

TOWN OF THOMPSON  
PLANNING BOARD

September 11, 2024

IN ATTENDANCE:

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

Chairman Lara brought the meeting to order at 7:02 pm with a pledge to the flag.

Chairman Lara explained that due to technical difficulties, there would be no Zoom option for tonight's meeting and that the meeting would be recorded via cellular device. She also reminded everyone that it states on all legal notices that the official meeting is the in-person meeting and that Zoom is offered as a courtesy only.

Chairman Lara appointed Shoshana Mitchell and Christina Cellini as alternating voting members for tonight's meeting.

**PUBLIC HEARING:**

**THOMPSON'S OWN SOLAR**

Downs Road, Monticello, NY

Robert Romine, Representative for ClearPath Energy

Justin Seeney, Engineer with AKRF

Chairman Lara read the legal notice aloud and explained the public hearing process.

Robert Romine – ClearPath is the developer who is developing this proposed project. We are a smallish sized company who is focused primarily in the Northeast portion of the United States with our headquarters being in Boston. This project here will be located on Downs Road and this is proposed to be a 5-megawatt solar project. It is actual a community solar project through the NYSERTA New York Sun Program, so as part of the project we will need to get subscribers to account for the total energy produced by the project. The idea is that savings get returned to the subscribers and typically those will be people in the local community. However, since this is a NYSEG interconnection, it could be anybody in their service territory. With that, I will give this to Justin to go over some specifics about the site. Justin Seeney – This here is our site plan and I will walk you through what you are looking at. The solar panels will span roughly

about 5 acres of the 68-acre parcel and within those 68 acres, there will be about 48 acres of tree clearing. We will be leaving a sizable tree buffer along Downs Road to help with visibility of the panels. Last month, or the month before, we provided photo rendering showing what the existing conditions look like compared to what they will look like with the trees cleared. If you take a look at those, you can kind of see the panels poking through the tree buffer, but they are hard to see and that is the whole point of leaving the buffer. Robert Romine – Do you know where those photos were taken from? Justine Seeney – No, not off the top of my head, sorry. The project will be fenced in, and you can see that here on the plan in orange. The blue lines are some streams that cut through some of the borders of the property, along with a delineated wetland area that counts for roughly 20 or so acres of the site. There will be a site access point built in that will access some of the electrical equipment for the transformers and provide a turn around point. We are providing stormwater management for that area by the way of a bioretention area that provides some water quality treatment and for the balance of the site, we have provided documentation to the Town demonstrating that these panels are designed in accordance with the state’s methodology and had some back and forth with their engineer in regards to that. Other than that, that’s pretty much it. Again, there will be some tree clearing, a fence put up, and the panels installed on grade, as to disturb the least amount of earth as possible and be as minimally evasive to the site as possible. Robert Romine – One thing to add is that these are actually single axle tracker panels, so they will rotate on one access, east to west to follow the sun.

Steve Vegliante – As an update, this Board sent the applicant to the Zoning Board at the last meeting for a minor variance to the height, which I believe was less than 2 feet. Robert Romine – The highest point will be 2 ½ feet. Steve Vegliante – Right and they went for the variance to stop any additional cut and fill and I am please to inform the Board that the variance was granted. Chairman Lara – Awesome. Can you guys explain that a little more to the public for anybody who wasn’t here for that? Robert Romaine – Sure. There is a little bit of a grade along this area here and because we are looking to disturb the land as little as possible and the Town code has a maximum height of 16 feet, we requested a variance for the handful of panels that will exceed that. So, while the panels are in the flat position, they will about 10 to 12 feet from the ground, but then they tilt to follow the sun so they get taller, and at full tilt some of them can get up to 17 to 18 feet tall. This only applies to the panels that sit on a higher grade and to stay in compliance, we went to the Zoning Board for a variance. Steve Vegliante – And to just clarify for the public, all of the panels have to be at the same height, so the height will change with the terrain. Robert Romaine – Correct.

Chairman Lara – Matt, can you comment a little on the stormwater? Matt Sickler – Sure. I have had some conversations with Justin and his firm on how the plan complies with the DEC guidance and regulations for solar facilities. So, at your next meeting we can kind of run through what that means in terms of run-off and how it is controlled and treated. That way the Board can see how they feel at that time and if you are comfortable or if you see any potential impacts you would like to address further. Chairman Lara – Okay.

