

# APPROVED

TOWN OF THOMPSON  
PLANNING BOARD

May 8, 2024

IN ATTENDANCE: Kathleen Lara, Chairman  
Arthur Knapp  
Michael Hoyt  
Kristin Boyd  
Matthew Sickler, Consulting Engineer  
Jim Carnell, Building, Planning, & Zoning  
Shoshana Mitchell, Alternate  
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.

Chairman Lara appointed Shoshana Mitchell and Christina Cellini as alternating voting member for the meeting.

A motion to approve the March 13, 2024 minutes was made by Kristin Boyd and second Arthur Knapp. All in favor, 0 opposed.

A motion to approve the March 27, 2024 minutes was made by Michael Hoyt and second by Arthur Knapp. All in favor, 0 opposed.

## **ACTION ITEMS:**

### **BBIS SUBDIVISION**

State Route 17B, Monticello, NY  
Zach Zsabo, Project engineer

Zach Zsabo – Last time we were here this was referred for a 239 review, which has come back. I’m not sure if a public hearing is required for this, but if not, we are here for final approval tonight.

Chairman Lara – I don’t think a public hearing is required, but County Planning did have a question about where the access would be for the lot you are subdividing off. I told them that the Board nor DOT would probably allow for it to be off 17B and require it to be off Kaufman Road. Zach Zsabo – Part of the referral, there were some DOT comments, and they said that they would not give us access off of 17B, so the entrance will have to be off of Kaufman Road. Chairman Lara – Helen, do we need a public hearing. Helen Budrock – No. Chairman Lara – Okay and the County did recommend this for local determination. Do we need a NEG DEC? Helen Budrock – It is an unlisted action so it couldn’t hurt. Chairman Lara – Okay.

Kristin Boyd – Did you add notes to the plan about the 50-foot buffer we discussed last time? Zach Zsabo – This plan does not have one, but we will certainly make that change. Chairman Lara – Kristin, can you just reiterate what we were requesting? Kristin Boyd – I believe we were requesting a 50-foot tree buffer along the stream at the back of the property. Zach Zsabo – We are willing to provide a 50-foot offset from what will be the rear property line and it kind of flows the stream that is there. Matt Sickler – Which will preserve the buffer required with the approval of the auction use. Zach Zsabo – Right.

Michael Hoyt – Did you have any conversation about the tractors? Zach Zsabo – I discussed that with our client, but they are only the owner of the property and lease it out the user, so they didn't know. Speaking with Jim, it sounds like these were part of a repossession of Yellow Freight trucks that were to be sold. I guess there was a deal that fell through. Jim Carnell – Yes. I did some researching to try and find out what was going on and Yellow Freight went bankrupt and the federal court was petitioned for the sale of certain assets. That was approved but fell through and since then, SD's has purchased, I believe, about a third of those assets. So, those trucks are there to be eventually sold. Michael Hoyt – Are they going to move them to the back of the property? Jim Carnell – We didn't have that conversation with the applicant, but they are in compliance with the site plan. Chairman Lara – Our approval only states "vehicles", but in speaking with Jim, the buffer is going to grow and fill in so we won't even see them.

Paula Kay – There is a note from the last meeting that the Town may want a sewer easement, what happened with that? Matt Sickler – That is going to be a topic of discussion on Friday when we meet with the Town Supervisor and Mike Messenger. I spoke to Zach, who has spoken to his client, and they seem to be okay with that, so I don't think that is an issue. Paula Kay – I would just make it a condition of the approval. Chairman Lara – Okay.

No further questions or comments from the Board.

A motion for a NEG DEC was made by Christina Cellini and second by Kristin Boyd.  
All in favor, 0 opposed.

A motion to approve the minor subdivision, subject to the 50-foot tree buffer and working with the Town for a potential sewer easement, was made by Arthur Knapp and second by Michael Hoyt.  
All in favor, 0 opposed.

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

**ESTATES AT ROCK HILL – SECTION B**

N Emerald Drive & Treasure Lake Road, Rock Hill, NY  
Richard Steinberg, Applicant  
Ronald Steinberg, Project attorney

Michael Hoyt was recused, so both Shoshana Mitchell and Chistina Cellini will be voting members for this project.

