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**TOWN OF THOMPSON
PLANNING BOARD
WEDNESDAY, March 25, 2015**

IN ATTENDANCE:

| | |
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| Chairperson Patrice Chester | Lou Kiefer |
| Matthew Sush | Melinda Meddaugh |
| Michael Croissant | Bobby Mapes, Alternate |
| Logan Morey, Building Dept. | Paula Elaine Kay, Attorney |
| Matt Sickler, Consulting Engineer | Kathleen Brawley, Secretary |

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

**PUBLIC HEARING:
JCA HOTELS - STATE ROUTE 42 - S/B/L: 13-3-38.1**

Chairperson Chester read the public notice. Proofs of mailing were not provided by the applicant.

There was no presentation by the applicant. There was no public comment.

Attorney Paula Kay said that since the applicant did not present tonight, they will have to re-notice the public if they wish to conduct a second public hearing.

A motion to close the public hearing was made by Lou Kiefer and seconded by Michael Croissant

5 in favor; 0 opposed

A motion was made to accept the February 25, 2015 meeting minutes was made by Lou Kiefer and seconded by Melinda Meddaugh.

4 in favor; 0 opposed

A motion was made to accept the March 11, 2015 meeting minutes was made by Matthew Sush and seconded by Bobby Mapes.

3 in favor; 0 opposed

BIRCHWOOD LEARNING CENTER - INFIRMARY BUILDING

762 Sackett Lake Road - S/B/L: 56.-1-32.32

Glenn Smith, P.E.

Mr. Smith presented the Board with a color coded site plan. Mr. Smith advised that the site has been under construction since last year. Two cabins/bunk buildings were completed and occupied by boys last summer. The Department of Health asked for an infirmary to be

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constructed on the site. The application is for a 17'x25' building; but since the application was submitted, the Department of Health advised that they want a small room to be constructed within the infirmary for a staff member to sleep in case a child needs to stay in the infirmary overnight. So now the proposed building will be 18'x28'. It is slab on grade with no steps and therefore, there is no need for handicap ramps. Mr. Smith advised that he discussed this application with Attorney Paula Kay and she confirmed that it was a minor modification to a previously approved site plan.

The Board had no comments.

A motion for negative declaration motion under SEQRA was made by Lou Kiefer and seconded by Matthew Sush.

5 in favor; 0 opposed

A motion to approve a minor modification to the previously approved site plan was made by Melinda Meddaugh and seconded by Lou Kiefer.

5 in favor; 0 opposed

VERIA LIFESTYLE AT BAILEYS LAKE

Anawana Lake Road and Fraser Road - S/B/L: 9-1-1.1, 1.2 and 7

Gary Silver, Esq., Glenn Smith P.E., and Larry Boudreau, Chazen Engineers

Mr. Boudreau provided an aerial photo of the site to the Board and advised that the site plan which was submitted nine days ago is being developed further. We managed to reduce impervious surfaces by combining the proposed garages. It is more efficient and pulls the garages off the slope to the west. The entrance to the site stays same. The service area is separated and goes around the south side of the building. We believe that this is a more efficient site plan. The site plan provided tonight will be submitted in full detail with SWPP in two weeks, which will include specifications for lighting, landscaping, photometrics, etc. The layout shown to the Board tonight is very close but we are still working on improving it.

Mr. Smith addressed the Town Engineer's comments and confirmed that a lot consolidation will be required. Further, the fourth lot near the employee parking lot is in fact owned by Veria. Mr. Smith also noted that there was an inconsistency in the EAF which states sewer usage of 18,500 gallons per day and 28,450 in another document. It is 28,450 gallons per day. The Kutcher sewer plant can handle 200,000 gallons a day. Part 1 and 2 of the EAF have been completed and they have identified any environmental concerns such as erosion, runoff to Bailey's Lake, etc. The applicant is drilling another well. All sewage will be treated by the existing plant.

Jim Barnicle asked if the road leading into facility will be used for both commercial and

residential traffic and Mr. Boudreau confirmed it would be. Mr. Barnicle asked if there are any proposed pedestrian/bike paths as he presumes people will be walking the road. Mr. Boudreau advised that the entrance road is 2,700 feet to Anawana Lake Road. New pedestrian paths will be constructed and they will also utilize prior paths already on the site. Mr. Silver advised that there will be plenty of trails and no one is going to walk on the road.

