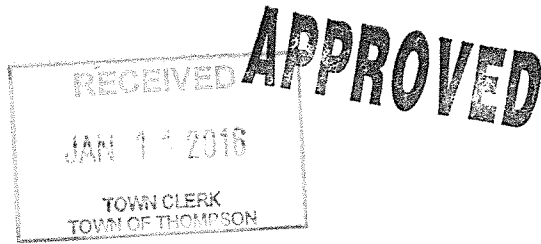


**TOWN OF THOMPSON
PLANNING BOARD
WEDNESDAY, December 9, 2015**



IN ATTENDANCE: Acting Chairman Lou Kiefer Michael Croissant
 Matthew Sush Melinda Meddaugh
 Bobby Mapes, Alternate
 Kathleen Brawley, Secretary Paula Elaine Kay, Attorney
 Richard McGoey, Consulting Engineer
 James Carnell, Director, Building/Planning/Zoning

ABSENT: Chairperson Patrice Chester and Jim Barnicle, Alternate

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

Acting Chairperson Kiefer appointed Bobby Mapes as a voting member for tonight's meeting in the absence of Patrice Chester.

A motion to accept the November 11, 2015 meeting minutes was made by Michael Croissant and seconded by Matthew Sush
4 in favor; 0 opposed

A motion to take the agenda out of order was made by Michael Croissant and seconded by Matthew Sush.
5 in favor; 0 opposed

**MONTICELLO MOTOR CLUB
Cantrell Road, Monticello, NY - S/B/L: 49.-1-1.1 et al
Alex Wolenski**

Town Engineer McGoey and Melinda Meddaugh recused themselves from participating in this application. Glenn Smith, P.E. is appearing on behalf of the Town in this application.

Mr. Wolenski advised that the area in question is in the center of the track. The original proposal had four additional buildings, for a total of eight buildings. When the site plan was originally built, they wanted it modular to build as needed. They now have a reason to build all four buildings at once. They determined it was better to combine the buildings and make it one large building. The square footage will be reduced from 12,000 to about 9,800 square feet. This also saves the applicant money to build them in one shot.

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

A motion to approve the amendments to the previously approved site plan was made by Matthew Sush and seconded by Michael Croissant.
5 in favor; 0 opposed.

DAVE BURR and ADRIAN BONE

Strong Road, Ferndale, NY - S/B/L: 1-1-16.2, 19 and 23.1

William Norton, P.E.

Mr. Norton advised that Mr. Burr and Mr. Bone sought out the owner of the third lot to purchase the third lot. They have purchased it together and will subdivide to make their lots larger and make them more attractive. Mr. Norton showed the Board how the properties will be divided and there after added to. They will be going from three tax lots to two tax lots.

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 subdivision and lot improvement was made by Matthew Sush and seconded by Melinda Meddaugh.

5 in favor; 0 opposed.

TACO BELL RESTAURANT

4379 State Route 42, Monticello, NY - S/B/L: 13-2-2.1

Glenn Smith, P.E. and Duncan Cameron

Mr. Smith provided the Board with an updated plan. The owners proxy was provided to the Board tonight. The plan previously submitted is similar but the plan presented tonight was in more detail. With respect to the Town Engineer's comments, the drive through lane will be ten cars long, which is double the normal accepted size. Mr. Smith moved the building back another five feet to 45' and even with the drive through lane, there is sufficient room for landscaping. The owner really does not want to move the building back further. A building which was previously approved for this lot was only 20' from the lot line. Town Engineer McGoey felt that the building should be 50' back from the lot line. That way there will be plenty of room for the sign, etc., as well landscaping. The Board noted that the building will now be in line more or less with the bakery. Mr. Smith did add the additional "waiting" parking spot as recommended by the Town Engineer. The location of that spot was discussed by the Board. Mr. Smith advised he will look into changing the location of the same. The Board expressed an interest in seeing more landscaping. Mr. Smith advised that the applicant will obtain the necessary DOT approvals. Town Engineer McGoey advised that the easement on the lot could be an entrance to an additional building located behind the proposed Taco Bell. Mr. Smith advised that Lanahan Road is another entrance to any building behind this Taco Bell. Town Engineer McGoey noted that it is a filed right of way and could be utilized in the future. Acting Chairperson Kiefer asked if the Board could have any say in whether or not the right of way could be used at a later time and Town Engineer McGoey advised that the Board could have some say in its use. Mr. Smith

advised that the dumpster detail will be provided and will be out of the right of way. Mr. Smith also advised that there is less than an acre of land disturbed in this construction and a full SWPP may not be necessary.