Chairman Lara – Helen, can you just touch base on the memo you provided? Helen Budrock – Sure. As you guys know, the zoning code has a specific section that deals with utility scale solar. So, from a zoning compliance perspective, I had my colleague Adam, who is kind of our expert on solar farms, review this submission and provide a comment memo, which I uploaded to the Google Drive just yesterday. The memo is a couple pages long, but it mostly compares these plans to what it says in the code and gives some comments he had on that. I’m not sure if the applicant has had a chance to review the memo yet, but if they have any questions, they can reach out to me. Chairman Lara – Okay. Justin Seeley – We did review the memo and we are in the process of responding. Chairman Lara – Awesome.

Chairman Lara – Before I open this up to the rest of the Board and the public, I had one question, and it is really more for you to demonstrate. This property is not level and I think from the road it pitches down, can you give an idea of what that looks like? Justin Seeley – Of course. Our high point is roughly here, with an elevation of approximately 1395, and down here is about 1325, so there is a solid 70 foot or so of drop across this area. Those slopes are generally below 15%, so there is some topography and the grade does slope in this direction, which is kind of where you see the stream pick up. The panels will kind of be on that slope and staggered down the slope. Chairman Lara – So really you will only be able to see the top of the hill and you would have to go into, or closer, to the property to see the panels? Justin Seeley – Right because it slopes down and away from Downs Road. Chairman Lara – Okay, thank you.

Chairman Lara – Any other questions from the Board members?

No further questions or comments from the Board. Meeting was opened up to the public for comment.

**Mina Bail @ 423 Thompsonville Road** – Had a lot of questions and comments that she typed up and went over at the meeting. She provided the written version to the Board for the record. Below is a link to said document:

[https://drive.google.com/open?id=10tvwVHqr5WVJVAqQwnh7MDRXk7gJsmgg&usp=drive\\_fs](https://drive.google.com/open?id=10tvwVHqr5WVJVAqQwnh7MDRXk7gJsmgg&usp=drive_fs)

**Brandon Morier @ Cold Spring Road** – Had the below questions:

- Will you be using aluminum or copper wiring? And do the different materials effect the life span of the panels?
- What kind of plans are there for dismantling the solar farm when life span is up? Will they file for bankruptcy or maybe pass the ownership?

Chairman Lara – Jim, can you explain what happens with these solar farms when they have reached the end of their life span? I feel this is something important for the record. Jim Carnell – As part of our solar ordinance there is a section that deals with the decommissioning plan. After review of the project's decommissioning plan by our town engineer and planner, there is an overall dollar amount that gets assigned to the cost of decommissioning and that amount gets held in escrow in the form of a bond. This bond is solely held for the decommissioning of the project in the event that the developer or property owner does not remove all of the facilities that are a part of this project. Chairman Lara – Thank you.

- What kind of plant life will be under the panels and how will they be maintained? Will there be any pesticides used that may run off into the streams and wells in the area?

No further questions or comments from the public.

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

Chairman Lara advised the public that there will not be any further discussion or any action taken on this project tonight. She also advised that once the applicant submits their response to the public comment, it will be uploaded to the Google Drive, which can be accessed on the Town's website, for anyone to view.

**ACTION ITEMS:**

A motion to amend the agenda to add the Abraham Stern application as an action item was made by Arthur Knapp and second by Christina Cellini.  
All in favor, 0 opposed

**ABRAHAM STERN**

75 Cimarron Road, Monticello, NY  
Moshe Hattie, Project Representative

Moshe Hattie – There is an existing barn/garage on the property that is currently 925 sq. ft. and the applicant would like to add a 280 sq. ft. covered porch to it. This making the garage over the 1,000 sq. ft. and oversized.

