has been very easy to work with, but to me your client knew what he was purchasing and now there is a rush on this. I will let the rest of the Board speak and see if we want to make a determination on this or if we want to wait for the Comp Plan. Michael Croissant – I would rather wait for the Comp Plan. Arthur Knapp – I agree. Chairman Lara – Sorry, but it sounds like we also want to wait. John O'Rourke – That's okay, we understand. Chairman Lara – Oka, so this will be on hold until then.

Jim Carnell updated the Board on potential traffic consultants and asked that the Board review the choices that were emailed and see if a decision can be made. Paula Kay added that whatever traffic engineer the Board chooses, will not be able to appear on any projects that any come in front of the Board in the further due to conflict reasons. Jim Carnell advised that the potential engineers expressed that concern, but he didn't think it would be an issue as Glenn Smith acts as the Town Engineer on a project Matt Sickler is recused from and is still the hired engineer for other project in front of the Board. Paula Kay said that was a one-off situation and wouldn't want to create any other future conflicts.

A motion to close the meeting was made by Michael Hoyt and second by Arthur Knapp.
All in favor, 0 opposed.

Respectfully submitted,

Laura Eppers, Secretary

Town of Thompson Planning Board