Town Engineer McGoey noted in his comments that a variance may be required for the sign. The owner of the property previously received a variance for a sign. Mr. Smith advised that most of the signs in the area are in the 18-20 foot height and provided photos of the same with height details. Mr. Smith provided proposed signage for Taco Bell. They are leaning toward a 35' square foot sign. Mr. Smith wants to go to the ZBA with this Board's recommendation or preference for the sign. Melinda Meddaugh wants the sign to match the façade of the building. Lou Kiefer noted that Taco Bell has a standard sign and it may be difficult for them to vary from that. Melinda Meddaugh understood that, she just wants it to match the façade of the building to make it more attractive. Bobby Mapes advised that a 25' sign would blend in with the rest of the signs in the area. Mr. Cameron advised that the proposed sign is skinny and not very wide. The Board asked for the height of the building and Mr. Cameron advised the building will be 20' high.

Melinda Meddaugh informed Mr. Smith and the applicant that herself, Matthew Sush and Supervisor Bill Rieber were going to meet with Sullivan Renaissance and the County Planning Dept. tomorrow (Thursday 12/10/15) to look at making the Route 42 corridor from McDonald's to Kentucky Fried Chicken nicer. We are going to meet to discuss a common building design and landscaping theme for this area. Melinda Meddaugh asked the applicant to develop the project around these standards and advised that she would follow up with the applicant after this meeting to discuss the same further. Melinda Meddaugh noted that ideally, the building design for the proposed Taco Bell would look similar to the newer façade renovations along Route 42, such as the title building on Route 42 in the Village and the new Kosher bakery.

A motion to refer this matter to the Zoning Board of Appeals for a sign variance was made by Matthew Sush and seconded by Melinda Meddaugh.

5 in favor; 0 opposed

Mr. Smith and the Town Engineer agreed that this is a Type I action and no action will be necessary under SEQRA. A short form EAF was provided to the Board. Town Engineer McGoey advised that Lead Agency status is not necessary under the circumstances.

A motion to schedule a public hearing in connection with this matter for January 13, 2016 was made by Matthew Sush and seconded by Melinda Meddaugh.

5 in favor; 0 opposed

YESHIVA VIZNITZ/KL HOUSING CORP.

Gibber Road/Feldman Circle, Kiamesha Lake, NY - S/B/L: 6.A-1-1.1, 3 and 4

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

Mr. Zigler advised that the applicant has no issue with any of the Town Engineer's comments and that they have been mostly addressed. They did have legal issues and the Town Attorney

advised that they are under the five-year deadline. Town Engineer McGoey asked about landscaping and asked Mr. Zigler to show the same to the Board. Mr. Zigler advised that the original plan had street trees along the front as is done in the entire subdivision, but in this application, they have added trees in the rear of the buildings as well as the front and also provided shrubbery between the buildings. The trees are 2-3" in width or 10' high. There is a wall between each building to level the site off. The dumpster enclosures will be changed from chain link fence to block. Town Engineer McGoey asked about the construction and maintenance of the retaining walls. Mr. Zigler felt that the retaining walls on the back of the lots will be rock. The other retaining walls will most likely be pre-cast block. Town Engineer McGoey wants a maintenance agreement in place to ensure they are taken care of. Mr. Zigler advised that the lighting district is already shown on the tax map and the drainage district was agreed to during the PUD process. Mr. Zigler advised that the lower lot (17) will not be part of the open space. The majority of that lot will be buildable. There is a small portion on the bottom of the lot which will be used for open space. Melinda Meddaugh asked if this property is subject to the Town Law with respect to open space and parkland. Town Engineer McGoey asked the applicant to respond to the questions raised by the Sullivan County Planning Department. Mr. Zigler was unsure how to answer the question concerning the design and style of the home. Melinda Meddaugh advised that she asked how the buildings were going to look at a previous public hearing. She wants to see the siding and design. She would like to see each building have some separate style and design to avoid the cookie cutter look and add more character and individuality. Mr. Zigler would be glad to note this on the file, however, he can't file plans on each of the lots yet. Town Engineer McGoey felt that for the eight buildings, perhaps the applicants could provide four separate style designs.

Mr. Zigler advised that the floor plan was previously provided. Acting Chairperson Kiefer noted that it would be three stories used. Mr. Zigler felt that was accurate, as most of these are two stories exposed with a basement apartment in the back of the building. Bobby Mapes felt that a fire escape may be required. Mr. Zigler will check the code and get back to the Board.