Chairman Lara – Jim, can you explain why they have to come to this Board for this? Jim Carnell – This was a pre-existing, non-conforming structure, that was actually used as a barn in the past. The property is approximately 16 acres with a single-family residence on it. The new owners recently purchased the property and obtained a building permit to install a pool. Once the pool was installed and the landscaping was underway, they realized they had a need for a shaded area for relief from the sun and adding this covered porch to the barn will do that. Our code has limitations on accessory structures and garage structures cannot exceed 1,000 sq. ft., which this will slightly. Moshe Hattie – The total square footage will be 1.205 sq. ft. Chairman Lara – Okay and that is in the privy of this Board to approve? Jim Carnell – Yes because it meets setbacks and it really just the accessory structure that exceeds the code. Chairman Lara – Okay.

No further questions or comments from the Board.

A motion to approve the oversized garage was made by Shoshana Michell and second by Arthur Knapp.  
All in favor 0 opposed

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

**MONTICELLO MOTOR CLUB – SEWER PLANT**

67 Cantrell Road, Monticello, NY  
Barbara Garigliano, Project Attorney  
Kris Almskog,  
Mike Aiello, Project Engineer

Hellen Budrock, Steve Vegliante, Jim Carnell, and Matt Sickler were recused from this project. Glenn Smith standing in as the consulting engineer for the Town.

Barbara Garigliano – We are here tonight just to give an update on where we are at with the sewer plant. I

will hand it over to Kris to start. Kris Almskog – Back in August we submitted conceptual sewer plant plans for the Monticello Motor Club. The plans showed the approximate locations of where the manholes and pump stations would be and the approximate elevations of the structures, that will collect the sanitary waste and bring it over to the sewer treatment plant. I will lay the plans out here for a visual. It will be here on the south side of Cantrell Road and the main line for the treatment system will run along the road. It will be picking up these accessory buildings on this side and some additional trunk lines from the condos and other existing buildings on the property. Some of these things still need to be field verified with test pourings, but we are hoping it will be gravity fed all the way. If not, there would be some potential for pump stations that will pump under a low-pressure system in accordance with the state requirements. That's pretty much the gist of it. Chairman Lara – It seems pretty straight forward and we appreciate the visual. Mike Aiello – I wish we had more on the treatment system itself, but we are still waiting for the DEC to issue their draft SPDES permit for the effluent parameters that go to the Black Brook. That submission was made back in May of 2023 and we did receive initial comments in November of 2023, to which we submitted our response the same month. We are pretty sure we fully addressed their comments, but here we are 10 months later still waiting on their final approval. We have reached out to them to follow up and their response is that we are in the que for review. On a parallel track, we have complete preliminary construction plans, which will then go to another department in the DEC, Divion of Water, and they will review it for compliance. That's were we stand with the SPDES permit. Barbara Garigliano – So, the Board asked and we are attempting to deliver. Chairman Lara – And we do appreciate it.

Chairman Lara – Glenn, can you just confirm for the Board, and the public, if systems like this are primarily dictated by the DEC? Glenn Smith – Absolutely. The DEC has to review and approve the treatment plant and the collection system and other things like that. They take a long time to do it, but it is always a thorough review and they usually have lots of comments for the applicant to address. The biggest thing is the SPDES permit with the effluent limits, and this is being discharged into a trout stream, which I was unaware of, so those limitations will be quite high and the plans will need to reflect that. Chairman Lara – So, it is sort of out of our hands at this time. Glenn Smith – Yes.

No further questions or comments from the Board.

Applicant stated that as they get more information and this moves along, they will come back to the Board with an update.

#### **KITZ ROAD PRESTIGE ENERGY**

State Route 17B & Kitz Road, Monticello, NY  
Glenn Smith, Project Engineer

Glenn Smith – This project is the two proposed warehouses out in Mongaup, adjacent to the Collin's ballfield. At the last meeting we had a public hearing, which was closed that same night, and there was only one speaker, who was in favor of the project. We got the 239 back from the County and they recommended local determination. The Board voted to be Lead Agency at the July meeting and I am still working on the SWPP comments Matt sent to me. On the renderings I passed out you can see there are now three cupolas on each building to give them some character since you will be able to see them from 17B. There will be a lot more tress along 17B then you see here, so that will help with the visual as well. Chairman Lara – I know the Board was glad to hear that you would be leaving the vegetation along the

road because that really does help a lot. Glenn Smith – You will still be able to see the buildings, just not as well as the renderings show. Chairman Lara – Right and I know the applicant is making improvements to the parking lot. Glenn Smith – Correct and he has an agreement with the fire department for the ballfield to be able to use the parking lot since the games occur after hours when the employees are gone. So, at this point we are going to need a NEG DEC and I was going to ask for approval, conditioned on Matts approval of the SWPP and any other conditions the board may have. Chairman Lara – Matt, how do you feel about that? Matt Sickler – If the Board is comfortable with everything else, I would be okay with that. There were several stormwater comments, but noting too detailed and they are in the process of working on getting them addressed. Chairman Lara – Okay.

