

TOWN OF THOMPSON
PLANNING BOARD
December 11, 2024

IN ATTENDANCE: Kathleen Lara, Chairman
Kristin Boyd
Michael Hoyt
Arthur Knapp
Matthew Sickler, Consulting Engineer
James Carnell, Building, Planning, & Zoning
Christina Cellini, Alternate
Laura Eppers, Secretary
Steve Vegliante, Consulting Attorney
Helen Budrock, Consulting Planner

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

Chairman Lara appointed Christina Cellini a voting member for tonight's meeting.

PUBLIC HEARING:

OLD ROUTE 17 WAREHOUSE
1283 Old Route 17, Harris, NY
Rubin Buck, Project Engineer
Barbara Garigliano, Project Attorney

Chairman Lara read the legal notice aloud.

Proof of mailings were received.

Rubin Buck presented the project to the public.

See below links for project details.

Project Overview Form:

https://drive.google.com/open?id=1NTFJOzAK6_6h6QZguygSCGG1ZDF5Obh_&usp=drive_fs

11/24/24 Site plan presented:

https://drive.google.com/open?id=1JuX2aQUptUUF5QmFDB4QPcSALDqkcn9A&usp=drive_fs

Entire Google Drive folder:

https://drive.google.com/open?id=1lu8d2NtXaw04cUfvO_Xv6uY1T8K8PhBq&usp=drive_fs

Meeting was opened up to the public for comment.

Mark Baez, on behalf of the S.C. Partnership for Economic Development – Attended the meeting to expresses that the S.C. Partnership for Economic Development is in favor of the project and submitted his written comments.

Link to written comments:

https://drive.google.com/open?id=1O_jS7SXilTcz34Mas0H0spdrzHvE6m4K&usp=drive_fs

No further questions or comments from the public.

Written comment received prior to the meeting:

Mike Taylor, on behalf of CES - https://drive.google.com/open?id=1OsDbPS-g2nSJ4ZoUl-B0HPcuH8ZWkg8_&usp=drive_fs

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

The Board had the following questions and comments:

- The County had a comment in regards to stormwater causing flooding on the solar farm site, what are you doing to address that?

Rubin Buck explained that the new access for the warehouse is going to be a service commercial entrance with curbs and catch basins, so it should be better at directing the water into the swales; preventing flooding on the solar farm portion of the property. Barbara Garigliano added that at the time the solar project flooded, it was under construction and it has sense been greatly stabilized.

- Requested a copy of the Road Maintenance Agreement for the Board's attorney to review.

Barbara Garigliano advised that the Road Maintenance Agreement was already filed, back in January of this year, but would forward a copy to the Town for the record.

No further questions of comments from the Board.

Rubin Buck asked if the Board felt it would be appropriate to grant a Negative Declaration tonight, as there was no public opposition. Chairman Lara advised that the project is not on the agenda tonight for any action, so they would have to come back to the next meeting, which will be the first meeting in January as the second December meeting has been cancelled. Matt Sickler added that they would need the draft resolutions prior to that meeting so that the Board and its consultants will have time to review them.

ACTION ITEMS:

CONCORD ASSOCIATES

Concord Road, Monticello, NY
Henry Zabatta, Project Attorney

Chairman Lara – Henry you were here 6 months ago requesting another extension for this project and we gave you a little hard stand. Can you tell us if there has been any progress since? Henry Zabatta – Just for a quick reminder, this project has site plan approval for 2 hotel towers and a convention center. Chairman Lara – When was that approval originally granted? Henry Zabatta – I believe in 2016, but the plan was amended a few times since then. Last month we received the final draft of the map, plan, and report from the Town Engineer, in regards to water, and what he identified is that there is no fix for the way the water

is currently set up. The best and quickest option would be to annex into the Adalar water district. There are 5 classes of properties in the Adalar district. The first four are made up of the Casino, the water park, the hotel, and the gold course. The last one is for the rest of the properties they own and that is the one we are looking to connect to. We would then share in the cost of the debt, as well as pay for whatever water services is needed. Based on the way our approvals are set up, there is not enough water to service us. The only two options we have left is to either develop our own water source(s), which would be very time consuming and would take us forever to get through those approval processes, or to negotiate with the Village of Monticello to annex into their water, which is not likely to happen as the Town has been trying to work with them to get additional water for the Route 42 district. With that being said, the only thing we can really do now is reduce the number of rooms and some of the other components of our site plan, the amount of water we will require. So, what we are requesting at this time is another 60 days. That way we can go through everything to see what we can amend and then come back with that.

