

DRAFT

APPROVED

**TOWN OF THOMPSON
PLANNING BOARD
WEDNESDAY, MARCH 12, 2014**

IN ATTENDANCE: Chairperson Patrice Chester
Matthew Sush
Paula Elaine Kay, Attorney
Matt Sickler, Consulting Engineer
Councilman Scott Mace

Lou Kiefer
Bobby Mapes, Alternate
Eric Horton, Building Dept.
Kathleen Brawley, Secretary

Absent: Melinda Meddaugh, Michael Croissant, James Barnicle (alternate)

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

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

Bobby Mapes advised with respect to the February 26, 2014 meeting minutes relating to the application of Thompson Station, Inc., he wanted to clarify that he was asking if the applicant could purchase 25 feet from Staples in order to further along their application and save time and trouble.

Additionally, Attorney Paula Kay advised the Board that the ZBA application of Thompson Station, Inc. was approved last night.

A motion to accept the February 26, 2014 meeting minutes with the revisions noted by Bobby Mapes above was made by Lou Kiefer and seconded by Matt Sush.
4 in favor, 0 opposed

CONCORD/EPR - CONCORD RD. - S/B/L: 13-3-5

George C.D. Duke, Esq. and Michael A. Fogel, Esq.

George Duke, Esq. speaking on behalf of MRMI, the co-applicants on the proposed application to amend the currently approved Phase 1 site plan of EPR.

Also present with Mr. Duke was Nanette Bourne, P.E. (AKRF), Helen Mauch, Esq. for EPR, Steven Vegliante, Esq. for EPR, and Nathan Tuttle, Architect from JCJ Architecture.

Mr. Duke advised that the purpose of their appearance before the Board this evening is twofold: one, to give a heads up of their anticipated application and to give the Board a little information on what they plan to do. They also thought it was wise to bring new Board members who may not have gone through the entire approval process, up to speed on their application.

Mr. Duke advised that the anticipated submission does nothing to invalidate current approvals from July 2013. At that time, Phase 1 was approved for a harness track, hotel and casino. The upcoming application will be for minor technical amendments to the previously approved site plan. Right now they are poised as the premier site for gaming because of their status of current approvals with the Town. The purpose of these new technical amendments is to enhance the approval so it becomes a more optimal site to the gaming commission and its siting committee.

In 2012 an application was initially submitted for the EPR/Concord project in the PRD zone. The action was reviewed by the Town Board with the Planning Board as an involved agency. A new comprehensive development plan for the resort was done, which was reviewed generally under a GEIS. In addition, the Phase 1 component was reviewed under SEQRA under an FEIS and that process continued thru 2012. The applicants received approval in January 2013. Environmental impacts were reviewed both comprehensively for the resort, but also specifically for Phase 1 in the FEIS itself. The Town Board adopted those findings on February 15, 2013.

Mr. Duke further advised that EPR and MRMI are co-applicants. EPR is the master developer. EPR and MRMI submitted an application to the Planning Board for a subdivision and preliminary site plan approval. As a pre-condition to those approvals, the Planning Board reviewed the Town Board's finding statement and ratified the statement with their own findings in 2013. After that the applicants received final site plan approval in July 2013. It is that final site plan approval that puts the applicant in the forefront of the Gaming Commission's siting committee.

Bobby Mapes noted that it was his understanding that the site plan approval was made irregardless of any casino gaming. He also understands that the applicant wants to move forward and hopefully get accepted for a casino, but what happens if that does not happen? What would change? Would the applicant stay with the present application or revert back to the July 2013 approvals? Mr. Duke advised that if the applicants are not issued the gaming license, a racetrack, rasino and hotel are currently approved. The company has always undertaken that they will continue to build regardless of the State's decision on gaming. Honestly, it [what they will build] is what is attractive to financing. The modifications proposed today, will not substantively change the prior approvals, they will just make the premises more attractive for gaming approvals. Either way, with what is approved or will be approved, they are not substantively too different.

Nathan Tuttle, Architect from JCJ Architecture presented two plans to the Board reflecting the new proposed modifications. There is not too much affecting the site plan. There is a small expansion to the gaming area. The half-mile track and paddock are the same. Attorney Paula Kay noted that it appears that the only physical change looks to be the small bump out near the gaming area and Mr. Tuttle confirmed the same.

Mr. Tuttle then presented enhanced floor plans. The gaming expansion was shown again. The floor plan was modified for enhanced gaming and to add more restaurants which are adjacent to the entertainment development. In substance, the applicants do not propose any major expansion to the site plan other than what is proposed to the casino.

Mr. Tuttle ten presented elevations. The applicants were approved for a 9 story tower which includes 8 floors of hotel rooms. The new, enhanced plan includes three floors of base (restaurants, meeting rooms, offices, pool and spa), 13 levels of hotel rooms and a 14th level penthouse. Chairperson Chester asked how many rooms the applicants are proposing and Mr. Tuttle advised they are requesting an expansion from 248 rooms to 391 rooms and the building will be a total of 17 stories.

Mr. Tuttle showed a plan for the entrance and advised that shown nothing has changed to the overall entry level porte-cochère.

Nanette Bourne, P.E., advised the Board that all you will see is the bump out in the gaming area, however, there will be some grading changes because parking will be underneath.

Lou Kiefer noted that he likes the look of the new building.

Mr. Duke advised that the 17 story building as proposed is under zoning code requirements and the comprehensive development plan.