Shoshana Mitchell – Are the trees you are leaving as a buffer part of the limit of disturbance? Glenn Smith – Those are outside of the property, so they are not part of it. And this is all State DOT right-of-way up here, so we don't want to touch that. Shoshana Mitchell – Okay.

Chairman Lara – Did we talk about signage? Glenn Smith – There is really none being proposed at this time. Chairman Lara – Probably just signs on the building. Is that allowed Jim? Steve Vegliante – I think it is going to be off-site. Shoshana Mitchell – I think we talked about the billboard there. Glenn Smith – Right and the billboard is advertising one of the businesses on one side and the other business on the other side. But I don't recall the Board's position on that. Shoshana Mitchell – Was there a zoning issue? Jim Carnell – The billboard is permitted in the zone and it is pre-existing, but it is on a state highway so I don't know if it is DOT permitted or not. Glenn Smith – The billboard is within the property line and not in the right-of-way. Jim Carnell – Right, but it would still be DOT permitted because it is within 500 feet of the state road. We don't have any issues with it as far as zoning code goes. Michael Carnell – And the upkeep on it is fairly decent. Glenn Smith – So, that may be the only sign he will need. Helen Budrock – So, the billboards will be used to advertise what is on-site? Glenn Smith – It is advertising the future businesses now. Helen Budrock – Oh, okay. Chairman Lara – Does the Board have any objections to that? Jim Carnell – The only thing I would say is that maybe before final approval, they submit a sign package to the building department for us to review to make sure it is in compliance with square footage to property frontage, directional signs, and things like that. Chairman Lara – Okay.

Matt Sickler – What about lighting? Glenn Smith – I show that on the plans and they will basically be on the building and downward facing. Kristin Boyd – Will you be able to see them from the road? Glenn Smith – I'm sure you will be able to see the lights, but they will not be glaring at the road blinding people.

Helen Budrock – Glenn, did you submit a landscaping plan? I cannot find one. Glenn Smith – I don't think I brought on with me tonight. Helen Budrock – I would just like the chance to look at one. Glenn Smith – I will forward one along. Chairman Lara – And we can make that a condition to the approval as well.

No further questions and comments from the Board.

A motion for NEG DEC was made by Arthur Knapp and second by Kristin Boyd.

All in favor, 0 opposed

A motion to approve the site plan and special use permit, subject to the completion of the SWPP review, review and approval of the lighting/landscaping plan, and the review of the sign package, was made by

Michael Hoyt and second by Arthur Knapp.

### **FAMILY FUN FARM – INDOOR RECREATION BUILDING**

65 Friedman Road, Monticello, NY

Joseph Churgin, Project Attorney

Joseph Churgin – We are back tonight asking for a modification to the site plan. It is not a big modification. We previously got approval to build a 250'x100' building but we are now looking to build a 450'x150' building instead. If you look at the site plan, the location for the proposed building is just south of the go-kart track area. It is staying in the same location as previously approved; it will just be bigger. The building will be for indoor, rainy-day activities. We are looking to put some trampolines, climbing walls, virtual reality machines, a giant swing, a soft play area, and some slides. That way people can still come if it's raining.