Chairman Lara – Matt, if they modify their site plan now, would they have to comply by today's planning and zoning laws? Matt Sickler – I would defer to Steve for planning and zoning, but as far as stormwater, it would depend on the changes made. Steve Vegliante – It would be impossible to answer that without seeing what the modification will look like and what exactly is being changed. Chairman Lara – Okay.

Henry Zabatta – If we can have till the first meeting in February, we can come back with those changes so that the Board can see what those will be. Michael Hoyt – I think you are asking this Board to approve changes to a plan that most of us have never seen, as it was approved prior to them even sitting on the Board; I think I was an alternate when this was originally approved. So, maybe you can come back to the next meeting with a little presentation on what exactly this project is and what changes are being requested. Henry Zabatta – I agree and I will ask our engineer to come with me to the next meeting so that he can explain the modifications and answer any questions the Board may have. Chairman Lara – That would be great and we do understand that water is an issue in the Town. Michael Hoyt – That is true but we have been more than patient and I think it would be nice to see some sort of presentation touching on what was previously approved as well as the new changes. Henry Zabatta – Okay.

No further questions or comments from the Board.

A motion to approve a 60-day extension was made by Michael Hoyt and seconded by Christina Cellini. All in favor, 0 opposed

CONCORD FAIRWAYS

Concord Road, Monticello, NY
Henry Zabatta, Project Attorney

Henry Zabatta – This project was approved for 110 residential units and fortunately, the Adalar water district has enough reserves to supply water to this project. However, we don't want to go to EPR until we know what we are doing with the other project, Concord Associates. Basically, we need to know the total water demand of both projects first. Chairman Lara – Understandable. Henry Zabatta – So, what we would like to do is ask for a 6-month extension for this project while we work on modifying the other; with the hopes of getting everything figured out within that 6-month time frame.

Chairman Lara – I will let the other Board members speak, but the only reason I am okay with granting another 6 months is because it is housing and we really need it. Michael Hoyt – I am also okay with it, but just like the other project, I think the Board needs a refresher on what exactly this project is. Henry Zabatta

– Okay. As I mentioned I will ask the engineer to come to the February meeting for the hotel project and at that time he will be able to discuss this project as well.

No further questions or comments from the Board.

A motion to approve a 6-month extension was made by Michael Hoyt and seconded by Arthur Knapp.
All in favor, 0 opposed

THOMPSON'S OWN SOLAR

Downs Road, Monticello, NY

Robert Romine, ClearPath Project Representative

Elizabeth Weatherby, AKRF Project Representative

Robert Romine – Last time we were here the Board had asked us to add so addition wetland plants to the buffer around the stream, draft up parts 2 & 3 of the EAF for your planner to review and complete, and supply draft resolutions to your attorney for review. Those things have been done

Matt Sickler – The Army Corp did put a condition on the tree removal and that was that they can not drag the fallen trees out. They will have to be hand removed or some other expectable method of removing them. Robert Romine – I think we acknowledged that in our email, but we are definitely aware of that condition. Matt Sickler – Right. It was acknowledged in the correspondence to the Army Corp, which was copied to Helen, but I think Helen would probably want to see that listed somewhere on the plan.

Elizabeth Weatherby – They are. Matt Sickler – Okay. Elizabeth Weatherby – And we also provided the corresponded from the DEC stating that they deemed there was no potential impact to the bald eagle. Chairman Lara – Perfect.

No further questions or comments from the Board and it was agreed that this project has been thoroughly reviewed.

