

**DRAFT**  
**APPROVED**

**TOWN OF THOMPSON  
PLANNING BOARD  
WEDNESDAY, JANUARY 8, 2014**

**IN ATTENDANCE:** Chairperson Patrice Chester  
Matthew Sush  
Michael Croissant  
Logan Ottino, Building Inspector  
Matt Sickler, Consulting Engineer  
Scott Mace, Town Board Liaison

Absent: Lou Kiefer  
Melinda Meddaugh  
Bobby Mapes, Alternate  
Paula Kay, Attorney

Chairperson Patrice Chester called the meeting to order at 7:00 p.m.

Chairperson Patrice Chester advised the members of the Board and public that at the Public Hearing, there will be a presentation from the applicant and then the hearing will be opened up for public comment.

**VERIA LIFESTYLE MANAGEMENT CENTER - KUTSHER ROAD - S/B/L: 5-1-18.1**

Gary Silver, Esq., Glenn Smith, P.E. and Architect Theodore "Ted" Hammer of Mancini and Duffy

Chairwoman Chester read the Public Notice for Veria Lifestyle Management Center who is seeking to convert the former Kutsher's Hotel to a health and wellness center.

Gary Silver, Esq. provided the Planning Board Secretary with certified mail receipts. Mr. Silver introduced the owner of the property, Subhash Chandra, who has spent a lot of his own time and money to get this completed. This will be a wellness destination resort with 200 guest rooms; 1200 square feet of retail space; an indoor/outdoor pool, spa, museum, golf course, etc., which will be a tremendous asset to the Town. The Planning Board received one letter from Hidden Ridge Homeowners Association. Mr. Silver advised that Veria has already contacted Hidden Ridge and they are satisfied. Paula Kay, Esq. clarified that the letter was concerning potential water and sewer issues. Mr. Silver also advises that Veria is purchasing stock from Crystal Water Company and are awaiting State approval. The Old Liberty Road Sewer - SPDES permit will be done and once property is purchased by Veria, the DEC will transfer permit. Mr. Silver advises that Veria's biggest policy is to be a good neighbor.

Glenn Smith, P.E., thereafter made a visual presentation of the premises. Thirty buildings are being demolished including the old outdoor pool and various storage buildings. Tomorrow is the deadline for contractors to submit bids. The Sewer District has a SPDES permit for 200,000 gallons per day, so there are no sewer upgrade issues. The original entrance will eventually be removed and replaced by a walled-in garden. A new entry will be constructed, but it will not be part of the initial construction. The Applicant may come back in the future for a site plan modification. There is a room for a one hundred foot emergency vehicle turnaround. The existing parking lots will stay and the old tennis courts will be modified for parking. The existing 16.5 acres of impervious areas (driveways, tennis courts, etc.) will be reduced to 10 acres and re-vegetated to help with storm water prevention.

Architect Ted Hammer: He presented more specific landscaping per the Board's request. The important parts to remember is that eventually, a garden and pond will be installed. They will try and retain the major conifer trees and hydrangea bushes presently on the property. New plantings including a walled-in garden will be installed where the main entrance now stands to make a buffer zone between the main buildings and road, which is significant. Old parking lots will be re-vegetated. All plant materials will be native and mature. It will be a good variety with low grasses to accentuate the pond. Mature trees will be brought in as well.

Architect Hammer then presented the first floor which consists of the main drop off and lobby, dining, check in, small retail and new spa. All improvements will be within the footprint of the existing facility or less. They are cutting back the existing pool and dining room. A new pool will be constructed which will be one-third indoor and two-thirds outdoor. A walled-in garden exercise area and gym will be constructed. The existing dining room will be renovated into a lecture hall and conference area. A larger blowup of the entry was shown. The new entrance will face north with as much glass as possible. All existing hotel rooms are being totally renovated, with doubles, queen and king sized rooms available to accommodate families and individuals. The spa area to be constructed will be 37,000 square feet. It will include treatment rooms (including mud and Ayurveda treatments) as well as a solarium facing south to take advantage of sun. Mr. Hammer showed the Board a perspective of the western area of the premises. All materials used will be natural. Large stone walls will be constructed which are meant to give some structure to what is a rather chaotic floor plan. The main building will be a building which takes the environment around it into it. Rooms that face north will be mostly glass with privacy screens, but there will be no problems with sun. Rooms that face south will have solar screens controlled by guests. The lobby space will be multi-story out and built of natural stone, wood and overlooking the pond and golf course. The plan is very much natural in feeling and congruent with the environment. An elevation sketch was shown by Mr. Hammer as well. The buildings will be shielded from the road, but were shown on the sketch to give an idea of how buildings will be laid out on the property.