Chairman Lara – Has the original building been constructed? Joseph Churgin – No, it has not. Chairman Lara – Okay. Jim Carnell – Just for a little more clarification, the concrete slab for that building was poured and that is actually where the go-kart track is now. With the original approval there was an understanding that if the building was to be built, the go-karts would then be inside of the building. Joseph Churgin – That is not the intention anymore. Jim Carnell – I'm just saying that is what the previous approval was for. At this time, the building has not been constructed, but the foundation is there. Matt Sickler – So, will the new building go over the go-kart track and then extend another 250 feet? Joseph Churgin – No. The go-kart track is right here and there could be a building there, but that is not what we are trying to do. What we are trying to do is, directly to the south of the track, build a new building that will be 450'x150'. Steve Vegliante – Maybe I am looking at the wrong plan, because that is not what my plan shows. Matt Sickler – Yeah, the plan I am looking at says 150'x200'. Joseph Churgin – Okay. But what we are asking for and will submit an application for is a 450'x150' building. Chairman Lara – Okay and the original was 200'x150'. Joseph Churgin – That sounds right. Chairman Lara – Okay, no worries. We are going to send this for a work session so you will be able to figure it all out there. Joel Kohn – I can clarify that for the Board. Chairman Lara – Go ahead Joel. Joel Kohn – The original approval was for 150'x250', which is where the go-kart track is now and like Jim said, they have an approval to put up a building there. And if you remember, they are electric go-karts, and not gas ones, so that they can enclose it. That building has not been built yet and what the owner is now proposing is to have another 200'x150' building, so all together it will be 450'x150'. Ultimately, the new building he is looking to add is 200'x150'. Steve Vegliante – So, will everything be one building now? Joseph Churgin – I think they will be next to each other. Joel Kohn – They could be or they could be one big building. Chairman Lara – We can work out those details in the work session.

Christina Cellini – Will there be bathrooms in the building? Joseph Churgin – I think they would probably be required. Chairman Lara – And potentially some sprinklers and things like that. Joseph Churgin – I don't think we submitted detailed plans like that yet, but we are not going to build a building that is not safe or not compliant with code. Kristin Boyd – Will this additional building increase the capacity of the facility? Joseph Churgin – So, the way I'm going to answer that question is, this addition on its own is not intended to increase the number of people there. I believe they are currently allowed to have 200 people at onetime, and with that being said, we were talking about asking the Board to increase that number to 250. That would be in general, not just to this building. There is just so much space here and we have demonstrated that we have a good track record. Matt Sickler – If I remember correctly, the capacity here is

driven by the size of the septic, so I think you would have to demonstrate to the Board that your septic system can handle more before they can decide on that. Joseph Churgin – Okay. Kristin Boyd – And to add to the things to discuss at the work session, I guess I would want to know if that would then increase the number of buses and parking and thing like that.

Michael Hoyt – Are we up to date with everything from the last go-around? Joseph Churgin – With the approval of the bike path modifications, there were some conditions added. At this time the bike path nor the marri-go-round has been installed. So, the conditions that pertain to them cannot be met yet. However, the other things have been done and we can demonstrate that. You wanted the walking path closest to Hidden Ridge closed and we did that, so you shouldn't hear any complaints from that. As for the shed that had to be moved, it has not been moved yet, but it will have to be moved anyway when the bike path goes in. So, that will be done and I believe we can supply proof of DOH approvals as part of this application.

Chairman Lara – You don't have to open the map back up, but the location that this would be going is away from the Hidden Ridge Development, right? Joseph Churgin – Yes. It is not even close and is on the other side of the site.

Chairman Lara – The Board discussed this a little prior to the meeting and there was a general consensus that we would engage our Planner and refer this project for a work session to hash out all of the details, but first I want to make sure the Board does not have any more questions.

No further questions or comments from the Board.

A motion to engage the Consulting Town Planner for this project was made by Michael Hoyt and second by Arthur Knapp.

All in favor, 0 opposed

Chairman Lara – Just reach out to Laura in the building department and she will help get a work session set up with our town attorney, engineer, and planner, and the building department. This way you guys can kind of work out all of the kinks and when you can back you will have a more solid plan. Joseph Churgin – Okay.