Chairman Lara – So, Steve we can make a motion for the NEG DEC and then the site plan approval, subject to any conditions listed in the resolutions? Steve Vegliante – I believe so. In the site plan resolution, it states that all work within an unmapped wetland will be undertaken into accordance with the U.S. Army Corp National permit. Maybe that can just be amended to include the specific conditions the Army Corp wanted. Robert Romine – I believe the way we worded it was so that essentially, we are saying, we either need to comply with those conditions, or otherwise get a permit. Steve Vegliante – Okay. Can you just make sure that is at least on the final site plan that will be signed? Robert Romine – Okay. That should not be an issue. Steve Vegliante – Other then that, I did speak to Helen and she said the NEG DEC resolution was okay, so I think we are all set. Robert Romine – Do we need to go through the Part 2 before any approvals? Steve Vegliante – No, it was provided to the Board and is part of our record, so they can just adopt it.

A motion for a NEG DEC was made by Arthur Knapp and seconded by Michael Hoyt.
All in favor, 0 opposed

A motion to approve the site plan, subject to all conditions listed in the approval resolution and addressing any possible comments the town planner may have, and special use permit, subject to retuning to the Board in 1 year from completion for an update, was made by Michael Hoyt and seconded by Christina Cellini.

All in favor, 0 opposed

WISE REALTY

Kroeger Road & Bridgeville Road, Bridgeville, NY
Rubin Buck, Project Engineer
John Lovell, Project Representative

Rubin Buck – This project has been kicking around for a while now. We are the point now that we have received local determination from the County and the comments, we received from the County DPW, essentially just asked us to discuss coordination with the DOT for our emergency access. Then there is traffic, which is kind of the last item that needs to be addressed, but I will add that when the other, 500,000 sq. ft. warehouse was approved, the traffic for this project was considered then. We also hired the same traffic consultant to prepare the traffic study for this warehouse to help make things a little smoother and we included the other warehouse in our study as well. What the applicant has agreed to is doing the best they can to work with the Town to allow for the widening of Kroeger Road through the dedication of easements. If for any reason, they are unable to do that, both this project and the other warehouse project will work together to incorporate some sort of gate house. This will allow communication between the two buildings to avoid any 2-way traffic interference. But that is only if they cannot widen Kroeger Road.

The Board was in agreeance and made it clear that they would prefer to see Kroeger Road widened and improved, rather than the addition of a gatehouse. They also agreed that between this project and the other project, the traffic was thoroughly reviewed at this point and it is pretty clear what needs to be done for traffic improvements.

The applicant made a request for the NEG DEC to be granted tonight due to deadlines they are facing. After discussion amongst the Board and its consultants, specific conditions were laid out and the applicant was advised that if for any reason it is determined that there will be greater impact, after all third-party review has been completed, SEQR will need to be re-opened. Most of the Borad felt comfortable with that.

A motion for a NEG DEC, subject to addressing all DOT comments, addressing the outstanding 239 comments, review/approval of the NEG DEC resolution, and review of parts 2 & 3 of the EAF, was made by Kristin Boyd and seconded by Michael Hoyt.
4 in favor, 1 opposed (Christina Cellini)

PLATINUM LEAF

196 Rock Hill Drive, Rock Hill, NY

No one was in attendance for this project.

A motion to take the agenda out of order was made by Christina Cellini and seconded by Michael Hoyt.
All in favor, 0 opposed

HAMASPIK RESORT

283 Rock Hill Drive, Rock Hill, NY

Joel Kohn, Project Representative
Meyer Wertheimer, Property Manager

Christina Cellini was recused.

Joel Kohn advised that the special use permit for this project is due to expire and therefore they are back to request another renewal. This will be their third, and hopefully, final renewal. With the first two renewals, they did have public hearings and neither hearing produced any comments or issuing pertaining to the operations.

The Board confirmed with Jim Carnell that the Building Department has not received any complaints since the last renewal and determined that they were satisfied with regards to site plan compliance and the project's operations. It was agreed that this project did not need to come back for anymore renewals and a permanent special use permit could be granted.

A motion to approve the special use permit permanently was made by Arthur Knapp and seconded by Kristin Boyd.
All in favor, 0 opposed.

