

APPROVED

**TOWN OF THOMPSON
PLANNING BOARD
WEDNESDAY, FEBRUARY 26, 2014**

IN ATTENDANCE: Chairperson Patrice Chester Lou Kiefer
Matthew Sush Melinda Meddaugh
Bobby Mapes, Alternate Absent: Michael Croissant
Absent: James Barnicle, Alternate Paula Elaine Kay, Attorney
Absent: Logan Ottino, Building Matt Sickler, Consulting Engineer
Inspector Scott Mace, Town Board Liaison
Kathleen Brawley, Secretary

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

PUBLIC HEARING:

CONGREGATION KHAL ADATH KRASNA, INC. - 203 Anawana Lake Rd. - S/B/L: 8-1-41
Timothy Gottlieb, P.E. and Steven Mogel, Esq.

Chairperson Chester read the Notice of Public Hearing to the audience.

Mr. Gottlieb provided the Secretary with proof of mailing.

Mr. Gottlieb advised the Board that the applicant is looking for the site plan approval for five different phases including Phase I: the construction of a new synagogue, 5 decks, 5 classrooms, construction of a deck off the lunchroom; Phase II: construction of a new mikvah and 2 dwelling units; Phase III: construction of new classrooms and parking lot area; Phase IV: constructing a new building; and Phase V: construct 5 new duplexes. Ultimately, the applicant will increase dwelling units from 39 to 44 and the applicant is aware that they will have to update water and sewer systems to accommodate the new buildings.

The Board had no comments.

Roy Scandora, an adjoining landowner on the upper part of the property wanted to know how close the buildings are going to be to the property line. Mr. Gottlieb confirmed that the buildings will be approximately 75 to 80 feet from the lot line. Mr. Scandora is concerned that they will be constructed near the logging road and that there one was building previously constructed on the logging road. Chairperson Chester asked Mr. Scandora if the road was on his property and Mr. Scandora advised that he has a deeded right-of-way to go up and down the logging road. Mr. Scandora had to hire an attorney last time to stop the applicant from building on the road and would like to avoid doing that again. Attorney Paula Kay suggested that Mr. Scandora provide a copy of the deeded right-of-way to the Board. Lou Kiefer noted that it looks like there are buildings right on the logging road and Mr. Scandora confirmed the same. Attorney Paula Kay ensured Mr. Scandora

that the Board will deal with the applicant to ensure that Mr. Scandora's right-of-way is not blocked once the Board is in receipt of proof of the right-of-way from Mr. Scandora.

Ed Bracher, a resident of Patio Homes, asked if all of the proposed buildings will be staying on the side of the road where the Camp presently is and Mr. Gottlieb confirmed that they will. Mr. Bracher advised the Board that there is garbage is everywhere, all up and down the road from the applicant's premises and that is one thing he has against the premises getting any bigger. Mr. Bracher also had concerns about bus and car parking along the road. Chairperson Chester asked Mr. Gottlieb where the new bus parking will be and Mr. Gottlieb advised that all parking will remain where it is until the applicant reaches that phase of construction.

A motion to close the public hearing was made by Lou Kiefer, seconded by Melinda Meddaugh.
5 in favor, 0 opposed

Chairperson Chester appointed Bobby Mapes as a full member this evening in Michael Croissant's absence.

A motion for the Board to go into executive session at 7:12 p.m. was made by Matthew Sush, seconded by Lou Kiefer
5 in favor, 0 opposed

A motion for the Board to return to its regular meeting at 7:22 p.m. was made by Matthew Sush, seconded by Melinda Meddaugh
5 in favor, 0 opposed

The Board noted that the following changes should be made to the February 12, 2014 meeting minutes: 1) Second page; sixth sentence should read closes down for "winter" (not summer); 2) On the fourth page at the very top, the motion should read that it is to approve the meeting minutes; 3) Page 9, last paragraph should read "landscaping and tree coverage"; and 4) it should be noted that Melinda Meddaugh recused herself from the Appel application. A motion to accept the February 12, 2014 meeting minutes with the revisions noted above was made by Lou Kiefer, seconded by Melinda Meddaugh
5 in favor, 0 opposed

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

Glenn Smith, P.E.

Mr. Smith brought site plans to refresh members' memory. The applicant applied for and received a special use permit last year; we recently had a public hearing on February 12, 2014. There were some comments from Town Engineer including that the applicant should plant some additional low shrubs around the exit. Mr. Smith thinks this may be a problem as the County Road boundary is close; his thought is that we wait for the snow to melt and see how much space they have then.

Melinda Medddaugh advised Mr. Smith that there is a bed built up already that she would like to see finished.

With respect to the Town Engineer's comments, Mr. Smith advised that the sign will be installed before the summer. A garbage Dumpster will be installed prior to the summer season. Also, the renovation of the former house/office needs to be completed, including the bathrooms, so the applicant does not need to use "port-a-johns". Mr. Smith advises that the Building Department has had the applicant's building permit application since the fall and they have not received permit yet.