#### **CATSKILL HOSPITALITY – APARTMENT BUILDING**

29 Golden Ridge Road, Monticello, NY

Gavin Vuillaume, Project Engineer

Brijesh Patel, Applicant

Gavin Vuillaume – I have brought with me tonight a board version of the plans and some 11x17's, in color, to hand out as well. Chairman Lara – This Board is a sucker for color. Gavin Vuillaume – Most Boards are. This here is a new proposed project and I think most of you are familiar with the property; It is the hotel on Golden Ridge Road that is right next to ShopRite. I believe the total average there is about 6.5 acres and obviously the hotel is already built, which you can see up at the top of the drawing. Pretty much everything



you see in color is what we are calling the apartment project site. The site does contain two wetland areas, so our biggest concern was to make sure we could get permission to fill in a small section of wetlands. Which we did get from the Army Corp of Engineers. They okayed a small disturbance to the wetland, which will be a wetland crossing and one that will be very close to the building. The disturbance in total is only about .036 of an acre, so not much disturbance. Now that we received that approval and that is behind us, we are coming to this Board to start the site plan approval process. This is just a conceptual plan and will prepare a more detailed plan for our next submission, but we just wanted to make sure the Board was cool with everything first. Again, the proposed building will be situated right adjacent to the southern part of the parking area. Then there would be one entrance we are proposing from Golden Ridge Road and a second connection from the hotel. That is really just for connectivity and accessibility for emergency vehicles. Also, if there is an over flow in parking at one building, or the other, for any reason, they would be able to use the other parking lot. This plan doesn't show it, but there is a sidewalk on Golden Ridge Road and we will be connecting to as well. We don't have too many details on that yet, but that is something we will be working on so that people can also walk back and forth between the two.

Michael Hoyt – What size units are you looking at have? Brijesh Patel – Two to three bedrooms. But probably a mix. Chairman Lara – Will it only be for your employees? Brijesh Patel – No. We will be looking to fill the building. Chairman Lara – Okay. Brijesh Patel – But I know the parking for that is a little tough. Gavin Vuillaume – We have 60 parking spaces. Brijesh Patel – So, we are looking to go in two possible directions; an apartment building or maybe a boutique hotel. But we will tell the Board when we figure that out. Chairman Lara – So, you are not sure if this is going to be a hotel or an apartment building yet? Brijesh Patel – Right. Chairman Lara – Okay, okay. That will obviously make a difference on a lot of things. I'm assuming engineering being one of them? Matt Sickler – Yes. The number of apartments or rooms will affect the engineering and then there are things like will it be long-term or short-term stays, affecting how many times a week a garbage truck will need to come in and out, and things like that. Chairman Lara – Okay. Hellen Budrock – If I could just add, quality rental apartments are something that there is a desperate need for. Brijesh Patel – Okay. Chairman Lara - I just want to say that I was recently at a conference at the Casino and a lot of people attending were staying at your hotel and they were raving about it. So, I can see why you would want to do a boutique hotel, but on the other hand good housing is desperately needed, especially in this area. But obviously that choice would be yours to make. Shoshana Mitchell – I know there is also a need for summer apartments for people who just come up for the summer to work. That is something we hear a lot. Chairman Lara – So, we will give you our comments, but really it falls on you guys to dial into what you really want. We could send you for a work session at this point, but I think it would be more beneficial for everyone, if you guys figure out exactly what route you will be taking first. That way you won't essentially be reviewing two different projects.

Matt Sickler – Mike Messenger did call me about this project prior to the meeting and the water service that they show here along the front is alright, but he said there is no sewer in the road there. Gavin Vuillaume – Yeah, that was our mistake. The sewer actually runs through the property and not in the front there. Matt Sickler – Right and Mike said it will have to go back to the pump station there, so we will need to take a look at the capacity of that and make sure nothing has to be done as far as improvements go. Gavin Vuillaume – Okay. Chairman Lara – But your intension is to hook into that pump station, right? Gavin Vuillaume – Yes. Matt Sickler – Okay, so once you know whether these will be apartments or rooms, we can get a more accurate flow count to see what kind of impact this will have on the pumpstation. Gavin Vuillaume – Okay. Hellen Budrock – Matt, is the Kiamesha Springs? Matt Sickler – It may be the Anawana sewer district. I think it is Route 42 water and Anawana sewer. Hellen Budrock – Okay. So, do we need to worry about water supply? Isn't there an ongoing issue with the Kiamesha Springs water company? Matt Sickler – Right, so that will also need to be approved to make sure the district can provide the water. Gavin

Vuillaume – Okay.