Mr. Silver wanted to follow up with short eared bat issue and Supervisor Rieber's recent press release concerning the same. Mr. Silver had a conversation with the DEC which was consistent with the Town's findings. Mr. Silver's concern is the discrepancy between what was in the newspaper this weekend which noted that more strict regulations could come into place. Mr. Silver advised that he tried to get clarification from the NYS Fish and Wildlife Board that this will not be an issue and that they could enact emergency regulations. Mr. Silver advised that the applicant needs to do some tree cutting. The vast majority of the trees will be left untouched. We know that the Town has no specific rules regarding cutting trees, etc. We know we have to be before the Planning Board and follow the recommendations of the Board. People have suggested that we just cut down trees, but the applicant wanted to do the right thing. Attorney Paula Kay re-iterated that the DEC found that there are no long eared bats in this area.

Mr. Silver expressed concern about what Supervisor Rieber's press release said about County-wide regulations. If the recent newspaper article and Supervisor Rieber's press release were in sync, he would have no problem, but he is concerned with the discrepancy. The amount of trees the applicant is proposing to take down is minimal and does not want any further delay. We want to move forward at full steam.

Melinda Meddaugh advised that she felt this request should be denied, as they have not provided enough details. Chairperson Chester advised that the applicant come back before the Board in two weeks.

Mr. Smith advised that they are submitting full plans in two weeks and the time period for the notice sent in connection with their IDA application will be expired. We would like the Board to consider allowing the applicant to cut trees at that time. Attorney Paul Kay advised that the Board can consider it but until they see the plans, they cannot say for certain.

Bobby Mapes noted that the applicant was going full speed ahead when the project was located at the former Kutcher's site. What would make this project different? What if you change the plan again? Mr. Smith advised that it was because of what his client found underground, that they had to change the plans. In any event, this is a much nicer project.

Matthew Sush suggested that the applicant identify the trees they want to remove in the landscaping plan. Attorney Paula Kay reminded the Board that if they are going to consider bonding the removal of the trees prior to site plan approval, we will want to see the specific trees being cut down. Mr. Smith advised that this is only required for mobile home parks.

Attorney Paula Kay advised that because this issue is outside of the Board's comfort zone, it would be strongly recommended to do that to ease any concerns. Ultimately, the best thing to do is get the site plan submitted.

BRIDGEVILLE REALTY (GINSBERG FOODS)

198 Bridgeville Road - S/B/L: 32.-1-83

**Glenn Smith, P.E., Walter Garigliano, Esq. and John Brusie,
Ginsberg Foods/Hudson Valley Logistics & Distribution LLC and**

Mr. Smith advised that the site is located in the WSUL building. The warehouse in back was used by Leisure Time and Shelburne Plastics.

Mr. Brusie advised that Ginsberg Foods is a family-owned food service company and Hudson Valley Logistics & Distribution LLC is a subsidiary of Ginsberg. We offer logistical solutions. As Ginsberg's, we sell and distribute groceries. As HLVD, we simply move boxes for whomever needs them removed. We want to start a food hub where we store the product for distribution and deliver to the end consumer. We do not own the product. We presently do this in our Hudson facility. Farmers/producers bring their product to us and we take it to whatever market the farmer or producer has found.

Attorney Paula Kay asked Mr. Smith if he was bringing tonight's application under §250-50 of the Town's Zoning Law and Mr. Smith advised he was, as that section of the law states they can proceed with an existing building which is in conformity without the necessity of site plan approval. However, the applicant may need a building permit for a cooler. Do we need Planning Board approval for that or is this simply an existing use? Attorney Paula Kay advised that she sees it as an existing use. The Board discussed and agreed with that determination.

A motion to confirm that this project does not need site plan approval and may proceed with the Building Department for the necessary permits, was made by Michael Croissant and seconded by Melinda Meddaugh. 5 in favor; 0 opposed.