Ronald Steinberg – This is for the 7-lot subdivision and since our last meeting we met with the sewer department to go over the concerns that were expressed at that meeting. We are still bouncing back and forth on what decision to make because we don't want to put pumps in the proposed houses, which would be required because of the elevations. Richard Steinberg – We met with Mike and his suggestion was to have the last three lots, lots 5, 6 & 7, with a septic and central water. Paula Kay – Just so everyone knows, Mike is here tonight on Zoom. Richard Steinberg – Okay. Chairman Lara – Will only those lots have central water? Richard Steinberg – No, all sewer lots will have central water. Matt Sickler – With sceptics for those three lots because the lot size works for a septic system when there is central water? Richard Steinberg – Right and with that Mike had no problems with me running sewer lines for the rest of the lots to connect into the sewer district. Ronald Steinberg – Those are lots 3 & 4. Chairman Lara – What about lots 1 & 2? Richard Steinberg – Lets start again in order. Lots 1 & 2 will go right into North Emerald. Paula Kay – So, those are in the district? Richard Steinberg – Everything is in the district. Paula Kay – But these will be connected? Richard Steinberg – Right they will just be a house connection right into the sewer line. Then lot 3 will go into Westfield Court and that manhole is actually on that property. With lot 4, we would produce an easement with lot 3 to go to the same connection. So, the first four lots are covered with central water and sewer. The 5<sup>th</sup> lot Mike can also see possibly connecting into the sewer, but would like a septic on lots 6 & 7. The lots are low and they would need pumps, and he thinks the pumps will cause problems. He would prefer to see sceptics because the houses on both sides have sceptics. Kristin Boyd – And those will still go into Town water? Richard Steinberg – Yes. Matt Sickler – They will go into the Emerald Green water system and any services there will need their okay. Paula Kay – I believe we have a email from Mike on this. Chairman Lara – We do and he mentioned that there were some serious issues with this. Richard Steinberg – There were, but we fixed them. Chairman Lara – Understood, but we are going to need to hear that from him. We are also going to want to see the easement language and all that, but we are glad to see that you are making progress with this. I know you guys have been pretty good with showing us possible future development, but what about the property across the street? You own that one too, right? Richard Steinberg – I gave you a conceptual plan for that. Chairman Lara – I know, I was referring to water and sewer. Ronald Steinberg – The water and sewer for that will be accessible off of North Emerald. Chairman Lara – Okay. Richard Steinberg – And by the way, we now have a particular plan for that property and I expect to present the Board with a full set of drawing for that at the first meeting in June. Ronald Steinberg – The utilities for that project will be much easier and it won't require any easements. Chairman Lara – Okay. Great. I just figured we should touch on that since we are discussing water and sewer and that is our main concern. For this project we would like to formally hear from Mike on the water and sewer, see the easement language, and see the updated plans. Matt Sickler – For the septic systems we are also going to need to see the designs to demonstrate you meet DOH requirements. If not, we will need to see waivers from them. Richard Steinberg – Okay. For the two lots with septic on them, we plan to do deep tests and will have the engineer provide certifications for them. Chairman Lara – Okay. Sounds like you are getting close. Do you think you will be back in two weeks? Richard Steinberg – I don't think we will have the septic designs ready, but we were hoping to get approval subject to that, whether approve from the DOH is needed or not. Chairman Lara – We would levee that up to our town engineer and attorney. Paula Kay – And I would refer that to Mike Messenger, so we will need his approval. Richard Steinberg – Once we have the lot lines confirmed, we can go ahead and put the septic locations. Paula Kay – I think we need to see everything. Matt Sickler – I agree and the lot lines can't change too much because the lot sizes are pretty much at where they need to be now, so you can probably get started with testing. Paula Kay – It sounds like the Board has no issues with this project as long as you can get all your other approvals. So, I think what they are asking is t go get everything engineered and then come back. Ronald Steinberg – Can we have approval subject to those? Paula Kay – No. Ronald Steinberg – Okay, not a problem. Paula Kay – Maybe you should come back when all of the connections and language is updated on the site plan and update the Board before you get started with the engineering. Richard Steinberg – Okay. Paula Kay – That way Matt, Mike, and I can take a look at it and make sure we all agree

prior to going to the engineer. Richard Steinberg – Okay. Not a problem. So, I think we are looking to be back in two meetings from now. Chairman Lara – Sounds good.