CATSKILL VET

Rock Hill Drive & Old Drive-In Road, Rock Hill, NY
Steve Green, Project Surveyor
Joe D'Abbraccio, Applicant

Steve Green advised that since they were last in front of the Board, they were able to speak to Mike Messenger, the Town's Water and Sewer Superintendent, in regards to connecting to the town's sewer district. Jim Carnell added that as of his last conversation with Mike, it was realized that this parcel is currently not in the town's sewer district and the applicant would need to petition the Town Board for annexation in order to connect. Chairman Lara advised that per the Town Supervisor's recommendation, because there is a question about the viability of sewer currently at that location, that perhaps the applicant can add the on-site septic back to the plans. That way if the municipal connection falls through, there will be a back-up means for sewer. Matt Sickler recommended that if that is something the Board would be amenable to, notes to that effect should be added to the site plan and a design for the septic and pump house should be submitted. Jim Carnell added that even if the annexation is granted, there is a lot of work that has to be done in order to connect and that is a lengthy process. The Board agreed that even though it is a little extra work, it would be the best route to go in terms of getting site plan approval anytime in the near future. It would be a simple modification to remove the on-site septic from the plan if everything works out and the applicant can get sewer from the town in time.

The Board acknowledged that the draft NEG DEC and approval resolutions were only recently received, but asked Steve Vegliante and Helen Budrock if they had a chance to review them yet and if they were satisfactory. Steve Vegliante advised that he felt they were substantial and are close to being satisfactory. He has not yet been able to fully review parts 2 & 3 of the EAF either, but did notice that the project name listed on the EAF forms is not consistent with the project name on everything else and asked that it be updated. Helen Budrock advised that she was able to fully review the parts 2 & 3 last minute, and they were very similar to the versions she had prepared, so felt they were accurate. She advised that she would be comfortable with the Board granting a NEG DEC tonight as long as the Lead Agency notices were mailed and verified. After some discussion and review of documents submitted, it was determined that due to

some oversight on the applicant's part, the Lead Agency notices were never mailed; only the public hearing notices. The applicant is to mail out the Lead Agency notice and come back to the second meeting in January, as to allow for the 30-day window required for outside agencies to respond. This also giving time for the resolutions to be finalized and the site plan to be revised.

DESIMONE SUBDIVISION

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

Bruce Fulton explained that this project was last before the Board about 9 months ago and at that initial meeting, he was advised that a perc and/or deep pit test would not be required, but a driveway permit would be. Said permit has been obtained and submitted for the record, as well as a final copy of the subdivision map. Chairman Lara ask Matt Sickler if he had any comments. Matt Sickler advised that the only concern was with access to the remaining property but they acquired a driveway permit for that, so it has been addressed.

No further questions or comments from the Board.

A motion to approve the minor, 2-lot subdivision was made by Michael Hoyt and seconded by Arthur Knapp.

All in favor, 0 opposed

TCFD – OLD DPW BUILDING

507 Old Route 17, Monticello, NY
Katelyn Haas, Project Representative

Katelyn Haas presented the proposed change of use to the Board. She explained that there are two existing structures on the property and currently, one is being used for office space and the other for storage. They are proposing to change the use of the office space to Dayhab services, for residents of The Center, and make 2 of the bays in the storage building into a carpentry shop. They currently have a carpentry shop in Liberty, that makes custom, handicap accessible furniture, such as tables and desks, and they are looking to move it closer to the main campus. No major construction will be required, only minor modifications to the interior of the building; making it more handicap assessable.

The Board asked Matt Sickler if the change of use effect the number of parking spaces and, if so, do they still have enough. Matt Sickler advised that the number of parking spaces required by zoning and the number of current spaces are not listed on the site plan that was submitted. However, felt that there was not a big enough difference in the two uses to cause a dramatic change in the number of required spaces. He also pointed out that most likely a good portion of the people visiting the site will be transported by van, so that might help reduce the number of required spaces, but would require there to be proper accessibility and turning radiuses for the vans. Jim Carnell advised that those are things that would be reviewed during the building permit process and would need to be addressed prior to the issuance of any permit.

The Board asked for clarification on the zone; the planning board application says RR-1 and the Project Overview Form says HC-1. Jim Carnell advised that it is in the HC-1 district. Helen Budrock inquired what use on the HC-1 bulk table this would now fall under. After some discussion it was determined that that

the Dayhab would fall under the Medical and Dental Facilities use with the storage building being a permitted accessory building, and it will require a special use permit. The Board was in agreeance that there was no need for a public hearing, as the change of use should not have any additional impact to the area and is in character of the neighborhood, but would like to see the applicant back in a year for an update.