Mr. Zigler advised that there will be two units on each lot, as they can be built separately (two units at one time, two units later). Acting Chairman Kiefer asked if they could build them that way and Mr. Zigler advised there is one built right now. It is a house and even by Town regulations, you cannot build two buildings on a lot. Bobby Mapes asked how they meet setbacks and Town Engineer McGoey advised it is in the PUD and fire walls separate the buildings. Mr. Kohn showed a photo of the house built on the site presently. Town Engineer McGoey felt that this is a building department issue. Acting Chairperson Kiefer asked if the second building built next to an existing building would match the existing building. Mr. Zigler was not sure if that was addressed in the PUD but will find out. Matthew Sush showed concern over one building being built now and the adjoiner being built in 20 years and how it could possibly match the older building at that time. Mr. Sush also asked if they check the structural integrity of the existing building when the second half of the building is built and Town Engineer McGoey advised it will not. The fire wall integrity will be checked.

The applicants will work on the details and come back before the Board at a later time.

MACHNE MIVTZER HATORAH

218 Hilltop Road, Monticello, NY - S/B/L: 41-1-24.1

Joel Kohn

Mr. Kohn advised that there were two items that needed to be addressed, landscaping and the addition of twenty parking spaces, both of which were addressed on the plan provided to the Board this evening.

The Board suggested larger trees rather than what was shown on the plan. Bobby Mapes asked about lighting at the entrances of the property. The day camp was utilized during the day. This property really needs to be better lit. Acting Chairperson Kiefer suggested street lights. Michael Croissant felt that would be annoying to the neighbors who have never had to deal with street lights before. Mr. Croissant feels this is a terrible spot for a day camp, let alone a sleep away camp. There are safety issues. Mr. Kohn feels it will be safer, as a day camp had 300-400 kids coming in and out every day. These children will be on site all the time. Mr. Croissant advised that the road is a terrible location for a camp. Melinda Meddaugh noted it is an existing use and we need to focus on that. Town Engineer McGoey felt additional lighting may be a nuisance to neighbors. Michael Croissant advised that there have been deaths on that road because it is such a dangerous road. Acting Chairperson Kiefer advised that street lights do not bother him. Mr. Kohn suggested lighting that shines onto the property rather than the road. Town Engineer McGoey feels that there is no issue with night time traffic. Mr. Kohn feels there will not be night time pedestrian traffic, but Mr. Croissant vehemently disagreed with that statement. Mr. Kohn advised that the applicant has addressed every comment and suggestion raised by this Board. Melinda Meddaugh asked if there would be night time activities and Mr. Kohn advised that after prayers, the children go to sleep for the night, usually around 10:00 p.m. There is no noise after that.

The Board also noted that it previously requested and Town Engineer McGoey confirmed that the site plan specifically prohibits no sound system utilized on the site and that future sound systems will be approved by the Planning Board. The note is specific and states that "no loud speakers, no whistles, no bullhorns shall be used".

Melinda Meddaugh asked if the newly constructed buildings would be similar to the existing buildings and Mr. Kohn advised they will be sided. Michael Croissant questioned the safety of the buildings. Town Engineer McGoey advised that he did not see anything that could not be fixed to be made habitable and they are all in reasonably good repair. They are all sided alike. They need railings and minor repairs.

Melinda Meddaugh asked if sleep away camps were permitted in the zone. Town Engineer McGoey advised that camps are permitted zone and are not specific to sleep away or day camps.

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

3 in favor; 2 opposed (Croissant, Mapes)

A motion to approve the subdivision and lot improvement was made by Matthew Sush and

seconded by Lou Kiefer.
3 in favor; 2 opposed (Croissant, Mapes)

COUNTRYSIDE ACRES (Unit 19)
445 Old Liberty Road, Monticello, NY - S/B/L: 8-1-57
Allen Frishman

Mr. Frishman advised that utilities were added to the site plan per the Town Engineer's comments. There was a utility line very close to the addition. The sewer line and water line were now shown on the plan. The plan was done per a survey which was prepared. Town Engineer McGoey asked about a property line in the back of the property and there is no issue as there is hundreds of feet behind the subject building. Town Attorney Paula Kay advised that the Town needs some stamped plans and Mr. Frishman advised he will provide the same. Town Engineer McGoey asked about the location of the sewer line cleanouts and Mr. Frishman advised that they were provided but he will ensure the Town is provided with another copy. Mr. Frishman advised that the detail of the compactor fencing will be addressed. He was at the site today and noted that it needs to be cleaned up and he will ensure that is taken care of.