### **KIAMESHA HILL DEVELOPMENT**

State Route 42, Kiamesha Lake, NY

Glenn Smith, Project engineer

Yitzy Brezel, Applicant Yitzy Brezel

Glenn Smith – This is the property right above the Hebrew Day School property and we were here in January with a concept plan showing roughly 44 town houses and total of like 30 buildings. The Board suggested we have a work session, which we subsequently did. We talked about sewer and water and things like that. I know there were some concerns about the access for this being on Route 42 and what the DOT would have to say about that, so I submitted the site plan to them back in February. They responded that they don't see any issues at this time as long as we obtain a driveway permit and have the required site distance, which there is plenty of. So, there are no road blocks from that perspective. The current site plan shows the main access off of Route 42 and then a loop road with 20 units. Then there is connecting road from there that goes up to the back of the property where there will be 24 more units. This making a total of 44 units and that may end up being more like 43 units after we subtract steep slopes and things like that. It is in the sewer district and there is a sewer main right out on 42 and the property is all downhill, so there should be no issues servicing the sewer. We are still trying to resolve the water situation. We have been in contact with the water company, but as you know they are having supply issues, so it is not clear at this time what will happen. We will obviously have to get that resolved one way or the other. We did get a new survey done showing the topography of the property, so we are one step further there. We really just wanted to come give the Board an update tonight and show you that we are making progress with this.

Chairman Lara – I Believe at the last meeting we had a question about a second entrance because as you know that we have been strict on that and meeting the fire code. Glenn Smith – The only option here is for access to be off of Route 42, because the parcel doesn't touch any other roads and the parcels around it are privately owned, and I don't think DOT likes the idea of more than one entrance. Maybe we can ask for an emergency access road for emergency purposes only. Kristin Boyd – But that wouldn't really serve as an emergency access to the units in the back because they are so far away. Glenn Smith – You have a point. Chairman Lara – I don't have to tell you, but this is a tough site, so I would be interested in seeing what the fire department has to say about this. We know you have a good reputation as a builder, but we don't want you to spend any unnecessary money, if the project isn't going to work. Glenn Smith – Understood. Helen Budrock – So, the board is going to hold off on make a determination at this time, right? Chairman Lara – Right. It seems like the only option is for both entrances to be on Route 42 and I know Mr. Brezel approached some of the neighboring property owners and no one was interested in selling or working with him. Jim Carnell – As far as the fire code goes and sprinklers, it would depend on if these are going to be townhouses or condos. Glenn Smith – Townhouses. Jim Carnell – Okay, so if these are truly townhouses, they may not be required to be sprinklered. If they are condos or apartments or a different kind of ownership, that would require them to have sprinklers and fire suppression in them. Glenn Smith – And there are only four units in each building. Jim Carnell – And how many floors? Glenn Smith – Two stories. Jim Carnell – Okay, so these may not be required to have sprinklers. Chairman Lara – Will you just look into that tomorrow and let Glenn know so he will know if a second entrance is required. Jim Carnell – I know the fire code says that if they are sprinklered, a second entrance will not be required. So, the buildings may not be required to be sprinklers, but if they were, there wouldn't have to be a second

entrance. Chairman Lara – And I would prefer not to see two entrances off of 42 for safety reasons, so that might be the better option.