Gavin Vuillaume – So, that's about as far as the plan goes and our presentation for tonight. We don't have any building elevations yet because we are still looking into the style of the building. We were originally looking at four stories, but it could be five. I believe both of the possible uses are permitted within the zoning district, but I am not sure about the height requirements. Chairman Lara – Jim or his department can help with that. Gavin Vuillaume – Okay. Helen Budrock – I pulled up the zoning code for the HC-2 district and the height restriction appears to be the same for both uses; 35 feet. So, you will probably need to go for a variance if you are looking to do four or five stories. Also, there is a difference in the minimum lot area required for a hotel vs. a multifamily building and you would need at least 10 acres for a multifamily building, so if you go that route, you will need a variance for that as well. Gavin Vuillaume – Okay and I did see that. I think we have enough acreage for a hotel, but not the apartment building. Helen Budrock – Well, it is one acre and then another 2,000 sq. ft. per unit, so you would have to do the calculations for that once you have the number of units. Gavin Vuillaume – Okay. So, either use will require a variance? Helen Budrock – Potentially and another thing you may want to look into as well, is the lot coverage. Gavin Vuillaume – Okay. Helen Budrock – In Thompson, it only goes by the footprint, so I'm not sure if that was calculated right. Gavin Vuillaume – I didn't realize that and I calculated it by all impervious, so we are way above that. Jim Carnell – And the wetlands should be deducted. Gavin Vuillaume – Okay. Helen Budrock – I would just revisit that and check the calculations. Gavin Vuillaume – We will and if it is just the building footprint, I am sure we are more than fine there.

Kristn Boyd – Are there any recreation requirements for apartment buildings? Jim Carnell – I don't know that there is a requirement in our code, but I know that is something the Board has expressed and required other developers to do. Whether it is internal, like a pool or a gym, or something outside. Chairman Lara – Okay. That is something we will look into on our end. Kristin Boyd – Maybe that is something else you can discuss at the work session.

No further questions or comments from the Board.

Chairman Lara – Okay, so we will engage our Planner tonight, so that when you guys are ready, everything will be in order for a work session.

A motion to engage the Consulting Town Planner for this project was made by Arthur Knapp and second by Michael Hoyt.

All in favor, 0 opposed

Brijesh Patel – Are we allowed to start clearing the land? Chairman Lara – No. Jim Carnell – Not unless you can come up with a construction cost, that would get reviewed and approved by our town engineer, and then post a bond for that amount. The bond is held in escrow for any restorations that may become necessary. It is actually part of our town code and you were required to do the same thing last time with the existing hotel. Brijesh Patel – I remember. Jim Carnell – So, once you can provide a cost estimate for the clearing, the building itself, parking, the sewer/water infrastructure, and other things like that, you can submit that to the town engineer for his approval and then post the bond. Brijesh Patel – Okay. Chairman Lara – And you can always go in and meet with Jim to go over everything again if you need. Helen Budrock – Are the wetlands already flagged? Gavin Vuillaume – Yes and we got approval for disturbance. Shoshana

Mitchell – Won't you have to go back to them if you do anything additional or make any changes? I think you will have to resubmit everything to the Army Corp again. Jim Carnell – We also have to look at it from a SEQRA view. Do you want to allow them to clear before you know if there will be a NEG DEC issued or if you declare Lead Agency? Chairman Lara – So, I think what we are saying is it is a little premature at this time. Jim Carnell – Right. Chairman Lara – Okay. Steve Vegliante – Plus it sounds like it is going to be a massive bond regardless of which direction you chose to go, so you may want to hold off until you are a little further along in the design and approval process. Gavin Vuillaume – Okay.

## **ESTATES AT ROCK HILL – SECTION B**

North Emerald Drive & Treasure Lake Road, Rock Hill, NY

Richard Steinberg, Project Attorney

Michael Hoyt was recused.