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 modification to the previously approved site plan, subject to the Town Engineer's receipt of the second sheet of the plans and his final review and approval, was made by Matthew Sush and seconded by Michael Croissant.
5 in favor; 0 opposed.

PROPOSED AMENDMENT TO TOWN ZONING LAW §250-30

Attorney Paula Kay advised the Board that electronic variable signs versus flashing LED signs is that electronic variable signs do not flash, they change at a different pace. The Board did not support flashing LED signs.

The Board made the following recommendations to the Town Board:

- Signs should have a limit on size;
- The law should note the zoning districts where the signs can be located;
- The law should note whether the signs are permitted to be freestanding or affixed on the building;
- Design standards should be provided;
- The impact of the character of the community should be reviewed before signs are permitted.
- The lighting intensity of the signs should be addressed; and
- A limit on the number of signs in use should be noted.

JJCS, LLC

Old Route 17, Monticello, NY - S/B/L: 1.-1-4.2

Stuart F. Mesinger, The Chazen Companies

Mr. Mesinger advised that the applicant started the Nonni's plant and owns the piece next to it. It is split in zone. The front is one zone and the back is another. The applicant wants to develop the lot for commercial use, one for manufacturing and one for a hotel but it is not zoned for these things. The location is suitable for this zone change. It is on a good road and has good site distances. Environmental issues were reviewed and it was suggested that they leave the back of the lot rural, since it is not buildable in any event. Attorney Paula Kay advised that hotel and motels need ten acres and manufacturing needs three acres and Mr. Mesinger should ensure that any proposed lot meets those standards. Mr. Mesinger advised that the Town Board showed concern because there was no use in mind but the applicant feels he cannot get someone to use the property with its present zoning. Acting Chairman Kiefer felt that if it was only to change the front of the property he had no issue. Melinda Meddaugh thought it was good that they provided us with more information, as she was concerned of the proximity to the Town of Bethel and residential areas. Councilman Scott Mace asked if the applicant has had any offers to purchase and Mr. Mesinger advised that they have had some offers but it is difficult as it is not zoned for what they want. Attorney Paula Kay advised that usually a sketch plan is provided to the Board as well. Acting Chairman Kiefer advised that the commercial aspect makes sense, as there is a roller rink and the cookie factory right near by. Melinda Meddaugh asked if there was re-zoning done in the area and Jim Carnell advised that the cookie factory did have its zone changed previously. Melinda Meddaugh is concerned about changing the character of the neighborhood, with regards to the original intent of the comprehensive plan and the original intended uses for this area. Mr. Mesinger said the Town's plan is not clear. Bobby Mapes felt that no residence would be built next to a cookie factory. IT could but to get residential homes in there is probably not going to happen.

The Board discussed the fact that a public hearing is not necessary, they Town Board is just looking for our recommendation. Attorney Paula Kay asked for the applicant to be more specific as to what they want to change. Mr. Mesinger felt that one half of the total acres would be changed and he would calculate the same and be more specific for the Town Board. Scott Mace felt that they are just looking for a zone change to market the property. Attorney Paula Kay felt that if there is not a Board consensus, each member can make their own recommendations.

Melinda Meddaugh advised that she wants to be sure that the proposed use fits in with the original intent of the zoning for the entire area. She does not want the back of the lot to be included in the zone change since it abuts RR-2 zoning. She wants to see the County's review before she makes an ultimate determination.

Matthew Sush wants to see the RR-1 lot to be included in the change. Michael Croissant agreed with Matthew Sush.

Bobby Mapes felt that he does not see the area being anything other than commercial. Lou

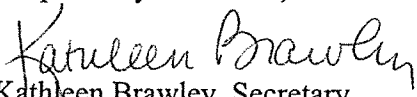
Kiefer felt the same way, and supported the zone change, as long as only the front of the lot is changed.

The Board discussed whether or not there is a necessity of a December 23, 2015 meeting. There is nothing pressing. Town Engineer McGoey did not think there was anything on the workshop sessions.

A motion to cancel the December 23, 2015 meeting was made by Michael Croissant and seconded by Matthew Sush.
5 in favor; 0 opposed.

A motion to adjourn the meeting at 8:19 p.m. was made by Matthew Sush and seconded by Michael Croissant.
3 in favor, 0 opposed.

Respectfully submitted,


Kathleen Brawley, Secretary
Town of Thompson Planning Board