Christina Cellini – Do you know what the grade is on the road going up and connecting the two loops? Glenn Smith – 10% and 10 – 10.5% is okay for an interior road. Actually, the bottom part of the road is going to require some fill, but the portion right around the corner needs some cut, so we will use that as fill for the bottom. It is not going to be a cheap road to build, but we can meet the percentage requirements. Christina Cellini – And that will be sufficient for fire truck to go up? Glenn Smith – I don't believe 10% is an issue, but Matt would know better. Matt Sickler – You don't want to go any more than that. Jim Carnell – I think some of the road was at 15%, right? Glenn Smith – I don't think so. Jim Carnell – I thought I saw something like that when I pulled up the site plan. Glenn Smith – I think what you saw were the proposed elevations. Jim Carnell – They were percentages. Glenn Smith – That must have been a mistake and I will make sure that gets fixed. Matt Sickler – The plan I am looking at shows the greatest percentage being about 10.5%. Jim Carnell – Maybe I was looking at the older plan. Glenn Smith – That could be it, but I will double check. Christina Cellini – What degree will the curve in the road be? Glenn Smith – I'm not sure, but I can check that. I know it is more than 50° and I know where you are going with this; you are concerned about truck drivers or buses on the curve. Christina Cellini – Exactly and that is not going to be pleasant in the winter. Glenn Smith – We can do a curve study for it to make sure it is okay for firetrucks and things like that. Jim Carnell – Maybe you want to do that before you send it to the fire department for comment. I think that is something they are going to ask for and you might have to widen the curve. So, maybe just take a look at all the radiuses before you sent this over to them. Glenn Smith – Okay and there is plenty of room we didn't use if we do need to widen anything. Chairman Lara – What is the length of the road going to be? Glenn Smith – About 400 feet. Chairman Lara – Okay, so it's almost like two developments, which I think is a little neat.

Christina Cellini – Will there be any kind of amenities in the open areas? Glenn Smith – I show two pools off to the side of the upper units and a community building off the side of the lower units. Also, typically, there is a playground in the center of loops like these, so I'm sure that will be the case. Other than that I don't know if there will be any additional recreation. Helen Budrock – I know it is still pretty early on, but would you mind just showing those playgrounds, because the code does require landscaped children's playlots. That way that requirement will be taken care of. Glenn Smith – Sure.

Helen Budrock – I assuming the Board would like this to be a little more developed before we start thinking about things like a public hearing, right? Chairman Lara – I think the work session was very productive and they are definitely heading in the right direction, but I would like to see it developed a little more first. Helen Budrock – And we are still kind of in the sketch plan phase so we haven't done any kind of SEQR action yet, but when we get to that point, we are going to want to see a long form EAF. Chairman Lara – Okay. Sounds good and hopefully we will see you guys back soon.

### **LEFKOWITZ BUNGALOWS**

177 Old Route 17, Monticello, NY  
Joel Kohn, Project representative

Joel Kohn – As you guys know, this project is currently working on a comprehensive master plan for this site, which will take some time before we can come back with that. In the meantime, the Board wanted to send this to the County for a preliminary 239 review, which was done and we revived their comments back

a couple days ago. Chairman Lara – Which weren't terrible. Joel Kohn – Right, nothing too serious and we are glad we got them early on in the process. As discussed in the March 28<sup>th</sup> meeting, we are currently looking for a minor modification to the site plan to replace a couple dilapidated buildings with one larger building. There are currently six structures, with a total of seven units, that will be demolished and replaced with a five-unit building. So, we will be reducing the total number of units, but keeping the same number of bedrooms.

Chairman Lara – Are you talking about the dilapidated trailers on the property? Joel Kohn – Yes, two of them are mobile homes as well as some other structures.

Chairman Lara – When will those be removed? Joel Kohn – We are hoping prior to the summer season. We are still working on those building plans, so they might not be done in time for this summer, but we will be able to start on it right after the season. I can check to see if maybe the buildings can be demolished before the summer. Chairman Lara – I don't see why not and it would get that part out of the way. Joel Kohn – The hesitation with that is, once you have the permit, it would be ideal to do all of the work at one time since the equipment will be there. But I can have that discussion with the owners and see if they could do that prior to the season. Chairman Lara – I respect where you are coming from, but it would be great to see them gone before the season starts. Joel Kohn – I will let them know how the board feels.

Chairman Lara – Did you get to update the water and sewer counts on the plans yet? Joel Kohn – We will be keeping the same number of bedrooms and do not plan on making any changes to the sewer as part of this modification. We will be tying the new lateral into the current septic tank. Chairman Lara – But they will still be replacing the sewer system going forward, right? Joel Kohn – Of course. Going forward they will be replacing the whole system and that will be part of the master plan.