The Board asked about water and sewer were discussed. Jim Carnell advised that this property is serviced by public water and sewer.

No further questions or comments from the Board.

A motion to approve the change of use and the special use permit, subject to returning to the Planning Board in 1 year for an update, was made by Arthur Knapp and seconded by Christina Cellini. All in favor, 0 opposed

SACKETT LAKE LP

State Route 42 & Sackett Lake Road, Monticello, NY
Joel Kohn, Project Representative
Rabbi Schwartz, Applicant

Chairman Lara started off by advising the rest of the Board that the traffic study for this project was sent to the new traffic engineer for cursory review, but they also seem to be dragging their feet a little and we have not received their comments yet. Joel Kohn gave the Board a brief overview of the project and stated that since they were last here in July, the lead agency notices were recirculated, the FEA was revised, 239 review comments were received, the pump test report was completed and submitted for the town's hydrogeologist for review, and the revised traffic study was submitted for the town's traffic engineer to review. The 239 comments were minor, however, the DPW did have a concern about sight distance for one of the primary entrances off of Sackett Lake Road, so they switched that access road with the access road for emergency use only, as it had better sight distance. This project is back in front of the Board tonight for a NEG DEC and possible conditional approvals.

The Board had the following questions:

- Did the fire department approve of the access roads?

Joel Kohn advised that they did and the approval email from them has been submitted.

- Are there internal connections from the residential portion to the commercial portion of the project?

Joel Kohn advised that there are both vehicular and pedestrian connections between the two.

- How close to completion is the SWPP?

Joel Kohn advised that it should be completed within the next few days.

- Will it be finished and submitted for Matt's review in time for the next meet?

Joel Kohn advised that is the hopes.

- Were exactly does the project stand with water?

Joel Kohn advised that the hydrogeology report was submitted to the town's hydrogeologist who had some minor comments. A response to those comments should be completed and submitted soon.

After some discussion between the Board and its consultants, it was determined that prior to considering the NEG DEC or any conditional approvals, the SWPP needed to be completed and reviewed, any comments from the traffic consultant reviewed, draft resolutions supplied to the town's consultants for

review, and the part 2 & 3 of the EAF completed.

No further questions or comments from the Board.

CLEARVIEW MOUNTAIN COUNTRY CLUB

460 Old Liberty Road, Liberty, NY

Mike Miele, Project Engineer

Mike Miele explained that the proposed modification is for additions to two units; units 32 & 44. Unit 44 is proposing to add their addition off of the back of the unit for additional living space. Unit 32 is proposing to add their addition off of the back corner, due to the slope of the property line, for an additional bedroom.

The Board and its consultants had the following questions:

- Did you update the water and sewer counts?

Mike Miele advised that the sewer counts were updated, but not water. Matt Sickler – Confirmed that only the sewer/bedroom counts were necessary.

- Are there any issues with any setbacks?

Mike Miele advised that there were no issues with the setbacks and the additions were designed to stay within the setbacks.

No further questions or comments.

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

All in favor, 0 opposed.

The Board called for Platinum Leaf one more time. Still, no one in attendance.

DISCUSSION/POTENTIAL ACTION ITEMS

(as determined by the board):

NORMAN GOLD – 25 SAW MILL

68 Rock Hill Drive, Rock Hill, NY

Glenn Smith, Project Engineer

Norman Gold, Property Owner

Norman Gold attended the meeting this time to clarify some things he read in the minutes from past meetings:

- No one is currently living in the camper. The previous tenant was occupying it, but it is now being used as an office.
- All of the stuff on the property was left by the previous tenant for the current tenant to have to clean up and he is doing his best to comply with the Board's requests.

- The boats come from all over for repair.
- The garage bags pile up because the tenant waits until spring to bring everything to the dump at once.
- There are currently no free-standing signs and there is no plan for any in the future.
- The majority of the noise impact comes from the neighboring property.
- A permit was filed for the existing pool, but the Building Department told him he has to finish up with this Board first.