Kathleen Lara – Good evening Mr. Steinberg. Obviously, there are a lot of people here for this project tonight, so let's start from the beginning. Richard Steinberg – This is actually a whole new submission. Steve Vegliante – With the entire parent parcel, right? Richard Steinberg – That is correct. That is what you asked for, so that is what we did. Chairman Lara – So tell us what's going on. Richard Steinberg – This basically a whole new submission where we are proposing to put townhouses on one piece of the parcel and subdivide the other side into separate lots. Chairman Lara – And that is the entire parcel? Richard Steinberg – Correct. Chairman Lara – And how many townhouses? Richard Steinberg – I believe it is 67 townhouses and 4 new lots. Chairman Lara – We are going to refer this project for a work session so don't worry if you don't have all of the details now. Richard Steinberg – Okay and I believe we reduced the subdivision to only 4 lots for water and sewer reasons. Chairman Lara – Okay because that was going to be my next question. Matt Sickler – This plan shows 4 individual single-family lots who all have driveways off of Treasure Lake Road and it looks like the water and sewer access will come off of North Emerald or Westfield Court. Richard Steinberg – Both of them. Matt Sickler – Then the remaining acreage will be on the other side of Treasure Lake Road and that will be the townhouses. Richard Steinberg – That is correct and the water and sewer for that will come off of North Emerald. Matt Sickler – Okay. Chairman Lara – Helen? Helen Budrock – I think you will have to re-engage me since this is a new submission and I will take a look at the new plan in its entirety and get you some review comments. Chairman Lara – Okay. Matt Sickler – I have one last comment, the remainder of the property, to the east of Treasure Lake Road, that you have labeled as "Proposed Community Park" looks to be part of the townhouses. Would that be park recreation area for use by the townhouse portion of the project? Richard Steinberg – Yes and it is included in the acreage for the density of the townhouses. Matt Sickler – Okay. Shoshana Mitchell – Will it be only for people in the townhouses? Richard Steinberg – That I'm not sure of and would really be up to the Board. Shoshana Mitchell – I think when we discussed it in the past, we talked about leaving it open for everyone. Richard Steinberg – We would have no objections to that. Shoshana – Okay. It's just something to think about. Chairman Lara – Will the townhouses be condo ownership? Richard Steinberg – They will be fee simple. Chairman Lara – Okay. Richard Steinberg – Same as the ones on Westfield Court; separate tax lots. Chairman Lara – And will these be constructed similar to the ones on Westfield Court? Just for a visual. Richard Steinberg – Those are nice townhouses, so maybe. Maybe higher end. Helen Budrock – Can you submit a full plan set so that everything is in one document. Right now, the newest site plan I see in the Drive states to reference previous, separate site plan pages. Chairman Lara – This way we can clean it up a little and not have to reference previous site plans since this is a new application. Richard Steinberg – Okay. Helen Budrock – And the other thing would be a new EAF. I don't see that one was submitted unless

I am missing it. Also, I would prefer to see a long form and the townhouse project will probably require one. Richard Steinberg Okay and we have to setup a new work session? Chairman Lara – Only because this is a new application and somethings are being changed. This way all of the town’s consultants and your team can sit down together and iron everything out. So that when you come back to us, you will have a more precise plan and you will be able to answer all of our questions. Matt Sickler – And when we schedule the work session, we should make sure Mike Messenger can be there. Chairman Lara – I agree.

Steve Vegliante – Since there is a lot of public here tonight, I just want to go over what I am hearing from the Board. You want the applicant to a work session to meet with our consultants to kind of define the plans so that when there is a public hearing the public and the Board will be able to understand exactly what is being proposed. And at the time of the public hearing, the public will have every opportunity to comment on this project; it’s just not developed enough at this time. Chairman Lara – Correct. Richard Steinberg – This is just in the preliminary stage at this time. Chairman Lara – The Board does appreciate that when we ask you guys to do something, you do. And I am going to ask that you try and stay as open and transparent as possible as this project progresses, that way the community will now what is happening as you move along. I think that will go a long way with the members of the community. Richard Steinberg – Absolutely.

No further questions or comments from the Board.

A motion to engage the Consulting Town Planner for this project was made by Shoshana Mitchell and second by Christina Cellini.

All in favor, 0 opposed

A motion to go into an executive session at 8:22 p.m. for potential litigation was made by Michael Hoyt and second by Kristin Boyd.

All in favor, 0 opposed

A motion to close the executive session at 8:28 p.m. was made by Arthur Knapp and second by Christina Cellini.

All in favor, 0 opposed

A motion to close the meeting was made by Kristin Boyd and second by Christina Cellini.

All in favor, 0 opposed.

Respectfully submitted,

Laura Eppers, Secretary

DRAFT

DRAFT