Helen Budrock – I just want to clarify for the notes that the master plan will include the dormitories and how they will increase the occupancy and for this season you are just looking to replace buildings 1 – 6 with the one, single staff building? Joel Kohn – That is correct. Chairman Lara – And it should be noted that we asked them to give us a master plan, just like we have been doing with other applicants, so that we are not getting everything in pieces, but they had already started the process before we even asked. So, that is nice.

Chairman Lara – Matt, are you okay with everything. Matt Sickler – At this time I do not have any questions or concerns as long as we are all good in regards to the setbacks. Joel Kohn – We will actually be further away from the property line than currently, so we will be increasing the non-conformity. Arthur Knapp – Will the overall foot print be increasing? Joel Kohn – Yes, from approximately 3,500 sq. ft. to about 5,000 sq. ft. in total. Kristin Boyd – Would that cause any issues with increased stormwater runoff? Matt Sickler – Not with just this portion, but a new SWPP will be required with the overall master plan and I think the DEC is going to want to see the discharge as well.

No further questions or comments from the Board.

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

## **MOONLIGHT COTTAGES**

58 Rubin Road, Monticello, NY  
Tim Gottlieb, Project representative

Tim Gottlieb – Unit 65 was approved a couple months ago for a six-foot deck extension at the rear and a ten-foot extension on the side. But, if you take a look at the second page of what I handed out, you will see that it is really a ten-foot extension at the rear and sixteen feet on the side.

Chairman Lara – Jim, decks don't count towards density, right? Jim Cranel – Right. Only towards overall square footage and setbacks. I wasn't personally out there to measure, but I believe they are okay with the required twenty-five feet between units. Matt Sickler – As drawn, they are and presumably they were built that way. Christina Cellini – Are there any special permits required for the height of the deck. Tim Gottlieb – I don't think so. Chairman Lara – If they are above a certain height, they would be required to have railings and things like that, but the building department will take care of that.

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

#### **AVID-CANDLEWOOD SUITES HOTEL**

67 Cantrell Road, Monticello, NY  
Larry Marshall, Project engineer  
Abhi Patel, Applicant

Paula Kay was recused.

Larry Marshall – Since we were last here, we developed the plans into a full plan set, complete with lighting, landscaping, grading, etc. The only thing that is outstanding at this point is the completed stormwater retention plan. The basins have been designed, in accordance with the NYS DEC regulations, and we have up sized the current retention basin on the property, to accommodate the increased flows. We just need to finish up the calculations is all. The existing basin on the property was designed when Emerald Place went in and it made assumptions based upon certain square footage of the imperviable surface on the whole facility. So, we are just finishing up going through the old SWPP, so we can present that in a way that can be followed. We will show that we are well within the allotted pervious surface for this property. However, we are adding a little bit more storage just because we are taking a fresh look at this and don't want to just go by what was allotted. So, we have taken the volumes that they needed and added our volumes to that, resulting in the need for additional storage.

Chairman Lara – Did you find anything out about the well on the property? Larry Marshall – Yes. It is active and services the Emerald Place facility. Chairman Lara – But it is located on this property, right? Larry Marshall – Yes and there is an easement. We spoke to the operator of the Emerald Place water system and he confirmed that it is one of their wells and that it needed to be kept active. With that being said, the lay out from what was originally presented is slightly different because we shifted some of the parking around. The loop access that goes around the building is a little closer to the building on the westerly side and a couple of parking spaces were shifted around to the rear. This was done to open up the area by their well so that they will have easy access to it. We will not impede their access by any means and there will not be any grading done there. We will not touch any of the easement area. There will be a retaining wall that

basically goes around it. Chairman Lara – Will you guys get to use it for the hotel? Abhi Patel – No, I think we get water from the holding tank. Larry Marshall – Right, we will not be using that water.

Chairman Lara – Matt, do you have any comments on this? Matt Sickler – No. We took a quick look at the plans and like Larry mentioned they put a lot of the engineering detail on there and when we get the full SWPP, we will do a full review on it. As of now, I have nothing.