Norman Gold brought up the violation for the storage container currently on the property and asked what had to be done in order to keep it. After some discussion between the Board and its consultants, it was determined that if they wanted to keep the storage container, they would have to go back to the Zoning Board.

Norman Gold asked the Board exactly what else they wanted to see done on the property to be able to get their site plan approval. They need this approval to be able to finish up with court and he feels that the tenant has cleaned up the property and has complied with the Board's requests. Steve Vegliante stated, for the record, that the condition of the property may have been caused by a tenant(s), but the responsibility to keep it maintained is the property owners. The Board explained that even though they can see some progress being made, it is very, the property is still a mess, and they need to see significant improvement. Jim Carnell added that it is still unclear what exactly the property is being used for. The Board is being told it is a boat repair shop or a boat storage yard, but in actuality it is more like a salvage yard and has been that way for a very long time. It has been a dumping ground for not just boats, but other things such as jet skis, trailers, campers, storage containers, etc. If it is a repair shop, there should be no need for all of that stuff and it should be registered with NYS, per New York State Department of Motor Vehicles. Steve Vegliante advised that the use of the property needs to be identified and then operated as said use. The Board suggested a site visit with a couple of the board members, the applicant, and maybe someone from the building department. If more than two members want to go, multiple visits will have to be arranged, as to avoid a quorum and a public meeting. Everyone can walk the property together and get a better idea of what needs to be done so a master plan can be created. The master plan needs to show what the use of the property is, what is being stored on the property, and the designated storage areas for those things. The applicant can reach out to the planning board secretary to schedule the visit(s).

CATSKILL HOSPITALITY

29 Golden Ridge Road, Monticello, NY
 Gavin Vuillaume, Project Architect
 Brijesh Patel, Applicant

Brijesh Patel advised the Board that they decided to go with an extended stay hotel. Gavin Vuillaume added that they submitted an updated site plan showing the proposed hotel and the updated location of the sewer lines. They also added a bulk table last minute and that is the version they had with them. They will submit a copy for the records.

The Board suggested that the project go for a work session now that a use was determined. Jim Carnell advised that the applicant was asking to start clearing the site. At bare minimal, they would need to put a

cost estimate together to determine a bond amount and submit it to Matt Sickler for his review and approval. Helen Budrock wondered if that wasn't premature as the current site plan does not comply with zoning. They will most likely require some variances for things like density, height, lot coverage, and possibly the setbacks; the building department will now be able to tell exactly what variances are required. Plus, the wetland regulations are going to change in January and may affect the wetlands located on the property. Gavin Vuillaume advised that they have already obtained a permit from the Army Corp to fill some small wetland areas and that is the reason they are looking to start the site work as soon as possible. He also clarified that they are not looking to clear the land just yet; only go in with a small road and fill the areas they have a permit for. Helen Budrock and the Board felt more comfortable with that. The Board agreed that this project needs to go for a work session where everything can be discussed at length and a determination can be made as to what variances will be required. They also agreed that this is a viable project and that their recommendation to the Zoning Board would be that they are in favor of the project moving forward.

A motion to deny and refer this project to the Zoning Board of Appeals was made by Arthur Knapp and seconded by Michael Hoyt.
All in favor, 0 opposed

CONTINENTAL COTTAGES

Fraser Road, Kiamesha Lake, NY
Bucky Loucks, Project Representative

Explained the applicant is looking to modify the site plan by increase the square footage of two units. However, to do so, they will require some variances from the Zoning Board first.

No questions or comments from the Board or its consultants at this time.

A motion to deny and refer this project to the Zoning Board of Appeals was made by Michael Hoyt and seconded by Arthur Knapp.
All in favor, 0 opposed

LOCAL LAW #11 OF 2024 – VILLAGE 239 REFERRAL

The Board reviewed the 239 referral and had no comments.

A motion to close the meeting AT 8:56 p.m. was made by Kristin Boyd and seconded by Arthur Knapp.
All in favor, 0 opposed.

Respectfully submitted,

Laura Eppers, Secretary

Town of Thompson Planning Board

DRAFT

DRAFT