

APPROVED

**TOWN OF THOMPSON
PLANNING BOARD
TUESDAY, September 23, 2014**

IN ATTENDANCE: Acting Chairperson Lou Kiefer
Michael Croissant
Kathleen Brawley, Secretary
Richard McGoey, Consulting Engineer
Matthew Sush
Melinda Meddaugh
Paula Elaine Kay, Attorney
Logan Ottino, Building Dept.

Absent: Chairperson Patrice Chester, Bobby Mapes (alternate) and James Barnicle (alternate)

Acting Chairperson Kiefer called the meeting to order at 7:00 p.m.

PUBLIC HEARING - CENTER FOR DISCOVERY APPLEBEE FARM RESIDENCE
Old Liberty Road, Monticello, NY 12701 - S/B/L: 2-1-12.2

Glenn Smith, P.E. and David Fanslau

Melinda Meddaugh and Matthew Sush recused themselves from this application.

Proof of mailing was submitted to the Secretary.

There were no comments from the public.

Glenn Smith advised that this is a proposed farmstead house on Old Liberty Road. This is a 129 acre lot owned by the Center for Discovery which was formerly known as the Deitsch Dairy Farm. It is now vacant land other than a new barn constructed by the Center for Discovery. They are proposing to construct a four bed residence for the residents of the Center together with staff on site 24 hours a day in different shifts. It is being fashioned after an old New England style home; a main home with little houses behind it. There will be a garage and barn. There are cows on the lot now. It is zoned for residential purposes; there is a new well and septic system to service the house. The County of Sullivan reviewed this application under §239 of the General Municipal Law and the County determined that there was no impact and recommended the application for local determination.

The members of the Board had no comments.

The public hearing was closed by Acting Chairperson Kiefer.

A motion to accept the September 10, 2014 meeting minutes was made by Matthew Sush and seconded by Michael Croissant
4 in favor, 0 opposed.

PARKWOOD PARTNERS LLC - Wild Turnpike - S/B/L: 26-1-6

Vince Pietrzak, P.E., Jared Hart, Esq. and Mr. Simon Gelb

Acting Chairperson Kiefer asked the applicants why they were looking to subdivide the subject premises. Mr. Pietrzak advised that Thompson Education Center will be purchasing proposed Lot 1 and will be under contract to purchase proposed Lot 2. The applicant is structuring the deal this way due to financing and seller agreements. Access off of Wild Turnpike via easements across Lot 1 to Lot 2 is shown on the site plan. Access to Lot 2 from the Town of Fallsburg is also shown. Town Engineer McGoey asked if Lot 1 will be permitted to use the easement to Lot 2 from Fallsburg? Jared Hart, Esq., advised that a license has been prepared to permit that use.

Town Engineer McGoey asked about the applicant's ability to build a road upon the 50 foot easement access from Wild Turnpike. Mr. Pietrzak advised that they have reviewed the wetlands map and discussed construction of the road with the DEC Engineer Doug Gaugler and he said it would be feasible. Attorney Paula Kay suggested that since the Board would be sending this application to the County for review under GML §239 and we have to wait for the County's determination, that the applicant get a letter from Mr. Gaugler or have Mr. Gaugler contact the Town Engineer verifying this. Mr. Pietrzak advised that if Town Engineer McGoey can call Mr. Gaugler, that would be easier.

Mr. Gelb advised that he believes that the amount of the wetlands affected was less than one-tenth of an acre, so the Army Corps of Engineer approval is not needed but DEC approval is necessary.

Acting Chairperson Kiefer asked for a motion to request the County's revise under GML §239 and a motion was made by Matthew Sush and seconded by Melinda Meddaugh.
4 in favor; 0 opposed.

Mr. Gelb advised the Board that he cannot be at the next meeting and if there are any questions, please feel free to ask him tonight. Melinda Meddaugh asked if the Board has a map showing where the wetlands are? Town Engineer McGoey showed Mrs. Meddaugh on the site plan, but there is also a map on file. There are wetlands designated by the Army Corps. of Engineers, but they are not being disturbed. Mr. Gelb showed the Board where the wetlands are on the site plan; it is a very small piece on the map. Mr. Gelb further advised that there are no State designated wetlands, only wetlands designated by the Army Corps of Engineers. Mrs. Meddaugh noted that the wetlands on the northern part of the parcel were the wetlands the Board was concerned about. Mr. Gelb reiterated that they are not State designated wetlands.

Attorney Paula Kay advised the applicants that assuming we get the County's review under GML §239 before the next meeting, this application will be on the agenda; if we do not receive it, then it will not be on the agenda.