Christina Cellini – Do you guys have any intention of doing anything with the steep grading in the front that goes down to Rock Hill Drive? Because there is a pretty steep embankment right there when you turn onto Emerald Drive. Larry Marshall – I don't think our building frontage goes down that far, but we will take a look at that. I know the grades do drop where we are and we are going to have to fill that in so that it is navigable. Michael Hoyt – I think there is a parcel between them and Rock Hill Drive, so I think they are pretty far up and away from that ditch. Larry Marshall - If you are driving up Emerald Place, there is a fire hydrant on the left-hand side and our entrance will be right after that on the right-hand side. Christina Cellini – Okay. Shoshana – Will you be connecting this to the town area? I know that when I go to a hotel, I walk to get food or maybe to hike or something like that. Will you have any kind of connection that might promote that? Chairman Lara – Where does the sidewalk on Rock Hill Drive end, in front of Benie's? Michael Hoyt – No, I think it ends in front of the entrance to the hotel. Chairman Lara – So what were you thinking Shoshana? Shoshana Mitchell – Maybe a walkway down to that side walk. Even if it's just mulch. Something to prevent people from walking in the road to get down to the rest of the town. Matt Sickler – Maybe some steps along the retaining wall? That would at least get people down to the intersection. Larry Marshall – We want to stay away from the stormwater basin, so maybe we can put something along here, but we will take a look and see what we can do. Chairman Lara – That certainly would be nice, even if it is just a path and not necessarily a sidewalk. Jim Carnell – Just something so that people can traverse down to the town. Larry Marshall – We probably would not be able to make it ADA accessible, so it would be an informal walkway, but I think we could definitely make a path of some sort. Chairman Lara – Will it not being ADA accessible cause a problem for them Jim? Jim Carnell – I don't think what they would be connecting to is ADA accessible, so they should be fine.

Chairman Lara – I don't believe Rock Hill Drive is a county road, so we don't need a 239, but this is a special use so we will need to schedule a public hearing, right? Helen Budrock – Correct. Chairman Lara – Do you think you guys are close? Larry Marshall – Yes. Chairman Lara – We will finish out the discussion, but I think that is where we are heading tonight. Helen Budrock – I think that now that they have a full plan set, it would be good to get a long EAF, as it is a big building, before the Board takes any action on SEQR. Larry Marshall – Okay. Helen Budrock – If they can get that done in time, maybe they can come back to the next meeting so the Board can declare their intent to serve as lead agency. And then they can circulate the long form EAF. Larry Marshall – We should be able to have that done by the end of this week or early next week. Chairman Lara – Laura, what is the deadline for the next meeting? Laura Eppers - Tuesday of next week. Larry Marshall – Okay. Helen Budrock – Or maybe the Board can declare their intent tonight with the understanding that the EAF will be updated prior to circulation of the lead agency notice. Chairman Lara – I think that would be fine and then they can come back so we can declare lead agency and schedule a public hearing. Helen Budrock – They will have to wait the 30 days, so it won't be the next meeting, but maybe the one after that. That way the Board can hear from the usual cast of characters, such as the DOT and the DOH, and see if you feel this is ready for a public hearing. Chairman Lara – Okay. Kristin Boyd – I saw you had rendering of the building, but for the public hearing you may also want to show rendering of the landscaping and signage. It would be nice if they could see the dual branding. Abhi Patel – They just opened the first Avid/Candlewood in Atlanta, so we can get pictures of their signage for an example. Chairman Lara – Great and you are so progressive. Helen Budrock – So, I think they would be able to come back to the first meeting in June and possibly be able to schedule the public hearing for the second



meeting in June, the 26<sup>th</sup>. If there is enough time to notice it. Larry Marshall – What are the June dates?  
Helen Budrock – The first meeting is on June 12<sup>th</sup>, so if the Board declares lead agency at that point, they  
can schedule a public hearing for the next meeting, which is on June 26<sup>th</sup>. Chairman Lara – Laura, that will  
mean that you will have to be ready to hand Larry the legal notice right after that meeting. Laura Eppers –  
Okay.

A motion to declare the intent to serve as lead agency was made by Arthur Knapp and second by Michael  
Hoyt.  
All in favor, 0 opposed.

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

Respectfully submitted,

Laura Eppers, Secretary

Town of Thompson Planning Board