CARDINAL SQUARE REALTY LLC

253 Rock Hill Drive - S/B/L: 32.-1-39

Glenn Smith, P.E. and Scott Mace

Chairperson Chester recused herself from this application. Acting Chairperson Kiefer appointed Bobby Mapes as a voting member in Chairperson Chester's absence.

Mr. Smith advised that this is the pharmacy building in Rock Hill. The plans submitted show the original parcel and building. The intent is for the front section of building, which was a

bank, to now be a Dunkin Donuts. There is already a drive thru lane with a window for the bank. The deposit tubes will be removed and a new window will be installed. When this plan was approved, we banked 5-6 parking spots, which are lawn now. The applicant wants to add them now and relocate the dumpster to ease trucks coming in and out. The guardrail along back of the parking lot will be moved back to ease in snow removal. There is an existing sign in the front of the building. Mr. Smith does not have the sign detail yet. The applicant is looking for a minor modification to a previously approved site plan. Mr. Smith further advised that the menu board and speaker for drive thru ordering are shown on side of building.

Melinda Meddaugh asked about signage. She wants to see the details of the signs. They can be nice and provided Mr. Smith with an example she found on the Internet. Mrs. Meddaugh asked if Dunkin Donuts is going to put a sign on the building and whether there are going to be directional signs? Mr. Smith thought they needed to have them. Mr. Mace advised that the signs are already there and in the pavement. Dunkin Donuts has not provided the proposed signage. Mr. Mace assured the Board that it will look nice and the signs will not be any bigger than what is there. He will provide details. Mr. Smith advised that the existing shop is nice, and Mr. Mace will keep up with that.

Mr. Smith advised that the parking calculations are based on the size of building. For a restaurant, it is 1 spot for every three seats. This will have 8 seats in total. The Town Zoning requires less parking spots than what is presently on the site. Jim Barnicle asked if that changes the handicap parking spot percentage and Mr. Smith advised it does not. Attorney Paula Kay asked what the difference in employees for the bank and Dunkin Donuts and Mr. Mace advised that the bank had five employees and Dunkin Donuts will have five employees in the morning and six in the afternoon.

A motion for negative declaration motion under SEQRA was made by Matthew Sush and seconded by Melinda Meddaugh.
5 in favor; 0 opposed

A motion to approve the minor modification to the previously approved site plan conditioned upon the Board's approval of the signage and the Town Engineer's comments, if any, was made by Michael Croissant and seconded by Bobby Mapes.
5 in favor; 0 opposed

JEFF BANK/WESTERN SULLIVAN O.R.E. LLC

18 Anawana Lake Road and 59 Lanahan Road - S/B/L: 13.-2-3.2, 3.4, 2.3

John Galligan, L.S., Al Chase, L.S. and George Kinne CEO and President of Jeff Bank

Chairperson Chester and Matthew Sush recused themselves from this application. Patrice and Matt recused. Acting Chairperson Kiefer appointed Bobby Mapes and Jim Barnicle as a voting

member. Attorney Paula Kay and Bobby Mapes both disclosed that their business banking accounts are with Jeff Bank.

Mr. Galligan advised that Jeff Bank bought the former Marshall Sterling building at the corner of Anawana Lake Road and Lanahan Road which consisted of two parcels, the building lot and a vacant lot. Jeff Bank also owns the former Lewinter bungalow colony and the Bank is presently removing the buildings. Jeff Bank will eventually come back before the Board to put a building on that lot. For now, Jeff Bank wants to enlarge the Marshall Sterling building. We want to request a lot line change and take 1.32 acres from the Lewinter lot and add it to the Marshall Sterling lot.

Mr. Galligan advised that they have reviewed the Town Engineer's comments. They spoke with Bill Culligan and he said there is no problem with the sewer line. There is a line within the bounds of the road and we will note that on the map. Most of the lot is already monumented, but we will make sure it is done.

Jim Barnicle asked if there were any rights-of-way and Mr. Galligan advised that there is a right-of-way to the Lewinter property of 15 feet through the old Lefty's parking lot. This does not affect this lot line change.

A motion for negative declaration motion under SEQRA was made by Michael Croissant and seconded by Melinda Meddaugh.