CENTER FOR DISCOVERY - VISTA RESIDENCE - 2-1-31.3

Glenn Smith, P.E. and David Fanslau

Matthew Sush recused himself from hearing this application.

Mr. Smith advised that the tax map number on the original plans is wrong and it should be noted as S/B/L: 2-1-31.3. The Secretary noted the correct number for the record.

Mr. Smith advised that the subject premises is a 5.37 acre parcel in the RR-2 zoning district. There is an existing 7 bedroom house which was constructed in 2002. In this zone, a second residence is permitted, as long as the lot can be subdivided in the future. The proposed residence is shown in red on the plans submitted. A new septic system and well will be installed. Mr. Smith acknowledged receipt of the Town Engineer's comments and advised that with respect to accessible handicap spaces; he will address the Town Engineer's comments and show them on the plans. With respect to the storm drains, there is an existing ten inch pipe, but we will install another fifteen inch pipe. Exterior lighting is shown on the plan and is existing; there is more to be installed. It is not so bright so as to light up the neighborhood. If a public hearing is required, then we would want it as soon as possible. Melinda Meddaugh advised that the Board wanted to see what the public hearing held this evening for another Center for Discovery application. It was very quiet.

Logan Ottino advised that since this is a single family residence, it is her opinion that it does not need a public hearing, just site plan approval. After discussion, Acting Chairperson Kiefer advised that the Board will not require a public hearing.

Mr. Smith asked if they submit revised plans for the Town Engineer's review, can they get conditional approval tonight? Town Engineer McGoey says that would be fine. Town Engineer McGoey reminded Mr. Smith that if they sell, they would have to subdivide the premises before they sell.

Acting Chairperson Kiefer asked for a motion for negative declaration motion under SEQRA and a motion was made by Melinda Meddaugh and seconded by Michael Croissant.

3 in favor, 0 opposed

A motion for site plan approval subject to the Town Engineer's review of the revised plans and any other comments the Town Engineer may have, was made by Melinda Meddaugh and seconded by Michael Croissant.

3 in favor, 0 opposed

YESHIVA VIZNITZ - PHASE II - 16 Lot Subdivision - S/B/L: 6A-1-1.1, 3 and 4

Maria Zeno, Esq. and David Zigler, P.E.

Mr. Zigler advised that they would like to receive a negative declaration under SEQRA and schedule a public hearing. Town Engineer McGoey advised that the Board has a fairly substantial subdivision

plan and it could go to public hearing. Mr. Zigler advised that the flow test done today, per item 3 on the Town Engineer's comments.

Acting Chairperson Kiefer asked for a motion for negative declaration motion under SEQRA and a motion was made by Matthew Sush and seconded by Melinda Meddaugh .
4 in favor, 0 opposed.

A motion to schedule a public hearing for October 22, 2014 at 7:00 p.m. was made by Matthew Sush and seconded by Melinda Meddaugh .
4 in favor, 0 opposed.

Attorney Paula Kay advised that there are Building Department issues with the School. Maria Zeno, Esq., said the applicant will be coming back before the Board with modifications to the site plan; however, they will meet with Logan first.

MONTICELLO RESORTS - Kaufman Road - S/B/L: 12-1-5.1

Joel Kohn and Michael Weber, contractor

Mr. Kohn advised that the applicant wants to add decks and sunrooms to two units and they also want to relocate the caretakers unit. They will remove an old storage building and place the caretakers unit there. The storage building is old and the new building will be much nicer. The applicant wants to construct a building for the water system so it is enclosed.

Acting Chairperson Kiefer asked if the applicant will be using the decks for bedrooms and Mr. Kohn advised they would not, as all of the units have four bedrooms. Town Engineer McGoey suggested that a note be placed on the plan that the decks will not be used for bedrooms; Mr. Kohn said he ensure it is noted.

Acting Chairperson Kiefer asked for a motion for negative declaration motion under SEQRA and a motion was made by Matthew Sush and seconded by Melinda Meddaugh .
4 in favor, 0 opposed.

A motion for approval of the modification of the previously approved site plan, was made by Matthew Sush and seconded by Melinda Meddaugh
4 in favor, 0 opposed.

ISRAEL OSTER - 65 Friedman Road - S/B/L: 5-1-6.1, 6.3 and 6.16

Joseph Churgin, Esq. and Israel Oster

Mr. Churgin commented that it is his understanding that the applicant had to return after one year of operation to iron out any potential issues. Attorney Paula Kay advised that Mr. Churgin was

provided with copies of the complaints which were logged with Building Department. The Board has a few questions for Mr. Oster and then we will set a public hearing.