Melinda Meddaugh asked about occupancy; Glenn Smith advised that there will be 200 rooms. Patrice Chester asked if it will be a mixture of singles and families? Mr. Hammer advised that they anticipate 400 people at one time.

Paula Kay, Esq. asked if there will be buses dropping off guests and if so, is there enough room? Mr. Hammer advised that there will be parking for disabled as well as room for buses. He believes it will be rare, but there will be room under the canopy for buses as well as sufficient room for buses to turn around.

#### PUBLIC COMMENT:

Jerry Bassick of the Hidden Ridge Board of Directors, which is a quarter mile from this development had two concerns. One, since water and sewer plants were owned by Kutsher, is there going to be any change in delivery of water and sewer? Glenn Smith advised that the systems are already in place and are still monitored by the DEC and Water Department and that they are obligated to continue those services. Mr. Bassick asked if there was going to be one individual that they could contact in the event of any problems? Gary Silver advised that says yes, they have already been in

contact with Bonnie, the President of Hidden Ridge and gave her their contact information, including phone numbers and email addresses.

Alan Scott, CEO of the Sullivan County IDA advised the Board that on November 6, 2013, the IDA held a Public Hearing on this Veria project. Both businesses and residents attended and were positive. Additionally, letters of support were submitted by Robert Green, Sullivan County Chamber of Commerce, Monticello Motor Club, Verticon, Sullivan County Community College, Woodstone Companies, Fisher Mears Associates, Schmidt's Wholesale, Bethel Woods, Sullivan Fire Protection Corp., Service Scaffold, Sullivan County Visitor's Association and the Sullivan County Partnership and a copy of the official minutes and letters of support will be left with the Board.

Richard Humleker on behalf of The Center for Discovery advised the Board that the Center is thrilled that this project is going to be between the Harris and Hurleyville campuses of the Center. Mr. Chandra came and spent time at the Center. The Center will be very supportive.

Mark Baez CEO of the Sullivan County Partnership for Economic Development advised that he cannot think of a better example of a sustainable project for our County, since they are using a facility that is at the end of its use and bringing it back to life. This project has been well supported across the board, which is unusual, as not every project gets 100% support.

Roberta Lockwood of the Sullivan County Visitor's Association advises that they are very supportive of this property. The economic health of Sullivan County is dependent on tourism and the Association believes that this project will spark tourism and the economic benefits are vital to the economic health of the County and State.

An unnamed resident asked if Old Liberty Road and Anawana Lake Road are going to be widened to support the traffic. Glenn Smith, P.E. advised that they are both County Roads and there is no proposal to widen at this time. The premises is located on a Town Road, but the traffic will be less with this facility. Less rooms, less traffic.

A motion to close the public hearing was made by Melinda Meddaugh and seconded by Matthew Sush.

3 in favor; 0 opposed

Gary Silver, Esq. thanked the Board for its consideration.

**THE CENTER FOR DISCOVERY - HOLMES ROAD - S/B/L: 7-1-13.3**  
**SOLAR ARRAY PROJECT**

Glenn Smith, P.E. and Dave Rooney of HelioSage

Chairwoman Patrice Chester read the Public Hearing Notice for Site Plan Approval of a 10 Acre Solar Array project of The Center For Discovery.

Glenn Smith advises that Dave Rooney of HelioSage is working on similar project with Sullivan

County Community College; the Town of Fallsburg will be approving the same shortly.

What is being proposed is a 12 acre solar farm, which will provide 25% of the power for buildings on property. Equipment pads and solar panels will be present. None of the electric will be sold offsite or sold to NYSEG. The layout has changed since previously presented; the majority of the panels will be in a wooded area and it will be cleared. There is a small area which will be seen from the highway, but the existing trees will cover most of the panels. The Center wants to keep some visible for promotional purposes, however, there will be trees planted to cover most of the farm.

There are no water and sewer issues. A storm water plan will be done because soil will be disturbed during excavation, but any runoff will be negligible. All runoff water will be captured and used in irrigation ponds presently on site.

Matthew Sush asked what the surface will be on the grey area shown on the plan. Glenn Smith advises that nothing will be done there, because there is between a 15% and 20% grade. Terrain will be grass under each panel. Matt Sush questioned if the Center will plant low maintenance meadow grasses to be mowed once or twice a year. Dave advised that it will be professionally maintained.

Melinda Meddaugh asked about the tree buffer and Patrice Chester asked as to the amount the Center wants to keep visible. Glenn Smith advised that you will see a small area on the right down Old Route 17. Dave says you may be able to see the panels at the highest point.

Bobby Mapes asked if there will be glare from sun. Dave advised that each panel has anti-glare coating. With the height of trees, the glare will not be any different than it would be driving by a lake during the year.