Mr. Smith will note on plans that "On completion of Route 17/I-86 and exit and entrance ramps are re-opened, buses shall discontinue use of Bridgeville Road."

Melinda Medddaugh suggested the applicant do some landscaping around the sign to be installed.

Mr. Smith advised the Board that the applicants want to know if they have to come back annually for the special use permit or if the can Board supercede their previous ruling of having the applicant come back every year for an extension. They want a longer time between coming before the Board for extensions. Chairperson Chester advised Mr. Smith that the applicant would not have to come back before the Board.

Chairperson Chester asked for a motion for negative declaration motion under SEQRA and a motion was made by Lou Kiefer and seconded by Matthew Sush.
5 in favor, 0 opposed.

A motion for Site Plan approval was made by Lou Kiefer and seconded by Melinda Medddaugh .
5 in favor, 0 opposed.

Chairperson Chester advised Mr. Smith that the Board was concerned about the applicant's buses traveling on Bridgeville Road. Attorney Paula Kay further advised Mr. Smith that if the applicant continues to use Bridgeville Road once the bridge and exits are opened, they will be brought back before the Board.

A motion for the issuance of a permanent special use permit was made by Lou Kiefer and seconded by Melinda Medddaugh .
5 in favor, 0 opposed.

THOMPSON STATION, INC. 4058 ROUTE 42 NORTH - S/B/L: 13-3-40.1

John Cappello, Esq., Steve Alex, Chazen Companies

Attorney Paula Kay asked that Mr. Cappello confirm that his client is Thompson Station, Inc., who currently owns Thompson Square Mall and Mr. Cappello confirmed the same.

Chairperson Chester asked for the applicant's proposal. Mr. Alex advised that the mall is currently on a 26 acre lot. They would like to subdivide to give Home Depot a 9.68 acre parcel. The remaining lands will stay with Thompson Station, Inc. The ingress/egress for the mall will remain part of the Home Depot parcel. The applicant will need a side yard variance for the Staples building; the garden area as currently used by Home Depot runs very close to the Staples building.

Mr. Cappello advised the Board that Home Depot will retain ownership of the access road and the applicant may need an area variance for use of the access road. No new construction is proposed. There are easements between the tenants already. This application really stems from an ownership issue. The mall ownership had an agreement with Home Depot to eventually own their own lot and essentially, the community will not see any difference. This is in lieu of having a lease and this is not an uncommon practice in shopping centers to have this type of arrangement.

Mr. Alex advised the Board that the reciprocal agreement already in place has provisions for utilities, parking, etc.

Mr. Cappello advised the Board that the applicant will work with Town Attorney and Town Engineer to ensure that everyone is operating the same and working together.

Bobby Mapes asked Mr. Cappello if Home Depot could purchase 25 feet from Staples to save time and trouble and to further along their application? Mr. Cappello advised that when it was built, there was no lot line and the side yard setback was not required. Consulting Engineer Matt Sicker asked Mr. Cappello if the garden area was installed where it was to satisfy Home Depot's requirements to build and Mr. Cappello confirmed that it had.

Chairperson Chester asked for a motion for deny the instant application to send it to the ZBA and a motion was made by Matthew Sush and seconded by Lou Kiefer.
5 in favor, 0 opposed.

Mr. Cappello advised the Board that they were in receipt of the Town Engineer's comments and they think it is best to meet with the Town Engineer on-site. They see nothing objectionable with the Town Engineer's comments, however, they have time constraints and would like to be placed on the Zoning Board of Appeals' agenda for March 11, 2014. Attorney Paula Kay advised Mr. Cappello that if he could get the application to the Town tomorrow, we can get it published in time for the ZBA's March 11, 2014 meeting.

CONCORD (CAPPELLI) - CONCORD ROAD

Kevin McManus, P.E.

Mr. McManus reminded the Board that at the last meeting, there was discussion about holding off on making a decision with respect to this application until we figured out about what happens with the harness track under the new State law. Attorney Paula Kay advised the Board that she did

research the issue; however, it is inconclusive, so she sees no issue with the Board giving the applicant the requested extension. Ms. Kay confirmed with Mr. McManus that the applicant will not be doing any site work or relocation of fill to or from the Harness Track portion of the site plan unless they are actually building on the other parcel. Mr. McManus advised the Board that there may be some soil moved due to environmental issues. The applicant still has the gas station clean up to do.

A motion to extend the applicant's site plan approval for an additional six month period was made by Lou Kiefer and seconded by Melinda Ketcham.

5 in favor; 0 opposed

A motion to adjourn the meeting at 7:41 p.m. was made by Lou Kiefer, seconded by Bobby Mapes.
5 in favor, 0 opposed.

Respectfully submitted,

Kathleen Brawley, Secretary
Town of Thompson Planning Board