Chairperson Chester asked if the Board has to update the environmental review and Mr. Duke advised that they did. Ms. Bourne advised that the environmental impact really is “two in one”: overall impact and the specific impact to Phase 1. All of the information and analysis previously obtained will be used to do the modifications requested. The applicants will get a memorandum to reflect that the applicants are in compliance, that there are no adverse environmental impacts and that all planned mitigation will be continued. There is no need to re-start the SEQRA process. The applicants will just build on the data already provided. Attorney Paula Kay advised the applicants that the Town has retained Bob Geneslaw, and that a traffic control expert as well as the Town Engineer will also be involved.

Ms. Bourne advised that the applicants will revise the traffic study using the proposed additional rooms to reflect that the proposed road systems are still adequate to handle traffic.

Matthew Sush asked if anything will need to be addressed for the new facade for lighting, glare, etc. for people driving in, even from some distance away? Ms. Bourne advised that the applicants will adjust the visual impacts which were previously provided and reflect how it will change from the initial vistas. The applicants will take sun glare into consideration. The new plan does impact bird strikes.

Steven Vegliante, Esq. advised the Board that the curtain glass is designed to look shiny, but be less of a nuisance and Mr. Vegliante confirmed the same with Mr. Tuttle. Mr. Tuttle advised that there is glare with any glass surface, however, this will not be highly reflective glass.

Bobby Mapes asked if the applicants are almost doubling the size of the approved building, how does that affect water, sewer, etc. Attorney Paula Kay advised that it was all reviewed in the general

environmental impact statement, which was based on a larger footprint than this.

Ms. Bourne advised that there is adequate water and sewer and the applicants will do the necessary work to confirm the same.

Helen Mauch, Esq. advised the Board that the applicants are committed to developing a world class destination resort on this site. They have spent over two hundred million dollars and worked for the past three years to get approvals. The applicants really appreciate the Board working to facilitate this minor amendment and want the Board to know they will be coming in soon with a Phase 2 site plan for golf course modifications and adding a water park to this resort. The general environmental impact statement which has been reviewed and accepted did look at the golf course and water park generically. The applicants will work to ensure it covers what is proposed. As Mr. Duke mentioned, it is important that EPR and MRMI be the forerunners. Part of that is this minor amendment but also for Phase 2 to make the location a complete resort destination.

Attorney Paula Kay asked if the water park will have a hotel and Ms. Mauch confirmed it would. Attorney Paula Kay asked if they would get their application in before June and Ms. Mauch indicated that yes, that will be our goal.

Mr. Vegliante advised the Board that while these applications have been phased over a number of years, you will actually start to see the build-out of the entire parcel. These are major chunks of the CDP which were theory a year ago and are now becoming reality.

Ms. Bourne advised the Board that the applicants are dedicated to continuing with the applications. They are working with Army Corps of Engineers and the County of Sullivan for all necessary permits.

Mr. Duke advised that the applicants will work with the Board to get this approved and asked that the Board expedite its review so we can have approvals to enhance our application with the State Gaming Commission.

Also, Mr. Duke advised the Board that the DEIS is not currently on the Town's website. Attorney Paula Kay will look into that.

FOREST PARK - 372 ANAWANA LAKE ROAD - S/B/L: 9-1-67

Randy Wasson, P.E.

Mr. Wasson advised that the applicant wants to add decks to some of the homes which are parallel to the roadway. We have shown the various configurations on the plan. The decks are open, with no roof and no stairs.

Matt Sickler noted that Unit 36 will be an addition, which Mr. Wasson confirmed.

Lou Kiefer noted that all entrances to decks will be from inside the house. Bobby Mapes asked how that complies with fire code? Matthew Sush asked if there are secondary exits to the home and Mr. Wasson advised that there is upstairs egress on the back side of the house and downstairs, there is egress on the parking end of the house.

Matt Sickler asked if there are any conflicts with water and sewer and Mr. Wasson advised that the piers will be 5 or 6 feet away from the existing water and sewer line.

Matt Sickler advised Mr. Wasson that the Town Engineer wants the applicant to provide an updated set of plans to the Board which reflects all of these changes. Mr. Wasson confirmed that he will do that.

Lou Kiefer asked for the dimensions of the addition on Unit 36. Mr. Wasson advised it will be 12 feet by 13 feet.

There were no comments from Board.

Chairperson Chester asked for a motion for negative declaration motion under SEQRA and a motion was made by Matthew Sush and seconded by Lou Kiefer.

4 in favor, 0 opposed.

A motion for Site Plan approval was made by Matthew Sush and seconded by Lou Kiefer.

4 in favor, 0 opposed.

IROQUOIS SPRINGS - BOWERS ROAD - S/B/L: 33-1-1.1

Glenn Smith, P.E.

Mr. Smith advised that the applicant wants to put a 24 foot addition onto the building. Water and sewer are not impacted. There is sufficient emergency access and is shown on the plan. The Applicant may add wood siding to pavilion to keep rain out. This is basically to add to the gymnastics building and it is located way in the back of the property.

Chairperson Chester asked for a motion for negative declaration motion under SEQRA and a motion was made by Matthew Sush and seconded by Lou Kiefer.

4 in favor, 0 opposed.

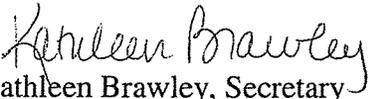
A motion for Site Plan approval was made by Bobby Mapes and seconded by Matthew Sush.

4 in favor, 0 opposed.

A motion to adjourn the meeting at 7:40 p.m. was made by Bobby Mapes and seconded by Matthew Sush.

4 in favor, 0 opposed.

Respectfully submitted,


Kathleen Brawley, Secretary
Town of Thompson Planning Board