#### PUBLIC COMMENT:

Mark Baez CEO of the Sullivan County Partnership for Economic Development advises that the Partnership supports this project. There is no issue with visibility of panels and applauds the Center trying to bring sustainability to Sullivan County. It will be an interesting aspect of the Town and he would love to bring new people there to show them how we the Center is creating and using sustainable energy. This is a bold and innovative move by the Center and the Partnership supports it 100%.

Steve Vegliante - Supervisor of the Town of Fallsburg thinks this project is excellent. This solar farm is a rare thing to see as property values often prohibit sites like this. What is even more amazing is that this project will provide enough electric for 2000 homes.

A motion to close the public hearing was made by Matthew Sush and seconded by Melinda Meddaugh.

3 in favor; 0 opposed

A motion to accept the December 18, 2013 meeting minutes was made by Matt Sush and seconded by Melinda Meddaugh.

3 in favor; 0 opposed

Chairperson Chester appointed Bobby Mapes as a full member tonight since Vice Chairman Lou Kieger was absent.

**THOMPSON HEIGHTS - COLD SPRING ROAD - S/B/L 29-1-19.1**

George Cronk, Chazen Companies

George Cronk advised that the Applicant is in the process of removing units and grading the site. We will come back to discuss landscaping and site distance on Cold Spring Road. Once everyone is comfortable, we'll re-do the water and sewer issues to avoid additional work. It will be difficult to do both at the same time.

Paula Kay, Esq. advised that the Board asked applicant to provide responses to the County's 239 review and a letter from a town resident, which they did provide.

Melinda Meddaugh questioned George Cronk about what exactly the buildings will be. In his letter it states they are now attached one family dwelling units.

George Cronk responded that it would be family, wall, family. It goes by models and they are side-by-side units, although the plans may state otherwise.

Melinda Meddaugh advised that preliminary approval was for a duplex. George Cronk states that it has been the same all along.

Melinda Meddaugh advised that the plans state a series, that seems to imply as more than two attached units and George Cronk advised that the applicant is proposing attached, one family dwelling units.

Paula Kay, Esq. felt that since the plans say "series" it makes it confusing.

George Cronk advised that series does mean more than one and it is hard to define. Melinda Meddaugh stated that what the applicant is proposing does not come across as a series, it seems more like duplexes.

Paula Kay, Esq. stated that we may want to refer this "series" issue to the ZBA for clarification. Paula looked up the definition of series and noted it as "a number of things, events, or people of a similar kind or related nature coming one after another".

George Cronk stated that he would argue that if you are not defining what a series is, it is open to interpretation and he believes it is okay in this application

Paula Kay, Esq. advised that if there is a question that needs to be interpreted, it is referred to ZBA. Section 250-28(c)(2) of the Zoning Code needs to be interpreted as to the definition of series.

Melinda Meddaugh stated that the point is that duplexes and attached family dwellings are two different terms. The layout is what the difference is.

George Cronk stated that once a series is defined by the ZBA, it might cause difficulty because of neighboring approvals (Cozy Acres is an example). This property will look different if the series issue is interpreted differently for this project.

George Cronk further stated that the density issue was addressed one year ago and his interpretation was that the Planning Board was okay with it. He did not feel that the applicant ever received a message that density was miscalculated and that the applicant has not reached full density.

Melinda Meddaugh advised that the numbers are based off of the old plan. The Town changed their density calculations. Your plan previously expired and was grandfathered in. However, if the applicant is changing from duplexes to multi family units, it may change the density issues.

Logan Ottino advised that the Town Code has a definition for townhouses. Two adjacent would be three units. The State's definition three or more adjacent units.

George Cronk stated that he does not know if you need to have three or more. No matter how long you do the homes, they will all only have one common wall.

Patrice Chester asked Melinda Meddaugh what she would like the applicant to fix on their application and Melinda stated she wanted them to fix it to fit into present code.

Paula Kay, Esq. advised that we have a discrepancy. Do we have an issue with State Code with duplexes as two units as opposed to three? Irregardless of what this Board does, it may be an issue. There is enough of an issue to refer to the ZBA for a definition of townhouse and series. Paula Kay advised the applicant that the Board will send the request to the ZBA and the applicant will be put on the February agenda of the ZBA.

George Cronk asked if the determination changes and the Board wants three or more units, will the applicant need to change the plans to become row housing? Paula Kay advised that they may and suggested the applicant contact the Town Engineer to set up a work session.

**OHEL BARUCH - ANAWANA LAKE ROAD - S/B/L 8-1-41**

Steve Mogel, Esq. and Tim Gottlieb, PE

Steve Mogel, Esq. advised that the Congregation runs a Yeshiva and has a summer campus which is presently run on Anawana Lake Road for over 50 years. Currently there is an application to make a number of extensive renovations and improvements to the existing facilities. The plan is set forth in five separate phases. Tonight, we'll just deal with the first phase. The board should consider this a master plan to be looked over a long period of time. It is in an SR zone.