Acting Chairperson Kiefer advised that operating hours were an issue. Mr. Churgin advised that the premises is used in the summer months - July and August and essentially. They close at 8:00 p.m. Acting Chairperson Kiefer asked how late Mr. Oster has been staying open and Mr. Oster advised 6:00 p.m. Attorney Paula Kay advised that there have been noise complaints after 8:00 p.m. and Mr. Oster commented that he has heard noises coming from elsewhere but it was not from his property. Mr. Churgin stated that Mr. Oster will stop operation by 8:00 p.m. Attorney Paula Kay noted that Mr. Oster's engineer previously sent in a letter in May 2013 stating that the hours would be until 6:00 p.m. Mr. Oster stated that he believed the original intent was 6:00 p.m. Mr. Churgin noted that this park is in operation during summer months when it stays lighter longer. It is a fair compromise that Mr. Oster will close at 8:00 p.m. and stay closed. Attorney Paula Kay noted that in reviewing Mr. Oster's engineer's letter, it is stated under dates of operation that it will be from June-August until 6:00 p.m. If Mr. Oster is asking for 8:00 p.m., that is something the Board can discuss after the public hearing.

Michael Croissant asked the applicant about the trespass issues? Mr. Churgin asked if it was for people going onto Hidden Ridge's property and Mr. Croissant confirmed it was. Mr. Churgin advised that Mr. Oster has signs up in the park towards the border towards Hidden Ridge (not exactly on the border) that advise visitors to turn around. There is no fence between the two properties. The signs are there. We can make them clearer. Mr. Croissant asked if a fence could be installed and Mr. Churgin noted that it is an expense and Hidden Ridge is in a better position to install a fence than the applicant is.

Attorney Paula Kay advised that the site plan we have in the file is not what is actually on the site and the Board needs an as-built site plan. Mr. Oster asked for clarification. Logan Ottino advised that there is a duck spray booth and a spider web activity area. In addition, the septic was relocated and work is obviously being done on the property. Mr. Churgin advised that Mr. Oster will obtain an as built site plan. Attorney Paula Kay asked who Mr. Oster's engineer of record is now and Mr. Oster advised it was Will Illing, but he may go to someone different.

Attorney Paula Kay advised that the Town Engineer is going to go to the site. Mr. Oster's engineer has to do the same thing and ensure that everything that is on the ground is on the site plan. It needs to be pretty exact.

Mr. Churgin advised that there is another complaint he wanted to address, which he believes brought a lot of people here this evening. There have been complaints of children walking along the trail and using whistles. The children are not blowing whistles. Camps come and spend the day. It is a large site. The counselors in charge have to use something to corral the children and they use a whistle to communicate. We could have a bull horn, but we won't do that. If that's what the Board and the neighbors want, then that is what we will do. We need to operate on the property. It is not Mr. Oster's staff; it is the customers visiting the site and a necessary evil. We are not asking for a

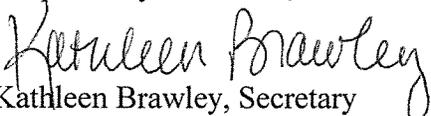
megaphone. It is a large place. They need a way to communicate. Unless there is a better way, this is the fair and reasonable. Attorney Paula Kay suggested that we should reach out to other camps and see how they handle this. Town Engineer McGoey thought that better supervision would be helpful. Mr. Churgin advised that this is a park Mr. Oster is running, he is not supervising the attendees. Attorney Paula Kay reminded Mr. Churgin that Mr. Oster's site plan approvals were subject to supervision. We need to be cognizant of the neighbors. Obviously the whistles are not working. Between now and the public hearing, maybe we can come up with another solution.

Town Engineer McGoey advised that he will come to the site and look at the signage for the entrance to the park. Mr. Churgin advised that it was a problem at the beginning of the summer, but once the buses knew where they were going, it was fine.

Acting Chairperson Kiefer asked for a motion to schedule a public hearing for October 22, 2014 at 7:00 p.m. and a motion was made by Matthew Sush and seconded by Melinda Meddaugh .
4 in favor, 0 opposed.

A motion to adjourn the meeting at 7:40 p.m. was made by Michael Croissant and seconded by Matthew Sush.
4 in favor, 0 opposed.

Respectfully submitted,


Kathleen Brawley, Secretary
Town of Thompson Planning Board