5 in favor; 0 opposed

A motion to approve the lot improvement was made by Michael Croissant and seconded by Bobby Mapes.

5 in favor; 0 opposed

TADEUSZ AND TERESA PUZIO

33 Dillon Farm Road - S/B/L: 18.-1-63.14

John Galligan, L.S. and Al Chase, L.S.

Mr. Chase provided a site plan provided to satisfy the Town's requirements. Mr. Puzio originally applied for a building permit for a garage, which turned into a little more than a garage. The Town required that all improvements be shown on the site plan. At one time, the shed on the lot was non-conforming, Mr. Puzio got a variance for the shed, but the time to act on the same ran out. Rather than going before ZBA again, Mr. Puzio moved the shed. Mr. Galligan advised that Mr. Puzio resolved the septic issue by installing another 1000 gallon tank to upgrade the sewer. Mr. Sickler advised that Town Engineer McGoey did review the premises and it appears to be in order. Mr. Galligan advised that in Mr. Puzio's defense, he did do a lot of building without permits, however, his wife had a bad stroke and now he wants to get

this all done. Matt Sickler felt that if Mr. Puzio addressed Town Engineer McGoey's comments the Board is okay to proceed.

Chairperson Chester advised that the fine for building without a building permit is \$500.00.

A motion to impose a \$500.00 fine against the applicant for building without the required permits was made by Melinda Meddaugh and seconded by Michael Croissant.
5 in favor; 0 opposed

A motion for negative declaration motion under SEQRA was made by Lou Kiefer and seconded by Michael Croissant.
5 in favor; 0 opposed

Bobby Mapes asked if the approval is subject to the Building Department receiving complete plans and Attorney Paula Kay advised that it was, as the Building Department has some plans, but they are not for what is built. Logan Morey advised that the plans provided by the applicant are not in depth and that the applicants need to deal with the Building Department to update their permit and schedule inspections.

A motion for site plan approval, subject to payment of the \$500.00 fine and confirmation of compliance with the Town Engineer's comments and Building Department requirements was made by Michael Croissant and seconded by Melinda Meddaugh.
5 in favor; 0 opposed

GARDEN HILL ESTATES

50 Strong Road - S/B/L: 1-1-12

The applicant did not appear.

RINGLER - MOONLIGHT COTTAGES UNIT 15

58 Rubin Road - Section 43 Block 1 Lot 23.3

Dan Smith and Michael Kozykowski Al Adler P.C.

Mr. Smith advised that the applicants want to follow suit in the colony to get their required approvals and do things the right way. The applicant wants to add a 22'x24' addition on the rear of the unit. The unit will have 2 bedrooms and 2 bathrooms. The applicant is simply shifting the location of bedrooms and bathrooms and not adding any. The applicant wants to square off the front of the building to make it additional living space and also add a 5'x12' deck on the front of the unit. The applicant is decreasing the space between the neighboring buildings, but is maintaining the 25 feet building separation.

Matt Sickler advised that the Town Engineer wants the building separation amounts to be field surveyed and confirmed.

Mr. Smith asked if the Board would grant a conditional approval and Attorney Paula Kay advised that the Town Engineer does not recommend action until the building separation distance is confirmed and confirmation that the location of the sewer line that goes under building.

Matt Sickler advised that it appears that there were two sets of plans submitted. There may be a discrepancy between what the Town Engineer reviewed. If it is just cutting addition back a foot, that is easily done. With respect to the sewer line, we want to see the specific details for this and not go by what the contractor thinks is best. Mr. Sickler advised that he feels the approvals can be made conditioned upon these requirements.

A motion for negative declaration motion under SEQRA was made by Matthew Sush and seconded by Melinda Meddaugh.

5 in favor; 0 opposed

A motion for site plan approval subject to confirmation of the building separation distances and providing specific details concerning the sewer line, was made by Melinda Meddaugh and seconded by Lou Kiefer.

5 in favor; 0 opposed

A motion to end meeting at 7:55 p.m. was made by Matthew Sush and seconded by Lou Kiefer.

5 in favor; 0 opposed

Respectfully submitted,



Kathleen Brawley, Secretary
Town of Thompson Planning Board