Tim Gottlieb advised that they are in receipt of the Town Engineer's comments and all were expected. What the applicant would like to do for Phase I is do the classrooms, the addition to synagogue and an addition/extension to the deck off the kitchen and dining hall. It will not involve any updates to water, sewer or storm water management. It will making an improved fire access lane. Phase II will be new mikvah construction. Phase III was classrooms, but the applicant would like to put that into Phase I.

Patrice Chester advised that the Board would like to schedule a Public Hearing to make sure there are no other issues. Tim Gottlieb advised that the applicant would like to schedule a public hearing for the master plan, but just commence work on Phase I.

Logan Ottino advises that there are open building permits and work done without permits. Tim Gottlieb will come see Logan. Buses on Anawana Lake Road is also an issue. There are several accidents each year because buses stop on the Road and drivers cannot see them until it is too late. In addition, the applicant also needs to address parking and buses. Bobby Mapes agreed that it is a dangerous locale even for pedestrians.

Steven Mogel, Esq. advised that the applicant did start using a parking lot with a retaining wall but Matthew Sush advised that they are using it for personal cars only. Logan Ottino also advised that there are still a ton of cars being parked on the road and that there is plenty of room to make a u-trn on the property and get off of the road. Steven Mogel, Esq., advised that the applicant will make this part of the project. They are also addressing the deteriorating buildings on the premises.

Patrice Chester questioned about a garbage compacter and Logan Ottino confirmed that there is one on site. Logan says the biggest issue is cardboard.

Matthew Sush advised that while the applicant has made improvements to the parking issue and it is markedly better, it still needs work. Unfortunately, the road does have wide shoulders which invites cars and buses to park there.

Melinda Meddaugh asked about landscaping and the Board felt it is difficult to do landscaping with the red shale on the premises.

Bobby Mapes stated that when looking at plan, the proposed new entrance appears to be in a more dangerous location down the road. Tim Gottlieb stated the applicant will get a site distance study done. Matthew Sush asked what if the drop-off zone is incorporated within the site? Also, please consider some bus parking as well. They park in other areas nearby which Logan Ottino advised are rented by the applicant. Bobby Mapes felt that there is open space which could be better utilized by the applicant.

A motion to schedule a public hearing for February 26, 2014 was made by Matthew Sush and seconded by Melinda Meddaugh.

5 in favor; 0 opposed

**EXCELLENT BUS SERVICE - BRIDGEVILLE ROAD - S/B/L: 32-2-4**

Glenn Smith, P.E.

Glenn Smith advised that on July 1, 2013 a special use permit was approved and the applicant is looking to renew the permit. Patrice Chester stated that the Board would like to hold a public hearing to ensure that there were no other issues, since this is their first year of being in business at this location. They must advise adjoining owners. They did remove fuel tank and clear up debris. Glenn Smith confirmed that there are no significant outstanding issues at this time and Logan Ottino confirmed the same. Logan further advised that one complaint she has received is that they were going through Bridgeville because exit near site was closed.

A motion to schedule a public hearing for February 12, 2014 was made by Matthew Sush and seconded by Melinda Meddaugh.

5 in favor; 0 opposed

**PINE TREE - ROUTE 42 - S/B/L: 29-1-2**

Timothy Gottlieb and Joel Kohn

The Board confirmed that the application does comply with NYS Code and there are no concerns. A negative declaration motion under SEQRA was made by Melinda Meddaugh and seconded by Matthew Sush.

5 in favor; 0 opposed

A motion for site plan approval was made by Melinda Meddaugh and seconded by Matthew Sush.

5 in favor; 0 opposed

**EPR/CONCORD - CONCORD ROAD - S/B/L: 9-1-35**

Steven Vegliante, Esq.

Steven Vegliante, Esq., advised that the applicant wants an extension of their prior approvals. There is no special use permit. The applications to both the NYS DEC and Army Corps. of Engineers are submitted and moving along. The demolition permits are close to being done and asbestos testing has also been done. As soon as the applicant gets the permits they will be ready to move. They are working diligently and moving forward. Matthew Sush stated that although nothing has been decided by the State about where gambling sites are going to be, regardless of what happens, will the applicant still move forward? Steve confirmed they will be and if this is not a gambling site, the applicant will make application to amend the site plan. Regardless Empire will move forward whether or not gaming is passed.

Motion for six month extension was made by Melinda Meddaugh and seconded by Matthew Sush.

5 in favor; 0 opposed

A motion to adjourn the meeting at 8:25 p.m. was made by Melinda Meddaugh.

Respectfully submitted,

Kathleen Brawley  
Planning Board Secretary